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COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, JANUARY 7, 1913. No. 1.

SENATE.

JANUARY 7, 1913, 12 o'clock M.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the members of the Senate together with the Senators-elect chosen at the last general elecetion held on November 5, 1912, assembled in the Senate chamber.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) called the Senate to order at 12 o'clock noon.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

Lord, Thou hast been our dwelling place in all generations. Before the mountans were brought forth or even the earth and the world were formed, even from everlasting to everlasting, Thou art God. Thy word has been a lamp unto our feet and a light unto our path. Thou art the Wonderful, the Counsellor, the Mighty God, the Everlasting Father, the Prince of Peace. Thou art the Way, the Truth and the life. We come to Thee at this time seeking the way to the realization of all that is worthy our best effort, noblest character, supreme fidelity, and unquestioned integrity. We come to Thee seeking the truth, life's golden goal. The truth that is in Thee is the Fountain of Eternal Waters of which, if a man drink, he shall never thirst again. Truth is the measure of our life; truth is the standard of our conduct; truth is the criterion of every deed. We come to Thee, because Thou alone hast the words of eternal life. Help us to remember that the fear of the Lord is the beginning of wisdom. Help us to so order our lives that they shall be the expression of those higher purposes, even the higher purposes of God. Be Thou the presiding Spirit within these legislative chambers. Guide Thou each representative of the people in his exercise of the sacred trust committed into his hands by the people. Be Thou near their loved ones whom they have left at home; may Thy kindly Providence watch over them and protect them. Upon the Governor of this Commonwealth and the Lieutenant Governor and all associated with them in office; upon the Representatives of this State in Congress assembled; upon the President of the United States and upon all who share the responsibility of government with him, we invoke the Divine Blessing, the Divine Presence, and the Divine Guidance. Hear us in this our humble supplication. Amen.

RESIGNATION OF SENATOR ERNEST L. TUSTIN.

The President laid before the Senate communication which was read as follows:

Philadelphia, December 15, 1911.

Hon. George M. Wertz, President Pro Tem. of the Senate of Pennsylvania, Johnstown, Pennsylvania.

My Dear Mr. President: It is with keen regret that I present herewith my resignation as a member from the Fourth Senatorial District of the Commonwealth of Pennsylvania.

Owing to my election as Recorder of Deeds of the County of Philadelphia, it will not be possible for me longer to serve as a Senator and it is with great regret that I leave a body which has been so courteous and where I have received such splendid treatment.

With kindest regards to you personally and with all the compliments of the season, I remain,

Very sincerely yours,

ERNEST L. TUSTIN.

SPECIAL ELECTION FOR SENATOR IN THE FOURTH SENATORIAL DISTRICT.

The President announced that he had issued a writ for a special election for senator in the Fourth Senatorial District to fill the vacancy caused by the resignation of Honorable Ernest L. Tustin, as follows:

COMMONWEALTH OF PENNSYLVANIA, SS.

To the Sheriff of the County of Philadelphia:

Greeting: Whereas, A vacancy exists in the office of Senator of the State of Pennsylvania for the Fourth Senatorial District, composed of the Twenty-fourth, Twenty-seventh, Thirty-fourth, Fortieth, Forty-fourth and Forty-sixth wards of the City of Philadelphia, by reason of the resignation on December 15, 1911, of Ernest L. Tustin, Senator from said Senatorial District.

Now, therefore, I, John M. Reynolds, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Fourth Senatorial District of the State of Pennsylvania, on the fifth day of November, A. D. one thousand nine hundred and twelve, to choose a person to represent said Fourth Senatorial District in the Senate of Pennsylvania for the remainder of the term expiring November thirtieth, one thousand nine hundred and fourteen, and that you give due and public notice of said election throughout said Fourth Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this sixth day of September, A. D. one thousand nine hundred and twelve.

JOHN M. REYNOLDS.
President of the Senate.

RETURN OF THE SERGEANT-AT-ARMS IN SERVING WRIT.

The Chair laid before the Senate the return of the Sergeant-at-Arms, W. H. Williams, in serving the writ for a special election in the Fourth Senatorial District.

PRESENTATION OF RETURNS OF ELECTION OF SENATORS.

The Deputy Secretary of the Commonwealth being introduced, stated that pursuant to the provisions of the 87th section of the Act of July 2, 1839, entitled "An Act relative to election in this Commonwealth," he presented to the Senate the return of the election for Senators held on November 5, 1912, and the returns for the special election for Senator held in the Fourth Senatorial District, on November 5, 1912, which were laid upon the table.

OPENING OF RETURNS.

Mr. HOMSHER. Mr. President, I move that the Secretary proceed to open and read the returns presented.

Mr. SPROUL. Mr. President, I second the motion.

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The motion was agreed to and the said returns were opened and read as follows:

FIRST DISTRICT.

	R., L., Roos.-Prog. & W. Edwin H. Vare.	Democratic. Richard T. McSorley.	Prohibition. W. Walter Landis.	Socialist. Chandler J. Morgan.	K., B.-M. & Prog. Harry E. Miller.
Philadelphia Co. (part), --	18,336	5,785	36	949	3,821

THIRD DISTRICT.

	R. & L. James P. McNichol.	Democratic. Charles J. Hauger.	Socialist. Frank Vossen.	Keystone. P. J. Benzenhofer, Jr.	Washington. Walter H. Conover.
Philadelphia Co. (part), --	12,000	3,943	584	721	3,491

FOURTH DISTRICT.
(To Supply Vacancy.)

	R., D., K. & B.-M. John O. Sheatz.	Socialist. Ernest Gledhill.	B.-M., Roos.-Prog. & W. Samuel Crothers.
Philadelphia Co. (part), ----------	23,551	1,209	15,745

FIFTH DISTRICT.

	R. & L. Wm. H. Keyser.	Democratic & Washington. Richard V. Farley.	Socialist. Joseph Domes.	Keystone & Progressive. J. Siegmund Levin.
Philadelphia Co. (part), ----------	11,405	11,988	1,286	1,771

SEVENTH DISTRICT.

	R., K., L. & W. Augustus F. Daix, Jr.	Democratic. Adam M. Joyce.	Prohibition. C. M. Romer.	Socialist. Jacob H. Root.	Bull-Moose. Frederick H. Windle.
Philadelphia Co. (part), --	20,038	8,208	100	1,195	1,138

NINTH DISTRICT.

	R., B.-M. & Roos.-Prog. William C. Sproul.	Democratic. Alexander B. Geary.	Prohibition. George C. Webster.	Socialist. Ernest C. Magnier.	Washington. James Watts Mercur.
Delaware county, ---------	11,494	5,827	165	325	4,435

ELEVENTH DISTRICT.

	Republican. Henry U. Kistner.	Democratic. Edwin M. Herbst.	Prohibition. William Van Pelt.	Socialist. Charles A. Maurer.	Washington. Walter B. Freed.
Berks county, ----------	2,850	15,153	156	4,202	8,708

THIRTEENTH DISTRICT.

	Republican & Washington. John G. Homsher.	Democratic. George B. Wilson.	Prohibition. Howard Coates.	Socialist. John K. Hartman.	Bull-Moose. J. Harry Pickle.
Lancaster Co. (part), ----	9,369	5,547	183	327	6,515

FIFTEENTH DISTRICT.

	R., B.-M. & Prog. Edward E. Beidleman.	Democratic & Keystone. Lewis M. Neiffer.	Prohibition. E. E. Dixon.	Socialist. Clarence B. Shelley.	Progressive Republican. William H. Albright.	Washington. Isaac B. Swartz.
Dauphin Co.,	7,983	7,521	271	1,242	45	7,294

SEVENTEENTH DISTRICT.

	Republican and Progressive. Daniel P. Gerberich.	Democratic. James C. Duffy.	Prohibition. W. D. Snyder.	Bull-Moose & Washington. Warren F. Klein.
Lancaster county (part),	4,045	2,568	112	3,821
Lebanon county,	3,441	2,459	250	3,353
	7,486	5,027	362	7,174

NINETEENTH DISTRICT.

	Republican and Bull-Moose. Thomas R. McDowell.	Dem., Key. & Washington. John Gyger.	Socialist. Edgar Glauer.
Chester county,	7,554	9,552	288

TWENTY-FIRST DISTRICT.

	Republican, Dem. & B.-M. Sterling R. Catlin.	Prohibition. W. B. Bertels.	Socialist. Lewis H. Kocher.	Key., Prog. & Washington. William L. Pace.
Luzerne county (part),	10,035	224	608	8,730

TWENTY-THIRD DISTRICT.

	Republican & Washington. Charles E. Mills.	Democratic. John H. Murray.	Prohibition. F. I. Champlin.	Socialist. E. E. Strevy.
Bradford county,	6,157	3,161	318	197
Susquehanna county,	3,641	2,340	279	21
Wyoming county,	1,677	1,432	49	28
	11,475	6,933	646	246

TWENTY-FIFTH DISTRICT.

	Republican. Frank E. Baldwin.	Democratic, Pro. & Key. Robert W. Hilton.	Socialist. Esca G. Scoville.	Washington. James Garfield Covey.
McKean county,	1,929	2,939	436	1,862
Potter county,	1,158	1,521	283	1,325
Tioga county,	2,522	1,942	147	2,681
	5,609	6,402	866	5,868

TWENTY-SEVENTH DISTRICT.

	Republican & Progressive. William C. McConnell.	Democratic. John T. Fisher.	Prohibition. Jas. Dixon.	Socialist. William M. Felker.	Washington. William H. Hackenberg.
Northumberland county,	5,126	5,641	204	2,529	4,365
Snyder county,	1,089	850	18	94	1,002
Union county,	1,004	981	57	59	1,024
	7,219	7,472	279	2,682	6,391

TWENTY-NINTH DISTRICT.

	Rep., Key. & Progressive. Charles A. Snyder.	Democratic. James N. Hunter.	Prohibition. O. W. Bingaman.	Socialist. John O. Ulrich.	Washington. Alexander H. Tiley.
Schuylkill county,	10,572	9,330	170	2,668	6,285

THIRTY-FIRST DISTRICT.

	Republican and Washington Franklin Martin.	Democratic. Jerome T. Altman.	Prohibition. John L. Snyder.	Socialist. George G. Clark.
Cumberland county,	5,325	4,704	238	339
Juniata county,	1,187	1,346	19	63
Mifflin county,	2,027	1,398	59	529
Perry county,	2,352	1,980	37	70
	10,891	9,428	353	1,001

THIRTY-THIRD DISTRICT.

	Rep., Bull-Moose & Wash. John W. Hoke.	Democratic. Wm. A. Martin.	Prohibition. Harry C. Fox.	Socialist. Alvin B. Kuhn.
Adams county,	2,976	3,730	72	90
Franklin county,	5,771	4,567	120	414
	8,757	8,297	192	504

THIRTY-FIFTH DISTRICT.

	Rep., Bull-Moose & Prog. George M. Wertz.	Democratic & Washington. Jacob C. Stineman.	Socialist. Samuel McMillen.	Prohibition. John L. Edwards.
Cambria county,	7,531	12,405	772	87

THIRTY-SEVENTH DISTRICT.

	Republican & Washington. Theodore M. Kurtz.	Democratic. J. Wood Clark.	Prohibition. J. R. Morris.	Socialist. Milton Van Horn.	Keystone. Wm. F. Beyer.
Indiana county,	4,518	1,320	744	471	21
Jefferson county,	4,264	2,505	407	536	74
	8,782	4,325	1,151	1,007	95

THIRTY-NINTH DISTRICT.

	R., Rep., Prog. & Wash. Chester D. Sensenich.	Democratic & Progressive. Jay R. Spiegel.	Prohibition. R. A. Dornon.	Socialist. David R. Rees.
Westmoreland county,	12,491	9,005	825	4,400

FORTY-FIRST DISTRICT.

	Republican & Washington. J. Frank Graff.	Democratic. William Leslie.	Prohibition. C. E. Perkins.	Socialist. Charles E. Johnson.
Armstrong county,	5,094	2,528	168	557
Butler county,	5,066	3,438	1,367	442
	10,160	5,966	1,535	999

FORTY-THIRD DISTRICT.

	Rep., Bull-Moose & Wash. Charles J. Magee.	Democratic. John H. McCloskey.	Prohibition. Wm. F. Barnes.	Socialist. John Connor.	Keystone. Harold Allen.
Allegheny Co. (part),	8,946	3,479	410	2,863	636

FORTY-FIFTH DISTRICT.

	Rep., Pro. & Washington. John P. Moore.	Democratic. Samuel B. Colley.	Socialist. Elberson Andrews.	Keystone. John Rebman, Jr.
Allegheny Co. (part),	11,380	4,645	3,767	390

FORTY-SEVENTH DISTRICT.

	Republican. Joseph Henry Thompson.	Democratic. Arthur McKean.	Prohibition. J. A. McDonald.	Socialist. W. J. White.	Washington. J. T. Moltrup.
Beaver county,	3,373	2,416	373	1,577	3,407
Lawrence county,	2,722	1,500	686	1,550	2,186
	6,095	3,916	1,059	3,127	5,593

FORTY-NINTH DISTRICT.

	Republican & Democratic. Henry A. Clark.	Prohibition. Frank Phifer.	Socialist. Ralph W. Tillotson.	Washington. Ralph R. Lee.
Erie county,	10,012	904	1,811	3,293

Whereupon the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania, viz:

First District—Edwin H. Vare.
Third District—James P. McNichol.
Fourth District—John O. Sheatz.
Fifth District—Richard V. Farley.
Seventh District—Augustus F. Daix, Jr.
Ninth District—William C. Sproul.
Eleventh District—Edwin M. Herbst.
Thirteenth District—John G. Homsher.
Fifteenth District—Edward E. Beidleman.
Seventeenth District—Daniel P. Gerberich.
Nineteenth District—John Gyger.
Twenty-first District—Sterling R. Catlin.
Twenty-third District—Charles E. Mills.
Twenty-fifth District—Robert W. Hilton.
Twenty-seventh District—John T. Fisher.
Twenty-ninth District—Charles A. Snyder.
Thirty-first District—Franklin Martin.
Thirty-third District—John W. Hoke.
Thirty-fifth District—Jacob C. Stineman.
Thirty-seventh District—Theodore M. Kurtz.
Thirty-ninth District—Chester D. Sensenich.
Forty-first District—J. Frank Graff.
Forty-third District—Charles J. Magee.
Forty-fifth District—John C. Moore.
Forty-seventh District—Joseph H. Thompson.
Forty-ninth District—Henry A. Clark.

REQUEST TO JUDGE KUNKEL TO ADMINISTER OATH OF OFFICE.

Mr. BEIDLEMAN offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the Honorable George Kunkle, President Judge of the Twelfth Judicial District be requested to administed the oath required to be taken by the President pro tempore and the members of the Senate.

ADMINISTRATION OF OATH OF OFFICE TO SENATORS-ELECT.

The PRESIDENT. The newly elected Senators will present themselves before the bar of the Senate, where the oath of office as required by law will be administered to them by Honorable George Kunkel, President Judge of the Twelfth Judicial District.

The oath of office was then administered to the Senators-elect.

ROLL CALL.

The PRESIDENT. The Chief Clerk will call the roll.

The Chief Clerk called the roll and the following Senators were present:

First District—Edwin H. Vare.
Second District—Samuel W. Salus.
Third District—James P. McNichol.
Fourth District—John O. Sheatz.
Fifth District—Richard V. Farley.
Sixth District—Francis S. McIlhenny.
Seventh District—Augustus F. Daix, Jr.
Eighth District—James T. Nulty.
Ninth District—William C. Sproul.
Tenth District—Clarence J. Buckman.
Eleventh District—Edwin M. Herbst.
Twelfth District—Joseph Heacock.
Thirteenth District—John G. Homsher.
Fourteenth District—Harvey Huffman.
Fifteenth District—Edward E. Beidleman.
Sixteenth District—James A. Miller.
Seventeenth District—Daniel P. Gerberich.
Eighteenth District—J. Harry Morgan.
Nineteenth District—John Gyger.
Twentieth District—Asa K. DeWitt.
Twenty-first District—Sterling R. Catlin.
Twenty-second District—Walter McNichols.
Twenty-third District—Charles E. Mills.
Twenty-fourth District—Charles W. Sones.
Twenty-fifth District—Robert W. Hilton.
Twenty-sixth District—James K. P. Hall.
Twenty-seventh District—John T. Fisher.
Twenty-eighth District—Henry Wasbers.
Twenty-ninth District—Charles A. Snyder.
Thirtieth District—Enos M. Jones.
Thirty-first District—Franklin Martin.
Thirty-second District—William E. Crow.
Thirty-third District—John W. Hoke.
Thirty-fourth District—Joseph Alexander.
Thirty-fifth District—Jacob C. Stineman.
Thirty-sixth District—James W. Endsley.
Thirty-seventh District—Theodore M. Kurtz.
Thirty-eighth District—Charles H. Kline.
Thirty-ninth District—Chester D. Sensenich.
Fortieth District— Henry Cooper.
Forty-first District—J. Frank Graff.
Forty-second District—David Hunter, Jr.
Forty-third District—Charles J. Magee.
Forty-fourth District—Archibald W. Powell.
Forty-fifth District—John C. Moore.
Forty-sixth District—J. Carter Judson.
Forty-seventh District—Joseph H. Thompson.
Forty-eighth District—Frank M. Knapp.
Forty-ninth District—Henry A. Clark.
Fiftieth District—Benjamin Jarrett.

The PRESIDENT. Fifty Senators having answered to their names, a quorum is present.

ELECTION OF COMMITTEE ON COMMITTEES.

Mr. McNICHOLS offered the following resolution, which was twice read, as follows:

Resolved, That W. C. Sproul of Delaware County, E. H. Vare and Francis S. McIlhenny of Philadelphia, A. W. Powell of Allegheny County, Theodore M. Kurtz of Jefferson County,

and Chester D. Sensenich of Westmoreland, and two Democrats to be selected by the Democratic members of the Senate, be and they are hereby elected as a Committee on Committees of the Senate for the session of one thousand nine hundred and thirteen; and be it further

Resolved, That said committee be and is hereby authorized to appoint the same standing committees and the same number of members of the Senate on each committee as during the session of one thousand nine hundred and eleven, provided, however, that the President pro tempore of the Senate shall not be, ex-officio, a member of said Committee on Committees.

On the question,

Will the Senate agree to the resolution?

Mr. HUFFMAN. Mr. President, I move to amend the resolution by striking out everything after the first word "Resolved" and inserting in lieu thereof the following: "That a committee of five members of the Senate, to be known as the Committee on Committees and Rules, two of whom shall be Democrats to be selected by the Democratic Senators, be appointed by the Senate; that it shall be the duty of this committee to appoint with the consent of the Senate the special and standing committees; and it shall be the further duty of this committee to formulate and present for adoption by the Senate all rules for the government of the Senate".

On the question,
Will the Senate agree to the amendment?
It was agreed to.
And the question recurring,
Will the Senate agree to the resolution?
It was agreed to.

ELECTION OF PRESIDENT PRO TEMPORE.

Mr. SPROUL. Mr. President, I move that the Senate do now proceed to the election of a President pro tempore and that the clerks act as tellers.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. Nominations for President pro tempore are now in order.

Mr. SPROUL. Mr. President, I have the honor to present as a candidate for the office of President pro tempore of the Senate a veteran member of this body whose long public record has been a credit to himself, to the body of which he is a member and to the constituency which he has so faithfully represented, I nominate the Honorable Daniel P. Gerberich, of Lebanon County.

The PRESIDENT. Are there any further nominations?

Mr. POWELL. Mr. President, I have the honor to nominate as President pro tempore of the Senate for the ensuing session the Honorable Francis S. McIlhenny, of Philadelphia County.

The PRESIDENT. Are there any further nominations?

Mr. MILLER. Mr. President, on behalf of the Democratic caucus I desire to place in nomination for President pro tempore of the Senate the Honorable E. M. Herbst, of Berks County.

Mr. VARE. Mr. President, I take great pleasure in seconding the nomination of Honorable Daniel P. Gerberich, of Lebanon County.

Mr. SPROUL. Mr. President, I move that the nominations close.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The roll will be called by the Chief Clerk.

The roll was taken as follows:

FOR MR. GERBERICH.

Beidleman,	Gyger,	Kurtz,	Sheatz,
Buckman,	Herbst, (one-half vote).		Snyder,
Catlin,	Hoke,	Magee,	Sproul,
Clark,	Homsher,	Martin,	Thompson,
Crow,	Hunter,	McIlhenny,	Vare,
Daix,	Jones,	McNichol,	
Endsley,	Kline	Salus,	

FOR MR. M'ILHENNY.

Alexander,	Herbst, (one-half vote).		Sensenich,
Cooper,	Jarrett,	Mills,	Stineman,
Gerberich,	Knapp,	Moore,	
Graff,	McNichol,	Powell,	

FOR MR. HERBST.

DeWitt,	Heacock,	Miller,	Wasbers,
Farley,	Hilton,	Morgan,	
Fisher,	Huffman,	Nulty,	
Hall,	Judson,	Sones,	

The PRESIDENT. The Honorable Daniel P. Gerberich received 24½ votes, the Honorable Francis S. McIlhenny received 12½ votes, and the Honorable E. M. Herbst received 13 votes. Neither candidate having received a majority vote, another ballot is necessary and the Clerk will proceed to call the roll.

The roll was taken as follows:

FOR MR. GERBERICH.

Alexander,	Endsley,	Kline,	Salus,
Beidleman,	Graff,	Knapp,	Sensenich,
Buckman,	Gyger,	Kurtz,	Sheatz,
Catlin,	Hoke,	Magee,	Snyder,
Clark,	Homsher,	Martin,	Sproul,
Cooper,	Hunter,	McIlhenny,	Thompson,
Crow,	Jarrett,	McNichol,	Vare,
Daix,	Jones,	McNichols,	

FOR MR. M'ILHENNY.

Gerberich,	Moore,	Powell,	Stineman,
Mills,			

FOR MR. HERBST.

DeWitt,	Heacock,	Judson,	Nulty,
Farley,	Herbst,	Miller,	Sones,
Fisher,	Hilton,	Morgan,	Wasbers,
Hall,	Huffman,		

Mr. POWELL. Mr. President, I move you that the nomination of Senator Daniel P. Gerberich be made unanimous, and in support of that motion, if I may be permitted to say it at this time, I want to say that Senator Gerberich is an estimable gentleman and there was nothing personal in the contest at all.

Mr. McILHENNY. Mr. President, it gives me the greatest pleasure to second that motion to make the nomination of Senator Gerberich unanimous.

Mr. HERBST. Mr. President, I do not like to see this done in this way. I do not object to the Republicans making it unanimous on their side, but they have no right to put us Democrats on record, and I think it is entirely out of place on the part of the other side to try in this way to mar the mode of our ballot, I don't think it is really in order. I do not object in the least that they should make it unanimous on their side, but on behalf of the Democrats on this side I want to object.

The PRESIDENT. The Chair believes that the objection raised by the Senator from Berks is well taken, and the Senators will have to change their votes, those who desire to vote for Senator Gerberich, and the Chair will make the announcement.

Mr. POWELL. Mr. President, under coercion from the Democrats I withdraw the motion.

The PRESIDENT. The motion is withdrawn. The tellers agree in their tally. Hon. Daniel P. Gerberich received 31 votes, the Honorable Francis S. McIlhenny received 5 votes, and the Honorable E. M. Herbst received 14 votes. I therefore declare the Honorable Daniel P. Gerberich duly elected President pro tempore of the Senate for the session of 1913, and I appoint the Senator from Philadelphia, Mr. McIlhenny, and the Senator from Berks, Mr. Herbst to escort the President pro tempore-elect to the bar of the Senate to take the oath.

Mr. McILHENNY. Mr. President, I take pleasure in introducing Honorable Daniel P. Gerberich, of Lebanon County, who has been elected President pro tempore of the Senate.

SWEARING IN THE PRESIDENT PRO TEMPORE.

The PRESIDENT. The oath of office will be administered to the newly elected President pro tempore by the Honorable George Kunkel, President Judge of the Twelfth Judicial District.

The oath of office was accordingly administered.

The PRESIDENT. It is the pleasure of the Chair to now introduce to you the newly elected President pro tempore for the session of 1913. I present to you the Honorable Daniel P. Gerberich, of Lebanon Counnty. (Applause.)

ADDRESS OF THE PRESIDENT PRO TEMPORE.

Mr. President and Fellow Members of the Senate:

I thank you for this high honor you have just now bestowed upon me and I deeply feel the responsibilities, duties and obligations you have placed upon me, but with your advise and assistance and my earnest desire to serve all of you without regard to party convictions, with absolute fairness and fidelity in discharging those obligations and by your clothing my sincere efforts with the cloak of charity and patience, I hope to prove worthy the confidence and trust you have just now expressed by your vote.

It has been a time honored custom that when a newly elected President pro tempore was inducted in his position, to define a legislative program or make a synopsis of what legislation should be enacted, or at least set forth some of the salient needs, interests and demands of the people of this great Commonwealth. I will not presume to do this, because the people have expressed themselves, and ratified that expression by electing us to carry out their wish, and they will look to us individually for the enactment of such laws that will enhance their very best interests.

I am simply your servant and we, the servants of the people.

They are the guide to follow, and not what your newly elected President pro tempore might suggest. We are individually responsible to our constituency for our legislative acts.

The good people of Pennsylvania look to us all for such legislation that will preserve and improve their health, their home life and their social and commercial conditions; to provide well for those who are not so fortunate in life, those who need the States charities, it therefore behooves us to look well and enact such laws and charities that will secure the very best for which it is intended; for, gentlemen of the Senate, the very foundation of contentment, happiness, success in life and to increase the strength and power of the people of Pennsylvania, is their good health.

Any legislation to protect life, to preserve and improve health, to care for the indigent and to improve the social and commercial conditions as against individual, party or special interests, will be heartily endorsed by our constituency.

The people are supreme, we are chosen by them to serve them, we are their servants, we must render our stewardship to them.

Thanking you again for this high honor and reserving the right to ask your indulgence and help and not to expect too much, while my earnest endeavor will be to serve you all fairly, faithfully and impartially to the best of my ability.

The Chair awaits the pleasure of the Senate.

ELECTION OF OFFICERS OF THE SENATE.

Mr. VARE offered the following resolution, which was twice read:

Resolved, That the following named persons be elected as offiers of the Senate: Harmon M. Kephart of Connellsville, Fayette County, Chief Clerk; W. Harry Baker of Harrisburg, Dauphin County, Secretary of the Senate; Herman P. Miller of Harrisburg, Dauphin County, Librarian of the Senate; William H. Williams of Chester, Delaware County, Sergeant-at-Arms.

On the question,

Will the Senate agree to the resolution?

Mr. HUFFMAN. Mr. President, I move to amend the resolution by striking out everything after the word "Resolved" and inserting in lieu thereof the following: "That a committee of three Senators, to-wit, Senators Wasbers, Jarrett and Jones, be and are hereby appointed to investigate and report to the Senate on the twentieth day of January, 1913, whether the number of employes of the Senate may be reduced consistently with the conduct of public business, and if so to make recommendations."

On the question,

Will the Senate agree to the resolution?

Mr. SPROUL. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator will state his point of order.

Mr. SPROUL. Mr. President, my point of order is that the amendment offered by the Senator from Monroe, M. Huffman is not on the same subject as the resolution just read.

The PRESIDENT. The Chair is inclined to think that the point of order is well taken.

Mr. HUFFMAN. Mr. President, on the contrary, I think it is clearly on the point. The resolution introduced is for the purpose of the election of some of the employes. The amendment strikes at that very question whether those are some of the employes that they ought to elect. I think my amendment is in order.

The PRESIDENT. Does the Senator from Delaware, Mr. Sproul insist on the point of order.

Mr. SPROUL. Mr. President, I do.

The PRESIDENT. The Chair is compelled to rule that the point of order is well taken and the question is now upon the resolution.

And the question recurring.

Will the Senate agree to the resolution?

It was agreed to.

The PRESIDENT. I therefore declare the following named persons elected as officers of the Senate: Harmon M. Kephart, of Connellsville, Fayette County, Chief Clerk; W. Harry Baker, of Harrisburg, Dauphin County, Secretary of the Senate; Herman P. Miller, of Harrisburg, Dauphin County, Librarian of the Senate, and William H. Williams, of Chester, Delaware County, Sergeant-at-Arms.

PRESIDENT PRO TEMPORE AUTHORIZED TO APPOINT SPECIAL COMMITTEES.

Mr. ENDSLEY offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the President pro tempore of the Senate be authorized to appoint all special committees of the Senate, and shall be ex-officio a member of all of said committees.

NOTIFICATION TO THE HOUSE.

Mr. SNYDER offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed by the President pro tempore to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business.

The PRESIDENT. The Chair appoints as said committee Senators Snyder, Daix and Huffman.

NOTIFICATION TO THE GOVERNOR.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agree to:

Resolved, That a committee of three be appointed by the President pro tempore to act in conjunction with a similiar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait on his Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make.

The PRESIDENT. The Chair appoints as said committee, Senators Buckman, Alexander and Herbst.

WHEN BILLS AND JOINT RESOLUTIONS MAY BE INTRODUCED.

Mr. SPROUL offered the following resolution, which was twice read, considered and agree to:

Resolved, That no bills or joint resolutions shall be presented in the Senate until after the appointment of the standing committees of the Senate.

ADOPTION OF RULES FOR PRESENT SESSION.

Mr. CROW offered the following resolution, which was twice read, as follows:

Resolved, That the standing rules of the Senate in force at the session of one thousand nine hundred and eleven be adopted for the government of the Senate at the present session, until otherwise ordered.

On the question,

Will the Senate agree to the resolution?

Mr. HERBST. Mr. President, I move to amend by adding the words: "Except rule 39, instead of which rule 39 of the session of 1905 shall be substitued, which reads as follows:

INFORMATION FROM HEADS OF DEPARTMENTS.

A proposition requesting information from the Governor, or from any of the executive departments, or to make any change in or addition to the standing rules of the Senate, shall lie one day on the table for consideration, unless otherwise ordered by unanimous consent of the Senate.

On the question,

Will the Senate agree to the amendment?

Mr. HERBST. Mr. President, I call for yeas and nays upon the amendment.

Mr. HEACOCK. Mr. President, I second the motion.

Mr HERBST. Mr. President, for the sake of explaining the amendment I will merely say that rule 39 is the gag rule of the Senate, that a good deal of trouble would have been avoided if we would have had the old rules previous to that in the session of 1907 in regard to original resolutions to get an expression of the Senators upon the different questions that came before this Senate. I know this that certain things would not have been put over on us, that there would not have been a Catlin Investigation Committee if we would have had the old rules. I merely wish to explain that it is to do away with the gagging in regard to getting an expression on resolutions, and the return to that method in vogue fifty years in the Senate of Pennsylvania until the session of 1907.

Mr. CROW. Mr. President, having introduced the resolution, I just have a word. As I understand the effect of the amendment it is to permit the disscussion of resolutions on the floor of the Senate before being referred to committee. Now the purpose of the resolution is to facilitate the business of the Senate by referring all resolutions to committees before debate, otherwise the business of the Senate will be entirely occupied by discussions on resolutions, important and otherwise, introduced where that investigation and discussion could all take place in the committees, and when the resolutions are reported out if there is any further discussion necessary the fullest opportunity is given. We insist that the adoption of the rules as they have existed in the past is important and insist upon its being done.

And the question recurring.

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. Herbst and Mr. Heacock and were as follows:

YEAS—15.

DeWitt,	Heacock,	Judson,	Snyder,
Farley,	Herbst,	Miller,	Sones,
Fisher,	Hilton,	Morgan,	Wasbers,
Hall,	Huffman,	Nulty,	

NAYS 35.

Alexander,	Gerberich,	Knapp,	Powell,
Beidleman,	Graff,	Kurtz,	Salus,
Buckman,	Gyger,	Magee,	Sensenich,
Catlin,	Hoke,	Martin,	Sheatz,
Clark,	Homsher,	McIlhenny,	Sproul,
Cooper,	Hunter,	McNichol,	Stineman,
Crow,	Jarrett,	McNichols,	Thompson,
Daix,	Jones,	Mills,	Vare,
Endsley,	Kline,	Moore,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

POSTAGE ON LEGISLATIVE JOURNAL.

Mr. SALUS, offered the following preamble and resolution, which was twice read, considered and agreed to:

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the postmaster at Harrisburg; therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the same be provided for in the Appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PRINTING OF GOVERNOR'S APPOINTMENTS.

Mr. KURTZ, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the list of appointments which may be sent to the Senate by the Governor, as having been made during the recess, be printed for the use of the senate under the direction of the Chief Clerk.

THANKING JUDGE KUNKEL FOR ADMINISTERING OATHS.

Mr. BEIDLEMAN, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the thanks of the Senate are hereby tendered to Honorable George Kunkel, President Judge of the Twelfth Judicial District, for his services in qualifying the newly elected Senators and President pro tempore.

PRINTING ADDITION BILLS AND CALENDARS.

Mr. CATLIN, offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be instructed to have printed for the use of the Senate and House of Representatives, three hundred additional copies of bills reported and three hundred additional copies of the calendar, one-half of which number shall be for the use of the Senate and the other half for the use of the House of Representatives, as at previous sessions.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. STINEMAN, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk, properly endorsed with the date thereon, in accordance with the practice of the last session.

COMMITTEE TO NOMINATE OFFICERS AND EMPLOYES OF THE SENATE.

Mr. McNICHOL, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That W. E. Crow, of Fayette County; Sterling R. Catlin of Luzerne County, and Frank M. Knapp of Warren County, be and they are hereby constituted a Committee on Organization to nominate the officers and employes of the Senate.

JOINT CONVENTION TO COMPUTE AND COUNT VOTE FOR AUDITOR GENERAL AND STATE TREASURER.

Mr. KNAPP, offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That the Senate and House of Representatives will meet in joint convention in the hall of the House of Representatives on Tuesday, January twenty-first, at twelve o'clock noon, for the purpose of witnessing, opening, computing and counting the vote for Auditor-General and State Treasurer, and that Mr. Jarrett, of Mercer County, be appointed teller on the part of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

AUTHORIZING PARTICIPATION OF NATIONAL GUARD IN INAUGURAL PARADE AND PAYMENT OF EXPENSES INCIDENT THERETO.

Mr. THOMPSON, offered the following preamble and resolution, which was twice read:

Whereas, The Committee in charge of the Inaugural parade following the inauguration of the President of the United States in Washington, D. C., on March fourth, one thousand nine hundred and thirteen, have expressed a desire to have present a proper and fitting representation of the National Guard of Pennsylvania, to participate in said parade, Therefore;

Resolved (if the House of Representatives concur), That the Governor of the Commonwealth be authorized to provide for participation in the Inaugural parade at Washington, D. C., by the Commander-in-Chief and Staff and not exceeding one Brigade of the National Guard of Pennsylvania, and further;

Resolved, That the Adjutant General of Pennsylvania is authorized to pay from the appropriation made for the maintenance of the National Guard for the two years beginning June first, one thousand nine hundred and eleven, all expenses incident thereto, which shall include transportation, quarters, subsistence of troops at rate of one dollar per day for each officer and enlisted man for not exceeding two days, and such other incidental expenses as may be necessary: and for all such expenditures The Adjutant General be required to file specifically itemized vouchers.

Mr. THOMPSON: I move that Rule 39 be suspended in order to consider this resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Resolution was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF ADJOURNMENT.

Mr. SPROUL, offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That when the Legislature adjourns to-day it be to meet on Monday evening, January twentieth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PRESENTATION OF RETURNS OF ELECTION OF STATE TREASURER AND AUDITOR GENERAL.

The Deputy Secretary of the Commonwealth being introduced presented to the Senate the returns of the general election for State Treasurer and Auditor General, held on November 5, 1912, which were laid upon the table.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess until 2.15 o'clock, this afternoon.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

COMMITTEE TO WAIT UPON THE GOVERNOR REPORTS.

Mr. BUCKMAN. Your Committee appointed to wait upon the Governor has performed that duty, and the Governor has instruced us to inform you that he is glad that the Senate has organized so promptly and has sent his Private Secretary with communications.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor, being introduced, presented communications in writing, from His Excellency, the Governor of the Commonwealth.

RECESS.

Mr. McNICHOL. Mr. President, I move that the communications from the Governor be laid upon the table and that the Senate take a recess until 3:30 o'clock, to await the organization of the House.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

Mr. POWELL. Mr. President, I move that the Senate do now take a recess until 8 o'clock this evening.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT OF THE WESTERN SAVING FUND SOCIETY.

The CHAIR laid before the Senate the following communications received during the interim:

Philadelphia, Pa., February 1, 1912.

Honorable John M. Reynolds, Lieutenant-Governor and President of the Senate, Harrisburg, Pa.:

Dear Sir: On behalf, and by direction of the Auditors duly appointed by the President Judges of the Court of Common Pleas of this County, to audit and settle the accounts of The Western Saving Fund Society of Philadelphia for the year 1911, I have the honor to hand you herewith their report, which has been prepared, and which is forwarded in conformity with the charter of this Society.

I remain
Yours truly,
WM. K. RAMBORGER,
Treasurer and Secretary.

(For report see appendix).

REPORT OF THE PHILADELPHIA SAVING FUND SOCIETY.

Also, the following communications received during the interim:

Philadelphia, January 26, 1912.

To the Honorable the Speaker of the House of Representatives, of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania:

Dear Sir: In accordance with Section 3 of a supplement to the Act entitled "An Act to incorporate The Philadelphia Saving Fund Society," approved March 15, 1824, on behalf of the Auditors of the accounts of the said Society, for the year ending December 31, 1911, enclosed find the Report of the Auditors for the said year, showing the state of the Society January 1, 1912.

Very truly yours,
S. WOODWARD,
Treasurer.

(For report see appendix).

COMMITTEE TO CO-OPERATE WITH THE NATIONAL COMMITTEE FOR THE ONE HUNDREDTH CELEBRATION OF THE SIGNING OF THE TREATY OF PEACE AT GHENT.

Also, the following communication received during the interim:

Johnstown, Pa., July 19, 1912.

W. Harry Baker, Esq., Secretary of the Senate, Harrisburg, Pennsylvania:

My Dear Baker:—In accordance with a concurrent resolution signed by the Governor May 12, 1911, relating to a Committee authorized to co-operate with the National Committee for the One hundredth Celebration of the signing of the Treaty of Peace at Ghent, I have the honor to appoint Senators Edwin H. Vare of Philadelphia, John G. Homsher of Lancaster County, and J. K. P. Hall of Elk County. I will appreciate the service if you will as Secretary of the Senate advise each of these gentlemen of the appointment.

Very sincerely yours,
GEORGE M. WERTZ.

REPORT OF LEHIGH COAL AND NAVIGATION COMPANY.

Also, the following communication received during the interim:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

In compliance with the requirements of the 19th Section of the Act of Assembly passed March 20, 1818, entitled, "An Act to Improve the Navigation of the Lehigh River" I would respectfully report that the tolls received on the Lehigh Navigation during the year 1911, amount to EIGHTY FIVE THOUSAND, SEVENTY-THREE DOLLARS AND THIRTY-SEVEN CENTS, according to the returns made to this office.

Yours very truly,

H. F. BAKER,
Secretary.

State of Pennsylvania,
County of Philadelphia:

Before me, the subscriber, a Notary Public of the County of Philadelphia, State of Pennsylvania, personally appeared on this 28th day of December, A. D. 1911, H. F. BAKER, Secretary of The Lehigh Coal and Navigation Company, who being duly affirmed according to law did depose and say that the above statement is just and true to the best of his knowledge, information and belief.

H. F. BAKER.

Affirmed and subscribed before me the day and year aforesaid.

ROBT. V. PIERCE,
Notary Public.

Commission Expired Feb. 21, 1915.

FAVORING COINAGE OF THREE CENT PIECE.

Also, the following communication and resolution received during the interim:

CITY OF CLEVELAND.

Legislative Department,

January 31st, 1912.

To the Clerk, State Senate, Harrisburg, Pennsylvania:

Dear Sir:—

The City of Cleveland is greatly interested in the subject matter of the resolution adopted by the City Council January 8, 1912, approved by the Mayor January 11, 1912. A copy of this resolution is enclosed with the request that you submit it to the Legislature of your State at the earliest opportunity.

Yours truly,
R. C. COLLINS,
City Clerk.

Whereas, There is pending before Congress a bill by Representative Bulkley, of Ohio, providing for the coinage of a three-cent piece; and,

Whereas, The people of Cleveland, O., are now, and have been enjoying for the past two years, three-cent fare on all the street railway lines of the city, while maintaining supervision and control of the operation of said lines; and,

Whereas, Such a three-cent piece would especially facilitate the operation of three-cent fare on the street railways of Cleveland and on the street railways of other cities about to enjoy such rate of fare, by furnishing a standard transferable coin; and,

Whereas, Such a coin would be beneficial to all the people of the United States by providing a smaller coin with which to purchase articles of general use and consumption now arbitrarily sold for a nickel;

Now, therefore, be it resolved by the council of the city of Cleveland, State of Ohio, that the city councils or corresponding legislative bodies in other cities of the United States and the legislatures of the various states, be urgently requested to enlist the aid of their Congressional representative or representatives and of their United States Senators in the passage of the aforementioned bill; and

Be it further resolved, That the city clerk be instructed to forward a copy of these resolutions to the city councils or city clerks of all cities in the United States with a population of twenty-five thousand (25,000) or more inhabitants and to the legislatures of all states in the Union.

NOTIFICATION FROM HOUSE.

Messrs. Josiah Howard, A. C. Stine, and E. E. Jones, a Committee of the House of Representatives being introduced, informed the Senate that the House was duly organized and ready to proceed with business and were extended the thanks of the Senate.

GOVERNOR'S BIENNIAL MESSAGE.

The Chair cleared the table and laid before the Senate the Governor's biennial message, which was read by the Clerk. (See proceedings of House of to-day).

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Election when appointed:

PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION.

DEPARTMENT OF STATE,

Washington, May 17, 1912.

His Excellency, the Governor of the State of Pennsylvania,
Harrisburg, Pennsylvania.

Sir:

I have the honor to enclose a certified copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States," with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States. (See overleaf).

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, Sir,
Your obedient servant,

P. C. KNOX.

Sec. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.—Revised Statutes, 1878.

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, Greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States", the original of which is on file in this Department.

In testimony whereof I, P. C. Knox, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed, and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this Seventeenth day of May, 1912.

(Seal).

P. C. KNOX,
Secretary of State.

By WM. McNEIR,
Chief Clerk.

SIXTY-SECOND CONGRESS OF THE UNITED STATES OF AMERICA.

Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several states.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filing of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue WRITS OF ELECTION TO FILL SUCH VACANCIES: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

CHAMP CLARK,
Speaker of the House of Representatives.

J. S. SHERMAN,
Vice-President of the United States
and President of the Senate.

I certify that this Joint Resolution originated in the House of Representatives.

SOUTH TRIMBLE,
Clerk.

REASONS FOR PARDONS AND COMMUNICATIONS.

Also the reasons for pardons and communications granted from January 1, 1911, to January 1, 1913.
(For reasons See Appendix).

REPORT OF INDUSTRIAL ACCIDENTS COMMISSION.

Also the report of the Industrial Accidents Commission.
(For Report See Appendix).

ACTS APPROVED BY THE GOVERNOR AFTER ADJOURNMENT OF LEGISLATURE OF 1911.

Also the Acts of the General Assembly passed during the Session of 1911 and approved and signed by the Governor within thirty days after the adjournment of the Legislature.

For Acts (See Appendix).

DEMOCRATIC MEMBERS OF COMMITTEE ON COMMITTEES.

The CHAIR laid before the Senate communications from the Democratic members of the Senate, which was read as follows:

At a meeting of the Democratic members of the Senate, J. Carter Judson, of Washington, and J. Harry Morgan, of Northampton, were chosen, as members of the Committee on Committees authorized by resolution of the Senate.

E. M. HERBST,
Chairman.
JAS. A. MILLER,
Secretary Democratic Conference.

January 7, 1913.

HOUSE MESSAGES.

JOINT CONVENTION TO COMPLETE AND COUNT VOTE FOR AUDITOR GENERAL AND STATE TREASURER.

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in the resolution from the Senate as follows:

In the Senate, January 7, 1913.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives will meet in joint convention in the Hall of the House of Representatives on Tuesday, January 21st, at 12.00 o'clock noon, for the purpose of witnessing, opening, computing and counting the vote for Auditor General and State Treasurer, and that Mr. Jarrett, of Mercer Couty, be appointed teller on the part of the Senate.

And have appointed as teller on the part of the House of Representatives Mr. Ulerich of Westmoreland County and Mr. Matt of Bedford County.

AUTHORIZING PARTICIPATION OF NATIONAL GUARD IN INAUGURAL PARADE AND PAYMENT OF EXPENSES INCIDENT THERETO.

He also informed the Senate that the House of Representatives has concurred in the resolution from the Senate, as follows:

In the Senate, January 7, 1913.

Whereas, The Committee in charge of the Inaugural Parade following the inauguration of the President of the United States in Washington, D. C., on March 4th, one thousand nine hundred and thirteen, having expressed the desire to have present a proper and fitting representation of the National Guard of Pennsylvania, to participate in the said parade, therefore,

Resolved (if the House of Representatives concur), That the Governor of the Commonwealth be authorized to provide for participation in the Inaugural Parade at Washington, D. C., by the Commander-in-Chief and Staff and not exceeding one brigade of the National Guard of Pennsylvania, and further,

Resolved, That the Adjutant General of Pennsylvania is authorized to pay from the appropriation made for the maintenance of the National Guard for the two years beginning June 1st, one thousand nine hundred and eleven, all expenses incident thereto, which shall include transportation, quarters, subsistence of proofs at rate of one dollar per day for each officer and enlisted man for not exceeding two days and such other incidential expenses as may be necessary; and for all such expenditures the Adjutant General be required to file specifically itemized vouchers.

NOTIFICATION TO THE GOVERNOR.

He also informed the Senate that the House has concurred in the resolution from the Senate, as follows:

In the Senate, January 7, 1913.

Resolved, That a committee of three be appointed by the President pro tempore to act in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait on His Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make.

And has appointed Messrs. Eugene J. McAleer, Charles A. Shaffer, and Samuel B. Scott, as such committee on the part of the House of Representatives.

PRINTING ADDITIONAL BILLS AND CALENDARS.

He also informed the Senate that the House of Representatives has concurred in the resolution from the Senate, as follows:

In the Senate, January 7, 1913.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be instructed to have printed for the use of the Senate and House of Representatives, three hundred additional copies of bills reported, and three hundred additional copies of the calendar, one-half of which number shall be for the use of the Senate and the other half for the use of the House of Representatives, as at previous sessions.

POSTAGE ON LEGISLATIVE JOURNAL.

He also informed the Senate that the House of Representatives has concurred in the resolution from the Senate, as follows:

In the Senate, January 7, 1913.

Whereas the Post Office Department has decided that the Legislative Journal must be third-class matter and has so instructed the postmaster at Harrisburg; therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department and that the same be provided for in the appropriation bill.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth which were read as follows:

NOTARIES PUBLIC.

January 7, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

G. Howard Stewart, Pittsburgh, January 11, 1913.
John Reinehr, Brackenridge, January 13, 1913.
H. E. Seibert, Pittsburgh, January 14, 1913.
John M. Prescott, Jr., Pittsburgh, January 15, 1913.
F. D. Ecker, Pittsburgh, January 15, 1913.
Charles W. Baker, Pittsburgh, January 15, 1913.
Marion H. Murphy, Pittsburgh, January 15, 1913.
G. L. Rodgers, Pittsburgh, January 15, 1913.
A. D. Campbell, Jr., McKeesport, January 16, 1913.
Miss Mary Deely, Pittsburgh, January 16, 1913.
S. Foster Dickie, Pittsburgh, January 16, 1913.
John W. Bainbridge, Homestead, January 16, 1913.
W. A. Feltyberger, Pittsburgh, January 16, 1913.
George J. Taylor, Pittsburgh, January 16, 1913.
Arthur B. Pitts, Duquesne, Jan. 16, 1913.
Miss Bertha J. Jones, Pittsburgh, January 16, 1913.
Miss Rosena S. Butz, Pittsburgh, January 16, 1913.
Miss Alice A. Trill, Pittsburgh, January 16, 1913.
Mrs. Dora E. Bayard, Pittsburgh, January 16, 1913.
Albert E. Clancey, Pittsburgh, January 16, 1913.
William A. Knorr, Swissvale, January 16, 1913.
Charles F. Engel, McKees Rocks, January 16, 1913.
Owen S. Cecil, Pittsburgh, January 16, 1913.
S. W. Shaw, Pittsburgh, January 16, 1913.
D. O. Jones, Pittsburgh, January 18, 1913.
Frank S. Shields, Pittsburgh, January 18, 1913.
Scott M. Stewart, McKeesport, January 18, 1913.
A. J. Hunter, Homestead, January 18, 1913.
Myles McConnon, Homestead, January 18, 1913.
D. B. Douthett, Wilkinsburg, January 18, 1913.
Henry J. Baer, Pittsburgh, January 18, 1913.
Mrs. Alice M. Godfrey, Pittsburgh, January 19, 1913.
James A. Penwell, Pittsburgh, January 20, 1913.
Gustav Edward Krieg, O'Hara Township, January 22, 1913.
Thomas H. Sankey, Pittsburgh, January 22, 1913.
Miss Edith F. Garwood, Pittsburgh, January 22, 1913.
C. N. Reed, Tarentum, January 30, 1913.
Miss M. L. Newell, Pittsburgh, February 19, 1913.

BEAVER COUNTY.

H. H. Swaney, Beaver Falls, January 16, 1913.

BERKS COUNTY.

Oscar Wanner, Reading, January 16, 1913.
E. B. Welder, Reading, January 16, 1913.
William M. Zechman, Reading, January 30, 1913.
Heber Y. Yost, Reading, January 30, 1913.

CENTRE COUNTY.

George W. Zeigler, Philipsburg, January 15, 1913.

CHESTER COUNTY.

William J. Eppihimer, Honeybrook, January 16, 1913.

CLEARFIELD COUNTY.

V. Stevens, Coalport, January 16, 1913.

CLINTON COUNTY.

Miss Bessie McCloskey, Lock Haven, January 18, 1913.

CRAWFORD COUNTY.

E. E. Dickinson, Titusville, January 15, 1913.

CUMBERLAND COUNTY.

Jas. L. Young, Mechanicsburg, January 16, 1913.

DAUPHIN COUNTY.

S. H. Zimmerman, Harrisburg, January 15, 1913.
Jacob M. Miller, Lykens, January 16, 1913.
Ray K. Buffington, Elizabethville, January 18, 1913.
George W. Shultz, Halifax, January 22, 1913.
Eugene Snyder, Harrisburg, January 22, 1913.
Miss Carrie E. Hummel, Hummelstown, January 22, 1913.

DELAWARE COUNTY.

E. A. Howell, Chester, January 13, 1913.

ELK COUNTY.

George C. Smith, Johnsonburg, January 18, 1913.

ERIE COUNTY.

L. B. Jones, Erie, January 16, 1913.
P. V. Gifford, Erie, January 16, 1913.
C. R. Dench, Erie, January 16, 1913.
C. B. Hayes, Erie, January 30, 1913.

FAYETTE COUNTY.

David Williams, Dunbar, January 22, 1913.

INDIANA COUNTY.

E. B. McCormick, Cherry Tree, January 16, 1913.

JEFFERSON COUNTY.

George W. Fink, Punsutawney, January 16, 1913.
Jacob L. Fisher, Punxsutawney, January 18, 1913.

LANCASTER COUNTY.

John H. Myers, Lancaster, January 18, 1913.
C. Reese Eaby, Lancaster, January 15, 1913.
Allan A. Herr, Lancaster, January 15, 1913.

LACKAWANNA COUNTY.

John B. Jordan, Scranton, January 17, 1913.
Harry Needle, Olyphant, January 16, 1913.
John T. Fahrenholt, Scranton, January 16, 1913.
Victor E. Wenzel, Scranton, January 16, 1913.
Miss Nellie A. Clarke, Scranton, January 18, 1913.
Hugh B. Andrews, Scranton, January 18, 1913.

LAWRENCE COUNTY.

Lawrence W. Platt, New Castle, January 20, 1913.
Charles A. McCready, New Castle, January 16, 1913.

LEBANON COUNTY.

Thomas L. Becker, Mill Creek Township, January 16, 1913.

LEHIGH COUNTY.

Alvin F. Creitz, Lynn Township, January 16, 1913.

George E. Boyle, Allentown, January 16, 1913.

LUZERNE COUNTY.

S. A. Barber, Hazleton, January 15, 1913.
Garrett Smith, Wilkes-Barre, January 18, 1913.
J. N. Anderson, Pittston, January 16, 1913.
John Shigo, Freeland, January 16, 1913.
Edward N. Noll, Wilkes-Barre, January 18, 1913.

LYCOMING COUNTY.

Robert K. Reeder, Muncy, January 14, 1913.
Elbert A. Porter, Williamsport, January 15, 1913.
J. Fred Katzmaier, Williamsport, February 27, 1913.

McKEAN COUNTY.

Edward C. Charlton, Bradford, January 15, 1913.

MONTGOMERY COUNTY.

Anson B. Evans, Norristown, January 20, 1913.

MONTOUR COUNTY.

Charles V. Amerman, Danville, January 16, 1913.

NORTHAMPTON COUNTY.

Miss Mary A. Transue, Bethlehem, January 16, 1913.
C. C. Marsh, Lehigh Township, January 18, 1913.
Henry D. Maxwell, Easton, January 22, 1913.
Preston A. Vought, Mount Carmel, January 30, 1913.

PERRY COUNTY.

Scott S. Leiby, Marysville, January 16, 1913.

PHILADELPHIA COUNTY.

Edwin Stearne, Philadelphia, January 12, 1913.
William R. Snyder, Philadelphia, January 14, 1913.
Joseph C. Murphey, Philadelphia, January 14, 1913.
S. Walter Foulkrod, Philadelphia, January 14, 1913.
William Buckley, Philadelphia, January 14, 1913.
E. D. Patterson, Philadelphia, January 15, 1913.
Paul O. Kirschmann Philadelphia, January 15, 1913.
James F. Dempsey, Philadelphia, January 15, 1913.
Wright Kugler, Philadelphia, January 15, 1913.
John B. Henkels, Philadelphia, January 15, 1913.
Augustine C. Metzinger, Philadelphia, January 15, 1913.
Lyndell Myers, Philadelphia, January 15, 1913.
Charles F. Wagner, Jr., Philadelphia, January 16, 1913.
Aaron L. Deeter, Philadelphia, January 16, 1913.
H. L. Bright, Philadelphia, January 16, 1913.
E. M. Pile, Philadelphia, January 16, 1913.
George A. Roeckle, Philadelphia, January 16, 1913.
Allen B. Clement, Philadelphia, January 16, 1913.
F. H. Kain, Philadelphia, January 16, 1913.
W. C. Burkholder, Philadelphia, January 16, 1913.
Sigmund Buchsbaum, Philadelphia, January 16, 1913.
G. Albert Smith, Philadelphia, January 16, 1913.
William H. Dillman, Philadelphia, January 16, 1913.
Fred A. Bihlmaier, Philadephia, January 16, 1913.
Thos. A. MacDonald, Philadelphia, January 16, 1913.
Edgar W. Nicholson, Philadelphia, January 16, 1913.
Frederick J. King, Philadelphia, January 16, 1913.
Wm. C. DuBois, Philadelphia, January 17, 1913.
Louis DuHadway, Philadelphia, January 17, 1913.
Jos. Allen Potts, Philadelphia, January 18, 1913.
Herman F. Voss, Philadelphia, January 18, 1913.
Herbert H. Buxbaum, Philadelphia, January 18, 1913.
Forrest N. Magee, Philadelphia, January 18, 1913.
Henry Gross, Philadelphia, January 18, 1913.
Daniel A. Minnick, Philadelphia, January 18, 1913.
Joseph M. Smith, Philadelphia, January 18, 1913.
J. Louis Barrick, Philadelphia, January 18, 1913.
M. G. Campbell, Philadelphia, January 18, 1913.
John McKee, Philadelphia, January 18, 1913.
Samuel G. Finley, Jr., Philadelphia, January 18, 1913.
Thomas W. Wilkinson, Philadelphia, January 18, 1913.
Miss Emma D. Chappell, Philadelphia, January 18, 1913.
Richard Crankshaw, Jr., Philadelphia, January 18, 1913.
Chas. S. Francis, Philadelphia, January 18, 1913.
Thomas J. Dickson, Philadelphia, January 18, 1913.
Wm. Kanzelmann, Philadelphia, January 18, 1913.
Martin McWilliams, Philadelphia, January 18, 1913.
John B. Patton, Philadelphia, January 18, 1913.
George E. Nitzsche, Philadelphia, January 18, 1913.
F. S. Maxwell, Philadelphia, January 19, 1913.
J. B. Glover, Philadelphia, January 19, 1913.
Robert G. Clifton, Philadelphia, January 20, 1913.
Charles W. Brown, Philadelphia, January 20, 1913.
C. Frank Ayer, Philadelphia, January 20, 1913.
Edwin S. Gault, Philadelphia, January 22, 1913.

Charles A. Hunsberger, Philadelphia, January 22, 1913.
W. E. Shappell, Philadelphia, January 25, 1913.
W. Sherwood Crowl, Philadelphia, January 25, 1913.
James F. Hare, Philadelphia, January 26, 1913.
James G. Keys, Philadephia, January 30, 1913.
Isaac Sion, Philadelphia, February 5, 1913.
Thomas H. Ingram, Philadelphia, February 10, 1913.
J. Howard Reber, Philadelphia, February 23, 1913.
Jacob A. Fritz, Philadelphia, February 26, 1913.
Miss Katharine F. Sellers, Philadelphia, February 27, 1913.
Robert G. Erskine, Philadelphia, February 27, 1913.
R. W. Montgomery, Philadelphia, March 10, 1913.

PIKE COUNTY.

Augustus W. Balch, Matamoras, January 16, 1913.

SOMERSET COUNTY.

G. S. Mowry, Windber, January 13, 1913.

TIOGA COUNTY.

Ray C. Longbothum, Mansfield, March 10, 1913.

VENANGO COUNTY.

Judson D. Trax, Oil City, January 30, 1913.

WARREN COUNTY.

Earle MacDonald, Warren, January 16, 1913.

WASHINGTON COUNTY.

Miss Eleanor B. Mitchell, Washington, January 18, 1913.
Joseph C. Kenyon, Donora, January 16, 1913.
Harry H. Davis, Washington, January 18, 1913.
D. M. Donohoo, Washington, January 18, 1913.
R. C. Buchanan, Washington, January 16, 1913.
Edgar B. Murdoch, Washington, January 16, 1913.
Lewis Lazzari, Monongahela, January 20, 1913.

WAYNE COUNTY.

Robert A. Smith, Honesdale, January 14, 1913.

WESTMORELAND COUNTY.

Michael Curto, Latrobe, January 13, 1913.
James V. Conti, Monessen, January 16, 1913.
E. C. Curry, Jeannette, January 16, 1913.
P. C. Toner, Latrobe, January 17, 1913.
J. S. Strawn, Avonmore, January 31, 1913.
Edward Davis, North Huntingdon Township, February 9, 1913.

YORK COUNTY.

Edward A. Michael, Hanover, January 16, 1913.

JOHN K. TENER.
January 7, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the tern of four years, to compute from the date of their confirmation;

ALLEGHENY COUNTY.

R. M. Neely, Rankin.

BERKS COUNTY.

William W. Fetter, Reading.

BLAIR COUNTY.

Robert W. Smith, Hollidaysburg.

HUNTINGDON COUNTY.

C. H. Whittaker, Huntingdon.

LACKAWANNA COUNTY.

Frank J. Barrett, Scranton.

LEBANON COUNTY.

Miss Mabel M. Sprecher, Lebanon.

LUZERNE COUNTY.

Daniel L. O'Neill, Wilkes-Barre.

PHILADELPHIA COUNTY.

C. R. Hunt, Philadelphia.
J. O'Neill Johnson, Philadelphia.

JOHN K. TENER.
January 7, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In Conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the tern of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

J. H. Felmeth, Pittsburgh, January 16, 1913.
R. J. Macrory, Pittsburgh, January 16, 1913.
Edmund D. Nugent, Braddock, January 16, 1913.
Miss Agnes C. Way, Pittsburgh, January 16, 1913.
W. B. Horner, Pittsburgh, January 18, 1913.
Albert J. Brush, South Fayette Township, January 19, 1913.

BEAVER COUNTY.

Earl R. Leyda, Beaver Falls, January 16, 1913.

BERKS COUNTY.

Mrs. Martha S. Hoverter, Reading, January 18, 1913.

BLAIR COUNTY.

W. Frank Vaughn, Altoona, January 15, 1913.
J. Foster Meck, Altoona, January 22, 1913.

COLUMBIA COUNTY.

George W. Henrie, Millville, January 18, 1913.

CRAWFORD COUNTY.

Mrs Leona M. Richmond, Meadville, January 16, 1913.

DAUPHIN COUNTY.

John E. Gipple, Harrisburg, January 16, 1913.

ERIE COUNTY.

Thomas C. Miller, Erie, January 16, 1913.
John Hamberger, Erie, January 18, 1913.

FAYETTE COUNTY.

H. F. Detwiler, Uniontown, January 25, 1913.

LANCASTER COUNTY.

Mrs. Kate E. Eby, Salisbury Township, January 16, 1913.

LAWRENCE COUNTY.

Jos. W. Humphrey, Ellwood City, January 18, 1913.

LEHIGH COUNTY.

Norman L. C. Troxell, Allentown, January 16, 1913.
Charles N. Ulrich, Catasauqua, January 26, 1913.

LUZERNE COUNTY.

William Sharpe, Wilkes-Barre, January 15, 1913.
Robert J. Blair, Wilkes-Barre, January 16, 1913.
Robert B. Job, Nanticoke, January 16, 1913.
Edwin L. Lindemuth, Wilkes-Barre, January 18, 1913.
Philip Walters, Plymouth, Mar. 10, 1913.

LYCOMING COUNTY.

William M. Champion, Williamsport, January 18, 1913.
Oliver J. Decker, Williamsport, February 27, 1913.

MONROE COUNTY.

Charles B. Keller, Jr., Stroudsburg, January 18, 1913.

MONTGOMERY COUNTY.

H. L. Shomo, Norristown, January 16, 1913.

PHILADELPHIA COUNTY.

Miss Margaretha Vogt, Philadelphia, January 10, 1913.
Abram H. Smith, Philadelphia, January 11, 1913.
Joseph C. Smith, Philadelphia, January 14, 1913.
Charles H. Brooks, Philadelphia, January 16, 1913.
Alphonsus P. Burchell, Philadelphia, January 16, 1913.
Frank P. Felton, Jr., Philadelphia, January 16, 1913.
R. Raymond Porter, Philadelphia, January 16, 1913.
G. A. Schwab, Philadelphia, January 16, 1913.
Frank Craven, Philadelphia, January 17, 1913.
Charles Bentley Collins, Philadelphia, January 18, 1913.
Henry B. Luffberry, Philadelphia, January 18, 1913.
Christian S. MacCain, Philadelphia, January 18, 1913.
Daniel W. Holloway, Philadelphia, January 26, 1913.
Morris L. Kolb, Philadelphia, February 26, 1913.

SCHUYLKILL COUNTY.

Thomas M. Reed, Frackville, February 22, 1913.

WARREN COUNTY.

James H. Alexander, Warren, January 18, 1913.

WESTMORELAND COUNTY.

E. J. Baxter, Parnassus, January 18, 1913.
Chester R. Wilson, Avonmore, January 26, 1913.

JOHN K. TENER.
January 7, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Albert B. Smith, Pittsburgh.
Miss M. L. Quinn, Pittsburgh.
J. M. Elias, Pittsburgh.
A. D. Wilson, Pittsburgh.
Robert J. Coyle, Jr. Pittsburgh.
John H. Rust, Pittsburgh.
James D. Murray, Pittsburgh.
H. R. Gigham, Carnegie.

ARMSTRONG COUNTY.

Saverio Capano, Rural Valley.
O. S. Marshall, Rural Valley.

BEAVER COUNTY.

N. F. Hurst, Beaver.

BERKS COUNTY.

Walter B. Craig, Reading.
Wm. Abbott Witman, Jr. Reading.

BRADFORD COUNTY.

Maurice C. Moody, Sayre.

CARBON COUNTY.

John Gluck, Lansford.

CHESTER COUNTY.

Benjamin W. Haines, West Chester.
George H. Lewis, Atglen.
Harry S. Woodward, Coatesville.

CRAWFORD COUNTY.

A. B. Greenfield, Conneautville.
Isaac Mondereau, Meadville.
Miss Lulu M. Moran, Titusville.

DELAWARE COUNTY.

William B. Harvey, Chester.

ERIE COUNTY.

Clinton D. Higby, Erie.

LACKAWANNA COUNTY.

Aaron V. Bower, Scranton.
Milton W. Lowry, Scranton.
George H. Shires, Scranton.

LEHIGH COUNTY.

Thos. O. Ginkinger, Allentown.

LUZERNE COUNTY.

Frank H. Bailey, Wilkesbarre.
Oscar H. Dilley, Wilkes-Barre.
Samuel P. Fenn, Pittston.
Mrs. Faith Bullard Innes, Wilkes-Barre.
Joseph H. Jones, Hazleton.
Lawrence B. Jones, Wilkes-Barre.

LYCOMING COUNTY.

W. C. Gilmore, Williamsport.
Miss Anna B. Haines, Williamsport.

MCKEAN COUNTY.

W. E. Burdick, Bradford.
Miss E. M. Koch, Bradford.

MERCER COUNTY.

V. H. Farr, Farrell.
Wm. J. Kennedy, Sharon.

MONTGOMERY COUNTY.

B. D. Alderfer, Souderton.

NORTHAMPTON COUNTY.

Victor E. Woodring, Bethlehem.

NORTHUMBERLAND COUNTY.

John Weiser Bassler, Sunbury.

PHILADELPHIA COUNTY.

Washington Hersh, Philadelphia.
Joe. F. Eckard, Philadelphia.
Jesse G. Myers, Philadelphia.
William J. Power, Philadelphia.
Henry S. Callaway, Philadelphia.
Joshua R. Morgan, Philadelphia.
Thomas A. Mullen, Philadelphia.
Charles H. Weak, Philadelphia.
Maurice L. Yurzel, Philadelphia.
John L. Burns, Philadelphia.
Miss Lenette McFarland, Philadelphia.
Wm. Wagner, Jr., Philadelphia...
Reginald B. Chase, Philadelphia.
James H. Wolfe, Philadelphia.
H. Maxwell Rowland, Philadelphia.
Charles H. Weiss, Philadelphia.
William Coppleburger, Philadelphia.
Francis P. Malone, Philadelphia.
Joseph J. Frederickson, Philadelphia.
John J. Foran,
George L. Barnes, Philadelphia.
Lovett Frescoln, Philadelphia.
Miss Evelyn Morford, Philadelphia.
Joseph M. Baker, Philadelphia.
Geo. T. Conrade, Philadelphia
Miss Charlotte H. Gillingham, Philadelphia.
Benj. W. Snyder, Philadelphia.
Oscar R. Meyers, Philadelphia.
J. George Schempp, Philadelphia.
David Goodbread, Philadelphia.
Edward C. Zellner, Philadelphia.
A. P. Rutherford, Philadelphia.
Leon J. Obermayer, Philadelphia.
George F. Pommer, Philadelphia.
Guernsey A. Hallowell, Philadelphia.

Wm. Harrison Smith, Philadelphia.
Charles R. Heermann, Philadelphia.
William M. Kitzmiller, Philadelphia.
Joseph H. Klein, Philadelphia.

SOMERSET COUNTY.

William H. Welfley, Somerset.

WASHINGTON COUNTY.

J. M. K. Doanldson, Mt. Pleasant Twp.

WESTMORELAND COUNTY.

John F. Amend, Derry.
George D. Hamor, New Kensington.
Robert G. Shephard, New Kensington.

YORK COUNTY.

William G. Allen, Shrewsbury.
M. J. Bailey, Dillsburg.
George B. Kraber, York.
Henry R. Kraber, York.
William F. Ramsey, York.
Charles L. Rodgers, York.

JOHN K. TENER.

Mr. McNICHOLS. Mr. President, I understand that among the lists of appointments of Notaries Public, particularly in my own County, there are quite a number of the Notaries whose commissions will expire between now and the date of our next meeting and they will be unable to do business.

Mr. HERBST. Mr. President, I understand that these are all notarial appointments whose commissions will expire before the 20th.

The PRESIDENT. I understand so.

Mr. HERBST. Mr. President, of course it would work a great hardship in case they were not confirmed.

The PRESIDENT. I understand so.

EXECUTIVE SESSION.

By unanimous consent.

A motion was made by Mr. McNichols,
That Rule 38, which requires all nominations made by the Governor to be referred to committee be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon the nominations of Notaries Public received at to-day's session.
Which was agreed to.
Whereupon,
A motion was made by Mr. McNichols,
That the Senate do advise and consent to the nominations of Notaries Public received at to-day's session.
On the question,
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Heacock,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Magee,	Sones,
Crow,	Hoke,	Martin,	Sproul,
Daix,	Homsher,	Miller,	Stineman,
Endsley,	Hunter,	Mills,	Thompson,
Farley,	Jarrett,	Moore,	Vare.

NAYS—0.

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

RECESS.

Mr. SNYDER. Mr. President, I move that the Senate do now take a recess until 9.15 o'clock this evening.
Mr. CATLIN. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in the resolution from the Senate as follows:

TIME OF ADJOURNMENT.

In the Senate, January 7, 1913.

Resolved (if the House of Representatives concur), That when the Senate adjourn to-day that it meet on Monday evening, January 20th at 9.00 o'clock.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9.30 o'clock P. M., until 9.00 o'clock Monday evening, January 20, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 7th 1913.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the members-elect of the House of Representatives chosen at the last general election, held on November 5th, 1912, assembled in the House chamber.

The Chief Clerk (Mr. Thomas H. Garvin) called the House to order at 12:00 Noon.

PRAYER.

Prayer was offered by the Rev. M. D. Lichliter, of Bellevue, of Allegheny County.

Oh, Lord God, Father of faith, hope and love, we wait upon Thee for the bread of heaven, the water of life, the light that makes bright the dark, smooths the rough ways, and inspires to good thoughts and nobler deeds. With the opening of this General Assembly, it is fitting, our Father, that we approach the Fountain of Wisdom and drink therefrom, that we may be enabled the better to know our duty, and knowing it, to be given strength to perform it. Especially do we invoke Thy blessing upon these servants of the Commonwealth, who are here in the performance of their duty. May they have a realizing sense of their responsibility, and in Thy fear may they walk, and by Thy counsel be guided in their deliberations.

May the lives and health of these representatives be graciously preserved, and in their absence, may Thy loving care be over the loved ones at home. Bless, we pray Thee, the President of the United States and his advisers, the President-elect who will soon assume his high position, and those who shall be his associates in the care of the general government. Bless the Governor of our own State and the heads of the various Departments in the State Government, and with an eye single to Thy glory, may Legislator and Executive work for the best good of the whole people. Forgive our sins, santify our purposes, and finally bring us to the General Assembly of the Church of God on High, and Thy name which is worthy, shall have all the praise, through Jesus Christ our Lord. Amen.

THE SECRETARY OF THE COMMONWEALTH PRESENTS RETURNS OF ELECTION OF MEMBERS.

The Deputy Secretry of the Commonwealth being introduced stated that pursuant to the provisions of the eighty-seventh section of the act of July 2, 1839, entitled "An act relative to elections in this Commonwealth," be presented to the House of Representatives the returns of the election for Members held on November 5th 1912, which were laid upon the table.

OPENING OF RETURNS.

Mr. COX, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the returns of the election be now opened and read.

The said returns were opened and read as follows:

REPRESENTATIVE IN THE GENERAL ASSEMBLY.

ADAMS COUNTY.

Robert M. Eldon, R., B.-M. & W.,	3,223	G. W. Chritzman, Pro.,	79
Vincent A. Collins, D.,	3,494	J. Burton McKinney, Soc.,	99

ALLEGHENY COUNTY.

1st Dist.—		John C. Kaiser, R. & W.,	4,893
Thomas Paul Geary, R. & W.,	3,705	Wayne Paulin, D. & K.,	1,928
A. C. Stein, R. & W.,	3,349	James M. Ward, D.,	1,834
Charles B. Lawrence, D.	784	Fred W. Elrick, Pro.,	148
Peter A. McNally, D.,	1,083	William H. H. Shelly, Pro.,	126
Thomas E. Boord, Pro. N.-P., R.-P. & W.-W.-L.,	506	Karl C. Jursek, Soc.,	1,217
James Devlin, Soc.,	671	L. W. Rittenhouse, Soc.,	1,248
Samuel Mervis, Soc.,	682	9th Dist.—	
John Coffey, K.,	134	Thomas A. Steele, R., B.-M., K., L., Prog., Roosv., W. & W.-Prog.,	2,410
Paul C. Weller, N.-P., R.-P., W.-W.-L.,	449	Chas. H. Hutchison, D.,	440
2nd Dist.—		W. H. Hamilton, Pro.,	131
Edward M. Kenna, R., D. & W.,	5,007	James G. Greggerson, Soc.,	2,237
William J. McCaig, R., D. & W.,	5,729	10th Dist.—	
Thomas R. Lloyd, Soc.,	1,122	C. M. C. Campbell, R., K. & W.,	7,321
Burgum H. Wood, Soc.,	1,098	John F. Lowers, R. & W.,	6,809
Charles J. Smith, K., R.-P. & W.-W.-L.,	714	William H. Semmens, R., K. & W.,	6,926
Prosper C. Tesson, K., R.-P. & W.-W.-L.,	230	James Beech, D.,	3,012
3rd Dist.—		Jacob T. Born, D. & K.,	3,271
Howard Neely, R. & W.,	2,792	F. M. Wilson, D.,	2,626
Denis A. E. Behan, D.,	1,066	J. R. Johnston, Pro.,	449
Howard P. Hunter, Soc.,	1,057	Alconder Malone, Pro.,	338
4th Dist.—		J. M. Shelton, Pro.,	351
Harry P. Kuhn, R. & W.,	4,271	Wm. Adams, Soc.,	4,298
Frank J. Killian, D.,	1,698	John S. Holmes, Soc.,	3,082
Joseph S. Dodds, Pro.,	197	P. B. Law, Soc.,	3,982
Walter P. Douglas, Soc.,	525	Andrew E. Ford, Ind.,	79
5th Dist.—		Fred Heholt, Ind.,	76
Homer E. Leslie, R. & W.,	3,399	S. R. Rager, Ind.,	72
Harry B. Todd, D.,	1,492	11th Dist.—	
F. A. Curtis, Soc.,	1,201	George W. Allen, R. & W.,	8,072
George W. Feely, K.,	568	Divid S. Kennedy, R., K. & W.,	9,591
Herschel E. Haldeman, & Prog.,	290	George W. Richards, R. & W.,	9,782
6th Dist.—		Joseph G. Steedle, R. & W.,	7,946
Thomas Carter, R. & W.,	6,531	P. W. Greasel, D.,	3,958
Charles N. Isler, R. & W.,	5,917	William Kessler, D.,	4,151
Ollie M. Letzkus, R. & W.,	5,592	S. G. Matchett, D.,	5,568
Martin B. Foley, D.,	2,611	Thomas L. Murphy, D.,	3,851
L. J. Geltzheiser, D.,	2,520	James F. Craven, Pro.,	303
Dennis Shevelan, D.,	2,452	J. M. McCabe, Pro.,	306
F. H. Herrington, Soc.,	2,217	James L. McKee, Pro.,	306
W. G. Pope, Soc.,	2,089	A. F. Williamson, Pro.,	323
W. J. VanEssen, Soc.,	2,778	George Bendall, Soc.,	3,576
John McKelvie, K.,	196	Wm. Edwards, Soc.,	3,607
Thomas M. Pender, K.,	181	P. W. Fuller, Soc.,	3,576
William E. Walsh, K.,	1,421	Howard E. Nestlerode, Soc.,	3,425
7th Dist.—		John M. Boyce, K.,	287
Daniel A. Malie, R. & W.,	2,857	William Scott, K.,	270
James Wettach, R. & W.,	3,087	Percy F. Smith, K.,	2,156
August Abt, D.,	1,211	12th Dist.—	
John P. Borman, D.,	1,186	George E. Alter, R. & W.,	7,545
Elias F. Heim, Pro.,	34	John H. Young, R. & W.,	7,111
Eugene E. Ihrig, Pro.,	30	Murtagh P. Brennan, D.,	2,593
Henry Peter, Soc.,	1,003	Patrick Collins, D.,	2,531
Leon A. Wilcox, Soc.,	1,024	J. Q. Adam Lenkard, Pro.,	263
Alfred S. Miller, K.,	568	Harry R. Martin, Pro.,	306
I. E. Willison, K.,	124	E. L. Miller, Soc.,	1,757
8th Dist.—		F. B. Stear, Soc.,	1,686
William S. Bigger, R. K. & W.,	4,606	Grant Darby, K.,	302
		Martin S. Robinson, K.,	114

ARMSTRONG COUNTY.

R. P. Hunter, R.,	2,213	Joseph C. McLane, Soc.,	550
G. W. Larkins, R.,	2,025	Frank Byron Rumbaugh, Soc.,	561
W. P. Lauster, D.,	2,586		
C. M. McLaughlin, D.,	2,564	Harry H. Irwin, W.,	2,902
Samuel Dible, Pro.,	172	Elmer B. Latshaw, W.,	2,809
J. P. Wampler, Pro.,	157		

BEAVER COUNTY.

David Wm. Denton, R.,	3,425	William B. Brown, Pro.,	404
Joseph L. Holmes, R.,	3,238	Chas. B. Baldwin, Soc.,	1,601
W. J. Jackson, D.,	2,242	Turl Delp, Soc.,	1,525
Orrin C. Lester, D.	2,510	Charles F. Swift, W.,	3,442
George A. Baldwin, K., Pro. & W.,	3,818		

BEDFORD COUNTY.

J. Anson Wright, R.,	2,207	John Taylor, Soc.,	390
John T. Matt, D., Pro., K. & W.,	4,301		

BERKS COUNTY.

1st Dist.—		Charles Wheatey, Pro.,	80
Robert Grey Bushong, R.,	1,687	James H. Maurer, Soc.,	3,716
A. E. Keeport, R. & W.,	6,585	J. Henry Stump, Soc.,	3,539
George W. Sassaman, D.	5,781	Harry R. Bellman, Ind.,	17
William H. Straus, D.,	5,378	Silas Kinkel, Ind.,	16
Theodore Deysher, Pro.,	96	Daniel J. MacLean, W.,	4,906

BERKS COUNTY—Continued.

2d Dist.—
E. W. Billman, R., ---- 1,258
William M. McLean, R. & W., ---- 4,755
Daniel Miender, R. & W. 4,732
Howard W. Body, D., 9,520
Daniel A. Rothenberger, D., ---- 9,475
B. Morris Strauss, D.,-- 9,414
William E. Robertson, Soc., ---- 836
Emlen K. Royer, Soc., -- 836
Howard J. Siegfried, Soc., ---- 836
Zacharias C. Hoch, W., 3,573

BLAIR COUNTY.

1st Dist.—
William B. Ward, R., -- 1,631
Bernard J. Clark, D., -- 2,155
D. Lloyd Claycomb, Pro., K. & W., ---- 3,237
H. A. McCaleb, Soc., -- 913
2d Dist.—
George C. Irwin, R. & W., ---- 4,691
Plymouth W. Snyder, R. & W., ---- 4,709
J. H. Isett, D., ---- 1,487
John B. Small, D., ---- 2,679
Jacob A. Hoffman, Pro. 197
Henry S. Wertz, Pro., - 218
D. G. Dodson, Soc., ---- 855
James W. Irwin, Soc., - 788

BRADFORD COUNTY.

John C. Mather, R., K. & W., ---- 6,208
Judson W. Stone, R., K. & W., ---- 6,007
Willis S. Laferty, D., ---- 2,912
A. L. Laws, D., ---- 2,578
W. V. Bacon, Pro., ---- 323
Frederick L. Marvin, Pro.,-- 295
W. D. Andrews, Soc., ---- 224
M. N. Smith, Soc., ---- 219

BUCKS COUNTY.

Howard R. Moyer, R., ---- 6,010
Henry V. Pickering, R., --- 5,821
Jesse D. Foster, D., ---- 6,476
W. Elmer Savacool, D., --- 6,442
H. S. Mill, Pro., ---- 129
Charles H. Texter, Pro., --- 124
Frank Fluck, Soc., ---- 395
Frank Shaak, Soc., ---- 88
W. T. Johnston, K., ---- 64
A. Russell Burton, W., ---- 3,[illegible]
Henry Guy Walters, W., -- 3,[illegible]

BUTLER COUNTY.

Samuel L. Cheeseman, R. & W., ---- 4,300
W. S. Dixon, R., ---- 2,343
William H. Grabe, D. & W., 5,868
W. M. Kennedy, D., ---- 3,888
R. L. Alter, Pro. & Prog., 1,849
H. A. M. Cross, Pro., ---- 1,157
W. D. Altman, Soc., ---- 401
John W. Hendrickson, Soc., 396
A. H. Ginder, Prog., ---- 479

CAMBRIA COUNTY.

1st Dist.—
George W. Moses, R. & W., ---- 3,878
Harry S. Bender, D., -- 2,360
Henry A. Wilson, Pro.,- 85
Herman M. Shaver, Soc., 200
2d Dist.—
W. A. Blair, R. & Prog. 4,297
D. P. Weimer, R. & Prog. ---- 4,112
Joseph Gray, D., ---- 4,418
W. L. Hibbs, D., ---- 4,277
William Reaver, Pro., -- 154
Samuel E. Yeager, Pro., 171
Andrew Hammerstrom, Soc., ---- 647
S. A. Nelson, Soc., ---- 611
John R. Musser, W., --- 3,843
Benjamin F. Stull, W.,- 3,850

CAMERON COUNTY.

Josiah Howard, R., D. & L., ---- 722
V. A. Brooks, Pro. & Soc., 50
Edgar E. Forbes, W., ---- 396

CARBON COUNTY.

Winfred D. Lewis, R., ---- 1,837
Jacob W. Smith, D., ---- 3,801
H. S. Horn, Pro., ---- 54
James Hughes, Soc., ---- 289
Thomas E. Davis, W., ---- 2,295

CENTRE COUNTY.

Cephas L. Gramley, R. & W., ---- 3,559
R. M. Foster, D., ---- 3,405
J. D. White, Pro., ---- 129
Frank C. Rittenhouse, Soc., 216

CHESTER COUNTY.

Jacob V. Pennegar, R., B.-M. & W., ---- 10,300
Theodore Pennock, R., B.-M., & W., ---- 10,309
Samuel A. Whitaker, R. & B.-M., ---- 7,223
Samuel S. Bossert, D. & K., 6,128
Wm. H. H. Davis, D. &. K. 6,866
J. Coulson Reece, D. & K.,- 6,[illegible]
Irvin Eberhart, Soc., ---- 206
Robt. McLatchie, Soc., ---- 295
Lewis Woodmender, Soc., -- 293

CLARION COUNTY.

Irvin F. Mong, R. & W., -- 2,030
J. H. Wilson, D., ---- 2,819
M. G. Showers, Pro., ---- 514
William O. Riddle, Soc., --- 297

CLEARFIELD COUNTY.

Jonathan Currier, R. & W., 5,046
C. C. Hoover, R., ---- 2,385
A. S. Moulthrop, R. & W., 4,933
Elbert V. Brown, D., ---- 4,331
Peter McDermott, D., ---- 4,548
Archer H. Read, D., ---- 4,481
John S. McQuown, Pro., --- 423
Jos. E. Spencer, Pro., ---- 416
John Wilson, Pro., ---- 368
J. J. Foster, Soc., ---- 1,350
P. A. Graham, Soc., ---- 1,337
W. T. Jasper Soc., ---- 1,299
G. W. Mattern, W., ---- 3,444

CLINTON COUNTY.

George L. Miller, R., K., G.-W., Prog., Roos., ---- 1,799
W. Howard Klepper, D., --- 2,631
John Liggett, Pro., ---- 62
Chas. A. Bitner, Soc., ---- 637
John B. Lesher, W., ---- 677

COLUMBIA COUNTY.

William Singleton, R. & W., 2,980
Charles A. Shaffer, D. & K. 4,934
J. W. Crawford, Pro., ---- 162

CRAWFORD COUNTY.

A. W. Bronson, R., ---- 2,522
C. Victor Johnson, R., ---- 2,514
E. Lowrey Humes, D., ---- 3,761
William L. Metzenbacher, D. 3,805
John W. C. Hites, Pro., -- 502
D. M. Morrison, Pro., ---- 521
C. W. Burgwin, Soc., ---- 965
George J. Dunn, Soc., ---- 964
John D. Goodwin, W., ---- 3,522
Raymond E. Smith, W., -- 3,517

CUMBERLAND COUNTY.

Thomas J. Ferguson, R., K. & Prog., ---- 3,380
Quinn T. Mickey, R. & Prog., ---- 2,495
Horace C. Barner, D., ---- 4,725
E. A. Burnett, D. & K., -- 4,898
Samuel S. Carnell, Pro., --- 340
John A. Sprenkle, Pro., --- 236
J. W. Coldren, Soc., --- --- 338
S. H. Heberlig, Soc., ---- 336

DAUPHIN COUNTY.

1st Dist.—
James E. Dickinson, R., B.-M. & Prog., ---- 4,105
Augustus Wildman, R., B.-M. & Prog., ---- 4,077
Christian Nauss, D. & K., ---- 4,018
Rudolph K. Spicer, D., -- 2,710
Harry C. Hartzell, Pro., 118
A. F. Satterthwait, Pro. 121
J. S. Peifer, Soc., ---- 408
Anthony H. Nuss, Soc.,- 442
Harry M. Pretz, K., --- 65
George R. Ahleman, W.,- 3,058
George L. Reed, W., --- 3,220
2d Dist.—
Benjamin K. Booser, R., B.-M., & Prog., ---- 3,425
Charles DeVeny Row, R., B.-M. & Prog., ---- 3,548
John K. Atticks, D., --- 3,934
William F. Forney, D. & K., ---- 3,150
H. R. Detweiler, Pro., - 210
William C. Terry, Pro.,- 262
Elijah Page, Soc., ---- 848
John P. Schlessman, Soc. 816
Joseph B. Martin, K. & W., ---- 4,456
William W. Lenker, W., 4,512

DELAWARE COUNTY.

1st Dist.—
William T. Ramsey, R., B.-M. & Roos. Prog.,- 4,380
John F. Lenny, D., ---- 1,614
Daniel G. Hendricks, Pro., ---- 96
William H. Ellis, K., --- 59
J. Irwin Taylor, W., --- 892
Harry H. Holburn, R., B.-M., Roos. Prog. & W., ---- 10,299
Charles J. Berlin, D. & K., ---- 3,949
Harvey T. Ogden, D. & K., ---- 4,097
Howard E. Ash, Pro., -- 175
Charles W. Conklin, Pro. 148
Warren M. Foote, Soc., 288
William Markley, Soc., - 287
William C. Shuster, Jr., W., ---- 3,630
2d Dist.—
Richard J. Baldwin, R., B.-M. & Roos. Prog.,- 6,923

ELK COUNTY.

John M. Flynn, R. & D.,-- 2,628
M. W. McClintock, Pro., -- 94
Floyyd B. Winslow, Soc., -- 363
Louis C. Raber, W., ---- 2,197

ERIE COUNTY.

1st Dist.—
A. W. Mitchell, R., ---- 1,508
John S. Yake, D., ---- 1,428
James Wilson, Pro., --- 77
A. A. Woods, Soc.,---- 669
James Fabian Marker, W., ---- 521
2d Dist.—
John W. Lloyd, R. & W., ---- 1,281
Miles B. Kitts, D., ---- 1,972
Charles E. Zinram, Pro., 70
J. V. Brotherson, Soc.,- 623
3d Dist.—
Samuel E. Bayle, R., --- 2,806
Daniel O. Hopkins, D., K. & Prog., ---- 2,058
J. S. Steves, Pro. & W., 885
G. A. Eisaman, Soc., -- 457

FAYETTE COUNTY.

1st Dist.—
William M. Thompson, R., ---- 1,364
Charles C. Goss, D., ---- 2,290
Norman H. Young, Pro., 213
Charles H. Breakiron, Soc., ---- 538
Jesse Berg, W., ---- 512
2d Dist.—
John S. Carroll, R., --- 3,222
Henry A. Chalfant, R.,- 3,035
William S. Conwell, R., 3,248
Harry Cochran, D., ---- 4,738
Reuben Howard, D., ---- 4,846
James Keegan, D., ---- 4,523
Joseph L. Luce., Pro.,-- 396
Jasper T. Sembower, Pro., ---- 448
T. Hervey Smith, Pro.,-- 388
William T. Christman, Soc., ---- 1,660
Samuel S. Lee, Soc.,--- 1,651
John C. Young, Soc., -- 1,666
Clyde B. Miller, W., --- 2,062
William H. Showman, W. 2,061
Duncan Sinclair, W., --- 543

FOREST COUNTY.

Allen R. Mechling, R. & W., 770
Perry C. Hill, D. & Prog.,-- 352
F. E. Allison, Pro., ---- 6
W. H. Conger, Soc., ---- 241

FRANKLIN COUNTY.

Jeremiah H. Light, R. & W. 5,233
John M. Runk, R. & W., -- 5,255
J. Ed. Beck, D., ---- 5,107
James Sweeney, D., ---- 4,569
J. L. Grimm, Pro., ---- 239
J. Edward Duey, Soc., ---- 404
Almer K. Whisler, Soc., ---- 402

FULTON COUNTY.

Frank Ranck, R. & W., --- 873
George B. Mellott, D., ---- 1,122
George W. Reisner, Pro., -- 20

GREENE COUNTY.

Norman W. Sayers, R. & W., ---- 1,939
Wm. F. Blair, D., ---- 3,274
H. D. Patton, Pro., ---- 104

HUNTINGDON COUNTY.

Horace B. Dunn, R. & W.,	3,628	Charles H. Reed, Pro.,	98
George W. Bunn, D.,	1,772	John W. Tate, Soc.,	237

INDIANA COUNTY.

Matthew Clark Watson, R., D., K. & W.,	6,195	Frank H. Learn, Pro.,	795
		F. H. Shaffer, Soc.,	495

JEFFERSON COUNTY.

Hiram H. Brosius, R. & W.,	4,193	J. P. Jones, Pro.,	394
S. Taylor North, R. & W.,	4,054	Andrew W. Smith, Pro.,	349
Elmer E. Beck, D.,	2,669	Robert Allen, Soc.,	532
A. D. Deemer, D.,	2,709	Carl Wm. Johnson, Soc.,	520

JUNIATA COUNTY.

Robert K. Moore, R., Prog. & W.,	1,266	I. D. Musser, D.,	1,287
		I. M. Brannen, Soc.,	65

LACKAWANNA COUNTY.

1st Dist.—		4th Dist.—	
Albert Davis, R. & W.,	2,561	William Haggerty, R. & W.,	2,481
Thomas Murphy, D.,	1,994	Peter J. Gaughan, D.,	1,806
John Hammond, Pro. & K.,	55	John Fish, Soc.,	118
H. G. Schnessler, Soc.,	222	5th Dist.—	
2d Dist.—		William W. Jones, R. & W.,	2,616
Henry S. Alworth, R. & W.,	2,607	John F. Mannion, D. & N.-Prog.,	2,777
J. M. Fahringer, D., N.-Prog., & Prog.,	2,381	Frank J. Choha, Jr., Soc.,	87
George Hart, Pro.,	144		
A. P. Utt, Soc.,	174	6th Dist.—	
3d Dist.—		Alfred F. Hobbs, R. & W.,	2,625
Frederick C. Ehrhardt, R., K. & W.,	3,057	Paul W. Aten, D. & K.,	1,483
Henry W. Zeidler, D.,	1,976	Peter Bedell, Pro.,	137
Edward Glinski, Soc.,	137	E. L. Williams, Soc.,	149

LANCASTER COUNTY.

1st Dist.—		Warren S. Buch, D.,	4,876
Aaron B. Hess, R., K. & W.,	4,194	Oscar M. Donaven, D.,	4,853
David F. Magee, D.,	3,337	Andrew J. Haas, D.,	4,854
H. D. Kreidler, Pro.,	45	John D. Penny, D.,	4,834
William P. Ostermayer, Soc.,	279	Francis Brinton, Pro.,	254
John H. Shirk, B.-M.,	2,321	Charles S. Coates, Pro.,	258
2d Dist.—		Horace E. Heisey, Pro.,	250
Cleon N. Berntheizel, R., K. & W.,	9,654	W. H. Richwine, Pro.,	243
George Hibshman, R. & W.,	9,585	J. M. Andes, So.,	403
Michael R. Hoffman, R. & W.,	9,624	James Krick, Soc.,	405
Harry L. Rhoads, R. & W.,	9,565	Jacob Ziegler, Soc.,	405
		John G. Zook, Soc.,	408
		George H. Brown, B.-M.,	7,539
		Elmer W. Garber, B.-M.,	7,582
		Harry C. Huber, B.-M.,	7,564
		Milton E. Shirk, B.M.,	7,561

LAWRENCE COUNTY.

E. F. G. Harper, R.,	2,266	Charles A. Collins, Soc.,	1,551
William D. Walton, R.,	2,678	Carl Nolte, Soc.,	1,505
L. M. Uber, D.,	2,161	Paul J. Simison, K.,	29
J. A. B. Walker, D.,	1,436	E. E. Bittles, W.,	2,444
John A. Breckenridge, Pro.,	576	George Dean, W.,	2,118
James E. Drake, Pro.,	575		

LEBANON COUNTY.

E. E. McCurdy, R. & Prog.,	3,025	Lester R. Norton, Pro.,	230
Frank S. Rader, R. & Prog.,	3,190	Harry Hower, Soc.,	359
Henry C. Snavely, D., K. & W.,	5,881	W. Z. Sheetz, Soc.,	363
Wm. E. Schaak, D.,	2,716	Peter L. Zimmerman, K.,	35
Aaron M. Blecker, Pro.,	240	Frederick S. Kauffman, W.,	3,208

LEHIGH COUNTY.

1st Dist.—		J. L. Fenstermaker, Pro.,	27
Warren K. Miller, R., Prog. & W.,	4,380	Thos. B. Davis, Soc.,	272
Harry I. Koch, D.,	3,894	3d Dist.—	
Geo. E. Gehres, Pro.,	41	William M. Gehman, R. & W.,	1,841
Robt. J. Wheeler, Soc.,	577	Ellsworth G. M. Kuhns, D.,	3,588
2d Dist.—		Robt. L. Miller, Soc.,	216
Alexander Morrow, R. & W.,	3,265		
Charles D. Thomas, D.,	2,700		

LUZERNE COUNTY.

1st Dist.—		2d Dist.—	
Roy K. Benner, R.,	1,431	William H. Morris, R. & Prog.,	851
James P. Costello, D.,	1,631	Peter Murphy, D.,	2,234
Alexander Dwyer, Soc.,	694	Josiah Smith, Soc.,	113
William L. Adams, W.,	1,975	Milton C. Swartwood, W.	1,275

LUZERNE COUNTY—Continued.

3d Dist.—		John McKay, Pro., K. & W.,	1,800
James Moore, R.,	1,029	Wilbur F. Rozelle, Soc.,	279
Augustine P. Conniff, D.,	2,149	7th Dist.—	
Patrick H. Wynne, W.,	2,102	David W. Thomas, R. & Prog.,	2,418
4th Dist.—		Edward Watts, R., K. & Prog.,	2,123
W. Bruce Good, R., D., Pro., K. & Prog.,	1,888	George K. Brown, D.,	3,163
Thomas Davis, Soc.,	1,037	John B. Mooney, D.,	2,295
George W. Turner, W.,	1,529	Samuel H. Houser, Pro.,	70
5th Dist.—		Charles D. Reiter, Pro. & K.,	174
William B. Cleary, R., D., K., L. & Prog.,	2,519	John A. Burns, Soc.,	203
Gethin B. Davis, Soc.,	437	Charles Lavin, Soc.,	217
William J. Williams, W.,	2,040	William Henry Kessler, W.,	2,219
6th Dist.—		Henry N. Williams, W.,	1,711
Harry Anderson, R. & Roos.,	1,618		
Lawrence Cosgrove, D.,	1,785		

LYCOMING COUNTY.

John P. Bubb, R. & W.,	5,180	Friend Avery, Pro.,	513
Ralph Gison, R. & W.,	6,033	Alexander J. Barbour, Pro.,	428
Harry G. Troxell, D.,	5,424	Daniel F. Romig, Soc.,	1,452
Ansel Ulman, D.,	6,035	G. V. Welker, Soc.,	1,438

McKEAN COUNTY.

Ross J. Hoffman, R.,	1,838	Arthur McGregor, D.,	2,349
Horace H. Bedfield, R., K & W.,	3,431	W. F. Burr, Pro.,	331
Edward R. Benson, D. & Pro.,	2,992	Jas. M. Barr, Soc.,	463
		Lars Swedenhjelm, Soc.,	435
		Edwin Franklin Knight, W.,	2,043

MERCER COUNTY.

Ralph R. Down, R. & W.,	5,180	George B. Brown, Pro.,	735
Ralph L. Robinson, R. & W.,	5,004	Harry V. Hopkins, Pro.,	715
S. H. Miller, D.,	3,937	David Noble, Soc.,	1,630
R. M. Ramsey, D.,	3,899	J. P. Wagner, Soc.,	1,604

MIFFLIN COUNTY.

J. H. Peachey, R. & W.,	2,024	A. J. Dunmire, Soc.,	562
John A. Camp, D.,	1,531		

MONROE COUNTY.

Carl Brown, R. & W.,	1,201	Ralph H. Feltham, Soc.,	45
W. J. Price, D.,	2,872	Geo. W. Shires, Pro.,	114

MONTGOMERY COUNTY.

1st Dist.—		3d Dist.—	
Charles A. Ambler, R. L. Prog. & W.,	5,414	William S. Acuff, R. L. & Prog.,	2,952
David Fitzgerald, D. K. & Prog.,	3,016	Henry Wilson Bergey, D. K. & W.,	4,953
Frank R. Whiteside, Soc.,	142	John D. Ortlip, Soc.,	200
2d Dist.—		4th Dist.—	
Samuel S. Hartranft, R. L. & Prog.,	2,635	Edward J. Weber, R. & L.,	934
Frank J. Bradley, D. & K.,	2,505	Wm. H. Kern, D.,	3,711
Ferdinand P. Larue, Soc.,	112	Ellwood Land, Pro.,	39
John Rex., W.,	2,868	Elmer H. Young, Soc.,	705
		Samuel Faust, W.,	1,316

MONTOUR COUNTY.

Philip C. Newbaker, R. & D.,	1,593	Wesley Holabaugh, W.,	906

NORTHAMPTON COUNTY.

Hillorious K. Bender, R. & W.,	3,960	Charles Beiler, Pro.,	337
Amos D. Freeman, R.,	3,891	Horace S. Gross, Pro.,	281
Titus M. Ruch, R. & W.,	3,735	George M. Young, Pro.,	301
William M. Benninger, D.,	9,742	John B. Lerch, Soc.,	660
Frederick E. Geiser, D.,	9,787	Jesse P. Oyer, Soc.,	627
Reuben H. Trach, D.,	10,042	H. M. Trexler, Soc.,	648
		Herman A. Miller, W.,	4,944

NORTHUMBERLAND COUNTY.

Daniel W. Kehler, R. & Prog.,	3,822	John S. Zimmerman, D.,	6,203
John T. McMullen, R. & Prog.,	4,349	T. H. Lippiatt, Pro.,	373
Ira E. Shaffer, R., Prog. & W.,	6,651	M. W. Shipe, Pro.,	237
William J. Caldwell, D.,	6,282	Charles H. Crone, Soc.,	2,658
John M. Mack, D.,	6,215	Samuel H. Henninger, Soc.,	2,671
		Truman W. Snyder, Soc.,	2,597
		John F. Oram, W.,	4,217
		Frank M. Reber, W.,	4,115

PERRY COUNTY.

Edward E. Marshall, R., Prog. & W.,	2,088	Lewis E. Donnally, D.,	2,454
		Milton E. Kline, Soc.,	68

PHILADELPHIA COUNTY.

1st Dist.—
Franklin R. Moore, R. D. L. & Roos. Prog., 8,414
Maurice J. Speiser, R. D. L. & Roos. Prog., 8,196
James Thornton, Pro., 25
Harry Fisher, Soc., 486
Morris Fox, Soc., 496
Thomas F. B. Gibson, K. B-M., Prog. & W., 2,450
David Romm, K., B-M., Prog. & W., 2,415

2d Dist.—
I. Gordon Foster, R. L. & Roos. Prog., 1,930
Frank Malone, D., 312
Edmund C. Moore, K. & W., 342

3d Dist.—
George T. Conrade, R. & L., 4,114
Charles J. Roney, Jr., R. & L., 4,151
Rocco DiMare, D., 540
Joseph C. Kohn, D. & K., 604
M. O. Harris, Pro., 4
C. J. Roney, Pro., 13
J. D. Love, Soc., 97
S. V. Santz, Soc., 94
Wm. H. Getts, K., 76
Henry R. Nolte, W., 736
Albert M. Roth, W., 714

4th Dist.—
Daniel J. Shern, R. L. & W., 2,605
Ryerson W. Jennins, D. & K., 1,405

5th Dist.—
Edwin R. Cox., R. L., Prog., Roos. Prog., W. & W. W. L., 10,590
J. Frank Sherwood, R. L., Prog., Roos. W. & W.-W.-L., 10,493
William H. Wilson, R. L., Prog., Roos, Pro., W. & W.-W.-L., 9,509
Patrick C. Donahue, D., 3,902
Frank Felici, D., 3,744
Joseph Wilson, D., 3,775
William Diener, Soc., 467
John Fullerton, Soc., 475
Augustine L. Grass, Soc., 469
Andrew F. Brown, K. B-M., Prog. & W.-W.-L., 2,594
Samuel A. Wilson, K., B.-M., Prog. & W.-W. L., 2,525
Thomas J. Ryan, B.-M., Prog. W.-W.-L., 2,557

6th Dist.—
Harry W. Bass, R. & L., 2,624
Daniel McNulty, D., 374
George W. Long, K. & W., 1,176

7th Dist.—
Thomas F. McNichol, R. K., B.-M., L. & W., 3,460
Michael Gormley, D., 933
F. Hesse, Soc., 48

8th Dist.—
E. H. Fahey, R., D., B.-M., L. Roos. & W., 15,095
John R. K. Scott, R. D., B.-M., L. Roos. & W., 14,959
Victor L. Guilbert, Soc., 239
Philip Minassian, Soc., 236
Frederick Geib, K., 367
Lewis C. Kline, K., 364

9th Dist.—
Henry Gransbeck, Sr., R. D., K., L. &. W.-W.-L., 2,530
John J. Farrell, Jr., W., 240

10th Dist.—
Frederic Hugh, O'Neill, R. & L., 2,252
James H. Wilthank, R. K. & L., 2,335
James A. Kane, D., 1,991
John A. Loughrey, D., 2,098
Thomas Birtwistle, Soc., 171
John J. McDermott, Soc., 165
William J. Shaeffer, K. & W., 1,890
Matthew S. Wilson, W., 1,835

11th Dist.—
Richard Curry, R., D., & L., 4,055
William Clarke, Soc., 260
John H. Johnson, K. & W., 1,974

12th Dist.—
John E. Arthur, R. & L., 3,671
William C. Eichenberger, R. & L., 3,604
James W. Barnett, D., 2,216
Joseph W. Sloan, D., 2,098
Thos. Acker, Soc., 443
Alphons Golbrich, Soc., 436
James A. Bennett, K. & W., 3,185
Harry M. Nofer, K. & W., 2,070

13th Dist.—
Joseph H. McArdle, R. & L., 4,505
John H. Riebel, R. & L., 4,477
William J. McKinley, D. & W., 3,186
Patrick McPhelin, D. & W., 3,093
William Huston, Pro., 21
B. F. Miller, Pro., 20
Arnold Berthold, Soc., 384
Emanuel Libros, Soc., 381
Paul A. Schroeder, K. & Prog., 607
Levi P. Suplee, K. & Prog., 614

14th Dist.—
John F. L. Morris, R. & L., 1,636
Michael J. McCormick, D., 1,319
Robert Warren, Soc., 212
Ross B. Linton, K. & B.-M., 320
Willis B. Heidlinger, B. M., Roos., Prog. & W., 1,708

15th Dist.—
Edgar K. Bieloch, R., Roos., Prog. & W., 8,885
Frank H. Warner, R. & L., 3,912
John P. Rickards, D., 3,979
Robert R. Dearden, D., Pro., K. & B.-M., 6,931
Samuel B. Scott, P., K., B.-M., Roos., Prog. & W., 8,174
John P. Clark, Soc., 506
Edwin N. Johnson, Soc., 510

16th Dist.—
James A. Dunn, R. L. & Roos. Prog., 3,534
Logan M. Bullitt, D. & K., 3,105
Edward Bock, Soc., 348
Horace A. Gardner, W., 2,625

17th Dist.—
Theodore Campbell, R. & L., 5,745
John B. Dempster, R. & L., 5,748
John B. Dempster, R. & L., 5,748
Horace W. Leeds, R. & L., 5,502
James J. Campbell, D. & K., 7,721
Thomas H. Downey, D., 6,236
Chris A. McCarthy, D., 6,085
E. M. Boyne, Pro., 116
J. M. Doran, Pro., 116
Walter W. Hubbard, Pro., 115
William H. Bateman, Soc., 684
Chas J. Bauer, Soc., 691
Robert J. Hall, Soc., 679
Frank Gray, K., B.-M., Roos., Prog. & W., 9,256
T. Henry Walnut, K., B.-M., Roos., Prog. & W., 9,230
Charles B. Noblit, B.-M. & Roos., Prog., 734
Michael I. Crane, B.-M., 69
T. A. Grady, B.-M., 58
Walter Kennedy, B.-M., 54
Gilbert F. Wiese, W., 6,949

18th Dist.—
John S. N. Ewing, R. & L., 3,750
Samuel J. Perry, R. & L., 3,751
Thos. J. Cavanaugh, D., 2,309
John E. McGucken, D. K. Prog. & W.-W.-L., 2,930
S. B. Croft, Pro., 23

PHILADELPHIA COUNTY—Continued.

Robert Fletcher, Soc., 540
James E. Murray, Soc., 534
Richard F. Drinkwater, K. Prog., W. & W. W.-L., 2,650
Samuel J. Nicholson, W., 1,941

19th Dist.—
J. Louis Breitinger, R. B.-M., L. Prog. & Roos., 4,027
George H. Kohler, R., B.-M., L., Prog. & Roos., 3,847
George W. Lehnert, D., 3,446
Charles J. Sharkey, D., 3,437
Carl Nelson, Soc., 595
Joseph Schumacher, Soc., 583
Frank Spillinger, K. & W., 4,852
George K. Young, K. & W., 4,896

20th Dist.—
Patrick Conner, R., D., L. & W., 7,595
Albert Missimer, R., L. & W., 5,457
Charles Dorrington, D., 2,338
J. R. Ruff, Pro., 33
Robert A. Mays, Soc., 455
William S. Rush, Soc., 438
John Ferguson, K., B.-M. & W.-W.-L., 1,215
William H. Riley, K., B.-M. & W.-W.-L., 1,196

21st Dist. —
John R. Schacht, R. L. & Roos. Prog., 6,270
William Walsh, R., B.-M., L. & Roos. Prog., 6,246
Samuel C. Henry, D., 4,460
Albert H. Ladner, Jr., D. & K., 5,794
Alonzo Brown, Pro., 80
W. Webster, Pro., 70
W. H. Quick, Soc., 589
F. W. Whiteside, Soc., 587
John McClintock, K., B. M. & W., 7,465
Edward M. O'Brien, W., 5,857

22d Dist.—
Joseph B. Fay, R. & L., 2,094
Louis Alexander, D., 1,687
James R. Lendren, Pro., 23
V. W. Pangborne, Soc., 178
Lorenzo Smith, K. & W., 2,645

23d Dist.—
Sigmund J. Gans, R., D., L. & Prog., 4,610
W. H. Greene, Pro., 24
Henry Bochrath, Jr., Soc., 388
Evan B. Lewis, K. & W., 3,377

24th Dist.—
Frederick Schulz, R. & L., 2,508
Hugh B. Piper, D., K., B.-M., Prog. & W.-W.-L., 2,537
Archbald McNeill, Pro., 15
Beaumont Sykes, Soc., 897
Eugene T. Hancock, W., 1,243

25th Dist.—
Eugene J. McAleer, R. K., B.-M., L. & W., 4,726
John W. Weisel, D., 2,299
H. A. Frick, Pro., 29
Emil Mack, Soc., 665

26th Dist.—
Harry L. Hackett, R. & L., 2,255
Thomas M. Kenny, D., 1,289
J. A. Ramsey, Pro., 8
Philip Hemmeter, Soc., 239
Samuel T. Steen, K., 343
Daniel McAvoy, W., 1,304

PIKE COUNTY.

W. A. H. Mitchell, R. & W., 603
Edwin F. Peters, D., 916
Van Etten Crane, Pro., 14

POTTER COUNTY.

Lloyd S. Newton, R. & W., 2,221
Joseph B. Rumsey, D., K. & Soc., 1,917
T. Gardner, Pro., 134

SCHUYLKILL COUNTY.

1st Dist.—
Adam C. Schaeffer, R. Prog. & W., 3,557
James J. Brennan, D. & Prog., 2,872
L. M. Kazunas, Soc., 704

2d Dist.—
George W. Gearhart, R. & W., 1,800
J. Wilfred Donahue, D., & Prog., 2,242
Edward J. Lowery, Soc., 632

3d Dist.—
J. Christ Walter, R., Prog. & W., 2,335
Christ Becker, D. & Prog., 2,534
Samuel Patterson, Soc., 283

4th Dist.—
John Robert Jones, R., Prog. & W., 6,668
Frank C. Reese, R. K., Prog. & W., 5,606
John A. Bowman, D., 4,471
John B. Krause, D., 3,970
Joseph B. Shablein, Soc., 1,155
Thomas J. Thomas, Soc., 1,210

SNYDER COUNTY.

Jacob W. Swartz, R. & Prog., 1,130
Percival A. Herman, D., 901
L. F. Sessinger, Soc., 69
George W. Mease, W., 1,077

SOMERSET COUNTY.

Robert W. Lohr, R. & W., 5,855
Charles J. Hemminger, R. & W., 5,799
James Tipton, D., 1,955
William Watson, D., 1,952
W. H. Habel, Pro., 378
J. C. Speicher, Pro., 355
Benjamin Marks., Soc., 665
Charles A. Meisenberger, Soc., 620

SULLIVAN COUNTY.

Mandus W. Reeser, R. & W., 930
Daniel W. Pealer, D., 871
C. S. Rogers, Pro., 86

SUSQUEHANNA COUNTY.

Edward E. Jones, R. & D., 4,255
C. G. Mumford, Pro., 269
George P. Stockholm, W., 1,889

TIOGA COUNTY.

Frank H. Rockwell, R., Soc. & W., 4,584
George W. Williams, R., Soc. & W., 4,829
F. M. Davis, D., 1,540
A. B. Wheeler, D., 1,461
Frank Baldwin, Pro., 268
A. S. Crandall, Pro., 215
Dewitt O. Smith, Ind., 814

UNION COUNTY.

Harry M. Showalter, R. & W.,	2,010	John M. Gundy, D. & K.,	1,248

VENANGO COUNTY.

John A. Crum, R.,	2,097	Isa H. Dale, Pro.,	641
William F. Whitman, R. & W.,	3,671	Charles W. Roess, Pro.,	598
Donald Glen, D. & W.,	4,176	Charles Lundager, Soc.,	1,234
D. K. Johnston, D.,	2,510	Clarence E. Martin, Soc.,	1,237

WARREN COUNTY.

Joseph A. Schofield, R.,	1,463	Jonas Johnson, Soc.,	577
Louis Kraeer, D.,	1,577	Joseph Hutton, DeFrees, W.,	2,393
J. Waldron Miller, Pro.,	388		

WASHINGTON COUNTY.

Ralph M. Allison, R.,	4,655	Louis Goaziou, Soc.,	1,994
William Feeney, R.,	4,603	H. Robert Norman, Soc.,	1,996
James W. Walker, R.,	4,697	E. D. Reed. Soc.,	1,984
Cornelius Carson, D.,	5,229	John I. Carson, K.,	124
J. F. McFarland, D.,	5,146	Freeman Johnson, K.,	53
John L. Post, D.,	5,198	Theodore J. Allen, W.,	5,118
Frank Fish, Pro.,	419	Thomas B. H. Brownlee, W.,	5,335
D. N. Hall, Pro.,	370		
Louis Van Orden, Pro.,	361	David A. McCalmont, W.,	5,074

WAYNE COUNTY.

H. Clark Jackson, R. & W.,	2,502	Nelson J. Spencer, D.,	2,217
		Albert S. Marks, Pro.,	106

WESTMORELAND COUNTY.

1st Dist.—		Frank J. McAllister, R. & W.,	7,545
Samuel Neel, R. & W.,	3,424	Carey L. Schuck, R. & W.,	7,735
W. W. Ulerich, R. & W.,	3,461	Clarence L. Hugus, D. & Prog.,	7,272
James B. Cox, D. & Prog.,	2,621	L. L. Lowe, D. & Prog.,	7,099
William A. Showalter, D.,	2,734	M. P. Shoemaker, D. & Prog.,	7,136
T. Frank Chilcote, Pro.,	247	J. H. Cooley, Pro.,	660
Aaron Koon, Pro.,	228	O. A. Grable, Pro.,	612
Frank Buerger, Soc.,	780	Elmer Wright, Pro.,	629
Henry C. Schroding, Soc.,	768	E. C. Neckerman, Soc.,	3,660
2d Dist.—		J. F. Pringle, Soc.,	3,677
John F. Ely, R. & W.,	7,654	Uriah S. Wilson, Soc.,	3,681

WYOMING COUNTY.

Fred B. Lindsey, R. & W.,	1,560	Frank J. Herman, D.,	1,692

YORK COUNTY.

1st Dist.—		3d Dist.—	
Robert S. Spangler, R. B.-M. & W.,	4,685	C. T. Grove, R. & B.-M.,	2,283
Austin E. McCollough, D.,	3,674	Harry L. Perry, D. & K.,	3,079
Warrick T. Hanson, Pro.,	164	S. H. Anstine, Soc.,	89
H. E. Myers, Soc.,	987	William S. Grimm, W.,	650
George Gillen, K.,	93	William J. Gemmil, Pro.,	84
2d Dist.—		4th Dist.—	
Robert S. Frey, R., B.-M. & W.,	2,788	Albert H. Walker, R. & K.,	980
William Eppley, D.,	2,645	Henry E. Lanius, D.,	4,789
W. H. Cook, Pro.,	85	Paul Eyster, Pro.,	83
Grant Ruby, Soc.,	21	Chas E. Hoke, Soc.,	247
		Leander A. Roth, W.,	342

Whereupon the following named persons were declared duly elected members in the General Assembly of the Commonwealth of Pennsylvania, viz:

MEMBERS OF THE HOUSE OF REPRESENTATIVES, SESSION OF 1913.

ADAMS COUNTY.

Vincent A. Collins.

ALLEGHENY COUNTY.

1st Dist.—
Thomas Paul Geary.
A. C. Stein.
2nd, Dist.—
Edward Kenna.
William J. McCaig.
3d District.—
Howard Neely.
4th Dist.—
Harry P. Kuhn.
5th Dist.—
Homer E. Leslie.
6th Dist.—
Thomas Carter.
Charles N. Isler.
Ollie M. Letzkus.
7th Dist.—
Daniel A. Malie.
James Wettach.
8th Dist.—
William S. Bigger.
John C. Kaiser.
9th Dist.—
Thomas A. Steele.
10th Dist.—
C. M. C. Campbell.
John F. Lowers.
William H. Semmens.
11th Dist.—
Joseph G. Steedle.
George W. Allen.
David S. Kennedy.
George W. Richards.
12th Dist.—
George E. Alter.
John H. Young.

ARMSTRONG COUNTY.

Harry H. Irwin. Elmer B. Latshaw.

BEAVER COUNTY.

George A. Baldwin. Charles F. Swift.

BEDFORD COUNTY.

John T. Matt.

BERKS COUNTY.

1st Dist.— 2d Dist.—
Howard W. Body.
A. Emory Keeport. Daniel A. Rothenberger.
George W. Sassaman. D. Morris Strauss.

BLAIR COUNTY.

1st Dist.— 2d Dist.—
George C. Irwin.
D. Lloyd Claycomb. Plymouth W. Snyder.

BRADFORD COUNTY.

Judson W. Stone. John C. Mather.

BUCKS COUNTY.

Jesse D. Foster. W. Elmer Savacool.

BUTLER COUNTY.

Samuel L. Cheeseman. William H. Grabe.

CAMBRIA COUNTY.

1st Dist.— 2d Dist.—
Walter Allen Blair.
George W. Moses. Joseph Gray.

CAMERON COUNTY.

Josiah Howard.

CARBON COUNTY.

Jacob W. Smith.

CENTRE COUNTY.

Cephas L. Gramley.

CHESTER COUNTY.

Jacob V. Pennegar. Samuel A. Whitaker.
Theodore Pennock.

CLARION COUNTY.

J. H. Wilson.

CLEARFIELD COUNTY.

Jonathan Currier. Peter McDermott.
Alonzo S. Moulthrop.

Clinton COUNTY.

W. Howard Klepper.

COLUMBIA COUNTY.

Charles A. Shaffer.

CRAWFORD COUNTY.

E. Lowry Humes. William L. Mentzenbacher.

CUMBERLAND COUNTY.

Eugene A. Burnett. Horace C. Barner.

DAUPHIN COUNTY.

1st Dist.— 2d Dist.—
James E. Dickinson. William W. Lenker.
Augustus Wildman. Joseph B. Martin.

DELAWARE COUNTY.

1st Dist.— 2d Dist.—
Richard J. Baldwin.
William T. Ramsey. Harry H. Heyburn.

ELK COUNTY.

John M. Flynn.

ERIE COUNTY.

1st Dist.— 3d Dist.—
A. W. Mitchell. Samuel B. Bayle.
2d Dist.—
Miles B. Kitts.

FAYETTE COUNTY.

1st Dist.— 2d Dist.—
Harry Cochran.
Charles C. Goss. Reuben Howard.
James Keegan.

FOREST COUNTY.

Allen R. Mechling.

FRANKLIN COUNTY.

Jeremiah H. Light. John M. Runk.

FULTON COUNTY.

George B. Mellott.

GREENE COUNTY.

William F. Blair.

HUNTINGDON COUNTY.

Horace R. Dunn.

INDIANA COUNTY.

Matthew Clark Watson.

JEFFERSON COUNTY.

S. Taylor North. Hiram H. Brosius.

JUNIATA COUNTY.

Isaac D. Musser.

LACKAWANNA COUNTY.

1st Dist.—
Albert Davis.
2d Dist.—
Henry S. Alworth.
3d Dist.—
Fdererick C. Ehrhardt.
4th Dist.—
William Haggerty.
5th Dist.—
John F. Mannion.
6th Dist.—
Alfred F. Hobbs.

LANCASTER COUNTY.

1st Dist.—
Aaron B. Hess.
2d Dist.—
Cleon N. Berntheizel.
George Hibshman.
Michael R. Hoffman.
Harry L. Rhoads.

LAWRENCE COUNTY.

William D. Walton. E. E. Bittles.

LEBANON COUNTY.

Frederick S. Kaufman. Henry S. Snavely.

LEHIGH COUNTY.

1st Dist.—
Warren K. Miller.
2d Dist.—
Alexander Morrow.
3d Dist.—
Ellsworth G. M. Kuhns.

LUZERNE COUNTY.

1st Dist.—
William L. Adams.
2d Dist.—
Peter Murphy.
3d Dist.—
Augustine P. Conniff.
4th Dist.—
W. Bruce Good.
5th Dist.—
William B. Cleary.
6th Dist.—
John McKay.
7th Dist.—
David W. Thomas.
George K. Brown.

LYCOMING COUNTY.

Ralph Gibson. Ansel Ulman.

M'KEAN COUNTY.

Horace H. Redfield. Edward R. Benson.

MERCER COUNTY.

Ralph R. Down. Ralph L. Robinson.

MIFFLIN COUNTY.

J H. Peachey.

MONROE COUNTY.

Wesley J. Price.

MONTGOMERY COUNTY.

1st Dist.—
Charles A. Ambler.
2d Dist.—
John Rex.
3d Dist.—
Henry W. Bergey.
4th Dist.—
William H. Kern.

MONTOUR COUNTY.

Philip C. Newbaker.

NORTHAMPTON COUNTY.

William M. Benninger. Reuben H. Trach.
Frederick E. Geiser.

NORTHUMBERLAND COUNTY.

Ira E. Shaffer. John S. Zimmerman.
William J. Caldwell.

PERRY COUNTY.

Lewis E. Donnally.

PHILADELPHIA COUNTY.

1st Dist.—
Franklin R. Moore.
Maurice J. Speiser.
2d Dist.—
I. Gordon Forster.
3d Dist.—
George T. Conrade.
Charles J. Money, Jr.
4th Dist.—
Daniel J. Shern.
5th Dist.—
Edwin R. Cox.
J. Frank Sherwood.
William H. Wilson.
6th Dist.—
Harry W. Bass.
7th Dist.—
Thomas F. McNichol.
8th Dist.—
Edward H. Fahey.
John R. K. Scott.
9th Dist.—
Henry Gransback, Sr.
10th Dist.—
Frederick Hugh O'Neill.
James H. Wiltbank.
11th Dist.—
Richard Curry.
12th Dist.—
John E. Arthur.
William C. Eichenberger.
13th Dist.—
Joseph H. McAdle.
John H. Riebel.
14th Dist.—
Willis B. Heidinger.
15th Dist.—
Edgar K. Bleloch.
Samuel B. Scott.
16th Dist.—
James A. Dunn.
17th Dist.—
James J. Campbell.
Frank Gray.
T. Henry Walnut.
18th Dist.—
John S. N. Ewing.
Samuel J. Perry.
19th Dist.—
Frank Spillinger.
George K. Young.
20th Dist.—
Patrick Conner.
Albert Missimer.
21st Dist.—
William Walsh.
John McClintock.
22d Dist.—
Lorenzo Smith.
23d Dist.—
Sigmund I. Gans.
24th Dist.—
Hugh B. Piper.
25th Dist.—
Eugene J. McAleer.
26th Dist.—
Harry L. Hackett.

PIKE COUNTY.

Edwin F. Peters.

POTTER COUNTY.

Lloyd Newton.

SCHUYLKILL COUNTY.

1st Dist.—
Adam C. Schaeffer.
2d Dist.—
J. Wilfred Donahoe.
3d Dist.—
Christ Becker.
4th Dist.—
John Robert Jones.
Frank C. Reese.

SNYDER COUNTY.

Jacob W. Swartz.

SOMERSET COUNTY.

Robert W. Lohr. Charles J. Hemminger.

SULLIVAN COUNTY

Mandus W. Reeser.

SUSQUEHANNA COUNTY.

Edward E. Jones.

TIOGA COUNTY.

Frank H. Rockwell. George W. Williams.

UNION COUNTY.

Harry M. Showalter.

VENANGO COUNTY.

William F. Whitman. Donald Glenn.

WARREN COUNTY.

Joseph Hutton DeFrees.

WASHINGTON COUNTY.

Cornelius Carson. Thomas B. H. Brownlee.
John L. Post.

WAYNE COUNTY.

H. Clark Jackson.

WESTMORELAND COUNTY.

1st Dist.—
Samuel Neel.
W. W. Ulerich.
2d Dist.—
Carey L. Schuck.
John F. Ely.
Frank J. McAllister.

WYOMING COUNTY.

Frank J. Herman.

YORK COUNTY.

1st Dist.—
Robert S. Spangler.
2d Dist.—
Robert S. Frey.
3d Dist.—
Harry L. Perry.
4th Dist.—
Henry E. Lanius.

ROLL CALL.

The CHIEF CLERK. The roll will now be called.

The roll being called, the following members were present.

ADAMS COUNTY.

Vincent A. Collins.

ALLEGHENY COUNTY.

1st Dist.—
Thomas Paul Geary.
A. C. Stein.
2d Dist.—
Edward M. Kenna.
William J. McCaig.
3d Dist.—
Howard Neely.
4th Dist.—
Harry P. Kuhn.
5th Dist.—
Homer E. Leslie.
6th Dist.—
Thomas Carter.
Charles N. Isler.
Ollie M. Letzkus.
7th Dist.—
Daniel A. Malie.
James Wettach.
8th Dist.—
William S. Bigger.
John C. Kaiser.
9th Dist.—
Thomas A. Steele.
10th Dist.—
C. M. C. Campbell.
John F. Lowers.
William H. Semmens.
11th Dist.—
Joseph G. Steedle.
George W. Allen.
David S. Kennedy.
George W. Richards.
12th Dist.—
George E. Alter.
John H. Young.

ARMSTRONG COUNTY.

Harry H. Irwin. Elmer B. Latshaw.

BEAVER COUNTY.

George A. Baldwin. Charles F. Swift.

BEDFORD COUNTY.

John T. Matt.

BERKS COUNTY.

1st Dist.—
A. Emory Keeport.
George W. Sassaman.
2d Dist.—
Howard W. Body.
Daniel A. Rothenberger.
B. Morris Strauss.

BLAIR COUNTY.

1st Dist.—
D. Lloyd Claycomb.
2d Dist.—
George C. Irwin.
Plymouth W. Snyder.

BRADFORD COUNTY.

Judson W. Stone. John C. Mather.

BUCKS COUNTY.

Jesse D. Foster. W. Elmer Savacool.

BUTLER COUNTY.

Samuel L. Cheeseman. William H. Grabe.

CAMBRIA COUNTY.

1st Dist.—
George W. Moses.
2d Dist.—
Walter Allen Blair.
Joseph Gray.

CAMERON COUNTY.

Joseph Howard.

CARBON COUNTY.

Jacob W. Smith.

CENTRE COUNTY.

Cephas L. Gramley.

CHESTER COUNTY.

Jacob V. Pennegar. Samuel A. Whitaker.
Theodore Pennock.

CLARION COUNTY.

J. H. Wilson.

CLEARFIELD COUNTY.

Jonathan Currier. Peter McDermott.
Alonzo S. Moulthrop.

CLINTON COUNTY.

W. Howard Klepper.

COLUMBIA COUNTY.

Charles A. Shaffer.

CRAWFORD COUNTY.

E. Lowry Humes. William L. Metzenbacher.

CUMBERLAND COUNTY.

Eugene A. Burnett. Horace C. Barner.

DAUPHIN COUNTY.

1st Dist.—
James E. Dickinson.
Augustus Wildman.
2d Dist.—
William W. Lenker.
Joseph B. Martin.

DELAWARE COUNTY.

1st Dist.—
William T. Ramsey.
2d Dist.—
Richard J. Baldwin.
Harry H. Heyburn.

ELK COUNTY.

John M. Flynn.

ERIE COUNTY.

1st Dist.—
A. W. Mitchell.
2d Dist.—
Miles B. Kitts.
3d Dist.—
Samuel B. Bayle.

FAYETTE COUNTY.

1st Dist.—
Charles C. Goss.
2d Dist.—
Harry Cochran.
Reuben Howard.
James Keegan.

FOREST COUNTY.

Allen R. Mechling.

FRANKLIN COUNTY.

Jeremiah H. Light. John M. Runk.

FULTON COUNTY.

George B. Mellott.

GREENE COUNTY.

William F. Blair.

HUNTINGDON COUNTY.

Horace B. Dunn.

INDIANA COUNTY.

Matthew Clark Watson.

JEFFERSON COUNTY.

S. Taylor North. Hiram H. Brosius.

JUNIATA COUNTY.

Isaac D. Musser.

LACKAWANNA COUNTY.

1st Dist.—
Albert Davis.
2d Dist.—
Henry S. Alworth.
3d Dist.—
Frederick C. Ehrhardt.
4th Dist.—
William Haggerty.
5th Dist.—
John F. Mannion.
6th Dist.—
Alfred F. Hobbs.

LANCASTER COUNTY.

1st Dist.—
Aaron B. Hess.
2d Dist.—
Cleon N. Berntheizel.
George Hibshman.
Michael R. Hoffman.
Harry L. Rhoads.

LAWRENCE COUNTY.

William D. Walton. E. E. Bittles.

LEBANON COUNTY.

Frederick S. Kaufman. Henry C. Snavely

LEHIGH COUNTY.

1st Dist.—
Warren K. Miller.
2d Dist.—
Alexander Morrow.
3d Dist.—
Ellsworth G. M. Kuhns.

LUZERNE COUNTY.

1st Dist.—
William L. Adams.
2d Dist.—
Peter Murphy.
3d Dist.—
Augustine P. Conniff.
4th Dist.—
W. Bruce Good.
5th Dist.—
William B. Cleary.
6th Dist.—
John McKay.
7th Dist.—
David W. Thomas.
George K. Brown.

LYCOMING COUNTY.

Ralph Gibson. Ansel Ulman.

M'KEAN COUNTY.

Horace H. Redfield. Edward R. Benson.

MERCER COUNTY.

Ralph R. Down. Ralph L. Robinson.

MIFFLIN COUNTY.

J. H. Peachey.

MONROE COUNTY.

Wesley J. Price.

MONTGOMERY COUNTY.

1st Dist.—
Charles A. Ambler.
2d Dist.—
John Rex.
3d Dist.—
Henry Wilson Bergey.
4th Dist.—
William H. Kern.

MONTOUR COUNTY.

Philip C. Newbaker.

NORTHAMPTON COUNTY.

William M. Benninger.
Frederick E. Geiser.
Reuben H. Trach.

NORTHUMBERLAND COUNTY.

Ira E. Shaffer.
William J. Caldwell.
John S. Zimmerman.

PERRY COUNTY.

Lewis E. Donnally.

PHILADELPHIA COUNTY.

1st Dist.—
Franklin R. Moore.
Maurice J. Speiser.
2d Dist.—
I. Gordon Forster.
3d Dist.—
George T. Conrade.
Charles J. Roney, Jr.
4th Dist.—
Daniel J. Shern.
5th Dist.—
Edwin R. Cox.
J. Frank Sherwood.
William H. Wilson.
6th Dist.—
Harry W. Bass.
7th Dist.—
Thomas F. McNichol.
8th Dist.—
Edward H. Fahey.
John R. K. Scott.
9th Dist.—
Henry Gransback, Sr.
10th Dist.—
Frederick Hugh O'Neill.
James H. Wiltbank.
11th Dist.—
Richard Curry.
12th Dist.—
John E. Arthur.
William C. Eichenberger.
13th Dist.—
Joseph H. McArdle.
John H. Riebel.
14th Dist.—
Willis B. Heidinger.
15th Dist.—
Edgar K. Bleloch.
Samuel B. Scott.
16th Dist.—
James A. Dunn.
17th Dist.—
James J. Campbell.
Frank Gray.
T. Henry Walnut.
18th Dist.—
John S. N. Ewing.
Samuel J. Perry.
19th Dist.—
Frank Spillinger.
George K. Young.
20th Dist.—
Patrick Conner.
Albert Missimer.
21st Dist.—
William Walsh.
John McClintock.
22d Dist.—
Lorenzo Smith.
23d Dist.—
Sigmund J. Gans.
24th Dist.—
Hugh P. Piper.
25th Dist.—
Eugene J. McAleer.
26th Dist.—
Harry L. Hackett.

PIKE COUNTY.

Edwin F. Peters.

POTTER COUNTY.

Lloyd S. Newton.

SCUYLKILL COUNTY.

1st Dist.—
Adam C. Schaeffer.
2d Dist.—
J. Wilfred Donahoe.
3d Dist.—
Christ Becker.
4th Dist.—
John Robert Jones.
Franck C. Reese.

SNYDER COUNTY.

Jacob W. Swartz.

SOMERSET COUNTY.

Robert W. Lohr. Charles J. Hemminger.

SULLIVAN COUNTY.

Mandus W. Reeser.

SUSQUEHANNA COUNTY.

Edward E. Jones.

TIOGA COUNTY.

Frank H. Rockwell. George W. Williams.

UNION COUNTY.

Harry M. Showalter.

VENANGO COUNTY.

William F. Whitman. Donald Glenn.

WARREN COUNTY.

Joseph Hutton DeFrees.

WASHINGTON COUNTY.

Cornelius Carson.
John L. Post.
Thomas B. H. Brownlee.

WAYNE COUNTY.

H. Clark Jackson.

WESTMORELAND COUNTY.

1st Dist.—
Samuel Neel.
W. W. Ulerich.
2d Dist.—
Carey L. Schuck.
John F. Ely.
Frank J. McAllister.

WYOMING COUNTY.

Frank J. Herman.

YORK COUNTY.

1st Dist.—
Robert S. Spangler.
2d Dist.—
Robert S. Frey.
3d Dist.—
Harry L. Perry.
4th Dist.—
Henry E. Lanius.

The CHIEF CLERK. Two hundred and seven members having answered to their names, a quorum is present. The House is now ready to proceed to business.

JUDGE TO ADMINISTER OATH OF OFFICE.

Mr. DICKINSON, a member-elect offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the Honorable S. J. M. McCarrell, a Judge of the Court of Common Pleas of Dauphin County, learned in the law, be requested to administer the oath required to be taken by the members of the House of Representatives.

ADMINISTRATION OF OATH OF OFFICE TO MEMBERS-ELECT.

The CHIEF CLERK. The members-elect will present themselves before the bar of the House, where the oath of office as required by law, will be administered to them by the Honorable Samuel J. M. McCarrell, additional law Judge of the Twelfth Judicial District.

The oath of office was then administered to the members-elect.

Mr. SAMUEL B. SCOTT, offered the following resolution, which was twice read for the information of the House.

COMMITTEE ON COMMITTEES EMPLOYES AND RULES.

Resolved, That John Robert Jones, John T. Matt, Frank H. Rockwell, Daniel J. Shern, William H. Wilson, Charles A. Ambler, George W. Allen, Edward R. Benson, John M. Flynn, Alonzo Moulthrop and Samuel B. Scott shall constitute a Committee to be styled "The Committee upon Committee" whose duty it shall be to recommend to the House the names of the members of the following standing committee, together with the chairman thereof:

A Committee on Agriculture.
A Committee on Accounts.
A Committee on Appropriations.
A Committee on Banks and Banking.
A Committee on Bureau of Statistics.
A Committee on Centennial Affairs.
A Committee on Compare Bills.
A Committee on Congressional Apportionment.
A Committee on Constitutional Reform.
A Committee on Corporations.
A Committee on Counties and Townships.
A Committee on Education.
A Committee on Elections.
A Committee on Electric Railways.
A Committee on Federal Relations.
A Committee on Fisheries.
A Committee on Forestry.
A Committee on Game.
A Committee on Geological Survey.
A Committee on Insurance.
A Committee on Iron and Coal.
A Committee on Judicial Apportionment.
A Committee on Judiciary (General).
A Committee on Judiciary (Local).
A Committee on Judiciary (Special).
A Committee on Labor and Industry.
A Committee on Law and Order.
A Committee on Legislative Apportionment.
A Committee on Library.
A Committee on Manufactures.
A Committee on Military.

A Committee on Mines and Mining.
A Committee on Municipal Corporations.
A Committee on Pensions and Gratuities.
A Committee on Printing.
A Committee on Public Buildings.
A Committee on Public Health and Sanitation.
A Committee on Public Roads.
A Committee on Railroads.
A Committee on Retrenchment and Reform.
A Committee on Ways and Means.

Which several committees shall consist of twenty-five members, each, except the committee on Appropriations, which shall consist of forty members, and the committees on Public Roads, Public Health and Sanitation and Electric Railways, which shall each consist of thirty-five members, and to report to the House at such time as the House shall next convene after permanent organization for its approval the names of the members of such committees.

Be it further resolved that it shall be the duty of the said Committee upon Committees to recommend to the House the names of the employes thereof for the present session, and report to the House at such time as the House shall next convene after permanent organization for its approval the names of such employes.

Be it further resolved that it shall be the duty of the said Committee upon Committees to draft rules for the government of the House and to report the same to the House at such time as the House shall next convene after permanent organization for its approval.

Mr. JOHN R. K. SCOTT. Mr. Clerk, I move the adoption of the Resolution.

POINT OF ORDER.

Mr. RICHARD J. BALDWIN. Mr. Clerk, I raise the point of order that the resolution is out of order at this time, as the House is not fully organized until the Speaker is elected, and we are proceeding to do business without the election of a speaker.

The CHIEF CLERK. Does the gentleman insist upon the point of order.

Mr. RICHARD J. BALDWIN. I do.

The CHIEF CLERK. The gentleman insists and I therefore rule that the point of order is well taken.

Mr. SAMUEL B. SCOTT. I appeal from the decision of the Chair.

The CHIEF CLERK. Unless the House grants unanimous consent I cannot see that this resolution can be taken up at this time.

Mr. SAMUEL B. SCOTT. I appeal from that ruling.

The CHIEF CLERK. I would state that no appeal can be taken at this time. The House is only temporarily organized. I want it understood that I have no personal objection to the resolution, but I am simply ruling under legislative practice.

Mr. SAMUEL B. SCOTT. Mr. Clerk, this house has no rules. This is a meeting of the legislators-elect. We make our own rules to govern ourselves; and we have the Chief Clerk in the Chair simply to keep order and we appeal from the decision of the Chief Clerk, appeal to the membership of the House here present.

The CHIEF CLERK. The Clerk would like to state at this time that you are deviating from Legislative procedure. This resolution would come in under legislative procedure at a given point when I shall be glad indeed to entertain it.

Mr. R. J. BALDWIN. Mr. Clerk, under Legislative practice in Smull's Handbook, page 970, in the section section on that page, occurs this language,

A motion is then made by a member "That the members present do now, in conformity with the ninth section of the second article of the Constitution, proceed to the election of the Speaker."

The framers of that legislative practice had in mind the ninth section of the Constitution of our State. It has been followed out in all the preceding years of our history. I want to say to the House that I have no objection whatever to them, so far as I can understand the proposed rules, but I do not see how we can proceed to business until the house is fully organized, and no legislative body is fully organized until it has elected its Speaker. The duties of the Clerk are defined and limited by the Constitution and legislative practice, and if you now proceed to business you practically recognize the clerk of the House as the Speaker of the House, with powers of the Speaker, and we have not reached that stage until we have elected a speaker.

Mr. JOHN R. K. SCOTT. Mr. Clerk, I take it that this point of order is not well taken. I take it that the mistake being made by the gentleman from Delaware, in his address to the Chair is in calling this a legislative body. It is not. There is no contention that it is a legislative body at the present time, but simply a parliamentary body. You sit as presiding officer here. As Clerk or what you have the ruling on the decisions to govern this parliamentary body which is now before you. A resolution has been offered—a very important resolution has been offered to this parliamentary body, in order that we as a parliamentary body can express ourselves as to this resolution which is to be given its legislative life when it is returned back to the parliamentarily organized body and there passed upon by the body of the House as then constituting the House of Representatives. We are now here returned by the electors as being members of this body. We now offer to the body a resolution, which we take it, that it is our right to pass upon, and our right to give our expression. If the Chair persists in its ruling that this point of order is well taken then surely the right of appeal asked by the Gentleman from Philadelphia is a right that we have as a body whether we agree upon the ruling of the presiding officer or not. I hold, Mr. Chairman, that this question should be submitted to this body. It is a question of great moment. It is a question of good faith. It is a question of those who have expressed themselves as candidates for the high office of speaker, have pledged themselves to go before the body before there is an election upon the question of speakership. I take it that this resolution as now offered that there is not one in this house will raise his voice in opposing it from the standpoint as expressing the good faith of the candidates, and I as one of the candidates say I express the view of my distinguished rival when I say that he urge the Chair to allow this expression of the body to be now made.

Mr. ALTER. Mr. Clerk, I am delighted to have an opportunity to thoroughly agree with my friend the gentleman from Philadelphia. The legislative procedure which has been read refers to a section of the constitution but when you refer to that section of the constitution you find nothing in the section which indicates that the speaker must be elected as the first order of business. I take it Mr. Chairman, that this house is a law unto itself, except as it may be controlled by the provisions of the constitution, and as there is no provision in the constitution which in any way would interfere with variations from the ordinary procedure here suggested, it seems to me there can be no doubt of the right of the House, if it sees fit to proceed in this way, and I certainly hope, Mr. Chairman, in view of the understanding which has prevailed, and which has been referred to by my friend from Philadelphia, that the House will be permitted to act on this question at this time.

Mr. FLYNN. Mr. Clerk, since it is so apparent that we are all in favor of considering the subject at this time, although perhaps later some of us may differ as to the form, I would say that we agree to consider this by unanimous consent, and I therefore ask unanimous consent to have this matter considered by the House now.

The CHIEF CLERK. I will be glad indeed, owing to the present conditions that this question on the point of order be put to the House, if the House so desires; if not I will recognize the gentleman from Elk who moves that unanimous consent be granted to consider the Resolution at this time. Is there any objection? There appears to be no objection, and the resolution will be acted upon at this time.

RESOLUTION FOR CHANGE OF RULES.

Mr. HUMES. Mr. Clerk, I offer the following resolution as a substitute for the resolution just offered, and ask that the substitute be read.

The substitute resolution was read as follows:

Resolved, That the Rules of the last House with the following substitutions and amendments be adopted as the Rules of the present House:

That Rule 5, of the Rules of the last House, which reads as follows:

"The Speaker shall appoint the members of all standing and select committees, unless otherwise ordered by

the House, be stricken out and that there be substituted therefor, the following:

5. The House shall elect the members of all standing committees. The representation of each party or association on each committee shall be in the proportion which its membership bears to the total membership of the House. The said representation shall be selected by each party of association in such manner as it shall by its rules determine, said selection to be approved by the House. Each committee shall organize by electing its own officers. The Speaker shall immediately after his election announce the proportional representation to which each party or association is entitled on the various committees, and each member shall notify the Speaker of the party of association in which he desires to be counted for the purpose of determining such representation.

That Rule 41, of the Rules of the last House, which reads as follows:

"That recommendation by a committee that a bill be negatived shall not affect its consideration by the House, but the words 'negatived recommendation' shall be printed conspicuously on a line above the title of the bill, but such bill shall not be placed upon the calendar except by a vote of the majority of the members elected to the House: Provided, That a motion to place negatived bills on the calendar shall be made in writing when resolutions are in order and the motion shall then lie over until that order is again reached, but if such motion be negatived once it shall not be renewed" be stricken out and that there be substituted therefore the following:

41. The recommendation by a committee that a bill be negatived shall not affect its consideration by the House, but the words, "Negatived recommendation" shall be printed conspicuously on a line above the title of the bill, but such bill shall not be placed upon the calendar except by a majority vote: Provided, that a motion to place negatived bills on the calendar shall be made in writing when resolutions are in order, and the motion shall then lie over until that order is again reached, but if such motion be negatived once it shall not be renewed.

That Rule 62, of the Rules of the last House, which reads as follows:

"That after a bill has been ten days in the hands of a committee, after having been referred to, a majority of votes shall be sufficient to discharge the committee from a further consideration of the same: Provided, that if ready to report, it shall not be so discharged" be amended by striking out the words "Provided, That if ready to report, it shall not be so discharged."

That Rule 69, of the Rules of the last House, which reads as follows:

"A committee of five shall be appointed by the Chair who, together with the Speaker of the House, shall report to the House from time to time, rules for the government there and amendments to such rules; that said committee be privileged to report at any time; and said report shall be adopted by a majority vote" be stricken out and the following be substituted therefor:

69. A committee of seven, of which the Speaker shall not be a member, shall be elected by the House in the manner hereinbefore provided for the election of standing committees, who shall report to the House from time to time rules for the government thereof, and amendments to such rules; and said committee shall be privileged to report at any time; and said report shall be adopted by a majority vote.

That Rule 72, of the Rules of the last House, which reads as follows:

"All resolutions, after they have been twice read, shall be referred to an appropriate committee without debate, and if favorably reported shall be printed and lie over for one day, after which they may be called up under their appropriate order of business.

This rule shall not apply to the following resolutions, viz:

Recalling bills from the Governor.
Recalling bills from one House to the other.
Requesting information from heads of departments.
Those emanating from the Committee on Rules.
Those relating to adjournment.

be stricken out

Mr. HUMES. Mr. Clerk, I move the adoption of the substitute resolution.

Mr. STRAUSS. Mr. Clerk, I second the motion.

The motion on the adoption of the substitute resolution was then put.

Mr. SAMUEL B. SCOTT. Mr. Clerk, in speaking upon the resolution I ask the House to defeat the substitute. I think it is first incumbent upon me to explain in a simple manner and more clearly than can be done by the rapid reading of the resolution exactly what it is that I have attempted to do by introducing this resolution. Now it is a matter of the widest public knowledge that the people of this Commonwealth have come to feel that in the conduct of this body in years past there have gradually arisen certain evils of procedure which have gradually crystallized themselves into rules and become part of our parliamentary practice, and now there has run over the Commonwealth a political change it has been practically unanimously agreed, and there is no opposition to some liberalization of the rules, some method by which each individual, and by which each small group shall have a thorough opportunity to express themselves here, according to their own weight and to their own ability. The only point in contention which has arisen is the exact method which this agreed upon change of procedure should be consummated. Now there are only two ways in which a parliamentary body, such as this can expect to do this. They can select from among themselves a small committee, thoroughly representative of itself, who in some quiet opportunity will discuss and carefully weight and finally draft and consider a plan which will do what the members want done. The other way is to say that here and now by a complicated resolution we will pass the specific rules. Now, Gentlemen of the House, I doubt if there is any new member here who having heard that substitute resolution read once has a good conception of what it means. I have not been without parliamentary experience, and I may state not without experience of the old rules of the House, and yet sitting in my chair here and hearing that resolution read for the first time I would not know what it means. Neiter do I think that any such cursory amendment of the rules as provided by the substitute will at all effectuate what is desired to be done. There are vastly more changes needed in the rules than have been suggested in the substitute resolution. The rules ought to be harmonized in order to deal with the matter, with the new theories, the only sensible method is for the house to appoint a Committee.

Now a moment as to the personnel of that Committee. Now I do not wish you to understand that I should be charged in any way with the names that have been mentioned in that Committee. Somebody must make a tentative suggestion in any parliamentary body, and that is all that I have done. If there is any person here, who feels that some other name ought to appear in that resolution, that the Committee ought to be enlarged or diminished, or that any change whatsoever should be made, we are here and we understand parliamentary practice, and with that practice it will be easy to amend the resolution. But let me say this for that personnel that after most careful consideration,, after considering with assiduous care the various groups of members, which it is felt will more or less act in unison in this body, it was felt that a Committee of eleven members would be the most fairly representative of everybody, and it is the hope that if that Committee is constituted it will work not from a partisan point of view, but from a judicial point of view.

Just one more point. If I understand what is the intent of the amendment to the rules as suggested by the substitute I believe it is this; that the members of the standing committees of the House instead of being picked by the Speaker or instead of being picked by the committee on committees, as suggested in my resolution, shall be picked by the whole membership of the House, and that the membership of the House shall guide themselves through the party actions directed by party rules. Now the unfortunate occurrence for any such resolution is this that there are a great many of us here who judged by any criterion that you see fit to apply, belong to more than one party, and the suggestion is that each member must designate to the Speaker to which party he belongs.

Mr. FLYNN. Mr. Clerk, I desire to interrogate the gentleman from Philadelphia.

The CHIEF CLERK. Will the Gentleman from Philadelphia, permit himself to be interrogated?

Mr. SAMUEL B. SCOTT. Mr. Clerk, with pleasure.

Mr. FLYNN. Mr. Clerk, I only wanted to correct a statement you made, that this rule to which you refer, not only provides for party membership, but any association of members so that you and your independent friends, may form an association of your own and have your proportionate share of representation on committees, and not necessarily ask the majority of the House for it, but it is yours by right.

Mr. SAMUEL B. SCOTT. Mr. Clerk, I think I understand thoroughly and agree with the gentleman that he has correctly cited his resolution, but the difficulty remains as before with a person who wants to belong to two associations. In other words in this modern day and generation when men stand upon their own feet it is entirely contrary to public opinion that they should be bound and guided by the action of any party or association, if you please. Now, Mr. Speaker, personally, only for the pur-

pose of illustration, I wish to say that I hold my position here on the suffrage of several parties. The Keystone party and Washington party are not merely nominal parties, but different organizations and in many respects they have widely different interests and if I represent them both it is because I feel that both want independent representation. If I look back over my parliamentary history the numbers of parties I have represented have been so numerous that some have escaped my memory. I remember starting with the City party and the William Penn party and a lot of others. Now I am not going into that to waste the time of the House. But owing to the peculiar political situation at the present time we should not divide the members into many parties or groups in trying to give just representation. This representation proposed in my resolution will do justice to all the members.

Mr. FLYNN. Mr. Clerk, would it be possible to divide the question so that we can discuss these amendments in their regular order? I ask for a division of the question.

The CHIEF CLERK. The gentleman can discuss anything in any manner he desires, but I don't think there can be a division of the question.

Mr. FLYNN. Mr. Clerk, the bone of contention—the principal contention is between the substitute which we have offered and the resolution which was originally presented. We offer the substitute from a united Democratic membership of the House, which is contained in Rule 5 for the appointments or the election of members of Committees. Under the old rule the Speaker was authorized to appoint the members of the standing Committees. Under the amendment to that rule, offered by the Gentleman from Philadelphia, Mr. S. B. Scott, he seeks to place that authority into the hands of the Committee directly elected by the membership of this House in which the Republican members are entitled to four representatives and in which the Independent members are entitled to four representatives, and in which the Democratic membership are entitled to three representatives. Now, Mr. Chairman, we contend that the evil—that all the evils of the old system are covered only in a different manner by this Committee which he proposes. We maintain that as a party we are entitled to certain representation on the standing committees of this House. We further maintain that we, as a party, have a right to say who the members of that Committee shall be. Under this proposed arrangement they take all of that out of our hands and place it in the hands of a Committee, and that Committee have even nominated the members of our party and they say that by a majority of this House, a vote by this House that three men shall be chosen from this side of the House and they say who the Democratic members of our Committee are to be. We claim that by this method we don't get away from this system; that it is not an improvement over the old system under this amendment offered by Mr. S. B. Scott.

We demand and desire to maintain our independence as Democrats, and as a minority party of this House. We don't ask them to say whom we shall place on the Committees as Democrats. We demand the right to do that ourselves. I don't believe that the gentleman who has just spoken has understood this principle thoroughly because if he had I don't believe that he would have advocated it. I don't think he would have advanced this principle if he had understood it. I know him and he has my high regard and I know that he has stood here and fought for independence. I don't believe that he appreciates this principle or knows that he has advocated something that in the future will be no better than the present system.

He says perhaps this matter has not been well considered. I can say that it has been well considered and that some of the ablest Parliamentarians in the State have assisted in bringing these amendments before this House as an improvement over the present rules. Take rule number 41 as the next amendment provides "that a recommendation by a committee be negatived etc." The change we propse to make to that rule is, that if a bill is negatived it shall be placed on the calender by a majority vote instead of by Committee vote of the members elected by the House. That is the only change in that rule. Then we come to rule number 62 which provides "that after a bill has been ten days in the hands of committee, after having been referred to it, a majority of votes shall be sufficient to discharge the Committee from a further consideration of the same." Then there is the following provision, "that if ready to report, it shall not be so discharged." We strike out those words "that the committee must report" with its discharge. The committee must be responsible for that bill and when discharged present that bill to the House.

Then we come down to rule 69 which provides for the appointment of the committee on rules, by the Speaker. "A committee of five shall be appointed by the chair who, together with the Speaker of the House, shall report to the House from time to time, rules for the government thereof and amendments to such rules; that said committee be privileged to report at any time; and said report shall be adopted by a majority vote." We undertake to enlarge that committee from five to seven and we provide that those members shall be elected by their parties instead of being nominated by the Speaker.

Then we come to rule 72 which provides, under the old rule, as follows: "All resolutions, after they have been twice read shall be referred to an appropriate committee without debate, and if favorably reported, shall be printed and lie over for one day, after which they may be called up under their appropriate order of business. "We all know what that means. That is a compartively new rule, which was adopted, I think, four years ago, proposing at that time that an original resolution could be read in place when resolutions were in order. The resolution was then to be read the second time and then it was in the hands of the House for their consideration. They could then refer it to committee or debate the merits of it and act upon it then if they saw fit. But this rule provided this amendment to the rule. "Provided that the report of the Committee must be referred without debate." In other words, it is known as the famous "gag rule." We move to strike that entire rule out. That is one portion of the change which we are advocating and I am satisfied that there is not a member in this house but can fully grasp just what it is intended to cover and what changes we are proposing. There is no revolutionary change in the old rules of the House proposed; there is nothing which can conflict with some other rule; their is nothing in this substitute resolution which has not been well considered and there is nothing in it which any member of this House cannot cheerfully support. I wish to show you again that it is the only fair revision—that it is the only fair manner of doing this.

Let the members of the other side, if they choose, vote it down, and they are simply voting down this proposition, that we as minority members of this House, are not permitted to say who the representatives of our party on committee shall be. We place ourselves in the position of giving you our influence and will you put John Jones or any one else on the appropriation Committee? That is the very principle that is involved as that in which the Speaker names the Committee and we are fighing for this principle and we will continue to fight for it no matter what is done here to-day.

Mr. JOHN R. K. SCOTT. Mr. Chairman and Gentlemen of the House: I believe that the gentleman from Elk, Mr. Flynn, has not fully comprehended the very broad resolution and the very fair resolution that has been offered by the gentleman from Philadelphia, Mr. S. B. Scott. If there ever was a resolution for the proper establishing of the rules of the House to take care of the minority it undoubtedly is this resolution that Mr. S. B. Scott has offered. Not only does this resolution provide for three representative Democrats to sit upon this committee of eleven but the committee, as has been well said by the gentleman from Philadelphia, considered this Committee as holding a fiduciary position in the House as well as a judicial position, and they expect that the three representative members from the minority party will express the will of the minority as to the members in the various committees and that will be assigned or appointed on the general committees, the same as it will with the votes of the Rppublican four members and the voice of the four independent members. But this resolution does more than that for the minority party; it not only provides for their representation upon the committees; it not only provides for these reforms in the rules that are advocated by the gentleman from Elk but it also provides as to the employees of this House in which the minority representation will be represented in the parceling out of the various appoint-

ments of employees of this body. There is something more, Mr. Chairman and Gentlemen of the House, that the minority has not had in the past, and I fear that the minority party does not appreciate the full force of this resolution. It is the first step in advancement; it is the first step at the beginning of this House that is going to make the Legislature of 1913 ring on through many years as a Legislature that was bound to reform and in the start began by reforming its own rules. In this substitute that has been offered by the minority you are doing that party no kindness. They look with suspicion when the majority is giving them some concession; they have not yet awoke to the light. They don't know that we now know on the other side of the House that the people are taking up reform. We start to reform right here in our own home; we do that by having these rules so amended that there can be no criticism upon the action of the members of this body. We do so that there can be no criticism of the members of this body in the giving out of the various appointments; that there can be no criticism of the formation of the various committees. Mr. Chairman and Gentlemen of the House, I hope that this substitute resolution will be voted down and that we will all join hands with the gentleman from Philadelphia, who has won his position as an independent, advocating reform on the floor of this House, and show the people of the State that we have confidence in him and that we will join with him in this very broad step of advance and of reform.

Mr. R. J. BALDWIN. Mr. Clerk, I would like to have the resolution offered by the gentleman of Philadelphia again read, because, as I understand the resolution now, having heard it only once and having had no opportunity to know what was coming up, and it being handed in here this morning for the first time, I would like to know just what that resolution is and perhaps I can then better understand it. I will call for another reading of the resolution.

The CHIEF CLERK. The resolution will be read.

The resolution was read for the third time.

Mr. R. J. BALDWIN. Mr. Clerk, If I understand the resolution correctly I fully agree with my Democratic friend on the other side of the House. There is perhaps not a doubt but what the particular committee named on that resolution will do what is right and what is fair, but I cannot see one particle of difference between that method and the present, in so far as refers to the difference that exists as complained of by the people. The people are complaining of the dominant faction doing as they please, having laws and regulations that gives them all the power; they say that history shows that the power has been abused because the minority party has no voice. There is not a bit of doubt but that the next committee as appointed should thereby, if there be no political disturbance in this state, follow exactly along the same line that has existed heretofore, reproducing exactly the same quarrels over again.

I have had some experience in the workings of parliamentary laws: I have had some little experience in politics, and I do know that if that resolution is passed, in so far as the dominant party is concerned, or whatever may be the majority when you come to it, that you are back in the very same place where we are now. I feel that I was right in raising the point of order I did and my reason for raising the point of order against considering this proposition at this time, which I should have said, perhaps, at that time, was, that we should have time to consider this proposition. My reason is this: Here is a membership nearly one half of which are men who have not served in a legislative body, and their occupations and professions of life have not given them any opportunity nor has there been any reason for them to study parliamentary law. Naturally, as a man who does not come in contact with matters of this kind or does not study questions of this character, he does not know much about them. Now, had my motion been sustained that we proceed to the election of a speaker and then to have this proposition come up afterwards, we could have laid it over until tomorrow. This would give us a chance to study and consider the resolution. The newspapers will probably have these resolutions printed—some probably have them in print now, and then each and every member will have time to think over the proposition and discuss the question with those in whom he has confidence and he can come here tomorrow with some intelligence and with some thought upon the subject. Therefore, I still think the proper thing to do is to vote these resolutions down at this time and proceed to the election of Speaker.

Mr. WILTBANK. Mr. Clerk, I rise to a point of order. We are entirely out of order. This is my first experience with you but it does not require a very bright and brilliant man to understand this. I understand some parliamentary law and I understand that we are now acting as a parliamentary body engaged in forming some law, some regulation by which to guide us and to elect our Speaker, therefore I desire to make a motion and I move that we adopt the rules of the National House of Representatives until such time as we are organized.

The CHIEF CLERK. The gentleman's point of order is not well taken. The House gave unanimous consent to consider the resolution that is now before us.

Mr. STRAUSS. Mr. Clerk, I wish to say that the substitute as offered by our side should appeal to every honorable man and association in this House and that the rules of this House should not be put in the grasp of two or three associations.

Mr. JOSEPH GRAY. Mr. Clerk and Gentlemen of the House, I don't quite see why those gentlemen from the other side of the House think that they can get the Democrats, the minority, to sell their right. I think the Democrats are not caring very much who gets the appointments of the House. We don't profess to care. We don't want them to think that we care for that. To let the will of the majority dominate the minority. That is where we stand. We Democrats who are new in the House cannot understand what the gentlemen on the other side of the House mean to do. We don't think that there is anything in the contention that they don't understand the subject. It has been considered enough and we do understand it. We only demand that the representatives of the minority shall be recognized and that the majority shall not dominate the minority. The first resolution may have taken away the arbitrary power of the speaker but they may put in the men who are not representing the people of the state.

Mr. HUMES. Mr. Clerk and Gentlemen of the House; The original proposition offered by the gentleman from Philadelphia evinced confidence in both elements of the Republican Party, that they will be in control of the next General Assembly of this Commonwealth. By the adoption of this rule, as proposed by the gentleman from Philadelphia, they are apparently endeavoring to give to the people of the State a rule by which no one element of this Legislature may be in absolute control, but at the same time they are negativing a rule that will protect their faction in the next Legislature no matter which one may be successful at that time. The gentlemen who are representing the different elements of the Republican party in this contest are merely by their standing for this resolution undertaking to convey to the people the impression that they are giving them the control of their Legislative body, while, at the same time they are drafting a rule that in the next session, no matter which element may be in the majority in this house, they will have the same absolute control over the deliberations of the House and the appointment of these committees that has always been held by the dominant party who had votes enough to elect a Speaker. The people of this State expect every one of us, no matter what our affiliations may be, to restore to the people the control of the Legislature. They believe that the control of the Legislative proceedings should be restored to the membership of the House and be held in the grip of any particular element. I want to predict to you here that if you vote down this substitute resolution that we are proposing and undertake to fool the people of this State into the belief that you are giving them the thing they are demanding by the adoption of the original resolution you will be very badly fooled. The people are up in arms and demanding their rights and only that and the only way that the rights of the minority can be preserved is by giving them control over their assignments on committees and all other matters connected with the organization. If you refuse to stand with us in the adoption of these rules, that are Democratis rules the result will be like the action of the Demo-

crats in Congress with the assistance of the insurgent Republicans. Those rules that disorganized the Republican Party in Congress will cause the same result for you. If you can fool the people of this state by not coming along and giving them the rules they are demanding you will find that you will not accomplish what you are after and that you will be very much mistaken. The temper of the people is such that they will not stand for any makeshift.

Mr. S. B. SCOTT. Mr. Clerk, it seems to indicate to me by the remarks that have been made, that the gentlemen on the other side have failed to understand one very important feature of this resolution. The duty charged upon the Committee we have suggested is to draft rules. Now these rules have not as yet been drafted. This committee might adopt the whole program of the gentleman on the other side. When this committee reports there will be time to take up all suggestions whether the set of rules are not prepared until some future time.

The CHIEF CLERK. The question is on the adoption of the substitute resolution.

The yeas and nays were required by Mr. Humes and Mr. Matt and were as follows:

YEAS—60.

Barner,	Conniff,	Kern,	Perry, H. L.,
Becker,	Donahoe,	Kitts,	Peters,
Benninger,	Donnally,	Klepper,	Post,
Benson,	Flynn,	Kuhns, E.G.M.,	Price,
Bergey,	Foster, J. D.,	Lanius,	Rothenberger,
Blair, W. F.,	Geiser,	Lenker,	Sassaman,
Body,	Glenn,	Mannion,	Savacool,
Brown,	Good,	Martin,	Shaffer, C. A.,
Burnett,	Goss,	Matt,	Smith, J. W.,
Caldwell,	Grabe,	McDermott,	Snavely,
Campbell, J.J.	Gray, Joseph,	Mellott,	Strauss,
Carson,	Herman,	Metzenbacher,	Trach,
Claycomb,	Howard, R.,	Murphy,	Ulman,
Cochran,	Humes,	Musser,	Wilson, J. H.,
Collins,	Keegan,	Newbaker,	Zimmerman,

NAYS—147.

Adams,	Forster, I. G.,	Malie,	Roney,
Allen,	Frey,	Mather,	Runk,
Alter,	Gans,	McAleer,	Schaeffer, A. C
Alworth,	Geary,	McAllister,	Schuck,
Ambler,	Gibson,	McArdle,	Scott, J. R. K.,
Arthur,	Gramley,	McCaig,	Scott, S. B.,
Baldwin, G. A.,	Gransback,	McClintock,	Semmens,
Baldwin, R. J.,	Gray, Frank,	McKay,	Shaffer, I. E.,
Bass,	Hackett,	McNichol,	Shern,
Bayle,	Haggerty,	Mechling,	Sherwood,
Berntheizel,	Heidinger,	Miller,	Showalter,
Bigger,	Hemminger,	Missimer,	Smith, L.,
Bittles,	Hess,	Mitchell,	Snyder,
Blair, W. A.,	Holburn,	Moore,	Spangler,
Bleloch,	Hibshman,	Morrow,	Speiser,
Brosius,	Hobbs,	Moses,	Spillinger,
Brownlee,	Hoffman,	Moulthrop,	Steedle,
Campbell, C.M.,	Howard, J.,	Neel,	Steele,
Carter,	Isler,	Neely,	Stein,
Cheeseman,	Irwin, G. C.,	Newton,	Stone,
Cleary,	Irwin, H. H.,	North,	Swartz,
Conner,	Jackson,	O'Neill,	Swift,
Conrade,	Jones, E. E.,	Peachey,	Thomas,
Cox,	Jones, J. R.,	Pennegar,	Ulerich,
Currier,	Kaiser,	Pennock,	Walnut,
Curry,	Kaufman,	Perry, S. J.,	Walsh,
Davis,	Keeport,	Piper,	Walton,
DeFrees,	Kenna,	Ramsey,	Watson,
Dickinson,	Kennedy,	Redfield,	Wettach,
Down,	Kuhn, H. P.,	Reese,	Whitaker,
Dunn, H. B.,	Latshaw,	Reeser,	Whitman,
Dunn, J. A.,	Leslie,	Rex,	Wildman,
Ehrhardt,	Letzkus,	Rhoads,	Williams,
Eichenberger,	Light,	Richards,	Wilson, W. H.,
Ely,	Lohr,	Riebel,	Wiltbank,
Ewing,	Lowers,	Robinson,	Young, G. K.,
Fahey,		Rockwell,	Young, J. H.,

The Resolution was not agreed to.

Mr. R. J. BALDWIN. Mr. Clerk, I cannot understand the haste of passing this resolution. Perhaps if I thoroughly understand why there was so much haste, I might be for it, but I don't. But I do know that it is a question that this house ought to know and also that it ought to know what it is voting on thoroughly and the more appreciate the force of it. I am satisfied that there is some here who cannot fully understand the force of it, as well as myself, and for that reason I think it should be postponed for the present. I, therefore, move that the further consideration of this resolution be postponed for the present.

Mr. NORTH seconded the motion.

The motion was not agreed to.

The CHIEF CLERK. The question in on the adoption of the original resolution.

Mr. JOHN ROBERT JONES. Mr. Clerk, are we proceeding to vote on this resolution as presented by Mr. S. B. Scott of Philadelphia?

The CHIEF CLERK. The question is on the resolution offered by Mr. S. B. Scott of Philadelphia.

Mr. JOHN ROBERT JONES. Mr. Clerk, I ask consent to make a statement at this time on my position upon the question of the rules and my position upon the resolution as introduced by my friend Mr. S. B. Scott of Philadelphia. As I understand, this committee of which I have been made a member, consists of a committee of eleven. I wish to state to the members of this House that I became a member of this committee and permitted my name to be put on this Committee only by the insistent urging of men who are honestly and earnestly pledged, I take it, and whose convictions are firm for a change of the rules of the House of Representatives as enforced at the last session. I wish to state, that in permitting my name to stay upon the membership of this committee my position on the question of the Rules, was in favor of a change.

If there are any members here who were in the last session they know that every day from the time we entered this House until its close we were compelled to fight on decisions and I made up my mind that when I came this time I would do what I could to have these rules amended to the full extent of my power that I might have in this body. I favored a change in the method of the selection of the members of the committees. I favor the taking of that power out of the hands of the speaker.

Under the rules in the House of Representatives in Washington when particular bills must be referred to particular committees the Speaker refers all bills to such committees as in his judgment the reference should be made. Because this resolution proposes to take up that question I have consented to be a member of this Committee. The question of negativing the recommendation as interpreted under the old rules should be well considered. Those who are old members of this House know that the old rule constituted, in the last session— if a bill came out of committee with a negative recommendation that was compelled to lie over for a day. Then I learned that it was not a day of 24 hours but a resolution day when resolutions were offered whereby I was forced to wait one week for the consideration of my motion. I am opposed to any such rules; I am a member of that committee pledged that these rules shall be amended to the extent of making the Speaker, as the presiding officer, the machinery whereby legislation shall be enacted in this State in accordance with the platform of the Progressive and Washington parties. This is not so much a question of proceedure except as it will aid in the passage of progressive legislation. If it should so happen that by any legislation such committees should make or attempt to make a report that is not made in good faith; a report that does not meet the conditions as they exist today, I, as a member of that committee shall come here with a minority report and fight for it.

Mr. ROCKWELL. Mr. Clerk, the gentleman from Schuylkill, has stated to you his feelings and his purposes and I believe them to be practically mine. I have been a member of this House for two sessions and I have been an independent Republican. I have voted against rules such as he states and I have consented against my wishes to have my name put upon that committee.

I would prefer not be on it, but if I am,—as my name does appear on it,—I intend to carry out the avowed purposes of the reform people of this State, and give to the House working rules such as they might desire.

Mr. RAMSEY: Mr. Clerk, I would like to ask if it is in order at this time to submit the additional clause to this resolution before it is passed. What I would submit is this, that when this Committee has drafted the proposed changes in the rules of this House, that they be printed and placed in the hands of every member of this House

at least five days prior to the time they are to be acted upon by this body, so that no member may come here ignorant of what proposed changes are to take place.

Mr. S. B. SCOTT. Mr. Clerk, I would like very cheerfully to agree to that amendment.

Mr. BAYLE. Mr. Clerk, I do not understand this undue haste. Why is this resolution thrust upon us in this manner, and this convention asked to adopt it?.

Gentlemen, we are in favor of a revision of the rules that will enable us to do business as businessmen, and I hold that a resolution of this importance should be more fully considered. It should be printed and placed upon the desks of every member, so that in the morning hour, you and I as reasonable men, may look into it. A moment ago we voted down a Democratic resolution that had much credit attached to it, and yet we are supposed to vote for this resolution coming as it does, sprung upon us not in the usual way, and I promise you to vote against it.

Mr. R. J. BALDWIN. Mr. Clerk, I am just as much in favor of having a resolution that will be fair as any other member of this House, but I would like to know fully what I am voting on, and I agree with the gentleman in my rear most fully.

On the question,

Will the House agree to the resolution.

It was agreed to.

ELECTION OF SPEAKER.

Mr. R. J. BALDWIN, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That in accordance with the provisions of the Constitution, the House do now proceed to the election of the Speaker, and that the clerks act as tellers.

NOMINATIONS FOR SPEAKER.

Mr. LOWERS. Mr. Clerk and members of the House of Representatives:

It is with a full knowledge of the great responsibility resting upon the members of this House at this time that I rise to place in nomination for the Speakership, one of its members.

In the eyes of more than seven million people in this great Commonwealth, are upon us, their ears attuned to receive tidings that shall be flashed from the Capital City to every city, town and hamlet throughout the length and breadth of this grand old Keystone State.

And why this wonderful interest? Why this unusual close scrutiny?

The great majority of us have been pledged to Progressive Legislation, looking towards an ideal Government, a Government truly of, for any by the people.

The first step, as I see it, and as I firmly believe you do, is the election of a man for Speaker of the House who measures up to all requirements, a man who would join hands with our great and good Governor, John K. Tener, the Chief Executive of our State, who has so nobly stood for the right and encouraged aggressive and constructive action on the part of the General Assembly.

I believe I have in mind a man who is of such a character and whose life is best expressed in a favorite poem of mine:

There are Hermit souls that live withdrawn
In the place of their self content,
There are souls like stars that dwell apart
In a fellowless firmament;
Then there are pioneer souls that blaze their paths
Where highways never ran,
But let me live in a home by the side of the road
And be a friend to man.
Let me live in my home by the side of the road
Where the race of men go by;
The men who are good, and the men who are bad
As good and as bad as I.
I would not sit in the scorner's seat
Or hurl the cynics ban,
Just let me live in my home by the side of the road
And be a friend to man.
Let me live in my house by the side of the road
By the side of the highway of life,
Where the men who press with the ardor of hope
The men who are sick with the strife.
I turn not away from their smiles nor their tears,
Both parts of an infinite plan,
Just let me live in my house by the side of the road
And be a friend to man.

That is the kind of a man I have in mind, a giant physically and mentally, who possess in addition to a character above reproach, whose life both public and private has been an open book, a record of achievement both as a member of the bar of Allegheny County and as a member of this House during the last two sessions.

You have seen him in action as Speaker pro tem, and even those who oppose his election declare their belief in his ability, honesty and fairness. So in the name of the good-thinking and good living people of this great State, I present to you their candidate for Speaker of the House of Representatives, the Honorable George E. Alter, of Allegheny County.

Mr. RONEY. Mr. Clerk and Gentlemen of the House of Representatives:

In rising to place in nomination for the Speakership of this House a man wholly worthy of that high office, I ask your indulgence for a few brief remarks.

No man in this Chamber, I am sure, underestimates the importance and responsibility of his present position. We stand on the threshold of a new political epoch, and all men feeling the force of the present day adjutation for bigger and better things, are striving to outdo each the other in carrying out advanced social and political ideas.

In the sincere consideration and attachment for things beneficial to my fellows, I bend the knee to none. My conception to duty and right and political ideal is as clear as day, and in my legislative work, and in this Speakership contest, I walk straight, and according to my honest and conscientious feelings using my best and fairest judgment, and in conformity with the wishes of my constituents; and I ascribe to every other member of this Chamber (and it is a high honor, our constituency pays us each in sending us here) impulses and good judgment as fair and honest.

Therefore, on the question of Speaker, I have deliberated long and earnestly. I have considered all men, and in my candidate for this high office, I see a man of experience, of great legal and parliamentary skill, a man of honesty and trustworthiness; a man of honor; a man of family, with ideals, and a man who in achieving success in life, has shown at every step ability, character and determination.

He has promulgated a platform of which any man might justly be proud. He stands before you, to-day, strong in his resolve, lofty in his ideals, loyal and determined in his convictions. In his qualifications for this office, in conjunction with his platform, he stands unsurpassed and unchallenged in his request for your support.

I therefore, take great pleasure, and feel that I am acting in the best interests of this, my beloved Pennsylvania legislature, in placing in nomination for the office of Speaker of the House of Representatives the name of John R. K. Scott of Philadelphia.

Mr. WALNUT. Mr. Clerk, I desire to place before the House for the office of Speaker a man, who is now entering upon his fourth session as a member of the Pennsylvania Legislature. He came here in 1907, belonging to a small crowd of independents. He has continued to belong to that crowd during the three sessions of this Legislature. During that whole time there has never been a question raised as to the sincerity of any of his legislative acts. He has held strong in that allegiance and has not been influenced by authority or anything other than his own judgment; and in the exercise of that judgment he has displayed liberality, that has convinced, not only the members of this House, but all persons who have watched his career that his judgment has not been bound either by partisanship or sectional prejudice. It gives me great pleasure, gentlemen, to place in nomination the name of the Hon. S. B. Scott of Philadelphia. Many of you while seeing the courage displayed by him in contesting almost single-handed principles that he believed to be right, will agree that in courage, there is no man in this House who is his superior. And on the question of the integrity of his motives I believe there is no man in this House who has ever raised the slightest question as to any of his actions. Further, as to his ability, I believe there is no man who has known him who will doubt for one moment, that as a parlimentarian, as a man with a broad conception of the underlying principles of this Government, and as a man with a broad understanding of the rules of this House that there is a man who is the superior, and few

the equal, of the gentleman whose name I have just placed in nomination.

Mr. PIPER. Mr. Clerk and Members of the House of Representatives, I desire today to place before you a candidate for the Speakership, whom I know and whom I believe you who served with him in the last Session of the Legislature will realize that he did his duty as a legislator. Every act on the part of the man, whom I desire to place before you I found to be true to the principles upon which he was elected and those of his constituents. I believe that no better man could be chosen in this house to fill the office of speaker than the gentleman whom I am about to name. I take great pleasure, gentlemen of the House, in placing before you the name of Eugene J. McAleer, of Philadelphia.

Mr. FREY. Mr. Clerk and Gentlemen of the House: Never before have I arisen to second the nomination of any candidate that has given me such keen pleasure as in this case; nor has there been placed in nomination the name of a man whom I most honestly believe to deserve the support of this House, and one who is more capable to fill the position to which his friends desire to elevate him. All of us who know the man, whose nomination I am about to second, know him to be a man, true and loyal to his friends, true and loyal in his friendships. We know him as a man skilled in debate, as a master parlimentarian, as an efficient legislator, but we know him best of all as a man honest and sincere. Gentlemen of the House, a man who is true to his friendships cannot help but be true to his pledges. We all know him and have read the pledges this man has made. This man has made the pledges which are responsible for the resolution just passed by this House, to change the rules of this House, so that it might run and conduct its own business. None of us who know this man fear that he will not keep these pledges to the very letter as Speaker of this House, but believe that he will so conduct the business that this Commonwealth will enter upon a new era of prosperity. So, gentleman, it is for these reasons that I take great pleasure in seconding the nomination of the Hon. John R. K. Scott, of Philadelphia.

Mr. HUMES. Mr. Clerk and members of the House of Representatives: It is my pleasure to present as a candidate for Speaker the name of a man who has served here with credit to himself, party and State. I have the pleasure to present the name of the Hon. Chas. A. Shaffer, of Columbia County.

Mr. MATT. I arise and take great pleasure in seconding the nomination of the Democratic candidate for Speaker, the Hon. Chas. A. Shaffer, first, because I know him to be a manly man,—a man of principle; and next, because I know he is fully equipped to fill the position. We have selected Mr. Shaffer to present him to you as our candidate for Speaker of the House because of the implicit confidence placed in him, not only now, but in the past, and because of the record made by him two years ago, hence, it is a great pleasure to me to second the nomination of the Hon. Chas. A. Shaffer, of Columbia County.

Mr. HORACE B. DUNN. The gentleman from Philadelphia, Mr. Walnut, could have talked all afternoon and not said too much in favor of the man he has nominated. Everybody on the floor of the House knows that he is independent. We also know that some people are born independent, some have independence thrust upon them, and others are independent for revenue and power only. Now gentlemen of the House, the man whose nomination for speakership I take pleasure in seconding is a man who was born independent. He was born independent and you can depend on him staying independent under any circumstances. Those of you who were here last year know that what I am saying is true. Far be it from me, to discourage the candidacy of any of the other gentlemen named. I know them all. They are all competent men, but I want to second the nomination of Mr. S. B. Scott, because every member knows, first, he has the confidence, and second, he has the nerve.

Mr. HOBBS. Mr. Clerk and Members of the House of Representatives: As a Representative from North Eastern Pennsylvania, I rise to second the nomination of that man among men who comes from the Western part of the State, and who has served two terms in this house with marked ability. The man whom I believe would compare more favorably than any other member of this assembly in development of body, kindness of heart, and intelligence of mind with that great emancipator of half a century ago, with the exception that his face is more beautiful to look upon. We who served with him during the session of 1911 know that when he was called to the chair to preside temporarily his conduct and rulings were satisfactory to all concerned, and what better recommendation could the newly elected members desire?

The political conditions in our Commonwealth require that party predjudice and factional differences be eliminated so far as possible from our law making bodies, so that we may enact legislation beneficial to all the people of the Commonwealth. And the election of a right kind of a man for Speaker of the House will be a step forward in that direction, and I am happy to say that such a man is available. What we need is a man big enough to fill the chair with credit to himself and an honor to the old Keystone State. In brief a man physically large, morally large and intellectualy large. Therefore, Mr. Chairman and Gentlemen of the House, I sincerely feel that there is just one man measuring up to this grand ideal.

> As compared with him we are all very small,
> For he is head and shoulder above us all.
> So let us do our duty and never falter,
> And elect for Speaker Honorable George E. Alter.

Mr. SPILLINGER. Mr. Clerk and Members of the House, I arise to second the nomination of the Hon. Eugene J. McAleer for the office of Speaker of this House.

Mr. EDWARD E. JONES. Mr. Clerk and Members of the House, I arise to second the nomination of the Hon. Geo. E. Alter, of Allegheny County, and in doing so, I wish to state a few reasons briefly. I have served as a member of this House for three sessions, and this is the beginning of my fourth term. I have served with the other candidates who have been placed in nomination for this position and I want to agree most cheerfully with all the loyal things that have been said about the candidates, every one of them, but in particular I want to make this statement: As to my friend, the Hon. John R. K. Scott, from Philadelphia, who sits across the aisle from me, and did in the last session, and with whom I have had friendly relations and whom I have found to be a man absolutely on the level and on the square in whatever relations I have had with him, I want to say that the word of John R. K. Scott to me would be as good as his bond. Many excellent things could be said of all the candidates placed in nomination. I arrived at the conclusion I have reached regarding my choice for Speaker from three different standpoints: First, the wishes of my constituents and their welfare, and second, the welfare of what seems to me to be the body politic of the whole thing, State of Pennsylvania, and the welfare of my own party—the Republican Party—and upon these three viewpoints I consider that the gentleman from Allegheny County measures up to the fullest capacity of these requirements and to my mind is the logical candidate for this House to select as Speaker; and, therefore, without analyzing the peculiar political condition in our State, I firmly believe in my own heart that the gentleman from Allegheny County has more of the qualities, which will fit into the peculiar conditions we find confronting us, and, therefore, I have the great honor and privilege of seconding the nomination of the Hon. Geo. E. Alter, of Allegheny County.

Mr. WATSON. Mr. Clerk and Gentlemen of the House; I just want to add one word as to the candidate from Western Pennsylvania. I have served in the Legislature with Mr. Alter, was on the judiciary general committee with him and have found him a man who is fair in his judgment, and well-versed in the rules of the House, and the laws and Constitution of this State. I come from his immediate vicinity, an adjoining county, and I can say to this House that he is a man that comes from one of the cities in this State that has no superior in the world. It is the greatest industrial point and industrial city on the face of the earth to-day. He knows the wants of this region. He is a man who has lived on the banks of the old vine-clad hills of the Allegheny and from his boyhood days has been alive to all the necessities and protection of that great city. And, not to delay, I might say that I am one

of the original "George E. Alter" men. I think I suggested to him at the State convention that if I came back to the Legislature I would like to see him Speaker of the House, and I have every reason to believe from my personal knowledge of his ability, experience and good judgment that he is one of the fittest men in this House. I have served with nearly all of the other candidates and I must agree with the men who nominated them as to their ability and fitness, but in our end of the State, we believe that in order to secure better legislation as to the governing of our coal and iron works and other great fields of industry we want a man from that section of the State as Speaker in the House of Representatives at this session.

The CHIEF CLERK. Are there any other nominations? If not, the nominations are closed, the roll will be called and the Clerks will act as tellers.

The vote was then taken as follows:

FOR MR. ALTER.

Adams,	Irwin, G. C.,	McKay,	Schuck,
Alworth,	Irwin, H. H.,	Mechling,	Scott, S. B.,
Baldwin, R. J.,	Jackson,	Miller,	Semmens,
Blair, W. A.,	Jones, E. E.,	Mitchell,	Shaffer, I. E.,
Brosius,	Jones, J. R.,	Morrow,	Showalter,
Campbell, C.M.,	Kaufman,	Moses,	Smith, L.,
Carter,	Keeport,	Moulthrop,	Snyder,
Cheeseman,	Kenna,	Neel,	Steele,
Claycomb,	Kennedy,	Newton,	Stone,
Cleary,	Kuhn, H. P.,	North,	Thomas,
Currier,	Latshaw,	Peachey,	Ulerich,
Dickinson,	Leslie,	Pennegar,	Walton,
Down,	Light,	Pennock,	Watson,
Ehrhardt,	Lohr,	Ramsey,	Whitaker,
Ely,	Lowers,	Redfield,	Whitman,
Gramley,	Martin,	Reeser,	Wildman,
Hemminger,	Mather,	Robinson,	Williams,
Heyburn,	McAllister,	Rockwell,	Young, J. H.,
Hobbs,	McCaig,	Runk,	

FOR. MR. J. R. K. SCOTT.

Allen,	Ewing,	Kaiser,	Roney,
Ambler,	Fahey,	Letzkus,	Schaeffer, A. C.
Arthur,	Forster, I. G.,	Malie,	Shern,
Bass,	Frey,	McArdle,	Sherwood,
Bayle,	Gans,	McNichol,	Spangler,
Berntheizel,	Geary,	Missimer,	Speiser,
Bigger,	Gransback,	Moore,	Steedle,
Conner,	Hackett,	Neely,	Stein,
Conrade,	Haggerty,	O'Neill,	Swartz,
Cox,	Hess,	Perry, S. J.,	Walsh,
Curry,	Hibshman,	Reese,	Wettach,
Davis,	Hoffman,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Howard, J.,	Richards,	Wiltbank,
Eichenberger,	Isler,	Riebel,	

FOR. MR. CHARLES A. SHAFFER.

Barner,	Donahoe,	Kitts,	Price,
Becker,	Donnally,	Klepper,	Rothenberger,
Benninger,	Flynn,	Kuhns, E.G.M.,	Sassaman,
Benson,	Foster, J. D.,	Lanius,	Savacool,
Bergey,	Geiser,	Mannion,	Shaffer, C. A.,
Blair, W. F.,	Glenn,	Matt,	Smith, J. W.,
Body,	Good,	McDermott,	Snavely,
Brown,	Goss,	Mellott,	Strauss,
Burnett,	Grabe,	Metzenbacher,	Trach,
Caldwell,	Gray, Joseph,	Murphy,	Ulman,
Campbell, J.J.	Herman,	Musser,	Wilson, J. H.,
Carson,	Howard, R.,	Newbaker,	Zimmerman,
Cochran,	Humes,	Perry, H. L.,	
Collins,	Keegan,	Peters,	
Conniff,	Kern,	Post,	

FOR MR. S. B. SCOTT.

Alter,	Dunn, H. B.,	Heidinger,	McClintock,
Baldwin, G. A.,	Gray, Frank,	McAleer,	Walnut,
DeFrees,			

FOR MR. GEO. A. BALDWIN.

Bittles,	Lenker,	Rex,	Swift,
Brownlee,			

FOR MR. M'ALEER.

Piper,	Scott, J. R. K.,	Spillinger,	Young, G. K.,

The CHIEF CLERK. The tellers agree in their count, and the vote cast by the members is as follows:

Honorable George E. Alter received 76 votes; Honorable John R. Scott received 55 votes; the Honorable Charles A. Shaffer received 56 votes; the Honorable S. B. Scott received 10 votes; the Honorable George A. Baldwin received 5 votes; the Honorable Eugene J. McAleer received 4 votes.

From which it appeared,

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Speaker.

Whereupon,

The Clerk ordered a second ballot.

FOR MR. ALTER.

Adams,	McCaig,	McKay,	Semmens,
Alworth,	Hobbs,	Mechling,	Shaffer, I. E.,
Baldwin, R. J.,	Howard, J.,	Miller,	Showalter,
Blair, W. A.,	Irwin, G. C.,	Mitchell,	Smith, L.,
Brosius,	Irwin, H. H.,	Morrow,	Snyder,
Brownlee,	Jackson,	Moses,	Steele,
Campbell, C.M.,	Jones, E. E.,	Moulthrop,	Stone,
Carter,	Jones, J. R.,	Neel,	Swartz,
Cheeseman,	Kaufman,	Newton,	Thomas,
Claycomb,	Keeport,	North,	Ulerich,
Cleary,	Kenna,	Peachey,	Walton,
Curry,	Kennedy,	Pennegar,	Watson,
DeFrees,	Kuhn, H. P.,	Pennock,	Whitaker,
Dickinson,	Leslie,	Ramsey,	Whitman,
Down,	Light,	Redfield,	Wildman,
Ehrhardt,	Lohr,	Reeser,	Williams,
Ely,	Lowers,	Robinson,	Young, J. H.,
Gibson,	Martin,	Rockwell,	
Gramley,	Mather,	Runk,	
Hemminger,	McAllister,	Schuck,	
Heyburn,			

FOR. MR. J. R. K. SCOTT.

Allen,	Ewing,	Kaiser,	Riebel,
Ambler,	Fahey,	Letzkus,	Roney,
Arthur,	Forster, I. G.,	Malie,	Schaeffer, A. C.
Bass,	Frey,	McArdle,	Shern,
Bayle,	Gans,	McNichol,	Sherwood,
Berntheizel,	Geary,	Missimer,	Spangler,
Bigger,	Gransback,	Moore,	Speiser,
Conner,	Hackett,	Neely,	Steedle,
Conrade,	Haggerty,	O'Neill,	Stein,
Cox,	Hess,	Perry, S. J.,	Walsh,
Curry,	Hibshman,	Reese,	Wettach,
Davis,	Hoffman,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Isler,	Richards,	Wiltbank,
Eichenberger,			

FOR. MR. CHARLES A. SHAFFER.

Barner,	Conniff,	Keegan,	Peters,
Becker,	Donahoe,	Kern,	Post,
Benninger,	Donnally,	Kitts,	Price,
Benson,	Flynn,	Klepper,	Rothenberger,
Bergey,	Foster, J. D.,	Kuhns, E.G.M.,	Sassaman,
Blair, W. F.,	Geiser,	Lanius,	Savacool,
Body,	Glenn,	Mannion,	Smith, J. W.,
Brown,	Good,	Matt,	Snavely,
Burnett,	Goss,	McDermott,	Strauss,
Caldwell,	Grabe,	Mellott,	Trach,
Campbell, J.J.	Gray, Joseph,	Metzenbacher,	Ulman,
Carson,	Herman,	Murphy,	Wilson, J. H.,
Cochran,	Howard, R.,	Musser,	Zimmerman,
Collins,	Humes,	Newbaker,	

FOR MR. S. B. SCOTT.

Alter,	Gray, Frank,	McAleer,	Scott, J. R. K.,
Bleloch,	Heidinger,	McClintock,	Walnut,
Dunn, H. B.,			

FOR MR. GEO. A. BALDWIN.

Bittles,	Lenker,	Rex,	Swift,
Latshaw,			

FOR MR. M'ALEER.

Baldwin, G. A.,	Piper,	Scott, S. B.,	Spillinger,
Young, G. K.			

NOT VOTING.

Shaffer, Chas. A.	Perry, Harry L.

The CHIEF CLERK. The tellers agree in their count and the vote cast by the members is as follows: Honorable George E. Alter received 78 votes; Honorable John R. K. Scott received 53 votes; Honorable Charles A. Shaffer received 55 votes; Honorable S. B. Scott received 9 votes: Honorable George A. Baldwin received 5 votes: Honorable Eugene J. McAleer received 5 votes.

From which it appeared.

That no person had received a majority of the whole number of votes cast in the House of Representatives.

and therefore, no choice had been made of any person for speaker.

Whereupon,

The Clerk ordered a third Ballot.

FOR MR. ALTER.

Adams,	Hess.	Martin,	Robinson,
Alworth,	Heyburn,	Mather,	Rockwell,
Baldwin, R. J.,	Hibshman,	McAleer,	Runk,
Berntheizel,	Hobbs,	McAllister,	Schuck,
Bittles,	Hoffman,	McCaig,	Scott, S. B.,
Blair, W. A.,	Howard, J.,	McKay,	Semmens,
Brosius,	Irwin, G. C.,	Mechling,	Shaffer, C. A.,
Brownlee,	Irwin, H. H.,	Miller,	Shaffer, I. E.,
Campbell, C.M.,	Jackson,	Mitchell,	Showalter,
Carter,	Jones, E. E.,	Morrow,	Smith, L.,
Cheeseman,	Jones, J. R.,	Moses,	Snyder,
Claycomb,	Kaufman,	Moulthrop,	Steele,
Cleary,	Keeport,	Neel,	Stone,
Currier,	Kenna,	Newton,	Swartz,
DeFrees,	Kennedy,	North,	Thomas,
Dickinson,	Kuhn, H. P.,	Peachey,	Ulerich,
Down,	Latshaw,	Pennegar,	Walton,
Ehrhardt,	Lenker,	Pennock,	Watson,
Ely,	Leslie,	Ramsey,	Whitaker,
Gibson,	Light,	Redfield,	Whitman,
Gramley,	Lohr,	Reeser,	Wildman,
Gray, Frank,	Lowers,	Rex,	Williams,
Hemminger,		Rhoads,	Young, J. H.,

FOR. MR. J. R. K. SCOTT.

Allen,	Eichenberger,	Letzkus,	Roney,
Ambler,	Ewing,	Malie,	Schaeffer, A. C.
Arthur,	Fahey,	McArdle,	Shern,
Bass,	Forster, I. G.,	McNichol,	Sherwood,
Bayle,	Frey,	Missimer,	Spangler,
Bigger,	Gans,	Moore,	Speiser,
Conner,	Geary,	Neely,	Steedle,
Conrade,	Gransback,	O'Neill,	Stein,
Cox,	Hackett,	Perry, S. J.,	Walsh,
Curry,	Haggerty,	Reese,	Wettach,
Davis,	Isler,	Richards,	Wilson, W. H.,
Dunn, J. A.,	Kaiser,	Riebel,	Wiltbank,

FOR. MR. CHARLES A. SHAFFER.

Alter,	Conniff,	Keegan,	Perry, H. L.,
Barner,	Donahoe,	Kern,	Peters,
Becker,	Donnally,	Kitts,	Post,
Benninger,	Flynn,	Klepper,	Price,
Benson,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Bergey,	Geiser,	Lanius,	Sassaman,
Blair, W. F.,	Glenn,	Mannion,	Savacool,
Body,	Good,	Matt,	Smith, J. W.,
Brown,	Goss,	McDermott,	Snavely,
Burnett,	Grabe,	Mellott,	Strauss,
Caldwell,	Gray, Joseph,	Metzenbacher,	Trach,
Campbell, J. J.,	Herman,	Murphy,	Ulman,
Carson,	Howard, R.,	Musser,	Wilson, J. H.,
Cochran,	Humes,	Newbaker,	Zimmerman,
Collins,			

FOR MR. S. B. SCOTT.

Baldwin, G. A.,	Bleloch,	Dunn, H. B.,	Heidinger,
	Walnut,		

FOR MR. GEO. A. BALDWIN.

Scott, J. R. K.,		Swift,

FOR MR. M'ALEER.

McClintock,	Piper,	Spillinger,	Young, G. K.,

The CHIEF CLERK. The tellers agree in their count and the vote cast by the members is as follows: Honorable George E. Alter received 91 votes; Honorable John R. K. Scott received 48 votes; Honorable Charles A. Shaffer received 56 votes: Honorable Samuel B. Scott received 5 votes; Honorable George A. Baldwin received 2 votes; Honorable Eugene J. McAleer received 4 votes.

From which it appeared,

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for speaker.

Whereupon,

The Clerk ordered a fourth Ballot.

FOR MR. ALTER.

Adams,	Hemminger,	Mather,	Schuck,
Alworth,	Hess,	McAleer,	Scott, S. B.,
Baldwin, G. A.,	Heyburn,	McAllister,	Semmens,
Baldwin, R. J.,	Hibshman,	McCaig,	Shaffer, C. A.,
Bergey,	Hobbs,	McKay,	Shaffer, I. E.,
Berntheizel,	Hoffman,	Mechling,	
Bittles,	Lowers,	Rockwell,	
Gray, Frank,	Martin,	Runk,	
Blair, W. A.,	Howard, J.,	Miller,	Showalter,
Brosius,	Irwin, G. C.,	Mitchell,	Smith, L.,
Brownlee,	Irwin, H. H.,	Morrow,	Snyder,
Campbell, C.M.,	Jackson,	Moses,	Steele,
Carter,	Jones, E. E.,	Moulthrop,	Stone,
Cheeseman,	Jones, J. R.,	Neel,	Swartz,
Claycomb,	Kaufman,	Newton,	Swift,
Cleary,	Keeport,	North,	Thomas,
Currier,	Kenna,	Peachey,	Ulerich,
DeFrees,	Kennedy,	Pennegar,	Walton,
Dickinson,	Kuhn, H. P.,	Pennock,	Watson,
Down,	Latshaw,	Ramsey,	Whitaker,
Dunn, H. B.,	Lenker,	Redfield,	Whitman,
Ehrhardt,	Leslie,	Reeser,	Wildman,
Ely,	Light,	Rex,	Williams,
Gibson,	Lohr,	Rhoads,	Young, J. H.,
Gramley,		Robinson,	

FOR. MR. J. R. K. SCOTT.

Allen,	Eichenberger,	Letzkus,	Roney,
Ambler,	Ewing,	Malie,	Schaeffer, A. C
Arthur,	Fahey,	McArdle,	Shern,
Bass,	Forster, I. G.,	McNichol,	Sherwood,
Bayle,	Frey,	Missimer,	Spangler,
Bigger,	Gans,	Moore,	Speiser,
Conner,	Geary,	Neely,	Steedle,
Conrade,	Gransback,	O'Neill,	Stein,
Cox,	Hackett,	Perry, S. J.,	Walsh,
Curry,	Haggerty,	Reese,	Wettach,
Davis,	Isler,	Richards,	Wilson, W. H.,
Dunn, J. A.,	Kaiser,	Riebel,	Wiltbank,

FOR. MR. CHARLES A. SHAFFER.

Alter,	Conniff,	Keegan,	Perry, H. L.,
Barner,	Donahoe,	Kern,	Peters,
Becker,	Donnally,	Kitts,	Post,
Benninger,	Flynn,	Klepper,	Price,
Benson,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Blair, W. F.,	Geiser,	Lanius,	Sassaman,
Body,	Glenn,	Mannion,	Savacool,
Brown,	Good,	Matt,	Smith, J. W.,
Burnett,	Goss,	McDermott,	Snavely,
Caldwell,	Grabe,	Mellott,	Strauss,
Campbell, J.J.	Gray, Joseph,	Metzenbacher,	Trach,
Carson,	Herman,	Murphy,	Ulman,
Cochran,	Howard, R.,	Musser,	Wilson, J. H.,
Collins,	Humes,	Newbaker,	Zimmerman,

FOR MR. S. B. SCOTT.

Bleloch,	Heidinger,	Scott, J. R. K.,	

FOR MR. M'ALEER.

McClintock,	Piper,	Spillinger,	Walnut,
		Young, G. K.,	

The CHIEF CLERK. The tellers agree in their count and the vote cast by the members is as follows: Honorable George E. Alter received 95 votes; Honorable John R. K. Scott received 48 votes; Honorable Charles A. Shaffer received 56 votes; Honorable Samuel B. Scott received 3 votes; Honorable Eugene J. McAleer received 5 votes.

From which it appeared,

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for speaker.

Whereupon,

The Clerk ordered a fifth Ballot.

FOR MR. ALTER.

Adams,	Hemminger,	Matt,	Runk,
Alworth,	Hess,	McAleer,	Schaeffer, A. C.
Baldwin, G. A.,	Heyburn,	McAllister,	Schuck,
Baldwin, R. J.,	Hibshman,	McCaig,	Scott, S. B.,
Berntheizel,	Hobbs,	McClintock,	Semmens,
Bittles,	Hoffman,	McKay,	Shaffer, C. A.,
Blair, W. A.,	Howard, J.,	Mechling,	Shaffer, I. E.,
Bleloch,	Irwin, G. C.,	Miller,	Showalter,
Brosius,	Irwin, H. H.,	Mitchell,	Smith, L.,
Brownlee,	Jackson,	Morrow,	Snavely,
Campbell, C.M.,	Jones, E. E.,	Moses,	Snyder,
Carter,	Jones, J. R.,	Moulthrop,	Spillinger,
Cheeseman,	Kaufman,	Neel,	Steele,
Claycomb,	Keegan,	Newton,	Stone,
Cleary,	Keeport,	North,	Swartz,
Curry,	Kenna,	Peachey,	Swift,
DeFrees,	Kennedy,	Pennegar,	Thomas,
Dickinson,	Kuhn, H. P.,	Pennock,	Ulerich,
Down,	Latshaw,	Piper,	Walnut,
Dunn, H. B.,	Lenker,	Ramsey,	Walton,
Ehrhardt,	Leslie,	Redfield,	Watson,
Ely,	Light,	Reese,	Whitaker,
Gibson,	Lohr,	Reeser,	Whitman,
Glenn,	Lowers,	Rex,	Wildman,
Gramley,	Martin,	Rhoads,	Williams,
Gray, Frank,	Mather,	Robinson,	Young, G. K.
Heidinger,		Rockwell,	Young, J. H.,

FOR. MR. J. R. K. SCOTT.

Allen,	Eichenberger,	Letzkus,	Shern,
Ambler,	Ewing,	Malie,	Sherwood,
Arthur,	Fahey,	McArdle,	Spangler,
Bass,	Forster, I. G.,	McNichol,	Speiser,
Bayle,	Frey,	Missimer,	Steedle,
Bigger,	Gans,	Moore,	Stein,
Conner,	Geary,	Neely,	Walsh,
Conrade,	Gransback,	O'Neill,	Wettach,
Cox,	Hackett,	Perry, S. J.,	Wilson, W. H.,
Currier,	Haggerty,	Richards,	Wiltbank,
Davis,	Isler,	Riebel,	
Dunn, J. A.,	Kaiser,	Roney,	

FOR MR. CHARLES A. SHAFFER.

Alter,	Conniff,	Keegan,	Perry, H. L.,
Barner,	Donahoe,	Kern,	Peters,
Becker,	Donnally,	Kitts,	Post,
Benninger,	Flynn,	Klepper,	Price,
Benson,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Blair, W. F.,	Geiser,	Lanius,	Sassaman,
Body,	Good,	Mannion,	Savacool,
Brown,	Goss,	McDermott,	Scott, J. R. K.,
Burnett,	Grabe,	Mellott,	Smith, J. W.,
Caldwell,	Gray, Joseph,	Metzenbacher,	Strauss,
Campbell, J.J.	Herman,	Murphy,	Trach,
Carson,	Howard, R.,	Musser,	Ulman,
Cochran,	Humes,	Newbaker,	Wilson, J. H.,
Collins,			Zimmerman,

Mr. DAVIS. Mr. Clerk, I move that we declare a recess until nine o'clock P. M.

Mr. SHERN. Mr. Clerk, I second the motion.

The motion was put.

Mr. ALTER. Mr. Clerk, I hope my friends will not agree to this motion.

The motion was not agreed to.

Mr. McALEER. Mr. Clerk, I desire to withdraw my name as a candidate for speaker.

Mr. REESE. Mr. Clerk, I desire to change my vote from John R. K. Scott to George E. Alter.

Mr. GEO K. YOUNG. Mr. Clerk, I desire to change my vote from Eugene J. McAleer to Gorge E. Alter.

Mr. SPILLINGER. Mr. Clerk, I desire to change my vote from Eugene J. McAleer to George E. Alter.

Mr. MATT. Mr. Clerk, I desire to change my vote from Charles A. Schaffer to George E. Alter.

Mr. PIPER. Mr. Clerk, I desire to change my vote from Eugene J. McAleer to George E. Alter.

The CHIEF CLERK, there being no objections the gentlemen will be so recorded.

The tellers agree in their count and the vote cast by the members is as follows: Honorable George E. Alter received 107 votes; Honorable John R. K. Scott received 47 votes; Honorable Charles A. Shaffer received 53 votes.

Honorable George E. Alter having received a majority of all the votes cast, is declared Speaker of the House of Representatives of Pennsylvania for the session of 1913. (Applause).

Mr. JOHN R. K. SCOTT. Mr. Clerk, I move that the election of the Honorable George E. Alter for the office of Speaker of this House be made unanimous.

Mr. CHARLES A. SCHAFFER. Mr. Clerk, I second the motion.

The motion was agreed to.

The CHIEF CLERK, I will appoint the gentleman from Philadelphia, Mr. John R. K. Scott, the gentleman from Columbia, Mr. Charles A. Schaffer, and the gentleman from Philadelphia, Mr. S. B. Scott, as a committee to escort the newly elected Speaker to the Chair.

Whereupon,

Mr. Alter was escorted to the bar of the House by Messrs. John R. K. Scott, Charles A. Schaffer and Samuel B. Scott.

Mr. JOHN R. K. SCOTT. Mr. Clerk, I have the pleasure of introducing to you the Honorable George E. Alter, of Allegheny, who has just been elected Speaker of this House.

The CHIEF CLERK. Gentlemen of the House, I have the Honor of presenting to you the Honorable George E. Alter, Speaker-elect of the House of Representatives (Applause).

The oath of office will now be administered to the Speaker Elect.

SWEARING IN THE SPEAKER.

The oath of office was then administered to the Honorable George E. Alter, Speaker-elect of the House of Representatives, by the Honorable S. J. M. McCarrell, additional law judge of the Twelfth Judicial District.

ADDRESS OF THE SPEAKER.

Gentlemen of the House of Representatives: This is no time for words of mine. The honor which you have conferred upon me, and the manner in which it has been conferred fill me with a sense of gratitude not to be expressed, and with an overwhelming sense of obligation. My sense of obligation and responsibility leads me at the outset to appeal to each member of this House for his entire goodwill, help and co-operation in carrying on the work which has been entrusted to use here. The people of Pennsylvania expect great things of this session of their General Assembly. The manner in which you and I perform our work determines whether or not they shall be disappointed in their expectations. If our work is performed well, if the expectations and hopes of the people of Pennsylvania are realized, it will tend greatly to strenghthen their faith in the representative form of government which we have inherited from our fathers. If we fail to meet their expectations it will be a death blow to that form of government.

With the help of God, through our utmost exertions and most diligent devotion to our duty, let us strive to do our full duty to the people of Pennsylvania.

NOTIFICATION OF SENATE.

Mr. JOSIAH HOWARD, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to wait upon the Senate and inform that body that the House of Representatives is now organized and ready to proceed to business.

The SPEAKER, the Chair appoints Messrs. Josiah Howard, Stein and E. E. Jones as said Committee.

SENATE MESSAGES.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

Resolved, That a Committee of three be appointed by the President pro tempore to act in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait on his Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

NOTIFICATION TO THE GOVERNOR.

The said Resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the Senate accordingly.

TIME FOR HOLDING JOINT SESSION TO COMPUTE VOTE FOR AUDITOR GENERAL AND STATE TREASURER.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, January 7, 1913.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives will meet in joint convention in the hall of the House of Representatives on Tuesday, January twenty-first, at twelve o'clock noon for the purpose of witnessing, opening, computing and counting the vote for Auditor-General and State Treasurer.

and that Mr. Benjamin Jarrett, of Mercer County, be appointed teller on the part of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Said Resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

He also presented an extract from the Journal of the Senate as follows:

POSTAGE ON LEGISLATIVE JOURNAL.

In the Senate, January 7, 1913.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the postmaster at Harrisburg; therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the same be provided for in the Appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The Resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PRINTING ADDITIONAL BILLS AND CALENDARS.

He also presented an extract from the Journal of the Senate as follows:

In the Senate, January 7, 1913.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be instructed to have printed for the use of the Senate and House of Representatives, three hundred additional copies of bills reported and three hundred additional copies of the calendar, one-half of which number shall be for the use of the Senate and the other half for the use of the House of Representatives, as at previous sessions.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The Resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PROVISIONS FOR REPRESENTATION OF NATIONAL GUARD IN THE PRESIDENTIAL INAUGURAL PARADE.

He also presented an extract from the Journal of the Senate as follows:

In the Senate Jan. 7th, 1913.

Whereas, The Committee in charge of the Inaugural parade following the inauguration of the President of the United States in Washington, D. C., on March fourth, one thousand nine hundred and thirteen, have expressed a desire to have present a proper and fitting representation of the National Guard of Pennsylvania, to participate in said parade, therefore:

Resolved (if the House of Representatives concur) that the Governor of the Commonwealth be authorized to provide for participation in the Inaugural parade at Washington, D. C., by the Commande-in-Chief and Staff and not exceeding one Brigade of the National Guard of Pennsylvania, and further;

Resolved, That the Adjutant General of Pennsyvania is authorized to pay from the appropriation made for the maintenance of the National Guard for the two years beginning June first, one thousand nine hundred and eleven, all expenses incident thereto which shall include transportation, quarters, subsistence of troops at rate of one dollar per day for each officer and enlisted man for not exceeding two days, and such other incidental expenses as may be necessary, and for all such expenditures the Adjutant General be required to file specifically itemized vouchers.

Ordered, That the Clerk present the same to the Rouse of Representatives for its concurrence.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The resolution was twice read, considered ond concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS.

Mr. MOULTHROP. Mr. Speaker. I move that the House take a recess until nine o'clock this evening.

The motion was agreed to.

Accordingly (at 5:50) the House took a recess.

AFTER RECESS.

The House reconvened at 9:00 0'clock.

The SPEAKER, George E. Alter, in the Chair.

APPOINTMENT OF TELLER'S TO COUNT VOTE.

The SPEAKER. In accordance with the resolution concurred in this afternoon the Chair appoints the gentleman from Westmoreland, Mr. W. W. Ulrich, and the gentleman from Bedford, Mr. John T. Matt, as a Committee to meet with a similar Committee on the part of the Senate in the Hall of the House at noon on the 31st of the present month to canvass the vote cast for the office of Auditor General and the office of State Treasurer.

SENATE MESSAGES.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was twice read as follows:

TIME OF ADJOURNMENT.

In the Senate, January 7th, 1913.

Resolved, That, if the House of Representatives Concur, when the Legislature adjourns today it be to meet on Monday evening January Twentieth, at nine o'clock.

The said Resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE TO WAIT UPON THE GOVERNOR.

The SPEAKER. In compliance with the resolution passed at the afternoon session the Chair appoints the Gentleman from Philadelphia, Mr. Eugene J. McAleer, the Gentleman from Philadelphia, Mr. S. B. Scott, and the Gentleman from Columbia, Mr. Charles A. Schaffer, as a Committ to join a similar Committee of the Senate to wait upon the Governor and inform him that the House and Senate are ready for business. This Committee will immediately repair to the Senate and meet the Senate committee for that purpose.

Mr. RIEBEL, offered the following resolution, which was twice read and agreed to:

HOUR OF MEETING.

Resolved, That until otherwise ordered, the sessions of the House shall commence at 10 o'clock Ante. Meridian.

Mr. WALTON offered the following resolution, which was twice read, considered and agreed to:

THANKING JUDGE M'CARRELL FOR ADMINISTRATING OATHS.

Resolved, That the members of the House of Representatives of Pennsylvania hereby extend their thanks to the Honorable S. J. M. McCarrell, a Judge of the court of common pleas of Dauphin County, for his services in administering the oath of office to the Speaker and its members.

REPORT OF COMMITTEE TO NOTIFY SENATE.

Mr. STEIN. Mr. Speaker, your committee appointed to inform the Senate that the House is organized and ready to proceed with business beg to report that they have performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR.

Mr. McALEER. Mr. Speaker, your Committee to wait upon the Governor have performed that duty and we beg leave to report that, in conjunction with the Committee from the Senate, have performed their duty .

The SPEAKER. The Committee is discharged with the thanks of the House,

MESSAGES FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced presented the following communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

MESSAGE OF THE GOVERNOR.

Commonwealth of Pennsylvania, Executive Chamber.
Harrisburg, January 7, 1913.

Gentlemen of the Senate and the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to submit for your information the following statement as to the financial condition of the Commonwealth; together with such recommendations as, in my judgment, should receive your early and serious consideration.

FINANCES OF THE COMMONWEALTH.

General Fund.

Cash balance in the State Treasury, November 30, 1912,		$9,781,850 70
Less amount credited to the sinking fund, which under the law cannot be used for any purpose other than the payment of the public debt, and is therefore not available for appropriation,		785,510 85
Amount in general fund November 30, 1912,		$8,996,399 85
Estimated gross receipts for fiscal year ending November 30, 1913,	$31,851,860 00	
Less the following collections which merely pass through the treasury, and are not subject to appropriation: One-half premiums received from foreign fire insurance companies, returnable to municipalities; three-fourths personl property tax, returnable to counties; annuity for right of way, returnable to Pike and Susquehanna counties; and amount from the United States Government for the Pennsylvania State Coiege, aggregating,	4,750,000 00	27,101,860 00
Estimted gross receipts for the fiscal year ending November 30, 1914,	$31,877,360 00	
Less the following collections which merely pass through the treasury, and are not subject to appropriation: One-half premiums received from foreign fire insurance companies, returnable to municipalities; three-fourths personal property tax, returnable to counties; annuity for right of way, returnable to Pike and Susquehanna counties; and amount from the United States Government for the Pennsylvania State College, aggregating,	4,750,000 00	27,127,360 00
Estimated receipts for the period from November 30, 1914, to June 1, 1915,		13 288,930 00
Total amount available and to become available to June 1, 1915,		$76,514,549 85
Less payments for obligations and current expenses up to June 1, 1913,		24,298,958 29
Net amount available and to become available for appropriations for the two fiscal years beginning June 1, 1913, and ending May 31, 1915,		$52,215,591 56

SINKING FUND, 1912.

Sinking fund assets,—cash in bank December 1, 1912,	$785,510 85
Total public debt,	659,160 02
Net surplus in sinking fund,	$126,350 83

HEALTH

The comprehensive work of the State Department of Health, under the untiring efforts of the Commissioner, in gathering information and conducting researches to determine the causes of diseases and the best methods for their prevention, as well as its co-operation with the local authorities in promoting the health of all the people of the State, and especially in its campaign aganist tuberculosis, is commended.

I recommend that the policy of the State in making liberal appropriation for this laudable purpose be continued.

The Department, by reason of the establishment of dispensaries which represent 116 educational centres, the sanatorium at Mont Alto, with a capacity of 1,050 patients; the new sanatorium at Cresson, which will have a capacity of 340 beds, and the institution now in course of erection at Hamburg, which will have a capacity of 380 beds, has placed Pennsylvania foremost among the States of the Union in the care and treatment of its tuberculosis poor. All the divisions of this department shows commendable results, especially the stations for the free distribution of antitoxin for diphtheria, and the medical division which has done much to help local boards of health to prevent the spread of communicable diseases and to check epidemics of smallpox and diphtheria in Allegheny County and at Carbondale, Coatesville and Troy.

PURE FOOD.

The subject of pure food is of great importance and should have your early and serious consideration, as it is the duty of the State to see to it that the people are protected from impure food, adulterated food, and food from which the nutritious quality has been taken. I recommend that the pure food laws be so extended so as to insure to the people pure and wholesome food prepared in a sanitary way. In order to provide the greatest possible protection to the health of all the people of the Commonwealth, legislation should be enacted prohibiting absolutely any and every adulteration in food and drink.

PUBLIC SCHOOLS.

The new School Code has gone into effect everywhere efficiently, and has been sustained by the courts with no important exception. It is therefore urged that no changes in the school laws be made until the code has had a reasonable time to be fully tested by experience.

The State Board of Education has been especially helpful to the school districts of the State. The provision contained in the code for the establishment of a school fund is commended, and all the sources of this fund as provided should be kept free from any encroachment or diversion.

The State Normal Schools should become the property of the State, for the reason that the plan contained in the code will make them of more service in the general preparation of teachers; and for the further reason that most of this property has been paid for by the Commonwealth and should, therefore, belong to it rather than to private individuals.

The policy of the State should be continued in making liberal appropriations for the maintenance of the public school system, as no appropriation is more far-reaching and important in its results.

BOARD OF CHARITIES.

Attention is called to the supervision of the State charities, and to the functions of the Board of Public Charities.

The present system is fundamentally one of local control and responsibility. Strictly State institutions are under the management and control of boards of trustees who are appointed, in the main, by the Governor. The trustees selected are, as a rule, from the district or locality in which the institution is located. These men serve without pay, and it would be a mistake, in my judgment, to deprive the State of their services.

The semi-State institutions and what are known as private charities are managed and controlled by boards of trustees or directors who are elected or appointed by the charitable, benevolent and generous people who incorporated or instituted them. They have been organized to care for the helpless and dependent, and are managed and conducted, generally, by many of the best men and women of the communities in which they are located. Many of the persons who control these institutions not only give their services free but contribute generously from their private means for their support. The function of the Board of Public Charities is not, as many suppose, to control the management or to supervise the internal affairs of these institutions. The Board has been given absolute visitorial power, and is authorized to examine and inquire into the conditions, methods of government, official conduct, finances, and all matters pertaining to general management.

In connection with such investigations, the Board also make inquiry into all applications for Sttae aid, and reports its conclusions to the Legislature. These reports place in the possession of the Executive and Legislative branches of the Government full and detailed information as to the condition and management of the institutions, so that the Executive, so far as the State institutions are concerned, can correct inefficiency in management by the dismissal of the old and the appointment of new trustees. The Legislature, also, on being informed by the Board of unsatisfactory conditions, may correct them. The policy of the State has been to confide the management of these institutions to the directors or trustees in charge. This, as has been already indicated, is purely local government, which secures for the management the best men and women for the purpose in the State. They constitute a special class which, by tastes, disposition, trend of mind and conviction, is most likely to render disinterested service. There are from seven thousand to ten thousand persons, belonging to the most intelligent, capable, chari-

table and honorable class, who are assisting the Commonwealth in this praiseworthy work and are doing it from the very highest motives. To change the present system would, no doubt, destroy local interest, thereby depriving these charities of the services of a large number of the persons now engaged in this philanthropic work. The present system, in my judgment, is superior to a system of central control by a department. I therefore recommend that the powers and duties of the Board of Publci Charities be extended to meet any deficiency that may now exist; but not, however, in such a way as to interfere with the home rule principle of management.

APPROPRIATIONS TO CHARITY.

The appropriations to the charitable institutions not under State control have been a substantial help in the alleviation of the sufferings of many thousands of unfortunates who, if deprived of this aid, would have been helpless. Pennsylvania has stood as an exemplar to other States in this great benevolence, calling for the expenditure of millions of dollars, and should continue so to stand; but these appropriations should be granted upon the basis of service rendered, and the cost of free hospital days in connection with the free service should be provided for. The observance of this rule would result in an equitable division of appropriations.

The Legislature at its last session kept its appropriations practically within the revenues of the State, and it is hoped that the same plan will be followed at this session.

THE STATE'S DEPENDENTS.

In your work for the welfare of the State, the problem of caring for its dependents should not be overlooked. Solutions of this great problem are offered on every hand by those who are deeply interested in the work. This subject should be studied thoroughly; nothing should be done hastily. In order that this question may receive the most searching investigation, so that the firmest foundation for after work may be laid, I recommend that the entire matter be referred to a Commission, created by legislative enactment, invested with the power and authority to investigate and consider all phases of the question and report its findings and recommendations to the General Assembly.

COATESVILLE.

In the comparatively recent case of Commonwealth vs. Moir, 199 Pa. 541 (1901), our Supreme Court, reaffirming a well-established principle of Constitutional law, held that,—

> "Municipal corporations are agents of the State invested with certain subordinate governmental functions, for reasons of convenience and public policy. They are created, governed and the extent of their powers determined by the Legislature, subject to change, repeal or total abolition, at its will. They have no vested rights in their offices, their charters, their corporate powers, or even their corporate existence."

I believe that this authority of the Legislature should be invoked with respect to the Borough of Coatesville, and that her charter be taken away. Governmental functions were given her as an arm of the State, but she has betrayed the trust reposed in her. Had her officials or her citizens done their duty the Commonwealth would not have been disgraced and her fair name dishonored. People of this Borough by fomenting murder and consorting with murderers have not only violated the laws and obstructed the administration of justice, but in my judgment have forfeited the high privilege of further acting as a governmental agency of the State. I therefore recommend the enactment of appropriate legislation providing for the dissolution of boroughs, to the end that State agencies like the Borough of Coatesville, which set the laws at definance and outrage the peace and dignity of the Commonwealth, may be obliterated from among her orderly municipalities.

GOOD ROADS.

The Commonwealth of Pennsylvania is committed to a comprehensive system of improved highways. A practical working plan has been adopted which deals fairly with all sections of the State, according to their respective needs. The widespread popular demand for improved roads is unquestionable, and I earnestly urge that the Constitutional Amendment adopted unanimously at the last session of the Legislature, which comes before you for action at this session, have your prompt attention, in order that the subject may be submitted to the people for ratification, and that there may be no delay in meeting the pressing necessity for road improvement.

PUBLIC UTILITIES.

In my inaugural address I said: "The present Railroad Commission has done well; but, circumscribed as to its limitations, it cannot fulfill the present requirements in the treatment of the relations between the people and the public service corporations. There should be a commission, vested with all possible power, to have the general supervision and control of the corporations and individuals having to do with public utilities, and the present Railroad Commssion should be abolished.

"Properly conducted, this public service commission would create a better feeling between the people and the corporations, would keep these companies within there lawful bounds, and compel them to render to the pubic the reasonable and satisfactory service for which their franchises were granted. It would prevent the building of unnecessary railroads and works, and the issuance of obligations not fully represented by actual value given; it would protect these companies against unfair attacks, while, at the same time, the rights of the people would be fully conserved. I recommend the enactment of legislation creating such a commission. It is desired by the people, and should be welcomed by all fairly disposed corporations."

I renew that recommendation, and earnestly urge the early passage of a sane, sound, comprehensive, and effective public utilities law, framed along substantially the same lines as that drafted by Attorney General Bell, which failed of passage at the last session of the General Assembly. There is unquestionably a universal demand for the enactment of such a statute. No doubt several bills will be introduced concerning this subject. I therefore recommend the early reference of all such proposed legislation to an active committee, which shall forthwith give intelligent consideration to the same, with a view of reportng to the Legislature the best of such proposed enactments, or, if deemed wise, a new or composite bill, which shall contain the best provisions to be culled from any or all of those suggested bills and from the field of such legislation in other states.

SECRETARY OF INTERNAL AFFAIRS.

The enactment of legislation providing for the regulation of corporations engaged in public service will conflict in some measure with an executive department long since established. The maintenance of two departments with a common purpose would serve only to produce conflict of authority, duplication of work, and unnecessary expenditure of public moneys. I therefore recommend that the office of Secretary of Internal Affairs be abolished by Constitutional Amendment, and the powers of that official over such corporations be transferred to the Public Utilities Commission, that the Bureau of Industrial Statistics be transferred to the Department of Factory Inspection, and that the subject of land and land grants be transferred to the Department of Agriculture or to the Department of Forestry.

INDUSTRIAL ACCIDENTS COMMISSION.

I transmit herewith the Report of the Industrial Accidents Commission, appointed under the provisions of the Act of June 14, 1911, P. L. 917. The subject of this Report is important in every civilized community, but is of peculiar importance in Pennsylvania because of the pre-eminent position of our State in the industrial work of the world. The Report deserves especial attention, because of the fact that it comes from a Commission made up of men who represent diverse interests, who have all given the subject thought and study before their appointment, and who, after many months of work, are unanimous in their conclusions. This unanimity in men of their character and standing speaks eloquently for the sincerity of their efforts and the fairness of their work. Furthemore, the constant publicity which the Commission gave to its work ,and the frequent hearings which it gave to all interests, show that it is has been in close touch with the general sentiment of the people of the State.

In the appointment of the Commissions I did not consider, and in some cases did not know, the political views of the men appointed. It is my earnest hope that the matter will be dealt with b ythe Legislature in the same non-partisan spirit.

I strongly urge the enactment of the Workman's Compensation bill, and the other related bills included in the report of the Commission, without change in their essential features, and without delay, especially the bill regulating the employment of women and children.

MINES.

I renew the recommendation contained in my Inaugural Address, that the Department of Mines be reorganized so as to include within its supervision all subjects relating to mines and mining of all kinds, and matters kindred or incidental thereto. The Bituminous Mine law, enacted at the session of 1911, has been the means of reducing accidents in 1812 by at least fifteen per-cent. as compared with the number in 1911.

The Commission appointed to codify the Anthracite Mine laws will report to the General Assembly at an early date, and I recommend that the proposed code have your early consideration.

DEPARTMENT OF LABOR AND INDUSTRY.

Pennsylvania ranks high among the States of the Union in her manufactories. In encouraging the establishment and development of these industries the State has not alone encouraged capital, but has sought to surround the toiler with her protecting care. As our manufactroies increase and competition becomes keener, the need of that care grows greater with the passing of the years. I therefore

suggest that you consider the advisability of creating a Department of Labor and Industry, whose chief concern and duty it would be to enforce fearlessly and honestly the laws of the State protecting labor, and to collect statistics, the study of which would result in wiser and more efficient labor laws. Such a department, if created, should include the Department of Factory Inspection and the Bureau of Industrial Statistics.

CLASSIFIED DIRECT INHERITANCE TAXES.

The Legislative Committee for the Revision of the Corporation and Revenue laws reported to the General Assembly, in 1911, a resolution proposing an amendment to the Constitution permitting the "subjects of taxation" to be "classified for the purpose of laying graded or progressive taxes." The resolution was passed at the last session of the General Assembly. See Pamphlet Laws of 1911, P. 1167. I recommend its adoption, so that it may be submitted to the people for ratification. Pennsylvania, as early as 1826, recognized the wisdom of such taxes as respects collateral inheritances, and the Act of 1897, which sought to apply it to direct inheritances, was decided to be a violation of the Constitution, which requires that taxes shall be uniform upon the same class of subjects, etc.

This amendment will provide for the grading of all subjects of taxation and for exemptions wherever proper. The leading nations of Continental Europe, the provinces of Canada, and many of the States of the Nation have graduated taxes; and the amendment proposed, with the laws to follow, will place Pennsylvania in accord with the modern legislation of other nations and states.

CORPORATE TAX SETTLEMENTS.

The proper regulation of corporate tax settlements is a matter that calls for the most careful efforts on the part of the State. While his work in the Auditor General's office is done as well as could be expected under the present system, yet great improvement can be made by providing for the creation of a tax board—to consist of three officials, two of whom should be learned in the law, and the other an accountant—which should have charge of such tax settlements, the vote of a majority thereof to determine the settlement, subject however to the approval and settlement of the Auditor General and State Treasurer, as is now required by law. Furthermore, the question of appeals from such settlements should be strictly regulated. No corporation should be permitted to adduce evidence on an appeal from a tax settlement other than the evidence submitted at the time of the original settlement, or of a resettlement. I believe that if tax settlements and appeals therefrom were put upon a business-like basis, it would result in greatly increased revenue to the Commonwealth. These matters are submitted for your earnst consideration.

LIQUOR LAWS.

I recommend for your consideration the amendment of our liquor laws in several respects. Because of the widespread abuse of the privilege, and for the well-being of our villages, towns and cities, I believe that an act should be passed forbidding social and other clubs to dispense liquors to their members, or others, during those days and times when, under existing laws, licensed saloons and hotels are forbidden to sell liquors to their customers. I also believe that such clubs should be required to obtain licenses for the sale of liquors, in the same manner as hotels are now required to be licensed. And, to correct another existing evil,—to prevent what amounts, practically, to an indiscriminate sale of liquors by the traveling agents of brewers, distillers and other wholesale dealers directly to consumers,—I recommend such further regulation and restriction in the sale of liquors by wholesale as shall forbid the solicitation of orders by any traveling agent of such wholesale dealers, from any and all persons except duly licensed retailers.

ELECTION LAWS.

The commission created for the purpose of revising and codifying the election laws will make its report to the General Assembly at an early date. The conclusion and recommendations contained therein should have your careful consideration, as the present election laws should be amended and extended so as to safeguard the ballot in every way

NON-PARTISAN ELECTIONS, MUNICIPAL AND COUNTY OFFICERS.

I have long entertained the belief that the nomination and election of municipal and county officers, and especially of judges, should be non-partisan, and I therefore recommend that our election laws be amended so as to provide for the nomination of such officers at non-partisan primary elections and their subsequent election upon a non-partisan ballot.

WOMAN SUFFRAGE.

I recommend that appropriate legislation be enacted, to the end that the voters may be given an opportunity o decide, by the submission to them of a constitutional amendment, whether or not women shall have the right of suffrage in Pennsylvania.

FINANCIAL INSTITUTIONS—LIQUIDATION

Attention is again called to the present inadequate and expensive manner of liquidating financial institutions that have been compelled to pass into the control of receivers. It is essential that the present evil be corrected; and I therefore recommend that the Department of Banking be required to take possession of such institutions when in a state of insolvency, to wind up their affairs promptly, and with the least possible expense, as is the system under which such institutions are liquidated by the National Government. Such an enactment would more effectually guard the interests of the depositors, creditors and shareholders.

BONDS, STOCKS, ETC.

In my inaugural address I called attention to the necessity of the State exercising jurisdiction over the issuance of obligations by public utility corporatons, to the end that such obligations should represent actual value.

I renew that recommendation, with the further recommendation that every corporation, company, copartnership or association, organized, proposed to be organized, or which shall hereafter be organized, within or without this State, whether incorporated or unincorporated, shall not be permitted to sell, or negotiate for the sale of, any bonds, stocks or other evidences of property or interest in itself or any other company, unless subject to regulation and supervision by the proper departments of the Commonwealth, to the end that such securities shall represent actual value only.

PRIVATE BANKS.

The Act providing for the licensing and regulating of private banking became operative on the first day of December, 1911. This law was enacted for the purpose of affording protection to a large portion of the population, mostly of foreign birth, in the deposit of moneys with individuals, styling themselves bankers, and to correct certain abuses which had been reported concerning the unreliability of some of those engaged in this class of business. The present law provides certain exemptions, the most notable of which declares that the law should not include any person, firm, partnership or unincorporated association engaged in business as private bankers at the time of the adoption of the Act, when such person, firm, partnership or unincorporated association, and his or their predecessor or predecessors, or one or more members of such private banking institution, continuously and in the same locality conducted the business of private banking for a period of seven years, and such banking institution is not engaged in the sale, as agent or otherwise, of railroad or steamship tickets. In my judgment there should be no exemption of institutions engaged in the business of private banking, as it is a good financial principle that no such institution should be permitted to receive deposits upon the credit of individuals unless subject to the examination and scrutiny of the banking department of the State or Nation, as the case may be, in order that such deposits may have the greatest possible measure of security placed around them. I therefore recommend that the law be extended so as to include all persons, firms, partnerships, or unincorporated associations engaged in this class of business.

SYSTEMS OF RURAL CREDITS.

Attention is called to the fact that, under the auspices of the Southern Commercial Congress, a Commission, to consist of two delegates from each State, will visit Europe during the present year to study systems of rural credits and agricultural finance.

Pennsylvania should be represented in this work; and I recommend that legislation be enacted authorizing the appointment of two delegates to represent the State in the deliberations of the Commission and to embody the results of their investigation in a report to the General Assembly, with a view to the establishment in this Commonwealth of a sound system of rural credits and agricultural finance.

WOMAN'S INDUSTRIAL HOME.

In my judgment the penal system of the Commonwealth should be extended so as to provide for the creation and establishment of an industrial and educational reformatory for young women, between the ages of fifteen and thirty. We have such an institution—the Pennsylvania Industrial Reformatory, at Huntingdon—for young male offenders; but, under existing laws, women must be imprisoned with male criminals in our jails and penitentiaries. Obviously, such joint imprisonment must seriously interfere with, if not entirely defeat, the reformation of such young women, which is the chief object of their incarceration.

CONGREGATE METHODS IN PENAL INSTITUTIONS

The "congregate method" should be made a part of our penal system; and hence I recommend the passage of an act providing that the inspectors, commissioners and managers of penitentiaries, jails, houses of correction and refuge, and reformatories shall be authorized, in their discretion, to have the inmates of such institutions congregated for the several purposes of worship, labor, learning and recreation.

WESTERN PENITENTIARY.

Attention is called to the Act of March 3, 1911, P. L. 32, providing for the selection and purchase of a tract of land and the erection thereon of buildings for the Western Penitentiary.

This highly meritorious plan for ameliorating the condition of convicts and treating them in a humane manner is commended everywhere. The Board of Inspectors charged with the responsibility of carrying this work to completion has made much progress.

I call this subject to your attention, and recommend that an appropriation be made in order that there may be no delay in the accomplishment of this commendable purpose.

THE AUSTIN DAM FAILURE.

On September 30th, 1911, at Austin, Potter County, a masonry dam collapsed, resulting in the destruction of the town and the loss of seventy-seven lves. A similar catastrophe occurred at Johnstown in the year 1889. Remedial legislation to prevent the recurrence of such tragedies should be enacted.

Immediately upon the Austin dam failure, I instructed the State Water Supply Commission to institute an examination of all existing dams of importance in Pennsylvania. This Commission has declined, with my approval, to sanction the issuance of a charter to any water-power company until the Legislature shall have had an opportunity to consider granting authority to said Commission to effectively control dams in all essential matters pertaining to their design, construction and operation.

I recommend that the State Water Supply Commission be given authority, at its own discretion, or on petition or complaint of citizens, to pass upon the design and construction, and to control the operation, of any dam, wall, wing-wall, wharf, pier, embankment, abutment, projection or other obstruction to be built in or along any river or stream, and that the Commission be empowered to examine all existing dams and structures with power to require repairs to insecure structures or to direct their removal.

INVENTORY OF WATER RESOURCES ESSENTIAL.

Power-producing cumbustibles are on the wane. Competent experts frequently raise their voice in prophesy of the date when coal will have been exhausted. The people reaize the seriousness of the situation and demand that the water resources of the State shall receive the attention of the Commonwealth.

To Pennsylvania remains this one great resource. The State would be faithless to the trust reposed in it if this heritage were to be neglected. It is not possible to shift the responsibility to a private corporation or corporators. There is but one course to pursue in the interests of all the people, and that is for the State to make an inventory of its water resources, stream by stream, valley by valley, and district by district. The State should determine where reservoirs may be constructed to minimize floods, to store water for power, transportation and supply purposes, and to increase the low water flow of the streams for the benefit of navigation and the improvement of the purity and potability of the waters.

I am opposed to granting the right of eminent domain to water or other power companies. Furthermore, with respect to granting land patents, I take the position that the State should retain its ownership of the numerous vacant islands in the Susquehanna and the other rivers of the State, since Pennsylvania may want to make use of the streams and the islands in connection with the conservation of resources.

Water is a great medium of transmission of infection. The preservation of the purity of the waters of the State for the protection of the public health is in charge of the State Department of Health. That Department has been at work directing a part of its efforts towards the suppression of water-borne diseases, the removing of causes of pollution, and the establishment of preventive measures. As a result there has been a marked reduction in the death rate. Typhoid fever is less prevalent now, by over sixty per cent., than seven years ago. No law should be enacted that will interfere with the great public health program now being carried forward.

An enlarged application of the water-policy already begun by the State, through the co-operative relationship of the Department of Health and the Water Supply Commission, is one of Pennsylvania's greatest needs. This policy is something more than a water-power policy,—a mere marketing of energy; it is something more than the control of future waterway transportation; it is something more than the supplying of drinking water to populous communities under equitable distribution and charges; it is something more than the drainage and water-disposal problems of towns and industries; and it is something more than utilization of soil through the furnishing of water for irrigation. It is a definite and comprehensive plan to keep control of the only great resource left to the people of Pennsylvania, and not only to keep it but to develop it for the permanent benefit of all the people. Hence, it is a State conservation problem.

In view of the fact that the Commissioner of Health is a member of the Water Supply Commission, I recommend that the Enginerring Division of the Water Supply Commission be consolidated with and made part of the Engineering Division of the State Department of Health, in order that all kinds of uses of water may be considered and studied as a whole, and with a view of devising comprehensive plans for the highest development of the water resources of the State. When these comprehensive plans shall have been adopted by the Commonwealth as a permanent policy, there then will arise the question of methods of precedure; but those methods will be secondary and will follow the working of the comprehensive plans and the adoption of a State policy of conservation and development.

FORESTRY.

The experience of older countries is that a well maintained and well developed forest is a never failing resource and an asset of increasing value. The preservation of the wild life of the Commonwealth—the game, fish, and, especially, insectivorous birds—is dependent upon the forests. The denuded mountain is of no value in conserving and maintaining a full stream supply. The health conditions of the State are augmented favorably by the presence of large areas of forest.

Pennsylvania now owns 982,337 acres of timber-land, which is being developed into good forest. I recommend that liberal appropriations be made for the continuance of this valuable work, to the end that increasing areas may be purchased, additional work undertaken, forest nurseries established, and thorough protection of the forests made possible.

I recommend that you consider the feasibility of devising a plan whereby a reasonable annual tax may be imposed upon timber-land, with a deferred tax on the timber, to be assessed and paid when the timber is taken therefrom, in order to prevent the constant cutting of growing timber by private owners who claim that they cannot afford to conserve it under the present system of taxation.

SCHOOL OF AGRICULTURE—EXPERIMENT STATION.

The marked increase of interest in agricultural pursuits in the Commonwealth within the past decade is largely the result of an awakening of the people to the fact that the cultivation of the soil is a permanent and dependable source of wealth. In view of the fact that modern and scientific methods of cultivation are now essential, and that the day of "gener alfarming" is passing, no agency should be omitted or neglected which would increase the productive capacity of the soil. The Agricultural Experiment Station of the Pennsylvania State College should be liberally supported, and the results of its investigations should be carried direct to the rural communities through every possible channel. The necessity for scientific farm managers has become so urgent that liberal appropriations should be placed at the disposal of the School of Agriculture of the college to train a sufficient number of young me nto meet the demand.
ficient number of young men to meet the demand.

STATE FAIR

While Pennsylvania is eminent among the States of the Union on account of her vast manufacturing and mining industries, her agricultural interest are of great importance. Everything should be done toward increasing the productiveness of our farms and improving the quality of our livestock. Among the means of encouraging improved methods, a fair or agricultural exhibition is pre-eminent. Other States have realized this fact, and the State Fairs held therein serve to bring together in friendly rivalry the best among their agriculturists. The education thus derived is of incalculable value, not alone to the farmers, but to the dwellers in the large municipalities as well. I therefore recommend that you consider the advisability of creating a Commission with authority to study the subject and make recommendations with a view of establishing a State Fair, to be held annually in a central location, and devised along lines that will conduce to the fostering and enhancement of our agricultural interests.

CHESTNUT-TREE BLIGHT COMMISSION.

The Chestnut-Tree Blight Commission has carried on its work in a satisfactory manner, and the promise for the future is exceptionally good. It is believed that the State may be almost entirely freed of the chestnut-tree blight disease, and that the investigation and work of the Commission will result in a new and improved growth of chestnut, which can be protected by reason of the knowledge that the public has received as a result of the labors of the Commission. I recommend the continuance of the Commission for another period of two years, with necessary appropriation to carry on the work.

BOARD OF PUBLIC WORKS.

The purchase of ground for the Capitol Park Extension calls attention to the need of a permanent body charged with the responsibility of new public works. Not only in projects like the proposed Capitol Park, but in the erection of new institutions and buildings, public monuments, and other State works that the Commonwealth may undertake, a permanent Board of Public Works would prove a source of public economy and efficiency. I recommend that you consider this question, with a view to creating a Commission for the purpose of studying this subject and making recommendations to the next session of the General Assembly as to whether or not the time has arrived when Pennsylvania should establish such a body as a separate branch of the State Government.

UNITED STATES SENATORS.

The Congress of the United States, on Monday, the 4th day of December, 1911, passed a Joint Resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States, and has sent the same to the Governors of the several States of the Union to be presented to the Legislatures. I therefore submit to you a certified copy of the Joint Resolution for your consideration and action.

SENATORIAL AND REPRESENTATIVE APPORTIONMENT.

Attention is called to Article II, Section 18, of the Constitutin of the Commonwealth of Pennsylvania, which provides that the State shall be apportioned into senatorial and representative districts immediately after each United States decennial census.

INCOME TAX AMENDMENT.

Attention is called to the certified copy of the Joint Resolution of Congress proposing an amendment to the Constitution of the United States, commonly known as the income tax amendment, which was transmitted to the General Assembly at your last session for consideration and action.

FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

Attention is called to the Act of June 14, 1911, P. L. 286, creating a Commission to provide for the observance of the Fiftieth Anniversary of the Battle of Gettysburg, which Act makes an appropriation of $50,000 to carry on the preliminary work of the Commission, with a commitment to an appropriation not to exceed $250,000.

To us now living, after the lapse of half a century, falls the patriotic duty of commemorating the historic Battle of Gettysburg. I therefore recommend that suitable appropriation be made at an early date in order that there may be no delay in carrying to completion the plans of the Commission.

VALLEY FORGE.

Following the precedent set by the United States in the battlefields of the Rebellion, Pennsylvania has created a Park at Valley Forge, as New York has done at Stony Point. Sir George Trevelyan, the famous English Historian, calls Valley Forge the most famous Camp-ground in the world. The Commission in charge of it has done its work well, and with reasonable expense. I recommend that an adequate appropriation be made for securing the rest of the ground within the Camp, and for its care and preservation. This field best exemplified the spirit of the American Revolution, and the National government is now erecting a memorial arch there at a cost of $100,000.

STATUE TO GENERAL GEORGE GORDON MEADE.

The appropriation contained in the Act of June 14, 1911, for the erection by the Commonwealth of a statue, in the City of Washington, in memory of General George Gordon Meade, Pennsylvania's distinguished soldier, who commanded the Army of the Potomac at Gettysburg and up to the close of the war, is inadequate. I therefore recommend that an appropriation of $15,000, in addition to that contained in the Act referred to, be made at an early date for this commendable and patriotic purpose.

PANAMA-PACIFIC EXPOSITION.

Attention is called to the joint resolution approved June 14, 1911, P. L. 950, providing for the appointment of a Commission to arrange for the participation of the State of Pennsylvania in the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, to celebrate the completion and opening of the Panama Canal, and the four hundredth anniversary of the discovery of the Pacific Ocean.

The Commission appointed under the provisions of this resolution has selected the site for a State building. I therefore recommend that necessary appropriation be made, in order that Pennsylvania, because of her industrial and agricultural pre-eminence, may be fittingly represented at this great international exhibition.

BOARD OF CENSORS—MOVING PICTURES.

The last session of the General Assembly inadvertently omitted to make an appropriation to carry into effect the Act of June 19, 1911, P. L. 1067, which provides for the appointment of a State Board of Censors for the examination and approval of moving-picture films or reels and steropticon views, and for the regulation of moving-picture and stereopticon exhibitions.

There is a general demand for the enforcement of this act. I recommend that the necessary appropriation be made at an earl date, in order that the Board of Censors may be appointed and the provisions of the Act put into operation without delay.

THIRD CLASS CITIES.

The consideration of the needs of cities of the third class, which includes all those cities outside of Philadelphia, Pittsburgh and Scranton, is a subject recommended for your consideration. Such cities as Harrisburg, Wilkes-Barre, Erie, Reading, and others of the same class appear to have suffered in their development by reason of restrictions which have not only retarded their growth, but have prevented the achievement of certain civic aims and purposes. While they have made splendid progress, notwithstanding these limitations, yet a larger measure of home rule and greater freedom of action, consistent with the public welfare, would contribute in no small degree to the upbuilding and prosperity of such municipalities.

QUARANTINE SERVICE—DELAWARE RIVER AND BAY.

Attention is called to the quarantine conditions on Delaware River and Bay, and to the unnecessary burden upon commerce and the delay of vessels entering the Port of Philadelphia, as compared with the conditions at competitive ports. Under the present system all vessels from foreign ports entering Philadelphia are required to stop both at Reedy Island and at Marcus Hook, where separate examinations are made of passengers and crews—one by the United States authorities and another by the State officials.

I therefore recommend the advisability of devising some plan whereby the examination of passengers and crews, en route to Philadelphia, may be made at the same time jointly by the Federal and State quarantine physicians—preferably at Marcus Hook.

DISTRIBUTION OF PUBLIC DOCUMENTS.

The present system of distributing public documents of the State is hardly to be commended, either as to efficiency or economy. Of each document printed, a stated number is sent to every member of the General Assembly, without regard to the needs or desires of his constituents, and to most of the departments of the State Government. The result of this unbusiness-like distribution is that thousands of dollars of the State's money are wasted in printing and distributing documents that are never read. I recommend that the General Assembly give this matter attention, and that a central distributing bureau, or division, be established in the Department of Public Printing and Binding. To this bureau every State publication should be sent as printed, and then distributed on orders received from those entitled to such documents. The expense necessary to provide for such a bureau would be comparatively small, while the saving to the Commonwealth would be considerable; and an important result would be accomplished, as the public documents would reach those actually in need of and interested in them.

MISCELLANEOUS EXAMINING BOARDS.

The fact that the presidents, secretaries and members of the numerous boards created by legislative enactment, with authority to license applicants to practice certain professions within the Commonwealth, are scattered throughout the State, and are not known to those who have business to transact with them, causes much confusion and annoyance. I respectfully recommend that these boards have a secretary in common, with an office in the State Capitol, to whom all communications should be addressed, and who could furnish information in response to inquiries either by letter or in person. I also recommend that the annual compensation to be received by each member of these boards be fixed by statute, and if it be deemed advisable to continue the collection of fees that they should be paid into the State Treasury for the use of the Commonwealth.

DEPARTMENT REPORTS.

The details of the work of the several Departments and Commissions of the State Government to which no special reference is made, will be found in the respective reports. I recommend that the suggestions found therein have your careful consideration.

REPORTS OF COMMISSIONS.

The Commission created under the provisions of the Act of June 14, 1911, to investigate and report to the General Assembly a plan for the segregation, care and treatment of feeble-minded and epileptic persons within the Commonwealth; the Commission created under the provisions of the Act of June 14, 1911, known as the Pennsylvania State Vaccination Commission; the Commission created under the provisions of the resolution approved May 12, 1911, for the investigation of the different systems of recording deeds, mortgages and insurance of titles now in effect in the several States; the Commission created by resolution approved June 13, 1911, known as the Triangle or Erie Purchase, to examine into and ascertain the several tracts of land owned by or to which the State of Pennsylvania is entitled, lying and being within the county of Erie or the

harbor of Erie; the Commission created by Act approved June 20, 1911, authorized to investigate the method of inflicting the death penalty in this and other State and countries, and to investigate the expediency of selecting a site centrally located where all criminals sentenced to death in this Commonwealth may be executed, and to investigate the expediency and propriety of making any change in the present method of inflicting the death penalty; the Commission created under resolution approved March 22, 1911, to codify the election laws of Pennsylvania; the Commission created under the provisions of resolution approved May 24, 1911, continuing the joint committee of the Senate and House of Representatives to consider and report on a revision of the laws of this Commonwealth relating to corporations and to revenue; the Commission created under the provisions of resolution approved June 14, 1911, for the codification of the building laws; the Commission created under the provisions of the Act of June 14, 1911, to examine and report upon the propriety of the purchase by the Commonwealth of a certain tract of land in Jefferson, Forest and Clarion counties; the Commission created under the provisions of the Act of June 14, 1911, for the prevention, control and eradication of the disease affecting chestnut-trees, commonly known as the Chestnut-tree blight; the Commission created under the provisions of the Act of June 14, 1911, to revise and codify the present anthracite mining laws; and the Commission created under the provisions of resolution approved March 24, 1911, for the purpose of investigating and reporting upon both physical condtiions and legal rights in the matter of surface support where anthracite coal has been removed, or the right to remove said coal is vested in others than owners of the said surface,—will submit reports to the General Assembly, making recommendations based upon investigations authorized by legislative enactment. The recommendations made by the several Commissions are commended for your careful consideration.

In conclusion, it is important to remember that too much legislation is frequently worse than not enough, and I earnestly recommend that only such laws be enacted as will, in your judgment, promote the best interests of all the people of the Commonwealth.

JOHN K. TENER.

ACTS APPROVED AFTER ADJOURNMENT OF LEGISLATURE OF 1911.

January 7, 1913.

To the Senate and House of Representatives, of the Commonwealth of Pennsylvania:

Gentlemen:—The following acts of the General Assembly passed during the Session of 1911, were approved and signed by me within the thirty days after the final adjournment of the Legislature on the 25th day of May, A. D. 1911, viz.:

(For Acts see Appendix).

Also the following:

REPORT OF INDUSTRIAL ACCIDENTS COMMISSION.

(For Report See Appendix).

Also the following:

REASONS FOR PARDONS AND COMMUTATIONS.

(For Reasons See Appendix).

January 7, 1913.

To the Senate and House of Representatives, of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor herewith to prescribe the reasons for pardons granted by the Executive from January 1st, 1911 to January 1st, 1913.

Very respectfully,

JOHN K. TENER.

ADJOURNMENT.

Mr. R. J. BALDWIN. I move that the House do now adjourn.

The motion was agreed to and (at 10:15 P. M.) the House adjourned until Monday, January 20th at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, JANUARY 20, 1913. No. 2.

SENATE.

MONDAY, January 20, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant Governor, John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT— A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

REPORT FROM COMMITTEE.

APPOINTMENT OF STANDING COMMITTEES OF THE SENATE.

Mr. SPROUL. Mr. President, I am directed by the Committee elected by the Senate to appoint the committees of the Senate to submit the following report as the unanimous action of that Committee.

The report was read by the Clerk as follows:

AGRICULTURE.

Messrs. Endsley, Chairman, Alexander, Salus, Gyger, Martin, Magee, Mills, Heacock, Miller, Gerberich, ex officio.

APPROPRIATIONS.

Messrs. Kline, Chairman, Kurtz, Snyder, Buckman, Crow, Sproul, Endsley, Alexander, Catlin, Clark, Cooper, Homsher, Hunter, Jarrett, Jones, Knapp, McNichol, McNichols, Powell, Salus, Vare, Beidleman, Graff, Hoke, Martin, Moore, Sensenich, Sheatz, Stineman, Thompson, Hall, Herbst, Judson, Morgan, Sones, Wasbers, Gerberich, ex officio.

BANKS AND BUILDING AND LOAN ASSOCIATIONS.

Messrs. Knapp, Chairman, Powell, Clark, Endsley, Jones, McIlhenny, Sheatz, Beidleman, Stineman, DeWitt, Hall, Sones, Gerberich, ex officio.

CANALS AND INLAND NAVIGATION.

Messrs. Cooper, Chairman, Hunter, Jarrett, Graff, Magee, Mills, Nulty, Wasbers, Gerberich, ex officio.

CITY PASSENGER RAILWAYS.

Messrs. Hunter, Chairman, Vare, Knapp, McNichol, Powell, Catlin, Jones, Beidleman, Magee, DeWitt, Sones, Gerberich, ex officio.

CONGRESSIONAL APPORTIONMENT.

Messrs. Homsher, Chairman, Buckman, Catlin, Crow, McNichol, Vare, Knapp, Kurtz, Magee, Mills, Sheatz, Stineman, Farley, Huffman, Gerberich, ex officio.

CORPORATIONS.

Messrs. Crow, Chairman, Sproul, McNichol, Vare, Powell, Endsley, Knapp, Kurtz, Stineman, Thompson, DeWitt, Hall, Sones, Gerberich, ex officio.

EDUCATION.

Messrs. Clark, Chairman, Snyder, Homsher, Cooper, Alexander, Gyger, Hoke, Knapp, Magee, Martin, Moore, Heacock, Herbst, Nulty, Gerberich, ex officio.

ELECTIONS.

Messrs. McNichol, Chairman, Catlin, Vare, Powell, McNichols, Salus, Graff, Sensenich, Sones, Farley, Gerberich, ex officio.

EXPOSITION AFFAIRS.

Messrs. Judson, Chairman, Clark, Jarrett, Martin, Sheatz, Heacock, Nulty, Gerberich, ex officio.

FEDERAL RELATIONS.

Messrs. Magee, Chairman. Daix, Gyger, Farley, Fisher, Hilton, Wasbers, Gerberich, ex officio.

FINANCE.

Messrs. Sproul, Chairman. Crow, Powell, Kline, Catlin, McIlhenny, McNichol, McNichols, Stineman, DeWitt, Miller, Gerberich, ex officio.

FORESTRY.

Messrs. Alexander, Chairman. Endsley, Homsher, Knapp, Heacock, Herbst, Hilton, Huffman, Gerberich, ex officio.

GAME AND FISHERIES.

Messrs.	Moore, Chairman.	Mills,
	Clark,	Herbst,
	Buckman,	Huffman,
	Jarrett,	Fisher,
	Jones,	Wasbers,
	Gyger,	Gerberich, ex officio.

INSURANCE.

Messrs.	Graff, Chairman.	Daix,
	McIlhenny,	Martin,
	Vare,	Moore,
	Cooper,	Sheatz,
	Homsher,	Farley,
	Salus,	Judson,
	Alexander,	Gerberich, ex officio.

JUDICIAL APPORTIONMENT.

Messrs.	Morgan, Chairman.	Gyger,
	Hunter,	Hoke,
	McNichols,	Sheatz,
	Snyder,	DeWitt,
	Endsley,	Hall,
	Cooper,	Huffman,
	Alexander,	Gerberich, ex officio.
	Daix,	

JUDICIARY GENERAL.

Messrs.	McIlhenny, Chairman.	Beidleman,
	Clark,	Daix,
	Sproul,	Hoke,
	Crow,	Mills,
	Buckman,	Thompson,
	Jarrett,	Huffman,
	Knapp,	Judson,
	Powell,	Miller,
	Salus,	Gerberich, ex officio.
	Snyder,	

JUDICIARY SPECIAL.

Messrs.	Snyder, Chairman.	Mills,
	Crow,	Moore,
	McNichols,	Sensenich,
	McNichol,	Thompson,
	Buckman,	Hall,
	Catlin,	Herbst,
	Clark,	Sones,
	Kurtz,	Gerberich, ex officio.
	Daix,	

LAW AND ORDER.

Messrs.	Salus, Chairman.	Magee,
	Hunter,	Hall,
	Kline,	Judson,
	Vare,	Morgan,
	McNichol,	Gerberich, ex officio.
	Sensenich,	

LEGISLATIVE APPORTIONMENT.

Messrs.	Buckman, Chairman.	Daix,
	Homsher,	Magee,
	Catlin,	Moore,
	Endsley,	Stineman,
	Hunter,	Huffman,
	Kline,	Miller.
	Kurtz,	Morgan,
	Snyder,	Gerberich, ex officio.

LIBRARY.

Messrs.	Stineman, Chairman.	Farley,
	Hoke,	Fisher,
	Sensenich,	Hilton,
	Sheatz,	Gerberich, ex officio.

MILITARY AFFAIRS.

Messrs.	Thompson, Chairman.	Hilton,
	McNichols,	Nulty,
	Alexander,	Wasbers,
	Kline,	Gerberich, ex officio.

MINES AND MINING.

Messrs.	Kurtz, Chairman.	Sensenich,
	Crow,	Stineman,
	Homsher,	Thompson,
	Hunter,	Hall,
	Kline,	Morgan,
	Graff,	Gerberich, ex officio.

MUNICIPAL AFFAIRS.

Messrs.	Vare, Chairman.	McIlhenny,
	McNichol,	Salus,
	Jarrett,	Magee,
	McNichols,	Beidleman,
	Powell,	Farley,
	Catlin,	Hilton,
	Clark,	Wasbers,
	Jones.	Gerberich, ex officio.

NEW COUNTIES AND COUNTY SEATS.

Messrs.	Catlin, Chairman.	Moore,
	McNichols,	Hilton,
	Cooper,	Wasbers,
	Daix,	Gerberich, ex officio.
	Gyger,	

PENSIONS AND GRATUITIES.

Messrs.	Sheatz, Chairman.	Moore,
	McIlhenny,	Fisher,
	Cooper,	Heacock,
	Salus,	Gerberich, ex officio.
	Graff,	

PUBLIC GROUNDS AND BUILDINGS.

Messrs.	Sensenich, Chairman,	Buckman,
	Beidleman,	Hoke,
	Endsley,	Judson,
	Homsher,	Nulty
	Hunter,	Gerberich, ex officio.

PUBLIC HEALTH AND SANITATION.

Messrs.	Jones, Chairman,	Hoke,
	Endsley,	Martin,
	McIlhenny,	Thompson,
	McNichols,	Herbst,
	Cooper,	Hilton,
	Snyder,	Miller,
	Beidleman,	Gerberich, ex officio.

PUBLIC PRINTING.

Messrs.	Mills, Chairman,	Martin,
	Hoke,	Farley,
	Jones,	Hilton,
	McIlhenny,	Nulty,
	Salus,	Gerberich, ex officio.
	Vare,	

PUBLIC ROADS AND HIGHWAYS.

Messrs.	McNichols, Chairman,	Graff,
	Buckman,	Gyger,
	Endsley,	Martin,
	Sproul,	Mills,
	Powell,	Thompson,
	Clark,	Hall,
	Crow,	Huffman,
	Catlin,	Morgan,
	Jarrett,	Sones,
	Knapp,	Gerberich, ex officio.

PUBLIC SUPPLY OF LIGHT, HEAT AND WATER.

Messrs.	Jarrett, Chairman,	Fisher,
	Salus,	Heacock,
	Vare,	Hilton,
	Beidleman,	Miller,
	Graff,	Nulty,
	Stineman,	Gerberich, ex officio.

RAILROADS.

Messrs.	Powell, Chairman,	Jones,
	Jarrett,	Graff,
	Sproul,	Huffman,
	McNichol,	Sones,
	Knapp,	Wasbers,
	Kurtz,	Gerberich, ex officio.

INTRODUCTION OF BILLS DEFERRED.

Mr. SPROUL. Mr. President, I would suggest that the reading of bills in place by Senators be deferred until to-morrow, as the clerks are crowded with work, the committees just having been announced, and the names of new clerks have not yet been announced and some of the appointees are probably not here; and it will make a great deal of confusion and delay if we start to introduce bills to-night.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION FOR APPOINTMENT OF COMMITTEE TO INVESTIGATE AS TO THE NECESSITY FOR, EFFICIENCY, NUMBER AND SALARIES OF THE OFFICERS, CLERKS AND EMPLOYES OF THE SENATE, HOUSE OF REPRESENTATIVES AND THE SEVERAL DEPARTMENTS, BOARDS AND COMMISSISONS CONNECTED WITH THE STATE GOVERNMENT.

Mr. CROW offered the following resolution which was twice read, as follows:

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departmnts, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore

Be it resolved (if the House of Representatives concur) That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate, and five members of the present House of Representatives, one of whom shall be a Democrat, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government, and to make report thereof and, if necessary, to recommend, not later than April 1, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expense of said commission, shall be provided for in the General Appropriation Bill of 1913.

MR CROW. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution may be considered at this time.

Mr. HERBST. Mr. President, I object. I want to read that resolution carefully before I am ready to vote on it. I am in favor of allowing the resolution to lie over until to-morrow morning's session and then I will be ready to vote upon it, and I think that will be reasonable on the part of the other Senators. If they agree to that I am willing to agree to that resolution to-morrow morning. If not, I will insist upon the rule. If the Senator from Fayette will make a motion that this resolution shall be considered at to-morrow morning's session I am willing to agree to that.

Mr. CROW. Mr. President, I move that the resolution be considered to-morrow at the regular session at 11:30 o'clock.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.

Executive Chamber, Harrisburg, January 20, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the followig named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY.

Wm. W. Resser, East Berlin.

ALLEGHENY COUNTY.

Miss Clara Stamets, Braddock.
Oswald Ende, Carnegie.
Ernest Payne, Grafton.
George L. Neff, Duquesne.
B. B. Hines, East Pittsburgh.
Fred J. Hahn, Homestead.
M. M. Kirkland, McKeesport.
Mrs. Luvia Crawford Barthell, Wilkinsburg.
John F. Sweeny, Pittsburgh.
Albert C. Mettler, Pittsburgh.
H. A. Shaffer, Pittsburgh.
F. C. Hodkinson, Pittsburgh.
J. C. McCormick, Jr., Pittsburgh.
Fred H. McQuiston, Pittsburgh.
J. J. McHugh, Pittsburgh.
Herman L. Aken, Pittsburgh.
Norris Aronson, Pittsburgh.
Walter M. Meredith, Pittsburgh.
Miss Ida L. Sherrer, Pittsburgh.
Wm. H. Baumann, Pittsburgh.
Miss Clara I. Houston, Pittsburgh.
Miss Mary A. Junkin, Pittsburgh.
Fred Bruckman, Pittsburgh.
Chas. T. Moore, Pittsburgh.
Harvey Rankin, Pittsburgh.
J. A. Young, Pittsburgh.
Geo. H. Lepper, Pittsburgh.
William H. Faeder, Pittsburgh.
Miss Myrtle B. Henderson, Pittsburgh.
Richard Mierzwa, Pittsburgh.
Howard Neely, Pittsburgh.
George R. Rankin, Pittsburgh.
Jno. W. Cunningham, Pittsburgh.
Stanley K. Bennett, Pittsburgh.
Michael B. Cull, Pittsburgh.
B. H. Pettes, Pittsburgh.
Saul Schein, Pittsburgh.
Leopold Takach, Pittsburgh.
Sion B. Smith, Pittsburgh.
Chas. H. Ebert, Pittsburgh.
Louis F. Wentz, Pittsburgh.
Harry H. Dalton, Pittsburgh.

ARMSTRONG COUNTY COUNTY.

John S. Porter, Kittanning.
James B. Kifer, Leechburg.
Mrs. Mary W. Henry, Apollo.
Miss Blanche Brown, Kittanning.

BEAVER COUNTY.

J. T. Kernan, Aliquippa.
James W. Doncaster, Rochester.
John F. Maloney, Ambridge.

BERKS COUNTY.

Miss Bessie De Hart, Reading.
Van R. Lorah, Cumru Township.
Harry E. Hart, Birdsboro.
I. B. Klinger, Bethel Township.

BLAIR COUNTY.

Miss Mary L. Goss, Altoona.
Edwin L. Dively, Altoona.
Patrick J. Ryder, Juniata.
Lewis David Roberts, Juniata.
Thomas W. Otto, Logan Township.

BUCKS COUNTY.

J. Burton Stackhouse, Langhorne.
Asher K. Anders, Doylestown.

BUTLER COUNTY.

Lewis P. Litzinger, Butler.
James O. Campbell, Butler.
Frank B. Lensner, Saxonburg.

CAMBRIA COUNTY.

F. J. Hartman, Ebensburg.
Philip N. Shettig, Ebensburg.
W. S. Krise, Johnstown.

CARBON COUNTY.

Michael P. Koomar, Mauch Chunk.

CHESTER COUNTY.

Elwood M. Ludwick, Honey Brook.
Joseph Leeks, Oxford.
George R. Maxton, Easttown Township
Frank E. Bader, Phoenixville.

CLEARFIELD COUNTY

W. L. Calkins, Du Bois.

CLINTON COUNTY.

Miss Myrtle D. Achuff, Lock Haven.

CRAWFORD COUNTY.

John O. McClintock, Meadville.
J. A. Northam, Meadville.
Harry Gerson, Titusville.
Charles B. Morgan, Titusville.

CUMBERLAND COUNTY.

Miss Ida G. Kast, Mechanicsburg.

DAUPHIN COUNTY.

Giovanni Di Santo, Harrisburg.
Harry M. Bretz, Harrisburg.
Miss Stella M. Backenstoss, Harrisburg.
Harvey E. Knupp, Harrisburg.
M. R. Alleman, Harrisburg.

DELAWARE COUNTY.

Miss Bertha C. Thompson, Chester.
Benjamin Johnson, Jr., Marcus Hook.
Engelbert C. Spevak, Ridley Township.

ELK COUNTY.

M. J. Fuenffinger, Fox Township.

ERIE COUNTY.

Frank A. Bliley, Erie.
B. F. Beckers, Erie.
O. T. Fouche, Millcreek Township.

FAYETTE COUNTY.

J. D. Springer, Uniontown.
Issaore Frank, Uniontown.
Thos. W. McDowell, Uniontown.
S. B. Graham, Belle Vernon.

HUNTINGDON COUNTY.

Miss Ethel S. Smith, Huntingdon.
Robert A. Orbison, Huntingdon.

INDIANA COUNTY.

Chas. H. Moore, Blairsville.
Miss Annie E. Vogel, Indiana.
B. B. McConnaughey, Homer City.

JEFFERSON COUNTY.

L. G. Brosius, Brookville.
Miss Cora B. McCreight, Reynoldsville.
Antonio Cesario, Punxsutawney.
Felix C. V. Gatti, Young Township.

LACKAWANNA COUNTY.

James J. Moffat, Dunmore.
James J. O'Malloy, Scranton.
J. E. Sickler, Scranton.

LANCASTER COUNTY.

Miss Katharine A. Huber, Lancaster.
George Ross Eshleman, Lancaster.
Charles S. Martin, Lancaster.

LEBANON COUNTY.

John A. Shriver, N. Lohdonderry Township.

LEHIGH COUNTY.

James Craig, Slatington.

LUZERNE COUNTY.

Frank J. Cannon, Hazleton.
Luigi Fedullo, Hazleton.
Richard Hughes, Pittston.
W. I. Hibbs, Pittston.
William P. Walsh, Wilkes-Barre.
Frank W. Larned, Wilkes-Barre.
Miss Olga E. Fritz, Wilkes-Barre.

LYCOMING COUNTY.

M. Edward Toner, Jersey Shore.

M'KEAN COUNTY.

Charles T. Evans, Bradford.

MERCER COUNTY.

J. Fred Thomas, Farrell.

MONROE COUNTY.

Chester H. Rhodes, Stroudsburg.

MONTGOMERY COUNTY.

Joseph G. Trank, Jenkintown.
E. F. Slough, Norristown.
Herbert U. Moore, Norristown.
Henry F. Corson, Norristown.
George R. Ralston, Norristown.
William Wright, Conshohocken.

MONTOUR COUNTY.

William H. Orth, Mahoning Township.

NORTHAMPTON COUNTY.

Daniel E. Steckel, Easton.
Miss F. C. Rockafellow, Easton.
John Kiss, South Bethlehem.

NORTHUMBERLAND COUNTY.

E. K. Bright, Northumberland.
W. L. Snyder, Shamokin.
C. F. Shipman, Sunbury.

PHILADELPHIA COUNTY.

Harry C. Schaefer, Philadelphia.
Jacob Weinstein, Philadelphia.
Alexander Colville, Philadelphia.
William J. Benham, Philadelphia.
A. H. Vail, Philadelphia.
Edward C. Neher, Philadelphia.
James R. Anderson, Philadelphia.
Jos. R. C. Ward, Philadelphia.
Louis Di Berardino, Philadelphia.
Frank B. Stockley, Philadelphia.
Harry V. J. Logan, Philadelphia.
VdeP. Henderson, Philadelphia.
Anthony Amodei, Philadelphia.
Daniel O'Connell, Philadelphia.
Wm. H. R. Lukens, Philadelphia.
Alfonso J. Minnick, Philadelphia.
Charles W. Rueter, Philadelphia.
Washington Evans Smith, Philadelphia
Norman H. Stevens, Philadelphia.
Miss Josephine M. Kelly, Philadelphia.
George W. Clement, Philadelphia.
Charles G. Gartling, Philadelphia.
Le Roy Schoch, Philadelphia.
Louis D. Casner, Philadelphia.
Julius C. Haas, Philadelphia.
J. Rugan Neff, Philadelphia.
Edgar C. Van Dyke, Philadelphia.
Alexander F. Russell, Philadelphia.
Martin Stotz, Philadelphia.
Julius B. Price, Jr., Philadelphia.
J. Rhea Craig, Jr., Philadelphia.
Joseph B. Quigley, Philadelphia.
Charles J. McDermott, Philadelphia.
Price I. Patton, Philadelphia.
Thomas H. Maginniss, Philadelphia.
F. M. Brower, Philadelphia.
Frank F. Sorver, Philadelphia.
Rudolph H. Winter, Philadelphia.
Miss Beatrice Handford, Philadelphia.
Rutherford S. Bates, Philadelphia.
Edward J. Toole, Philadelphia.
Albert Niedelman, Philadelphia.
Daniel J. Rafferty, Philadelphia.
Harry T. Reynolds, Philadelphia.
Smith Craighead, Philadelphia.
Henry G. Hart, Philadelphia.
James D. Winchell, Philadelphia.
Thomas McFarland, Philadelphia.
Edward Fell Lukens, Philadelphia.
Richard T. McSorley, Philadelphia.

Miss Louise E. Kephart, Philadelphia.
P. H. Smith, Philadelphia.
Maurice L. Margolin, Philadelphia.
H. Walter Geuther, Philadelphia.
L. B. A. Kelly, Philadelphia.
Wilmer K. Clymer, Philadelphia.
Wayne P. Rambo, Philadelphia.
Charles J. Miller, Philadelphia.
Henry A. Tumelty, Philadelphia.

POTTER COUNTY.

Art. S. Burt, Lewisville.

SCHUYLKILL COUNTY.

Stanislaw Tomkiell, Shenandoah.
John H. Ichter, Tamaqua.
Harry W. Brown, Saint Clair.

SOMERSET COUNTY.

Ed. L. Shaffer, Boswell.
J. Clarence Dull, Hooversville.

SUSQUEHANNA COUNTY.

R. E. Beebe, Montrose.

TIOGA COUNTY.

Alfred J. Shattuck, Wellsboro.

WARREN COUNTY.

Frank D. Wheelock, Sugar Grove.
Harold A. Ross, Conewango Twp.

WASHINGTON COUNTY.

Geo. O. Jones, Washington.
Boyd E. Warne, Washington.
Joseph J. Noroski, Donora.
T. A. Hedge, W. Bethlehem Twp.

WESTMORELAND COUNTY.

David L. Newill, Greensburg.
Geo. E. Barron, Greensburg.
E. E. Allshouse, Greensburg.
Calvin H. Dils, Monessen.
W. E. Crawford, Rostraver Twp.

WYOMING COUNTY.

John B. Edwards, Laceyville.

YORK COUNTY.

Jacob E. Weaverm, York.
John B. Miller, Hanover.
Julius W. Fischer, Hanover.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 20, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

D. J. Crawford, Homestead, January 26, 1913.
Charles Dunbar, Pittsburgh, January 26, 1913.
William W. Anderson, Pittsburgh, January 27, 1913.
J. J. Saint, Pittsburgh, January 30, 1913.
William L. Church, Pittsburgh, February 1, 1913.
Miss Margaret Greeley, Pittsburgh, February 9, 1913.
Harry N. Willis, Pittsburgh, February 10, 1913.
Fred B. Fisher, Pittsburgh, February 22, 1913.
Fred Cerdts, Duquesne February 27, 1913.
James A. Griffith, Pittsburgh, February 27, 1913.
S. L. Neely, Pittsburgh, February 27, 1913.
Ferd H. Phillips, Pittsburgh, February 27, 1913.
George P. Fulton, Pittsburgh, March 10, 1913.
B. F. Lloyd, Pittsburgh, March 10, 1913.

ARMSTRONG COUNTY.

Howard R. Thomas, Leechburg, January 27, 1913.
Samuel J. McDowell, Leechburg, January 27, 1913.
C. A. Walker, Kittanning, February 8, 1913.

BEAVER COUNTY.

Miss Lola M. Criss, Beaver Falls, January 26, 1913.
Charles Reeves May, Beaver Falls, February 12, 1913.
Miss A. M. Reed, Beaver, February 27, 1913.
George R. McPherson, New Brighton, February 27, 1913.

BERKS COUNTY.

W. D. Brumbach, Exeter Township, January 23, 1913.
George W. Wertz, Lower Heidelberg Township, February 20, 1913.
Lot W. Reiff, Reading, February 22, 1913.
Clifford W. Kissinger, Reading, February 23, 1913.

BLAIR COUNTY.

P. M. Swanger, Altoona, January 23, 1913.

CENTRE COUNTY.

John L. Holmes, State College, January 25, 1913.

CUMBERLAND COUNTY.

T. Ralph Jacobs, Carlisle, February 3, 1913.
D. T. Ramsey, Newburg, February 6, 1913.

DAUPHIN COUNTY.

F. J. Schaffner, Hummelstown, January 22, 1913.
H. H. Freeburn, Harrisburg, January 22, 1913.
Mrs. Iola E. Oyster, Harrisburg, January 23, 1913.
George W. Kline, Millersburg, January 29, 1913.
Charles R. Holton, Steelton, March 10, 1913.

DELAWARE COUNTY.

Andrew A. Clark, Chester, March 10, 1913.

FAYETTE COUNTY.

P. Bufano, Connellsville, January 24, 1913.
A. Van Horn, Dawson, March 10, 1913.
Frank P. Cottom, Uniontown, March 10, 1913.

FRANKLIN COUNTY.

Charles B. Carl, Greencastle, January 25, 1913.

LACKAWANNA COUNTY.

S. B. Bulkley, Dunmore, January 25, 1913.
Walter L. Schanz, Scranton, January 30, 1913.
Frank Lambader, Scranton, February 8, 1913.

LANCASTER COUNTY.

Martin W. Brubaker, Mt. Joy, February 27, 1913.

LEHIGH COUNTY.

Miss Ella M. Snyder, Allentown, January 31, 1913.
Phaon C. Weaver, Emaus, February 27, 1913.
James L. Morris, Emaus, February 27, 1913.

LUZERNE COUNTY.

James L. Morris, Wilkes-Barre, January 26, 1913.
Miss Hilda Koerner, Wilkes-Barre, February 9, 1913.
Thomas A. McAndrews, Wilkes-Barre, March 10, 1913.
Jos. L. Ferrarini, Pittston, March 29, 1913.

LYCOMING COUNTY.

P. T. Hartranft, Montgomery, February 20, 1913.
Miss Helen B. Crist, Williamsport, March 10, 1913.

M'KEAN COUNTY.

Sheridan Gorton, Smethport, February 27, 1913.

MIFFLIN COUNTY.

William H. Wren, Lewistown, February 27, 1913.

MONROE COUNTY.

William A. Shafer, Stroudsburg, February 27, 1913.

PHILADELPHIA COUNTY.

B. Gordon Bromley, Philadelphia, January 21, 1913.
Herman C. Horn, Philadelphia, January 21, 1913.
George H. Hill, Jr., Philadelphia, January 22, 1913.
George F. Knight, Philadelphia, January 22, 1913.
Evan B. Lewis, Philadelphia, January 22, 1913.
Frederick P. Orlemann, Philadelphia, January 23, 1913.
William F. Boyd, Philadelphia, January 25, 1913.
O. H. Hertkorn, Philadelphia, January 26, 1913.
Richard P. McCloskey, Philadelphia, January 26, 1913.
John T. Petlow, Philadelphia, January 26, 1913.
Charles H. White, Philadelphia, January 26, 1913.
Frank T. Matthews, Philadelphia, January 27, 1913.
Harry S. Vandiver, Philadelphia, January 27, 1913.
George Hecks, Philadelphia, January 29, 1913.
William R. Wooters, Philadelphia, January 29, 1913.
Joseph T. Taylor, Philadelphia, January 30, 1913.
Charles I. Cronin, Philadelphia, January 31, 1913.
Walter F. Off, Philadelphia, February 1, 1913.
John J. Burns, Philadelphia, February 3, 1913.
Raymond M. Parker, Philadelphia, January 3, 1913.
Edwin M. Waller, Philadelphia, February 9, 1913.
John A. Barry, Philadelphia, February 13, 1913.
E. Warner Bonsall, Philadelphia, February 26, 1913.
Howard A. Darling, Philadelphia, February 26, 1913.
Lewis Neilson, Philadelphia, February 26, 1913.
J. Burns Allen, Philadelphia, February 27, 1913.
Henry W. Bauer, Philadelphia, February 27, 1913.
William J. Cooley, Philadelphia, February 27, 1913.
Robert G. Foster, Philadelphia, February 27, 1913.
Wm. H. Mac Munn, Philadelphia, February 27, 1913.
John V. Martin, Philadelphia, February 27, 1913.
Miss Sarah Hittenberger, Philadelphia, February 27, 1913.
Miss Marion L. Pyle, Philadelphia, February 27, 1913.
A. M. Schriver, Philadelphia, February 27, 1913.
David E. Simon, Philadelphia, February 27, 1913.
Edward J. Fisher, Philadelphia, February 28, 1913.
S. C. Kraus, Philadelphia, March 7, 1913.
Harvey J. Aungst, Philadelphia, March 10, 1913.
Louis Freyling, Philadelphia, March 10, 1913.
Frederick Hermann, Philadelphia, March 10, 1913.
Giocondo Marcolongo, Philadelphia, March 10, 1913.
Daniel Nickert, Philadelphia, March 10, 1913.
Miss Jennie C. O'Neill, Philadelphia, March 10, 1913.
R. M. Remick, Philadelphia, March 10, 1913.
Edmund W. Rubencame, Philadelphia, March 10, 1913.
Louis Strousse, Philadelphia, March 10, 1913.
Harry E. Thomson, Philadelphia, March 10, 1913.
Gustavus C. Swelzel, Philadelphia, March 10, 1913.

SCHUYLKILL COUNTY.

George F. Krapp, Ashland, January 22, 1913.
Omitro Kapitula, McAdoo, March 10, 1913.
Stephen F. Prayer, McAdoo, March 10, 1913.

SOMERSET COUNTY.

John A. Hartman, Windber, February 8, 1913.
Earle R. Beggs, Confluence, February 22, 1913.

WASHINGTON COUNTY.

Clem J. Mathews, Charleroi, February 22, 1913.
William Hadgwick, McDonald, February 27, 1913.
Robert Parkins, Roscie, February 27, 1913.

WAYNE COUNTY.

John Tompkins, Buckingham Township, February 27, 1913.

WESTMORELAND COUNTY.

John D. Gill, Greensburg, January 30, 1913.
Frank Bumer, Monessen, February 12, 1913.
James B. Gallagher, Irwin, February 22, 1913.
Joseph D. Houston, Latrobe, February 27, 1913.
Harry Laughrey, Scottdale, February 27, 1913.

WYOMING COUNTY.

H. Stanley Harding, Tunkhannock, February 22, 1913.

YORK COUNTY.

Jas. J. Logan, York, February 1, 1913.

JOHN K. TENER.

STATE HIGHWAY COMMISSIONER.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Public Roads and Highways:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 20, 1913.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor to nominate for the advice and consent of the Senate, Edward M. Bigelow, of Pittsburgh, to be State Highway Commissioner, for the term of four years, to compute from June 1, 1911.

JOHN K. TENER.

APPROVAL OF RESOLUTION AUTHORIZING PAYMENT OF POSTAGE ON LEGISLATIVE JOURNAL.

The CHAIR cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 9th, 1913.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, authorizing the Chief Clerks of the Senate and House of Representatives to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department.

JOHN K. TENER.

APPROVAL OF RESOLUTION AUTHORIZING PARTICIPATION OF NATIONAL GUARD IN INAUGURAL PARADE AND PAYMENT OF EXPENSES INCIDENT THERETO.

He also laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 9th, 1913.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, providing for the participation of the Commonwealth of Pennsylvania in the inaugural parade following the inauguration of the President of the United States, in Washington, D. C., on March 4th, 1913.

JOHN K. TENER.

APPROVAL OF RESOLUTION AUTHORIZING PRINTING OF ADDITIONAL BILLS AND CALENDARS.

He also laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 9th, 1913.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, instructing the Chief Clerks of the Senate and House of Representatives to have printed for the use of the General Assembly three hundred copies of bills reported, and three hundred additional copies of the calendar, as at previous sessions.

JOHN K. TENER.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate take a recess until 10:15 o'clock.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE.

NOMINATIONS OF EMPLOYES.

Mr. CROW. Mr. President, on behalf of the committee on nominations of employes of the Senate for the Session of 1913, I have the honor to present the following resolution, which contains the report from committee.

The resolution was twice read by the Clerk as follows:

Resolved, That in addition to the officers already elected, the following persons be elected officers and employes of the Senate for the session of one thousand nine hundred and thirteen:

JOURNAL CLERK.

William S. Nason, Erie, Erie County.

READING CLERK.

William P. Gallagher, Wilkes-Barre, Luzerne County.

EXECUTIVE CLERK.

Edward C. Bonnick, 1809 S. Sixth street, Philadelphia.

DESK CLERK.

John McKeown, 2227 Bainbridge street, Philadelphia.

MESSAGE CLERK.

Walter A. McKinney, Warren, Warren County.

BILL BOOK CLERK.

Conyers Button Graham, Germantown, Philadelphia.

BILLS IN PLACE BOOK CLERK.

Raymond L. Davis, Jermyn, Lackawanna County.

PETITION BOOK CLERK.

Thomas J. Rodgers, Punxsutawney, Jefferson County.

TRANSCRIBING CLERKS.

J. C. Thayer, Tunkhannock, Wyoming County.
Arthur B. Lyons, Corry, Erie County.

ASSISTANT SERGEANT-AT-ARMS.

Cleon Gicquelais, Pittsburgh, Allegheny County.
M. J. Nachbar, 4108, Haverford Ave., Philadelphia.
John J. Keffer, 200 S. 12th street, Philadelphia.
Samuel A. Keen, R. D. No. 5, Quarryville ,Lancaster County.

POSTMASTER.

James M. Esler, Tarentum, Allegheny County.

MESSENGER.

James McAnlis, Wampum, Lawrence County.

ASSISTANT MESSENGER.

W. H. Blake, Altoona, Blair County.

DOORKEEPER.

John McCloskey, 1839 S. 59th street, Philadelphia.

ASSISTANT DOORKEEPERS.

Wilber F. Dale, Madera, Clearfield County.
Noel C. Kennedy, Langhorne, Bucks County.
Walter S. Leard, Worthington, Armstrong County.
Thomas B. Davis, Ebensburg, Cambria County.
E. C. Keefer, Shippensburg, Cumberland County.
Charles I. Myers, Waynesboro, Franklin County.
James J. Sweeney, Chester, Delaware County.
F. Montgomery Parks, Oil City, Venango County.

SUPERINTENDENT OF FOLDING ROOM.

Henry Campfield, Meadville, Crawford County.

PASTER AND FOLDERS.

J. W. Connolly, 208 Grantham St., N. S., Pittsburgh, Allegheny County.
M. F. Williams, Gettysburg, Adams County.
A. W. Andrews, 1119 Park Building, Pittsburgh, Allegheny County.
Arian Bahny, Wilkes-Barre, Luzerne County.
John Woodward, Pottsville, Schuylkill County.
John A. Webb, Allenville, Mifflin County.

CHAPLAIN.

Rev. Arthur C. James, Ambler, Montgomery County.

WATCHMEN.

Edward Ambush, 513 S. 15th street, Philadelphia.
Charles Murphy, 1009 Franklin Avenue, Philadelphia.

OVERSEER OF HEAT AND VENTILATION.

W. S. Richards, West Elizabeth, Allegheny County.

CLERKS TO COMMITTEES.

Charles Kline, Huntingdon, Huntingdon County.
Ashbel W. Buckman, South Langhorne, Bucks County.
Peter L. Livengood, Windber, Somerset County.
R. H. McIntosh, Falls Creek, Jefferson County.
J. Hauer Reinoehl, Lebanon, Lebanon County.
Robert G. Woodside, Oakmont, Allegheny County.
William C. Morton, 317 Langley Avenue, Pittsburgh, Allegheny County.
Bennett F. Kiehl, Greensburg, Westmoreland County.
Francis J. Farley, McKees Rocks, Allegheny County.
J. Alfred Jenkins Harrisburg, Dauphin County.
Edward Jeffries, 2210 W. Dauphin street, Philadelphia.
J. J. Reiman, Johnstown, Cambria County.

CUSTODIANS OF COMMITTEE ROOM.

William E. Paine, Tidal, Armstrong County.
H. B. Ewing, Beaver Falls, Beaver County.
Wallace Kear, Schuylkill County.

ELEVATOR OPERATOR.

William J. Hodge, Phoenixville, Chester County.

ASSISTANT ELEVATOR OPERATOR.

Alexander Klimax, Shenandoah, Schuylkill County.

CUSTODIAN OF WASH ROOM.

Anthony Frenie, Harrisburg, Dauphin County.

ASSISTANT CUSTODIANS OF WASH ROOM.

David Lare, 1328 Passyunk Avenue, Philadelphia.

J. W. McBride, Sharon. Mercer County.

CUSTODIAN OF COAT ROOM.

John W. Keim, Glassport, Allegheny ounty.

CUSTODIAN OF BASEMENT.

Josiah Higgins, Harrisburg; Dauphin County.

ASSISTANT CUSTODIAN OF BASEMENT.

Frank Mills, 2326 Sharswood Street, Philadelphia.

CUSTODIAN OF NEWSPAPERMEN'S ROOMS.

Edward C. Hart. Pittston, Luzerne County.

CHIEF PAGE.

Albert Cooper, Harrisburg, Dauphin County.

PAGES.

Guy Enck, Allen, Cumberland County.
Frank E. Johnston, Lancaster, Lancaster County.
Earl D. Rhoads, Shamokin Dam, Snyder County.
Israel Cohen, Harrisburg, Dauphin Co.;
Morris Claster, Harrisburg, Dauphin County.
James Baker, Harrisburg, Dauphin County.
George A. B. C. Blofer, Harrisburg, Dauphin County.
Harry Frank, Harrisburg, Dauphin County.
Howard Jefferies, Harrisburg, Dauphin County.

Edward C. Smith, Harrisburg, Dauphin County.
Russell Peck, Oberlin, Dauphin County.
Charles T. Diffenderfer, Harrisburg, Dauphin County.
Paul C. Dougherty, Harrisburg, Dauphin County.
Herbert Rupp, Harrisburg, Dauphin County.

On the question,

Will the Senate agree to the resolution?

Mr. HUFFMAN. Mr. President, I move to amend by striking out the following:

The three persons last named for assistant sergeants-at-arms; the person named for messenger; the person named for assistant messenger; the seven persons last named for assistant doorkeepers; the two persons last named for pasters and folders; the person named as overseer of heat and ventilation; the twelve (12) persons named as clerks to committees; the three persons named as custodians of committee rooms; the two persons named as assistant custodians of the wash-room; the person named as assistant custodian of basement; the person named as custodian of newspapermen's room; and the six (6) last named pages.

I would like to ask a roll call for the yeas and nays on the amendment.

Mr. POWELL. Mr. President, I am informed that the employes of the Senate, the officers and employes of the Senate, are provided for by law, and that if they are striken out of this resolution it will not reduce the expense of this State one penny, but that the old employes will hold over and draw their salaries under the former resolution. I feel certain that when the Senator from Monroe, Mr. Huffman, is of that opinion that he would not press this resolution at this time. I have some appointees on there and I want to say now that if any one of them is unnecessary I would be very glad to strike the name off, but there is a resolution provided here for all investigation upon that subject and as soon as that is in if there is any man in it that is unnecessary I am in favor of striking him off the payroll, and my own men as well as anybody else's but I am not in favor of the adoption of that amendment, if it be true that the old employes will hold over instead of those named by the present Senate. I am informed that the Act says that the old employes shall hold over until their successors are chosen. If that be true I am certain that the Senator from Monroe will not press his amendment.

Mr. HUFFMAN. Mr. President, I think Senator Powell is misinformed if that is his belief. The resolution introduced is for a commission to make a report, as we know after this election takes place, and that would make it effective about 1915, which means under the present rule as it is outlined we re-elect the same old number of employes. Now the resolution of the gentleman from Fayette provides for certain offices and appointees to fill those places. The statute does not provide for any specific office, it provides for the payment to be made to all the officers elected; for instance, if there is no man elected as assistant doorkeeper he does not draw any pay and the old officers do not hold over.

Mr. POWELL. Mr. President, I understand that the Secretary of the Senate has the Act there and I would like to know as that will determine my vote.

Section 3 of the Act provides " All the officers and employes provided for in this Act shall return as such to the next regular biennial session of the Legislature following that for which they were elected or appointed, and those who shall not be re-elected or appointed, or elected, or appointed to some other office in the Legislature shall be allowed their regular per diem compensation," etc., ******* "for ten days or until their successors are duly elected or appointed and qualified, and if that be true I am opposed to the amendment. That is the wording of the Act.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. Huffman and Mr. Wasbers, and were as follows:

YEAS—11.

DeWitt,	Heacock,	Judson,	Nulty,
Farley,	Herbst,	Miller,	Wasbers,
Fisher,	Huffman,	Morgan,	

NAYS—32.

Alexander,	Graff,	Knapp,	Powell,
Beidleman,	Gyger,	Kurtz,	Salus,
Buckman,	Hoke,	Magee,	Sheatz,
Catlin,	Homsher,	McIlhenny,	Snyder,
Clark,	Hunter,	McNichol,	Sproul,
Cooper,	Jarrett,	McNichols,	Stineman,
Crow,	Jones,	Mills,	Thompson,
Daix,	Kline,	Moore,	Vare,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the resolution?

Mr. HERBST. Mr. President, the way I understand the resolution embodies all the employes, the same as we had them two years ago, the same number of employes as we had in the session of 1911. I ask for a division of the question, because I intend voting for some of those employes. There is one especially needfull for all of us, I need him and I want him to pray for me with a warm heart, and I want to vote for the Chaplain; therefore, I ask for a division of the question.

The PRESIDENT. The Senator from Berks, Mr. Herbst, asks for a division of the question. In what respect a division?

Mr. HERBST. Mr. President, a division of the question, because we can vote upon each of them separately, Rule 30, and the same rule applied over in the House just a moment ago. The question can be divided and any Senator can ask for a division and it can be divided without marring the entire question. There is another employe I intend voting for.

The PRESIDENT. Does the Senator insist upon the vote being taken separately upon each employe recommended in the resolution.

Mr. HERBST. Mr. President, separately, as far as I am personally concerned upon Chaplain and the Barber.

The PRESIDENT. The Senator demands a division of the question on the Chaplain and the Custodian of the Wash-Room, and the vote will now be taken upon the election of the Chaplain named in the resolution and the Custodian of the Washroom.

On the question,

Will the Senate agree to the election of the persons named in the resolution for chaplain and custodian of the washroom?

It was agreed to.

The PRESIDENT. I therefore declare the persons named elected as such employes of the Senate for the session of 1913.

On the question,

Will the Senate agree to the election of the remaining persons named in the resolution?

It was agreed to.

The PRESIDENT, I therefore declare the persons named in the resolution as having been duly elected officers and employes of the Senate for the session of 1913.

ADJOURNMENT.

M. CROW. Mr. President, I move the Senate do now adjourn to meet to-morrow morning at 11:00 o'clock.

Mr. SPROUL. Mr. President, I second the motion.

The Senate adjourned at 10:40 o'clock P. M. until 11:00 o'clock Tuesday morning, January 21, 1913.

ERRATUM.

Page 6, column 1, line 28, insert after the word "was" the word "not."

HOUSE OF REPRESENTATIVES.

MONDAY, January 20, 1913.

The House met at 9 o'clock P. M.

The Speaker (GEORGE E. ALTER) in the Chair.

Prayer by the Rev. J. E. Wright, of Edgewood, Allegheny County, Pa.

The SPEAKER. The Clerk will read the Journal of the proceedings of Tuesday, January 7, 1913.

The Clerk proceeded to read the Journal of Tuesday, January 7, 1913, when on motion of Mr. R. J. Baldwin, the further reading was dispensed with, and the Journal was approved.

CORRECTION OF VOTE FOR SPEAKER.

Mr. BLELOCH asked and obtained permission to have a correction made in the Legislative Journal of January 7, 1913, page 31, so that his vote for Speaker should be recorded on the first ballot for the Honorable Samuel B. Scott.

REPORT OF COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker, the Committee upon Committees constituted by a resolution at the last session of this body is now ready to present its report. Three duties were laid upon this Committee, any one of which would have been sufficient to have given us long thought and careful consideration. If there has been any fault in these reports, let me assure the House that it has not been on account of any lack of industry, or upon any lack of good-will and desire to do the absolutely right thing. In fact, Mr. Speaker, I think this House is to be congratulated, and the State of Pennsylvania through this House, that it has men who are willing to do the amount of detail work, and put in the long hours of labor which this committee has; and I would not be fair to the Committee if I would not tell this House that it would be impossible for men to work together with greater good feeling, with more harmony of purpose in a desire to produce a proper result under trying circumstances, than the gentlemen of that Committee did. Since we have had three separate and distinct duties laid upon us, I will ask the permission of the Chair to present the report in three sections. Therefore, Mr. Speaker, I offer first, the draft of rules to govern the action of the House and move the adoption of this section of the report.

The Report of the Committee was then read by the Clerk as follows:

DRAFT OF RULES OF THE HOUSE OF REPRESENTATIVES. AS RECOMMENDED BY THE "COMMITTEE UPON COMMITTEES.

DUTIES OF THE SPEAKER.

TAKING THE CHAIR.

1. He shall take the chair at the hour to which the House shall have been adjourned, and immediately call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read, which may then be corrected by the House.

ORDER AND DECORUM.

2. He shall preserve order and decorum, and in debate, shall prevent personal reflections, and confine members to the question under discussion. When two or more members rise at the same time, he shall name the one entitled to the floor.

QUESTIONS OF ORDER—QUESTIONS OF ORDER TO BE REPORTED.

3. He shall decide all questions of order. An appeal from his decision shall be made by two members, or the Speaker may, in the first instance, submit the question to the House. All questions of order involving the determination of constitutional law, shall be submitted to the House on the request of five members. On questions of order, there shall be no debate, except on an appeal from the decision of the Speaker, or on reference of a question by him to the House, when no member shall speak more than once, unless by leave of the House. All decisions upon the questions of order shall be noted by the clerk, and placed at the end of the Journal of each session, with reference to the decisions as stated in the Journal.

4. While the Speaker is putting the question, or addressing the House, none shall walk out of or across the House; nor in such case, or when a member is speaking, shall entertain private discourse; nor while a member is speaking, shall pass between him and the Chair.

APPOINTMENT OF SELECT AND CONFERENCE COMMITTEES. BEHAVIOR OF MEMBERS.

5. The Speaker shall appoint the members of select and conference committees unless otherwise ordered by the House.

SIGNATURE OF SPEAKER.

6. All acts, addresses, and joint resolutions shall be signed by the Speaker in the presence of the House, after their titles have been publicly read immediately before signing, and the fact of signing shall be entered upon the Journal; and writs, warrants, and subpoenas, issued by the House, shall be signed by him, and atttested by the Clerk.

CARE OF THE HALL—SUBSTITUTION.

7. He shall have a general direction of the hall. He may name a member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker pro tempore during such leave, which shall not exceed ten days.

ORDER OF BUSINESS.

8. After the reading of the Journal each day, the order of business shall be as follows:

First. Report by the Speaker of his reference to committees of bills, letters, petitions, memorials, remonstrances, and accompanying documents.

REPORTS OF COMMITTEES.

Second. Reports of standing and select committees may be made. (List is here called over.)

Third. Leave of absence may be asked.

Fourth. Resolutions.

Fifth. After the foregoing orders have been finished the following shall be the orders of the day:

For Mondays.—First—motions to recommit may be made.
Second—unfinished business (other than bills), may be considered.
Third—Bills on first reading.
For Tuesdays—Bills on third reading and final passage.
For Wednesdays.—Bills on second reading.
For Thursdays.—Bills on second reading.
For Fridays.—First—Motions to recommit may be made.
Second—Unfinished business (other than bills), may be considered.
Third—Bills on first reading.

When the regular orders prescribed for any day shall be gone through, the following shall be the order of business:

First.—Bills on third reading and final passage.
Second.—Bills on second reading.
Third.—Bills on first reading.

MANNER OF PRESENTING PETITIONS.

9. Letters, petitions, memorials and accompanying documents shall be filed with the Chief Clerk to be by him handed to the Speaker for reference to appropriate committees. A member filing such petition or other papers shall endorse thereon the general purport thereof, and his name and the district he represents, and upon the reference thereof, the Speaker shall announce said name and title, which shall be entered upon the Journal.

INTRODUCTION OF BILLS.

10. Bills shall be introduced by filing with the Chief Clerk, to be by him handed to the Speaker for reference to appropriate committees and report at the session following the day of presentation.

OF BUSINESS AND DEBBATES. MOTIONS, ETC.

11. No member shall be permitted to make a motion, or address the Speaker, unless such member be at his own desk.

MANNER OF ADDRESSING THE HOUSE.

12. When a member is about to speak in debate, or to communicate any matter to the House, he shall rise, and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House, and avoiding personal reflections.

TRANSGRESSION OF THE RULES OF THE HOUSE.

13. If any member in debate transgress the rules of the House, the Speaker shall, or any member may through the Speaker, call him to order; the member so called to order shall immediately sit down, unless pemitted by the House to explain; the House shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decison of the Speaker shall be submitted to, and if the case require it, the member so called to order shall be liable to the censure of the House.

ORDER OF SPEAKING.

14. No member shall speak more than twice on the same subject, without leave of the House.

NOT TO BE INTERRUPTED—NOR NAMED.

15. No member, when speaking, shall be interrupted, except by a call to order by the Speaker, or by a member through the Speaker, or by a member to explain, or by a motion for the previous question; nor shall any member be referred to by name in debate, unless for transgression of the rules of the House, and then by the Speaker only.

MOTIONS.

FORM OF PUTTING QUESTIONS.

16. All motions made and seconded shall be repeated by the Speaker, who shall put the question, distinctly, in the following form, viz:
"As many as are of the opinion (as the question may be), say Aye."
And after the affirmation is expressed, "As many as are of the contrary opinion say "No."

DIVISION OF THE HOUSE.

But the Speaker, or any member, may call for a division of the House, when the Speaker shall again put the question distinctly and in the following manner, viz:
"As many as are in the affirmatve will rise;" and when he has announced the number in the affirmative, he shall put the opposite side of the question: "As many as are in the negative will rise."

MOTIONS IN WRITING.

17. If the Speaker, or any two members require it, all motions and amendements shall be written in ink.

MAY BE WITHDRAWN.

Such motions or amendments may be withdrawn by the mover and seconder before amendment or decisions, and if withdrawn, the proceedings had thereon shall be expunged from the Journal.

DIVISION OF QUESTION—MOTION TO STRIKE OUT AND INSERT INDIVISIBLE.

18. Any member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment, nor a motion to strike out and insert.

OF SUBSTITUTE.

No motion can be received to postpone for the purpose of introducing a substitute.

PRIVILEGED QUESTIONS.

MOTIONS AND PRIVILEGED QUESTIONS.

19. No business regularly before the House shall be interrupted, except by motion—
For adjournment;
For the previous question, namely, "Shall main question be now put?"
For postponement;
For commitment; or
For amendment.

ADJOURNMENT.

20. A motion for adjournment shall always be in order, and shall be decided without debate, except that it cannot be received when the House is voting on another question, nor while a member is addressing the House.

PREVIOUS QUESTION.

21. The previous question shall not be moved by less than twenty members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment, but the vote shall be taken without debate, on the amendments in their order, and then on the amendments in their order, and then on the main question.

POSTPONEMENT—COMMITMENT—AMENDMENT.

22. A motion for postponement shall preclude commitment. A motion for commitment shall preclude amendment or decision on the original subject.

MOTIONS TO RECONSIDER.

23. A motion for reconsideration shall be permitted, when made and seconded by members who were in the majority on the original question, and within five days in which the House is in session after the decision, excepting when a bill or resolution shall have been recalled from the Governor, in which case a motion to reconsider shall be entertained though more than five days shall have elapsed. When a motion to reconsider is lost, it shall not be again renewed on the same question.

FILLING BLANKS.

24. When a blank is to be filled, the question shall be first taken on the largest sum, greatest number and remotest day.

COMMITTEES.

25. Committees may be of four kinds, viz:
Committees of the whole house.
Standing committees.
Select committees.
Conference committees.

COMMITTEE OF THE WHOLE.

MANNER OF PROCEEDING IN COMMITTEE OF THE WHOLE.

26. The rules and proceedings observed in the House shall be observed as far as they are practicable, in Committee of the Whole, except that a member may speak oftener than twice on the subject, nor can a motion for the previous question be made therein.

SPEAKER TO APPOINT CHAIRMAN.

27. When the House resolves into a Committee of the Whole the Speaker shall appoint a chairman.

AMENDMENTS MADE THEREIN, NOT TO BE READ IN THE HOUSE.

28. Amendments made in Committee of the Whole shall not be read when the Speaker resumes the chair, unless required by one or more of the members.

PAPERS MAY BE CALLED FOR.

29. When in Committee of the Whole any papers laid on the table of the House, may be called for by a member, and read by the clerk, unless the committee otherwise order.

COMMITTEES, SESSIONS OF.

30. No committee shall sit during the sitting of the House without leave.

STANDING COMMITTEES.

31. The following standing committees: A Committee on Accounts, A Committee on Agriculture, A Committee on Appropriations, A Committee on Banks and Banking, A Committee on Bureau of Statistics, A Committee on Centennial Affairs, A Committee to Compare Bills, A Committee on Congressional Apportionment, A Committee on Constitutional Reform, A Committee on Corporations, A Committee on Counties and Townships, A Committee on Education, A Committee on Elections, A Committee on Electric Railways, A Committee on Federal Relations, A Committee on Fisheries, A Committee on Forestry, A Committee on Game, A Committee on Geological Survey, A Committee on Insurance, A Committee on Iron and Coal, A Committee on Judicial Apportionment, A Committee on Judiciary (General), A Commitee on Judiciary (Local), A Committee on Judiciary (Special), A Committee on Labor and Industry, A Committee on Law and Order, A Committee on Legislative Apportionment, A Committee on Library, A Committee on Manufactures, A Committee on Military, A Committee on Mines and Mining, A Committee on Municipal Corporations, A Committee on Pensions and Gratuities, A Committee on Printing, A Committee on Public Buildings, A Committee on Public Health and Sanitation, A Committee on Public Roads, A Committee on Railroads, A Committee on Retrenchment and Reform, A Committee on Ways and Means, shall be elected by the House at the commencement of each session in the following manner.

The representation of each party or association on each committee shall be in the proportion which its membership bears to the total membership of the House. The said membership may be selected by each party or association in such manner as it may by its rules determine, said selection to be approved by the House. Each committee shall organize by electing its own officers. The Speaker shall immediately after his election announce the proportional representation to which each party or association is entitled on the various committees, and each member shall notify the Speaker of the party or association in which he desires to be counted for the purpose of determining such representation.

The several committees shall consist of twenty-five members, except the Committee on Appropriations which shall consist of forty members; and the Committees on Public Roads, Public Health and Sanitation and Electric Railways, which shall each consist of thirty-five members.

The method of election of standing committees provided for in this rule shall not apply during the session of 1913.

BILLS.

INTRODUCTION BY COMMITTEE—PRINTING.

32. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members.

READING BILLS—NOT TWICE ON THE SAME DAY—PRINTING OF AMENDMENTS—YEAS AND NAYS ON.

33. Every bill shall be read at length on three different days; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill; and no bill shall become a law unless, on its final passage, the vote be taken by yeas and nays. The names of the persons voting for and against the same shall be entered on the Jounal and a majority of the members elected be recorded thereon as voting in its favor.

WHEN BILLS NOT TO BE REPORTED.

34. No committee either standing or select shall report any bill for the action of the House, the passage of which is prohibited by the Constitution of the State, as follows, viz:

PROHIBITED LEGISLATION.

Article III, Section 7. The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens; regulating the affairs of counties, cities, townships, wards, borough or school districts; changing the names of persons or places; changing the venue in civil or criminal cases; authorizing the laying out, opening, altering or maintaining roads, highways, streets, or alleys; relative to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams, which form boundaries between this and any other state; vacating roads, town plats, streets, or alleys; relating to cemeteries, grave yards or public grounds, not of the State; authorizing the adoption or legitimation of children; locating or changing county seats; erecting new counties or changing county lines; incorporating cities, towns or villages, or changing their charters; for the opening and conducting of elections or fixing, or changing the place of voting; granting divorces; erecting new townships or boroughs; changing township lines; borough limits or school districts; creating offices or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts; changing the law of descent or succession; regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chancery, or other tribunals, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate; regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables; regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes; fixing the rate of interest; affecting the estates of minors or persons under disability, except after due notice to all parties in interest; to be recited in the special enactment; remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury; exempting property from taxation; regulating labor, trade, mining or manufacturing; creating corporations, or amending, renewing, or extending the charters thereof; granting to any corporation, association, or individual, any special or exclusive privilege or immunity or to any corporation, association, or individual, the right to lay down a railroad track, nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed; nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law, nor where the courts have jurisdiction to grant the same or give the relief asked for.

ACTION ON BILLS.

35. All bills and joint resolutions reported affirmately shall be placed on the files and calendars in their order, and placed upon the desks of the members by sergeant-at-arms.

FIRST READING.

When bills on first reading are in order, the Speaker shall take up the calendar and announce each bill in numerical order, when they shall be severally read at length and agreed to without amendment or debate, and journalized accordingly.

SECOND READING.

When bills on second reading are in order, the Speaker shall take up the calendar, and having announced each bill in its order, it shall be considered in the committee of the whole House; when the bill is reported back to the House the question shall be put, "Will the House agree to the report of the committee of the whole?" and, if agreed to, any amendments made by the committee of the whole shall become a part of the bill. The House shall then immediately proceed to the second reading of the bill: Provided, That when a bill has been read at length in committee of the whole House, it shall be considered one of the readings required by the constitution, and the bill shall not be again read at length on second reading, but the question shall be "Will the House agree to the bill?" which shall be subject to amendment in any part. No bill shall be considered in committee of the whole House unless called up by a member, and if not called up for two successive weeks it shall be dropped from the calendar unless otherwise ordered by the House.

THIRD READING.

When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order by its number and title, when it shall be read at length, and having been agreed to, the Speaker shall announce as follows:

"This bill has been read three times at length, and agreed to, upon three different days. The question is now, Shall the bill pass?" When, agreeably to the provisions of the Constitution, the yeas and nays shall be taken. Bills on final passage and third reading shall be placed upon the calendar in the order in which they were agreed to on second reading.

The resident clerk shall prepare all calendars of bills on first, second, and third reading for consideration, in their order.

CALL FOR BILL OR OTHER SUBJECT.

36. On the call of a member for bill or other subject, on the table of the House, the question shall be decided without debate or amendment.

NEGATIVE BILLS.

37. The recommendation by a committee that a bill be negatived shall not affect its consideration by the House, but the words "Negative recommendation" shall be printed conspicuously on a line above the title of the bill, but such bill shall not be placed upon the calendar except by a vote of sixty members; but if such motion be negatived once it shall not be renewed.

BILLS NOT TO BE AMENDED BY ADDING IRRELEVANT MATTER.

38. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House, nor shall a motion or proposition be entertained under color of such an amendment; nor shall any bill or resolution be amended by substituting therefor, under a motion to strike out, or otherwise, any other bill or resolution, on a subject different from that under consideration, without the unanimous consent of the House.

PERSONS PRIVILEGED.

PERSONS PERMITTED TO COME WITHIN THE BAR—SERGEANT-AT-ARMS OR DOORKEEPER TO GIVE NOTICE.

39. None but members of the Senate, their officers, the Governor and heads of State Departments, judges of the courts of this Commonwealth, former members of the Legislature when introduced by a member of the present House, and others who may be specially introduced by a member, by permission of the Speaker, shall be permitted to come upon the floor of the House during its session; and no person, not a member of the Legislature, shall be permitted to come upon the floor of the House, or sit in any seats appropriated for the members, or interrupt a member by speaking to him in his seat, while the House is in session; and it shall be the duty of the sergeant-at-arms or doorkeeper to give notice to any person offending against this rule.

NO SMOKING ALLOWED—ENTERING TRANSCRIBING CLERKS' ROOM PROHIBITED.

40. It is not permitted to any person to smoke tobacco at any time within the chamber of the House.

41. No person or persons shall, at any time, be permitted to enter the room of the transcribing clerks, except the members and officers of the General Assembly, and it shall be the duty of the sergeant-at-arms and doorkeeper to see that the foregoing rules are observed.

OATH OF OFFICERS.

OATH ADMINISTERED TO OFFICERS.

42. The Speaker of the House shall administer to the officers of the House an oath or affirmation that they will severally support the Constitution of Pennsylvania and of the United States, and that they will also discharge the duties of their respective offices with fidelity; and that they will not knowingly demand or receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to their office, other than the compensation allowed by law.

RULES.

ALTERATION OF RULES.

43. Any rule of the House may be suspended at any time, for a specific purpose, by a majority vote; after the accomplishment of which purpose the rule shall remain in force as before.

Any motion to alter or amend the rules permanently shall lie over one day and shall be adopted by a majority vote.

The rules shall be published in Smull's Legislative Hand Book, a copy of which shall be delivered to each member at the commencement of each session.

MISCELLANEOUS.

REPORTS TO BE IN WRITING.

44. All reports of committees shall be in writing: Provided, That the minority of a committee may make report in writing, setting forth the reasons of their dissent.

COMMUNICATIONS FROM THE SENATE.

45. Communications from the Senate to the House shall be read and information shall be given to the Senate whenever any proposition coming from that body shall be concurred in.

ORDER OF CALLING THE ROLL.

46. When the names of the members shall be called, it shall be done in alphabetical order, except, "Mr. Speaker," who shall be called last.

YEAS AND NAYS—REASON FOR VOTES.

47. The yeas and nays of the members of any question shall, at the desire of any two of them, be entered on the Journals, and the members shall have the right to insert the reasons of their votes on the Journals.

ABSENCE.

48. No member shall absent himself without obtaining leave of the House.

VOTING.

49. No member shall be permitted to vote on any question unless he be within the bar, and when the yeas and nays are called he be present to answer to his name.

CHANGING OF VOTES.

50. On the call of the yeas and nays the clerk shall read the names of the members; after they have been called no member shall be permitted to change his vote, unless he at that time declares that he voted under a mistake of the question.

SENATE AMENDMENTS.

51. When amendments made by the Senate to bills are on second reading, it shall be the duty of the Speaker, without a motion, to put the question. "Will the House concur in the amendment (or amendments) made by the Senate?" and the vote be immediately taken: Provided, The members of the House shall first have been furnished with printed copies of the bill so amended, unless a motion to postpone or refer shall be made.

WHEN LESS THAN A QUORUM VOTE, BAR OF THE HOUSE TO BE CLOSED.

52. When less than a quorum vote on any subject under the consideration of the House, it shall be the duty of the Speaker forthwith to order the bar of the House to be closed, and that the roll of members be called by the clerk, and if it is ascertained that a quorum is present, either by answering to their names or by their presence in the House, the yeas and nays shall again be ordered by the Speaker, and if any member present refuses to vote, such refusal shall be deemed a contempt; and, unless purged, the Speaker shall order the sergeant-at-arms to remove said member or members without the bar of the House, and all privilege of membership shall be refused the person or persons so offending, until the contempt be duly purged.

BILLS RETURNED BY THE GOVERNOR VETOED.

53. All veto messages, upon being announced by the Speaker, shall be read and reconsideration of the bill proceeded with.

SESSIONS ON MONDAYS AND FRIDAYS.

54. The House will convene on Mondays at 8 o'clock P. M. and adjourn at 10 o'clock P. M., and on Fridays will convene at 9 o'clock A. M. and adjourn at 11 o'clock A. M.

PEDDLING WITHIN THE BAR OF THE HOUSE PROHIBITED.

55. No person shall be permitted to hawk, peddle or offer for sale any apples, candies, nuts, or other articles of traffic at any time within the hall of the House; and it shall be the duty of the sergeant-at arms and the doorkeeper to strictly enforce this rule.

MEMBERS NOT PERMITTED TO RECORD VOTES IN CERTAIN CASES.

56. No member shall be permitted to record his vote who neglects to vote when his name is first called by the clerk.

WHEN COMMITTEES MAY BE DISCHARGED FROM CONSIDERATION OF A BILL.

57. That after a bill has been ten days in the hands of a committee, after having been referred to it, a vote of sixty members shall be sufficient to discharge the committee from the further consideration of the same.

LOUNGING PROHIBITED IN THE HALL.

58. That it shall be the duty of the sergeant-at-arms, doorkeeper, and their assistants to prevent all persons not connected with the Legislature or the departments, or introduced by a member, from assembling in the halls at any time when the body is not in session, for the purpose of lounging, loafing or gossiping. For the purpose of enforcing this rule at least two of said officers shall be in attendance at all times, and the persistent neglect or disregard of this rule shall be cause of dismissal by the Speaker.

REPORTS OF CONFERENCE COMMITTEES.

59. Reports of Conference Committees shall be presented, printed, and placed upon the files of amended bills before the same shall be considered.

APPROPRIATIONS.

60. No bills appropriating money for charitable or benevolent purposes will be considered further than second reading until after the general appropriation bill shall have been reported from committee.

BILLS INTRODUCED SHALL BE ACCOMPANIED BY COPIES THEREOF.

61. That every bill introduced shall be accompanied by two copies thereof, certified by the member presenting the same to be true and correct copies of the original, one of which copies shall be filed with the resident clerk for the use of the members of the press and one for the use of the printer.

DUTIES OF COMMITTEE TO COMPARE BILLS.

62. That every transcribed bill shall be reported to the House by the chairman of the Committee to Compare Bills, or a member thereof, upon a call of the standing committees, and that every such reported bill shall have endorsed thereon a certificate signed by the clerk of said committee that the same is a true and correct copy of the bill as the same shall have passed the House.

COMMITTEE ON RULES.

63. A committee of six shall be elected by the House, which, together with the Speaker ex-officio, shall constitute a Committee on Rules, and shall report to the House from time to time, rules for the government thereof, and amendments to such rules; said committee shall be privileged to report at any time, and said report shall be adopted by a majority vote.

NEWSPAPER CORRESPONDENTS.

64. (a) Any person accorded the privilege of a newspaper correspondent must be the telegraphic correspondent of a daily newspaper, who is not engaged in any department of the State government, or in any other business, or must be the official reporter for a Harrisburg daily newspaper; and no more than one representative of each newspaper shall be accorded this privilege.

(b) All applications for admission to the press gallery must be made to the Speaker of the House of Representatives. Such application shall state the name of the newspaper, its location, times of publication, and be signed by the applicant.

(c) The Speaker shall verify the statements made in such application, and if the application is approved by him, he shall issue a correspondent's card, signed by him and by the President of the Legislative Correspondents' Association.

(d) The correspondents shall not visit the members in their seats during the sessions of the House and shall abide by such rules and regulations, as may be adopted by the Rules Committee of the House of Representatives.

(e) The card issued by the Speaker of the House must be presented when required by any sergeant-at-arms, or doorkeeper of the House. It shall not be transferable. The transfer or loan of such card to any one shall be followed by its cancellation and the withdrawal of all its privileges from the correspondent so offending.

(f) The gallery alloted to newspaper correspondents shall be for their exclusive use and persons not holding correspondents' cards shall not be entitled to admission thereto.

VERIFICATION OF THE ROLL.

65. After the completion of a roll call, any member of the House may demand a verification of the roll, by the clerk, and if the vote or votes of members recorded as voting shall be challenged, in writing, by any member, and the votes so challenged would change the result, the announcement of the vote shall be postponed until the Speaker shall have investigated the allegations made, when the roll call shall be corrected, if necessary, and the true result shall be announced by the Speaker.

RESOLUTIONS.

66. All resolutions after they have been read twice shall be printed and lie over for one day, after which they may be called up under their appropriate order of business.

This rule shall not apply to the following resolutions, viz:
Recalling bills from the Governor.
Recalling bills from one House to the other.
Requesting information from Heads of Departments.
Those emanating from the Committee on Rules.
Those relating to adjournment.
Those discharging committees.
Those placing negatived bills upon the calendar.

GENERAL CALENDAR.

67. All bills, as soon as introduced, shall be printed for the use of Members, and shall be numbered consecutively. At the beginning of each day's session a calendar of bills shall be placed upon the desk of the Speaker, of each Member and of each clerk. The calendar shall show for each bill the number, title, name of Member introducing same, the date of introduction and the date of final disposition. Each calendar shall show all bills introduced during the preceding day's session, and the present status or final disposition of all bills.

Respectfully submitted by the "Committee upon Committees."

SAMUEL B. SCOTT,
Chairman.

On the question,
Will the House agree to adoption of the report as read?
It was agreed to .

REPORT OF COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker as the second section of this report, and in pursuance of the instructions of the House, I present a list of committee assignments and the Chairmen thereof, and in doing so, Mr. Speaker, I only want to say that I wish from the bottom of my heart that I had been able, or that the Committee had been able, in a greater degree than we were to meet the desires of every member of the House. It was only where two members both wanted the same thing that we failed to do this.

The SPEAKER: The report will be read by the Clerk.

The report was read as follows:

Harrisburg, Pa., January 20, 1913.

To the Honorable, The Members of the House of Representatives:

Your Committee upon Committees, in pursuance of your instructions in resolution adopted Tuesday, January 7, 1913, respectfully reports the names of the members of the Standing Committees of the House, together with the Chairman thereof:

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA: SESSION OF 1913.

ACCOUNTS.

Messrs. Bleloch, Chairman,
Perry, S. J.,
Neel,
Irwin, G. C.,
Light,
Letzkus,
Brosius,
Claycomb,
Ewing,
Gray, Frank,
Gramley,
Latshaw,
Lenker,
Speiser,
Shaffer, I. E.,
Rex,
Wiltbank,
Kuhn, H. P.,
Becker,
Burnett,
Caldwell,
Donally,
Gray, Joseph,
Savacool,
Wilson, J. H.,

AGRICULTURE.

Messrs. Hibshman, Chairman,
Jackson,
Hobb,
Gibson,
Kuhn, H. P.,
Light,
Neel,
Peachey,
Latshaw,
Williams,
Irwin, H. H.,
Ulerich,
Cheeseman,
Stone,
Lohr,
DeFrees,
Bittles,
Martin, J. B.,
Body,
Rothenberger,
Snavely,
Trach,
Wilson, J. H.,
Goss,
Grabe.

APPROPRIATIONS.

Messrs. North, Chairman,
Ambler,
Allen,
Ehrhardt,
Curry,
Cox,
Geary,
Neel,
Williams,
Moulthrop,
Hess,
Reese,
Frey,
Gans,
Bleloch,
Conner,
Richards,
Campbell, C. M. C.,
Steedle,
Snyder, P. W.,
Baldwin, R. J.,
Whitman,
Cleary,
Walton,
Moses,
Howard, Josiah,
Pennegar,
Kaiser,
Blair, W. F.,
Benson,
Campbell, J. J.,
Donnally,
Flynn,
Kern,
Mannion,
Matt,
Sassaman,
Shaffer, C. A.,
Snavely.

BANKS AND BANKING.

Messrs. Howard, Josiah, Chairman,
Hoffman,
Rhoads,
Moulthrop,
Irwin, H. H.,
Conrade,
Moore,
Richards,
Geary,
Reese,
Whitaker,
Redfield,
Semmens,
Burnett,
Mellott,
Savacool,
Ulerich,
Williams,
Baldwin, G. A.,
McAleer,
Swift,
Smith, J. W.,
Ulman,
Zimmerman,
Geiser.

BUREAU OF STATISTICS.

Messrs. Baldwin, G. H., Chairman,
Gans,
Bass,
Hoffman,
Dickinson,
Swartz,
Ely,
Gramley,
Kenna,
Kuhn, H. P.,
Mather,
Smith, Lorenzo,
McClintock,
McKay,
Mechling,
Whitaker,
Pennock,
Young, G. K.,
Spillinger,
Barner,
Blair, W. F.,
Body,
Howard, R.,
Klepper,
Ulman.

CENTENNIAL AFFAIRS.

Messrs. Allen, Chairman,
Scott, J. R. K.,
Reeser,
Cleary,
Watson,
Adams,
Shern,
Richards,
Bleloch,
Missimer,
O'Neil,
Peachey,
Pennegar,
Kaiser,
Wettach,
Lowers,
Mechling,
Davis,
Leslie,
Burnett,
Keegan,
Kern,
Post,
Shaffer, C. A.,
Zimmerman.

COMPARE BILLS.

Messrs. Whitman, Chairman,
Gray, Frank,
Walsh,
Ulerich,
Conner,
DeFrees,
Keeport,
Smith, Lorenzo,
Leslie,
Mather,
Howard, Josiah,
Runk,
Steele,
Hemminger,
Heidinger,
Walton,
Heyburn,
Kennedy,
Kaufman,
Benninger,
Kern,
Metzenbacher,
Sassaman,
Goss,
Grabe.

CONGRESSIONAL APPORTIONMENT.

Messrs. McNichol, Chairman,
Williams,
Jones, J. R.,
Wilson, W. H.,
Scott, S. B.,
Ambler,
Scott, J. R. K.,
Walnut,
Walton,
Schuck,
Hemminger,
Thomas,
Morrow,
Kaiser,
Isler,
Forster,
Pennock,
Berntheizel,
Body,
Burnett,
Humes,
Matt,
Newbaker,
Strauss,
Geiser.

CONSTITUTIONAL REFORM.

Messrs. Stein, Chairman,
Baldwin, R. J.,
Snyder, P. W.,
Scott, S. B.,
Gray, F.,
Hobbs,
Watson,
Swartz,
Wilson, W. H.,
Hess,
Schuck,
Hibshman,
Bigger,
Brownlee,
Young, J. H.,
Dunn, J. A.,
Irwin, H. H.,
Wettach,
Haggerty,
Bergey,
Donnally,
Gray, Joseph,
McDermott,
Strauss,
Glenn.

CORPORATIONS.

Messrs. Gransbach, Chairman.
Richards,
Ehrhardt,
Riebel,
Sherwood,
Piper,
Semmens,
Alworth,
Brownlee,
Heidinger,
Wiltbank,
Miller,
Redfield,
Robinson,
Stone,
Lowers,
Mitchell,
Pennegar,
Kenna,
Brown,
Donahoe,
Gray, Joseph,
Kitts,
Wilson, J. H.,
Geiser.

COUNTIES AND TOWNSHIPS.

Messrs. Dunn, H. B., Chairman,
Snyder, P. W.,
Ambler,
Bayle,
Gramley,
Gibson,
Haggerty,
Adams,
Wildman,
Berntheisel,
Alworth,
Newton,
Reese,
Ramsey,
Malie,
Reeser,
Steedle,
Bittles,
Becker,
Benninger,
Donally,
Kuhns, E. G. M.,
Musser,
Peters,
Grabe.

EDUCATION.

Messrs. Campbell, C. M. C., Chr.,
Jones, J. R.,
Walnut,
Geary,
Stein,
Ulerich,
Blair, W A.,
Cheeseman,
Martin,
Swartz,
Hackett,
Redfield,
McKay,
Keeport,
Jackson,
Peachey,
Swift,
Heyburn,
Heerman,
Murphy,
Musser,
Post,
Savacool,
Trach,
Glenn.

ELECTIONS.

Messrs. Walnut, Chairman,
Scott, S. B.,
Williams,
McArdle,
Scott, J. R. K.,
Gransback,
Cox,
Walton,
Jones, J. R.,
Dunn, H. B.,
Conner,
Baldwin, G. A.,
Lohr,
Spangler,
McClintock,
Neely,
Rhoads,
Irwin, G. C.,
Barner,
Carson,
Benson,
Flynn,
Humes,
Newbaker,
Good.

ELECTRIC RAILWAYS.

Messrs. Riebel, Chairman,
Rhoads,
Curry,
McArdle,
Letzkus,
Haggerty,
Bass,
Perry, S. J.,
McNichol,
McAllister,
Irwin, H. H.,
Wiltbank,
Kenna,
Schaeffer, A. C.,
Carter,
Wildman,
Alworth,
Thomas,
Ewing,
Claycomb,
Missimer,
McKay,
Steedle,
Hess,
Sherwood,
Kaufman,
Brown,
Conniff,
Foster,
Kitts,
Rothenberger,
Smith, J. W.,
Ulman,
Zimmerman,
Goss.

FEDERAL RELATIONS.

Messrs. Gray, Frank, Chairman.
Ulerich,
Geary,
McNichol,
Bass,
Moore,
Forster,
Dickinson,
Down,
McCaig,
Kaufman,
Morrow,
DeFrees,
Smith, L.,
Steele,
Thomas,
Rex,
Heidinger,
Blair, W. F.,
Burnett,
Kern,
Kitts,
Klepper,
Murphy,
Price.

FISHERIES.

Messrs. Light, Chairman,
Rockwell,
Hobbs,
Jones, E. E.,
Gibson,
Young, J. H.,
Swartz,
Frey,
Lenker,
Hackett,
Lohr,
Brownlee,
Heyburn,
DeFrees,
Gramley,
Mechling,
Redfield,
Mather,
Donahoe,
Herman,
Peters,
Post,
Price,
Grabe,
Foster.

FORESTRY.

Messrs. Williams, Chairman,
Moulthrop,
Whitman,
Hoffman,
Gibson,
Light,
Brosius,
Lohr,
McClintock,
Peachey,
Redfield,
Dickinson,
Shaffer, I. E.,
DeFrees,
Newton,
Semmens,
Reeser,
Mechling,
Caldwell,
Collins,
Perry, H. L.,
Peters,
Price,
Wilson, J. H.,
Zimmerman.

GAME.

Messrs. Currier, Chairman,
Runk,
Kennedy,
Schaeffer, A. C.,
Mechling,
Lohr,
Mather,
Morrow,
Martin,
Steele,
Gramley,
Robinson,
Showalter,
Cheeseman,
Brosius,
Lowers,
Jackson,
Wildman,
Collins,
Herman,
Peters,
Price,
Smith, J. W.,
Wilson, J. H.,
Goss.

GEOLOGICAL SURVEY.

Messrs. McAleer, Chairman,
Light,
Shern,
Hibshman,
Jones, E. E.,
Ehrhardt,
Ulerich,
Stein,
Conner, Patrick,
Letzkus,
Showalter,
Campbell, C. M. C.,
Bleloch,
Carter,
Irwin, H. H.,
Morrow,
Kenna,
O'Neil,
Barner,
Body,
Benninger,
Gray, J.,
McDermott,
Perry, H. L.,
Rothenberger.

INSURANCE.

Messrs. Perry, S. J., Chairman,
Fahey,
Hibshman,
Baldwin, R. J.,
Rockwell,
Conrade,
Moore,
Walsh,
Frey,
Alworth,
Keeport,
Semmens,
Newton,
Wildman,
Miller,
Bayle,
Sherwood,
Blair, W. A.,
Carson.
Collins,
Kern,
Savacool,
Smith, J. W.,
Ulman,
Geiser.

IRON AND COAL.

Messrs. Moses, Chairman,
Curry,
Whitman,
North,
Geary,
Irwin, G. C.,
Moore,
Piper,
Isler,
Lenker,
Young, G. K.,
Ely,
Latshaw,
Arthur,
Claycomb,
Schaeffer, A. C.,
Davis,
Reeser,
Becker,
Carson,
Campbell, J. J.,
Cochran,
Conniff,
Howard, R.,
Good.

JUDICIAL APPORTIONMENT.

Messrs. Haggerty, Chairman,
Gans,
Bass,
Campbell, C. M. C.,
Dunn, H. B.,
Dunn, J. A.,
Eichenberger,
Walsh,
Newton,
Speiser,
Mitchell,
Adams,
Arthur,
Bayle,
Spangler,
Berntheizel,
Bittles,
Kaufman,
Benson,
Flynn,
Matt,
Mellott,
Shaffer, C. A.,
Glenn.
Grabe.

JUDICIARY GENERAL.

Messrs. Rockwell, Chairman,
Scott, S. B.,
Scott, J. R. K.,
Shern,
Frey,
Walnut,
Watson,
Claycomb,

Wilson, W. H.,
Light,
Jones, J. R.,
Stein,
Baldwin, G. A.,
Forster,
Miller,
Bayle,
Roney,
Dunn, H. B.,
Gray, Joseph,
Humes,
Kitts,
Strauss,
Geser,
Glenn,
Conniff.

JUDICIARY LOCAL.

Messrs. Gibson, Chairman,
Cox,
McArdle,
Arthur,
Young, G. K.,
Davis,
Walnut,
Swartz,
Moses,
Moore,
Cleary,
Eichenberger,
Dunn, J. A.,
Down,
Blair, W. A.,
Leslie,
McCaig,
Ehrhardt,
Campbell, J. J.,
Keegan,
Cochran,
Lanius,
Musser,
Sassaman,
Glenn.

JUDICIARY SPECIAL.

Messrs. Scott, J. R. K., Chairman,
McNichol,
Bass,
Speiser,
Bleloch,
Spangler,
Mitchell,
Neely,
Rex,
Alworth,
Heidinger,
Berntheizel,
Bigger,
Brosius,
Brownlee,
Whitaker,
Showalter,
Stone,
Caldwell,
Conniff,
Klepper,
Kuhns, E. G. M.,
Lanius,
Perry, H. L.,
Strauss.

LABOR AND INDUSTRY.

Messrs. Male, Chairman,
Fahey,
Howard, J.,
Letzkus,
Conrade,
Arthur,
Bigger,
Isler,
Walnut,
Young, J. H.,
Martin,
McClintock,
Piper,
Dunn, J. A.,
McAllister,
Mitchell,
Lenker,
Morrow,
Becker,
Campbell, J. J.,
Foster,
Kitts,
Lanius,
Murphy,
Smith, J. W.

LAW AND ORDER.

Messrs. Moulthrop, Chairman,
Rockwell,
Irwin, G. C.,
Letzkus,
Malie,
Riebel,
Stein,
Fahey,
Gans,
Baldwin, G. A.,
Campbell, C. M. C.,
Moses,
Whitman,
Hackett,
McAllister,
Missimer,
Brownlee,
Swift,
Flynn,
Howard, R.,
Matt,
Price,
Shaffer, C. A.,
Benson,
Newbaker.

LEGISLATIVE APPORTIONMENT.

Messrs. Frey, Chairman,
Allen,
Rhoads,
Moulthrop,
Rockwell,
Eichenberger,
Shern,
Roney,
Ambler,
McNichol,
Miller,
Keeport,
McAllister,
Reese,
Neely,
Missimer,
Gransback,
Wettach,
Bergey,
Flynn,
Howard, R.,
Kuhns, E. G. M.,
Metzenbacher,
Good,
Trach.

LIBRARY.

Messrs. Watson, Chairman,
Perry, S. J.,
Gransback,
Fahey,
Currier,
Young, J. H.,
Shern,
Swift,
Steele,
Kaiser,
Whitaker,
Forster,
Ewing,
Ely,
Ramsey,
McCaig,
Martin,
Showalter,
Benninger,
Donahoe,
Herman,
Perry,
Post,
Savacool,
Goss.

MANUFACTURES.

Messrs. Cox, Chairman,
Richards,
Jones, E. E.,
Letzkus,
Sherwood,
Conner,
Piper,
Dunn, J. A.,
Walnut,
Isler,
Semmens,
Young, G. K.,
Mitchell,
Spangler,
Dickinson,
Kaiser,
Robinson,
Peachey,
Blair, W. F.,
Becker,
Brown,
Conniff,
Keegan,
Snavely,
Post.

MILITARY.

Messrs. Whitaker, Chairman,
Eichenberger,
Curry,
Walton,
Carter,
McAleer,
Hemminger,
Adams,
Leslie,
Spillinger,
Berntheizel,
Kuhn, H. P.,
Bittles,
Pennegar,
Rex,
O'Neil,
Mitchell,
Kaufman,
Bergey,
Humes,
Lanius,
Mannion,
Musser,
Newbaker,
Goss.

MINES AND MINING.

Messrs. Davis, Chairman,
Curry,
Haggerty,
Lenker,
McKay,
Schaeffer, A. C.,
Shaffer, I. E.,
Young, G. K.,
Reeser,
Leslie,
Alworth,
Blair, W. A.,
Down,
Hemminger,
Reese,
Latshaw,
Jones, E. E.,
Neel,
Cochran,
Keegan,
Mannion,
McDermott,
Murphy,
Ulman,
Good.

MUNICIPAL CORPORATIONS.

Messrs. Scott, S. B., Chairman,
Wilson, W. H.,
Showalter,
Walton,
McNichol,
Walsh,
Hess,
Riebel,
McAleer,
Conrade,
Roney,
Speiser,
Neely,
Wettach,
Reese,
Isler,
Bigger,
Keeport,
Brown,
Bergey,
Campbell, J. J.,
Humes,
Kitts,
Klepper,
Sassaman.

PENSIONS AND GRATUITIES.

Messrs. Snyder, P. W., Chairman,
Hobbs,
Carter,
Currier,
Swift,
Kenna,
Heidinger,
McAllister,
Spillinger,
Forster,
Lowers,
Moses,
Hackett,
Cheeseman,
Down,
Dunn, J. A.,
Hemminger,
Stone,
Carson,
Mannion,
Matt,
Mellott,
Musser,
Rothenberger,
Zimmerman.

PRINTING.

Messrs. Schuck, Chairman,
Malie,
Cox,
Sherwood,
McArdle,
Baldwin, R. J.,
Gray, Frank,
Conner,
Shaffer, I. E.,
Heyburn,
Isler,
Mather,
McClintock,
McKay,
Piper,
Peachey,
Pennegar,
Robinson,
Bergey,
Cochran,
Foster,
Kuhns, E. G. M.,
Mellott,
Sassman,
Trach.

PUBLIC BUILDINGS.

Messrs. Rhoads, Chairman,
North,
Conrade,
Fahey,
Kennedy,
Jackson,
Semmens,
Steedle,
Pennoch,
Ramsey,
Stone,
Body,

Cheeseman,
Dunn, H. B.,
Spangler,
Latshaw,
Rex,
O'Neill,
Dunn, J. A.,
Carson,
Collins,
Klepper,
Metzenbacher,
Rothenberger,
Snavely.

PUBLIC HEALTH AND SANITATION.

Messrs. Richards, Chairman,
Fahey,
McNichol,
Gransbach,
Gans,
Wilson, W. H.,
Currier,
Dickinson,
Kaufman,
Neely,
O'Neill,
Swartz,
Roney,
Runk,
Steedle,
Davis,
Ely,
Thomas,
Malie,
Spangler,
Blair, W. A.,
Wettoch,
Wiltbank,
Ewing,
Steele,
Bayle,
Barner,
Caldwell,
Benninger,
Donahaoe,
Foster,
Howard, R.,
McDermott,
Newbaker,
Trach.

PUBLIC ROADS.

Messrs. Jones, E. E., Chairman,
Gibson,
Whitman,
Ambler,
Hibshman,
Hobbs,
Hoffman,
Currier,
Bittles,
Cleary,
Down,
Mechling,
Frey,
Newton,
Pennock,
Runk,
Schuck,
McCaig,
Jackson,
Young, J. H.,
Schaeffer, A. C.,
Kuhn,
Arthur,
Kennedy,
McAlister,
Barner,
Donahoe,
Donnally,
Herman,
Kuhns, E. G. M.,
McDermott,
Metzenbacher,
Ulman,
Good,
Smith, J. W.

RAILROADS.

Messrs. Ewing, Chairman,
Watson,
Irwin, G. C.,
Hoffman,
Jones, E. E.,
Carter,
North,
Schuck,
Reeser,
McCaig,
Young, G. K.,
Morrow,
Bigger,
Missimer,
Dickinson,
Robinson,
Ramsey,
Adams,
Dunn, H. B.,
Caldwell,
Keegan,
Mannion,
Smith, J. W.,
Ulman,
Donahoe.

RETRENCHMENT AND REFORM.

Messrs. Spangler, Chairman,
Riebel,
Sherwood,
Thomas,
Neel,
Spillinger,
Smith, Lorenzo,
Wiltbank,
Wildman,
Stone,
Speiser,
Shaffer, I. E.,
Robinson,
Ramsey,
Piper,
Perry, S. J.,
Miller,
Martin,
Bair, W. F.,
Brown,
Collins,
Lanius,
Murphy,
Perry, H. L.,
Savacool.

WAYS AND MEANS.

Messrs. Roney, Chairman,
Wilson, W. H.,
Shern,
Howard, Josiah,
Baldwin, R. J.,
Brosius,
Pennock,
Hackett,
Wettoch,
Kennedy,
Smith, Lorenzo,
Spillinger,
Kaiser,
Claycomb,
Ely,
Whitaker,
Walsh,
Lowers,
Burnett,
Benson,
Cochran,
Mellott,
Metzenbacher,
Peters,
Shaffer, C. A.

JOHN ROBERT JONES,
JOHN T. MATT,
FRANK H. ROCKWELL,
DANIEL J. SHERN,
W. H. WILSON,
CHAS. A. AMBLER,
GEORGE W. ALLEN,
EDWARD R. BENSON,
JOHN M. FLYNN,
A. S. MOULTHROP,
SAMUEL B. SCOTT,
Chairman, Committee upon Committees.

The SPEAKER. The question is on the adoption of the report of the Committee.

It was agreed to.

REPORT OF COMMITTEES.

Mr. S. B. SCOTT. In presenting the third and last section of my report, I desire to say that two positions for page have been left vacant. Otherwise, I will ask permission to submit the entire report, which is complete, and I now present that report to the House and move its adoption.

The SPEAKER. The report presented by the gentleman from Philadelphia, Mr. S. B. Scott, will be read by the Clerk.

Which was read as follows:

Harrisburg, Pa., Jan. 20, 1913.

To the Honorable the Members of the House of Representatives:

Your Committee upon Committees, in pursuance of your instructions embodied in resolution adopted Tuesday, January 7, 1913, respectfully submits to the House for its approval the following names as candidates for employees of the House:

CHIEF CLERK.

Berkey H. Boyd, Westmoreland County.

ASSISTANT CLERK.

Willard R. Black, Cumberland County.

RESIDENT CLERK.

William P. Young, Montgomery County.

JOURNAL CLERK.

Jacob S. Britton, Schuylkill County.

ASSISTANT JOURNAL CLERK.

James Connor, Philadelphia County.

READING CLERK.

David J. Davies, Allegheny County.

DESK CLERKS.

John W. Barratt, Clearfield County.

Frank Morrison, Philadelphia County.

MESSAGE CLERK.

Lewis D. Wildrick, Philadelphia County.

BILL BOOK CLERK.

Hugh Cassidy, Philadelphia County.

BILLS-IN-PLACE BOOK CLERK.

W. J. Thomas, Northumberland County.

PETITION BOOK CLERK.

John T. Dougherty, Philadelphia County.

TRANSCRIBING CLERKS.

Rudolph Fackler, Philadelphia County.
W. A. Kitchen, Lycoming County.
David Benninghoff, Montgomery County.
M. F. Shannon, Luzerne County.
Jesse J. Lybarger, Dauphin County.

SERGEANT-AT-ARMS.

Geo. Wills, Philadelphia County.

ASSISTANT SERGEANT AT-ARMS.

G. C. Graham, Erie County.
Newton Landon, Bradford County.
Thomas Ledden, Elk County.
John J. Marks, Bedford County.
Thomas Casey, Allegheny County.
Charles Ouram, Philadelphia County.
David Wolfe, York County.
Anthony Lewis, Luzerne County.
Harry F. Rhoads, Philadelphia County.
A. R. Allen, Allegheny County.

POSTMASTER.

W. H. Heath, Allegheny County.

ASSISTANT POSTMASTER.

John Doe, Lancaster County.

MESSENGER.

Wm. A. Grill, Dauphin County.

ASSISTANT MESSENGERS.

Harry Myers, Philadelphia County.
Alanson Crosby, Crawford County.
K. B. Rogers, Blair County.

DOORKEEPER.

John R. McCarter, Philadelphia County.

ASSISTANT DOORKEEPERS.

Wm. D. Allen, Potter County.
Wm. A. Helms, Schuylkill County.
J. M. Zuck, Philadelphia County.
A. R. Newton, Venango County.
Thomas Finnerty, McKean County.
Joseph Lot, Berks County.
G. Morris Echols, Cumberland County.
Patrick O'Brien, Philadelphia County.
Frank J. Leibold, Allegheny County.
John A. O'Neill, Philadelphia County.

SUPERINTENDENT OF FOLDING ROOM.

Richard Roe, Lancaster County.

PASTERS AND FOLDERS.

H. C. Grushell, Lawrence County.
P. J. Newmaker, Warren County.
H. S. Newton, Lackawanna County.
John F. Huff, Berks County.
James Tyghe, Philadelphia County.
John P. Forbes, Northumberland County.
John P. Grady, Schuylkill County.
Frank Mills, Philadelphia County.
John Kocher, Allegheny County.
John Doe.

CHAPLAIN.

Rev. John Elliott Wright, Allegheny County.

DAY WATCHMAN.

Edward Braceland, Philadelphia County.

NIGHT WATCHMAN.

B. C. Fiscus, Armstrong County.

OVERSEER OF HEAT AND VENTILATION.

James A. Kennedy, Philadelphia County.

CLERKS TO COMMITTEES.

Wm. S. Woodhouse, Tioga County.
Wm. Carr, Beaver County.
John J. O'Donnell, Lehigh County.
B. P. Harkins, Allegheny County.
Fred W. Taylor.
Geo. D. Herbert, Dauphin County.
Joseph B. Rumsy, Potter County.
David Fitzgerald, Montgomery County.
Lewis J. Kuhn, Erie County.
Edward P. Doyle, Philadelphia County.
Frank McCloskey, Allegheny County.
Henry Gregg, Philadelphia County.
Samuel Abernathy, Philadelphia County.

CUSTODIANS OF COMMITTEE ROOMS.

Walter Morrison, Cameron County.
Robert H. Smith, Philadelphia County.
Agustus Hager, Carbon County.
Wm. Rollands, Allegheny County.

ELEVATOR OPERATOR.

T. R. Reardon.

ASSISTANT ELEVATOR OPERATOR.

A. B. Rice, Allegheny County.

CUSTODIANS OF WASH ROOM.

D. H. Argo, Philadelphia County.
S. L. Anderson, Westmoreland County.

CUSTODIANS OF COAT ROOM.

Harry Lowrey, Dauphin County.
Edward S. McCaffrey, Northampton County.

CUSTODIAN OF BASEMENT.

Belmont Patterson, Philadelphia County.

ASSISTANT CUSTODIANS OF BASEMENT.

Wm. Gallas, Allegheny County.
Jos. J. Curran, Dauphin County.

CHIEF PAGE.

Clarence E. Seiler, Dauphin County.

PAGES.

Geo. Kling, Dauphin County.
Wayne Hodgins, Washington County.
F. W. Anderson, McKean County.
Robert Gallagher, Columbia County.
Joseph Pidgeon, Lackawanna County.
Edward Smith, Perry County.
Thomas Vernon, Dauphin County.
Stewart Snoddy, Dauphin County.
Alfred Gabley, Dauphin County.
Valentine Houston, Allegheny County.
Robert Seal, Dauphin County.
Theodore Baumont, Schuylkill County.
Wm. Currier, Clearfield County.
Frank Johnston, Lancaster County.
John A. Miller, Dauphin County.
Bechtle Hatton, Dauphin County.

(Signed) JOHN ROBERT JONES,
CHAS. A. AMBLER,
EDWARD R. BENSON,
JOHN T. MATT,
JOHN M. FLYNN,
FRANK H. ROCKWELL,
GEORGE W. ALLEN,
W. H. WILSON,
A. S. MOULTHROP,
DANIEL J. SHERN,
SAMUEL B. SCOTT,
Chairman of Committee upon Committees.

DIVISION OF THE QUESTION.

Mr. R. J. BALDWIN. Mr. Speaker,

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. I call for a division of the question and move that we now proceed to the nomination and election of a Chief Clerk, Resident Clerk and Assistant Clerk.

The SPEAKER. A division of the question has been called for which, under the rules, is a matter of right. The question will be divided as a question by the gentleman from Delaware.

Mr. R. J. BALDWIN. I would like to know whether it is the decision of the Chair that nominations are now open for those three offices. I understand that the Committee has practically nominated three candidates for these offices.

The SPEAKER. The Chair would be of the opinion that additional nominations could be made, if desired.

NOMINATIONS OF OFFICERS.

Mr. R. J. BALDWIN. Mr. Speaker, for the office of Chief Clerk I nominate Mr. Thomas H. Garvin, of Delaware county; for the office of Resident Clerk, I nominate Mr. William S. Lieb, of Schuylkill county; and for the office of Assistant Clerk, Mr. Thomas W. Templeton, of Luzerne county.

Mr. RONEY, of Philadelphia, seconded the nominations.

The SPEAKER. The names of Mr. Garvin, Mr. Leib and Mr. Templeton have been placed in nomination and the nominations are duly seconded.

Mr. HUMES. Mr. Speaker.

The SPEAKER. The gentleman from Crawford county, Mr. Humes.

Mr. HUMES. Mr. Speaker, on behalf of the Democratic members, I wish to present the names of Mr. James I. Blakslee, of Carbon county, for Chief Clerk; Mr. Jerome T. Ailman, of Juniata county, for Resident Clerk; and Mr. Arthur McKean, of Beaver county, for Assistant Clerk.

Mr. WILLIAM F. BLAIR, of Greene county, seconded the nominations.

The SPEAKER. Are there any further nominations? If not, nominations are closed.

DIVISION OF THE QUESTION.

Mr. SAMUEL B. SCOTT, called for a further division of the question and that the House now vote upon the candidates for Chief Clerk.

The vote was then taken as follows:

FOR MR. GARVIN.

Adams,	Fahey,	Malie,	Schaeffer, A. C.
Allen,	Forster, I. G.,	McAleer,	Schuck,
Alworth,	Frey,	McAllister,	Semmens,
Arthur,	Gans,	McArdle,	Sherwood,
Baldwin, R. J.,	Gramley,	McCaig,	Showalter,
Bass,	Gransback,	McNichol,	Speiser,
Bayle,	Hackett,	Miller,	Spillinger,
Berntheizel,	Haggerty,	Missimer,	Steele,
Blair, W. A.,	Hess,	Mitchell,	Stein,
Campbell, C.M.,	Heyburn,	Moore,	Swartz,
Carter,	Hibshman,	Morrow,	Thomas,
Cleary,	Hobbs,	Neel,	Walsh,
Conner,	Hoffman,	North,	Walton,
Conrade,	Howard, J.,	O'Neill,	Watson,
Cox,	Irwin, G. C.,	Perry, S. J.,	Wettach,
Currier,	Irwin, H. H.,	Piper,	Whitaker,
Curry,	Jones, E. E.,	Ramsey,	Whitman,
Davis,	Keeport,	Reese,	Wildman,
Dickinson,	Kenna,	Reeser,	Wiltbank,
Down,	Kennedy,	Rhoads,	Young, G. K.,
Dunn, J. A.,	Kitts,	Richards,	Young, J. H.,
Ehrhardt,	Kuhn, H. P.,	Riebel,	Alter,
Eichenberger,	Leslie,	Robinson,	Speaker.
Ely,	Lowers,	Roney,	
Ewing,			

FOR MR. BOYD.

Ambler,	Gray, Frank,	Mather,	Runk,
Baldwin, G. A.,	Heidinger,	Matt,	Scott. J. R. K.,
Benson,	Hemminger,	McClintock,	Scott, S. B.,
Bigger,	Isler,	McKay,	Shaffer, I. E.,
Bittles,	Jackson,	Moses,	Shern,
Bleloch,	Jones, J. R.,	Moulthrop,	Smith, L.,
Brosius,	Kaiser,	Neely,	Spangler,
Brownlee,	Kaufman,	Newton,	Steedle,
Cheeseman,	Latshaw,	Peachey,	Stone,
Claycomb,	Lenker,	Pennegar,	Swift,
DeFrees,	Letzkus,	Pennock,	Ulerich,
Dunn, H. B.,	Light,	Redfield,	Walnut,
Geary,	Lohr,	Rex,	Williams,
Gibson,	Martin,	Rockwell,	Wilson, W. H.,

FOR MR. BLAKSLEE.

Barner,	Donnally,	Kern,	Post,
Becker,	Flynn,	Klepper,	Price,
Benninger,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Bergey,	Geiser,	Lanius,	Sassaman,
Blair, W. F.,	Glenn,	Mannion,	Savacool,
Body,	Good,	McDermott,	Shaffer, C. A.,
Brown,	Goss,	Mellott,	Smith, J. W.,
Burnett,	Grabe,	Metzenbacher,	Snavely,
Caldwell,	Gray, Joseph,	Murphy,	Strauss,
Campbell, J.J.	Herman,	Musser,	Trach,
Carson,	Howard, R.,	Newbaker,	Ulman,
Cochran,	Humes,	Perry, H. L.,	Wilson, J. H.,
Collins,	Keegan,	Peters,	Zimmerman,
Conniff,			

REASONS FOR VOTE.

Mr. MATT. (Mr. Speaker, in order to be consistent with my action in the Committee on Committees, I cast my vote for Mr. Berkey H. Boyd, and desire the same to be entered upon the Journal.

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. Thomas H. Garvin, received 95 votes; Mr. Berkey H. Boyd received 56, Mr. James I. Blakslee received 53.

From which it appeared,

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Chief Clerk.

Whereupon,

The SPEAKER ordered a second ballot.

FOR MR. GARVIN.

Adams,	Fahey,	Leslie,	Robinson,
Allen,	Forster, I. G.,	Letzkus,	Roney,
Alworth,	Frey,	Lowers,	Schaeffer, A. C.
Arthur,	Gans,	Malie,	Schuck,
Baldwin, R. J.,	Gramley,	McAleer,	Semmens,
Bass,	Gransback,	McAllister,	Shern,
Bayle,	Hackett,	McArdle,	Sherwood,
Berntheizel,	Haggerty,	McCaig,	Showalter,
Blair, W. A.,	Hess,	McNichol,	Speiser,
Campbell, C.M.,	Heyburn,	Miller,	Spillinger,
Carter,	Hibshman,	Missimer,	Steele,
Cleary,	Hobbs,	Mitchell,	Stein,
Conner,	Hoffman,	Moore,	Swartz,
Conrade,	Howard, J.,	Morrow,	Thomas,
Cox,	Isler,	Neel,	Walsh,
Currier,	Irwin, G. C.,	North,	Walton,
Curry,	Irwin, H. H.,	O'Neill,	Watson,
Davis,	Jones, E. E.,	Perry, S. J.,	Wettach,
Dickinson,	Kaiser,	Piper,	Whitaker,
Down,	Keeport,	Ramsey,	Whitman,
Dunn, J. A.,	Kenna,	Reese,	Wildman,
Ehrhardt,	Kennedy,	Reeser,	Wiltbank,
Eichenberger,	Kitts,	Rhoads,	Young, G. K.,
Ely,	Kuhn, H. P.,	Richards,	Young, J. H.,
Ewing,		Riebel,	Alter,
			Speaker.

FOR MR. BOYD.

Ambler,	Gray, Frank,	McClintock,	Scott, J. R. K.,
Baldwin, G. A.,	Heidinger,	McKay,	Scott, S. B.,
Benson,	Hemminger,	Moses,	Shaffer, I. E.,
Bigger,	Jackson,	Moulthrop,	Smith, L.,
Bittles,	Jones, J. R.,	Neely,	Snavely,
Bleloch,	Kaufman,	Newton,	Spangler,
Brosius,	Latshaw,	Peachey,	Steedle,
Brownlee,	Lenker,	Pennegar,	Stone,
Cheeseman,	Light,	Pennock,	Swift,
Claycomb,	Lohr,	Redfield,	Ulerich,
DeFrees,	Martin,	Rex,	Walnut,
Dunn, H. B.,	Mather,	Rockwell,	Williams,
Geary,	Matt,	Runk,	Wilson, W. H.,
Gibson,			

FOR MR. BLAKSLEE.

Barner,	Donahoe,	Keegan,	Peters,
Becker,	Donnally,	Kern,	Post,
Benninger,	Flynn,	Klepper,	Price,
Bergey,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Blair, W. F.,	Geiser,	Lanius,	Sassaman,
Body,	Glenn,	Mannion,	Savacool,
Brown,	Good,	McDermott,	Shaffer, C. A.,
Burnett,	Goss,	Mellott,	Smith, J. W.,
Caldwell,	Grabe,	Metzenbacher,	Strauss,
Campbell, J.J.	Gray, Joseph,	Murphy,	Trach,
Carson,	Herman,	Musser,	Ulman,
Cochran,	Howard, R.,	Newbaker,	Wilson, J. H.,
Collins,	Humes,	Perry, H. L.,	Zimmerman,
Conniff,			

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. Thomas H. Garvin received 99 votes, Mr. Berkey H. Boyd received 53 votes, Mr. James I. Blakslee received 53 votes.

From which it appeared,

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Chief Clerk,

Whereupon,

The SPEAKER ordered a third ballot.

FOR MR. GARVIN.

Adams, Allen, Alworth, Ambler, Arthur, Baldwin, R. J., Bass, Bayle, Berntheizel, Blair, W. A., Brosius, Campbell, C.M., Carter, Cleary, Conner, Conrade, Cox, Currier, Curry, Davis, Dickinson, Down, Dunn, J. A., Ehrhardt, Eichenberger, Ely, Ewing, Fahey, Forster, I. G., Frey, Gans, Geary, Gramley, Gransback, Hackett, Haggerty, Hess, Heyburn, Hibshman, Hobbs, Hoffman, Howard, J., Isler, Irwin, G. C., Irwin, H. H., Jackson, Jones, E. E., Kaiser, Keeport, Kenna, Kennedy, Kitts, Kuhn, H. P., Leslie, Letzkus, Lowers, Malie, McAleer, McAllister, McArdle, McCaig, McNichol, Miller, Missimer, Mitchell, Moore, Morrow, Neel, Neely, North, O'Neill, Perry, S. J., Piper, Ramsey, Reese, Reeser, Rhoads, Richards, Riebel, Robinson, Roney, Schaeffer, A. C Schuck, Semmens, Shern, Sherwood, Showalter, Spangler, Speiser, Spillinger, Steedle, Steele, Stein, Swartz, Thomas, Walsh, Walton, Watson, Wettach, Whitaker, Whitman, Wildman, Wiltbank, Young, G. K., Young, J. H., Alter, Speaker.

FOR MR. BOYD.

Baldwin, G. A., Benson, Bigger, Bittles, Bleloch, Brownlee, Cheeseman, Claycomb, DeFrees, Dunn, H. B., Gibson, Gray, Frank, Gray, Joseph, Heidinger, Hemminger, Jones, J. R., Kaufman, Latshaw, Lenker, Light, Lohr, Martin, Mather, McClintock, McKay, Moses, Moulthrop, Newton, Peachey, Pennegar, Pennock, Redfield, Rex, Rockwell, Runk, Scott, J. R. K., Scott, S. B., Shaffer, I. E., Smith, L., Stone, Swift, Ulerich, Walnut, Williams, Wilson, W. H.,

FOR MR. BLAKSLEE.

Barner, Becker, Benninger, Bergey, Blair, W. F., Body, Brown, Burnett, Caldwell, Campbell, J.J. Carson, Cochran, Collins, Conniff, Donahoe, Donnally, Flynn, Foster, J. D., Geiser, Glenn, Good, Goss, Grabe, Herman, Howard, R., Humes, Keegan, Kern, Klepper, Kuhns, E.G.M., Lanius, Mannion, Matt, McDermott, Mellott, Metzenbacher, Murphy, Musser, Newbaker, Perry, H. L., Peters, Post, Price, Rothenberger, Sassaman, Savacool, Shaffer, C. A., Smith, J. W., Snavely, Strauss, Trach, Ulman, Wilson, J. H., Zimmerman,

REASONS FOR VOTE.

Mr. AMBLER. Mr. Speaker, I felt that I should uphold the action of the Committee on Committees, and fell that I have done so. Now I desire to cast my vote for Mr. Thomas H. Garvin.

Mr. MATT. Mr. Speaker, without giving any reasons, I cast my ballot this time for Mr. Blakslee.

Mr. JACKSON. Mr. Speaker, I wish to change my vote from Mr. Boyd to Mr. Garvin.

Mr. SPANGLER. Mr. Speaker as a new member, I was personally unacquainted with either of the prominent candidates for Chief Clerk. I voted for the Committee on Committees, and as such I accepted their recommendation. I now feel that the candidate recommended by the Committee on Committees, under the circumstances, is unable to be elected. I, therefore, change my vote from Mr. Boyd to Mr. Garvin.

Mr. BROSIUS. Mr. Speaker, I wish to do likewise, for the same reasons.

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. Thomas H. Garvin received 106 votes; Mr. Berkey Boyd received 45 votes, and Mr. James I. Blakslee received 54 votes.

Mr. Thomas H. Garvin, having receied a majority of all the votes cast, is hereby elected Chief Clerk of the House of Representatives.

Mr. KENNA. Mr. Speaker, I move that this House do now adjourn.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was not agreed to.

The SPEAKER. The roll will now be called for the election of Assistant Clerk and Resident Clerk.

Mr. SHERN. Mr. Speaker, I move that there be a division of the vote, having the Resident Clerk first.

The motion was agreed to.

The SPEAKER. The Clerk will read the names of the candidates for Resident Clerk.

The Clerk then read the names of the candidates as follows: Wm. P. Young, Wm. S. Leib and Jerome T. Ailman.

The vote was then taken as follows:

FOR MR. LEIB.

Adams, Allen, Alworth, Arthur, Baldwin, R. J., Bass, Bayle, Benson, Berntheizel, Blair, W. A., Campbell, C.M., Carter, Cleary, Conner, Conrade, Cox, Currier, Curry, Davis, Dickinson, Dunn, J. A., Ehrhardt, Eichenberger, Ely, Ewing, Fahey, Forster, I. G., Frey, Gans, Gransback, Hackett, Haggerty, Hess, Heyburn, Hibshman, Hoffman, Howard, J., Irwin, G. C., Irwin, H. H., Kaiser, Keeport, Kenna, Kennedy, McAllister, McArdle, McCaig, McNichol, Miller, Missimer, Mitchell, Moore, Morrow, Neel, North, O'Neill, Ramsey, Reese, Rhoads, Riebel, Robinson, Roney, Schaeffer, A. C. Shern, Sherwood, Speiser, Swartz, Thomas, Ulerich, Walsh, Walton, Wettach, Whitaker, Whitman, Wildman, Williams, Wiltbank, Young, J. H.,

FOR MR. YOUNG.

Ambler, Baldwin, G. A., Bigger, Bittles, Bleloch, Brosius, Brownlee, Cheeseman, Claycomb, DeFrees, Down, Dunn, H. B., Geary, Gibson, Gramley, Gray, Frank, Heidinger, Hemminger, Isler, Jackson, Jones, E. E., Jones, J. R., Kaufman, Kuhn, H. P., Latshaw, Lenker, Leslie, Letzkus, Light, Lohr, Lowers, Malie, Martin, Mather, Matt, McAleer, McClintock, McKay, Mellott, Moses, Moulthrop, Neely, Newtoh, Peachey, Pennegar, Pennock, Perry, H. L., Redfield, Rex, Richards, Rockwell, Runk, Schuck, Scott, J. R. K., Scott, S. B., Semmens, Shaffer, I. E., Showalter, Smith, L., Spangler, Spillinger, Steedle, Steele, Stein, Stone, Swift, Walnut, Watson, Wilson, W. H., Young, G. K., Alter, Speaker.

FOR MR. AILMAN.

Barner, Becker, Benninger, Bergey, Blair, W. F., Body, Brown, Burnett, Caldwell, Campbell, J.J. Carson, Cochran, Collins, Conniff, Donahoe, Donnally, Flynn, Foster, J. D., Geiser, Glenn, Good, Goss, Grabe, Gray, Joseph, Herman, Hobbs, Howard, R., Humes, Keegan, Kern, Kitts, Klepper, Kuhns, E.G.M., Lanius, Mannion, McDermott, Mellott, Metzenbacher, Murphy, Musser, Newbaker, Peters, Piper, Post, Price, Reeser, Rothenberger, Sassaman, Savacool, Shaffer, C. A., Smith, J. W., Snavely, Strauss, Trach, Ulman, Wilson, J. H., Zimmerman,

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 78 votes; Mr. William P. Young received 70 votes, and Mr. Jerome T. Ailman received 57 votes.

From which it appeared,

That no person having received a majority of the whole number of votes cast in the House of Representatives, and there-

fore, no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a second ballot.

FOR MR. LEIB.

Adams,	Eichenberger,	Kenna,	Robinson,
Allen,	Ely,	Kennedy,	Roney,
Alworth,	Ewing,	McAllister,	Schaeffer, A. C.
Ambler,	Fahey,	McArdle,	Schuck,
Arthur,	Forster, I. G.,	McCaig,	Shern,
Baldwin, R. J.,	Frey,	McNichol,	Sherwood,
Bass,	Gans,	Miller,	Speiser,
Bayle,	Gibson,	Missimer,	Swartz,
Berntheizel,	Gransback,	Mitchell,	Thomas,
Campbell, C.M.,	Hackett,	Moore,	Ulerich,
Carter,	Haggerty,	Morrow,	Walsh,
Cleary,	Hess,	Neel,	Walton,
Conner,	Heyburn,	North,	Wettach,
Conrade,	Hibshman,	O'Neill,	Whitaker,
Cox,	Hoffman,	Perry, S. J.,	Whitman,
Currier,	Howard, J.,	Ramsey,	Wildman,
Curry,	Irwin, G. C.,	Reese,	Williams,
Davis,	Irwin, H. H.,	Reeser,	Wilson, W. H.,
Dickinson,	Kaiser,	Rhoads,	Wiltbank,
Dunn, J. A.,	Keeport,	Riebel,	Young, J. H.,
Ehrhardt,			

FOR MR. YOUNG.

Baldwin, G. A.,	Isler,	McAleer,	Scott, J. R. K.,
Benson,	Jackson,	McClintock,	Scott, S. B.,
Bigger,	Jones, E. E.,	McKay,	Semmens,
Bittles,	Jones, J. R.,	Mechling,	Shaffer, I. E.,
Blair, W. A.,	Kaufman,	Moses,	Showalter,
Bleloch,	Kuhn, H. P.,	Moulthrop,	Smith, L.,
Brosius,	Latshaw,	Neely,	Spangler,
Brownlee,	Lenker,	Newton,	Spillinger,
Cheeseman,	Leslie,	Peachey,	Steedle,
Claycomb,	Letzkus,	Pennegar,	Steele,
DeFrees,	Light,	Pennock,	Stein,
Down,	Lohr,	Post,	Stone,
Dunn, H. B.,	Lowers,	Redfield,	Swift,
Geary,	Malie,	Rex,	Walnut,
Gramley,	Martin,	Richards,	Watson,
Gray, Frank,	Mather,	Rockwell,	Young, G. K.,
Heidinger,	Matt,	Runk,	Alter,
Hemminger,			Speaker.

FOR MR. AILMAN.

Barner,	Donahoe,	Keegan,	Piper,
Becker,	Donnally,	Kern,	Price,
Benninger,	Flynn,	Klepper,	Rothenberger,
Bergey,	Foster, J. D.,	Kuhns, E.G.M.,	Sassaman,
Blair, W. F.,	Geiser,	Lanius,	Savacool,
Body,	Glenn,	Mannion,	Shaffer, C. A.,
Brown,	Good,	McDermott,	Smith, J. W.,
Burnett,	Goss,	Mellott,	Snavely,
Caldwell,	Grabe,	Metzenbacher,	Strauss,
Campbell, J.J.	Gray, Joseph,	Murphy,	Trach,
Carson,	Herman,	Musser,	Ulman,
Cochran,	Hobbs,	Newbaker,	Wilson, J. H.,
Collins,	Howard, R.,	Perry, H. L.,	Zimmerman,
Conniff,	Humes,	Peters,	

REASONS FOR VOTE.

Mr. AMBLER. Mr. Speaker, For the same reason as stated in reference to the Chief Clerkship, I now desire to vote for Mr. William S. Leib.

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 81 votes; Mr. William P. Young received 69 votes and Mr. Jerome T. Ailman received 55 votes.

From which it appeared,

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a third ballot.

FOR MR. LEIB.

Adams,	Ewing,	Kitts,	Roney,
Allen,	Fahey,	Kuhn, H. P.,	Schaeffer, A. C
Alworth,	Forster, I. G.,	McAllister,	Schuck,
Ambler,	Frey,	McArdle,	Semmens,
Arthur,	Gans,	McCaig,	Shern,
Baldwin, R. J.,	Gibson,	McNichol,	Sherwood,
Bass,	Good,	Miller,	Speiser,
Bayle,	Gransback,	Mitchell,	Steele,
Berntheizel,	Hackett,	Moore,	Stein,
Campbell, C.M.,	Haggerty,	Morrow,	Swartz,
Carter,	Hess,	Neel,	Thomas,
Cleary,	Heyburn,	Neely,	Ulerich,
Conner,	Hibshman,	North,	Walsh,
Conrade,	Hoffman,	O'Neill,	Walton,
Cox,	Howard, J.,	Perry, S. J.,	Wettach,
Currier,	Isler,	Ramsey,	Whitaker,
Curry,	Irwin, G. C.,	Reese,	Whitman,
Davis,	Irwin, H. H.,	Reeser,	Wildman,
Dickinson,	Kaiser,	Rhoads,	Williams,
Donahoe,	Keeport,	Richards,	Wilson, W. H.,
Dunn, J. A.,	Kenna,	Riebel,	Wiltbank,
Ehrhardt,	Kennedy,	Robinson,	Young, J. H.,
Eichenberger,	Missimer,		
Ely,			

FOR MR. YOUNG.

Baldwin, G. A.,	Heidinger,	Mather,	Runk,
Benson,	Hemminger,	Matt,	Scott, J. R. K.,
Bigger,	Jackson,	McAleer,	Scott, S. B.,
Bittles,	Jones, E. E.,	McClintock,	Shaffer, I. E.,
Blair, W. F.,	Jones, J. R.,	McKay,	Showalter,
Bleloch,	Kaufman,	Mechling,	Smith, L.,
Brosius,	Latshaw,	Moses,	Spangler,
Brownlee,	Lenker,	Moulthrop,	Spillinger,
Cheeseman,	Letzkus,	Newton,	Steele,
Claycomb,	Light,	Peachey,	Stone,
DeFrees,	Lohr,	Pennegar,	Swift,
Down,	Lowers,	Pennock,	Walnut,
Dunn, H. B.,	Malie,	Redfield,	Watson,
Geary,	Martin,	Rex,	Young, G. K.,
Gramley,		Rockwell,	Alter,
Gray, Frank,			Speaker.

FOR MR. AILMAN.

Barner,	Donnally,	Kern,	Post,
Becker,	Flynn,	Klepper,	Price,
Benninger,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Bergey,	Geiser,	Lanius,	Sassaman,
Blair, W. F.,	Glenn,	Mannion,	Savacool,
Body,	Goss,	McDermott,	Shaffer, C. A.,
Brown,	Grabe,	Mellott,	Smith, J. W.,
Burnett,	Gray, Joseph,	Metzenbacher,	Snavely,
Caldwell,	Herman,	Murphy,	Strauss,
Campbell, J.J.	Hobbs,	Musser,	Trach,
Carson,	Howard, R.,	Newbaker,	Ulman,
Cochran,	Humes,	Peters,	Wilson, J. H.,
Collins,	Keegan,	Piper,	Zimmerman,
Conniff,			

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. Wm. S. Leib received 92 votes; Mr. Wm. P. Young received 60 votes and Mr. Jerome T. Ailman received 53 votes.

From which it appeared,

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a fourth ballot.

FOR MR. LEIB.

Adams,	Forster, I. G.,	Lowers,	Schaeffer, A. C
Allen,	Frey,	Malie,	Schuck,
Alworth,	Gans,	McAllister,	Semmens,
Ambler,	Gibson,	McArdle,	Shern,
Arthur,	Gramley,	McCaig,	Sherwood,
Baldwin, R. J.,	Gransback,	McNichol,	Showalter,
Bass,	Hackett,	Miller,	Speiser,
Bayle,	Haggerty,	Missimer,	Spillinger,
Becker,	Hess,	Mitchell,	Steele,
Berntheizel,	Heyburn,	Moore,	Stein,
Campbell, C.M.,	Hibshman,	Morrow,	Swartz,
Carter,	Hoffman,	Neel,	Thomas,
Cleary,	Howard, J.,	Neely,	Ulerich,
Conner,	Isler,	North,	Walsh,
Conrade,	Irwin, G. C.,	O'Neill,	Walton,
Cox,	Irwin, H. H.,	Perry, S. J.,	Watson,
Currier,	Jones, E. E.,	Piper,	Wettach,
Curry,	Kaiser,	Ramsey,	Whitaker,
Davis,	Keegan,	Reese,	Whitman,
Dickinson,	Keeport,	Reeser,	Wildman,
Donahoe,	Kenna,	Rhoads,	Williams,
Dunn, J. A.,	Kennedy,	Richards,	Wilson, W. H.,
Ehrhardt,	Kitts,	Riebel,	Wiltbank,
Eichenberger,	Kuhn, H. P.,	Robinson,	Young, G. K.,
Ely,	Leslie,	Roney,	Young, J. H.,
Ewing,	Letzkus,		Zimmerman,
Fahey,			

FOR MR. YOUNG.

Baldwin, G. A.,	Geary,	Mather,	Rockwell,
Bergey,	Gray, Frank,	McAleer,	Runk,
Bigger,	Heidinger,	McClintock,	Scott, J. R. K.,
Bittles,	Hemminger,	McKay,	Scott, S. B.,
Blair, W. A.,	Hobbs,	Mechling,	Shaffer, I. E.,
Bleloch,	Jackson,	Moses,	Smith, L.,
Brosius,	Jones, J. R.,	Moulthrop,	Spangler,
Brownlee,	Kaufman,	Newton,	Steedle,
Cheeseman,	Latshaw,	Peachey,	Stone,
Claycomb,	Lenker,	Pennegar,	Swift,
DeFrees,	Light,	Pennock,	Walnut,
Down,	Lohr,	Redfield,	Alter,
Dunn, H. B.,	Martin,	Rex,	Speaker.

FOR MR. AILMAN.

Barner,	Donnally,	Kern,	Post,
Benninger,	Flynn,	Klepper,	Price,
Bergey,	Foster, J. D.,	Kuhns, E.G.M.,	Rothenberger,
Blair, W. F.,	Geiser,	Lanius,	Sassaman,
Body,	Glenn,	Mannion,	Savacool,
Brown,	Good,	Matt,	Shaffer, C. A.,
Burnett,	Goss,	McDermott,	Smith, J. W.,
Caldwell,	Grabe,	Metzenbacher,	Snavely,
Campbell, J.J.	Gray, Joseph,	Murphy,	Strauss,
Carson,	Herman,	Musser,	Trach,
Cochran,	Howard, R.,	Newbaker,	Ulman,
Collins,	Humes,	Perry, H. L.,	Wilson, J. H.,
Conniff,	Keegan,	Peters,	

REASONS FOR VOTE.

Mr. WATSON. Mr. Speaker.

The SPEAKER. The gentleman from Indiana, Mr. Watson.

Mr. WATSON. Mr. Speaker, I felt under some obligation to obey the suggestions of the Committee on Committees. It seems, however, that a majority of the members of the House, regardless of party affiliations, have a mind of their own, and I ask to change my vote to Mr. Leib.

The SPEAKER. The tellers agree in their count, and the vote cast by the members is as follows:

Mr. Wm. S. Leib having received a majority of all the votes received 51 votes and Mr. Jerome T. Ailman received 51 votes.

Mr. Wm. S. Leib haing received a majority of all the votes cast, is hereby elected Resident Clerk of the House of Representatives.

The SPEAKER. We will proceed with the roll call for the office of Assistant Clerk. The nominees for Assistant Clerk are: Willard R. Black, Cumberland county; Thomas Templeton, Luzerne county; Arthur McKean, Beaver county.

Mr. SHERN. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Shern.

Mr. SHERN. Mr. Speaker, when this Committee commenced to distribute the patronage of this House, it was understood that the only contest, so far as the members of this Committee were concerned was on the positions of Chief Clerk and Resident Clerk. I am now informed that when we commenced to distribute patronage, that this particular position, of Assistant Clerk, was given to the Independents upon the Committee, and therefore, as I am bound by my report and by my agreement, I propose to vote for the Independent candidate, Mr. Willard R. Black.

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, like my friend, the gentleman from Philadelphia, there is no question but that the balance of the list as made up is with the thorough understanding of the Committee, and I should like to say that we should sustain that report, and I believe at this time—and I speak simply for the purpose of obtaining the consensus of opinion here—I think that the entire report should be adopted. I move you that the balance of the report be adopted by this House as a whole.

Mr. SHERN. I second the motion.

The SPEAKER. The motion is not in order. A division having been called for by the gentleman from Delaware on the three offices, this ballot still remains to be considered.

Mr. SHERN. I feel, that as the members of this House voted for this Committee, irrespective of party affiliations, they should now support the Committee and the members thereof. This is due in all fairness. It would be a breach of faith, if any member of this House who voted for the appointment of this Committee to now vote us down. The only difference of opinion in this Committee was on the positions of Chief Clerk and Resident Clerk, and I sincerely hope that the members of this House will support the Committee in this report, as the rest was apportioned fairly and there was no difference of opinion. We all acted fairly towards each other, and we were in harmony in all regards, except as to these two important positions. There was no unpleasantness among the members of the Committee. I sincerely trust that every member of this House will show his loyalty to this Committee, and I trust that the gentleman from Delaware, in all fairness, will withdraw his motion for a division.

Mr. R. J. BALDWIN. Mr. Speaker, I do not know whether the gentleman from Philadelphia intended to infer that I was simply acting in the interest of some political scheme or not. I do not believe he did; and yet what he said would infer that any other nominations made by any other member of this House, which is our right, is based purely on political or factional differences. I want to say to this House that when I presented these names I presented them because I believed the men worthy of the consideration of this body. I am entirely satisfied with whatever this vote may show; but I do say that a number of the members of this House were not in sympathy with that resolution; that a number of the members of this House did not think that when that resolution came in here, naming eleven men to fix the patronage of this House, that it was done in an open way. (Applause).

There is an atmospheric condition in the State that I recognize as well as the gentleman from Philadelphia, and that every gentleman in this House recognizes, and that is that this House should meet untrammelled and unbargained to do just what it in its due deliberations believes is right; but there is not a member in this House but does know that that Committee came in here to arrange a part of the program. A very small percent of this House was considered or advised of their action until the last moment. The fact that there are two names here before us is no evidence of their political significance; at least the evidence is equally strong against one as against the other, that it is a political pie that is to be cut for this or that man. I never ask for favors on that ground. I only ask for consideration of these men upon their merits, and that is what the House should consider, and if the majority think that Mr. Templeton is not as capable as the other gentleman, vote that way. But certainly every member has a right to nominate whoever he is for. What power are you going to give a committee? Can a committee come into this body—does the House intend that they shall come and fix a set of nominations, and thereby trammel the House and prevent every person in here from making nominations? No; nor do I ask any member of this House to vote for this man, and the man who is best is the man you should support.

Mr. SHERN. Mr. Speaker, I desire to say in answer to the gentleman from Delaware, that there is absolutely no political significance attached to this nomination or to this report, and if the gentleman desires the members of the House to infer that he is absolutely and erroneously wrong.

Mr. R. J. BALDWIN. Mr. Speaker, I do not.

Mr. SHERN. Mr. Speaker, I ask the gentleman from Delaware whether during the four or five sessions he was here he ever presented a candidate opposed by the Slate Committee in the times of old. I ask him to name his man, whether he ever presented a name during the last two sessions I served with him in opposition to the Slate Committee appointed by the House caucus? I ask the gentleman to say now whether he is on terms of personal intimacy with the man he has nominated, and how long he has known him? Whether that gentleman was ever a member of this House or ever attached to this House? I do not care who this House selects for the position of Assistant Clerk, but I do know that the man the Independents selected bears the ear-marks of intelligence and has served from that very desk, and I received a personal letter from ex-Speaker McClain recommending him for the position. I do say that I am bound by honor to support this report, and I do say that when the members of this House appointed this Committee and gave them that power there was no objection except from the gentleman from Delaware who raised the point of order before the acting-Chief Clerk. When the matter was put to the members of the House, they voted as a unit and there was not a single dissent. I am making this argument in all honor and fairness to the members of this Committee. We did not select Mr. Black nor did my colleagues classed as regular Republicans, but when he was presented to the Independent members of the Committee and they accepted him, we, the

balance of the Committee, felt that under the bond of honor, we should support that candidate. I therefore, ask the members of this House, having given the Committee the power to apportion the patronage under these conditions, to support that Committee.

Mr. R. J. BALDWIN. Mr. Speaker, if the gentleman desires that I should answer those interrogations I will be glad to do so. I will say to the House that previous to this session, or the last session that I was in, I met with all the Republicans of the State of Pennsylvania in a caucus. In it were permitted the newspaper men of this State, and, so far as the room would accommodate the public, they were permitted to come in, and there all of the very questions that the gentleman asks me why I did not oppose on the floor of the House, I considered looked into and agreed to, just as the gentleman did, and the gentlemen in this particular committee. The only difference was that eleven men did it in this case and in that caucus over one hundred did it. If I agreed with the actions of that Committee like my friend and was a member on the floor, of course, I would stand on the floor of the House and defend it; but I only asked the privilege of exercising my constitutional right to name somebody else. Should that create any excitement? There is no necessity of getting wild over this proposition. The members of this House can meet these questions in cold blood. I am not asking you to vote for anybody. I say vote as you see fit. He appears to think that I am asking you, but I have not done anything of the kind. I have simply put a gentleman in nomination and, as I said before and say now, it makes no difference to me how you vote.

Mr. WILTBANK. Mr. Speaker. My colleague from Philadelphia is mistaken. I think your records will show that I raised the point of order that we were out of order. I considered at that time and do to-day that this committee was illegally appointed. I am only a young member, but I have the same power and the same say as the members who may have been here forty years, and I say it was an outrage to elect a Speaker the way our Speaker was elected, since Pennsylvania has been a State, and then strip him of his power. That was my determination, but I was out of order. When he says my friend from Delaware was the only one, if you will look you will see that I raised that point and I was ruled out.

Mr. GEORGE C. IRWIN. Mr. Speaker, before I vote to sustain that motion there is something about the make-up of that list I would like a member of the Committee to explain. I see on the list of employees we have received one from Blair County. The Blair county members agreed on one man and that man's name is not on the list, but another is put in place of it, who did not have the endorsement of one of the members from our county. I would like one of the members of that Committee to explain how a person from the county we represent was placed there without endorsement and the one we endorsed stricken out.

Mr. WILDMAN. Mr. Speaker, The gentleman from Philadelphia said that the vote on this Committee was unanimous. Personally, I did not vote for this resolution. My colleague likewise failed to vote for this resolution. A division was called upon that resolution. It was not agreed to. Therefore, I agree with my friend, Mr. Baldwin, that the proceeding was irregular. The Constitution plainly states that in the beginning a Speaker shall be elected. That appears to be imperative. A Speaker was not elected when this resolution was passed, and therefore I consider it irregular.

Mr. ROCKWELL. Mr. Speaker, and members of the House, I would like to set the gentleman from Delaware right on what is known as the Slate Committee. Two years ago the caucus met in the House Caucus Room, as he suggested. A resolution was adopted forming what is known as the Slate Committee, consisting of one member from each congressional district in the State. I was put upon that Slate Committee. A gentleman from Allegheny county was the Chairman. No meeting of that Slate Committee was ever held to my knowledge. The members were never called together. When the patronage of this House was apportioned or slated the members were asked to come and sign up that report. That was all there was to the Slate Committee. This Committee on Committees was, I believe, created for the fair and honest purpose as has been stated by the gentleman from Philadelphia. In arranging these appointees or these officers of the House it was divided up into sections, trying to accommodate the whole State as near as possible. I have no interest in it. I would as soon this House would take up every name mentioned on the list, and vote for them one by one and I will stay here with them until to-morrow noon if you want me to do it. But after what has been stated and what has been practically agreed to, the proper thing for this House to do is to adopt the suggestion of the gentleman from Philadelphia and end this thing right here.

Mr. LESLIE. Mr. Speaker, I was one of those that voted for the unanimous election of this Committee on Committees. I thought in naming that committee that they would at least have courtesy enough to name for the office of reading clerk one who would receive the endorsement of the men from that district, but they have not been. They have taken a man that they know the representatives of the district are opposed to and had the best of reasons for being opposed to; and therefore I am against it.

The vote was then taken as follows:

FOR MR. BLACK.

Allen,	Gramley,	Martin,	Schuck,
Alworth,	Gransback,	Mather,	Scott, J. R. K.,
Ambler,	Gray, Frank,	Matt,	Scott, S. B.,
Arthur,	Haggerty,	McAleer,	Semmens,
Baldwin, G. A.,	Heidinger,	McArdle,	Shaffer, I. E.,
Bigger,	Hemminger,	McClintock,	Shern,
Bittles,	Howard, J.,	Miller,	Smith, L.,
Blair, W. A.,	Isler,	Morrow,	Spangler,
Bleloch,	Irwin, H. H.,	Moses,	Spillinger,
Brosius,	Jackson,	Moulthrop,	Steedle,
Brownlee,	Jones, E. E.,	Neel,	Stein,
Campbell, C.M.,	Jones, J. R.,	Neely,	Stone,
Carter,	Kaiser,	Newton,	Swift,
Cheeseman,	Kaufman,	North,	Ulerich,
Conner,	Keeport,	O'Neill,	Walnut,
Conrade,	Kennedy,	Peachey,	Watson,
Currier,	Kuhn, H. P.,	Pennegar,	Whitaker,
Curry,	Latshaw,	Pennock,	Whitman,
Dickinson,	Lenker,	Piper,	Williams,
Down,	Leslie,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Letzkus,	Rex,	Wiltbank,
Eichenberger,	Light,	Richards,	Young, G. K.,
Ely,	Lohr,	Riebel,	Young, J. H.,
Frey,	Lowers,	Robinson,	Alter,
Geary,	Malie,	Rockwell,	Speaker.
Gibson,		Runk,	

FOR MR. TEMPLETON.

Adams,	Ehrhardt,	Kitts,	Rhoads,
Alter,	Ewing,	McAllister,	Roney,
Baldwin, R. J.,	Fahey,	McCaig,	Schaeffer, A. C
Bass,	Forster, I. G.,	McNichol,	Sherwood,
Bayle,	Good,	Missimer,	Showalter,
Berntheizel,	Hackett,	Mitchell,	Speiser,
Brown,	Hess,	Moore,	Steele,
Cleary,	Heyburn,	Murphy,	Strauss,
Conniff,	Hibshman,	Perry, S. J.,	Swartz,
Cox;	Hobbs,	Ramsey,	Thomas,
Davis,	Hoffman,	Reese,	Walton,
Dickinson,	Irwin, G. C.,	Reeser,	Wettach,
Dunn, J. A.,	Kenna,		Wildman,

FOR MR. M'KEAN.

Barner,	Cochran,	Howard, R.,	Perry, H. L.,
Becker,	Collins,	Humes,	Peters,
Benninger,	Donahoe,	Keegan,	Post,
Benson,	Donnally,	Klepper.	Price,
Bergey,	Flynn,	Kuhns, E.G.M.,	Rothenberger,
Blair, W. F.,	Foster, J. D.,	Lanius,	Sassaman,
Body,	Geiser,	Mannion,	Savacool,
Burnett,	Glenn,	McDermott,	Shaffer, C. A.,
Caldwell,	Goss,	Mellott,	Smith, J. W.,
Campbell, J.J.	Grabe,	Metzenbacher,	Strauss,
Carson,	Gray, Joseph,	Musser,	Wilson, J. H.,
Claycomb,	Herman,	Newbaker,	Zimmerman,

The SPEAKER. The tellers agree in their count and the vote cast by the members is as follows:

Mr. Willard R. Black received 101 votes; Mr. Thomas W. Templeton received 50 votes; Mr. Arthur McKean received 47 votes.

Mr. Willard R. Black haing received a majority of all the votes cast is declared elected Assistant Clerk of the House of Representatives.

On the question,

Will the House agree to the adoption of the balance of the report?

Mr. ROCKWELL. Mr. Speaker, in explanation of the inquiry of the gentleman from Blair county, it seems there was an error made in the residence of K. B. Rogers. He should be credited to Cambria county instead of Blair county, and the report should be amended to that effect.

Mr. GEORGE C. IRWIN. Mr. Speaker, I would like to know from the gentleman whether the assignment of that appointment was made to Blair county or Cambria county.

Mr. ROCKWELL. Mr. Speaker, I have no knowledge, so far as I can now remember, of any request from Blair county being made.

Mr. GEORGE C. IRWIN. My colleague, Mr. Snyder, and myself agreed on the endorsement of one man. It was sent to the committee and I do not see how the Committee could not have received it. I would like to know whether this appointment was assigned to Blair or Cambria county. Mr. Rockwell, the gentleman from Tioga county, says that there was a mistake made in the county, and then he turns around afterwards and says that he is not sure about it.

Mr. ROCKWELL. I think the gentleman is making a mistake when he says that I am not sure whether there was a mistake or not.

Mr. GEORGE C. IRWIN. I understood that from what the gentleman said.

Mr. ROCKWELL. So far as I know there was no application from Blair county. The name of J. B. Rogers was intended to be listed from Cambria county.

Mr. GEORGE C. IRWIN. I desire to interrogate the Chairman of the Committee on Committees.

The SPEAKER. Will the gentleman from Philadelphia, Mr. S. B. Scott, permit himself to be interrogated?

Mr. S. B. SCOTT. I will.

Mr. GEORGE C. IRWIN. Mr. Speaker, I desire to inquire of the gentleman whether or not he received an endorsement for an appointment from our county.

Mr. S. B. SCOTT. As there were some 5,000 papers and letters filed with the Committee, I must confess that I do not know whether such an endorsement was received or not.

The quesion recurring,

Will the House agree to the adoption of the balance of the report?

It was agreed to.

OATH OF OFFICE ADMINISTERED TO CHIEF CLERK AND RESIDENT CLERK.

The Chief Clerk and Resident Clerk presented themselves at the Bar of the House, and the oath of office, as required by law, was administered to them by the Speaker.

APPOINTMENT OF ASSISTANT RESIDENT CLERK.

In accordance with the Act of April 12, 1905, the Resident Clerk announces the appointment of I. Dale Meals, as Assistant Resident Clerk.

APPOINTMENT OF MEMBERS OF SOLDIERS' ORPHANS COMMISSION.

The SPEAKER. In accordance with the Act of Assembly passed May 25, 1889, creating the Soldiers' Orphans Commission, I hereby appoint the following members of the House to serve for the two years from the third Wednesday of January, 1913; The Hon. John H. Rieble, of Philadelphia; the Hon. Phillip C. Newbaker, of Montour; and the Hon. Isaac D. Muser, of Juniata.

ADJOURNMENT.

Mr. CHAS. A. SHAFFER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:45 P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, JANUARY 21, 1913. No. 3.

SENATE.

TUESDAY, January 21, 1913.

The Senate met at 11:00 o'clock.

The PRESIDENT (Lieutenant-Governor, John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Kline, the further reading was dispensed with, and the Journal was approved.

CLERK, STENOGRAPHER AND PAGE TO THE PRESIDENT.

The President announced the appointment of the following employees as authorized by the Act of April 12, 1905: Clerk, Frank W. Bell, of Harrisburg, Dauphin County; Stenographer, Charles R. Mock, of Bedford, Bedford County; Page, William Winters, of Harisburg, Dauphin County.

CLERK AND STENOGRAPHER TO PRESIDENT PRO TEMPORE.

The President pro tempore announced the appointment of the following employes as authorized by the Act of April 12, 1905: Clerk, Alfred R. Mills, of Annville, Lebanon County; Stenographer, Albert V. Simon, Pittsburgh, Allegheny County.

MEMBERS PENNSYLVANIA SOLDIERS' ORPHAN' SCHOOL COMMISSION AND MEMBER BOARD OF TRUSTEES OF THE SOLDIERS' AND SAILORS' HOME AT ERIE.

The President pro tempore announced the appointment of Honorable Joseph Alexander, of Madera, Clearfield County, and Honorable Jacob C. Stineman, of South Fork, Cambria County, as the members of the Senate on the Pennsylvania Soldiers' Orphans' School Commission in compliance with the Act of May 25, 1889; Also, the appointment of Sterling R. Catlin, at Wilkes-Barre, Luzerne County, as the member of the Senate on the Board of Trustees of the Soldiers' and Sailors' Home, at Erie, in compliance with the Act of June 3, 1885.

REPORT FROM COMMITTEE.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation on the nominations of Notaries Public made by His Excellency, the Governor of the Commonwealth at last evening's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McIlhenny.

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations.

Which was agreed to,

Whereupon,

A motion was made by Mr. McIlhenny.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Hall,	Kurtz,	Salus,
Clark,	Heacock,	Magee,	Sensenich,
Cooper,	Herbst,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Sproul,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

SPECIAL ORDER.

RESOLUTION APPOINTING COMMISSION TO INVESTIGATE AS TO THE NECESSITY FOR, EFFICIENCY, NUMBER AND SALARIES OF THE OFFICERS, CLERKS AND EMPLOYES OF THE SENATE, HOUSE OF REPRESENTATIVES, AND THE SEVERAL DEPARTMENTS BOARDS AND COMMISSIONS CONNECTED WITH THE STATE GOVERNMENT.

The PRESIDENT. The special order fixed for this hour is the consideration of the resolution offered by the Senator from Fayette, Mr. Crow.

The resolution was read by the Clerk as follows:

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commisssions connected with the state government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any charges are found necessary there may be authorized during the present session of the Legislature; therefore,

Be it resolved (if the House of Representatives concur) That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be apponted by the President pro tempore of the Senate, and five members of the present House of Representatives, one of whom shall be a Democrat, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connnected with the state government, and to make report thereof and, if necessary, to recommend, not later than April 1, 1913, to the present General Assembly such a bill or bills as may be requisite to improve he service and remedy any defects existing under the present laws.

Such a commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary

processes, and to exercist all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

On the question,

Will the Senate agree to the resolution?

Mr. CROW. Mr. President, as the result of some consultation with other members of the Senate, I ask unanimous consent to offer the following amendment: In line 15 by striking out the word "one" and inserting in lieu thereof the word "two", so that it shall read "two of whom shall be Democrats, be appointed by the Speaker of the House of Representatives;" also, in line 21 by striking out the words "April 1" and inserting in lieu thereof "March 12".

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

It was agreed to.

BILLS INTRODUCED.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1, entitled:

An act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and he licensing of operators, and making an appropriation thereof.

Which was committed to the Committee on Public Roads and Highways.

Also Senate Bill No. 2, entitled:

An act to amend an act appproved the 27th day of April, 1909, entitled "An act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennnsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penaltes for violation of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Which was committed to the Committee on Public Roads and Highways.

Also Senate Bill No. 3, entitled:

An act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated dstricts, held pursuant to the provisions of an act, approved the 20th day of April, A. D. 1874, entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments therto, and volating bonds issued or authorized to be issued in pursuance of such elections.

Which was committed to the Committee on Judiciary General.

Also Senate Bil No. 4, entitled:

An act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

Which was committed to the Committee on Appropriations.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 5, entitled:

An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possesion with intent to sell of adulterated, misbranded, or deleterious foods, and of foods short in weight or measure; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 6, entitled:

An act for the protection of the public health by providing for the regulation and control of the sanitary conditions surrounding the preparation, handling, storage and serving of foods in hotels, restaurants, and dining cars; defining hotels, restaurants, and dining cars; imposing certain duties upon the Dairy and Food Commissioner in reference to this act; and providing penalties for the violation of the same.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 7, entitled:

An act relating to non-alcholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possesion with intent to sell, of any adulterated or misbranded non-alcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 8, entitled:

An act for the protection of the public health and the prevention of fraud and deception in the manufacture, labeling or sale of milk products; defining such milk products, fixing the standards thereof, and providing penalties for the violation of the provisions of the act.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 9, entitled:

An act for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of cold storage poultry, game, eggs and fish, providing penalties for the violation thereof, and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 10, entitled:

An act to amend an act approved the 11th day of May, 1911, entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the volation of the provisions hereof," by regulating the appointment and compensation of the inspectors; extending their powers and duties; and changing the penalties for violation of the said act."

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 11, entitled:

An act defining commodities, regulating the sale thereof; and providing penalties for violation hereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 12, entitled:

An act supplementary to an act, entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," approved the 11th day of March, A. D. 1909, providing for the denaturing by kerosene of all eggs unfit for food, within the meaning of said act, and providing penalties for the violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 13, entitled:

An act providing for the incorporation, regulation and government of cities of the third class, regulating nomination and election of municipal officers therein and repealing, consolidating and extending existing laws in relation thereto.

Which was committed to the Committee on Municipal Affairs.

Also Senate Bill No. 14, entitled:

An act to amend the first section of an act approved the 10th day of June, 1901, entitled "An act authorizing and empowering boroughs and incorporated towns to take, use and appropriate private property for necessary public buildings and works within the corporate limits of such munici-

pality; and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor," as amended by the first section of an act approved the 5th day of May, 1911, entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take, use, and appropriate private property for necessary public buildings and works within the corporate limits of such municipality; and providing for the maner of ascertaining, determining, awarding, and paying compensation and damages therefor,' approved the 10th day of June, 1901, so as to extend the same to townships of the first class," by extending the act to include townships of the second class.

Which was committed to the Committee on Judiciary General.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 15, entitled:

An act providing for a survey and widening of certain formerly navigable and actually navigated but now narrowed and wholly or partly filled by refuse and other matter, and making an apropriation therefor.

Which was committed to the Committee on Public Health and Sanitation.

Also Senate Bill No. 16, entitled:

An act to safeguard employees in certain industrial establishments by requiring warning in advance of the puting in motion of machinery, and fixing a penalty thereof.

Which was committed to the Committee on Judiciary Special.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 17, entitled:

An act to repeal an act, entitled "An act authorizing cities of this Commonwealth to purchase, acquire, take, use and apropriate private property for the purpose of making, enlarging, extending and maintaining public parks, parkways and playgrounds; authorizing the said cities to purchase, acquire, take, use and appropriate neighboring private property within 200 feet of the boundary lines of such public parks, parkways and playgrounds, in order to protect the same by resale with restrictions; authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public park, parkways and playgrounds; and providing for the manner of ascertaining, determining, awarding and paying compensation and damages in all cases where property is taken, used and appropriated for the said purposes."

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 18, entitled:

An act making an appropriation for the expenses required by an act, entitled "An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers, sailors and marine, and the destitute children of permanently disabled soldiers, sailors and marines of the State," approved May 25th, 1889; also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Scholls, approved May 27th, 1893.

Which was committed to the Committee on Appropriations.

Mr. JUDSON read in his place and presented to the Chair Senate Bill No. 19, entitled:

An act regulating and restraining the sale and use of vinous, spirituous, malt or brewed liquors, or any admixture thereof, to and by social or other clubs, societies or organizations and among the members thereof.

Which was committed to the Committee on Law and Order.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 20, entitled:

An act to repeal an act approved the 2d day of May, 1899, entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," together with the amendments thereof.

Which was committed to the Committee on Finance.

Mr. FISHER read in his place and presented to the Chair Senate Bill No. 21, entitled:

An act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania; for the payment of indebtedness incurred in furnishings, furniture, equipment, repairs and making extraordinary alterations and changes in the buildings of said Hospital.

Which was committed to the Committee on Appropriations.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 22, entitled:

An act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges, and requiring certain certificates from judges before their salaries shall be paid.

Which was committed to the Committee on Judiciary General.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 23, entitled:

A bill, entitled An act applicable to cities of the first, second and third classes, to provide monthly payments as approved by the trustees to indigent, widowed or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees, the administration of the trust, amount of appropriations, proportioning appropriations, co-ordinate appropriations, amounts to be paid, form of records, eligibility, penalties and reports as set forth in sections one, two, three, four, five, six, seven and eight.

Which was committed to the Committee on Pensions and Gratuities.

Also Senate Bill No. 24, entitled:

An act requiring that all hospitals which in whole or in part are maintained by appropriations from the State shall receive as patients without charge upon the same rules as are prescribed for other patients all sick or injured honorably discharged soldiers, sailors and marines and widows, and all honorably discharged soldiers, sailors, and marines, residents of this State who served in the army or navy of the United States or in commands for the defense of the State of Pennsylvania between April 12th, 1861, and April 9th, 1865, and provided also that no part of any such appropriation shall become available until the hospital entitled thereto shall accept the provisions of this act.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 25, entitled:

A Joint Resolution proposing an amendment to the Constitutions of the Commonwealth allowing counties, cities, boroughs, townships, school districts or other municipal or incorporated districts to increase their indebtedness.

Which was committed to the Committee on Judiciary General.

TIME OF NEXT MEETING.

M. VARE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE offered the folowing resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it shall recovene on Monday, January twenty-seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 26, entitled:

An act making an appropriation to the Chambersburg Hospital of Chambersburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 27, entitled:

An act making an appropriation to the Frederick Douglass Memorial Hospital and Training School, of Philadelphia, Pennsylvania.

Which was committed to the Committ on Appropriations.

Also Senate Bill No. 28, entitled:

An act making an appropriation to the Howard Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 29, entitled:

An act, entitled an act making an appropriation to the St. Luke's Hospital, located at South Bethlehem, Pennsylvania.

Which was committed to the Committee on Appropriations.

M. POWELL read in his place and presented to the Chair Senate Bill No. 30, entitled:

An act supplementing and amending sections 4, 6, 7, 9, 10, 11, 12, 17 and 19 of an act, entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911, by providing for affixing the seal of the Court to all official papers, by increasing the jurisdiction of the Court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein; by modifying the practice in repleving; by extending the time in all civil cases for the date of hearing, by changing the time before which process must be served and answer filed; by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default; by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court; by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars, changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff; changing the effect of judgment entered by transcrip in the office of the prothonotary, and giving the county court power to issure writs of execution or attachment executed in certain cases, prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate; by modifying the requirements as to docket entries in certain respects; by giving the court power to suspend or exclude attorneys guilty of improper conduct, and by making further provisions regarding costs.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 31, entitled:

A further supplement to an act, entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911.

Which was committed to the Committee on Judiciary General.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 32, entitled:

An act to amend section three of an act, entitled "An act relating to last wills and testaments," approved the 8th day of April, 1833.

Which was committed to the Committee on Judiciary General.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 33, entitled:

An act amending the first section of an act, entitled "An act to further define the police power of cities of the third class and boroughs, with reference to electric light wires," appproved the 28th day of April, 1903, so as to include telegraph and telephone wires.

Which was committed to the Committee on Judiciary General.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 34, entitled:

An act providing that when the judges of any judicial district are absent or incapacitated appplcation may be made to a law judge in an adjoining district and the proper order made or rule or decree issued.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 35, entitled:

An act providing for the return of taxes on unseated lands in boroughs for borough taxes and the sale of such lands for taxes.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 36, entitled

An act providing for the appointment and removal of police in townships of the second class, and fixing their duties, powers compensation.

Which was committed to the Committee on Judiciary General.

SENATE PROCEEDS TO HOUSE TO COUNT VOTE FOR STATE OFFICERS.

The hour of twelve o'clock having arrived,

Messrs Dickinson, Ehrhardt and Flynn, a committee from the House of Representatives being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and members of the Senate for the purpose of witnessing the opening, counting and publishing of the official returns of the vote cast on the first Tuesday of November A. D. 1912, for Auditor General and State Treasurer.

Whereupon,

The President and members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time the President and Senators returned to the Senate chamber.

The President (Lieutenant Governor John M. Reynolds) in the chair.

TELLER'S REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENTATIVES FOR THE OPENING, COUNTING AND PUBLISHING OF VOTES FOR AUDITOR GENERAL AND STATE TREASURER.

Mr. JARRETT, teller on the part of the Senate, made a report, which was read as follows:

The President of the Senate and the Speaker of the House having taken the chair, and Mr. Jarrett, the teller on the part of the Senate and Mr. Ulerich, teller on the part of the House, having taken their respective places, the Honorable John M. Reynolds, President of the Senate, addressed the joint convention as follows:

"By the provisions of the Constitution it becomes the duty of the President of the Senate to open and publish in the presence of the members of both Houses, the official returns of the election for Auditor General and State Treasurer, the official returns of the election for Auditor General and State Treasurer, held on the Tuesday next following the first Monday, being the 5th day of November, 1912, in the city of Philadelphia and the several counties of the Commonwealth.

"I will now proceed to perform that duty. The election returns will be read by the Clerks and the results recorded by the tellers."

The said returns were accordingly opened and read by the Clerks of the respective Houses as follows:

FOR AUDITOR GENERAL.

	Archibald W. Powell. Republican.	Archibald W. Powell. Bull Moose.	Archibald W. Powell. Roosevelt Progressive.	Archibald W. Powell. Washington.	Robert E. Cresswell. Democratic.	Robert E. Cresswell. Keystone.	B. Budd Cannon. Prohibition.	Adrian H. Eldredge. Socialist.
Adams,	891	1,419	94	676	3,461	27	66	97
Allegheny,*	24,458	6,056	3,822	28,059	24,633	1,416	1,655	19,721
Armstrong,	1,985	241	313	2,811	2,553	23	163	581
Beaver,	2,767	329	221	3,172	2,508	49	434	1,605
Bedford,	1,469	140	213	1,841	2,595	14	125	399
Berks,	2,703	595	677	8,703	15,283	104	157	3,846
Blair,	3,417	346	416	5,435	4,019	87	258	1,706
Bradford,	1,897	186	415	4,022	2,643	33	326	221
Bucks,	5,462	175	206	3,119	6,548	126	116	397
Butler,	1,575	233	200	3,003	3,618	74	1,261	446
Cambria,†	3,944	891	364	5,959	7,394	262	310	799
Cameron,	371	31	32	354	244	10	20	26
Carbon,	1,237	220	202	2,508	3,483	26	63	421
Centre,	1,546	119	290	1,867	3,314	33	136	218
Chester,	5,425	1,412	357	3,448	5,890	583	247	289
Clarion,	888	103	199	1,171	2,884	10	251	291
Clearfield,	1,567	204	507	3,473	4,373	52	394	1,328
Clinton,	1,315	185	151	874	2,118	176	100	617
Columbia,	828	110	131	2,201	4,688	21	198	234
Crawford,	2,400	142	246	3,345	3,715	29	544	963
Cumberland,	2,727	148	171	2,497	4,754	35	295	333
Dauphin,	6,333	789	245	7,548	7,067	246	334	1,305
Delaware,	8,337	1,529	765	4,548	5,460	680	195	356
Elk,	559	137	118	2,124	1,987	18	78	357
Erie,	5,677	402	494	2,835	4,991	63	866	1,841
Fayette,	4,171	497	402	2,623	6,677	29	607	2,219
Forest,	272	47	39	373	313	4	77	242
Franklin,	2,764	181	155	2,866	4,450	41	126	421
Fulton,	414	18	50	332	1,058	3	14	16
Greene,	1,119	53	94	644	3,217	7	99	152
Huntingdon,	934	117	175	2,680	1,453	24	103	250
Indiana,	1,801	212	383	2,819	1,475	30	721	476
Jefferson,	1,797	163	349	2,408	2,369	29	335	546
Juniata,	577	41	100	595	1,095	8	31	66
Lackawanna,	4,753	602	496	10,364	11,740	91	517	867
Lancaster,	12,305	9,762	166	1,439	8,105	82	291	673
Lawrence,	2,166	314	228	2,077	1,548	51	684	1,521
Lebanon,	2,659	83	149	3,196	2,742	48	274	383
Lehigh,	2,524	459	308	6,312	10,457	81	119	1,096
Luzerne,	6,417	1,483	875	10,565	12,088	212	419	2,384
Lycoming,	1,795	305	409	3,461	5,608	39	508	1,439
McKean,	1,436	303	330	2,155	2,101	64	330	508
Mercer,	1,945	245	319	3,113	3,733	41	682	1,605
Mifflin,	796	91	126	1,111	1,332	18	61	509
Monroe,	473	71	84	478	2,873	21	86	14
Montgomery,‡	8,629	566	490	9,050	11,410	590	144	1,103
Montour,	261	26	52	728	1,353	20	36	40
Northampton,	3,664	362	519	4,932	9,914	99	275	632
Northumberland,	2,639	209	317	4,433	6,018	57	731	2,650
Perry,	1,306	101	123	938	1,880	11	30	66
Philadelphia,	79,966	4,439	5,404	54,016	55,247	18,758	627	9,064
Pike,	161	21	27	337	927	8	14	13
Potter,	877	144	142	1,258	1,293	24	160	307
Schuylkill,	4,770	896	1,104	6,905	10,678	218	182	2,829
Snyder,	786	48	56	1,046	932	6	16	85
Somerset,	1,499	158	146	4,928	1,972	24	310	604
Sullivan,	524	13	35	351	834	3	83	40
Susquehanna,	1,742	77	96	1,884	2,268	35	287	22
Tioga,	1,763	280	255	2,690	1,645	48	288	147
Union,	715	50	78	960	1,012	23	115	40
Venango,	1,786	213	250	2,003	2,153	18	635	1,169
Warren,	1,360	95	92	2,367	1,470	11	400	609
Washington,	4,370	272	383	5,189	5,128	56	357	2,005
Wayne,	703	149	202	1,805	1,836	16	113	53
Westmoreland,	4,937	748	686	6,701	8,547	141	929	4,511
Wyoming,	469	52	59	1,137	1,404	16	52	28
York,	5,460	4,190	310	2,330	13,897	111	429	1,436
	269,292	44,388	26,912	280,642	356,574	25,413	20,948	81,237

FOR STATE TREASURER.

	Robert K. Young. Republican.	Robert K. Young. Bull Moose.	Robert K. Young. Roosevelt Progressive.	Robert K. Young. Washington.	William H. Berry. Democratic.	William H. Berry. Keystone.	Charles W. Huntington. Prohibition.	John J Schwartz. Socialist.
Adams,	896	1,408	94	658	3,527	41	66	93
Allegheny,	24,378	6,144	3,406	26,646	28,372	3,763	1,339	19,137
Armstrong,	1,905	229	335	2,842	2,877	56	182	525
Beaver,	2,733	323	214	3,101	2,687	123	412	1,605
Bedford,	1,469	148	207	1,822	2,637	38	112	393
Berks,	2,681	582	661	8,630	15,557	187	147	3,757
Blair,	3,268	334	376	5,252	4,669	285	208	1,629
Bradford,	1,862	173	419	4,068	2,796	89	308	214
Bucks,	5,436	171	205	3,067	6,610	171	110	391
Butler,	1,534	217	204	2,967	3,815	110	1,174	422
Cambria,	4,117	920	402	5,998	7,179	365	244	823
Cameron,	377	30	33	348	259	10	18	29
Carbon,	1,186	203	199	2,491	3,609	74	50	412
Centre,	1,513	142	289	1,857	3,343	54	118	210
Chester,	5,190	1,334	327	3,283	6,353	949	199	267
Clarion,	882	103	196	1,161	2,909	26	244	292
Clearfield,	1,561	279	505	3,512	4,551	76	357	1,317
Clinton,	1,274	180	138	863	2,282	206	77	604
Columbia,	816	99	126	2,187	4,776	52	157	225
Crawford,	2,352	151	240	3,312	3,759	46	512	987
Cumberland,	2,631	140	168	2,424	4,999	98	218	328
Dauphin,	6,122	772	211	7,308	7,699	504	234	1,245
Delaware,	7,821	1,445	680	4,261	6,235	1,290	125	331
Elk,	552	137	113	2,119	2,015	24	70	354
Erie,	4,612	421	400	2,803	5,183	133	824	1,811
Fayette,	4,131	490	399	2,620	6,872	68	562	2,201
Forest,	271	48	42	366	341	13	72	240
Franklin,	2,715	168	145	2,795	4,484	126	114	405
Fulton,	433	21	49	327	1,059	5	15	11
Greene,	1,110	57	94	646	3,264	26	90	149
Huntingdon,	893	105	253	2,593	1,554	52	92	240
Indiana,	1,809	214	392	2,863	1,525	68	704	469
Jefferson,	1,759	160	346	2,445	2,474	75	356	527
Juniata,	568	33	91	589	1,135	26	26	58
Lackawanna,	4,500	519	477	10,335	12,343	204	483	849
Lancaster,	12,302	9,720	159	1,424	8,386	170	259	664
Lawrence,	2,225	279	233	1,931	1,736	145	626	1,527
Lebanon,	2,620	80	159	3,166	2,896	180	245	372
Lehigh,	2,501	426	374	6,254	10,606	111	111	1,079
Luzerne,	6,055	1,373	788	10,319	13,734	695	339	2,206
Lycoming,	1,745	296	396	3,300	5,917	113	481	1,394
McKean,	1,377	277	325	2,060	2,310	156	315	496
Mercer,	1,915	248	320	3,035	3,881	116	637	1,567
Mifflin,	772	87	121	1,096	1,430	45	50	498
Monroe,	459	73	79	466	2,968	36	74	13
Montgoemry,	8,448	558	469	8,884	11,702	813	115	1,083
Montour,	249	25	48	715	1,393	39	23	41
Northampton,	3,644	362	495	4,863	10,106	197	250	619
Northumberland,	2,635	193	328	4,385	6,523	152	196	2,646
Perry,	1,266	101	138	926	1,945	33	28	67
Philadelphia,	78,921	4,417	4,958	52,668	59,062	21,751	510	8,675
Pike,	160	21	25	334	940	9	14	13
Potter,	816	143	126	1,230	1,428	65	147	296
Schuylkill,	4,667	868	1,030	6,836	11,260	474	164	2,701
Snyder,	771	55	51	1,008	999	20	12	84
Somerset,	1,493	166	136	4,310	2,035	37	298	599
Sullivan,	526	18	31	344	841	22	79	40
Susquehanna,	1,725	80	98	1,884	2,360	50	265	22
Tioga,	1,752	312	259	2,636	1,914	127	197	114
Union,	704	45	83	932	1,171	72	36	36
Venango,	1,757	215	239	1,979	2,292	41	618	1,165
Warren,	1,341	94	90	2,362	1,551	30	376	509
Washington,	4,315	273	386	5,094	5,368	148	333	1,994
Wayne,	664	138	184	1,764	1,967	60	105	52
Westmoreland,	4,679	694	655	6,458	9,180	424	801	4,412
Wyoming,	446	52	71	1,121	1,465	34	47	30
York,	5,404	4,191	293	2,326	14,111	234	371	1,409
	263,711	43,780	25,583	274,669	377,326	36,027	18,141	79,063

*A. J. Darragh 1 for State Treasurer.
†Frank Kerityas 1 vote for State Treasurer; Thomas Trimbah 1 vote for State Treasurer.
‡Geo. W. Lutz 1 vote for State Treasurer.

SUMMARY OF VOTE FOR AUDITOR GENERAL.

Archibald W. Powell,	Republican,	269,292	
	Bull Moose,	44,388	
	Roosevelt Progressive,	26,912	
	Washington,	280,642	
			621,234
Robert E. Cresswell,	Democratic,	356,574	
	Keystone,	25,413	
			381,987
B. Budd Cannon,	Prohibition,		20,948
Adrian H. Eldredge,	Socialist,		81,237
Total number of votes cast,			1,105,406

Powell's plurality over Cresswell, 239,247.
Powell's majority, 137,062.

SUMMARY OF VOTE FOR STATE TREASURER.

Robert K. Young,	Republican,	263,711	
	Bull Moose,	43,780	
	Roosevelt Progressive,	25,583	
	Washington,	274,669	
			607,743
William H. Berry,	Democratic,	377,826	
	Keystone,	36,027	
			413,853
Charles W. Huntington,	Prohibition,		18,141
John J. Schwartz,	Socialist,		79,063
Total number of votes cast,			1,118,800

Young's plurality over Berry, 193,890.
Young's majority, 96,686.

Whereupon, the President pro tempore announced that Archibald W. Powell having received the highest number of votes was duly elected Auditor General for the term of four years from the first Tuesday in May, A. D. 1913, and that Robert K. Young having received the highest number of votes was duly elected State Treasurer for the term of four years from the first Monday in May, A. D. 1913.

Four certificates were signed in each case, as follows:

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the twenty-first day of January A. D. one thousand nine hundred and thirteen, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of this Commonwealth, and upon counting the votes by a teller appointed by each House, it appears that Archibald W. Powell had the highest number of votes; whereupon the said Archibald W. Powell was declared duly elected Auditor General.

In testimony whereof, we have hereunto set our hands and seals the day and year above mentioned.

JOHN M. REYNOLDS,
President of the Senate.
GEORGE E. ALTER,
Speaker of the House of Representatives.
BENJAMIN JARRETT,
Teller on the part of the Senate.
W. W. ULERICH,

Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the twenty-first day of January A. D., one thousand nine hundred and thirteen, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of this Commonwealth, and upon counting the votes by a teller appointed by each House, it appears that Robert K. Young had the highest number of votes; whereupon the said Robert K. Young was declared duly elected State Treasurer.

In testimony whereof, we have hereunto set our hands and seals the day and year above mentioned.

JOHN M. REYNOLDS,
President of the Senate.
GEORGE E. ALTER.
Speaker of the House of Representatives.
BENJAMIN JARRETT,
Teller on the part of the Senate.
W. W. ULERICH,

Teller on the part of the House of Representatives.

The PRESIDENT. The report of the teller will be entered at length on a Journal of the Senate.

BILLS INTRODUCED.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 37, entitled:

An act authorizing and empowering township supervisors in townships of the second class, to enter into contract with electric, gas or other light companies, for the purpose of lighting and illuminating the streets, highways, lanes, alleys and other public places in any villages in said township, and to provide for the collection of funds for that purpose by levying a tax upon all owners of property in the districts benefited.

Which was committed to the Committee on Judiciary General.

RESOLUTION GRANTING COMMISSION TO INVESTIGATE AND REPORT UPON SURFACE SUPPORT IN MINING ANTHRACITE COAL EXTENSION OF TIME TO MAKE REPORT.

Mr. McNICHOLS, offered the following resolution, which was twice read as follows:

Whereas, The Commission to Investigate and Report upon Surface Support in Mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D., 1911, will be unable to make its report to the General Assembly on February 1st, 1913, the date specified in the Resolution, because of insufficient time;

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a number of expert mining engineers and others is still to be taken by the Commission;

Therefore, Be it resolved (if the House concur), That the Commission hereinbefore mentioned be granted an extension of time to make its report to the General Assembly; said report to be made on or before the 15th day of March, A. D., 1913.

Mr. McNICHOLS. Mrs. President, I ask consent to consider the resolution just read at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. McNICHOLS. Mr. President, I have been given to understand by this Commission that the reason of the request is that they have appointed a sub-committee, who are now in Pittsburgh, conducting a series of tests as to mine supports, and that committee will not be ready to report until some time in February. The Commission desires to incorporate the report of the sub-committee in their findings to the Legislature, hence the request for an extension of their time.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE.

TIME OF NEXT MEETING OF THE HOUSE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House, as follows:

In the House of Representatives,
January 21, 1913.

Resolved (if the Senate concur), That when the House adjourn this week, it be to meet Monday, January 27th, at nine o'clock P. M.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the resolution from the Senate, as follows:

In the Senate,
January 21, 1913.

Resolved (if the House of Representatives concur) That when the Senate adjourns today it shall reconvene on Monday, January twenty-seventh, at nine o'clock.

PRINTING PINK BILLS.

Mr. HEACOCK. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEACOCK, offered the following resolution which was twice read, considered and agreed to:

Resolved, That the Chief Clerk be authorized to have all billls introduced printed in pink for the use of the Senate.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move the Senate do now adjourn.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:15 o'clock P. M., until 9:00 o'clock P. M., Monday evening, January 27, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 21, 1913.

The House met at 10:00 o'clock A. M.
The Speaker (George E. Alter) in the Chair.
Prayer by the Chaplain, Rev. John Elliot Wright.

The SPEAKER. The Clerk will read the Journal of yesterdays proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Grausback, the further reading was dispensed with and the Journal was approved.

COMMITTEE TO CONDUCT SENATE TO HALL OF THE HOUSE.

Mr. DICKINSON offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to escort the members of the Senate to the Hall of the House for the Joint Session at 12 o'clock today.

The SPEAKER. The Chair will appoint Messrs. Dickinson, Ehrhardt and Flynn to escort the Senate to the Hall of the House, in accordance with the resolution just adopted.

INTRODUCTION OF BILLS.

The Chair calls attention of the members to the fact that, under the rules, bills or resolutions may be handed to the Clerk at any time.

RECESS.

If there is no further business to be presented at this time and if there is no objection, the Chair will declare a recess until 11:45 o'clock this forenoon.

AFTER RECESS.

The House reconvened at 11:45 o'clock.
Speaker ALTER in the Chair.

The SPEAKER. The Chair has had opportunity to attend to the reference of a few of the bills which were introduced this morning, and examined. Of these, reference will now be made under the rules, so that some of the Committees may possibly be able to get to work on them this afternoon.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. Wiltbank, House Bill No. 1.

An act regulating the cold storage of food, and providing penalties for violation of this act.

Referred to Committee on Judiciary Special.

By Mr. Cox. House Bill No. 2.

An act making an appropriation to cover a deficiency in the appropriation act of June 13, 1911 (pamphlet laws page 900) making an appropriation to pay local Registrars of Vial Statistics in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act.

Referred to Committee on Appropriations.

By Mr. HESS. House Bill No. 3.

An act providing for the return of the various counties of the State of a part of personal property tax levied and collected by existing laws.

Referred to Committee on Ways and Means.

By Mr. MISSIMEN. House Bill No. 4.

An act making an Appropriation to St. Joseph's Hospital of Philadelphia.

Referred to Committee on Appropriations.

By Mr.RHOADS. House Bill No. 5.

An act relative to the selling, listing and advertising of shares of stock and bonds of mining and other corporations, with the intent to secure money or subscriptions to stocks and bonds; making the violation of this act a msdemeanor, and fixing the penalty thereof.

Referred to the Committee on Judiciary General.

By Mr. ULERICH. House Bill No. 6.

An act for the further regulation and restraint of the sale of vinous, spirituous, malt or brewed liquors and admixtures thereof, by those having a wholesale license from any of the several courts of quarter sessions of this Commonwealth.

Feferred to the Committee on Law and Order.

By Mr. WILTBANK. House Bill No. 7.

An act providing for the selection and purchase, or the appropriation from the State forest reserves, of a tract of land and the erection thereon of buildings for the Eastern Penitentiary; makng an apppropriation therefor; authorzing the removal thereto of the inmates of the said penitentiary; and directing the sale of the site now occupied by the said penitentiary, and the buildings and materials thereon.

Referred to Committee on Appropriations.

By Mr. MILLER. House Bill No. 7.

An Act to amend the tenth section of an act entitled "A supplement to the law relaing to defaulting public officers," apppved the twenty-first day of April, one thousand eight hundred and forty-six, by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in such county.

Referred to the Committee on Judiciary General.

By Mr. WILTBANK. House Bill No. 9.

An Act permitting certain baseball games on Sunday between three and six o'clock post meridian.

Referred to the Committe on Law and Order.

By Mr. STEIN. House Bill No. 10.

A joint resoltuion providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturng companes of this State of the law governing the withholding of wagon from employees and the maintenance of company stores, and providing for the employment of counsel and necessary help, making an appropriation for the expenses and giving such commission the necessary powers to make its investigatons, and providing penalties for contempt of its authority.

Referred to the Committee on Judiciary General.

By Mr. MOSES. House Bill No. 11.

An Act to provde for an additional law judge of the several courts of the forty-seventh judicial district.

Referred to the Committee on Judiciary General.

By Mr MOSES. House Bill No. 12.

An Act to repeal an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," together with the amendments thereof.

Referred to Committee on Ways and Means.

By Mr. E. E. JONES. House Bill No. 13.

A Joint Resolution Ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America, which provides that Senators shall be elected by the people.

Referred to the Committee on Judiciary General.

By Mr. GEARY. House Bill No. 14.

An Act Establishing in the Department of Health a bureau to be known as the ureau of Child Welfare, and regulating the same.

Referred to Judiciary Special Committee.

By Mr. H. H. Irwin. House Bill No. 15.

An Act making an appropriation to the Dayton Normal Institute, of Dayton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. C. M. C. CAMPBELL. House Bill No. 16.

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania.

Referred to Committee on Constitutional Reform .

By Mr. MILLER. House Bil No. 17.

An Act making an appropriation to the Lehigh County Humane Society, located at Allentown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr REX. House Bill No. 18.

An Act to amend Section Three of an Act, entitled "An Act relating to last wills and testaments", approved the Eighth day of April eighteen hundred and thirty-three.

Referred to Committee on Judiciary General.

By Mr. FREY. House Bill No. 19.

An Act making an appropriation for the erection of a monument in the borough of Wrightsville, Pennsylvania, to mark the most eastern point reached by the Confederate Army during the Civil War.

Referred to Committee on Appropriations.

By M. FREY. House Bill No. 20.

An Act further amending section one of an act entitled "An Act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engagng in the business or work of plumbng of house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to all cities of the third class.

Referred to Committee on Municipal Corporations.

By Mr. PIPER. House Bill No. 21.

An Act providing for and regulating relief to certain destitute mothers and their children by the local poor authorities at the expense of the Commonwealth, and fixing penalties for violation of this act.

Referred to Committee on Judiciary General.

By Mr. MILLER. House Bill No. 22.

An Act to provide for the erection of a tablet, marker or monument to commemorate the services and patriotism during the Civil War of the Allen Infantry, of Allentown, Pennsylvania, officially known as Company "G," Twenty-fifth Regiment Pennsylvania Volunteers, and commonly styled "The First Defenders;" providing for the appointment of a commission to carry into effect the provisions of this act, and making an oppropriation therefor.

Referred to Committee on Appropriations.

By Mr. GEORGE A. BALDWIN. House Bill No. 23.

An Act providing for the creation and regulation of municipal liens, and the proceedngs for the collection thereof, in the several boroughs of this State.

Referred to Committee on Municipal Corporations.

By Mr. REX. House Bill No. 24.

An Act to quiet the title to real estate, and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Referred to Committee on Judiciary General.

By Mr. WILLIAMS. House Bill No. 25.

An Act authorizing the Department of Forestry to lease portions of the State forest for health and recreation purposes.

Referred to Committe on Forestry.

By Mr. WILLIAMS. House Bill No. 26.

An Act providing for the licensing and bonding of persons, firms and corporations engaged in selling agricultural products on commission; providing for action on such bonds, and fixing penalties for violation of this act.

Referred to Committee on Agriculture.

By Mr. KEEPORT. House Bill No. 27.

An Act fixing the penalty for murder of the first degree; regulating the procedure incident thereto; prescribing the place and manner of inflicting said penalty; making an appropriation therefor, and repealing the seventy-fifth section of an act approved the thirty-first day of March, Anno Domini one thonsand eight hundred and sixty, entitled "An act to consolidate, revise and amend the penal law of this Commonwealth," and the seventy-sixth section of an act approved the thirty-first day of March, Anno Domini one thousand eight hunderd and sixty, entitled "An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleading."

Referred to Committee on Judiciary Special.

By Mr. FRANK GRAY. House Bill No. 28.

An Act to amend an act approved the eighth day of June, one thousand eight hundred and ninety-three, entitled "An act relating to mandamus," as amended by the act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An act to amend section one of the act entitled 'An act relating to mandamus,' approved the eighth day of June, one thousand eight hundred and ninety-three; enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus," and as further amended by an act approved the nineteenth day of March, one thousand nine hundred and three, entitled "An act amending section one (1) of an act, entitled 'An act relating to mandamus,' approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three."

Referred to Committee on Judiciary General.

By Mr. FRANK GRAY. House Bill No. 29.

An Act fixing the compensation and mileage of the members and the number and compensation of the officers and employes of the General Assembly.

Referred to Committee on Judiciary General.

By Mr. FRANK GRAY. House Bill No. 30.

An Act to protect the public health by prohibiting in certain places the furnishing of any towel intended for the use of more than one person.

Referred to Committee on Public Health and Sanitation.

By Mr. MARTIN. House Bill No. 31.

An Act to reapeal an act approved the second of May, one thousand eight hundred and ninety-nine, entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," together with the amendments thereof.

Referred to Committee on Ways and Means.

By Mr. FRANK GRAY. House Bill No. 32.

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the Army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payment, creating a commission to have charge of all matters and things appertaining to the same, making an appropriation for the purpose of carrying out the provisions of this act and providing for punshments for the violations thereof.

Referred to Committee on Pensions and Gratuities.

By Mr. BENSON. House Bill No. 33.

A Joint Resolution proposing an amendment to the Constitution of the United States.

Referred to Committee on Ways and Means.

By Mr. FRANK GRAY. House Bill No. 24.

An Act providing for the safety of persons from fire or panic in certain buildings, other than in cities of the first and second classes; requiring proper exits, fire-extinguishers and other preventives of fire; and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

Referred to Committee on Judiciary Special.

By Mr. FRANK GRAY. House Bill No. 35.

An Act extending the right of action and granting appeals in cases in any court of record in this Commonwealth where the plaintiff or defendant shall have lost the right of appeal to a higher court by reason of sickness or other disability, and delaying the operation of statute of limitation in such cases.

Referred to Committee on Judiciary General.

By Mr. WILLIAMS. House Bill No. 36.

An Act making an appropriation to carry out the provisions of an act approved the fourteenth day of June, one thousand nine hundred and eleven, entitled "An act providing for the refunding of fees paid into the State Treasury by applicants for a notary public commission, when, for any cause, such commission shall not be received by the applicant, and making an appropriation therefor."

Referred to Committee on Appropriations.

By Mr KEEPORT. House Bill No. 37.

An Act prohibiting a common drinking cup or analogous utensil in certain public places and vehicles.

Referred to Committee on Public Health and Sanitation.

By Mr. KEEPORT House Bill No. 38.

An Act to prohibit untrue or misleading advertisements, and providing penalties for violation of this act.

Referred to Committee on Judiciary Special.

By Mr. KEEPORT. House Bill No. 39.

An Act regulating the use of bottles and other utensils for milk or cream, and providing a penalty for violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. KEEPORT. House Bill No. 40.

An Act regulating witnesses in criminal matters in certain courts and providing a penalty for violation of this act.

Referred to Committee on Judiciary General.

By Mr. KEEPORT. House Bill No. 41.

An Act to amend an act approved the twenty-fifth day of June, Anno Domini one thousand eight hundred ninety-five, entitled "An Act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith."

Referred to Committee on Municipal Corporations.

By Mr. REESE. House Bill No. 42.

An Act to repeal an act entitled "An Act authorizing cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for the purpose of making, enlarging, extending and maintaining public parks, parkways and playgrounds; authorizing the said cities to purchase, acquire, take, use and appropriate neighboring private property within 200 feet of the boundary lines of such public parks, parkways and playgrounds, in order to protect the same by resale with restrictions; authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public park, parkways and playgrounds; and providing for the manner of ascertaining, determining, awarding and paying compensation and damages in all cases where property is taken, used and appropriated for the said purposes."

Referred to Committee on Municipal Corporations.

By Mr. GEARY. House Bill No. 43.

An Act making an appropriation to the Roselia Foundling Asylum and Maternity Hospital, of the City of Pittsburgh.

Referred to Committee on Appropriations.

By Mr. FREY. House Bill No. 44.

An Act amending an act entitled "An act providing a system whereby boroughs may build sewers; grade, subgrade, and pave streets and alleys; pay the costs thereof by the issue of bonds, and collect the same from the property benefited, in instalments," approved June 15th, A. D., 1911; by extending the provisions thereof so as to include the acquisition by boroughs of existing sewers and sewer systems.

Referred to Committee on Municipal Corporations.

By Mr. HESS. House Bill No. 45.

An Act prescribing the method of executing criminals and regulating the same.

Referred to Committee on Judiciary Special.

By Mr. JAMES A. DUNN. House Bill No. 46.

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain a free room for certain patients; regulating the use of said room and regulating the care and treatment of such patients.

Referred to Committee on Appropriations.

By Mr. GRANSBACK. House Bill No. 47.

An Act making an appropriation to the Hebrew Sheltering Home and Day Nursery for Children in the County of Philadelphia, incorporated.

Referred to Committee on Appropriations.

By Mr. GRANSBACK. House Bill No. 48.

An Act making an appropriation to The Roosevelt Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 49.

An Act providing for the relief of certain destitute mothers and their destitute children by the local poor authorities, at the expense of the Commonwealth; and providing the method of procedure and penalties for violations.

Referred to Committee on Judiciary General.

By Mr. FREY. House Bill No. 50.

An Act amending an Act entitled "An Act making it lawful for any municipality, in which a corporation, created and existing under and by virtue of the laws of this Commonwealth, have constructed and are maintaining, or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances, for surface, under surface and sewerage drainage to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same, and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same," approved April 19, 1901, by extending the provisions thereof to sewers, culverts, conduits and pipes, with the necessary inlets and the appliances, owned by individuals and unincorporated associations; and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby, or upon the proper municipality.

Referred to Committee on Municipal Corporations.

By Mr. RUNK. House Bill No. 51.

An Act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February, one thousand eight hundred fifty-three, entitled "An Act authorizing the laying out of a State road from Ayr Township, in Fulton County to Warren Township, in Franklin County; and relating to the collection of taxes in Franklin County."

Referred to the Committee on Judiciary Local.

By Mr. GANS. House Bill No. 52.

An Act for the better preservation of the records contained in the offices of the Recorder of Deeds of the several counties of the Commonwealth, providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds.

Referred to Committee on Judiciary General.

By Mr. GANS. House Bill No. 53.

An Act regulating the sale of certain food that shall have been kept in cold storage; providing for inspectors to enforce this act and fixing their salaries payable by the proper county and fixing the penalties for the violation of the provisions thereof.

Referred to the Committee on Public Health.

By Mr. SWARTZ. House Bill No. 54.

An Act creating a bounty for the destruction of certain noxious animals and hawks killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth, which, in turn, are to be reimbursed by the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions.

Referred to Committee on Agriculture.

By Mr. Swartz. House Bill No. 55.

An Act authorizing supervisors of townships of the second class to provide fire hydrants and street lamps on certain highways when thereto petitioned; regulating such petition, and providing for and regulating a tax on the property benefited.

Referred to the Committee on Counties and Townships.

By Mr. FRANK GRAY. House Bill No. 56.

An Act to provide for a convention to amend the present Constitution, or propose a new Constitution, and providing for the election of delegates thereto.

Referred to the Committee on Constitutional Reform.

By Mr. NORTH. House Bill No. 57.

An Act to amend the eight section of an act entitled "An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions, approved the seventeenth day of February, Anno Domini one thousand nine hundred and six; by fixing the compensation of election boards at primary elections."

Referred to the Committee on Elections.

By Mr. NORTH. HOUSE BILL No. 58.

Joint Resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America, which provides that Senators shall be elected by the people.

Referred to the Committee on Judiciary General.

By Mr. BLELOCK. House Bill No. 59.

An Act making an appropriation to the hospital department of the Jewish Hospital Association of Philadelphia.

Referred to Committee on Appropriations.

By Mr. MATT. House Bill No. 60.

An Act to provide for the pensioning of soldiers, sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five; fixing the rate of said pensions, the manner of obtaining same, and making an appropriation for the payment thereof.

Referred to the Committee on Pensions and Gratuities.

By Mr. LORENZO SMITH. House Bill No. 61.

An Act making an appropriation to the Northwestern General Hospital, located at 2019 North Twenty-second street, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WALNUT. House Bill No. 62.

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. SCHUCK. House Bill No. 63.

An Act relating to the furnishing of gas, water or electricity to persons, companies and corporations to be paid for by consumers by meter measurement, prohibiting overcharges therefor and providing penalties for the violations of the same.

Referred to the Committee on Judiciary General.

By Mr. ELY. House Bill No. 64.

An Act authorizing the judges of the separate orphans' courts, when requested, to preside in the courts of common pleas, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace; to hear and determine proceedings in equity; to act separately or with the judges of the other courts in the determination of causes in law or in equity; and, in case the judges of any such courts are divided on the matter or question before any such courts, to act with them and judicially determine such a question or matter.

Referred to the Committee on Judiciary General.

By Mr. RIEBEL. House Bill No. 65.

An Act making an appropriation for the expenses required by an act, entitled "An Act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers, sailors and marines of the States," approved May 25th, 1889; also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School, and the Soldiers' Orphan Schools, approved May 27, 1893.

Referred to the Committee on Appropriations.

By Mr. EHRHARDT. House Bill No. 66.

An Act to authorize the appointment by the County Commissioners of Twelve (12) Assessors in Counties having not less than two hundred twenty-five thousand inhabitants, prescribing their powers, duties and procedure, and fixing salaries to be paid by the proper County and the method of their appointment, and abolishing the office of Ward, Borough and Township Assessors in so far as respects the assessment of state and county taxes.

Referred to the Committee on Judiciary General.

By Mr. EHRHARDT. House Bill No. 67.

An Act making an apropriation for the Pennsylvania Oral School for the deaf.

Referred to the Committee on Appropriations.

By Mr. EHRHARDT. House Bill No. 68.

An Act to amend an act approved the twenty-ninth day of April, one thousand nine hundred and nine, providing for the health and safety of minors in certain employments, etc., by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcement of this act.

Referred to the Committee on Labor and Industry.

By Mr. EHRHARDT. House Bill No. 69.

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, providing for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers, etc., by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcement of this act.

Referred to the Committee on Labor and Industry.

By Mr. DAVIS. House Bill No. 70.

A Joint Resolution proposing an amendment to section seven, Article three of the Constitution of Pennsylvania, so as to permit special legislation regulating labor.

Referred to the Committee on Judiciary Special.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

NEXT MEETING OF SENATE.

In the Senate, January 21, 1913.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday, January twenty-seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Said resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RECEIVED BY HOUSE TO COUNT VOTES FOR STATE OFFICERS.

The Sergeant-at-Arms announced the return to the Hall of the Committee appointed on the part of the House to escort the Senate to the Hall of the House.

Mr. FLYNN. Mr. Speaker, the Committee appointed to wait upon the Senate and invite them to the Hall of this House for the purpose of opening, counting and publishing the official returns of the vote cast on the fifth day of November, 1912, for State Treasurer and Auditor General, begs leave to announce that it has performed that duty and that the Lieutenant-Governor and the President Pro Tempore and the Members of the Senate are now present.

The SPEAKER. The time having arrived for the joint session of the Senate and House, the members of the Senate will be seated, and Lieutenant-Governor John M. Reynolds and President Pro Tempore Daniel P. Geberich, will come to the Chair.

Lieutenant-Governor JOHN M. REYNOLDS presided.

TELLERS' REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENTATIVES FOR THE OPENING, COUNTING AND PUBLISHING OF VOTE FOR TREASURER AND AUDITOR GENERAL.

Mr. Ulerich, Teller on the part of the House, and Mr. Jarrett, Teller on the part of the Senate, made a report, which was read as follows:

The President of the Senate and the Speaker of the House having taken the chair, and Mr. Jarrett, the teller on the part of the Senate, and Mr. Ulerich, teller on the part of the House, having taken thefr respective places, the Hon. John M. Reynolds, President of the Senate, addressed the joint session as follows:

"By the provisions of the Constitution it becomes the duty of the President of the Senate to open and publish in the presence of the members of both Houses, the official returns for the election of State Treasurer and Auditor General, held on the Tuesday next following the first Monday, being the 5th day of November, 1912, in the City of Philadelphia and the several counties of the Commonwealth.

I will now proceed to perform that duty. The election returns will be read by the clerks and the results recorded by the tellers."

The said returns were accordingly opened and read by the Clerks of the respective Houses as follows:

(For tables showing returns, see today's Senate proceedings.)

Whereupon the President of the Senate announced that Robert K. Young, having received the highest number of votes, was duly elected State Treasurer for the term of four years from the first Tuesday in May, Anno Domini 1913; and that Archibald W. Powell, having received the highest number of votes, was duly elected Auditor General for the term of four years from the first Tuesday in May, Anno Domini 1913.

Four certificates were signed in each case, as follows, viz:

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the 21st day of January, A. D. 1913, in the Hall of the House of Representatives, at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed by each House, it appears that Robert K. Young had the highest number of votes.

Whereupon,

The said Robert K. Young was declared duly elected State Treasurer. In testimony whereof we have hereunto set our hands and seals the day and year above mentioned.

(Signed) JOHN R. REYNOLDS,
President of the Senate.
GEORGE E. ALTER,
Speaker of the House of Representatives.
BENJAMIN JARRETT,
Teller on the part of the Senate.
W. W. ULERICH.

Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the 21st day of January, A. D. 1913, in the Hall of the House of Representatives, at the State Capitol, open the returns of the election for Auditor-General of this Commonwealth and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed by each House, it appears that Archibald W. Powell had the highest number of votes.

Whereupon,

The said Archibald W. Powell was declared duly elected Auditor-General. In testimony whereof we have hereunto set our hands and seals the day and year above mentioned.

(Signed) JOHN R. REYNOLDS,
President of the Senate.
GEORGE E. ALTER,
Speaker of the House of Representatives.
BENJAMIN JARRETT,
Teller on the part of the Senate.
W. W. ULERICH.

Teller on the part of the House of Representatives.

The SPEAKER. The report of the Tellers will be entered at length on the Journal of the House.

TIME OF ADJOURNMENT.

Mr. McALEER offered the following resolution which was twice read, considered and agreed to:

Resolved (if the Senate concur) That when the House adjourns this week it be to meet on Monday, January 27, 1913, at 9.00 o'clock P. M.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was read as follows, and laid over for one day under the rules:

COMMISSION TO INVESTIGATE THE SERVICE IN THE SENATE, HOUSE OF REPRESENTATIVES, SEVERAL DEPARTMENTS, BOARDS AND COMMISSIONS.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore,

Be it Resolved, (if the House of Representatives concur), That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate, and five members of the present House of Representatives, two of whom shall be Democrats be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate and House of Representatives, and the several departments, boards and commissions connected with the State government, and to make report thereof and, if necessary, to recommend, not later than March 12, 1913, to the present General Assembly such a bill or billls as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

Ordered, that the Clerk present the same to the House for concurrence.

RECESS.

Mr. S. B. SCOTT. Mr. Speaker, I move that the House now take a recess until 3:00 P. M.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

Accordingly (at 1:00 o'clock P. M.) the House took a recess.

AFTER RECESS.

The House reconvened at 3 o'clock P. M.
Speaker ALTER in the Chair.

SENATE MESSAGES.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

SENATE CONCURS IN RESOLUTION FOR TIME OF NEXT MEETING.

In the House of Representatives, January, 21st, 1913.

Resolved, (if the Senate concur) That when the House adJourns it be to meet on Monday, January 27th, 1913, at 9 o'colck P. M.

He also presented an extract from the Journal of the Senate; which was read as follows, and laid over for one day under the rules.

EXTENDING TIME FOR REPORT OF COMMISSION TO INVESTIGATE SURFACE SUPPORT ON ANTHRACITE COAL MINING.

In the Senate, January 21, 1913.

Whereas, The Commission to investigate and report upon surface support in mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D. 1911, will be unable to make its report to the General Assembly on February 1, 1913, the date specified in the Resolution, because of insufficient time.

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a members of expert mining engineers and others is still to be taken by the Commission:

Therefore, Be it resolved, (if the House concur) The Commission be granted an extension of time to make its report to the General Assembly, said report to be made on or before the 15th day of March, A. D. 1913.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The Speaker laid before the House the following:

REPORT OF THE PHILADELPHIA SAVINGS FUND SOCIETY.

The report of the Auditors of the Philadelphia Saving Fund Society for the year ending December 31st 1911.

(See Appendix).

SUPPLEMENTARY REPORT OF COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT presented a Supplemental Report of the Committee on Committees, which was twice read, considered and agreed to, as follows:

Page, Neal Bowman, Dauphin County.
Walter Rotherman, Jefferson County.
Assistant Postmaster, insert the name of Joseph Cramer, instead of John Doe.
Superintendent of Folding room, insert the name of Blank Shilling, instead of Richard Roe.
Paster and Folder, insert the name of Harry Ehrhardt, instead of John Doe..

JOHN FLYNN.
FRANK H. ROCKWELL.
JOHN T. MATT.
JOHN ROBERT JONES.
A. S. MOULTHROP.
GEORGE W. ALLEN.
DANIEL J. SHERN.
EDWARD R. BENSON.
WILLIAM WILSON.
CHAS. A. AMBLER.
SAMUEL B. SCOTT.
Chairman.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EHRHARDT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. EHRHARDT. The appointee by the name of Ehrhardt, ust read, an employe in the paster and folder department, is not a relative of mine, nor does he live in Lackawanna County.

The SPEAKER. The gentleman is relieved of any responsibility, and the appointee is also relieved of any responsibility.

OATH ADMINISTERED TO TRANSCRIBING CLERK.

Mr. FACKLER, a transcribing clerk, presented himself to the Bar of the House, and the oath of office was administered by the Speaker.

COPY OF BILL FOR NEWSPAPER CORRESPONDENTS.

The SPEAKER announced that under the rule relating to the presentation of bills, the one copy for the newspaper correspondents would be turned over to them as the Clerk received the bills unless there be objection.

ADJOURNMENT.

Mr. S. B. SCOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, and (at 3:45 P. M.) the House adjourned until tomorrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, JANUARY 22, 1913. No. 4.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 22nd, 1913.

The House met at 10:00 A. M.

The Speaker (GEORGE E. ALTER) in the Chair.

Prayer by the Chaplain J. E. Wright.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Frank Gray, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. SASSAMAN. House Bill No. 71.

An Act makng an appropriation to the Saint Joseph's Hospital in the City of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CURRIER. House Bill No. 72.

An Act refining investment companies; providing for the regulation and supervision of such investment companies, and providing penalties for violation of this act.

Referred to the Committee on Banks and Banking.

By Mr. MILLER. House Bill No. 73.

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

Referred to the Committee on Appropriations.

By Mr. SASSAMAN. House Bill No. 74.

An Act making an appropriation to the House of the Good Shepherd in the City of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GOOD. House Bill No. 75.

An Act to provide for the pensioning of soldiers, sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof.

Referred to the Committee on Pensions and Gratuities.

By Mr. SASSAMAN. House Bill No. 76.

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILTBANK. House Bill No. 77.

An Act making an appropriation to the Northern Home for Friendless Children, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 78.

An Act supplementing and amending sections two hundrtd and two (202) and two hundred and fourteen (214) of Article 11 of an act entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven, by providing for the election in school districts of the first class of school directors at large by the people of the district at mnuicipal elections instead of their appointment by the judges of the courts of common pleas of the county in which such school district is situated.

Referred to Committee on Education.

By Mr. SASSAMAN. House Bill No. 79.

An Act making an appropriation to the Reading Hospital in the City of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. REIBEL. House Bill No. 80.

An Act supplementing an act approved the fourteenth day of June, one thousand nine hundred eleven, entitled "An act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade, in the City of Washington, and making an appropriation therefor," and making a further appropriation.

Referred to the Committee on Appropriations.

By Mr. E. G. M. KUHNS. House Bill No. 81.

An Act entitled, An act, making an appropriation to the St. Luke's Hospital, located at South Bethlehem, Pa.

Referred to Committee on Appropriations.

By Mr. E. G. M. KUHNS. House Bill No. 82.

An Act authorizing and regulating the employment on county highways of male prisoners in county jails and prisons and fixing penalties for violation of this act.

Referred to Committee on Counties and Townships.

By Mr. MISSIMER. House Bill No. 83.

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MISSIMER. House Bill No. 84.

An Act making an appropriation to the Woman's Medical College of Pennsylvania, for use in the Hospital Department, Philadelphia.

Referred to the Committee on Appropriations.

APPOINTMENT OF TRUSTEES OF PENNSYLVANIA SAILORS' AND SOLDIERS' HOME.

The SPEAKER. In accordance with the Act of Assembly, passed June 3rd, 1885, creating the Pennsylvania Sailors' and Soldiers' Home, I hereby appoint the following members of the House to serve for the two years from the third Wednesday of January, the 15th, 1913: The Honorable Henry Gransback, Sr. of Philadelphia and the Honorable Homer E. Leslie of Allegheny.

LEAVES OF ABSENCE.

Mr. GEORGE C. IRWIN asked and obtained indefinite leave of absence for Mr. Snyder on account of illness in his family.

Mr. BASS asked and obtained leave of absence for himself for the remainder of the week.

Mr. LORENZO SMITH asked and obtained leave of absence for himself for the remainder of the week.

Mr. EWING asked and obtained leave of absence for Mr. Gans for today.

Mr. NORTH asked and obtained leave of absence for Mr. Watson until next Tuesday morning.

Mr. WILTBANK asked and obtained leave of absence for Mr. O'Neill for today.

Mr. SNAVELY asked and obtained leave of absence for Mr. Kaufman for today.

Mr. JAMES A. DUNN asked and obtained leave of absence for Mr. McNichol for today.

The CHAIR asked and obtained leave of absence for Messrs. Hoffman and Missimer until next Monday.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BENSON. Mr. Speaker I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BENSON. Mr. Speaker, on page 59 of the Legislative Journal I am recorded as voting for Mr. Leib for Resident Clerk. I supported Mr. Young and I ask that the correction be made.

The SPEAKER. The correction will be made accordingly.

BILL BOX PROVIDED.

Mr. R. J. BALDWIN offered the fololwing resolution which was twice read and considered:

Resolved, That the Chief Clerk of the House be authorized to procure a box to be known as the "Bill Box," to be kept on his desk in the House of Representatives. Any member desiring to introduce a bill to the house shall deposit the same in said box.

Mr. R. J. BALDWIN asked and obtained unanimous consent for the consideration of the resolution at this time.

On the question,

Will the House agree to the Resolution?

Mr. R. J. BALDWIN. Mr. Speaker, I want to explain to the members of the House the purpose of this Resolution. Experience already has demonstrated that in the work of handing the bills to the Chief Clerk it results in members handing the bills to the Chief Clerk almost everywhere they meet him; some are left down in his office, and some are left on his desk. The result of that practice undoubtedly will be that after a while some bills will be lost, and it may possibly then be charged that the Chief Clerk lost them intentionally. It is for the protection of the members and also for the protection of the Cheif Clerk that I offer this resolution. This is in existence in some States in the Union and has been in operaton for years, and undoubtedly where tried has been considered very effective and very wise.

Mr. S. B. SCOTT. Mr. Speaker, on account of the suddenness with which this resolution has been sprung and considered, I have not had any opportunity to consult with my committee, but speaking for myself I would say that when this rule providing for the present method of introduction of bills was under consideration we thought, of course, that the Chief Clerk would do exactly what this resolutoin requires. The rules go no further than designate the official who is responsible for the bills, and we thought he would provide a place for their safe reception. If the Chief Clerk feels that the resolution would be of assistance to him I cannot see the slightest objection to it.

Mr. ROCKWELL. Mr. Speaker, I think perhaps it would be a good idea to have the mind of the Chief Clerk on this subject as he has intimated that there is no room on his desk.

The SPEAKER. The Chief Clerk desires it to be stated that so far as he is concerned it is immaterial. He prefers that the members should not hand the bills to him on the street, but otherwise he has no concern as to how this matter is handled.

The resolution was agreed to.

Mr. BARNER offered the following resolution which was twice read.

RESOLUTION REQUESTING INFORMATION FROM THE STATE HIGHWAY DEPARTMENT.

Whereas, The State Highway Commissioner has filed no report of the conduct of the State Highway Department since last session of the General Assembly, and

Whereas, Large sums of public moneys have been appropriated to and expended by that Department since the last published report of said Department, and

Whereas, It is essential that this House should have full knowledge of the operations of this Department, in order that it may be enabled to consider intelligently legislative matters affecting said department;

Therefore be it

Resolved, That the Commissioner of Highways be and is hereby required to forthwith furnish to this House full, complete and detailed information as follows:

(a) An itemized statement of the expenditures of the appropriation made by Act of 1911.

(b) A complete statement of all contracts let by the said Department since the date of the last published report, giving the name of the contractor and setting forth the location of the roads or other improvement, the amount of work done and payments therefor.

(c) The number of miles of roads constructed, the amount paid therefor and the portion thereof, if any, paid by counties and townships, and also

(d) A full report of the work and operations of the said department, including a detailed statement of all moneys expended for salaries, expenses of all kinds and costs of maintaining said department, together with a list of the names of all officers and employes thereof and the compensation received by each.

The SPEAKER. This being a resolution requesting information from the head of a Department is one for consideration at this time.

Mr. BARNER. Mr. Speaker, I move the resolution be adopted as read.

The yeas and nays were required by Mr. Matt and Mr. Ulerich and were as follows:

YEAS—161.

Adams,	Dunn, H. B.,	Latshaw,	Richards,
Allen,	Dunn, J. A.,	Lenker,	Robinson,
Alworth,	Eichenberger,	Leslie,	Rockwell,
Arthur,	Ely,	Light,	Roney,
Baldwin, G. A.,	Ewing,	Lohr,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Runk,
Barner,	Frey,	Malie,	Sassaman,
Bayle,	Geiser,	Martin,	Savacool,
Becker,	Gibson,	Mather,	Schaeffer, A. C
Benninger,	Glenn,	Matt,	Schuck,
Benson,	Good,	McAleer,	Scott, S. B.,
Bergey,	Goss,	McAllister,	Semmens,
Berntheizel,	Grabe,	McArdle,	Shaffer, C. A.,
Bigger,	Gramley,	McCaig,	Shaffer, I. E.,
Bittles,	Gransback,	McClintock,	Shern,
Blair, W. A.,	Gray, Frank,	McDermott,	Sherwood,
Blair, W. F.,	Gray, Joseph,	McKay,	Showalter,
Bleloch,	Heidinger,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Snavely,
Brosius,	Herman,	Miller,	Spangler,
Brown,	Hibshman,	Moore,	Steedle,
Burnett,	Hobbs,	Morrow,	Steele,
Caldwell,	Howard, R.,	Moses,	Stein,
Campbell, C.M.,	Humes,	Moulthrop,	Stone,
Campbell, J.J.	Isler,	Murphy,	Strauss,
Carson,	Irwin, G. C.,	Musser,	Swartz,
Carter,	Irwin, H. H.,	Neel,	Swift,
Cheeseman,	Jackson,	Neely,	Thomas,
Cla comb,	Jones, E. E.,	Newbaker,	Trach,
Cochran,	Jones, J. R.,	Newton,	Ulerich,
Collins,	Kaiser,	Peachey,	Ulman,
Conniff,	Keeport,	Pennegar,	Walnut,
Conrade,	Kennedy,	Pennock,	Whitman,
Cox,	Kern,	Perry, H. L.,	Wildman,
Currier,	Kitts,	Peters,	Williams,
Curry,	Klepper,	Post,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Ramsey,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Dickinson,	Lanius,	Reese,	Young, J. H.,
Donnally,		Rhoads,	Zimmerman,
Down,			Alter,
			Speaker.

NAYS—0

QUESTION OF PERSONAL PRIVILEGE.

Mr. BALYE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BAYLE. The Committe on Committees reported my name as being on the Appropriation Committee, and the House adopted that report. My name appears on the published official list, but in the Legislative Journal on page 53 my name is omitted, and I ask that my name be inserted.

The SPEAKER. The correction will be made accordingly.

Mr. WILTBANK offered the following resolution which was twice read, and laid over under the rules:

RESOLUTION THANKING THE COMMITEE ON COMMITTEES FOR THEIR WORK.

Be it resolved by the House of Representatives that the sincere thanks of this body are extended to the Committee on Committees appointed at the session of this House held on the seventh day of January, one thousand nine hundred and thirteen, for the Painstaking efforts made by the Committee, and for the arduous labors undergone by them in the performance of the duties required of them.

Mr. MILLER offered the following resolution, which was twice read and laid over under the rules:

FAVORING THE CIVIL WAR OFFICERS' LIST.

Whereas, The Government of the United States in securing volunteers for soldiers for the Civil War of 1861-5 offered "the officers non-commissioned officers and privates organized in the Army, Navy and Marine Corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the Regular Army;

And Whereas, The Congress of the United States passed Acts of Congress on the 22nd of July 1861 and on the 3rd of August 1861 and at divers other times embodying and making the pledges and promises aforesaid;

And Whereas, By the Pension laws of the United States passed by the Congress of the United States and in existence and in force at this date there is provision made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned, mentioned and characterized as such;

And Whereas, There has been no provision made for the redemption of the pledges and promises as aforesaid to the officers designated as such in the said acts or in any other Act or Acts of Congress contained;

Now Therefore, By reason of the promises hereinbefore set forth

Be it Resolved, (if the Senate concur) That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an Act of Congress providing for the institution of a roll designated "The Civil War Officers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectively of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the Army, Navy and Marine Corps of the United States respectively in and during the Civil War of 1861-5 and that will embody and provide for the redemption of the pledges and promises in said Acts of Congress of 1861 and other Acts of Congress aforesaid.

And be it further Resolved, That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such Act of Congress designated in the preceeding Resolution.

Mr. HUMES offered the following resolution which was twice read, and laid over under the rules.

QUESTION OF PERSONAL PRIVILEGE.

Resolved, That Tuesday, January 28, 1913, be fixed as the time for the election of the Committee on Rules, and that in such election each member of the House shall be entitled to vote for only two candidates, and that the six candidates having the highest number of votes shall, with the Speaker, constitute the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SNAVELY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SNAVELY. On the printed lists of Committees my name appears at the foot of the list of members of the Public Roads Committee. In the Journal my name does not appear in this list.

The SPEAKER. Is your name on the official list?

Mr. SNAVELY. This list is supposed to be official.

The SPEAKER. The Clerk will refer to the official list, and the correction made accordingly.

Mr. BERGEY. Mr. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BERGEY. On page 61 of the Journal, I am reported as voting for Mr. Young and Mr. Ailman on the same ballot. I wish a correction to be made, in order that my vote may be recorded for Mr. Ailman.

The SPEAKER. The correction will be made accordingly.

Mr. MELLOTT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MELLOTT. On page 59 of the Journal I am reported as voting for Mr. Young, but I cast my vote for Mr. Ailman. On page 61, I am reported as not voting. On this ballot I voted for Mr. Ailman, and I would ask that these corrections be made.

The SPEAKER. The corrections will be made accordingly.

Mr. ULMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ULMAN. On the ballot for Assistant Clerk, I am not recorded as voting. I voted for Mr. McKean and desire that my vote be so recorded.

The SPEAKER. The corrections will be made accordingly.

RECESS.

Mr. S. B. SCOTT. In order that the various committees may meet and some bills be reported from the committees, I move that this House now take a recess until 1:30 this afternoon, when we will have a short session to receive the reports of these committees, in order that we may have a first reading calendar on next Monday and begin work, otherwise we will lose a whole legislative day.

Mr. SHERN. I second the motion.

The motion was agreed to, and (at 11:30 o'clock a. m.) the House took a recess until 1:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 1:30 o'clock.

Speaker ALTER in the Chair.

The SPEAKER. The Clerk will read a communication from the Pennsylvania Legislative Correspondents Association.

The communication was read as follows:

COMMUNICATION FROM THE PENNSYLVANIA LEGISLATIVE CORRESPONDENT'S ASSOCIATION.

January 21, 1913.

To the Honorable, the Speaker of the House of Representatives

Sir:—I have the honor to inform you that the Pennsylvania Legislative Correspondent's Association has this day been organized for the Session of 1913 by the election of the following officers:

President: George J. Brennan.
Vice President: John R. Ball.
Secretary: A. Boyd Hamilton.
Treasurer: John H. Reitinger.
Sergeant-at-Arms: E. J. Hart.

A copy of the official list of correspondents in active service and members of the Association has been furnished to the Cheif Clerk of the House of Representatives.

Respectfully,
(Signed) A. Boyd Hamilton,
Secretary.

The SPEAKER. The communication will be spread upon the Journal.

REPORTS FROM COMMITEES.

Mr. JOSEPH GRAY, from the Committee on Judiciary General reported as committed House Bill No. 10, entitled:

A joint resolution, providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturing companies of this State of the law governing the withholding of wages from employes and the maintenance of company stores, and providing for the employment of counsel and necessary help, making an appropriation for the expenses and giving such commission the necessary powers to make its investigations, and providing penalties for contempt of its authority. (Introduced by Mr. Stein).

Mr. HESS. from the Committee on Municipal Corporations, reported as committed House Bill No. 50, entitled:

An Act amending an Act entitled "An act making it lawful for any municipality, in which a corporation, created and existing under and by virtue of the laws of this Commonwealth, have constructed and are maintaining, or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances, for surface, under surface and sewerage drainage to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same, and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same," approved April 19, 1901, by extending the provisions thereof to sewers, culverts, conduits and pipes, with the necessary inlets and the appliances owned by individuals and unincorporated associations: and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby, or upon the proper municipality. (Introduced by Mr. Frey.)

Mr. JOHN ROBERT JONES. from the Committee on Judiciary General, reported as committed House Bill No. 13. entitled:

A Joint Resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America; which provides that Senators shall be elected by the people. (By Mr. E. E. Jones).

Mr. RONEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 44, entitled:

An Act amending an act entitled "An act providing a system whereby boroughs may build sewers; grade, subgrade, and pave streets and alleys; pay the costs thereof by the issue of bonds, and collect the same from the property benefited in instalments," approved June 15th, A. D., 1911; by extending the provisions thereof so as to include the acquisition by boroughs of existing sewers and sewer systems. (Introduced by Mr. Frey).

LEAVE OF ABSENCE.

Mr. LESLIE asked and obtained leave of absence for himself for the day.

Mr. S. B. SCOTT. Mr. Speaker,

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

SUPPLEMPNTAL REPORT FROM THE COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT. On behalf of the Committe upon Committees, I desire to make a supplemental report, making some slight corrections—a matter of detail.

The report was read by the Clerk, as follows:

On the Committee on Public Roads, the name of Mr. Snavely should appear, and the name of Mr. J. W. Smith be omitted to make room.

On the Committee on Education, the name of Mr. Gramley should appear, to take the place of Mr. Walnut.

Mr. S. B. SCOTT. I move the adoption of the supplemental report.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SHOWALTER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SHOWALTER. On page 60 of the Journal, my name appears to have voted for Mr. Leib for Resident Clerk. I cast my vote for Mr. Young. I desire to have it corrected.

The SPEAKER. If there is no objection, the correction will be made.

Mr. GRAMLEY. I wish to make the same correction. I see I am reported as voting for Mr. Leib; I wish to have that changed as voting for Mr. Young.

The SPEAKER. If there is no objection, the correction will be made.

Mr. S. B. SCOTT. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. S. B. SCOTT. I notice by certain corrections in the Journal just made today that the total vote given to the present acting Resident Clerk has been reduced by two, and, therefore, being a number below the majority in the Journal, if the roll is correct, no election has occurred for Resident Clerk.

The SPEAKER. If the gentleman from Philadelphia will put his question of personal privilege in writing, the Chair will take it under advisement. The gentleman may hand it to the Chair after adjournment.

Mr. S. B. SCOTT. I rose to a question of privilege, being Chairman of the Committee upon Committees that made the report, that the vote has not been finished.

ADJOURNMENT.

Mr. EHRHARDT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, and (at 2:20 P. M.) the House adjourned until Monday, January 27. 1913, at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, JANUARY 27, 1913. No. 5.

SENATE.

MONDAY, January 27, 1912.

The Senate met at 9:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor; John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Herbst, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. HERBST asked and obtained leave of absence for the Senator from Elk, Mr. Hall, for the balance of the week.

BILLS INTRODUCED.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 38, entitled:

An act relating to the collection of city, county, school and poor taxes, in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities, by virtue of his office, shall be the collector of said several taxes, prescribing his duties and fixing his compensation.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 39, entitled:

An act supplementary to an act, entitled "An act providing for the incorporation and government of cities of the third class," approved the 23d day of May, A. D., 1889, amending certain article and sections thereof, and enlarging, changing, and modifying certain powers and provisions therein; providing for the abolishing of the select and common councils, and creating in their stead one legislative body to be known as the Council, and prescribing its powers and duties; and also providing for the nomination and election of members of said council and all other elective officers of said cities upon a non-partisan ballot, and for a referendum vote of all franchise ordinances.

Which was committed to the Committee on Municipal Affairs,

Also Senate Bill No. 40, entitled:

An act defining public service companies; prescribing and defining the duties and liabilities of public service companies; prescribing, defining and limiting the powers of public service companies and regulating the creation of such companies; creating and establishing a public service commission for the supervision and regulation of public service companies; prescribing and defining the powers and duties of such Commission and its officers and providing for the salaries and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin County, and giving such court exclusive jurisdiction of such appeals and of all injunctions; mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders subject to an appeal from all decrees of said Court to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of such orders or of the provisions of this Act, and repealing the Act approved May 31, 1907, which provided for the appointment of a Railroad Commission, and all other legislation inconsistent with this Act, and making it the duty of the public service commission to enforce the provisions of the Act of June 19, 1911, entitled "An act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains."

Which was committed to the Committee on Corporations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 41, entitled:

An act making an appropriation to the Altoona Hospital, Altoona, Blair County.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 42, entitled:

An act making an appropriation to the J. C. Blair Memorial Hospital Association and Training School for Nurses, of Huntingdon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 43, entitled:

An act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 44, entitled:

An act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 45, entitled:

An act for the better protection of the wild birds known as the Turtle or Mourning Dove, the Kill-Deer Plover, and the bird commonly called the Black-Bird in Pennsylvania, and prescribing penalties for violation of its provisions.

Which was committed to the Committee on Game and Fisheries.

Also Senate Bill No. 46, entitled:

An act to amend section 10 of an act, entitled "An act to provide for the protection and preservation of game, game quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for its violation of its several provisions," approved the 1st day of May, A. D. 1909.

Which was committed to the Committee on Game and Fisheries.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 47, entitled:

An Act to amend the first section of an act approved the 28th day of March, 1820, entitled "An act relative to mortgages," by requiring purchase money mortgages to be recorded within ten days in order to have priority of lien.

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 48, entitled:

An act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes.

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 49, entitled:

An act to enjoin and abate houses of lewdness assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

Which was committed to the Committee on Judiciary General.

M. HUFFMAN read in his place and presented to the Chair Senate Bill No. 50, entitled:

An act to amend the act approved the 18th day of May, 1911, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the care and education of certain blind children under eight years of age.

Which was committed to the Committee on Education.

Also Senate Bill No. 51, entitled:

An act authorizing the Railroad Commission, when requested, to compel telephone companies to receive and transmit messages from other telephone companies and to compel the physical connection of telephone lines and to regulate and proportion the charges therefor.

Which was committed to the Committee on Corporations.

Mr. HUFFMAN at the request of Mr. HALL read in his place and presented to the Chair Senate Bill No. 52, entitled:

An act amending an act approved the 5th day of May, A. D. 1832, entitled "An act regulating Lateral Railroads," extending the length thereof to ten miles, and including lessees of fire clay and minerals, and changing number of viewers.

Which was committed to the Committee on Railroads.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 53, entitled:

An act to quiet the title to real estate, and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Which was committed to the Committee on Judiciary General.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 54, entitled:

An act declaring the liability of railroad companies for loss or damage by fire, providing a remedy therefor, and relating to evidence thereof.

Which was committed to the Committee on Judiciary General.

MR GEBERICH read in his place and presented to the Chair Senate Bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 56, entitled:

An act making an appropriation to the Wilkes-Barre Hospital.

Which was committed to the Committee on Appropriations.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 57, entitled:

An act to amend section ninth of the act, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, Chief Engineer, Chief Draughtsman, Superintendents of Highway, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner, and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expenses of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, borough and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," approved the 31st day of May, A. D. 1911, by defining the Method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads, providing for the appointment of stenographers therefor, and the compensation of the same, and the compensation of viewers; providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road, and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

Which was committed to the Committee on Public Roads and Highways.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 58, entitled:

An act making an appropriation to the Trustees of the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Fountain Springs, near Ashland, Schuylkill County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 59, entitled:

A supplement to an act, entitled "An act authorizing the formation of partnership associations, in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances," approved the 2d day of June, A. D. 1874; providing for increase of capital stock and amendment of the articles and continuing the term of existing associations and providing for certain additional officers in such associations.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 60, entitled:

An act amending section one of an act, entitled "An act relative to the eligibility of candidates for the office of District Attorney," approved the 26th day of April, A. D. 1883; by requiring admission to practice in the Supreme Court of this Commonwealth as a qualification.

Which was committed to the Committee on Judiciary General.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 61, entitled:

An act making an appropriation to the Home for the Training in Speech of Deaf Children Before They are of School Age, at Belmont Avenue and Monument Road, Philadelphia.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 62, entitled:

An act making an appropriation to the American Oncologic Hospital at Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 63, entitled:

An act providing for another judge in each of the Courts of Common Pleas of Philadelphia County.

Which was committed to the Committee on Judiciary General.

Also Senate Bill No. 64, entitled:

An act making an appropriation to Saint Agnes Hospital, Philadelphia.

Which was committed to the Committee on Appropriations.

CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

M. SHEATZ offered the following resolution, which was twice read and referred to the Committee on Pensions and Gratuities:

CONCURRENT RESOLUTION.

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg, will probably be the most impressive ceremony the world has ever known.

Therefore Be It Resolved (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union Soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. A Copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency,

the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 27, 1913.

The Honorable, the Senate, of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

John M. Clifford, Braddock.
K. McL. Lean, Munhall.
Miss Viola C. Von Hofen, Pittsburgh.
Miss Margaret E. Taafe, Pittsburgh.
Charles Large, Pittsburgh.
Charles W. Ashley, Pittsburgh.
D. J. Gwilym, Pittsburgh.
Walter S. Cheen, Pittsburgh.
J. C. Sheriff, Pittsburgh.
H. T. Morris, Pittsburgh.

BEAVER COUNTY.

Joseph A. Tritschler, Beaver Falls.

BEDFORD COUNTY.

S. S. Stonerook, Woodbury.
Howard Brumbaugh, South Woodbury Township.

CHESTER COUNTY.

Miss Lydia R. Parker, West Chester.

CLINTON COUNTY.

Albert D. Karstetter, Loganton.

DAUPHIN COUNTY.

John T. Brady, Harrisburg.

ERIE COUNTY.

Mrs. Malia B. Smith, Corry.
John B. Brooks, Erie.

GREENE COUNTY.

W. R. Hoge, Waynesburg.

INDIANA COUNTY.

T. C. Watson, Blairsville.
Frank Fera, Canoe Township.

LACKAWANNA COUNTY.

Joseph F. Gilroy, Scranton.

LAWRENCE COUNTY.

Edwin M. Underwood, New Castle.
Robert L. Wallace, New Castle.

LUZERNE COUNTY.

Miss Grace Van Horn, Kingston.

M'KEAN COUNTY.

F. J. Woods, Kane.

MERCER COUNTY

Oliver C. Jones, Greenville.

MONTGOMERY COUNTY

John Lauro, Norristown.

PHILADELPHIA COUNTY.

Joseph A. Addis, Philadelphia.
Alfred J. Bickel, Philadelphia.
Gustave L. Blieden, Philadelphia.
Harry Bower, Philadelphia.
Charles A. Dillan, Philadelphia.
Fred W. Dodd, Philadelphia.
Frank A. Friend, Philadelphia.
Rupert S. Holland, Philadelphia.
Jacob Kline, Philadelphia.
Miss Julia M. O'Brien, Philadelphia.
D. N. Ogden, Philadelphia.
William H. Quillman, Philadelphia.
John J. Turner, Philadelphia.
Forrest H. Roberts, Philadelphia.

VENANGO COUNTY.

Peter A. Wilbert, Oil City.

WESTMORELAND COUNTY.

Samuel M. Ankney, Greensburg.
B. S. Menoher, East Huntingdon Township.

YORK COUNTY.

Alfred M. Kell, York.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 27, 1913.

The Honorable, the Senate, of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

Arthur R. May, McKeesport, January 30, 1913.
Allan B. Angney, Pittsburgh, February 3, 1913.
Miss Lida A. Bailey, Pittsburgh, February 26, 1913.
E. F. Portman, Carnegie, February 27, 1913.
Charles F. Chubb, Pittsburgh, February 27, 1913.
Frank F. Blackmore, Pittsburgh, February 27, 1913.
John H. Mahoney, Pittsburgh, March 10.
John F. Boyd, Pittsburgh, March 13, 1913.
George B. Bleming, Pittsburgh, March 19, 1913.
B. F. Richards, Pittsburgh, April 13, 1913.

ARMSTRONG COUNTY.

Frank M. McNutt, Ford City, February 9, 1913.

BEAVER COUNTY.

William W. Wilson, New Brighton, February 27, 1913.

BERKS COUNTY.

D. J. McDermott, Reading, February 27, 1913.
Miss Marion H. Cuss, Reading, March 10, 1913.
Miss Clara E. Young, Reading, March 13, 1913.

BLAIR COUNTY.

Miss Annie K. Miller, Altoona, February 6, 1913.

CHESTER COUNTY.

Samuel A. Black, Downingtown, January 29, 1913.
Samuel P. Green, Kennett Square, January 29, 1913.

CUMBERLAND COUNTY.

D. E. Leckey, Newville, January 29, 1913.
E. M. Helm, New Cumberland, March 10, 1913.

ERIE COUNTY.

Dorman Weaver, Erie, February 3, 1913.
J. M. Sherwin, Erie, March 10, 1913.

HUNTINGDON COUNTY.

Miss Alice E. Weber, Huntingdon, March 10, 1913.

JEFFERSON COUNTY.

Miss Lillian C. Snyder, Brookville, March 10, 1913.

LACKAWANNA COUNTY.

R. Louis Grambs, Scranton, January 30, 1913.
John R. Thomas, Scranton, February 3, 1913.

LANCASTER COUNTY.

J. K. Miller, Manheim, February 3, 1913.
David R. Forbes, Quarryville, February 9, 1913.
John F. Ruth, Lititz, March 10, 1913.

LAWRENCE COUNTY.

David N. Keast, New Castle, January 31, 1913.

LEBANON COUNTY.

Isaac Kegerreis, Richland, February 26, 1913.

LEHIGH COUNTY.

John Fisher, Catasauqua, February 13, 1913.
Frank Laskowski, Allentown, February 27, 1913.
David J. Nagle, Allentown, February 27, 1913.
Harry E. Truchses, Allentown, February 27, 1913.

NORTHUMBERLAND COUNTY.

Edwin Paul, Milton, February 27, 1913.
William J. Wiest, Shamokin, March 10, 1913.

PERRY COUNTY.

Frank H. Zinn, Newport, February 27, 1913.
Reuben H. Kell, Blain, February 29, 1913.

PHILADELPHIA COUNTY.

J. Frederick Jenkinson, Philadelphia, January 29, 1913.
William D. Hees, Philadelphia, February 4, 1913.
William H. Thornley, Philadelphia, February 4, 1913.
Miss Helen I. Kauffman, Philadelphia, February 5, 1913.
Hans Weniger, Philadelphia, February 12, 1913.
Simon E. Snyder, Philadelphia, February 18, 1913.
Walter Gabell, Philadelphia, February 22, 1913.
John S. Wurts, Philadelphia, February 26, 1913.
Simon Katz, Philadelphia, February 27, 1913.
Miss Clara F. McVay, Philadelphia, February 27, 1913.
Leo G. Bernheimer, Philadelphia, February 27, 1913.
Miss Annette Smith, Philadelphia, February 27, 1913.
Thomas Shallcross, Jr., Philadelphia, February 27, 1913.
L. I. Weintraub, Philadelphia, March 1, 1913.
Harry R. Nathanson, Philadelphia, March 3, 1913.
Linwood L. Hallman, Philadelphia, March 10, 1913.
Frank G. Grier, Philadelphia, March 26, 1913.
Bernhard Englander, Philadelphia, March 27, 1913.

WASHINGTON COUNTY.

Miss Minnie B. Richardson, Charleroi, February 14, 1913.
H. H. Williams, Monongahela, March 10, 1913.

WESTMORELAND COUNTY.

J. N. Newcomer, Monessen, February 3, 1913.
Adam Schade, Irwin, February 10, 1913.

YORK COUNTY.

Miss Nellie R. Cross, York, March 27, 1913.

JOHN K. TENER.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

ADJOURNMENT.

Mr. McNICHOLS. Mr. President, I move that the Senate do now adjourn until to-morrow morning at eleven o'clock.

Mr. GEBERICH. Mr. PRESIDENT, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:25 o'clock P. M. until 11 o'clock Tuesday morning, January 28, 1913.

HOUSE OF REPRESENTATIVES.

MONDAY, January 27th, 1913.

The House met at 9 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

Prayer by the Chaplain, Rev. J. E. Wright.

The SPEAKER: The Clerk will read the Journal of the proceedings of Wednesday, January 22, 1913.

The Clerk proceeded to read the Journal of Wednesday, January 22, 1913, when on motion of Mr. Malie the further reading was dispensed with and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. R. J. BALDWIN: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: The gentlemen will state his question of personal privilege.

Mr. R. J. BALDWIN: Mr. Speaker, the House of Representatives of the State of Pennsylvania has tonight found itself in a peculiar condition, one that appears by all the researches of all the legislative bodies in our country, so far as we can examine, to be without precedent. It appears that certain corrections that were asked for in the Legislative Journal on Thursday last developed the fact that there had been a mistake, perhaps, but on the face of the Journal it appears that the election of the Resident Clerk of this House, or the election of W. S. Lieb, of Montgomery County, as Resident Clerk of this House, who was declared Resident Clerk of this House on the 20th of January on the fourth ballot, after the corrections were made on last Thursday, is apparently two votes short of an election. Now, while Mr. Lieb and his friends feel that he might stand perhaps upon his constitutional rights, he does not care to hold this office even though there was no objection on the part of his opponents. Every lawyer in this House knows well that if objection be not raised at the proper time that that objection goes unheeded in every court not only in the State of Pennsylvania, but in every State in this Union. Now, notwithstanding that that objection was not raised, and that there was a general feeling, I think I am authorized to say, under the circumstances, that the election was fairly held, and that Mr. Lieb was fairly and honestly elected, that he is too large a man to desire to hold an office under a clouded title, and he has asked me to ask his friends in this House, and I hope the other members of this body will not object, to give unanimous consent to correct the roll on the fourth ballot for Resident Clerk on the 20th of January. I, therefore, Mr. Speaker, ask unanimous consent to correct the vote for Resident Clerk on the fourth ballot on the 20th of January.

CORRECTION OF ROLL.

The SPEAKER: The gentleman from Delaware has asked unanimous consent that the roll upon the fourth ballot for the office of Resident Clerk on the 20th of January be corrected so as to show that William S. Lieb received only 102 votes and that there was no election on said ballot.

The Chair hears no objection, and the roll is corrected accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. KEEGAN: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman will state his question of personal privilege.

Mr. KEEGAN: Mr. Speaker, on page 60 of the Journal I am recorded as voting for Mr. Allman and also as voting for Mr. Lieb, when in fact I voted for Mr. Allman.

The SPEAKER: The Chair will state to the gentleman that on the official record he is recorded as having voted for Mr. Allman. The Legislative Journal will be corrected accordingly.

The SPEAKER: Unanimous consent having been given to the question of privilege raised by the gentleman from Delaware, the Chair withdraws his decision declaring Mr. William S. Lieb elected Resident Clerk, and directs the clerk to now proceed with the roll call.

Mr. FLYNN: Mr. Speaker.

The SPEAKER: The gentleman from Elk, Mr. Flynn.

Mr. FLYNN: Mr. Speaker, do I understand that nominations are now open for this office.

The SPEAKER: Nominations were closed, but could be reopened at the desire of the House.

SUBSTITUTE NOMINATIONS.

Mr. FLYNN: Mr. Speaker, I ask the unanimous consent of the House to substitute the name of Arthur McKean, of Beaver County, for that of Jerome T. Allman.

Mr. SPEAKER: The gentleman from Elk asks unanimous consent to substitute the name of Arthur McKean for that of Jerome T. Allman. The Chair hears no objections and the substitution will be made as requested.

Mr. GEORGE A. BALDWIN: Mr. Speaker, I ask unanimous consent of the House to say a few words to the members of the House in seconding the nomination of Arthur McKean for this office.

The SPEAKER: The Chair hears no objection.

Mr. GEORGE A. BALDWIN: Mr. Speaker and gentlemen of the House, I desire to second the nomination of my friend and colleague of the last Legislature, Arthur McKean, of Beaver County. And in doing so, I want to state my reasons for supporting the candidacy of Mr. McKean. I am a Progressive and I believe it is important that at this time the Progressives take a definite stand against the domination of this House, or any seeming domination of the House by the organization of which Senator Penrose is the reputed head; and in doing so I do not want for a moment to appear as uttering a word against Mr. Lieb, because I have nothing against him personally in the world, and would do him a favor personally if I could. Now, a year ago in the primaries of last Spring, the machine was repudiated by the Republican voters of this Commonwealth. At the polls in the Fall, the voters and electors of this Commonwealth repudiated that same machine, and this Legislature is, or is supposed to be, a progressive Legislature. I think, therefore, it is important that a fair proportion of Progressives should be named for the principal positions of this House, and it seems to me that anybody claiming to be and holding himself up to the public to be a Progressive should not stop in supporting the candidacy of a Progressive Democrat, when the choice of the House is between a Progressive and a candidate backed by the reactionary influences of the State. It gives me great pleasure to support a Progressive Democrat, who as a member of this House two years ago stood shoulder to shoulder with those who opposed the machine, and in support of progressive measures brought before this House. He is a young lawyer, suited by temperament, by education, by address, and in fact by everything, to be an efficient Resident Clerk of this House, and I ask the Progressives of this House to join with the Democrats in electing him.

Mr. SWIFT: Mr. Speaker, I ask the unanimous consent of the House to say a few words in support of the candidacy of Mr. McKean.

The SPEAKER: The Chair hears no objection.

Mr. SWIFT: Mr. Speaker and gentlemen of the House, it seems to me that the time has come for Progressivism to record itself in favor of all that for which it has stood in the past, and in favor of what it stands for today. In seconding the nomination of Mr. McKean, I know that I second the nomination of a man who stands for every principle embodied in the idea of Progressivism. He stands against that which would be dictated by any man or organization, and stands for that largest freedom which enables a man to be a man. In the past he has stood in this House, as you know, for that independence, which is noble in itself. In his home, and in his county, and elsewhere, he has stood for that which is purest and best and which is farthest from the reactionary idea. He has championed the cause of Progressivism, and has stood for all that it has embodied in its short life, and I am sure that this House cannot go astray by recording itself in favor of Progressivism in standing for the man that has stood for Progressivism, and who will stand for it so long as the Progressive idea is in our minds and hearts. I think that as Progressives, we should want to record ourselves in favor of Progressivism, and we can only do that, I think, at this time, by standing true to the man that stands for it, and if we do this, I am sure that we shall not go astray.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER: The gentleman from Delaware, Mr. R. J. Baldwin

Mr. R. J. BALDWIN: Mr. Speaker, I ask unanimous consent to make a few remarks at this time.

The SPEAKER: The gentleman from Delaware, Mr. Baldwin, desires unanimous consent to make a few remarks at this time. Is there any objection? The Chair hears no objection.

Mr. R. J. BALDWIN: Mr. Speaker, of course, whether a man is progressive in his opinions or progressive in his thoughts are matters which he settles with his own conscience. Personally, I don't believe there is a member of this Legislature, either of this branch or the other branch, who does not believe that he is as progressive as his wisdom dictates. It appears to me that the gentleman from Beaver tries to throw out the thought that those who chose to vote for Mr. Lieb are men who are not progressive in their thought. Personally, I consider that going a step too far. I had hoped when I came to this Legislature that the political factional quarrels would be left at home and that we could meet here and decide the various questions that affect this great State without fear, as they presented themselves to our minds. I realize that most any member in this House is capable of getting up and hurling back to each other incident of not only this campaign but of all campaigns in the last twenty years.

Is that the question for the members of this House to consider now, that we are electing a Resident Clerk for this body? I want to say to the gentleman from Beaver that I hold that I am as progressive as he is, and I have served one term in this House with him. I don't boast of my independence; I am a Republican and proud of it. If that word don't stand for good government, then I would like to know what would. Every man in this House believes that that word stands for good government, and if they don't think it, the people have made a mistake in sending them here.

Now, are we going to drag into this election for Resident Clerk the political quarrels and squabbles of our party? I don't think we should. I think that the Republicans of this House should stand for their opinions and their principles; it is not involved in the question of whom you vote for when voting for officials who shall perform duties which are only clerical and nothing more. Therefore, I do hope that every member in this House will vote just as he thinks on this particular question and not be guided with the idea of whether he is a Progressive or a Democrat or a Republican. There is not anything else in this. There is no need for any quarrels in this House during this session. We ought to be men enough to be able to stand up here and meet the issues that present themselves and allow each issue to stand upon its own merits. This particular question should stand upon its own merits. There is no man, I don't believe, in this House who does not know that, had that mistake been discovered on the night that vote was taken, that the next vote would undoubtedly have elected Mr. Lieb Resident Clerk of this House. I want to say to you in all manliness and in all fairness, that if you have that thought, that Mr. Lieb should have the unanimous vote of this House tonight, because no wrong has been done and no fair man can deny it.

Mr. REX. Mr. Speaker.

The SPEAKER: The gentleman from Montgomery, Mr. Rex.

Mr. REX: Mr. Speaker, I ask unanimous consent of the House to say a few words at this time.

The SPEAKER: The gentleman from Montgomery, Mr. Rex, desires unanimous consent to say a few words at this time. Is there any objection? The Chair hears no objection.

Mr. REX: Mr. Speaker, I get up to speak as an independent and to appeal to all independents in this House, and I believe they are in the majority, regardless of party lines. In seconding the nomination of Mr. Arthur McKean, I am satisfied that I am seconding the nomination of a man who stands against all reactionaries and all Penroseism and everything that partakes of Penrose-ism. The eyes of the whole State of Pennsylvania are on this House tonight to see how each and every representative here polls his vote. This is the time, at the start of this session, to declare yourselves.

Mr. RONEY. Mr. Speaker.

The SPEAKER: The gentleman from Philadelphia, Mr. Roney.

Mr. RONEY: Mr. Speaker, I ask unanimous consent to make a few remarks at this time.

The SPEAKER: The gentleman from Philadelphia, Mr. Roney, desires unanimous consent to make a few remarks at this time. Is there any objection? The Chair hears no objection.

Mr. RONEY: Mr. Speaker, I shall be very brief, as I have no desire to inflict a hoarse voice upon the patience of the members of this House. I have heard something tonight of progressivism, and it seems to me that your great exemplar of progressivism has been a man who has considered individual merit rather than restricted party lines. In the consideration of individual merit, if you are to follow in the footsteps of your great heroic figure of progressivism, why don't you consider a man's own individual actions? The man elected Resident Clerk of this House, holding his office by right, steps down and presents to this House a manly character and a desire to be absolutely sure of your support and your honest support, before he assumes the obligations of that office. Why don't you, in recognition of a manly act—why don't you in appreciation of an honest deed, stand up, each and every one, as true progressives, irrespective of factional ideas; irrespective of party lines you arbitrarily draw in the election of a servant of this House. Not any man or boss for Penrose speaks to me through Mr. Lieb's voice. Penrose dictates to me through no voice. I consider my responsibility as a legislator in this House. Tonight, I appreciate a man who honestly steps down and says, "If I was elected by mistake, let us have the vote over again."

Gentlemen, if individual merit is to have its reward in this boasted progressive Legislature, let us one and all manfully honor a deed manfully done. I think there should be but three votes cast against Mr. Leib, and those three votes should represent the consistent opinion of the gentleman who nominated the man against him and the two gentlemen who seconded that nomination, who should stand by their opinions on this floor. Every other member, whether Republican, Progressive or Democrat, I think, should vote for Mr. Leib for resident clerk of this House.

The SPEAKER: The Clerk will call the roll. The Chair would ask that there be perfect order in the House during the calling of the roll, so that mistakes may be avoided.

The vote was taken, as follows:

FOR MR. LEIB.

Adams,	Ely,	Letzkus,	Robinson,
Allen,	Ewing,	Lowers,	Roney,
Alworth,	Fahey,	Malie,	Schaeffer, A. C
Ambler.	Forster, I. G.,	McAllister,	Schuck,
Arthur,	Frey,	McArdle,	Shern,
Baldwin, R. J.,	Gans,	McCaig,	Sherwood,
Bass,	Good,	McNichol,	Spangler,
Bayle,	Gransback,	Miller,	Speiser,
Berntheizel,	Hackett,	Missimer,	Spillinger,
Blair, W. A.,	Haggerty,	Mitchell,	Stein,
Campbell, C.M.,	Hess,	Moore,	Swartz,
Carter,	Heyburn,	Morrow,	Thomas,
Cleary,	Hibshman,	Neel,	Ulerich,
Conner,	Hobbs,	Neely,	Walsh,
Conrade,	Hoffman,	North,	Walton,
Cox,	Howard, J.,	O'Neill,	Watson,
Currier,	Isler,	Perry, S. J.,	Wettach,
Curry,	Irwin, G. C.,	Piper,	Whitaker,
Davis,	Kaiser,	Ramsey,	Whitman,
Dickinson,	Kenna,	Reese,	Wildman,
Donahoe,	Kennedy,	Reeser,	Williams,
Dunn, J. A.,	Kitts,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Kuhn, H. P.,	Richards,	Wiltbank,
Eichenberger,	Leslie,	Riebel,	Young, J. H.,

FOR MR. M'KEAN.

Baldwin, G. A.,	Conniff,	Klepper,	Peters,
Barner,	Donnally,	Kuhns, E.G.M.,	Post,
Becker,	Flynn,	Lanius,	Price,
Benninger,	Foster, J. D.,	Latshaw,	Rex,
Benson,	Geiser,	Lenker,	Rothenberger,
Bergey,	Glenn,	Lohr,	Sassaman,
Bittles,	Goss,	Mannion,	Savacool,
Blair, W. F.,	Grabe,	Martin,	Scott, S. B.,
Body,	Gray, Frank,		Shaffer, C. A.,

Brown,	Collins,	Matt,	Smith, J. W.,
Brownlee,	Gray, Joseph,	McAleer,	Snavely,
Burnett,	Hemminger,	McDermott,	Strauss,
Caldwell,	Herman,	McKay,	Swift,
Campbell, J.J.	Howard, R.,	Mellott,	Trach,
Carson,	Humes,	Metzenbacher,	Ulman,
Cheeseman,	Jackson,	Murphy,	Walnut,
Claycomb,	Keegan,	Musser,	Wilson, J. H.,
Cochran,	Kern,	Newbaker,	Young, G. K.
		Perry, H. L.,	Zimmerman,

FOR MR. YOUNG.

Bigger,	Irwin, H. H.,	Moulthrop,	Semmens,
Bleloch,	Jones, J. R.,	Newton,	Shaffer, I. E.,
Brosius,	Kaufman,	Peachey,	Showalter,
DeFrees,	Keeport,	Pennegar,	Smith, L.,
Down,	Light,	Pennock,	Steedle,
Dunn, H. B.,	Mather,	Redfield,	Steele,
Gibson,	McClintock,	Rockwell,	Stone,
Gramley,	Mechling,	Runk,	Alter,
Heidinger,	Moses,	Scott, J. R. K.,	Speaker.

REASONS FOR VOTE.

Mr. SPANGLER. Mr. Speaker.

The SPEAKER: The gentleman from York, Mr. Spangler.

Mr. SPANGLER: At the former election, I voted four times for Mr. Young, because of the recommendation of the Committee upon Committees, not knowing either candidate personally. I believe, now, that further balloting will be nothing but filibustering, and I believe that Mr. Leib is the choice of this House. I, therefore, desire to cast my ballot for Mr. Leib for resident clerk.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received ninety-six votes; Mr. Arthur McKean received seventy-three votes; and Mr. William T. Young received thirty-five votes.

From which it appears

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for resident clerk,

Whereupon

The SPEAKER ordered a sixth ballott.

FOR MR. LEIB.

Adams,	Ewing,	Lowers,	Robinson,
Allen.	Fahey,	Malie,	Roney,
Alworth,	Forster, I. G.,	McAllister,	Schaeffer, A. C.
Ambler,	Frey,	McArdle,	Schuck,
Arthur,	Gans,	McCaig,	Shern,
Baldwin, R. J.,	Good,	McNichol,	Sherwood,
Bass,	Gransback,	Mechling,	Spangler,
Bayle,	Hackett,	Miller,	Speiser,
Berntheizel,	Haggerty.	Missimer,	Spillinger,
Blair, W. A.,	Hess,	Mitchell,	Stein,
Campbell, C.M.,	Heyburn,	Moore,	Swartz,
Carter,	Hibshman,	Morrow,	Thomas,
Cleary,	Hobbs,	Neel,	Ulerich,
Conner,	Hoffman,	Neely,	Walsh,
Conrade,	Howard, J.,	North,	Walton,
Cox,	Isler,	O'Neill,	Watson,
Currier,	Irwin, G. C.,	Perry, S. J.,	Wettach,
Curry,	Kaiser,	Piper,	Whitaker,
Davis,	Kenna,	Ramsey,	Whitman,
Dickinson,	Kennedy,	Reese,	Wildman,
Donahoe,	Kitts,	Reeser,	Williams,
Dunn, J. A.,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Leslie,	Richards,	Wiltbank,
Eichenberger,	Letzkus,	Riebel,	Young, J. H.,
Ely,			

FOR MR. M'KEAN.

Baldwin, G. A.,	Conniff,	Kuhns, E.G.M.,	Post,
Barner,	Donnally,	Lanius,	Price,
Becker,	Flynn,	Latshaw,	Rex,
Benninger,	Foster, J. D.,	Lenker,	Rothenberger,
Benson,	Geiser,	Lohr,	Sassaman,
Bergey,	Glenn,	Mannion,	Savacool,
Bittles,	Goss,	Martin,	Scott, S. B.,
Blair, W. F.,	Grabe,	Matt,	Shaffer, C. A.,
Body,	Gray, Frank,	McAleer,	Smith, J. W.,
Brown,	Gray, Joseph,	McDermott,	Snavely,
Brownlee,	Heidinger,	McKay,	Strauss,
Burnett,	Hemminger,	Mellott,	Swift,
Caldwell,	Herman,	Metzenbacher,	Trach,
Campbell, J.J.	Howard, R.,	Murphy.	Ulman,
Carson,	Humes,	Musser,	Walnut,
Cheeseman,	Jackson,	Newbaker,	Wilson, J. H.,
Claycomb,	Keegan,	Perry, H. L.,	Young, G. K.
Cochran,	Kern,	Peters,	Zimmerman,
Collins,	Klepper,		

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Peachey,	Shaffer, I. E.,
Bleloch,	Kaufman,	Pennegar,	Showalter,
Brosius,	Keeport,	Pennock,	Smith, L.,
DeFrees,	Light,	Redfield,	Steedle,
Down,	Mather,	Rockwell,	Steele,
Dunn, H. B.,	McClintock,	Runk,	Stone,
Gibson,	Moses,	Scott, J. R. K.,	Alter,
Gramley,	Moulthrop,	Semmens,	Speaker.
Irwin, H. H.,	Newton,		

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 97 votes; Mr. William P. Young received 33 votes and Mr. Arthur McKean received 74 votes.

From which it appeared

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a seventh ballot.

FOR MR. LEIB.

Adams,	Ely,	Lowers,	Robinson,
Allen,	Ewing,	Malie,	Roney,
Alworth,	Fahey,	McAllister,	Schaeffer, A. C
Ambler,	Forster, I. G.,	McArdle,	Schuck,
Arthur,	Frey,	McCaig,	Shern,
Baldwin, R. J.,	Gans,	McNichol,	Sherwood,
Bass,	Good,	Mechling,	Spangler,
Bayle,	Gransback,	Miller,	Speiser,
Berntheizel,	Hackett,	Missimer,	Spillinger,
Blair, W. A.,	Haggerty,	Mitchell,	Stein,
Campbell, C.M.,	Hess,	Moore,	Swartz,
Carter,	Heyburn,	Morrow,	Thomas,
Cleary,	Hibshman,	Neel,	Ulerich,
Conner,	Hobbs,	Neely,	Walsh,
Conrade,	Hoffman,	North,	Walton,
Cox,	Howard, J.,	O'Neill,	Watson,
Currier,	Isler,	Perry, S. J.,	Wettach,
Curry,	Irwin, G. C.,	Piper,	Whitaker,
Davis,	Kaiser,	Ramsey,	Whitman,
Dickinson,	Kenna,	Reese,	Wildman,
Donahoe,	Kennedy,	Reeser,	Williams,
Dunn, J. A.,	Kitts,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Kuhn, H. P.,	Richards,	Wiltbank,
Eichenberger,	Letzkus,	Riebel,	Young, J. H.,

FOR MR. M'KEAN.

Baldwin, G. A.,	Collins,	Klepper,	Post,
Barner,	Conniff,	Kuhns, E.G.M.,	Price,
Becker,	Donnally,	Lanius,	Rex,
Benninger,	Flynn,	Latshaw,	Rothenberger,
Benson,	Foster, J. D.,	Lenker,	Sassaman,
Bergey,	Geiser,	Lohr,	Savacool,
Bittles,	Glenn,	Mannion,	Scott, S. B.,
Blair, W. F.,	Goss,	Martin,	Shaffer, C. A.,
Body,	Grabe,	Matt,	Smith, J. W.,
Brown,	Gray, Frank,	McAleer,	Snavely,
Brownlee,	Gray, Joseph,	McDermott,	Strauss,
Burnett,	Heidinger,	McKay,	Swift,
Caldwell,	Hemminger,	Mellott,	Trach,
Campbell, J.J.	Herman,	Metzenbacher,	Ulman,
Carson,	Howard, R.,	Murphy,	Walnut,
Cheeseman,	Humes,	Musser,	Wilson, J. H.,
Claycomb,	Jackson,	Newbaker,	Young, G. K.
Cochran,	Keegan,	Perry, H. L.,	Zimmerman,
	Kern,	Peters,	

FOR MR. YOUNG.

Bigger,	Kaufman,	Peachey,	Shaffer, I. E.,
Brosius,	Keeport,	Pennegar,	Showalter,
DeFrees,	Leslie,	Pennock,	Smith, L.,
Down,	Light,	Redfield,	Steedle,
Dunn, H. B.,	Mather,	Rockwell,	Steele,
Gibson,	McClintock,	Runk,	Stone,
Gramley,	Moses,	Scott, J. R. K.,	Alter,
Irwin, H. H.,	Moulthrop,	Semmens,	Speaker.
Jones, J. R.,	Newton,		

REASON FOR VOTE.

Mr. BLELOCH: Mr. Speaker, I was elected to this House on an independent platform, therefore I feel I will best serve my constituents at this time by voting for Mr. Arthur McKean.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 96 votes; Mr. William P. Young received 33 votes and Mr. Arthur McKean received 75 votes.

From which it appeared

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered an eighth ballot.

FOR MR. LEIB.

Adams,	Ely,	Malie,	Roney,
Allen,	Ewing,	McAllister,	Schaeffer, A. C
Alworth,	Fahey,	McArdle,	Schuck,
Ambler,	Forster, I. G.,	McCaig,	Shern,
Arthur,	Frey,	McNichol,	Sherwood,
Baldwin, R. J.,	Gans,	Mechling,	Spangler,
Bass,	Good,	Miller,	Speiser,
Bayle,	Gransback,	Missimer,	Spillinger,
Berntheizel,	Hackett,	Mitchell,	Swartz,
Blair, W. A.,	Haggerty,	Moore,	Thomas,
Campbell, C.M.,	Hess,	Morrow,	Ulerich,
Carter,	Heyburn,	Neel,	Walsh,
Cleary,	Hibshman,	North,	Walton,
Conner,	Hobbs,	O'Neill,	Watson,
Conrade,	Hoffman,	Perry, S. J.,	Wettach,
Cox,	Howard, J.,	Piper,	Whitaker,
Currier,	Irwin, G. C.,	Ramsey,	Whitman,
Curry,	Kaiser,	Reese,	Wildman,
Davis,	Kenna,	Reeser,	Williams,
Dickinson,	Kennedy,	Rhoads,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Richards,	Wiltbank,
Dunn, J. A.,	Letzkus,	Riebel,	Young, J. H.,
Ehrhardt,	Lowers,	Robinson,	
Eichenberger,			

FOR MR. M'KEAN.

Baldwin, G. A.,	Collins,	Kern,	Peters,
Barner,	Conniff,	Klepper,	Post,
Becker,	DeFrees,	Kuhns, E.G.M.,	Price,
Benninger,	Donnally,	Lanius,	Rex,
Benson,	Flynn,	Latshaw,	Rothenberger,
Bergey,	Foster, J. D.,	Lenker,	Sassaman,
Bittles,	Geiser,	Lohr,	Savacool,
Blair, W. F.,	Glenn,	Mannion,	Scott, S. B.,
Bleloch,	Goss,	Martin,	Shaffer, C. A.,
Body,	Grabe,	Matt,	Smith, J. W.,
Brown,	Gray, Frank,	McAleer,	Snavely,
Brownlee,	Gray, Joseph,	McDermott,	Strauss,
Burnett,	Heidinger,	McKay,	Swift,
Caldwell,	Hemminger,	Mellott,	Trach,
Campbell, J.J.	Herman,	Metzenbacher,	Ulman,
Carson,	Howard, R.,	Murphy,	Walnut,
Cheeseman,	Humes,	Musser,	Wilson, J. H.,
Claycomb,	Jackson,	Newbaker,	Young, G. K.,
Cochran,	Keegan,	Perry, H. L.,	Zimmerman,

FOR MR. YOUNG.

Bigger,	Irwin, H. H.,	Moulthrop,	Semmens,
Brosius,	Jones, J. R.,	Neely,	Shaffer, I. E.,
Brownlee,	Kaufman,	Newton,	Showalter,
Down,	Keeport,	Peachey,	Smith, L.,
Dunn, H. B.,	Leslie,	Pennegar,	Steedle,
Gibson,	Light,	Pennock,	Steele,
Gramley,	Mather,	Redfield,	Stein,
Isler,	McClintock,	Rockwell,	Stone,
	Moses,	Runk,	Alter,
		Scott, J. R. K.,	Speaker.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows: Mr. William S. Leib received 93 votes; Mr. Arthur McKean received 76 votes; Mr. William P. Young received 35 votes. ?

From which it appeared

That no person had received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a ninth ballot.

FOR MR. LEIB.

Adams,	Ewing,	McAllister,	Schaeffer, A. C
Allen,	Fahey,	McArdle,	Schuck,
Alworth,	Forster, I. G.,	McCaig,	Semmens,
Ambler,	Frey,	McNichol,	Shern,
Arthur,	Gans,	Mechling,	Sherwood,
Baldwin, R. J.,	Good,	Miller,	Spangler,
Bass,	Gransback,	Missimer,	Speiser,
Bayle,	Hackett,	Mitchell,	Spillinger,
Berntheizel,	Haggerty,	Moore,	Steele,
Blair, W. A.,	Hess,	Morrow,	Swartz,
Campbell, C.M.,	Heyburn,	Neel,	Thomas,
Carter,	Hibshman,	North,	Ulerich,
Cleary,	Hobbs,	O'Neill,	Walsh,
Conner,	Hoffman,	Perry, S. J.,	Walton,
Conrade,	Howard, J.,	Piper,	Watson,
Cox,	Irwin, G. C.,	Ramsey,	Wettach,
Currier,	Kaiser,	Reese,	Whitaker,
Curry,	Kenna,	Reeser,	Whitman,
Davis,	Kennedy,	Rhoads,	Wildman,
Dickinson,	Kitts,	Richards,	Williams,
Donahoe,	Leslie,	Riebel,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Robinson,	Wiltbank,
Ehrhardt,	Lowers,	Roney,	Young, J. H.,
Eichenberger,	Malie,		
Ely,			

FOR MR. M'KEAN.

Baldwin, G. A.,	Conniff,	Klepper,	Peters,
Barner,	DeFrees,	Kuhn, H. P.,	Post,
Becker,	Donnally,	Kuhns, E.G.M.,	Price,
Benninger,	Flynn,	Lanius,	Rex,
Benson,	Foster, J. D.,	Latshaw,	Rothenberger,
Bergey,	Geiser,	Lenker,	Sassaman,
Bittles,	Glenn,	Lohr,	Savacool,
Blair, W. F.,	Goss,	Mannion,	Scott, S. B.,
Bleloch,	Grabe,	Martin,	Shaffer, C. A.,
Body,	Gray, Frank,	Matt,	Smith, J. W.,
Brown,	Gray, Joseph,	McAleer,	Snavely,
Brownlee,	Heidinger,	McDermott,	Strauss,
Burnett,	Hemminger,	McKay,	Swift,
Caldwell,	Herman,	Mellott,	Trach,
Campbell, J.J.	Howard, R.,	Metzenbacher,	Ulman,
Carson,	Humes,	Murphy,	Walnut,
Cheeseman,	Jackson,	Musser,	Wilson, J. H.,
Claycomb,	Keegan,	Newbaker,	Young, G. K.,
Cochran,	Kern,	Perry, H. L.,	Zimmerman,
Collins,			

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Neely,	Scott, J. R. K.,
Brosius,	Kaufman,	Newton,	Shaffer, I. E.,
Down,	Keeport,	Peachey,	Showalter,
Dunn, H. B.,	Light,	Pennegar,	Smith, L.,
Gibson,	Mather,	Pennock,	Steedle,
Gramley,	McClintock,	Redfield,	Stein,
Isler,	Moses,	Rockwell,	Stone,
Irwin, H. H.,	Moulthrop,	Runk,	Alter,
			Speaker.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows: Mr. William S. Leib received 95 votes; Mr. Arthur McKean received 77 votes; Mr. William P. Young received 32 votes.

From which it appears,

That no person had received a majority of the whole number of votes cast in the House of Representatives and no choice had been made of any person for Resident Clerk.

Whereupon,

The Speaker ordered a tenth ballot.

FOR MR. LEIB.

Adams,	Ely,	Malie,	Roney,
Allen,	Ewing,	McAllister,	Schaeffer, A. C.
Alworth,	Fahey,	McArdle,	Schuck,
Ambler,	Forster, I. G.,	McCaig,	Shern,
Arthur,	Frey,	McNichol,	Sherwood,
Baldwin, R. J.,	Gans,	Mechling,	Spangler,
Bass,	Good,	Miller,	Speiser,
Bayle,	Gransback,	Missimer,	Spillinger,
Berntheizel,	Hackett,	Mitchell,	Stein,
Blair, W. A.,	Haggerty,	Moore.	Swartz,
Campbell, C.M.,	Hess,	Morrow,	Thomas,
Carter,	Heyburn,	Neel,	Ulerich,
Cleary,	Hibshman,	Neely,	Walsh,
Conner,	Hobbs,	North,	Walton,
Conrade,	Hoffman,	O'Neill,	Watson,
Cox,	Howard, J.,	Perry, S. J.,	Wettach,
Currier,	Isler,	Piper,	Whitaker,
Curry,	Irwin, G. C.,	Ramsey,	Whitman,
Davis,	Kaiser,	Reese,	Wildman,
Dickinson,	Kenna,	Reeser,	Williams,
Donahoe,	Kitts,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Kuhn, H. P.,	Richards,	Wiltbank,
Ehrhardt,	Leslie,	Riebel,	Young, J. H.,
Eichenberger,	Letzkus,	Robinson,	

FOR MR. M'KEAN.

Baldwin, G. A.,	DeFrees,	Kuhns, E.G.M.,	Post.
Barner,	Donnally,	Lanius,	Price,
Becker,	Flynn,	Latshaw,	Rex,
Benninger,	Foster, J. D.,	Lenker,	Rothenberger,
Benson,	Geiser,	Lohr,	Sassaman,
Bergey,	Glenn,	Lowers,	Savacool,
Bittles,	Goss,	Mannion,	Scott, S. B.,
Blair, W. F.,	Grabe,	Martin,	Semmens,
Bleloch,	Gray, Frank,	Matt,	Shaffer, C. A.,
Body,	Gray, Joseph,	McAleer,	Smith, J. W.,
Brown,	Heidinger,	McDermott,	Snavely,
Brownlee,	Hemminger,	McKay,	Steele,
Burnett,	Herman,	Mellott,	Strauss,
Caldwell,	Howard, R.,	Metzenbacher,	Swift,
Campbell, J.J.	Humes,	Murphy,	Trach,
Carson,	Jackson,	Musser,	Ulman,
Cheeseman,	Keegan,	Newbaker,	Walnut,
Claycomb,	Kennedy,	Perry, H. L.,	Wilson, J. H.,
Cochran,	Kern,	Peters,	Young, G. K.
Collins,	Klepper,		Zimmerman,
Conniff,			

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Moulthrop,	Scott, J. R. K.,
Brosius,	Kaufman,	Newton,	Shaffer, I. E.,
Down,	Keeport,	Peachey,	Showalter,
Dunn, H. B.,	Light,	Pennegar,	Smith, L.,
Gibson,	Mather,	Pennock,	Steedle,
Gramley,	McClintock,	Redfield,	Stone,
Irwin, H. H.,	Moses,	Rockwell,	Alter,
		Runk,	Speaker.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received ninety-five votes; Mr. Arthur McKean received eighty votes; and Mr. William T. Young received twenty-nine votes.

From which it appears

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered an eleventh ballot.

FOR MR. LEIB.

Adams,	Ewing,	Lowers,	Roney,
Allen,	Fahey,	Malie,	Schaeffer, A. C
Alworth,	Forster, I. G.,	McAllister,	Schuck,
Ambler,	Frey,	McArdle,	Semmens,
Arthur,	Gans,	McCaig,	Shern,
Baldwin, R. J.,	Good,	McNichol,	Sherwood,
Bass,	Gransback,	Mechling,	Spangler,
Bayle,	Hackett,	Miller,	Speiser,
Berntheizel,	Haggerty,	Missimer,	Spillinger,
Blair, W. A.,	Hess,	Mitchell,	Steele,
Campbell, C.M.,	Heyburn,	Moore,	Stein,
Carter,	Hibshman,	Morrow,	Swartz,
Cleary,	Hobbs,	Neel,	Thomas,
Conner,	Hoffman,	Neely,	Ulerich,
Conrade,	Howard, J.,	North,	Walsh,
Cox,	Isler,	O'Neill,	Walton,
Currier,	Irwin, G. C.,	Perry, S. J.,	Watson,
Curry,	Kaiser,	Piper,	Wettach,
Davis,	Kenna,	Ramsey,	Whitaker,
Dickinson,	Kennedy,	Reese,	Whitman,
Donahoe,	Kitts,	Reeser,	Wildman,
Dunn, J. A.,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Leslie,	Richards,	Wiltbank,
Eichenberger,	Letzkus,	Riebel,	Young, J. H.,
Ely,		Robinson	

FOR MR. M'KEAN.

Baldwin, G. A.,	Collins,	Kern,	Peters,
Barner,	Conniff,	Klepper,	Post,
Becker,	DeFrees,	Kuhns, E.G.M.,	Price,
Benninger,	Donnally,	Lanius,	Rex,
Benson,	Flynn,	Latshaw,	Rothenberger,
Bergey,	Foster, J. D.,	Lenker,	Sassaman,
Bittles,	Geiser,	Lohr,	Savacool,
Blair, W. F.,	Glenn,	Mannion,	Scott, S. B.,
Bleloch,	Goss,	Martin,	Shaffer, C. A.,
Body,	Grabe,	Matt,	Smith, J. W.,
Brown,	Gray, Frank,	McAleer,	Snavely,
Brownlee,	Gray, Joseph,	McDermott,	Strauss,
Burnett,	Heidinger,	McKay,	Swift,
Caldwell,	Hemminger,	Mellott,	Trach,
Campbell, J.J.	Herman,	Metzenbacher,	Ulman,
Carson,	Howard, R.,	Murphy,	Walnut,
Cheeseman,	Humes,	Musser,	Wilson, J. H.,
Claycomb,	Jackson,	Newbaker,	Young, G. K.,
Cochran,	Keegan,	Perry, H. L.,	Zimmerman,

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Newton,	Shaffer, I. E.,
Brosius,	Kaufman,	Peachey,	Showalter,
Down,	Keeport,	Pennegar,	Smith, L.,
Dunn, H. B.,	Light,	Pennock,	Steedle,
Gibson,	Mather,	Redfield,	Stone,
Gramley,	McClintock,	Runk,	Alter,
Irwin, H. H.,	Moses,	Scott, J. R. K.,	Speaker.

FOR MR. ANDREW B. HITCHCOCK.

Moulthrop
Rockwell
Williams

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received ninety-eight votes; Mr. Arthur McKean received seventy-six votes; Mr. William T. Young received twenty-seven votes; and Mr. Andrew B. Hitchcock received three votes.

From which it appears

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered a twelfth ballot.

FOR MR. LEIB.

Adams,	Fahey,	Malie,	Roney,
Allen,	Forster, I. G.,	McAllister,	Schaeffer, A. C.
Alworth,	Frey,	McArdle,	Schuck,
Ambler,	Gans,	McCaig,	Semmens,
Arthur,	Good,	McNichol,	Shern,
Baldwin, R. J.,	Gransback,	Mechling,	Sherwood,
Bass,	Hackett,	Miller,	Spangler,
Bayle,	Haggerty,	Missimer,	Speiser,
Berntheizel,	Hess,	Mitchell,	Spillinger,
Blair, W. A.,	Heyburn,	Moore,	Steele,
Campbell, C.M.,	Hibshman,	Morrow,	Stein,
Carter,	Hobbs,	Neel,	Swartz,
Cleary,	Hoffman,	Neely,	Thomas,
Conner,	Howard, J.,	North,	Ulerich,
Conrade,	Isler,	O'Neill,	Walsh,
Cox,	Irwin, G. C.,	Perry, S. J.,	Walton,
Currier,	Kaiser,	Piper,	Watson,
Curry,	Kenna,	Ramsey,	Wettach,
Davis,	Kennedy,	Reese,	Whitaker,
Dickinson,	Kitts,	Reeser,	Whitman,
Donahoe,	Kuhn, H. P.,	Rhoads,	Wildman,
Dunn, J. A.,	Leslie,	Richards,	Williams,
Ehrhardt,	Letzkus,	Riebel,	Wilson, W. H.,
Eichenberger,	Lowers,	Robinson,	Wiltbank,
Ely,			Young, J. H.,
Ewing,			

FOR MR. M'KEAN.

Baldwin, G. A.,	Collins,	Kern,	Peters,
Barner,	Conniff,	Klepper,	Post,
Becker,	DeFrees,	Kuhns, E.G.M.,	Price,
Benninger,	Donnally,	Lanius,	Rex,
Benson,	Flynn,	Latshaw,	Rothenberger,
Bergey,	Foster, J. D.,	Lenker,	Sassaman,
Bittles,	Geiser,	Lohr,	Savacool,
Blair, W. F.,	Glenn,	Mannion,	Scott, S. B.,
Bleloch,	Goss,	Martin,	Shaffer, C. A.,
Body,	Grabe,	Matt,	Smith, J. W.,
Brown,	Gray, Frank,	McAleer,	Snavely,
Brownlee,	Gray, Joseph,	McDermott,	Strauss,
Burnett,	Heidinger,	McKay,	Swift,
Caldwell,	Hemminger,	Mellott,	Trach,
Campbell, J.J.	Herman,	Metzenbacher,	Ulman,
Carson,	Howard, R.,	Murphy,	Walnut,
Cheeseman,	Humes,	Musser,	Wilson, J. H.,
Claycomb,	Jackson,	Newbaker,	Young, G. K.,
Cochran,	Keegan,	Perry, H. L.,	Zimmerman,

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Moulthrop,	Runk,
Brosius,	Kaufman,	Newton,	Scott, J. R. K.,
Dunn, H. B.,	Keeport,	Peachey,	Shaffer, I. E.,
Geary,	Light,	Pennegar,	Smith, L.,
Gibson,	Mather,	Pennock,	Steedle,
Gramley,	McClintock,	Redfield,	Stone,
Irwin, H. H.,	Moses,	Rockwell,	Alter,
			Speaker.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 99 votes; Mr. William P. Young received 28 votes, and Mr. Arthur McKean received 76 votes.

From which it appeared

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered a thirteenth ballot.

FOR MR. LEIB.

Adams,	Ely,	Lowers,	Roney,
Allen,	Ewing,	Malie,	Schaeffer, A. C
Alworth,	Fahey,	McAllister,	Schuck,
Ambler,	Forster, I. G.,	McArdle,	Semmens,
Arthur,	Frey,	McCaig,	Shern,
Baldwin, R. J.,	Gans,	McNichol,	Sherwood,
Bass,	Good,	Mechling,	Spangler,
Bayle,	Gransback,	Miller,	Speiser,
Becker,	Hackett,	Missimer,	Spillinger,
Berntheizel,	Haggerty,	Mitchell,	Steele,
Blair, W. A.,	Hess,	Moore,	Stein,
Campbell, C.M.,	Heyburn,	Morrow,	Swartz,
Carter,	Hibshman,	Neel,	Thomas,
Cleary,	Hobbs,	Neely,	Ulerich,
Conner,	Hoffman,	North,	Walsh,
Conrade,	Howard, J.,	O'Neill,	Walton,
Cox,	Isler,	Perry, S. J.,	Watson,

Currier, Irwin, G. C., Piper, Wettach,
Curry, Kaiser, Ramsey, Whitaker,
Davis, Kenna, Reese, Whitman,
Dickinson, Kennedy, Reeser, Wildman,
Donahoe, Kitts, Rhoads, Williams,
Dunn, J. A., Kuhn, H. P., Richards, Wilson, W. H.,
Ehrhardt, Leslie, Riebel, Wiltbank,
Eichenberger, Letzkus, Robinson, Young, J. H.,

FOR MR. M'KEAN.

Baldwin R. J., DeFrees, Klepper, Peters,
Barner, Donnally, Kuhns, E.G.M., Post,
Benninger, Flynn, Lanius, Price,
Benson, Foster, J. D., Latshaw, Rex,
Bergey, Geiser, Lenker, Rothenberger,
Bittles, Glenn, Lohr, Sassaman,
Blair, W. F., Goss, Mannion, Savacool,
Bleloch, Grabe, Martin, Scott, S. B.,
Body, Gray, Frank, Matt, Shaffer, C. A.,
Brown, Gray, Joseph, McAleer, Smith, J. W.,
Brownlee, Heidinger, McClintock, Smith, L.,
Burnett, Hemminger, McDermott, Snavely,
Caldwell, Herman, McKay, Strauss,
Campbell, J.J. Howard, R., Mellott, Swift,
Carson, Humes, Metzenbacher, Trach,
Cheeseman, Irwin, H. H., Murphy, Ulman,
Claycomb, Jackson, Musser, Walnut,
Cochran, Keegan, Newbaker, Wilson, J. H.,
Collins, Kern, Perry, H. L., Young, G. K.
Conniff, Zimmerman,

FOR MR. YOUNG.

Bigger, Jones, J. R., Newton, Scott, J. R. K.,
Brosius, Kaufman, Peachey, Shaffer, I. E.,
Down, Keeport, Pennegar, Showalter,
Dunn, H. B., Light, Pennock, Steedle,
Geary, Mather, Redfield, Stone,
Gibson, Moses, Rockwell, Alter,
Gramley, Moulthrop, Runk, Speaker.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received 100 votes; Mr. William P. Young received 27 votes, and Mr. Arthur McKean received 78 votes.

From which it appeared

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered a fourteenth ballot.

FOR MR. LEIB.

Adams, Fahey, McArdle, Scott, J. R. K.,
Allen, Forster, I. G., McCaig, Semmens,
Alworth, Frey, McNichol, Shern,
Ambler, Gans, Mechling, Sherwood,
Arthur, Gransback, Miller, Spangler,
Baldwin, R. J., Hackett, Missimer, Speiser,
Bass, Haggerty, Mitchell, Spillinger,
Bayle, Hess, Moore, Steele,
Berntheizel, Heyburn, Morrow, Stein,
Blair, W. A., Hibshman, Neel, Swartz,
Campbell, C.M., Hobbs, Neely, Thomas,
Carter, Hoffman, North, Ulerich,
Cleary, Howard, J., O'Neill, Walsh,
Conner, Isler, Perry, S. J., Walton,
Conrade, Irwin, G. C., Piper, Watson,
Cox, Kaiser, Ramsey, Wettach,
Currier, Kenna, Reese, Whitaker,
Curry, Kennedy, Reeser, Whitman,
Davis, Kitts, Rhoads, Wildman,
Dickinson, Kuhn, H. P., Richards, Williams,
Donahoe, Leslie, Riebel, Wilson, W. H.,
Dunn, J. A., Letzkus, Robinson, Wiltbank,
Ehrhardt, Lowers. Roney, Young, J. H.,
Eichenberger, Malie. Schaeffer, A. C Alter,
Ely, McAllister, Schuck, Speaker.
Ewing,

FOR MR. M'KEAN.

Baldwin, G. A., Conniff, Kuhns, E.G.M., Post,
Barner, DeFrees, Lanius, Price,
Becker, Donnally, Latshaw, Rex,
Benninger, Flynn, Lenker, Rothenberger,
Benson, Foster, J. D., Lohr, Sassaman,
Bergey, Geiser, Mannion, Savacool,
Bittles, Glenn, Martin, Scott, S. B.,
Blair, W. F., Goss, Matt, Shaffer, C. A.,
Bleloch, Grabe, McAleer, Smith, J. W.,
Body, Gray, Frank, McClintock, Smith, L.,
Brown, Gray, Joseph, McDermott, Snavely,
Brownlee, Heidinger, McKay, Strauss,
Burnett, Hemminger, Mellott, Swift,
Caldwell, Herman, Metzenbacher, Trach,
Campbell, J.J. Howard, R., Murphy, Ulman,
Carson, Humes, Musser, Walnut,
Cheeseman, Irwin, H. H., Newbaker, Wilson, J. H.,
Claycomb, Keegan, Perry, H. L., Young, G. K.,
Cochran, Kern, Peters, Zimmerman,
Collins, Klepper,

FOR MR. YOUNG.

Bigger, Jackson, Moulthrop, Rockwell,
Brosius, Jones, J. R., Newton, Runk,
Down, Kaufman, Peachey, Shaffer, I. E.,
Dunn, H. B., Keeport, Pennegar, Showalter.
Geary, Light, Pennock, Steedle,
Gibson, Mather, Redfield, Stone,
Gramley, Moses,

REASON FOR VOTE.

Mr. JOHN R. K. SCOTT: Mr. Speaker, I was pledged to the selection of the Committee on Committees' nominees in this House. I have consistently voted for Mr. Young up to the fourteenth ballot. I now feel that continuing vote along this line, since the majority of the Committee on Committees has abanooned its own candidate, will unnecessarily prolong the deadlock and bring a hardship to the House. I, therefore, vote for Mr. W. S. Leib.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows: Mr. William S. Leib received 101 votes; Mr. Arthur McKean received 78 votes; Mr. William P. Young 26 votes.

From which it appears

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for Resident Clerk.

Whereupon,

The SPEAKER ordered a fifteenth ballot.

FOR MR. LEIB.

Adams, Ewing, Malie, Schaeffer, A. C
Allen, Fahey, McAllister, Schuck,
Alter, Forster, I. G., McArdle, Scott, J. R. K.,
Alworth, Frey, McCaig, Semmens,
Ambler, Gans, McClintock, Shern.
Arthur, Good, McNichol, Sherwood,
Baldwin, R. J., Gransback, Mechling, Spangler,
Bass, Hackett, Miller, Speiser,
Bayle, Haggerty, Missimer, Spillinger,
Becker, Hess, Mitchell, Steele,
Berntheizel, Heyburn, Moore, Stein,
Blair, W. A., Hibshman, Morrow, Swartz,
Campbell, C.M., Hobbs, Neel, Thomas,
Carter, Hoffman, Neely, Ulerich,
Cleary, Howard, J., North, Walsh,
Conner, Isler, O'Neill, Walton,
Conrade, Irwin, G. C., Perry, S. J., Watson,
Cox, Kaiser, Piper, Wettach,
Currier, Kenna, Ramsey, Whitaker,
Curry, Kennedy, Reese, Whitman,
Davis, Kitts, Reeser, Wildman,
Dickinson, Kuhn, H. P., Rhoads, Williams,
Donahoe, Leslie, Richards, Wilson, W. H.,
Dunn, J. A., Letzkus, Riebel, Wiltbank,
Ehrhardt, Lowers, Robinson, Young, J. H.,
Eichenberger, Malie, Roney, Alter,
Ely, McAllister, Schuck, Speaker.

FOR MR. M'KEAN.

Baldwin, G. A., Conniff, Kern, Perry, H. L.,
Barner, DeFrees, Klepper, Peters,
Benninger, Donnally, Kuhns, E.G.M., Post,
Benson, Flynn, Lanius, Price,
Bergey, Foster, J. D., Latshaw, Rex,
Bittles, Geiser, Lenker, Rothenberger,
Blair, W. F., Glenn, Lohr, Sassaman,
Bleloch, Goss, Mannion, Savacool,
Body, Grabe, Martin, Scott, S. B.,
Brown, Gray, Frank, Matt, Shaffer, C. A.,
Brownlee, Gray, Joseph, McAleer, Smith, J. W.,
Burnett, Heidinger, McDermott, Snavely,
Caldwell, Hemminger, McKay, Strauss,
Campbell, J.J. Herman, Mellott, Swift,
Carson, Howard, R., Metzenbacher, Trach,
Cheeseman, Humes, Murphy, Ulman,
Claycomb, Irwin, H. H., Musser, Walnut,
Cochran, Keegan, Newbaker, Wilson, J. H.,
Collins, Young, G. K.
Zimmerman,

FOR MR. YOUNG.

Bigger, Jones, J. R., Newton, Runk,
Brosius, Kaufman, Peachey, Shaffer, I. E.,
Down, Keeport, Pennegar, Showalter,
Dunn, H. B., Light, Pennock, Smith, L.,
Geary, Mather, Redfield, Steedle,
Gibson, Moses, Rockwell, Stone,
Gramley, Moulthrop,

Mr. NEELY: Mr. Speaker.

The SPEAKER: The gentleman from Allegheny, Mr. Neely.

Mr. NEELY: Being absent during the last roll call, I would like to have my vote recorded for Mr. Leib.

The SPEAKER: Is there any objection? The Chair hears no objection and the vote will be so recorded.

Whereupon,

Mr. GEORGE A. BALDWIN requested a verification of the roll.

The SPEAKER: It appearing by the roll that no candidate has received a majority of the votes, does the gentleman from Beaver insist on the verification of the roll.

Mr. GEORGE A. BALDWIN: I withdraw my request.

The SPEAKER: The tellers agree in their count, and the vote cast by the members is as follows:

Mr. William S. Leib received one hundred and two votes; Mr. Arthur McKean received seventy-five votes; and Mr. William T. Young received twenty-seven votes.

From which it appears

That no person having received a majority of the whole number of votes cast in the House of Representatives, and therefore, no choice has been made of any person for resident clerk.

Mr. McCLINTOCK. Mr. Speaker.

The SPEAKER: The gentleman from Philadelphia, Mr. McClintock.

REASONS FOR VOTE.

Mr. McCLINTOCK: Mr. Speaker, I have voted consistently in support of the Committee upon Committees, and I feel that I have done justice in doing that, but it has been shown to me, a new member, that the majority of this side of the House, Republicans and Independents, are in favor of Mr. Leib, and I therefore wish to change my vote from Mr. Young to Mr. Leib.

The SPEAKER: The result of the ballot having been announced, the gentleman's request cannot be granted except by unanimous consent.

Mr. McCLINTOCK: I ask unanimous consent to change my vote from Mr. Young to Mr. Leib.

The SPEAKER: The gentleman from Philadelphia, Mr. McClintock, desires unanimous consent to change his vote from Mr. Young to Mr. Leib. Is there any objection? The Chair hears no objection and the gentleman is recorded as voting for Mr. Leib, who thus receives a majority.

One moment—in view of the change, the Chair withdraws his declaration on the request for the verification of the vote, Mr. Leib having received a majority, the Chair directs that the roll be verified.

Mr. JACKSON. Mr. Speaker.

The SPEAKER: The gentleman from Wayne, Mr. Jackson.

Mr. JACKSON: I was not on the floor at the last roll call, and if not too late I wish to be recorded as voting for Mr. McKean.

The SPEAKER: The Chair hears objections, and is compelled to state that the vote cannot be received.

The roll upon being verified was as follows:

FOR MR. LEIB.

Adams,	Fahey,	McAllister,	Schuck,
Alter,	Forster, I. G.,	McArdle,	Scott, J. R. K.,
Alworth,	Frey,	McCalg,	Semmens,
Ambler,	Gans,	McClintock,	Shern,
Arthur,	Good,	McNichol,	Sherwood,
Baldwin, R. J.,	Gransback,	Mechling,	Spangler,
Bass,	Hackett,	Miller,	Speiser,
Bayle,	Haggerty,	Missimer,	Spillinger,
Becker,	Hess,	Mitchell,	Steele,
Berntheizel,	Heyburn,	Moore,	Stein,
Blair, W. A.,	Hibshman,	Morrow,	Swartz,
Campbell, C.M.,	Hobbs,	Neel,	Thomas,
Carter,	Hoffman,	Neely,	Ulerich,
Cleary,	Howard, J.,	North,	Walsh,
Conner,	Isler,	O'Neill,	Walton,
Conrade,	Irwin, G. C.,	Perry, S. J.,	Watson,
Cox,	Kaiser,	Piper,	Wettach,
Currier,	Kenna,	Ramsey,	Whitaker,
Curry,	Kennedy,	Reese,	Whitman,
Davis,	Kitts,	Reeser,	Wildman,
Dickinson,	Kuhn, H. P.,	Rhoads,	Williams,
Donahoe,	Leslie,	Richards,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Riebel,	Wiltbank,
Ehrhardt,	Lowers,	Robinson,	Young, J. H.,
Eichenberger,	Malie.	Roney,	Alter,
Ely,		Schaeffer, A. C	Speaker.
Ewing,			

FOR MR. M'KEAN.

Baldwin, G. A.,	DeFrees,	Kuhns, E.G.M.,	Post,
Barner,	Donnally,	Lanius,	Price,
Benninger,	Flynn,	Latshaw,	Rex,
Benson,	Foster, J. D.,	Lenker,	Rothenberger,
Bergey,	Geiser,	Leslie,	Sassaman,
Bittles,	Glenn,	Lohr,	Savacool,
Blair, W. F.,	Goss,	Mannion,	Scott, S. B.,
Bleloch,	Grabe,	Martin,	Shaffer, C. A.,
Body,	Gray, Frank,	Matt,	Smith, J. W.,
Brown,	Gray, Joseph,	McAleer,	Snavely,
Brownlee,	Heidinger,	McDermott,	Strauss,
Burnett,	Hemminger,	McKay,	Swift,
Caldwell,	Herman,	Mellott,	Trach,
Campbell, J.J.	Howard, R.,	Metzenbacher,	Ulman,
Carson,	Humes,	Murphy,	Walnut,
Cheeseman,	Irwin, H. H.,	Musser,	Wilson, J. H.,
Claycomb,	Keegan,	Newbaker,	Young, G. K.
Cochran,	Kern,	Perry, H. L.,	Zimmerman,
Collins,	Klepper,	Peters,	
Conniff,			

FOR MR. YOUNG.

Bigger,	Jones, J. R.,	Newton,	Runk,
Brosius,	Kaufman,	Pachey,	Shaffer, I. M.,
Down,	Keeport,	Pennegar,	Showalter,
Dunn, H. B.,	Light,	Pennock,	Smith, L.,
Geary,	Mather,	Redfield,	Steedle,
Gibson,	Moses,	Rockwell,	Stone,
Gramley,	Moulthrop,		

The SPEAKER: There are no challenges, and the vote will stand as read. The vote as verified, was as follows:

Mr. William S. Lieb received one hundred and three votes; Mr. Arthur McKean received seventy-five votes, and Mr. William T. Young received twenty-six votes.

Mr. Leib is therefore declared elected resident clerk of this House.

The resident clerk will be sworn.

OATH OF OFFICE ADMINISTERED TO RESIDENT CLERK.

The Resident Clerk presented himself at the bar of the House, and the oath of office, as required by law, was administered to him by the Speaker.

APPOINTMENT OF ASSISTANT RESIDENT CLERK.

In accordance with the Act of April 12, 1905, the Resident Clerk announces the appointment of I. Dale Meals, as Assistant Resident Clerk.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 10, entitled:

A joint resolution providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturing companies of this State of the law governing the withholding of wages from employees and the maintenance of company stores and providing for the employment of counsel and necessary help making an appropriation for the expenses and giving such commission the necessary powers to make its investigations and providing penalties for contempt of its authority (Mr. Stein)

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 13, entitled:

A joint resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America which provides that senators shall be elected by the people (Mr. E. E. Jones)

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 44, entitled:

An act amending an act entitled "An act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments" approved June fifteenth Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs of existing sewers and sewer systems (Mr. Frey)

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 50, entitled:

An act amending an act entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and the appliances owned by individuals and unincorporated associations and

providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality (Mr. Frey)

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. S. B. SCOTT. Mr. Speaker.

The SPEAKER: The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT: Mr. Speaker, I ask unanimous consent to submit a supplemental report of the Committee upon Committees.

The SPEAKER: The gentleman from Philadelphia, Mr. S. B. Scott, asks unanimous consent to submit a supplemental report of the Committee upon Committees at this time. Is there any objection? The Chair hears no objection. The Clerk will read the supplemental report.

The Clerk read the supplemental report of the Committee upon Committees, as follows:

SUPPLEMENTARY REPORT OF COMMITTEE UPON COMMITTEES.

Jan. 27, 1913.

For the office of Journal Clerk, Andrew L. Glass, of Schuylkill County, instead of Jacob S. Britton.

For the office of Page, Abraham Barbanell instead of Frank Johnston.

Henry S. Elliott instead of Wayne Hodgens.

On the Committee of Public Health and Sanitation: Mr. Frank Gray instead of Mr. Spangler.

(Signed)

JOHN ROBERT JONES,
JOHN T. MATT,
FRANK H. ROCKWELL,
DANIEL J. SHERN,
W. H. WILSON,
CHAS. A. AMBLER,
GEORGE W. ALLEN,
EDWARD R. BENSON,
JOHN M. FLYNN,
A. S. MOULTHROP,
SAMUEL B. SCOTT,

Chairman of Committee upon Committees.

It was agreed to.

ADJOURNMENT.

Mr. R. J. BALDWIN: Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, and (at 11:58 p. m.) the House adjourned until tomorrow at eleven o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, JANUARY 28, 1913. No. 6.

SENATE,.

TUESDAY, January 28, 1913.

The Senate met at 11 o'clock A,. M,.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr HOKE from the Committee on Judiciary General reported as committed Senate Bill No 3, entitled:

An act validating certain elections of counties, boroughs, townships, school districts and other incorporated districts, held pursuant to the provisions of an act approved the 20th day of April, A. D. 1874, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections.

Mr. JUDSON from the Committee on Judiciary General, reported as committed Senate Bill No. 14, entitled:

An Act to amend the first section of an act approved the 10th day of June, 1901, entitled "An act authorizing and empowering boroughs and incorporated towns to take, use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality; and providing for the manner of ascertaining determining, awarding and paying compensation and damages therefor," as amended by the first section of an act approved the 5th day of May, 1911, entitled "An act to amend section one of 'An act authorizing and empowering boroughs and in corporated towns to take, use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality; and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor,' approved the 10th day of June, 1901, so as to extend the same to townships of the first class," by extending the act to include townships of the second class.

Mr. McILHENNY from the Committee on Judiciary General reported with favorable recommendation all the nominations of Notaries Public made by His Excellency, the Governor of the Commonwealth, at last evening's session, which were laid upon the table.

BILLS INTRODUCED.

Mr SPROUL read in his place and presented to the Chair Senate Bill No. 65, entitled:

An Act to amend an act, entitled "A further supplement to an act, entitled "An act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes," approved the 29th day of March, 1803, and for regulating the rates of pilotage and number of pilots, approved the 11th day of May, 1889, and further providing for the number of pilots and apprentices.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No,. 66, entitled:

A supplement to an act, entitled "An act to establish a Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries; regulating their jurisdiction over ships, vessels,and boats, and wharves, piers, bulkheads, docks, slips and basins, and exempting cities of the first class from certain of its provisions; and making an appropriation therefor,' approved the 8th day of June, A. D. 1907; giving the Board of Commissioners of Navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware River and its navigable tributaries, and fixing certain penalties for the violation thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 67, entitled:

An Act to repeal the act of January 7th, 1864, entitled "A further supplement to an act to establish a Board of Wardens, for the Port of Philadelphia, and for other purposes approved March 29th, 1803

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 68, entitled:

A Joint resolution proposing an amendment to Article nine, section four of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of fifty milions of dollars for the improvement of the highways of the Commonwealth.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No 69, entitled:

A Joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania, relating to taxation.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 70, entitled:

An Act to repeal section 42 of an act, entitled "An act to reduce the State debt and to incorporate the Pennsylvania Canal and Railroad Company," approved April 29th, 1844, and section four of an act, entitled "An act imposing additional taxes for State purposes, and to abolish the Revenue Board," approved April 30th, A. D. 1864 and an act, entitled "An act amending section four of an act, entitled 'An act imposing additional taxes for State purposes and to abolish the Revenue Board,' approved the 30th day of April, A. D. 1864, by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor-General of the amount of scrip, bonds or certificates of indebtedness outsanding in their respective districts" approved May 11th, 1911, and exempting from taxation the scrip, bonds and certificates of indebtedness of counties, cities, incorporated districts, school districts, boroughs and other municipal corporations.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 71, entitled:

An Act regulating reports for the purpose of taxation by corporations.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 72, entitled:

An Act regulating the making of certain reports and statements to the Auditor-General for purposes of State taxation.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 73, entitled:

An Act to amend sections two and three of an act, entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," approved the 2nd day of May, 1889; extending the same to other cases of escheat.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Senate Bill No. 74, entitled:

An Act to provide for the return by the State Treasurer to the several counties from which the same are received, for their own use, of one-half of certain taxes received or collected by county treasurers or other officers and paid into the State treasury.

Which was committed to the Committee on Finance.

Also Senate Bill No. 75, entitled:

An Act regulating reports for the purposes of taxation by corporations, joint stock associations and limited partnerships, and part of the capital stock or indebted-

ness of which is not taxable under the laws of this Commonwealth.

Which was committed to the Committee on Finance.

Also Senate Bill No. 76, entitled:

An Act providing for the report to the Auditor-General and escheat to the Commonwealth under certain conditions of deposits of money; deposits of money, stocks, bonds, notes, papers and other securities and all other valuables of the same or any other kind for safe-keeping; and stocks and dividends, and the principal and interest of bonds, notes, certificates and of all and any other kinds of indebtedness of corporations, limited partnerships and partnership associations; and providing for the enforcement of the same.

Which was committed to the Committee on Finance.

Also Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritance taxes bequests and devises to institutions of purely public charity.

Which was committed to the Committee on Finance.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 78, entitled:

An Act authorizing and providing for the establishment of a park at or near the spot where General George Washington crossed the Delaware River; authorizing the erection and maintenance of a monument therein; and making an appropriation for the purpose of this act.

Which was committed to the Committee on Appropriations.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 79, entitled:

An Act prescribing the style of rails to be used by street railway companies on paved highways in cities; by regulating the paving adjacent to such rails, and fixing penalties for violation hereof.

Which was committed to the Committee on City Passenger Railways.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 80, entitled:

An Act making an appropriation to the Mercy Hospital, at Wilkes-Barre, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also Senate Bill No. 81, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been, or shall be, sentenced under a law declared to be unconstitutional.

Which was committed to the Committee on Judiciary General.

Mr. FISHER read in his place and presented to the Chair Senate Bill No. 83, entitled:

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennslyvania.

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 84, entitled:

An Act to amend section 6 of an act, entitled "An Act providing for the erection and maintenance of a Memorial Hall at the County seat of Allegheny County, in honor of the soldiers, sailors and marines from that County, who served in the Army and Navy of the United States in the War for the suppression of the Rebellion; authorizing and directing the Commissioners of said Allegheny County to erect and maintain said Memorial Hall upon a petition of fifty citizens, approved by two successive grand juries, the Court of Quarter Sessions, and a majority vote of the qualified voters of said county at a general election; designating a committee to determine what relics, records, etc., shall be placed in said Memorial Hall and providing for a flagstaff and display of the flag of the United States; approved 12th April, A. D. 1905, by providing for a Board of Managers, and that certain judges of the Common Pleas Court and the County Commissioners shall be ex-officio members of the Board of Managers; prescribing the powers and duties of the Board of Managers, and that the expenses of maintaining and operating the building, grounds and improvements shall be paid by the County of Allegheny."

Which was committed to the Committee on Pensions and Gratuities.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 85, entitled:

An Act making an appropriation to the trustees of the State Hospital for the Insane, at Warren, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 86, entitled:

An Act making an appropriation to the Paradise Protectory and Agricultural School, at Paradise Township, York County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No 87, entitled:

An act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. POWELL read in his place and presented to the Chair Senate Bill No. 88, entitled:

A joint resolution proposing amendment to section one, article eight, of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 89, entitled:

An act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 90, entitled:

An act for the better preservation of the records contained in the offices of the Recorder of Deeds of the several counties of this Commonwealth, providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 91, entitled:

An act relating to the councils of cities of the first class of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Municipal Affairs.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 92, entitled:

An act for the regulation of certain corporations, joint stock companies, limited partnerships, partnership asssociations and associations having any of the powers or privileges of corporations not possessed by individuals or partnerships organized under the laws of this or any other State, territory or government which shall sell, or negotiate for the sale of certain stocks, bonds or other securities, and relating to the powers and duties of the Commissioner of Banking with respect thereto, and punishing the violation thereof.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 93, entitled:

An act to regulate foreign corporations, that is to say, corporations, joint stock companies, partnerships limited, partnership associations and all associations having any of the powers or privileges of corporations not possessed by individuals or partnerships organized under any laws other than those of this Commonwealth, doing business in this Commonwealth.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 94, entitled:

An act to regulate foreign corporations, that is to say, corporations, joint stock companies, partnerships limited, partnership associations, and all associations having any of the powers or privileges of corportions, not posssessed by individuals or partnerships organized under any laws other than those of this Commonwealth, doing business in this Commmonwealth.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 95, entitled:

An act validating under certain conditions contracts made by foreign corporations which shall have done or shall do any business within this Commonwealth without first having complied with the laws relating to foreign corporations.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 96, entitled:

An act to amend section 23 of an act entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, A. D. 1879," approved June 1st, 1889.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No 97, entitled:

An act regulating appeals from tax settlements of the fiscal officers of the Commonwealth.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 98, entitled:

An act to regulate the business of receiving for investment or of investing the money of others.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 99, entitled:

An act making an apppropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Which was committed to the Committee on Apropriations.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 100, entitled:

An act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor, and to prohibit the selling or otherwise dispose of intoxicating liquors, gaming and the conducting of immoral exhibitions at or near the fair grounds.

Which was committed to the Committee on Agriculture.

Also read in his place and presented to the Chair Senate Bill No. 101, entitled:

An act making an appropriation to the Sylvan Heights Home for Orphan Girls at Harrisburg, Pennsylvania.

Which was committed to the Committee on Apropriations.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 102, entitled:

An act to provide for the retirement of teachers incapacitated to do class work and teachers who have taught not less than thirty years, twenty of which shall have been in the public schools of the Commonwealth of Pennsylvania from class work, and their employment by the Superintendent of Public Instruction, with regulations for their employment and compensation.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 103, entitled:

An act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries; making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No 104, entitled:

An act to facilitate the insurance of employes against the consequence of accidents resulting in personal injury or death and to permit agreements between employers and employes with reference to such accidents, and fixing penalties for the violation of this act.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 105, entitled:

An act refining investment companies; providing for the regulation and supervision of such investment companies and providing penalties for violation of this act.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 106, entitled:

An act to amend an act approved the 23d day of May, 1889, entitled "An act providing for the incorporation and government of cities of the third class."

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 107, entitled:

An act providing that in counties having more than one hundred and fifty thousand inhabitants all notices, statements, reports and advertisements required by law or rule of court to be published in newspapers of general circulation shall also be published in the legal publication which is published in such counties and is issued weekly.

Which was committed to the Committee on Judiciary Special.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 108, entitled:

An act making an appropriation to the People's Co-operative Hospital, Sayre, Pennsylvania.

Which was committed to the Committee on Apropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 109, entitled:

An Act making an appropriation to the Providence Hospital of Beaver Falls, Beaver County. Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 110, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. CROW offered the following resolution, which was twice read considered and agreed to:

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, February third, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on the same date and hour, February third, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representativs for concurrence.

SENATE EMPLOYES.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

Resolved, That Joseph M. McIntosh, of Philadelphia, be elected assistant custodian of the basement, vice Frank Mills, of Philadelphia, and Irwin Shields, of Marietta, Lancaster County, to be a paster and folder, vice A. W. Andrews, of Pittsburgh.

APPOINTMENTS BY CHIEF CLERK OF THE SENATE.

The Chair cleared his table and laid before the Senate the following communication:

Senate of Pennsylvania, Harrisburg, January 28, 1913.
To Honorable Daniel F. Gerberich, President Pro Tempore of the Senate:

Dear Sir:—In accordance with the Act of Assembly approved April 12, 1905, I have this day appointed Ralph Morton, of Connellsville, Fayette County, as stenographer to the Chief Clerk; and in accordance with the Act of Assembly approved June 9, 1911, Frank E. Ziegler, of Harrisburg, Dauphin County, as Chief Official Reporter, E. Rose Ranck, of Lancaster, Lancaster County, as Official Reporter, Harry C. Houtz of Harrisburg, Dauphin County, and William E. Walsh, of Pittsburgh, Allegheny County, as expert typewriters, Daniel L. Keister, of Harrisburg, Dauphin County, as clerk to prepare Legislative Journal copy, Harry E. Earp, of Harrisburg, Dauphin County, as proofreader, and Harry A. Van Horn, of Harrisburg, Dauphin County, as copy-holder.

HARMON M. KEPHART,
Chief Clerk of the Senate.

ASSISTANT SENATE LIBRARIAN.

He also laid before the Senate the following communication:

Senate of Pennsylvania, Harrisburg, January 28, 1913.
To Honorable Daniel P. Gerberich, President Pro Tempore of the Senate:

My Dear Sir:—In accordance with the Act of Assembly approved April 12, 1905, I have appointed, Edward L. Groff, of Harrisonburg, Dauphin County, as Assistant Senate Librarian.

Very respectfully yours,
HERMAN P. MILLER,
Senate Librarian.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 28, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

DAUPHIN COUNTY.

W. H. Joyce, Harrisburg.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 28, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

W. M. McMillin, Pittsburgh.

BLAIR COUNTY.

W. E. Russell, Altoona.

CARBON COUNTY.

Mrs. Frances Tachovsky, Palmerton.

FAYETTE COUNTY.

Edmund Martin, Perry Township.

PHILADELPHIA COUNTY.

Henry Grant Malone, Philadelphia.
Thomas S. Wiltbank, Philadelphia.
William H. Creamer, Jr., Philadelphia.
Miss Mary A. Barber, Philadelphia.

TIOGA COUNTY.

Miss Eva L. Hughes, Blossburg.

WESTMORELAND COUNTY.

Nicholas Halyamas, New Kensington.
J. Lloyd Kalp, Mount Pleasant.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38 which requires nominations made by the Governor to be referred to proper committees and those reported from Committee to lie on the table one day be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations, and those reported from Committee at today's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. McILHENNY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Fisher,	Kline,	Nulty,
Beidleman,	Gerberich,	Knapp,	Powell,
Buckman,	Gyger,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	McNichols,	Sproul,
DeWitt,	Hunter,	Miller,	Stineman,
Endsley,	Jones,	Mills,	Thompson,
Farley,	Judson,	Moore,	Vare,
			Wasbers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess until twelve o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was laid upon the table.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JUSTICES OF THE PEACE.

Commonwealth of Pennnsylvania,
Executive Chamber, January 28, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be Justices of the Peace in and for the municipalities indicated after their several names, to serve until the first Monday of January, 1914:

William Williams, Carbondale township, Lackawanna County, vice Thomas J. Kennedy, resigned;

E. C. Shell, Ambridge borough, Beaver County;

Albert T. Lorch, Hampton township, Allegheny County;

Joseph DeLay, Tamaqua Borough, Schuylkill County, Vice. William F. Leopold, resigned;

Samuel Steckel, Slatington Borough, Lehigh County, vice Henry A. Shertzinger, resigned;

David R. Evans, Blossburg borough, Tioga County, vice, Thomas L. Williams, deceased.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McIlhenny

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. McIlhenny.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Kurtz,	Salus,
Beidleman,	Gyger,	Magee,	Sensenich,
Buckman,	Heacock,	McIlhenny,	Sheatz,
Catlin,	Herbst,	McNichol,	Snyder,
Clark,	Hilton,	McNichols,	Sones,
Cooper,	Hoke,	Miller,	Sproul,
Crow,	Homsher,	Mills,	Stineman,
Daix,	Hunter,	Moore,	Thompson,
DeWitt,	Jones,	Morgan,	Vare,
Endsley,	Judson,	Nulty,	Wasbers,
Farley,	Kline,	Powell,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The CHAIR cleared his table and laid before the Senate communication from the House of Representatives, returning to the Senate the following resolution:

In the Senate, January 28, 1913.

Resolved (if the House of Representatives concur) That when the Senate adjourns today it shall reconvene on Monday evening, February third, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene at the same date and hour, February third, at nine o'clock.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows.

In line 4 by striking out the words "and hour," and in line 5 by striking out the word "nine" and inserting in lieu thereof the word "eight."

On the question,

Will the Senate concur in the same?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE from the Committee on Appropriations reported as committed, Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

Also from the Committee on Appropriations reported as committed Senate Bill No. 21, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania, for the payment of indebtedness incurred in furnishings, furniture, equipment, repairs and making extraordinary alterations and changes in the buildings of said hospital.

ADJOURNMENT

Mr. McILHENNY. Mr. President, I move that the Senate do now adjourn.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:30 o'clock P. M. until nine o'clock Monday evening, February third, 1913.

HOUSE OF REPRESENTATIVES.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 28, 1913.

The SPEAKER (George E. Alter) in the Chair.

Prayer by the Chaplain, Rev. J. E. Wright.

The SPEAKER. The Clerk will read the Journal of yesterdays' proceedings.

Mr. S. B. SCOTT. Mr. Speaker, I move that the reading of the Journal be postponed until such time as the printed copies of the Legislative Journal are upon the desks of the members.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. ALLEN. House Bill No. 85.

An act to repeal the second section of an act approved the first day of April, one thousand seven hundred ninety-seven, entitled "An act to regulate the manner of selling load bread, and to repeal certain existing laws respecting the same."

Referred to the Committee on Manufactures.

By Mr. BIGGER. House Bill No. 86.

An act to amend Sections one and two of an act entitled "An act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor," approved the fourteenth day of April, one thousand nine hundred and five.

Referred to the Committee on Judiciary Special.

By Mr. SEMMENS. House Bill No. 87.

An act to repeal all acts and parts of acts providing for the taxation of horses, mares, geldings, mules or cattle.

Referred to the Committee on Counties and Townhips.

By Mr. R. J. BALDWIN. House Bill No. 88.

An act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties," approved the twenty-seventh day of June, one thousand eight hundred ninety-five, as amended by the act entitled "An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said county' Approved June twenty-seventh, one thousand eight hundred and ninety-five, so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants, and authorizing the Governor to fill vacancies" approved the eighth day of May, one thousand nine hundred one, by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants.

Referred to the Committee on Counties and Townships.

By Mr. R. J. BALDWIN. House Bill No. 89.

An act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made.

Referred to the Committee on Counties and Townships.

By Mr. R. J. BALDWIN. House Bill No. 90.

An act to amend an act approved the eighteenth day of March, Anno Domini one thousand eight hundred seventy-four, entitled "A supplement to an act for the better and more impartial selection of persons to serve as juror in each of the counties of this Commonwealth, approved the tenth day of April, Anno Domini eighteen hundred and sixty-seven."

Referred to the Committee on Judiciary General.

By Mr. SASSAMAN. House Bill No. 91.

An act making an appropriation to the Homeopathic Medical and Surgical Hospital, of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SASSAMAN. House Bill No. 92.

An act making an appropriation to the Home for Widows and Single Women, of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHN ROBERT JONES. House Bill No. 93.

An act to regulate political campaigns at and prior to elections and primaries, enacting for such purposes provisions amongst others; to regulate election and primary expenses and contributions therefor; to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter; to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred; to regulate political committees, and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts; to provide for the dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries; to impose duties on the Secretary of the Commonwealth, District Attorneys, County Commissioners, Clerks of Courts, Assessors and their respective subordinates; to regulate investigations of Election Practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances; to vest certain courts with jurisdiction to annul certain elections and nominations, to certify their findings as to other elections in certain instances; to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation.

Referred to the Committee on Elections.

By Mr. SEMMENS. House Bill No. 94.

An act to repeal an act approved the thirteenth day of May, one thousand eight hundred and seventy-six, entitled "An act to exempt pianos, melodeons and organs, leased or hired, from levy or sale on execution of distress for rent."

Referred to the Committee on Judiciary General.

By Mr. CLAYCOMB. House Bill No. 95.

A Joint Resolution ratifying an amendment to the Constitution of the United States of America.

Referred to the Committee on Ways and Means.

By Mr. CLAYCOMB. House Bill No. 96.

Joint Resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America, which provides that Senators shall be elected by the people.

Referred to the Committee on Judiciary General.

By Mr. JAMES A. DUNN. House Bill No. 97.

An act regulating the cold storage of food, and providing penalties for violation of this act.

Referred to the Committee on Judiciary Special.

By Mr. JOHN ROBERT JONES. House Bill No. 98.

An act amending section thirty of an Act entitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, A. D. one thousand eight hundred and ninety three, as amended by the Act of Assembly approved the twenty-ninth day of April, A. D. one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots.

Referred to the Committee on Elections.

By Mr. SHORN. House Bill No. 99.

An act making an appropriation to the Bynecean Hospital, in the City of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. ALWORTH. House Bill No. 100.

An act to prohibit in any legal proceeding, the cross examination of witnesses concerning convictions for any crime or crimes committed by them, where such convictions shall have occurred more than ten years prior or if such convictions were followed by imprisonments, where such imprisonments shall have ended ten years prior to the time of said examination of said witnesses, except in criminal cases where the defendant is the witness, and except in actions of trespass founded on negligence.

Referred to the Committee on Judiciary Special.

By Mr. RICHARDS. House Bill No. 101.

An act creating a department of charities; defining its powers and duties; restricting the issuance of warrants by the auditor general for the payment of money to certain institution; prohibiting the solicitation of appropriations by officials and employees of institutions; regulating the responsibility for maintenance of beneficiaries transferred from one institution to another; providing for the return of alien indigent insane persons; and abolishing the board of public charities.

Referred to the Committee on Appropriations.

By Mr. JOHN ROBERT JONES. House Bill No. 102.

An act amending section thirty-three of an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, A. D. one thousand eight hundred and ninety-three by providing punishment for certain offenses committed by judges of election.

Referred to the Committee on Elections.

By Mr. DICKINSON. House Bill No. 103.

An act authorizing the State Treasurer to refund to the Metropolitan Life Insurance Company of New York, a fee of twenty-five dollars, paid for commission issued to E. H. Kratzer of Coatesville, Chester County, Pennsylvania, as Notary Public.

Referred to the Committee on Appropriations.

By Mr. JOHN ROBERT JONES. House Bill No. 104.

An act amending section 102 of an act entitled "An act relating to the elections of the Commonwealth approved the second day of July, A. D. 1839" by providing punishment for certain offenses committed by election officers and clerks and amending section 103 of said act by increasing the penalties therein provided.

Referred to the Committee on Elections.

By Mr. WALNUT. House Bill No. 105.

An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment, by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted, by providing for the enforcement of this act by the chief factory inspector and others, by prescribing penalties for violations thereof, by permitting private prosecutions under this act, by defining the procedure in prosecutions thereunder, by prohibiting suspensions of sentence for second or subsequent violations thereof, and by repealing all acts and parts of acts inconsistent with the provisions thereof.

Referred to the Committee on Labor and Industry.

By Mr. DICKINSON. House Bill No. 106.

An act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 107.

An Act establishing a Court for the County of Philadelphia, prescribing its Jurisdiction and Powers, providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom, and providing for the expenses thereof.

Referred to Committee on Judiciary General.

By Mr. JAMES J. CALDWELL. House Bill No. 108.

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions."

Referred to Committee on Game.

By Mr. ALWORTH. House Bill No. 109.

An Act to authorize administrators and executors after convertion into money of all the goods and chattels of decedents to sell at public auction all debts apparently owing to the decedent where it shall appear to the administrators or executors that no such evidence of any such indebtedness exists will enable to collect the debts by process of law or that debts though apparently owing according to the books and documents of the decedent were in fact paid to the decedent in his lifetime or that the expense of collecting any such debt by action at law or otherwise will exceed the probable amount of money to be collected or where the administrator or executor believes the debtor to be insolvent.

Referred to Committee on Judiciary Special.

By Mr. MOSES. House Bill No. 110.

An Act authorizing the several Justices of the Peace and Aldermen throughout the Commonwealth of Pennsylvania to issue writs of replevin to recover a chattel or chattels with or without damages in cases where the value of the chattel or chattels does not exceed three hundred dollars and regulating the practice thereof.

Referred to Committee on Judiciary General.

By Mr. JOHN ROBERT JONES. House Bill No. 111.

An Act amending section 23 of an act entitled "An act to regulate the nomination and election of Public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, A. D. 1893, as amended by the act of Assembly approved the sixteenth day of April, A. D. 1903, by providing for the appointment of watchers by the Court, defining their power and duties, providing for the payment of their compensation by the several counties, making the refusal of any election officer to permit such watcher to perform his duties a misdemeanor and prescribing the penalty therefor, providing for the rejection of all or part of the votes in certain cases for the punishment of persons driving away said watchers from the polls.

Referred to Committee on Elections.

By Mr. BASS. House Bill No. 112.

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training school of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HORACE B. DUNN. House Bill No. 113.

A supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any armixtures thereof."

Referred to Committee on Law and Order.

By Mr. McCLINTOCK. House Bill No. 114.

An Act providing for and regulating relief to certain parents and their children at the expense of the proper poor district.

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 115.

An Act to appeal the tenth section of an act passed the twelfth day of March, one thousand seven hundred eighty-nine, entitled "A supplement to an act entitled 'An act more effectually to prevent unfair practices in the packing of beef and pork for exportation, and to regulate the exportation of flaxseed, butter and biscuit in kegs.' "

Referred to Committee on Manufactures.

By Mr. STEIN. House Bill No. 116.

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

Referred to Committee on Law and Order.

By Mr. JOHN ROBERT JONES. House Bill No. 117.

An Act to regulate nominations and elections for certain public offices; providing for non-partisan nominations and elections for said offices; abolishing existing methods of nomination in certain cases and the use of party of political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, Auditor-General, State Treasurer, County Commissioners, County Treasurer, election officers and the clerks of cities, boroughs, townships and school districts; providing for the payment by the several counties, and their reimbursement by the State, of certain expenses incident to such nominations and elections, including the payment of compensation of watchers herein authorized to be appointed by the Court; and providing penalties for the violation of the provisions hereof and the punishment of certain offenses.

Referred to Committee on Elections.

By Mr. JOHN ROBERT JONES. House Bill No. 118.

An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of certain party officers, the appointment of delegates and alternate delegates to National Party Conventions, a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and of United States Senator, the payment by the several counties, and their reimbursement by the State Treasurer of the expenses of the same, including the payment of compensation of watchers herein authorized to be appointed by the Court, the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions; prescribing the title and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State Committee and a Chairman thereof and certify the same to the Secretary of the Commonwealth; and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein.

Referred to Committee on Elections.

By Mr. WALNUT. House Bill No. 119.

An Act to provide for the health, safety and welfare of miners by forbidding their employment or work in certain occupations and under certain specified ages, by restricting their hours of labor and regulating certain conditions of their employment, by requiring employment certificates and badges for certain children and prescribing rules for the issuance, reissuance, filing, return and recording thereof, by providing that the chief factory inspector or the chief of the department of mines shall, under certain conditions, determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by officers of the department of factory inspection and the department of mines, by the superintendent of public instruction, by officers of the boards of school directors, and by police officers; prescribing penalties for violations of the provisions of this act; permitting private prosecutions for violations thereof and defining the procedure in prosecutions thereunder; prohibiting suspensions of sentence for second or subsequent violations thereof, and repealing all acts and parts of acts that are inconsistent therewith.

Referred to Committee on Labor and Industry.

By Mr. DAVIS. House Bill No. 120.

An Act amending an act entitled "An act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class, or of the poor district of which said city is a part," approved the twenty-fourth day of June, one thousand eight hundred and ninety-five, by extending the provisions of the act to second class cities.

Referred to Committee on Municipal Corporations.

By Mr. SAMUEL B. SCOTT. House Bill No. 121.

An Act regulating and restraining the sale and use of vinous, spirituous malt or brewed liquors, or any admixture thereof, to and by social or other clubs, societies or organizations and among the members thereof.

Referred to the Committee on Law and Order.

By Mr. JOHN ROBERT JONES. House Bill No. 122.

An Act amending section 120 of an act entitled "An act relating to the elections of this Commonwealth," approved the second day of July, A. D. 1839, as amended by act of Assembly approved the twelfth day of July, A. D. 1897.

Refered to the Committee on Elections

By Mr. JOHN ROBERT JONES. House Bill No. 123.

An Act amending sections 50 and 51 of an act entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," approved the thirty-first day of March, A. D. 1860.

Referred to the Committee on Elections.

By Mr. NEELY. House Bill No. 124.

An Act making an appropriation to the Western Pennsylvania Institution for the Blind, at Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SAMUEL B. SCOTT. House Bill No. 125.

An Act relating to the councils of cities of the first class of the Comomnwealth of Pennsylvania.

Referred to the Committee on Municipal Corporations.

By Mr. STEIN. House Bill No. 126.

An Act to amend an act, entitled "An act fixing a salary for Interpreters of the German and French languages in certain counties in this Commonwealth," approved May 18th one thousand eight hundred and seventy-six.

Referred to the Committee on Judiciary General.

By Mr. MECHLING. House Bill No. 127.

An Act to validate certain elections held between the tenth day of April, Anno Domini one thousand nine hundred and five, and the first day of May, Anno Domini one thousand nine hundred and nine, upon the question of increasing the indebtedness of counties, cities, boroughs townships, school-districts, or other incorporated districts, or municipalities, of this Commonwealth, all bonds issued pursuant to such elections and the indebtedness represented by such bonds.

Referred to the Committee on Judiciary General.

By Mr. SAMUEL B. SCOTT. House Bill No. 128.

An Act defining public utilities and services; creating and establishing a Public Service Commission for the supervision and regulation of public utilities; prescribing and defining the powers and duties of such commission; prescribing and defining and limiting the powers of public utilities, and regulating the creation and engaging in business of public utilities; prescribing and regulating the practice and procedure before the Commisssion and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin County, and giving such court jurisdiction to hear and determine such appeals, subject to an appeal from its decree to the Supreme Court; providing for the enforcement of the orders of the Commission and of the provisions of this act; prescribing penalties for the violation of such orders or of the provisions of this act making certain conditions public nuisances and providing for abatement thereof; and repealing legislation inconsistent with this act.

Referred to the Committee on Judiciary General.

By Mr. WARREN K. MILLER. House Bill No. 129.

An Act to provide for the erection of a monument to commemorate the services of the Forty-seventh Regiment Pennsylvania Volunteers in the Battle of Cedar Creek, Virginia, during the Civil War, and for the appointment of a commission to carry into effect the provisions of this act, and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. JOHN ROBERT JONES. House Bill No. 130.

An Act amending section twenty-six of an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties," and punishing certain offenses in regard to such election, approved the tenth day of June, A. D. one thousand eight hundred and ninety-three by providing for serecy in voting for, rendering assistance to voters unable to mark their ballots by reason of physical disability, and defining the term physical disability, and imposing certain duties upon judges of election.

Referred to the Committee on Elections.

By Mr. JOHN ROBERT JONES. House Bill No. 131.

An Act amending section 119 of an act entitled "An act relating to the elections of this Commonwealth," approved the second day of July, A. D. 1839, as amended by act of Assembly approved the fourteenth day of July A. D. 1897.

Referred to the Committee on Elections.

By Mr. DAVIS. House Bill No. 132.

An Act to amend an act entitled, "An act providing for the better management of the Jail or County Prisons in the several Counties of this Commonwealth, having over one hundred and fifty thousand inhabitants each, by erecting in such Counties a board, to be known by the name and style of Inspectors of the Jail or County Prison, with authority to appoint a Warden of such Prison, and by vesting in said Board and the officiers appointed by it the safe-keeping, discipline, and employment of prisoners, and the government and management of said Jails or County Prison," approved the 27th day of April, A. D. 1909.

Referred to the Committee on Judiciary General.

By Mr. McALEER. House Bill No. 133.

An Act making an appropriation to the Evangelical Home for the aged, in the city of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. SCHUCK. House Bill No. 134.

An act extending the power and authority of Justices of the Peace and Alderman of the Commonwealth of Pennnsylvania in cases of larceny and assault and battery in counties of this Commonwealth where like power and authority has not been heretofore given.

Referred to the Committee on Judiciary General.

By Mr. HUMES. House Bill No. 135.

An Act providing for the further government and regulation of Cities of the second and third class.

Referred to the Committee on Municipal Corporation.

By Mr. HUMES. House Bill No. 136.

An Act providing for the further government and regulation of Cities of the second and third class.

Referred to the Committee on Municipal Corporations.

By Mr. CHARLES A. SHAFFER. House Bill No. 137.

An Act to repeal all acts and parts of acts providing for the taxation of cattle.

Referred to the Committee on Counties and Townships.

By Mr. BENSON. House Bill No. 138.

Joint Resolution making application to congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited.

Referred to the Committee on Federal Relations.

By Mr. HUMES. House Bill No. 139.

An Act making an appropriation to the Titusville Hospital, located at Titusville, Crawford County, Pennsylvania.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. ALWORTH asked and obtained leave of absence for Mr. E. E. Jones for the week.

Mr. DEFREES asked and obtained leave of absence for himself for the balance of the week.

REQUESTING INFORMATION FROM STATE LIVE STOCK BOARD

Mr. ROCKWELL offered the following resolution which was twice read, considered and agreed to:

Whereas, The State Live Stock Sanitary Board has filed no report of the conduct of the Department since the last session of the General Assembly, and

Whereas, Large sums of public moneys have been appropriated to and expended by the Department since the last published report of said Department, and

Whereas, It is essential that this House of Representatives and the cattlemen of this great Keystone State should have full knowledge of the operation of this Department, in order that it may be enabled to consider intelligently legislative matters affecting said Department, therefore, be it

Resolved, That the Sate Veterinarians are hereby requested to furnish forthwith to the House a full, complete and detailed statement of information, as follows, towit:

1st. An itemized statement of the expenditures of the appropriation made by the act of Assembly of 1911.

2nd. The number of State cattle killed for tuberculosis.

3rd. The number of State cattle killed and found diseased and paid for.

4th. The number of State cattle condemned for tuberculosis, killed and passed for beef and fed to the general public.

5th. The number of State cattle condemned, killed and not paid for since Dr. Marshall took charge of this Department.

6th. The number of Inter-State cattle condemned and killed that were diseased.

7th. The number of Inter-State cattle condemned for tuberculosis and passed for beef.

8th. The number of State hogs condemned and killed in this State during the year 1911-'12, in the hands of Abattoirs, their value and how many paid for.

9th. The number of State hogs, shoats, pigs or breeders that were condemned, during 1911-'12, in the hands of the former or breeder and the number paid for.

10th. The number of Inter-State hogs condemned in the hands of Abattoirs during 1911-'12, and their value. The public should know this important clause.

11th. The names and addresses of the farmers, drovers, dairymen and slaughters who had cattle, hogs and horses killed by the State.

12th. The number of cattle, hogs, and horses killed for each individual and the price paid per head. Farmers records show two dollars per head and up.

13th. An itemized statement of registered cattle, hogs and horses killed in this State.

14th. A statement from Dr. Marshall showing what position he holds in or what relation he has with the Guernsey Breeders Association.

15th. A full report of the work and operation of the aforementioned department, including a detailed statement of all moneys expended for salaries and all other expenses and costs of maintaining said Department, together with a list of names of all the officers and employes thereof and the compensation received by each.

READING LEGISLATIVE JOURNAL.

Mr. HUMES offered the following resolution, which was twice read and laid over under the rules:

Resolved, That the rules of the House be amended by adding and inserting the following rule: "The reading of the Journal shall be the first order of business each day if the Legislative Journal for such Legislative day shall have been printed and placed on the desk of each member, but in no case shall it be read until after each member shall have received a copy of said Legislative Journal.

INVESTIGATION OF ALLEGED VIOLATION OF THE RULES OF THE HOUSE.

Mr. LENKER offered the folowing resolution which was twice read and laid over under the rules.

Whereas: It is alleged Walter J. Christie, correspondent of the Pittsburgh Gazette Times, is violating the rules of

this House, by holding a State Office, viz: Registration Commissioner of Allegheny County, by appointment of Governor Tener, and at the same time occupying a seat in the correspondence gallery, which if true, is a violation of the rules of the House.

Be it therefore Resolved: that the Speaker of this House is empowered to make an investigation of the alleged facts and report his findings to the House within ten days.

ELECTION OF COMMITTEE ON RULES.

Mr. HUMES. Mr. Speaker, I would like to call up at this time Resolution No. 4.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read as follows:

Resolved, That Tuesday, January 28th, 1913, be fixed as the time for the election of the Committee on Rules, and that in such election each member of the House shalll be entitled to vote for only two candidates, and that the six candidates having the highest number of votes shall, with the Speaker, constitute the Committtee on Rules.

On the question,

Will the House agree to the adoption of the Resolution?

Mr. HUMES. Mr. Speaker, in light of the prolonged session we had last night I would like to offer an amendment to that resolution.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Strike out the words "Tuesday, January 28, 1913" and insert "Wednesday, January 29, 1913."

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. I will

Mr. SHERN. Will the gentleman give his reasons for the delay?

Mr. HUMES. By reason of the prolonged session last evening this could not be acted upon. I think if this resolution is adopted, in fairness to the members of the House should have some opportunity to consider the personnel of the Committee in order that a man may intelligently vote for the candidates of his choice for this committee.

Mr. SHERN. Do you mean to infer that your party has not had time to confer?

Mr. HUMES. I am not inferring anything, I am simply stating my reasons. This is a place for action, not inference.

Mr. SHERN. Why not proceed with out any conference or caucus. Let us nominate as many as we want and let the highest men win. Let us get away from the caucuses and conferences and let twenty men or fifty men be nominated.

The question recurring,

Will the House agree to the amendment?

It was not agreed to.

The question recurring,

Will the House agree to the adoption of the Resolution?

It was agreed to.

Mr. SHERN. Mr. Speaker, I move that we now go into the nominations for election of the House Committee on Rules, that we proceed with the nomination and elections.

The SPEAKER. The Chair is of the opinion that the motion is not in order until we have completed the present order of business.

Mr. SHERN. Then I will withdraw my motion and defer to your decision.

COMMISSION TO INVESTIGATE THE SERVICE IN THE SENATE, HOUSE OF REPRESENTATIVES, SEVERAL DEPARTMENTS, BOARDS AND COMMISSISONS.

The Speaker called up Concurrent Resolution No. 1, which was read by the Clerk as follows:

In the Senate, January 21, 1913.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore; be it

Resolved (if the House of Representatives concur), That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate and five members of the present House of Representatives, two of whom shall be Democrats, be appointed by the President pro tempore of the Senate and five members of the present House of Representatives, two of whom shall be Democrats, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government, and to make report thereof, and, if necessary, to recommend, not later than March 12, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

On the question,

Will the House agree to the adoption of the Resolution?

Mr. GEORGE A. BALDWIN Mr. Speaker, I move that this Resolution be referred to the Judiciary General Committee.

Mr. HUMES. I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT Mr. Speaker and Gentlemen of the House, I think it is important that this Resolution be referred to a proper committee. There has been printed in the public press a statement that one of the departments under the State government possibly will be investigated. That will have to be done by a resolution. As the resolution will carry an appropriation for the paying of the expenses, it must necessarily be a joint resolution. If we pass this resolution that is now before this House without referring it to a committee, it will be possible to use it as a means of stopping any resolution offered afterwards in the House for a proper investigation of this one particular department. This is of the very highest importance. It is well known that this Legislature will be called to vote upon a resolution permitting the bonding of this State in the sum of fifty millions of dollars for the building of highways and the extension of our road system. Last session, five million dollars were appropriated to that department and if they have been extravagant and careless, then before we go upon record as voting for a resolution giving the right of a constitutional amendment allowing the bonding of this State for fifty million dollars, we should at least have an opportunity of investigating that department. This resolution may be sincere and offered in good faith, but there has been a good deal of criticism of this resolution, and a great deal surrounding the resolution that may not ring of sincerity, and therefore, Mr. Speaker and Gentlemen of the House, I join with the gentleman from Beaver in asking that this resolution be referred to the Judiciary General Committee. We may then investigate this Joint Resolution and hold it over for a while, in order that we may see what other resolutions may come into this House at a later period.

The question recurring,

Will the House agree to the motion?

It was agreed to.

The SPEAKER. The Chair lays before the House concurrent resolution Number 2 from the Journal of the Senate.

Which was read by the Clerk as follows:

EXTENDING TIME FOR REPORT OF COMMISSION TO INVESTIGATE SURFACE SUPPORT IN ANTHRACITE COAL MINING.

In the Senate. January 21, 1913.

Whereas, The Commission to investigate and report upon surface support in mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D. 1911, will be unable to make its report to the General Assembly on February 1, 1913, the date specified in the Resolution, because of insufficient time.

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of members of expert mining engineers and others is still to be taken by the Commission.

Therefore, Be it Resolved (if the House concur), The Commission be granted an extension of time to make its

report to the General Assembly, said report to be made on or before the 15th day of March. A. D. 1913.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the Resolution of the Senate.

Mr. DAVIS. Mr. Speaker.

The SPEAKER. The gentleman from Lackawanna, Mr. Davis.

Mr. DAVIS presented the following motion, which was read by the Clerk:

It is moved that this resolution be referred to the Committee on Mines and Mining.

On the question,

Will the House agree to the motion?

Mr. DAVIS. Mr. Speaker, being the sponsor of this resolution creating this Commission, I desire to say that this Commission was created two years ago, and we have had at least a half a milion dollars' worth of damages. This is a very vague resolution, in my estimation. I think it requires some investigation. Why this delay? I ask the members to vote for this reference to the Committee.

Mr. HOBBS. Mr. Speaker.

The SPEAKER. The gentleman from Lackawanna, Mr. Hobbs.

Mr. HOBBS. Mr. Speaker, I heartily agree with my colleague from Allegheny County, that this should be considered by the Committee at this time. I am not directly interested as much as my colleague in this matter as I reside in a rural community. Yet I know by experience, by traveling over the hazardous territory, that immediate action should be taken in this matter of legislation to protect the lives and property of the people there. Therefore, there is not any excuse why this Commission should have an extension of time whereby it may be possible to prevent any legislation upon this subject during this Session of the Legislature. So, I sincerely hope and urge that this Committee, in conjunction with the gentleman from Lackawanna, who is Chairman of this Committee, bring about something definite as soon as possible.

The motion was agreed to.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

NEXT MEETING OF SENATE.

In the Senate, January 28, 1913.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, February third, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on the same date and hour, February third, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The resolution was twice read.

On the question,

Will the House concur in the resolution?

Mr. S. B. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, I ask unanimous consent for the following amendment:

The Clerk then read the amendment as follows:

Amend by striking out the words "nine o'clock" in the last line and substituting the words "eight o'clock;" and striking out the words "and hour" in the preceding line.

On the question,

Will the House agree to the amendment?

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that the habit of meeting at nine o'clock on Monday night simply results in the waste of a very valuable hour for the House at that time and keeps the members out of their beds that much longer. I therefore urge this amendment that the House may meet at eight o'clock instead of nine.

Mr. STEIN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Stein.

Mr. STEIN. On behalf of the gentleman from Allegheny as well as most of the members from Western Pennsylvania, I would like to ask the gentleman who proposes this amendment to withdraw it, for the reason that it is highly inconvenient for the gentlemen from the Western end of the State to have the hour fixed at eight o'clock. The train that gets here in time for the nine o'clock session leaves Pittsburgh at three-fifty, arriving at Harrisburg in ample time for the nine o'clock session. In order to get here at eight o'clock, we should have to leave at twelve o'clock. I will ask the gentleman from Philadelphia, who proposes this amendment, as a mark favor to the gentlemen from the Western end of the State, not to insist on this amendment.

Mr. GOSS. Mr. Speaker.

The SPEAKER. THhe gentleman from Fayette, Mr. Goss.

Mr. GOSS. Mr. Speaker, I wish to second the amendment presented by Mr. Scott. I live in Fayette County and I live farther away than the gentleman from Allegheny, and it is a good deal harder for me to get here at eight o'clock than Mr. Stein, but I can make it and be here at eight o'clock and be here in plenty of time. Therefore, I second Mr. Scott's motion.

Mr. ULERICH. Mr. Speaker, about five members who live in the western part of Pennsylvania, two of them are from Westmoreland County. There is a splendid train leaves Pittsburgh at twelve o'clock and it gets down here at six o'clock. We could take that train and we would be very glad to get here and have the session open at eight o'clock and get to bed some time during the fore part of the night.

Mr. GRABE. Mr. Speaker, I live a good deal farther away than the gentleman from Allegheny and must leave at nine o'clock on Monday morning to get here, but we can get here very conveniently at six o'clock.

Mr. JOSEPH GRAY. Mr. Speaker, I am from Cambria, the second district, and I wish to second the sentiments of Mr. Stein. It suits me a great deal better to get the afternoon train that gets you here in time for a nine o'clock session.

On the question of agreeing to the amendment.

A division was taken, 115 votes in the affirmative.

And the question on the amendment was determined in the affirmative.

On the question,

Will the House concur in the resolution as amended?

It was agreed to.

Ordered, That the Clerk present the same to the Senate for its concurrence.

NOMINATIONS FOR COMMITTEE ON RULES.

Mr. SHERN offered the following motion, which was read as follows:

That we now go into nominations for members of the House Committee on Rules.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I nominate as members for the Standing House Committee on Rules:

Mr. S. B. Scott,
Mr. J. R. Jones,
Mr. Frank Rockwell,
Mr. Daniel Shern,
Mr. E. R. Benson,
Mr. John T. Matt.

Gentlemen, my reasons for offering these names are because we have now a set of rules that have taken considerable effort, and a good many members of the House, myself among them, are not in full sympathy with them. Therefore, I think we should elect a Committee on Rules that is in entire sympathy with the rules we have adopted. I hope the House will vote for the nominations which I have made.

Mr. SHERN. Mr. Speaker, I appreciate the honor conferred upon me by my colleague from Delaware, but I respectfully decline to be a nominee for that committee.

Mr. MATT. Mr. Speaker, I as well as my friend, Mr. Shern, appreciate the honor, but decline the nomination.

Mr. STEIN. I desire to place in nomination the name of Mr. George W. Allen.

Mr. KEEGAN. Mr. Speaker, in behalf of my colleagues

from Fayette County, I nominate Mr. Henry Cochran as a member of this Committee.

Mr. McNICHOL. On behalf of the Philadelphia delegation, I place in nomination the Hon. Sigmund J. Gans.

Mr. CLAYCOMB. I desire to place in nomination the name of Mr. Henry Wilson Bergey, of Montgomery County.

Mr. ULMAN. I desire to place in nomination the name of Mr. George W. Sassaman, of Franklin County.

Mr LESLIE. I desire to place in nomination the name of Mr. Thomas A. Steele, of McKeesport, Allegheny.

Mr. ALWORTH. Mr. Speaker, I desire to place in nomination a member from northeastern Pennsylvania—probably one of the oldest members of this house—the Honorable Frederick C. Ehrhardt, of Lackawanna County.

Mr. MOSES. Mr. Speaker, I desire to place in nomination the name of Mr. Moulthrop, of Clearfield.

Mr. WILDMAN. Mr. Speaker, I desire to place in nomination the name of Mr. W. W. Ulerich, of Westmoreland.

Mr. BURNETT. Mr. Speaker, I desire to place in nomination the name of Mr. Charles A. Shaffer, of Columbia.

Mr. W. A. BLAIR. Mr. Speaker, I nominate Mr. George W. Moses, of Cambria County.

Mr. FRANK GRAY. Mr. Speaker, I wish to nominate Mr. Eugene J. McAleer, of Philadelphia.

Mr. McALEER. Mr. Speaker, I thank the gentleman very kindly for his courtesy in nominating me, but I respectfully decline the nomination. There is a man on the floor of this House who always "wants to know the reason why," and I am satisfied that he would always be sure that a rule was good before adopting it (cries of Baldwin! Baldwin!)—and I desire to nominate the gentleman from Delaware, Mr. Richard J. Baldwin

Mr. R. J. BALDWIN. Mr. Speaker, I rise to thank the gentleman from Philadelphia and at the same time to decline the honor.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I desire to state that I am not a candidate. I desire to decline the nomination.

Mr. HORACE B. DUNN. Mr. Speaker, I desire to place in nomination a man whom I did not vote for for Speaker, but whom I considered best fitted to be on the Committee on Rules, and I therefore nominate Mr. John R. K. Scott of Philadelphia.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I fear gift-bearing Greeks and therefore decline the nomination.

Mr. ULERICH. Mr. Speaker, I want to thank the gentleman from Dauphin for nominating me but I decline the nomination.

Mr. LOWERS. Mr. Speaker, I desire to place in nomination David S. Kennedy of Allegheny County.

Mr. KENNEDY. Mr. Speaker, I respectfully decline. I have more work than I can properly attend to now.

Mr. SPILLINGER. Mr. Speaker, I nominate Mr. McClintock of Philadelphia.

Mr. McCLINTOCK. Mr. Speaker, I wish to decline that nomination and to thank Mr. Spillinger for his courtesy.

Mr. BROSIUS. Mr. Speaker, I move that the nominations be now closed.

Mr. KITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HORACE B. DUNN. Mr. Speaker, do I understand that we can vote for any of those who have declined.

The SPEAKER. The gentlemen may vote for whom they please. The Clerk will read the list of those whose names remain in nomination.

The Clerk then read the names of the nominees as follows:

Messrs. S. B. Scott, Frank H. Rockwell, John R. Jones, E. R. Benson, George W. Allen, Harry Cochran, Sigmund J. Gans, H. W. Bergey, George W. Sassaman, Thomas A. Steele, Frederick C. Ehrhardt, George A. Baldwin, George W. Moses.

The SPEAKER. The Clerk will call the roll and each member will vote for not more than two of the candidates for members of the Committee on Rules. The Resolution provides that the six receiving the highest votes will be elected. Under this resolution it is not necessary for a candidate to receive a majority of the votes cast.

The voting was then proceeded with.

Mr. ROCKWELL. Mr. Speaker, I desire to withdraw my name as a candidate for member of the Committee on Rules.

Mr JOHN R. JONES. Mr Speaker, if you will excuse the change of votes that may be occasioned, I desire my name to be withdrawn as a candidate.

Mr. BENSON. Mr. Speaker, I want to withdraw my name as a candidate.

Mr WALNUT. Mr. Speaker, I raise objection to the change of these votes I base my objection upon Rule 50 which provides that "on a call of the Yeas and Nays the Clerk shall read the names of the members; after they have been called no member shall be permitted to change his vote unless he at the time declares that he voted under a mistake of the question."

I would argue from that, that the position the members are now in is similar to the condition they would be in case of a Yea and Nay vote on a bill. They, therefore, cannot change their vote unless they state they were acting under a misapprehension

The SPEAKER. The Chair is of the opinion that the objection is not well founded. This is not a Yea and Nay vote but is a special situation created by this Resolution.

The voting having been completed the roll was verified as follows:

William L. Adams, named Ehrhardt and George A. Baldwin.
George W. Allen, named Ehrhardt and Gans.
Henry S. Alworth, named Ehrhardt and Allen.
Charles A. Ambler, named Gans and Allen.
John A. Arthur, named Ehrhardt and Gans.
George A. Baldwin, named S. B. Scott and J. R. Jones.
Richard J. Baldwin, named Allen and Ehrhardt.
Horace C. Barner, named Cochran and Sassaman.
Harry W. Bass, named Gans and Allen.
Samuel B. Bayle, named Allen and Gans.
Christ Becker, named Sassaman and Cochran.
William M. Benninger, named Sassaman and Cochran.
Edward R. Benson, named Cochran and Bergey.
Henry Wilson Bergey, named Sassaman and Benson.
Cleon N. Berntheizel, named Allen and Gans.
William S. Bigger, named S. B. Scott and Allen.
E. E. Bittles, named G. A. Baldwin and S. B. Scott.
Walter Allen Blair, named Moses and Rockwell.
William F. Blair, named Cochran and Sassaman.
Edgar K. Bleloch, named S. B. Scott and George A. Baldwin.
Howard W. Body, named Sassaman and Cochran.
Hiram H. Brosius, named S. B. Scott and George A. Baldwin.
George K. Brown, named Sassaman and Cochran.
Thomas B. H. Brownlee, named George A. Baldwin and S. B. Scott.
Eugene A. Burnett, named Sassaman and Cochran.
William J. Caldwell, named Sassaman and Benson.
C. M. C. Campbell, named Allen and George A. Baldwin.
James J. Campbell, named Cochran and Benson.
Cornelius Carson, named Sassaman and Cochran.
Thomas Carter, named Allen and Steele.
Samuel L. Cheeseman, named George A. Baldwin and S. B. Scott.
D. Lloyd Claycomb, named Cochran and Sassaman.
William B. Cleary, named Gans and Ehrhardt.
Harry Cochran, named Benson and Sassaman.
Vincent A. Collins, named Cochran and Sassaman.
Patrick Conner, named Allen and Gans.
Augustine P. Conniff, named Sassaman and Cochran.
George T. Conrade, named Allen and Gans.
Edwin R. Cox, named Allen and Gans.
Jonathan Currier, named Ehrhardt and Gans.
Richard Curry, named Allen and Gans.
Albert Davis, named Allen and Ehrhardt.
James E. Dickinson, named Allen and Ehrhardt.
J. Wilfred Donahoe, named Cochran and Sassaman.
Lewis E. Donnally, named Sassaman and Cochran.
Ralph R. Down, named Alllen and George A. Baldwin.
Horace B. Dunn, named George A. Baldwin and S. B. Scott.
James A. Dunn, named Gans and Ehrhardt.
Frederick C. Ehrhardt, named Allen and Gans.
William C. Eichenberger, named Allen and Gans.
John F. Ely, named Ehrhardt and Allen.
John S. N. Ewing, named Gans and Ehrhardt.
Edward H. Fahey, named Allen and Gans.
John M. Flynn, named Cochran and Sassaman.
Robert S. Frey, named Ehrhardt and Gans.
I. Gordon Foster, named Ehrhardt and Gans.
Jesse D. Foster, Cochran and Sassaman.
Sigmund J. Gans, named Allen and Ehrnardt.
Thomas Paul Geary, named Allen and Steele.
Frederick E. Geiser, named Cochran and Sassaman.
Ralph Gibson, named S. B. Scott and Ehrhardt.
Donald Glenn, named Cochran and Bergey.
W. Bruce Good, named Cochran and Sassaman.
Charles C. Goss, named Cochran and Sassaman.
William H. Grabe, named Sassaman and Cochran.
Cephas L. Gramley, named S. B. Scott and George A. Baldwin.
Henry Gansback, Sr., named Allen and Gans.
Frank Gray, named S. B. Scott and G. A. Baldwin.
Joseph Gray, named Cochran and Sassaman.
Harry L. Hackett, named Allen and Gans.
William Haggerty, named Gans and Ehrnardt.
Willis B. Heldinger, named Gans and G. A. Baldwin.
Charles J. Hemminger, named G. A. Baldwin and S. B. Scott.
Frank J. Herman, named Sassaman and Cochran.
Aaron B. Hess, named Allen and Gans.
Harry H. Heyburn, named Allen and S. B. Scott.

George Hibshman, named Ehrhardt and Moses.
Alfred F. Hobbs, named Ehrhardt and S .B. Scott.
Michael R. Hoffman, named Ehrhardt and Allen.
Reuben Howard, named Cochran and Sassaman.
E. Lowry Humes, named Cochran and Sassaman.
Charles N. Isler, named Allen and Ehrhardt.
George C. Irwin, named Ehrhardt and Gans.
Harry H. Irwin, named G. A. Baldwin and Aleln.
H. Clark Jackson, named Moses and Steele.
John Robert Jones, named S. B. Scott and G. A. Baldwin.
John C. Kaiser, named Allen and Gans.
Frederick S. Kaufman, named S. B. Scott and J. R. Jones.
James Keegan, named Cochran and Sassaman.
A. Emory Keeport, named S. B. Scott and Gans.
David S. Kennedy, named S. B. Scott and Steele.
William H. Kern, named Sassaman and Benson.
Miles B. Kitts, named Sassaman and Cochran.
W. Howard Klepper, named Cochran and Sassaman.
Harry P. Kuhn, named S. B. Scott and Steele.
Ellsworth G. M. Kuhns, named Sassaman and Cochran.
Henry E. Lanius, named Sassaman and Cochran.
Elmer B. Latshaw, named G. A. Baldwin and S. B .Scott.
William Lenker, named G. A. Baldwin and S. B. Scott.
Homer E. Leslie, named G. A. Baldwin and Steele.
Ollie M. Letzkus, named Allen and Ehrhardt.
Jeremiah H. Light, named Gans and J. R. Jones.
Robert W. Lohr, named S. B. Scott and G. A. Baldwin.
John F. Lowers, named Steele and Moses.
John F. Mannion, named Ehrhardt and Sassaman.
Joseph B. Martin, named S. B. Scott and G. A. Baldwin.
John C. Mather, named S. B. Scott and G. A. Baldwin.
John T. Matt, named Cochran and Sassaman.
Eugene J. McAleer, named S. B. Scott and G. A. Baldwin.
Frank J. McAllister, named Allen and Gans.
Joseph H. McArdle, named Allen and Gans.
John McClintock, named S. B. Scott and Ehrhardt.
Peter McDermott, named Sassaman and Cochran.
John McKay, named Ehrhardt and G. A. Baldwin.
Thomas F. McNichol, named Allen and Gans.
Allen R. Mechling, named Gans and J. R. Jones.
George B. Mellott, named Cochran and Sassaman.
William L. Metzenbacher, named Sassaman and Cochran.
Warren K. Miller, named J. R. Jones and Gans.
Albert Missimer, named Ehrhardt and Gans.
A. W. Mitchell, named S. B. Scott and G A.. Baldwin.
Franklin R. Moore, named Allen and Gans.
Alexander Morrow, named S. B. Scott and Gans.
George W. Moses, named Allen and Rockwell.
Alonzo S. Moulthrop, named G. A. Baldwin and Steele.
Peter Murphy, named Cochran and Sassaman.
Isaac D. Musser, named Sassaman and Cochran.
Samuel Neel, named Rockwell and Ehrhardt.
Howard Neely, named Allen and Gans.
Philip C. Newbaker, named Cochran and Sassaman.
Lloyd S. Newton, named S. B. Scott and G. A. Baldwin.
Frederic Hugh O'Neill, named Allen and Gans.
J. H. Peachey, named G. A. Baldwin and S. B. Scott.
Jacob V. Pennegar, named G. A. Baldwin and S. B. Scott.
Theodore Pennock, named S. B. Scott and G. A. Baldwin.
Harry L. Perry, named Cochran and Sassaman.
Samuel J. Perry, named Gans and Ehrhardt.
Edwin F. Peters, named Sassaman and Cochran.
Hugh B. Piper, named Allen and Gans.
John L. Post, named Cochran and Sassaman.
Wesley J. Price, named Cochran and Sassaman.
William T. Ramsey, named Allen and S. B. Scott.
Horace H. Redfield, named S. B. Scott and G. A. Baldwin.
Frank C. Reese, named Ehrhardt and Allen.
Mandus W. Reeser, named Allen and Scott.
John Rex, named S. B. Scott and G. A. Baldwin.
Harry L. Rhoads, named Allen and Ehrhardt.
George W. Richards, named Ehrhardt and Steele.
Ralph L. Robinson, named Allen and G. A. Baldwin.
Frank H. Rockwell, named S. B. Scott and G. A. Baldwin.
Charles J. Roney, Jr., named Allen and Gans.
Daniel A. Rothenberger, named Cochran and Sassaman.
John M. Runk, named Gans and G. A. Baldwin.
George W. Sassaman, named Cochran and Bergey.
W. Elmer Savacool, named Cochran and Sassaman.
Adam C. Schaeffer, named Ehrhardt and Gans.
Carey L. Schuck, named Gans and Allen.
John R. K. Scott, named Gans and Allen.
Samuel B. Scott, named G. A. Baldwin and J. R. Jones.
William H. Semmens, named Moses and Steele.
Charles A. Shaffer, named Cochran and Sassaman.
Ira E. Shaffer, named S. B. Scott and G. A. Baldwin.
Daniel J. Shern, named Ehrhardt and Gans.
J. Frank Sherwood, named Allen and Gans.
Harry M. Showalter, named G. A. Baldwin and S. B. Scott.
Jacob W. Smith, named Cochran and Sassaman.
Lorenzo Smith, named S. B. Scott and Ehrhardt.
Henry C. Snavely, named Sassaman and Cochran .
Robert S. Spangler, named J. R. Jones and Ehrhardt.
Maurice J. Speiser, named Gans and Ehrhardt.
Frank Spillinger, named G. A. Baldwin and Gans.
Joseph G. Steedlee, named Allen and Gans.
Thomas A. Steele, named G. A. Baldwin and Moses.
A. C. Stein, named Allen and Gans.
Judson W. Stone, named S. B. Scott and G. A. Baldwin.
B. Morris Strauss, named Cochran and Sassaman.
Jacob W. Swartz, named Steele and Ehrhardt.
Charles F. Swift, named G. A. Baldwin and S. B. Scott.
David W. Thomas, named Ehrhardt and G. A. Baldwin.
Reuben H. Trach, named Cochran and Sassaman.
W. W. Ulerich, named Gans and Ehrhardt.
Ansel Ulman, named Sassaman and S. B. Scott.
T. Henry Walnut, named S. B. Scott and G. A. Baldwin.
William Walsh, named Ehrhardt and Allen.
William D. Walton, named Allen and Ehrhardt.
Matthew Clark Watson, named G. A. Baldwin and S. B. Scott.
James Wettach, named Allen and Gans.
Samuel A. Whitaker, named Gans and Ehrhardt.
William F. Whitman, named Ehrhardt and Gans.
Augustus Wildman, named Allen and Ehrhardt.
George W. Williams, named J. R. Jones and Gans.
J. H. Wilson, named Sassaman and Cochran.
William H. Wilson, named Allen and Gans.
James H. Wiltbank, named Ehrhardt and Gans.
George K. Young, named S. B. Scott and G. A. Baldwin.
John H. Young, named Steele and Moses.
John S. Zimmerman, named Cochran and Sassaman.

The SPEAKER. The result of the vote for members of the Committee on Rules is as follows: Mr. Gans received 58 votes; Mr. Allen received 55 votes; Mr. Cochran received 56 votes; Mr Sassman received 54 votes; Mr George A. Baldwin received 46 votes; Mr. S B. Scott received 41 votes; Mr. Ehrhardt received 45 votes; Mr. Rockwell received 3 votes; Mr. John R. Jones received 9 votes; Mr. Benson received 4 votes; Mr. Bergey received 3 votes; Mr Steele received 12 votes; Mr Moses received 6 votes.

COMMITTEE ON RULES

The six candidates receiving the highest number of votes are Mr. Gans, Mr. Cochran, Mr. Allen, Mr. Sassaman, Mr. Baldwin and Mr. Ehrhardt, and I therefore declare them elected members of the Committee on Rules.

SENATE MESSAGE.

SENATE CONCUSS IN AMENDMENT MADE BY HOUSE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate Resolution entitled:

"Resolved (if the House of Representatives concur) that when the Senate adjourns to-day, it shall reconvene on Monday evening, February third, at nine o'clock, and when the House or Representatives adjourns this week, it shall reconvene on the same date, February third, at eight o'clock.

REPORT OF COMMISSION UPON THE REVISION OF CORPORATION AND REVENUE LAWS

The SPEAKER laid before the House the report of the Joint Committee of the Senate and House of Representatives of the Commonwealth of Pennsylvania to consider and report upon a revision of the corporation and revenue laws of the Commonwealth

(See Appendix).

ADJOURNMENT.

Mr. R. J. BALDWIN Mr Speaker, I move that this House now adjourn to meet to-morrow morning at ten o'clock My reason for adjourning until to-moroow morning is that I think we will expedite legislation by allowing the Committees to get together this afternoon, and probably have a number of bills reported to us tomorrow.

The motion was agreed to, and (at 2:00 P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, JANUARY 29, 1913. No. 7.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 29, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

Prayer by the Chaplain, Rev. John Eliot Wright.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. R. J. BALDWIN (by request). House Bill No. 140.

An Act providing that no borough shall hereafter be incorporated out of any township of the first class and that no part of any such township shall be annexed to any city, borough or other township, excepting as herein provided.

Referred to Committee on Municipal Corporations.

By Mr. R. J. BALDWIN (by request). House Bill No. 141.

An Act to amend clause fourth of section seven of an act, entitled "An act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine; by authorizing townships of the first class to prohibit the burial of deceased persons within the township in or within partial prescribed limits therein and to regulate the depths of graves.

Referred to Committee on Counties and Townships.

By Mr. R. J. BALDWIN. House Bill No. 142.

An Act to amend section one of an act approved the twenty-fifth day of April, one thousand nine hundred seven, entitled "A supplement to the act of April third, eighteen hundred and fifty-one, entitled 'An act regulating boroughs,' providing for the election of a borough solicitor, fixing the term of office and prescribing his duties, and authorizing the town council to fix his compensation."

Referred to Committee on Municipal Corporations.

By Mr. R. J. BALDWIN (by request). House Bill No. 143.

An Act to amend section eighteen of an act approved the twenty-eighth day of April, one thousand eight hundred ninety-nine, entitled "An act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townshpis of each class."

Referred to Committee on Counties and Townships.

By Mr. SPANGLER. House Bill No. 144.

An Act making an appropriation to the York Society to protect Children and Aged Persons, formerly the Christian Home, of York, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NEWTON. House Bill No. 145.

An Act providing for the selection of county depositories in each county, and relating to the personal liability of the county treasurer.

Referred to Committee on Counties and Townships.

By Mr. MILLER. House Bill No. 146.

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers," approved the twenty-first day of April, one thousand eight hundred and forty-six, by fixing the compensation of the auditor appointed by the Court to settle the accounts of public officers in each county.

Referred to Committee on Counties and Townships.

By Mr. McALLISTER. House Bill No. 147.

An Act to provide for the protection and preservation of the Wapiti of Elk in Pennsylvania, and prescribing penalties for violation of its several provisions.

Referred to Committee on Game.

By Mr. MILLER. House Bill No. 148.

An Act fixing the fees to be received by constables in this Commonwealth.

Referred to Committee on Judiciary General.

By Mr. C. M. C. CAMPBELL. House Bill No. 149.

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor.

Referred to Committee on Judiciary Special.

By Mr. HIBSHMAN. House Bill No. 150.

An Act making an appropriation to the United Zion Home, Hospital and Infirmary, of Lancaster County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LIGHT. House Bill No. 181.

An Act for the relief of certain citizens of Pennsylvania who sustained damages during the War of the Rebellion and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. ALWORTH. House Bill No. 152.

An Act to amend the twelfth section of an act approved May thirteenth, Anno Domini one thousand eight hundred and seventy-six, and entitled, "An act for the incorporation and regulation of banks of discount and deposit, by providing that no director of any other bank, trust company or other corporation received money in trust, or on deposit, or having any banking privileges whatsoever shall be eligible as a director thereof."

Referred to Committee on Banks and Banking.

By Mr. REESER. House Bill No. 153.

An Act to repeal an act approved the first day of June, one thousand nine hundred and eleven, entitled "An act to tax traction-engines, and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed."

Referred to Committee on Counties and Townships.

By Mr. MILLER. House Bill No. 154.

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept.

Referred to Committee on Judiciary General.

By Mr. JAMES A. DUNN. House Bill No. 155.

An Act to amend an act approved the twenty-seventh day of April, one thousand nine hundred and nine, entitled "An act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators by the State Highway Department, establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violation of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Referred to Commitee on Ways and Means

By Mr. BLELOCH. House Bill No. 156.

An Act relating to husband and wife, creating a common or community interest in certain property acquired by them during overture, regulating the control and management thereof, the transfer or incumbrance by act of the parties, its devolution upon the dissolution of the marital relation, the extent and in what cases the community property shall be liable for the separate obligations of husband and wife, the manner of relieving separate property from the lien of judgments against the other consort, the distribution of community and separate property among separate and community creditors, definition of "voreture" and "marriage" and application of said terms, providing for the registration of seperate property, abolishing the estate of tenancy by entireties, restricting the taking against will of either consort, and amending Article 2, Section 1, of an act entitled "An Act to amend Section 1 of an act, entitled 'An Act relating to the descent and distribution of estates of intestates,' approved April eighth, one thousand eight hundred and thirty-three, defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intes-

tate," approved April first, one thousand nine hundred and nine.

Referred to Committee on Judiciary Special.

By Mr. JACKSON. House Bill No. 157.

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford County, is located, and distribute the money received from such sale.

Referred to Committee on Fisheries.

By Mr. MITCHELL. House Bill No. 158.

An Act to amend an act approved the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An Act relative to mortgages."

Referred to Committee on Judiciary Special.

By Mr. JAMES A. DUNN. House Bill No. 159.

An Act to amend an act approved the seventeenth day of February, one thousand nine hundred and six, entitled "An Act providing a uniform method of electing certain party officers, and delegates to the State and National Conventions, and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors, and prescribing penalties for the violation of its provisions."

Referred to Committee on Elections.

My Mr. MITCHELL. House Bill No. 160.

An Act to amend an act entitled "An Act granting a gratuity and an annunity to Patrick Leonard, late sergeant, in Captain J. H. Wilson's Company G, Seventeenth Regiment, National Guard of Pennsylvania," approved the seventh day of July, one thousand eight hundred and eighty-five by fixing the annuity herein provided for

Referred to Committee on Pensions and Gratuities.

By Mr. HUMES. House Bill No. 161.

An Act making an appropriation to the Auxiliary of the Children's Aid Society of Western Pennsylvania, located at Meadville, Crawford County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 162.

An Act to amend an act approved the twenty-fifth day of June, one thousand eight hundred eighty-five, entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth." as amended by an act approved the second day of June, one thousand eight hundred ninety-one, entitled "An Act to amend section nine, of an act approved the twenty-fifth day of June, one thousand eight hundred and eighty-five, entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth,' by providing the time in which tax collectors shall pay over tax and make settlements."

Referred to Committee on Municipal Corporations.

By Mr. WALTON. House Bill No. 163.

An Act to amend an act approved the twenty-fourth day of June, one thousand eight hundred and eighty-five, entitled "An Act relative to costs in suits before aldermen and justices of the peace, and the collection of the same," as amended by an act approved the twenty-ninth day of May, one thousand nine hundred and seven, entitled "An Act to amend section one of an act, entitled 'An Act relative to costs in suits before aldermen and justices of the peace, and the collection of the same,' approved the twenty-fourth day of June, Anno Domini one thousand eight hundred and eighty-five; providing that when an appellant shall enter good and sufficient bail absolute, for the payment of debt, interest and costs on affirmance of the judgment, in which case the appellant shall not be required to pay the costs before taking such appeal.

Referred to Committee on Judiciary General.

By Mr. HUMES. House Bill No. 164.

An Act making an appropriation to the Meadville City Hospital located at Meadville, Crawford County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HEMMINGER. House Bill No. 165.

An Act requiring railroads to provide against the escape of fire or sparks and fixing a penalty for violation of this act.

Referred to Committee on Railroads.

By Mr. FRY. House Bill No. 166.

An Act to amend an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand inhabitants; and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled "An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and nine."

Referred to Committee on Judiciary General.

By Mr. LESLIE. House Bill No. 167.

An Act making an appropriation to the Home for Aged and Infirm Colored Women of Western Pennsylvania, in the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FREY. House Bill No. 168.

An Act to amend an act approved the fourteenth day of April, one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the courts of justice."

Referred to Committee on Judiciary General.

By Mr. HEMMINGER. House Bill No. 169.

An Act requiring railroad corporations to erect and maintain certain platforms, and fixing a penalty for violation thereof.

Referred to the Committee on Railroads.

By Mr. JACKSON. House Bill No. 170.

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the first hatchery at Spruce Creek, Huntingdon County, is located, and providing for the disposition of the fund.

Referred to the Committee on Fisheries.

By Mr. E. E. JONES. House Bill No. 171.

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors, gaming and the conducting of immoral exhibitions at or near the fair grounds.

Referred to Committee on Agriculture.

By Mr. WALTON. House Bill No. 172.

An Act declaring all employes of public service and utility companies, associations or persons engaged in business in this Commonwealth for the purpose of this act to be public servants and providing for the adjustment and settlement of disputes and differences between such employes and their employers resulting in strikes or lockouts by Boards of Arbitration and creating and regulating such Boards.

Referred to the Committee on Labor and Industry.

By Mr. HEIDINGER. House Bill No. 173.

An Act to validate deeds, mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April, one thousand nine hundred and one.

Referred to Committee on Judiciary Special.

By Mr. McCLINTOCK. House Bill No. 174.

Concurrent Resolution proposing an amendment to article fourteen, section two of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Counties and Townships.

By Mr. PIPER. House Bill No. 175.

An Act providing payment for overtime worked by employees in mercantile establishments and making it unlawful to compel such employees to do extra service by threat of discharge.

Referred to Committee on Labor and Industries.

By Mr. PIPER. House Bill No. 176.

An Act to amend section one of an act entitled, "An Act to provide for the appointment of county and city inspectors of weights and measures, providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weight; and fixing the penalties for the violation of the provisions hereof;" approved the eleventh day of May, Anno Domini 1911; by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners.

Referred to Committee on Judiciary Special.

By Mr. PIPER. House Bill No. 177.

An Act for the protection of the public by requiring self-propelled trucks to be provided with fenders, pilots or safety guards.

Referred to Committee on Judiciary Special.

By Mr. AMBLER. House Bill No. 178.

An Act making an appropriation to the Commissioners of Valley Forge Park.

Referred to Committee on Appropriations.

By Mr. CARTER. House Bill No. 179.

An Act empowering cities to establish and maintain free public employment bureaus.

Referred to Committee on Municipal Corporations.

By Mr. CARTER. House Bill No. 180.

An Act to amend an act approved the seventeenth day of February one thousand nine hundred six, entitled, "An Act providing a uniform method of electing certain party officers, and delegates to the State and National Conventions, and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdeameanors, and prescribing penalties for the violations of its provisions," by fixing the compensation of election officers and clerks at primary elections.

Referred to Committee on Elections.

By Mr. SHERN. House Bill No. 181.

An Act to amend the second section of an act approved the thirteenth day of March, Anno Domini one thousand nine hundred and seven, entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth,' approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof, and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise."

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 182.

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind.

Referred to Committee on Appropriations.

By Mr. ROCKWELL. House Bill No. 183.

An Act defining public service companies, prescribing and defining the duties and liabilities of public service companies; prescribing, defining and limiting the powers of public service companies and regulating the creation of such companies; creating and establishing a public service commission for the supervision and regulation of public service companies; prescribing and defining the powers and duties of such commission and its officers and providing for the salaries and compensation of the members of the commission, its officers, counsel and employees; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders by the court of common pleas of Dauphin County, and giving such court exclusive jurisdiction of such appeals and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this Act and the orders of the Commission, and to restrain such orders subject to an appeal from all decrees of said court to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of such orders or of the provisions of this act, and repealing the act approved May thirty-first, one thousand nine hundred and seven, which provided for the appointment of a Railroad Commission, and all other legislation inconsistent with this act, and making it the duty of the public service commission to enforce the provisions of the act of June 19th, 1911, entitled "An Act to promote the safety of travelers and employees upon railroads, by compelling common carriers by railroad to properly man their trains."

Referred to Committee on Judiciary General.

By Mr. ROCKWELL. House Bill No. 184.

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published.

Referred to Committee on Judiciary General.

By Mr. ROCKWELL. House Bill No. 185.

A Joint Resolution proposing an amendment to Section One, Article Eight, of the Constitution of Pennsylvania.

Referred to Committee on Judiciary General.

By Mr. WHITAKER. House Bill No. 186.

An Act making an appropriation to the Trustees of the Phœnixville Hospital.

Referred to the Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 187.

An Act making an appropriation to the Trustees of the Chester County Hospital.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 188.

An Act making an appropriation to the Curtis Home for Destitute Women and Children, at Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 189.

An Act to repeal Section 10 of an act passed the fifth day of April, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act to vacate Long Lane in the County of Philadelphia; in relation to promissory notes and counterfeit endorsements; and for other purposes."

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 190.

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania, located at Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. KAISER. House Bill No. 191.

An Act making an appropriation to the Bethesda Home.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 192.

An Act making an appropriation to the Institution of Protestant Deaconesses for the use of the Passavant Hospital, of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 193.

An Act making an appropriation to the Mercy Hospital of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 194.

An Act requiring the Prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said Courts when filed, to the Superintendent of the Department of Public Printing and Binding, and requiring said Superintendent to have the same printed and a copy thereof mailed to every judge in every court of record of this State.

Referred to Committee on Judiciary General.

By Mr. SWIFT. House Bill No. 195.

An Act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpos; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

Referred to the Committee on Law and Order.

By Mr. DICKINSON. House Bill No. 196.

An Act making an appropriation to the Sylvan Heights Home for Orphan Girls, at Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RICHARDS. House Bill No. 197.

An Act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court, and prescribing the duties of the clerk of the orphans' court.

Referred to Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. BIGGER, from the Committee on Judiciary Special, reported as committed House Bill No. 70, entitled:

A Joint Resolution proposing an amendment to section seven, article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor.

Mr. LANIUS, from the Committee on Judiciary Special, reported as committed House Bill No. 34, entitled:

An Act providing for the safety of persons from fire or panic in certain buildings, other than in cities of the first and second classes; requiring proper exits, fire extinguishers and other preventives of fire; and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

Mr. WALNUT, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 40, entitled:

An Act regulating witnesses in criminal matters in certain courts and providing a penalty for violation of this act.

Mr. STONE, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 38, entitled:

An Act to prohibit untrue or misleading advertisements, and providing penalties for violation of this act.

Mr. LIGHT, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 18, entitled:

An Act to amend Section Three of an act, entitled "An Act relating to last wills and testaments," approved the eighth day of April, eighteen hundred and thirty-three.

Mr. SHERN, from the Committee on Judiciary General, reported as committed House Bill No. 24, entitled:

An Act to quiet the title to real estate, and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. GRAY, from the Committee on Judiciary General, reported as committed House Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1, entitled:

An act regulating the cold storage of food, and providing penalties for violation of this act.

Mr. FORSTER, from the Committee on Judiciary General reported as committed, House Bill No. 28, entitled:

An act to amend an act approved the eighth day of June one thousand eight hundred and ninety-three, entitled "An act relating to mandamus" as amended by the act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June, one thousand eight hundred and ninety-

three, enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writ of mandamus" and as further amended by an act, approved the 19th day of March one thousand nine hundred and three, entitled "An act amending section one (1) of an act, entitled 'An act relating to mandamus,' approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three."

Mr. SHOWALTER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 120, entitled:

An act amending an act entitled "An act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class, or of the poor district of which said city is a part," approved the twenty-fourth day of June, one thousand eight hundred and ninety-five, by extending the provisions of the act to second class cities."

Mr. EHRHARDT, from the Committee on Appropriations, reported as committed, House Bill No. 2, entitled:

An act making an appropriation to cover a deficiency in the appropriation act of June 13, 1911 (pamphlet laws page 900) making an appropriation to pay local Registrars of Vital Stastistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act.

LEAVES OF ABSENCES.

Mr. WILLIAMS asked and obtained leave of absence for Mr. North for the balance of the week.

Mr. KAUFMAN asked and obtained leave of absence for Mr. Rex for the balance of the week.

Mr. REESE asked and obtained leave of absence for himself for the balance of the week.

REQUESTING INFORMATION FROM SECRETARY OF THE COMMONWEALTH RELATIVE TO PUBLISHING OFFICIAL ADVERTISEMENTS.

Mr. BLAIR offered the following resolution, which was twice read and agreed to:

Whereas, It will be necessary for this General Assembly to make an appropriation for the purpose of defraying the cost of advertising the amendments to the State Constitution,

Therefore be it

Resolved, by the House of Representatives, that the Secretary of the Commonwealth be, and is hereby directed to furnish this House within five days from this date, a full and complete list of the newspapers and periodicals in which official advertisements have been made of the proposed amendments to the State Constitution now awaiting further action, arranged by counties with information as to the number of times the advertisement has appeared in each of said newspapers and periodicals and the price paid or owing to each newspapers or periodical therefor.

Mr. HUMES called up resolution No. 6, which was twice read, as follows:

READING LEGISLATIVE JOURNAL.

Resolved: That the rules of the House of Representatives be amended by adding and inserting the following rule:—

§ 1-2—The reading of the Journal shall be the first order of business each day, if the Legislative Journal for such Legislative day shall have been printed and placed on the desk of each member; but in no case shall it be read until after each member shall have received a copy of said Legislative Journal

On the question,

Will the House agree to the resolution?

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I don't call to mind who introduced this resolution, but I would like to say to the House that, as I understand the statutes, it requires the State Printer to have the Legislative Journal on the desks within twenty-four hours after the same has been delivered to him—that is, the manuscript from the official stenographers of the House and the other matter that goes through the desk. I would like the House to appreciate the fact that after a while we will we working up to twelve o'clock at night. The stenographers will then have to go over and transcribe their work. This will mean that the State Printer will probably get the material for the making of the Legislative Journal somewhere between four or seven o'clock the next morning. That would mean that the Legislative Journal under the statute is not required to be put upon the desks until two days afterward.

If this resolution prevails, it means that every other day when we are working until twelve o'clock at night, we cannot work at all, and we will have to rest one day. I ask if that is considered wise? And if that is the opinion of the Committee upon Committees, I doubt whether they are willing for the House to endorse it. But I don't believe any member of this House who has any legislative experience would offer any such resolution without first inquiring into its effect.

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, following the line of thought of the gentleman from Delaware, I desire to state that a Committee having been appointed to consider such matters as are embodied in this resolution, I move that this Resolution be referred to the Committee on Rules.

Mr. S. B. SCOTT. Mr. Speaker, I want to correct any idea that this resolution originated in the Committee upon Committees; that is not the case.

The SPEAKER. The question is on the motion to refer this resolution to the Committee on Rules.

The motion was agreed to.

PERMISSION TO USE HOUSE.

Mr. ROCKWELL. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL. Mr. Speaker, as Chairman of the Judiciary General Committee, there are several so-called "mothers" pension bills' that have come to this Committee. It is the sense of the Committee to have a public meeting on that proposed legislation at eight o'clock next Wednesday evening in this room. We wish to get permission of the House. The Committee would ask permission to use the House next Wednesday evening, and I ask unanimous consent to present the following motion.

The SPEAKER. The motion will be read by the Clerk.

The Clerk read as follows:

Moved, that the hall of the House be given to the Committee on Judiciary General on Wednesday evening of next week for the purpose of holding an open hearing.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. R. J. BALDWIN. Mr. Speaker, I want to make inquiry as to whether it is necessary when an amendment is offered to a resolution that the resolution be again laid over for a day to have the amendment printed.

The SPEAKER. The rule does not so provide.

Mr. R. J. BALDWIN. I would like to call up Resolution No. 3, for the purpose of offering an amendment as it may perhaps be the sense of the House to have that amendment read. I ask unanimous consent to call up Resolution No. 3.

The SPEAKER. If there is no objection, Resolution No. 3 will be read by the Clerk.

Resolution No. 3 was read, as follows:

RESOLUTION NO. 3.

Be it Resolved by the House of Representatives, That the sincere thanks of this body are extended to the Committee on Committees appointed at the session of this House held on the seventh day of January, one thousand nine hundred and thirteen, for the painstaking efforts made by the Committee, and for the ardous labors undergone by them in the performance of the duties required of them.

On the question,

Will the House agree to the resolution?

Mr. R. J. BALDWIN. Mr. Speaker, I offer the following amendment.

The amendment was read by the Clerk as follows:

Amendment to Resolution No. 3. Yet, notwithstanding the earnest effort apparently made by the Committee, it is the sincere belief of this House that the hoped-for results are best exemplified by comparing its practical effect in the election of a Committee on Rules to the movements of the Cambaras Pelucibus.

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, I suggest that I don't understand the amendment which has been offered, as to whether it comes in before or immediately after the preamble of the resolution or before the body of the resolution, as it

now stands, or in the midst thereof, or at the end, and will submit that the gentleman at least change his amendment so that we may understand the purpose.

Mr. R. J. BALDWIN. I will state to the gentleman from Allegheny that it is simply an addition to the resolution and naturally follows the other reading.

Mr. STEIN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Stein.

Mr. STEIN. Will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Delaware allow himself to be interrogated?

Mr. R. J. BALDWIN. Certainly.

Mr. STEIN. On behalf of the gentlemen from Allegheny, I would like to know what is it that he proposes to get before this body. Is it something to eat, or is he calling names?

Mr. R. J. BALDWIN. I would be glad to answer, but I didn't hear what the gentleman said.

Mr. STEIN. On behalf of my colleagues from Allegheny, I would like to know what do you propose to get to this body? is it something to eat, or is it calling names?

Mr. R. J. BALDWIN. It is something for the House to digest.

Mr. STRAUSS. Mr. Speaker.

The SPEAKER. The gentleman from Berks, Mr. Strauss.

Mr. STRAUSS. Then I suppose it will first have to be eaten.

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the resolution?

It was agreed to.

Mr. LENKER. Mr. Speaker, I desire to call up the resolution introduced by me yesterday relative to an investigation to be conducted by the Speaker.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read as follows:

INVESTIGATION OF ALLEGED VIOLATION OF THE RULES OF THE HOUSE.

Whereas, It is alleged Walter J. Christie, correspondent of the Pittsburgh Gazette Times, is violating the rules of this House, by holding a State Office, viz: Registration Commissioner of Allegheny County, by appointment of Governor Tener, and at the same time occupying a seat in the correspondence gallery, which if true, is a violation of the rules of the House.

Be it therefore Resolved, That the Speaker of this House is empowered to make an investigation of the alleged facts and report his findings to the House within ten days.

Mr. LENKER. Mr. Speaker, I move the adoption of the resolution.

Mr. R. J. BALDWIN. Mr. Speaker, it strikes me that that resolution is entirely out of order. All that it asks for is now printed in the rules under rule 64. I do not see any necessity for such a resolution, or using a resolution of that character. That power is given to the Speaker in the new rules as well as it was under the old rules. I think it is foolish for the House to pass a resolution of that character when all that it contains is now in the rules of the House.

Mr. STEIN. Mr. Speaker, I would like to add a word to what has been spoken by my colleague from Delaware, and to ask the House to vote down this resolution, as being untimely and extremely unfair. The resolution asks the Speaker to investigate what? To investigate what the records show, and what everybody knows. It is conceded—at least I have no doubt it is by Mr. Christie,—that for six years, or more, he has been a registration commissioner for the county of Allegheny. As such he is a County employee, and is paid by the County of Allegheny. Now, I might state for the benefit of my colleagues in the House that politically Mr. Christie and I do not serve the same faction, but socially and morally I have the honor to be allied with him in many matters of concern at our home, and I want to say in his behalf, Mr. Speaker and gentlemen, that a more courteous and efficient registration commissioner never occupied the position since its creation in the County of Allegheny. Now, as I said, Mr. Christie occupied the same position during the whole of the last session and was also a legislative correspondent here. He occupied the same position during the session of 1909 and I believe during the session of 1907. He was not in any sense of the term a state employee, and under the rules, as laid down in rule 64, he has a perfect right to serve as legislative correspondent because he is paid, I suppose, by his own newspaper, and does not draw one cent of money from the State Treasury . What could have prompted the gentleman to introduce this resolution I do not know, and I have no desire to reflact upon the motive which prompted its introduction, but I want to say to him and to the gentlemen of the House that this resolution seems to be of small concern. If we want an investigation there are many things infinitely more costly and which need remedy, and I think you will show the good sense and temper of the House to vote down this resolution.

Mr. HUMES. Mr. Speaker,I would like to inquire as to whether the card that the Rules provide for has been issued to Mr. Christie up to this date.

The SPEAKER. The Chair would state in response to the inquiry of the gentleman from Crawford that so far as the Chair knows, this rule requiring cards to be issued to press corespondents occupying seats in the press galleries has been out of use for at least a number of sessions. The Chair has arranged to have some cards printed. They have not yet been received from the printer, consequently up to this time no cards have been given to any person in this connection.

Mr. SHERN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will please state his question.

Mr. SHERN. As the gentleman from Allegheny has said Mr. Christie holds a position of registration commissioner in the County of Allegheny, before I can properly vote upon this resolution I would like to know from the Speaker whether or not that is an office coming under the State. If it is not an office under the State government then I think this resolution is out of order.

The SPEAKER. The Chair is of the opinion that the office is not an office included in the provisions of the rules relating to holding a position under the department.

POINT OF ORDER.

Mr. SHERN. Mr. Speaker, then I raise the point of order that the resolution is out of order.

The SPEAKER. The Chair is of the opinion that the point of order is well taken.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 10, as follows:

A Joint Resolution providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturing companies of this State of the law governing the withholding of wages from employees and the maintenance of company stores and providing for the employment of counsel and necessary help making an appropriation for the expenses and giving such commission the necessary powers to make its investigation and providing penalties for contempt of its authority.

Whereas by Section forty-three of "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-nine one thousand eight hundred and seventy-four it is provided that "no mining or manufacturing company shall permit to be withheld or authorize or direct the withholding of wages due any of its operatives or employees by reason of the sale or furnishing of goods wares or merchandise of any person to such operatives or employees unless the same be withheld by reason of and in obedience to due process of law" and

Whereas by an act of Assembly approved June nine one thousand eight hundred and ninety-one entitled "An act to prohibit mining and manufacturing corporations from engaging in the business of carrying on [illegible] company stores or general supply stores." It is provided that "no mining or manufacturing company or its officers or stockholders shall engage in or carry on by direct or indirect means any general supply store known as a company store or lease or grant any such privilege to any other person for its use and benefit or permit any such store upon its premises or make any rule and regulation by which the employees of such corporation are required to trade in such store" and

Whereas it has been charged and is generally believed that the law governing such companies is being openly violated in many counties of this State and hundreds of thousands of workmen complain very bitterly of the following conditions

1 That they are compelled to purchase most of their household goods clothing groceries and other needs from the company stores maintained for the benefit of the mining and manufacturing corporations employing them

2 That unless they purchase these goods from the company stores they are given the most undesirable and unprofitable places of work while those workmen trading liberally with the store are preferred for advancement and good positions

3 The mining and manufacturing companies maintain a system of espionage over the workmen to see that all their purchases are made from the company stores and not elsewhere

4 That in many mining settlements the entire village is surrounded by a high fence and no outside person is permitted to go upon the company's premises or to trade with or solicit orders from the workmen

5 That many mining companies do not give the employees the opportunity of working full time but maintain double shifts of employees on part time in order to have the benefit of the trade at the company store of a larger number of families By means of this system the men and their families are kept practically in a state of bondage working to pay for their mere existence

6 That many companies do not pay or advance any wages between the regular bi-weekly pay days and the workmen are compelled to take merchandise which they must resell at a loss of from ten to fifty per cent

7 That in some instances the company itself either directly or indirectly repurchases such merchandise from the employees for cash at a considerable discount

8 That some companies issue merchandise certificates and metal merchandise checks redeemable in merchandise only in the place of paying cash for wages and do not permit the employees to sell such checks to any other person or company

9 That in every instance the men are compelled to spend nearly all of their earnings with the company store and the full amount of such purchases are always deducted out of the pay envelopes

10 That the company stores charge higher prices than the regular market price and compel the men to take inferior and unseasonable goods

11 That this system pays the company enormous profits of over one hundred (100 per centum) per cent annually stifles free competition encourages extravagance by the employees and demoralizes the community where it thrives all of which is contrary to the American principles of equality before the law

And Whereas it is deemed advisable by the Legislature of this Commonwealth to investigate all such matters and complaints so that the facts may be accurately ascertained and the law enforced against all persons or companies who may violate its letter or spirit now

Therefore be it resolved by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met that the Governor shall appoint three citizens of this Commonwealth the Speaker of the House apppoint three members of the House of Representatives and the President of the Senate appoint three members of the Senate who shall constitute a commission for the purpose of ascertaining the exact facts existing in the mining and manufacturing regions with reference to the withholding of wages due the employees of such mining and manufacturing companies and with reference to the maintaining and operating of company stores or general supply stores in which employees of the mining and manufacturing companies are compelled to trade

The commission is directed to fully investigate and inquire into each and all of the above recited matters and any and all matters or subjects pertaining to or bearing upon the same The said commission as a whole or by its sub committee of not less than two members is authorized to hold its hearings anywhere in the State of Pennsylvania which shall be open to the public The commission as a whole or by its sub committee is authorized to employ counsel experts accountants stenographers and other assistants and many summon and compel the attendance of witnesses and may compel the production of all persons books and papers and administer oaths to all persons so summoned The commission may invoke the power of any court of Common Pleas in the State of Pennsylvania to compel the attendance of witness and the giving of testimony under oath and the production of books records papers documents and any information whatsoever All subpoenas and notices shall be issued by the commission for the purposes herein provided and shall be signed by the chairman of the commission as such Any member of the commission shall have power to administer oaths to witnesses summoned before it. Any examination or investigation of the commission may be made by or before any sub committee of at least two members pursuant to an order of the commission duly made and entered upon its minutes. No person shall be excused from giving testimony or from answering any question or from otherwise declaring any fact within his knowledge or from producing any book paper or document on the ground that the giving of such testimony or the production of such book or paper or document would tend to incriminate him or subject him to public infamy Provided that no testimony given by any such witness shall afterwards be used against him in any judicial proceeding for perjury in giving such testimony.

In case any witness shall refuse to appear or answer or produce any book or paper or comply with any lawful order he shall be deemed in contempt and the commission through its chairman shall certify the facts to any Common Pleas judge in this Comonwealth The Judge shall thereupon in a summary manner hear the evidence as to the acts complained of and if it is such as to warrant him in so doing shall punish such person in the same manner and to the same extent as for a contempt committed before the court or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the process of or in the presence of such court

All the departments of government of this State are hereby directed to comply with all the directions of the commission for any assistance and to place at the service of the commission all the data and records of office and to procure for the commission from time to time such information as may be required by the commission and to allow the use of any employe or clerk in such department for the making of such investigation

That the sum of five thousand dollars or as much thereof as may be necessary is hereby appropriated for the payment of the necessary expenses of the commission and shall be paid out of the State treasury upon vouchers signed by the chairman of the said commission

The said commission shall complete its investigation by April one one thousand nine hundred and thirteen if possible and shall make a full report in writing to the legislature of the Commonwealth with such recommendations as it may deem proper

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 13, as follows:

Joint Resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

Whereas The Congress of the United States of America has in due form prescribed by law passed the following point resolution proposing an amendment to section three of Article one of the Constitution of the United States namely

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES

"Resolved By the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein) That in lieu of the first paragraph of section three of article one of the Constitution of the United States and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies the following be proposed as an amendment to the Constitution which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislature of three-fourths of the states

"The Senate of the United States shall be composed of two senators from each state elected by the people thereof for six years and each Senator shall have one vote The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures

"When vacancies happen in the representation of any state in the senate the executive authority of such state shall issue writs of election to fill such vacancies provided That the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution"

And whereas said resolution has been submitted to the various states of the United States of America for ratification according to law therefore be it

Resolved By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the said General Assembly of the Commonwealth of Pennsylvania hereby ratifies and approves the amendment to section three in Article one of the Constitution of the United States of America as proposed in said joint resolution passed by the Congress of the United States in the second session of the sixty-first Congress and be it further

Resolved That a certified copy of the foregoing preamble and of this resolution be forwarded by the Governor to the Secretary of State for the United States of America in accordance with the law in such case made and provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 44, entitled:

An Act amending an act entitled "An act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments" approved June fifteenth Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs of existing sewers and sewer systems

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled "An act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments" approved June fifteenth Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of HOUSE PAGES 40 to 43 AUGHINBAUGH the same That in addition to the present methods provided by law for the payment and collection of the costs and expense of building sewers grading streets or the permanent paving and improvement of any streets alleys or any highways or parts thereof by the boroughs of this Commonwealth said boroughs shall have power to ordain that said cost and expense may be paid and collected in accordance with the provisions of this act" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the present methods provided by law for the payment and collection of the costs and expense of building and acquiring sewers and sewer systems grading streets alleys or any highways or parts thereof by the boroughs of this Commonwealth said boroughs shall have power to ordain that said cost and expense may be paid and collected in accordance with the provisions of this act

On the question,

Will the House agree to the section?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I desire to offer the following amendments:

The Clerk read the first amendment as follows:

Amend section 1, line 28, after the word "Boroughs" by inserting the words "Or incorporated towns"

On the question,

Will the House agree to the amendment?

It was agreed to.

The Clerk read the next amendment as follows:

Amend Section 1, line 29, after the word "Boroughs" by inserting the words "Or incorporated towns"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section of the bill was read as follows:

Section 2 That section two of the aforesaid act which reads as folllows

'Section 2 Whenever after the passage of this act the council of any borough in this Commonwealth shall by ordinance authorize the construction or building of any system of sewers the grading the sub-grading or the permanent paving and improvement of any streets avenues alleys courts or any highways or parts thereof in said borough and the entire cost or any part of the costs of the said improvements shall be assessed against the properties fronting and abutting on and along the said improvement whether by the foot-front rule or according to benefits it shall be lawful for the council of the said boroughs to provide in said ordinance that the said assessments may be paid in semi-annual or annual installments which installment shall bear interest at a rate not exceeding six (6) per centum from the date of the commencement of the work or construction of the said improvement until paid and in order to provide for the payment of the cost and expense of such improvement as it progresses the council of said borough may from time to time in all to an amount not exceeding the amount of said assessments said bonds shall bear the name of the sewer system built or the name of the street avenue or alley or part threof to be improved and shall rest alone for their security and payment upon the said assessments and shall be payable at periods not exceeding fixe (5) years from the date of their issue to be provided in the ordinance directing the improvement and shall bear interest at a rate not exceeding six (6) per centum per annum payable semi-annually or annually as the council in said ordinance shall direct Said bonds shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of the costs of said improvement In case the said bonds are not negotiated by the council they may be delivered to the contractor in payment of the work but when so delivered must be at their par value" be and the same is hereby amended so as to read as follows

Section 2 Whenever after the passage of this act the council of any borough in this Commonwealth shall by ordinance authorize the construction or building or acquisition of any sewer or system of sewers the grading the sub-grading or the permanent paving and improvement of any streets alleys courts or any highways or parts thereof in said borough and the entire cost or any part of the costs of the said improvement shall be assessed against the properties fronting and abutting on and along said improvement whether by the foot-front rule or according to benefits it shall be lawful for the council of the said boroughs to provide in said ordinance that the said assessments may be paid in semi-annual or annual installments which installments shall bear intertst at a rate not exceeding six (6) per centum from the date of the commencement of the work or construction of the said improvement until paid and in order to provide for the payment of the cost and expense of such improvement as it progresses the council of said borough may from time to time issue bonds in such sums as may be required in all to an amount not exceeding the amount of said assessments. Said bonds shall bear the name of the sewer system built or the name of the street avenue or alley or part thereof to be improved and shall rest alone for their security and payment upon the said assessments and shall be payable at periods not exceeding five (5) years from the date of their issue to be provided in the ordinance directing the improvement and shall bear interest at a rate not exceeding six (6) per centum per annum payable semi-annually or annually as the council in said ordinance shall direct Said bonds shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of the costs of said improvement In case the said bonds are not negotiated by the council they may be delivered to the contractor in payment of the work but when so delivered must be at their par value.

HOUSE—TAKE—From page 50 to page 55.

On the question,

Will the House agree to the section?

Mr CHARLES A SHAFFER. Mr. Speaker, I desire to offer the following amendments.

The first amendment was read by the Clerk as follows:

Amend Section 2, line 39, by adding after the word "Borough" the words "Or incorporated town."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Clerk read the next amendment as follows:

Amend Section 2, line 44, by adding after the word "Borough" the words "Or incorporated town."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Clerk read the next amendment as follows:

Amend Section 2, line 48, by adding after the word "Borough" the words "Or incorporated town."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Clerk read the next amendment as follows:

Amend Section 2, line 55, by adding after the word "Borough" the words "Or incorporated town."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. FREY. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Section 2, line 20, by adding after the second word "time" the words "issue bonds in such sum as may be required."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was then read as follows:

Amending an act, entitled "An Act providing a system whereby boroughs may build sewers, grade sub-grade and pave streets and alleys, pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments," approved June fifteen, Anno Domini one thousand nine hundred and eleven, by extending the provisions thereof so as to include the acquisition by boroughs of existing sewers and sewer systems.

On the question,

Will the House agree to the title?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the Title, by adding in line 7, after the word "Boroughs" the words "and incorporated towns."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

TIME FOR FINAL ADJOURNMENT.

Mr. KITTS asked and received unanimous consent to introduce the following resolution, which was twice read and laid over under the rules:

CONCURRENT RESOLUTION.

Resolved (if the Senate concur), That this General Assembly shall adjourn sine die on Tuesday, April 15th, 1913.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MARTIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege

CORRECTION OF JOURNAL.

Mr. MARTIN. I desire a correction of the Journal. I notice that the nomination of Mr. Geo. A. Baldwin has been omitted from the record.

The SPEAKER. By whom was the nomination made?

Mr. MARTIN. By myself.

The SPEAKER. The correction of the Journal will be made accordingly.

RECESS.

Mr. SHERN. Mr. Speaker, I move that the House now takes a recess until four o'clock this afternoon. My purpose in making this motion is to give the different committees time, after this session to consider bills and make reports from committees, and then if it is the purpose of this House to have a session tomorrow, we will have a calendar.

The motion was agreed to and (at 11:15 A. M.) the House took a recess until 4:00 o'clock P. M.

AFTER. RECESS.

The House reconvened at 4:00 o'clock P. M.

BILLS INTRODUCED AND REFERRED.

By Mr. RAMSEY. House Bill No. 198.

An Act providing that actions for personal injuries caused by defects in streets, highways, bridges, or other public places shall not be maintained against any county, city, borough, township, or other municipality, unless the person injured, or some person in his or her behalf, or by those entitled in case of death, or some one in their behalf, shall give notice in writing to the proper corporation or municipalty, of the time and place of such injury and of the character and nature of the defect which caused it.

Referred to Committee on Municipal Corporations.

By Mr. RAMSEY. House Bill No. 199.

An Act amending sections twenty-one and twenty-two of an act entitled "An act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder," approved April 27th, 1909, to provide that a part of the revenues, and fines and penalties derived from said act, shall be paid to cities, boroughs, and townships.

Referred to Committee on Ways and Means.

By Mr. HUMES. House Bill No. 200.

An Act to amend an act approved the eleventh day of May, one thousand nine hundred and one, entitled "An act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vacancies caused by such removal," as amended by an act approved the twenty-third day of June, one thousand nine hundred and eleven, entitled "An act to amend section one of an act, entitled 'An act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vacancies caused by such removal,' approved May eleventh, one thousand nine hundred and one; so as to allow them full pay during the balance of their terms of office, and, under certain conditions, half pay during the remainder of their lives."

Referred to Committee on Judiciary General.

By Mr. RAMSEY. House Bill No. 201.

An Act to amend section one and repeal section two of an act, entitled, 'An act to further define the police power of cities of the third class and boroughs, with reference to electric light wires," approved April twenty-eighth, Anno Domini one thousand nine hundred and three, extending its provisions to telegraph and telephone companies, and empowering municipalities to purchase or condemn conduits.

Referred to Committee on Municipal Corporations.

By Mr. KERN. House Bill No. 202.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws General, special or local, or any parts thereof, that are or may be inconsistant therewith.

Referred to Committee on Education.

By Mr. HUMES. House Bill No. 203.

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of State Highways therein.

Referred to Committee on Public Roads.

By Mr. MOSES. House Bill No. 204.

An Act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WETTACH. House Bill No. 205.

An Act making an appropriation to the Protestant Home for Boys, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KAISER. House Bill No. 206.

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh.

Referred to Committee on Appropriations.

By Mr. IRA E. SHAFFER. House Bill No. 207.

An Act making an appropriation to the Mary E. Packer Hospital, Sunbury, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HERRMAN. House Bill No. 208.

An Act to commemorate the heroism, sacrifice and patriotism of the members of the One Hundred and Ninety-Eighth Regiment of Pennsylvania Volunteer Infantry at the battles of Popular Grove Church, Hatches Run, Lewis Farm, Gravely Run, Five Forks and at Appomatox Court House, by the erection of a suitable monument at one of these places creating a commission for such purpose, and appropriating the necessary money therefor.

Referred to Committee on Appropriations.

By Mr. BERGEY. House Bill No. 209.

An Act to amend an act approved the seventh day of June, one thousand nine hundred one, entitled "An act providing for the examination, licensure and registration of persons, firmes or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended by an act approved the fourteenth day of May, one thousand nine hundred nine, entitled "An act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy, and seventy-one of an act, entitled 'An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof,' approved the seventh day of June Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water supply and sewerage, of this Commonwealth; and providing further rules, regulations, and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof," by extending the provisions of the act to boroughs and to townships of the first class.

Referred to Committee on Municipal Corporations.

By Mr. GANS. House Bill No. 210.

An Act to amend title and sections three and four and five and six and nine and eleven of an act, entitled "An act relative to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation and suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith."

Referred to Committee on Public Health and Sanitation.

By Mr. CLAYCOMB. House Bill No. 211.

An Act making an appropriation to the Altoona Hospital, Altoona, Blair County.

Referred to Committee on Appropriations.

By Mr. LOWERS. House Bill No. 212.

An Act to punish the making or use of false statements to obtain property or credit.

Referred to Committee on Judiciary General.

By Mr. REESE. House Bill No. 213.

An Act to amend the first section of an act, entitled "An Act to provide increased revenues for the purpose of relieving the burden of local taxation, being supplementary to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day ofJune, Anno Domini one thousand eight hundred and seventy-nine, amending the first, fourteenth, sixteenth, twentieth, twenty-fifth and twenty-sixth sections of an act supplementary thereto, which became a law on the first day of June, Anno Domini one thousand eight hundred and eighty-nine, entitled "A further supplement to an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine,' and providing for greater uniformity of taxation by taxing all of the properties of corporations, limited partnerships ,and joint stock associations having capital stock, at the rate

of five mills on each dollar of its actual value," by exempting mortgages and bonds on real estate from taxation."

Referred to Committee on Ways and Means.

By Mr. SPILLINGER. House Bill No. 214.

An Act to further amend an act entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by providing for secrecy in voting and punishing certain offenses in regard to elections.

Referred to Committee on Elections.

By Mr. SNAVELY House Bill No. 215.

A Joint Resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

Referred to Committee on Judiciary Special.

By Mr. FREY. House Bill No. 216.

An Act making an appropriation to the Paradise Protectory and Agricultural School, at Paradise township, York County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SPILLINGER. House Bill No. 217.

An Act to repeal an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise and providing for the collection of said tax," together with the amendmetns theerof.

Referred to Committee on Ways and Means.

By Mr. DAVIS. House Bill No. 218.

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania, requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth, and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith, and providing for the disposition of the license fees, fines and penalties received.

Referred to Committee on Game.

An Act making an appropriation to the Western Temporary Home of Philadelphia.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 220.

An Act making an appropriation to the Home for Aged Veterans and Wives, located at Sixty-fifth and Vine streets, in the City of Philadelphia.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 221.

An Act fixing the salary of registers of wills in counties, within which are or may be located any cities of the first class, and providing for the payment of fees or commissions earned by said officers into the county treasury.

Referred to the Committee on Judiciary Local.

By Mr. REESE. House Bill No. 222.

An Act to amend the first section of an act entitled "An Act to provide increased revenues for the purpose of relieving the burden of local taxation, being supplementary to an act entitled, 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine, amending the first, fourteenth, sixteenth, twentieth, twenty-first, twenty-fifth and twenty-sixth sections of an act supplementary hereto which became a law on the first day of June, Anno Domini one thousand eight hundred and eighty-nine, entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," and providing for greater uniformity of taxation by taxing all of the properties of corporations limited partnerships and joint stock associations having capital stock, at the rate of five mills on each dollar of its actual value."

Referred to Committee on Ways and Means.

By Mr. ULERICH. House Bill No. 223.

An Act to amend an act approved the twenty-fourth day of June, one thousand eight hundred and ninety-five, entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth," as amended by an act approved the sixteenth day of April, one thousand nine hundred and three, entitled, "An Act amending an act, entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth,' approved the twenty-fourth day of June, Anno Domini one thosuand eight hundred and ninety-five, and fixing the pay of election officers."

Referred to Committee on Elections.

My Mr. McALLISTER. House Bill No. 224.

An Act making an appropriation to the Westmoreland County Children's Aid Society at Greensburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HEIDINGER. House Bill No. 225.

An Act regulating the equipment, use and operation of motor boats, row boats and canoes, and providing penalties.

Referred to Committee on Judiciary General.

By Mr. GEORGE A. BALDWIN. House Bill No. 226.

An Act to provide for registration of persons employed to advocate or oppose legislative measures, and to regulate the method of such advocacy or opposition, and providing penalties for the violation thereof.

Referred to Committee on Judiciary General.

By Mr. BROWN. House Bill No. 227.

An Act making an appropriation to the Wilkes-Barre City Hospital.

Referred to Committee on Appropriations.

By Mr. WILLIAMS. House Bill No. 228.

An Act to regulate and improve the Civil Service of the Commonwealth of Pennsylvania, and of the Counties and of Cities of the third class; providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth and of any County having a population of two hundred and fifty thousand inhabitants or more, and that it snall take effect in so far as it relates to the Civil Service of any County having a population of less than two hundred and fifty thousand inhabitants, or of any City of the third class upon its acceptance by a vote of the people of such County or City, making any violation of its provisions a misdeameanor and providing penalties for any violation.

Referred to Committee on Judiciary General.

By Mr. McALEER House Bill No. 229.

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DeFREES. House Bill No. 230.

An act making an appropriation to the trustees to the State Hospital for the Insane at Warren, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KENNEDY. House Bill No. 231.

An act to amend section one of a supplement to the act of April third eighteen hundred and fifty-one, approved the twenty-fifth day of April nineteen hundred and seven, entitled "An act regulating boroughs" providing for the election o fa borough solicitor, fixing the term of office, and prescribing his duties and authorizing the town council to fix his compensation.

Referred to Committee on Municipal Corporations.

By Mr. STEELE. House Bill No. 232.

A Joint Resolution proposing an amendment to the constitutio nof this Commonwealth so as to prohibit the manufacture, or sale, or barter or exchange of vinous, spirituous, malt or brewed liquors or beverages.

Referred to Committee on Law and Order.

By Mr. STEELE. House Bill No. 233.

A supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An act to restrain and regulate the sale of vinuous and spirituous, malt or brewed liquors, or any admixtures thereof."

Referred to Committee on Law and Order.

By Mr. BLAIR. House Bill No. 234.

An act to provide for the safety of persons employed in and about bituminous coal mines, and to provide for the examination of persons seeking employment as coal miners, and to prohibit the employment of incompetent persons as miners, and providing penalties for the violation of the same.

Referred to Committee on Mines and Mining.

By Mr. HOBBS. House Bill No. 235.

An act making an appropriation to the Taylor Hospital Association of the Borough of Taylor, Lackawanna County, Pennnsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 236.

An act regulating the manufacture, sale and offering for sale of mattresses, and fixing penalties for violation thereof.

Referred to Committee on Manufactures.

By Mr. MATT. House Bill No. 237.

An act regulating the sale of cigarettes or cigarette paper and fixing a penalty for violation thereof.

Referred to Committee on Ways and Means.

By Mr. STEIN. House Bill No. 238.

An act amending an act entitled "An act to establish a public school system in the Commonwealth of Pennnsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven, by repealing section two thousand eight hundred and twenty-four (2824) of Article XXVIII of said act, which provides for and fixes the millage for the levy of a special tax in

any school district of the first class assuming any bonded indebtedness of any former school district, sub-school district or ward school district within its limits.

Referred to Committee on Education.
By Mr. ROCKWELL. House Bill No. 239.

An act fixing the open season for deer within the Commonwealth of Pennsylvania, and prescribing penalties for violations thereof.

Referred to the Committee on Game.
By Mr. STEIN. House Bill No. 240.

An act supplementing and amending section two thousand eight hundred and twenty-four (2824) of Article XXVIII of an act entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May one thousand nine hundred and eleven, by fixing and reducing the millage therein provided for the levy of a special tax in any school district of the first class assuming any bonded indebtedness of any former school district, sub school district or ward school districts within its limits.

Referred to Committee on Education.
By Mr. JOHN R. K. SCOTT. House Bill No. 241.

An act providing for the appointment by the Governor of a commissioner to determine what portions of the constitution of this Commonwealth need revision, to gather literature, statistics and other information, and to make a report embodying its recommendations and the result of its inquiries; defining the power and duty of such commission; providing for its organization and for the filling of vacancies in its membership; fixing its compensation, and making an appropriation for its compensaton and expenses.

Referred to Committee on Judiciary Special.
By Mr. MITCHELL. House Bill No. 242.

An Act making an appropriation to the Northwestern Pennsylvania Humane Society, Erie Pennsylvania.

Referred to Committee on Appropriations.
By Mr. ROCKWELL. House Bill No. 243.

An Act to prevent deception in the sale of paint, putty, turpentine and linseed oil or any substitutes therefor, and providing penalties for the violation thereof.

Referred to Committee on Judiciary General.
By Mr. J. H. WILSON. House Bill No. 244.

An Act to regulate the sale or offering for sale of certain seeds and fixing penalties for the violation thereof.

Referred to Committee on Agriculture.
By Mr. ALLEN. House Bill No. 245.

An Act making an appropriation to the State Board of Censors of moving pictures.

Referred to Committee on Appropriations.
By Mr. BERNTHEIZEL. House Bill No. 246.

An Act making an appropriation to the Columbia Hospital, located at Columbia, Lancaster County, Pennsylvania.

Referred to Committee on Appropriations.
By MR. HORACE B. DUNN. House Bill No. 247.

An Act making an appropriation to the J. C. Blair Memorial Hospital Association and Training School for Nurses, of Huntingdon, Pennsylvania.

Referred to Committee on Appropriations.
By Mr. WALTON. House Bill No. 248.

An Act to amend an act approved the twenty-fifth day of June, one thousand eight hundred and ninety-five, entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult."

Referred to Committee on Federal Relations.
By Mr. HAGGERTY. House Bill No. 249.

An Act making an appropriation to the Home for the Friendless women and children of the City of Scranton.

Referred to Committee on Appropriations.
By Mr. ROTHENBERGER. House Bill No.. 250.

An Act requiring electric railway companies operating suburban railways to equip their cars with water closets.

Referred to Committee on Electric Railways.
By Mr. THOMAS. House Bill No. 251.

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

Referred to Committee on Appropriations.
By Mr. JOHN R. K. SCOTT. House Bill No. 252.

An Act relating to the holding of a constitutional convention; providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates, fixing their number and compensation, providing for the organization and constitution of the convention, defining its power, providing for the publication of the constitution proposed by the convention and for its submission to the electors, and making an appropriation to carry out the provisions of this act.

Referred to Committee on Constitutional Reform.
By Mr. JOHN R. K. SCOTT. House Bill No. 253.

An Act regulating the manner conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected.

Referred to Committee on Judiciary Special.
By Mr. GEORGE A. BALDWIN. House Bill No. 254.

An Act to amend an act, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty one extending the same to companies formed for the purpose of quarrying slate, granite, stone, or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three,' approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products and the quarrying of cement rock,' approved May twenty-eight, one thousand nine hundred and seven; expending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose; constructing, acquiring, using, selling, buying, or leasing any works, construction, or plant, or part thereof, connected with or involving such use distribution, regulation, control, or application of electricity, or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June, Anno Domini one thousand nine hundred and eleven; extending the same to companies incorporated for the purpose of carrying on any kind of manufacturig business, and to companies incorporated for the purpose of selling, dealing in, or manufacturing lumber.

Referred to Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. ALWORTH, from the Committee on Counties and Townships, reported as committed House Bill No. 89, entitled:

An Act fixing the salaries of controllers in counties having over one hundred thousand inhabitants where no provisions for such salary has heretofore been made.

Mr. COX, from the Committee on Judiciary Local, reported as committed House Bill No. 66, entitled:

An Act to authorize the appointment by the County Commissioners of Twelve (12) Assessors in Counties having not less than two hundred thousand nor more than three hundred twenty-five, thousand inhabitants prescribing their powers duties and procedure, and fixing salaries to be paid by the proper County and the method of their appointment, and abolishing the office of Ward, Borough and Township Assessors in so far as respects the assessment of state and county taxes.

Mr. BLELOCH, from the Commitee on Judiciary Special reported, with a negative recommendation, House Bill No. 109, entitled:

An Act to authorize administrators and executors after convertion into money of all the goods and chattels of decedents to sell at public auction all debts apparently owing to the decedent where it shall appear to the administrators or executors that no such evidence of any such indebtedness exists as will enable them to collect the debts by process of law or that such debts though apparently owing according to the books and documents of the decendent were in fact paid to the decedent in his lifetime or that the expense of collecting any such debt by action at law or otherwise will exceed the probably amount of money to be collected or where the administrator or executor believes the debtor to be insolvent.

Mr. KITTS, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 35, entitled:

An Act extending the right of action and granting appeals in cases in any court of record in this Commonwealth where the plaintiff or defendant shall have lost the right of appeal to a higher court by reason of sickness or other disability, and delaying the operation of statute of limitation in such cases.

Mr. STRAUSS, from the Committee on Judiciary General reported as committed, House Bill No. 185, entitled:

A Joint Resolution proposing an amendment to Section one, Article eight, of the Constitution of Pennsylvania.

Mr. CLAYCOMB, from the Committee on Judiciary General reported with a negative recommendation, House Bill No. 90, entitled:

An act to amend an act approved the eighteenth day of March, Anno Domini one thousand eight hundred and seventy-four, entitled "A supplement to an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth, approved the tenth day of April, Anno Domini eighteen hundred and sixty-seven."

Mr. BERNTHEISEL, from the Committee on Counties and Townships, reported as committed, House Bill No. 82, entitled:

An act authorizing and regulating the employment on county highways of male prisoners in county jails and prisons and fixing penalties for violation of this act.

Mr. DOWN, from the Committee on Judiciary Local, reported as amended House Bill No. 132, entitled:

An act to amend an act entitled, 'An act providing for the better management of the jail or county prisons in the several counties of this Commonwealth, having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each, by creating in such counties a board to be known by the name and title of Inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board and the officers appointed by it the safe keeping, discipline, and employment of prisoners, and the government and management of said jails or county prison, approved the 27th day of April, A. D., 1909.

Mr. RAMSEY, from the Committee on Counties and Townships, reported as committed, House Bill No. 88, entitled:

An act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties," approved the twenty-seventh day of June, one thousand eight hundred ninety-five, as amended by the act entitled "An act to amed sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said county' approved June twenty-seventh, one thousand eight hundred and ninety-five, so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies," approved the eighth day of May, one thousand nine hundred and one, by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants.

Mr. WATSON, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 94, entitled:

An act to repeal an act approved the thirteenth day of May, one thousand eight hundred and seventy-six, entitled "An act to exempt pianos, melodeons and organs, leased or hired, from levy or sale on execution or distress for rent."

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed, House Bill No. 97, entitled:

An act regulating the cold storage of food, and providing penalties for violation of this Act.

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 51, entitled:

An act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three, entitled "An act authorizing the laying out of a State road from Ayr township, in Fulton County, to Warren township, in Franklin County; and relating to the collection of taxes in Franklin County."

Mr. J. GRAY, from the Committee on Judiciary General, reported as amended, House Bill No. 194, entitled:

An act requiring the Prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said Courts when filed, to the Superintendent of the Department of Public Printing and Binding, and requiring said Superintendent to have the same printed and a copy thereof mailed to every judge of every court of record of this State.

Mr. H. B. DUNN, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 134, entitled:

An act extending the power and authority of Justice of the Peace and Alderman of the Commonwealth of Pennsylvania in cases of larceny and assault and battery in counties of this Commonwealth where like power and authority have not been heretofore given.

Mr. GEISER, from the Committee on Judiciary General, reported as committed House Bill No. 184, entitled:

An act providing that the appraisers' lists of mercantile licenss shall not hereafter be published.

REASONS FOR REPEAL OF ACTS.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask the consent of the House to offer the reasons for a bill that was introduced, being a repealer of a divorce bill passed at the last session of the Legislature. I desire to ask the consent of the House to place my reasons for such repealer before the House, and have the reasons spread upon the Journal.

The SPEAKER. The Chair hears no objections. The reasons for the introduction of the bill will be read by the Clerk and spread upon the Journal.

The reasons were then read by the Clerk, as follows:

Representatives John R. K. Scott assigns as his reasons for offering a bill to repeal the Act of 1911, which was an amendment of the Act of 1815, pertaining to the right of trial by jury in actions in divorce, the following:

"After the amendment of 1911 had passed both houses and had been signed by the Governor, it was announced in public press by some members that they had voted for the bill without having full knowledge of its contents. It was also announced in public press that the bill had been offered to facilitate the granting of a divorce to a certain prominent individual. The Act was frequently referred to in public press as the "Mellon" Bill, meaning thereby that it was enacted for the advantage of one person.

"Having offered the bill of 1911 to the House, I did so after consultation with many of my fellows on the defects and the merits of the uniform divorce law, which had been introduced at the same session. The discussion as to the demerits of the uniform divorce law was not alone confined to the members of the House, but was entered into by many of the leading members of the Bar and quite a few of the judges. The law as it was then proposed by the uniform divorce law, would have caused endless litigation in determining the meaning of many of its paragraphs, especially that portion pertaining to divorce based upon grounds of cruel and barbarous treatment. It would have compelled all cases to have been heard in open court, with all nauseating and sensational details of the charges. This was considered a serious defect in the proposed legislation, and was condemned by bench and bar. The result of these conferences and discussions ended in draughting of a bill which gave the right to a judge to submit all matters in a divorce case unfit for publication and public hearing to the private hearing of a master. The bill was never enacted for the purpose of depriving any one of trial by jury. The bill has no such provision in it. The highest power given by the bill is, that either side to a divorce proceeding may petition the Court to trial by a master, and in such cases as the court feels that public morals would be corrupted by the hearing and the publishing of the charges, then to have that portion of the case heard by a master and report the same to the court.

"This bill is legislation in the right direction. It is meritorious, and was offered as a meritorious measure, having been draughted not by one alone, but as the result of the thought and endeavor of several members of the Legislature, members of the bar and judges. At no time was any particular individual either thought of or suggested in the enactment of the legislation. I offer the repealer so that members of this House who were members of the last House may give, after full discussion, their mature expression as to the merit of the Act of 1911.

"For my own part, while offering this repealer, it is not my thought to support it. I believe that the Act of 1911 is a meritorious piece of Legislation, and I believe that it has the support of every lawyer who has given it any thought and study.

RESPECT TO MEMORY OF PRESIDFNT M'KINLEY.

Mr. DOWN asked and received unanimous consent to present the following resolution, which was read and unanimously agreed to:

Whereas, Today, January 29, 1913, being the anniversary of the birth of President McKinley, and commonly known as "McKinley Day" therefore,

Be it Resolved, That the House of Representatives of the State of Pennsylvania do now adjourn out of respect and in commemoration of said anniversary, and that this resolution be spread upon the Journal of the House.

ADJOURNMENT.

The SPEAKER. This House stands adjourned to meet tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, JANUARY 30, 1913. No. 8.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 30th 1913.

The House met at 10:00 o'clock A. M.

Th SPEAKER (George E. Alter) in the Chair.

Prayer by the Chaplain, Rev. J. E. Wright.

The SPEAKER: The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of Wednesday, January 29th 1913, when on motion of Mr. Leslie, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. THOMAS. House Bill No. 255.

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. W. F. BLAIR. House Bill No. 256.

An Act providing for the publication and distribution of a revised edition of the Railroad Map of Pennsylvania, heretofore issued by the Department of Internal Affairs; making an appropriation for the work of revising, compiling and proofreading; and an appropriation for printing, binding and mounting the same, and for paper.

Referred to the Committee on Appropriations.

By Mr. CURRY. House Bill No. 257.

An Act making an appropriation to the Saint Mary's Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LESLIE. House Bill No. 258.

An Act to amend an act, entitled "An act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers, approved the eighth day of April, one thousand eight hundred and sixty-eight, by requiring the Recorder of Deeds to record free of charge the discharges of all honorably discharged soldiers, sailors and marines, resident in this Commonwealth, who were enlisted and mustered into the Army, Navy or Marine Corps of the United States.

Referred to the Committee on Military Affairs.

By Mr. NEEL. House Bill No. 259.

An Act to amend an act approved the twelfth day of May, one thousand nine hundred and eleven, entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth, in counties having a population of over two hundred thousand and under one million, and to provide the time of paying the same."

Referred to the Committee on Counties and Townships.

By Mr. MITCHELL. House Bill No. 260.

An Act making valid the bonds or other obligations issued prior to the first day of January, one thousand nine hundred and thirteen, by counties, cities, boroughs, townships, school-districts, and other municipalities, or incorporated districts, not in excess of two per centum of the assessed valuation of taxable property in the respective county, city, borough, township, school-district, or incorporated district, in all cases where there has been a failure to file in the office of the clerk of courts of quarter sessions of the proper county the statement required by the act, entitled "An act to amend section two of an act entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," approved the twentieth day of April, Anno Domini, one thousand eight hundred and seventy-four, abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt, and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due, and the form of statement to be filed, approved the thirteenth day of April, one thousand eight hundred and ninety-seven, and designating the time when said statement must be filed.

Referred to the Committee on Judiciary Special.

By Mr. CURRY. House Bill No. 261.

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women, located at Belgrade Street and Susquehanna Avenue, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MORROW. House Bill No. 262.

An Act repealing section four of an act, entitled "A further supplement to An Act entitled 'An act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for the townships of each class,' approved the twenty-eighth day of April, Anno Domini, one thousand eight hundred and ninety-nine, as to townships of the first class;' providing for certain duties of the secretary of the board of commisioners; invalidating contracts, hirings, purchases, or orders not provided for by, or in excess of, appropriations; providing for inspection of the records and documents by taxpayers, and the method of making contracts;" approved the third day of June Anno Domini, one thousand nine hundred and eleven."

Referred to the Committee on Counties and Townships.

By Mr. JOHN R. K. SCOTT. House Bill No. 263.

An Act repealing an act, entitled "An act supplementing and amending section two of an act, entitled 'An act concerning divorces, approved March thirteenth, one thousand eight hundred and fifteen; regulating the submission of issues of fact to a jury, the appointment of masters in proceedings for divorce; defining the powers of the Court and the practice in relation thereto. Repealing an act approved March tenth, one thousand eight hundred and ninety-nine; approved the twentieth day of April, one thousand nine hundred and eleven.

Referred to the Committee on Judiciary General.

By Mr. ELY. House Bill No. 264.

An Act providing for the transportation to Gettysburg of State Officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg; providing for the expenses of the commission in charge of the transportation, prohibiting misrepresentation in obtaining transportation; fixing penalties for violation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCES.

Mr. MITCHELL asked and obtained leave of absence for Mr. Kitts and Mr. Bayle for the remainder of the week.

Mr. GOSS asked and obtained leave of absence for himself for the balance of the week.

Mr. McALLISTER asked and obtained leave of absence for Mr. Ely and Mr. Shuck for the balance of the week.

Mr. WM. F. BLAIR asked and obtained leave of absence for himself for the balance of the week.

Mr. HERMAN asked and obtained leave of absence for himself for the balance of the week.

REPORT OF PHILADELPHIA SAVING FUND SOCIETY.

The SPEAKER. The Chair lays before the House report of the Auditors of the Philadelphia Saving Fund Society dated January 1st, 1913, which will be noted on the Journal and printed in the Appendix of the Legislative Journal.

(See Appendix).

PETITIONS.

FAVORING SUPPRESSION OF PROSTITUTION BY INJUNCTION.

Mr. HEIDENGER presented the petition of Citizens of Philadelphia, praying for the passage of a bill to suppress prostitution by injunction.

Which was referred to the Committee on Law and Order.

Mr. EHRHARDT presented the petition of Citizens of Lackawanna County, praying for the passage of a bill to suppress prostitution by injunction.

Which was referred to the Committee on Law and Order.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. Bill No. 10, entitled:

A Joint resolution providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturing companies of this State of the law governing the withholding of wages from employes and the maintenance of company stores and providing for the employment of counsel and necessary help making an appropriation for the expenses and giving such commission the necessary powers to make its investigations and providing penalties for contempt of its authority.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Mr. STEIN. Mr. Speaker, with your permission I would like to say a word of explanation concerning the meaning, and the intention of the proposed bill. You can see gentlemen this is a joint resolution, asking for the appointment of a joint commission of three members of the House, three Senators and three citizens at large, by the Governor. This Commission is asked to investigate complaints by various labor organizations and merchants' associations of Western Pennsylvania. The thing complained against is the open and continuous and flagrant violation of the laws of Pennsylvania, regarding the maintenance and operation of combination stores which are prohibited by law. I may say, gentlemen, that the complaint is confined almost exclusively to Western Pennsylvania, where the mining and manufacturing Companies pay almost no attention to the expressed regulation laid down by the law. We also say that this violation has been repeated for probably twenty to thirty years notwithstanding the fact that it was made illegal by express statute regulation.

I have a resolution from the Pennsylvania Federation of Labor, in which they say the representatives of approximately 800,000 working men and women have resolved with an appeal to the members of organized labor in every section of the mining and manufacturing district and asked them to lend them assistance, and every assistance they could, to this resolution in order that justice may be done. Also a similar resolution from the Iron Trades—a resolution from Pittsburgh representing 700,000 laboring men and women, asking the gentlemen representing them that this is in the name of organized labor—in the name of both as set forth—they have been allied in the name of fair play for both employer and employee. The bill simply calls for a commission to investigate the complaints that are made. It does not enact anything new; it does not change any law already existing. It simply calls for an open and honest investigation by the State and by this House in order that we may know whether this law is actually being defied or whether or not the complaint is groundless.

Mr. LOWERS. Mr. Speaker, coming from the mining and manufacturing District of Western Pennsylvania, I feel that after having come in contact with a great many men employed in the mills and mines there and having heard, personally, their complaint as to the manner of conducting these company stores I am ready to believe that this measure is a wise one. That conditions are such as would warrant investigation. I have been told time and again both by miners and mill workers that they were compelled to trade with so-called company stores or "pluck-me" stores, and if they didn't do so they would lose their positions. This being the case the bill meets with my approval and I believe that the House at this time should pass this measure and that the conditions should be investigated.

And said bill having been read at length the third time, considered and agreed to,

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows:

YEAS—133,

Alworth,	Good,	Light,	Rhoads,
Baldwin, R. J.,	Goss,	Lohr,	Riebel,
Barner,	Grabe,	Lowers,	Rockwell,
Bass,	Gramley,	Mannion,	Rothenberger,
Benninger,	Gray, Frank,	Martin,	Runk,
Benson,	Gray, Joseph,	Mather,	Sassaman,
Bergey,	Haggerty,	Matt,	Savacool,
Bigger,	Heidinger,	McAleer,	Scott, S. B.,
Bittles,	Hemminger,	McAllister,	Semmens,
Blair, W. A.,	Herman,	McClintock,	Shaffer, I. E.,
Blair, W. F.,	Hess,	McDermott,	Sherwood,
Bleloch,	Hibshman,	McKay,	Showalter,
Body,	Hobbs,	Mechling,	Smith, J. W.,
Brosius,	Hoffman,	Mellott,	Smith, L.,
Brown,	Howard, R.,	Metzenbacher,	Snavely,
Brownlee,	Humes,	Miller,	Steele,
Burnett,	Isler,	Missimer,	Stein,
Campbell, C.M.,	Irwin, G. C.,	Mitchell,	Stone,
Carson,	Irwin, H. H.,	Morrow,	Strauss,
Carter,	Jackson,	Moses,	Swartz,
Cheeseman,	Jones, E. E.,	Moulthrop,	Swift,
Claycomb,	Jones, J. R.,	Murphy,	Trach,
Cleary,	Kaufman,	Musser,	Ulerich,
Conniff,	Keeport,	Neel,	Ulman,
Currier,	Kennedy,	Newbaker,	Walnut,
Davis,	Kern,	Newton,	Walton,
Dickinson,	Klepper,	Peachey,	Whitaker,
Donnally,	Kuhn, H. P.,	Pennegar,	Whitman,
Down,	Kuhns, E.G.M.,	Pennock,	Wildman,
Dunn, H. L.,	Lanius,	Perry, H. L.,	Williams,
Dunn, J. A.,	Latshaw,	Peters,	Wiltbank,
Ehrhardt,	Lenker,	Post,	Young, G. K.
Foster, J. D.,	Leslie,	Price,	Zimmerman,
Geary,		Ramsey,	Alter,
Gibson,			Speaker.
Glenn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed consideration on third reading of House Bill No. 13, entitled:

A joint resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America which provides that senators shall be elected by the people.

On the question,

Will the House agree to the bill on third reading?

Mr. E. E. JONES. Mr. Speaker, I ask unanimous consent to present the following amendments.

The folowing amendment was read by the Clerk:

Amend on page 3, line 44. Change the word "sixty-first" to "sixty-second."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. E. E. JONES. Mr. Speaker, I ask unanimous consent to present the following further amendment.

The amendment was read by the Clerk as follows:

Amend line 48, add letter "y" to "secretar."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read?

Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

The SPEAKER. House Bill 44 has not been received from the printer. It is not on the desks of the members and cannot be acted upon at this time. Next on the calendar are bills on first reading. The printer has not yet furnished today's calendar for first reading. The Constitution prohibits consideration of bills on first reading until they have first been printed for the use of the members. It is impossible, therefore, for the House at this time to consider this first reading calendar. It is a question for the House to consider whether we shall now adjourn or take a recess in the hope that the bills may be furnished later in the day.

CHAPLAIN'S PRAYER.

Mr. MITCHELL asked and obtained unanimous consent for the presentation of the following Resolution, which was twice read, considered and agreed to:

Resolved, That the opening praper of the Chaplain, Rev. J. Elliott Wright be reported daily and spread at length upon the Legislative Journal.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 10:35 A. M.) the House adjourned until Monday evening, February 3rd, 1913, at eight o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, FEBRUARY 3, 1913. No. 9.

SENATE.

MONDAY, February 3, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. JARRETT asked and obtained leave of absence for the Senator from Franklin, Mr. Hoke, for tonight and tomorrow.

Mr. HERBST asked and obtained leave of absence for the Senator from Elk, Mr. Hall, for the balance of the week, on account of illness.

Mr. HERBST asked and obtained leave of absence for the Senator from Philadelphia, Mr. Farley, for tonight's session.

Mr. McNICHOLS asked and obtained leave of absence for the Senator from Armstrong, Mr. Graff, for the balance of the week, on account of illness.

Mr. HUFFMAN asked and obtained leave of absence for the Senator from York, Mr. Wasbers, for tonight's session.

FAVORING LEGISLATION RECOMMENDED BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Law and Order:

Columbia, Pa., Jan. 20, 1913.

Hon. John K. Tener,

Dear Sir:—

We the undersigned members of the Columbia Ministerial Association desire to express our commendation of the progressive legislation proposed by your honor in your recent message.

We look with special favor on that part of your message in reference to the regulation and licensing of social and other clubs which dispense liquor.

Assuring you that you have our support in all matters that make for public welfare, we are yours for a model state,

GEORGE F. SCHAUM,
W. I. REED,
J. H. PENNEBECKER,
GEO. WELLS ELY,
A. C. ERNEST,
JOSEPH DAUGHERTY,
EDGAR GRIM MILLER,
IRVIN T. EDWARDS,
G. W. GENSYLER,
O. M. KRABILL.

Dear Sir:—

We desire to call your attention to the above letters signed copy of which has been forwarded to the Governor.

GEORGE F. SCHAUM,
Secretary.

For the Association.

BILLS INTRODUCED.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 111, entitled:

An Act relating to grade crossings, providing for the abolishing of railroad crossings at grade over streets roads highways within cities, boroughs and townships of the first class in this Commonwealth and for the payment of the costs and expenses incurred in making the necessary changes and the damages resulting therefrom, and in the maintenance, repair and reconstruction of the ways and structures erected in lieu of said grade crossings; and by whom, how and in what parts or proportions the state city, borough or township and the several railroad companies shall contribute to the said damages, costs and expenses and also providing a method of procedure in the proper courts for said purposes.

Which was committed to the Committee on Railroads.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 112, entitled:

An Act making an appropriation to "The American Philosophical Society held at Philadelphia for Promoting Useful Knowledge," for the erection and equipment of a building in Philadelphia to be known as "Franklin House" to contain, preserve and display original documents and relics relating to Benjamin Franklin; and other material relating to the early history of the Province and State of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HERBST read in his place and presented to the Chair Senate Bill No. 113, entitled:

An Act to regulate the nominations and election of public officers, requiring certain expenses thereto to be paid by the several counties and those parties or organizations making nominations, and punishing certain offenses in regard to such election.

Which was committed to the Committee on Elections.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 114, entitled:

An Act taxing the succession or transfer of estates after death, other than to collateral heirs, and providing for the collection and distribution of such tax.

Which was committed to the Committee on Judiciary General.

Mr. JUDSON read in his place and presented to the Chair Senate Bill No. 115, entitled:

An Act making an appropriation to the City Hospital Association, of Washington, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways, and providing a penalty.

Which was committed to the Committee on Judiciary General.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS INTRODUCED.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 117, entitled:

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 118, entitled:

An Act providing for the furnishing of a room in the building erected by the Women's Relief Corps in the Andersonville Prison Grounds, at Andersonville, Georgia, creating a commission for such purpose, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 119, entitled:

An Act making an appropriation to the Protestant Home for Boys, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 120, entitled:

An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth.

Which was committed to the Committee on Elections.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 121, entitled:

An Act authorizing D. L. Saul and Flora W. Saul, his wife, residents of the City of Harrisburg, Dauphin County, Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin County any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol Building at Harrisburg, Dauphin County, Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 122, entitled:

An Act making an appropriation to the Messiah Rescue and Benevolent Home, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 123, entitled:

An Act to repeal the second section of an act approved the 8th day of February, 1865, entitled "An act relating to the pay of certain officers, and of jurors and witnesses in the County of Bucks;" and also to repeal an act approved the 27th day of February, 1873, entitled "An act relative to the pay of jurors in the County of Bucks."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 124, entitled:

An Act to amend the act approved the 12th day of June, A. D. 1893, entitled "An act relating to sale of the real estate of decedents."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 125, entitled:

An Act regulating the payment of any deposit made with any bank, trust company, or savings institution in the name of two persons.

Which was committed to the Committee on Judiciary General.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 126, entitled:

An Act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Western Pennsylvania at Polk, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 127, entitled:

An Act making an appropriation to the Girls Training School of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 128, entitled:

An Act making an appropriation to the Florence Crittendon Mission of the City of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 129, entitled:

An Act making an appropriation to the Aged Colored Women's Home of the City of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 130, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 131, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 132, entitled:

An Act making an appropriation to the Boys' Industrial Home of the City of Williamsport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 133, entitled:

An Act to provide for the payment of wages in lawful money of the United States every two weeks.

Which was committed to the Committee on Judiciary General.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 134, entitled:

An Act making an appropriation to the West Side Hospital Association of the City of Scranton.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 135, entitled:

An Act making an appropriation to Midvalley Hospital.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 136, entitled:

An Act making an appropriation for the Associated Charities and Humane Society of Lackawanna County.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 137, entitled:

An Act regulating trial by jury in civil causes in court of record of this Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 138, entitled:

An Act providing that no judgment shall be set aside or reversed or a new trial granted unless the error complained has injuriously affected the substanial rights of the parties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 139, entitled:

An Act providing what effect shall be given to admission to practice in the Supreme Court when the person so admitted applies for admission to practice in the other courts of this Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 140, entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 141, entitled:

An Act to authorize the Supreme Court from time to time to adopt and promulgate general rules of practice for all the courts of record of one kind in this Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 142, entitled:

An Act relating to the beginning of actions.

Which was committed to the Committee on Judiciary General.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 143, entitled:

An Act making an appropriation to the Salvation Army Rescue, Children's Home and Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriation.

Also read in his place and presented to the Chair Senate Bill No. 144, entitled:

An Act making an appropriation to the County of Philadelphia to aid in the construction, paving and improvement of its public streets, roads and highways.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 145, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 146, entitled:

An Act to amend an act approved the 20th day of April, 1911, entitled "An act providing for the burial indigent persons whose bodies are unclaimed and are unfit for anatomical purposes."

Which was committed to the Committee on Public Health and Sanitation.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 147, entitled:

An Act regulating appeals from tax and other public accounts, settlements of the fiscal officers of the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 148, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries.

Which was committed to the Committee on Appropriations.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 149, entitled:

An Act making an appropriation to the Wyoming Valley Society for the Prevention and Treatment of Tuberculosis of Wilkes-Barre, Pennsylvania.

Which was committed to the Committee on Appropriations.

CONCURRENT RESOLUTION FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT TO THE NEXT SESSION OF THE LEGISLATURE ALL MATTERS PERTAINING TO COLD STORAGE AND THE PRESERVATION OF FOOD PRODUCTS.

Mr. KLINE offered the following resolution, which was twice read and referred to the Committee on Public Health and Sanitation:

A concurrent resolution for the appointment of a Commission to investigate and report to the next session of the Legislature all matters pertaining to cold storage, and the preservation of food products, and the length of time goods shall remain under refrigeration or cold storage, and to the branding and sale of such articles, and making an appropriation to meet the expenses of the said Commission.

Whereas, There has been and is, considerable agitation regarding cold storage, and the preservation of food products, as well as the length of time that goods shall remain under refrigeration or cold storage, and the proper branding and sale of such articles.

And Whereas, It is of the utmost importance that a thorough and complete investigation and study of the whole matter of refrigeration and cold storage should be made at the present time.

Therefore, Be It Resolved, (if the House concur) That a Committee of five members of the General Assembly, three to be appointed by the President pro tempore of the Senate, and two by the Speaker of the General Assembly to investigate at the earliest possible moment, and to report at the next session of the General Assembly a comprehensive bill covering the following questions:—

1. The necessity of cold storage, and the proper provisions for the protection of perishable products.
2. The value of such products to the producer, and the community, at the period of the greatest production when the supply exceeds the demand, and at all other times.
3. The length of time articles should remain under refrigeration or cold storage.
4. Whether refrigerator or cold storage products shall be branded, and if so, what shall be determined to be refrigerator products or cold storage products, or both.
5. The effect on the price of commodities by reason of placing them under mechanical refrigeration or cold storage.
6. The relation for cold storage or refrigeration to the high cost of living.
7. The effect of cold storage legislation in other States.
8. The advisability of a uniform cold storage or refrigeration law; provided that the actual expenses incurred by the committee shall not exceed the sum of $10,000, which shall be provided for in the general appropriation bill.

COMMUNICATIONS FROM THE GOVERNOR

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, Feburary 3, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

Albert J. Walker, Pittsburgh, February 6, 1913.
J. B. McNillan, Braddock, February 9, 1913.
James L. Lowry, Sharpsburg, February 22, 1913.
Harry N. Corwin, Pittsburgh, February 27, 1913.
Miss Emma H. Goodwin, Pittsburgh, February 27, 1913.
Fred O. Henzi, Pittsburgh, February 27, 1913.
Godfrey W. Lerch, Pittsburgh, February 27, 1913.
Neal J. McBride, Pittsburgh, February 27, 1913.
Ernest D. McCafferty, Pittsburgh, February 27, 1913.
W. D. Rankin, Pittsburgh, March 10, 1913.
Walter K. Elder, Wilkinsburg, March 10, 1913.
A. M. Clements, Wilmerding, March 10, 1913.

BLAIR COUNTY.

Samuel Blair Hare, Altoona, February 23, 1913.

BUCKS COUNTY.

Charles R. Althouse, Sellersville, April 5, 1913.

BUTLER COUNTY.

Victor A. Barnhart, Evansburg, March 10, 1913.
J. Harvey Bell, Washington Twp., March 10, 1913.

CAMBRIA COUNTY.

Miss Myrtle R. Johnston, Johnstown, February 27, 1913.

CARBON COUNTY.

Douglas Craig, Mauch Chunk, February 23, 1913.

CHESTER COUNTY.

John H. Voorhees, Kennett Square, February 10, 1913.

COLUMBIA COUNTY.

S. F. Peacock, Bloomsburg, February 9, 1913.

CUMBERLAND COUNTY.

E. M. Biddle, Jr., Carlisle, March 10, 1913.

DELAWARE COUNTY.

J. Willard Hoopes, East Lansdowne, March 10, 1913.

ELK COUNTY.

J. M. Troxell, Ridgway, February 27, 1913.

FAYETTE COUNTY.

J. B. Kurtz, Connellsville, February 9, 1913.

GREENE COUNTY.

J. S. Kennedy, Mt. Morris, March 29, 1913.

LACKAWANNA COUNTY.

Arthur D. Dean, Scranton, February 27, 1913.
B. E. Fistor, Scranton, March 10, 1913.
John Lentes, Scranton, March 10, 1913.

LANCASTER COUNTY.

Charles F. Hager, Lancaster; February 27, 1913.
Frank M. Trout, Bart Township, March 23, 1913.

LEBANON COUNTY.

H. G. Light, North Lebanon Twp., February 20, 1913.

LEHIGH COUNTY.

Robert L. Stuart, Allentown, February 27, 1913.

LYCOMING COUNTY.

Dan D. Kline, Williamsport, March 10, 1913.

LUZERNE COUNTY.

William Brooke Yeager, Wilkes-Barre, February 13, 1913.
Anthony T. Walsh, Pittston, March 23, 1913.

MIFFLIN COUNTY.

William S. Settle, Lewistown, February 27, 1913.

NORTHAMPTON COUNTY.

Henry McKeen, Jr., Easton, March 10, 1913.

NORTHUMBERLAND COUNTY.

Ralph L. Belford, Milton, March 10, 1913.
Miss Edna J. Russell, Shamokin, March 10, 1913.
A. C. Shoener, Zerbe Twp., March 10, 1913.

PHILADELPHIA COUNTY.

Thomas G. Hawkes, Philadelphia, February 5, 1913.
Joseph M. Mitcheson, Philadelphia, February 5, 1913.
Alexander Park, Philadelphia, February 6, 1913.
Charles H. Dalrymple, Philadelphia, February 9, 1913.
Edmund S. Mills, Philadelphia, February 9, 1913.
Charles F. Phillips, Philadelphia, February 10, 1913.
T. Roy Phillips, Philadelphia, February 10, 1913.
George W. Harkins, Jr., Philadelphia, February 11, 1913.
Charles C. Klockner, Philadelphia, February 12, 1913.
Benjamin H. Renshaw, Philadelphia, February 13, 1913.
Jacob Mann, Philadelphia, February 26, 1913.
Joseph W. Mills, Philadelphia, February 26, 1913.
Miss M. Elva Neville, Philadelphia, February 26, 1913.
Henry K. Fries, Philadelphia, February 27, 1913.
Harry S. Kaestner, Philadelphia, February 27, 1913.
Theodore N. M'Calla, Philadelphia, February 27, 1913.
H. E. Blackman, Philadelphia, March 10, 1913.
Louis M. Fleisher, Philadelphia; March 10, 1913.
Miss A. E. Mahan, Philadelphia, March 10, 1913.
George A. Nahm, Philadelphia, March 10, 1913.
G. Lawrence Pape, Philadelphia, March 10, 1913.
Walter H. Phillips, Philadelphia, March 10, 1913.
Joseph J. Rosenbluth, Philadelphia, March 10, 1913.
Pasquale Ruggiero, Philadelphia, March 10, 1913.
E. Laurence Webster, Philadelphia, March 10, 1913.
Charles R. Wentz, Philadelphia, March 10, 1913.
Walter F. Henry, Philadelphia, April 10, 1913.
C. H. Gilbert, Philadelphia, April 21, 1913.

POTTER COUNTY.

William G. Kline, Galeton, February 27, 1913.

SCHUYLKILL COUNTY.

Mrs. Kate Biltz, Girardville, February 6, 1913.
Daniel J. Ferguson, Shenandoah, February 28, 1913.

WASHINGTON COUNTY.

J. L. Curry, Finleyville, March 10, 1913.

WESTMORELAND COUNTY.

Howard H. Whitehead, Greensburg, February 22, 1913.
Chauncey E. Duvall, Monessen, March 10, 1913.
E. C. Ramsey, Ligonier, March 10, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 3, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

George Rosser, Carnegie.
Smith W. Hill, Hays.
T. J. McGovern, Knoxville.
N. N. Criss, Pittsburgh.
Miss Rilla G. Mackey, Pittsburgh.
W. C. McClure, Pittsburgh.
David B. Oaks, Pittsburgh.

BEDFORD COUNTY.

Miss Lulu V. Naus, Bedford.

BERKS COUNTY.

Arthur I. A. Beilin, Reading.

BUCKS COUNTY.

Alfred N. Firman, Northampton Township.

BUTLER COUNTY.

John Murrin, Butler.

CARBON COUNTY.

Elmore G. Tacy, Palmerton.

GREENE COUNTY.

William I. Pomeroy, Mt. Morris.

INDIANA COUNTY.

William F. M. Gatti, Center Township.

LACKAWANNA COUNTY.

Miss Pearle Townsend, Scranton.

LAWRENCE COUNTY.

George T. Weingartner, New Castle.
Joseph C. McMillin, New Castle.

LYCOMING COUNTY.

William R. Peoples, Jersey Shore.

PHILADELPHIA COUNTY.

Alan Cowdrick, Philadelphia.
Miss Eleanor A. Deane, Philadelphia.
Samuel T. Fox, Philadelphia.
Bronte Greenwood, Jr., Philadelphia.
Edward F. Hitchcock, Philadelphia.
Thomas S. Louderback, Philadelphia.
Melchior V. MacGlaughlin, Philadelphia.
C. Marot Townsend, Philadelphia.
Harry C. Weber, Philadelphia.

POTTER COUNTY.

Mrs. B. L. Van De Boe, Shinglehouse.

TIOGA COUNTY.

Thomas A. Fessler, Elkland.

VENANGO COUNTY.

John L. Nesbit, Franklin.

WASHINGTON COUNTY.

L. C. Bamford, Midway.

YORK COUNTY.

J. W. Brooks, Fawn Grove.

JOHN K. TENER.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania, Executive Chamber,
Harrisburg, February 3, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylavnia:

Gentlemen:—

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be Justices of the Peace in and for the municipalities indicated after their several names, to serve until the first Monday of January, 1914:—

Isidor Einstein, Borough of Palmerton, County of Carbon; William Gross Mingle, Borough of Centre Hall, County of Centre; James Black, Jr., Boro. of Rices Landing, County of Greene.

JOHN K. TENER.

HOUSE BILL FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate for concurrence bill of the House of Representatives as follows: House Bill No. 10, entitled:

A joint resolution providing for the appointment of a commission to investigate and report upon the complaints made relating to the violation by mining and manufacturing companies of this State of the law governing the withholding of wages from employees and the maintenance of company stores and providing for the employment of counsel and necessary help making an appropriation for the expenses and giving such commission the necessary powers to make its investigations and providing penalties for contempt of its authority

Which was committed to the Committee on Mines and Mining.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 3, entitled:

An act validating certain elections of counties boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 14, entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred and one entitled "An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townsips of the first class' by extending the act to include townships of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 21, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. JONES. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 8, entitled:

An Act for the protection of the public health and the prevention of fraud and deception in the manufacture, labeling or sale of milk products defining such milk products, fixing the standards thereof, and providing penalties for the violation of the provisions of this act.

Also from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 12, entitled:

An Act supplementary to an act, entitled "An act for the protection of the public health by prohibiting the sale offering for sale, exposing for sale, or having in possession with intent to sell of eggs unfit for food as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," approved the 11th day of March, A. D. 1909, providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries, making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts, and providing penalties for the neglect or refusal to perform such duty.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjorun until tomorrow morning at 11 o'clock.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:38 P. M. until 11 o'clock Tuesday morning, February 4, 1913.

HOUSE OF REPRESENTATIVES.

MONDAY, February 3, 1913.

The House met at 8:00 P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

Oh God, we reverently acknowledge Thy guardianship, and loving care. We have gone to our homes and have returned in safety because Thou has kept us, and we make mention of the fact with gratitude and gladness. We thank Thee for the home relationships which Thou hast assigned us, for the ties which bind us to those who are there, and who are thinking of us as we are thinking of them, and we commend them to Thee. Now as we assemble for the work which brings us from our homes we pray for Thy presence and blessing. Our help is in the name of the Lord who made Heaven and earth and we turly believe that He will fulfill the desire of those who fear Him. May it be so with us. Wilt Thou bless Thy servant, the presiding officer of this Assembly, continuing to him the health and strength which he now enjoys, and giving him daily help according to his daily needs, and may all men who deliberate and vote, who shape the legislation and who frame the laws, be earnest and honest men, inspired by high ideals and governed by lofty principles. May no evil thought or purpose or passion pervert any mind or control any heart, but may all seek to know the truth and to do the right. And wilt Thou bless the men who record the proceedings of this Assembly and upon whose fidelity and alertness and skill so much depends, and qualify them for efficient work. And may all men in official relation, not merely in this Commonwealth but in all the Commonwealths of our nation, be true men so that righteousness may prevail through all our nation, and the people be prosperous. We ask this in the name of that sovereign Lord whom we reverently honor and are trying to serve. Amen.

The SPEAKER. The Journal of the proceedings of January 27, 1913, being now printed and on the desks of the members will be read by the Clerk.

The Clerk proceeded to read the Journal of Monday, January 27, 1913, when on motion of Mr. North, the further reading was dispensed with and the Journal approved.

The SPEAKER. The Clerk will now read the Journal of our last session, Thursday, January 30th, 1913.

The Clerk proceeded to read the Journal of Thursday, January 30th, 1913, when on motion of Mr. Young, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BLELOCH. House Bill No. 264.

An Act making an appropriation to The Pennsylvania Institution for the Deaf and Dumb for maintenance and education of State Pupils and also a special appropriation for one deaf dumb and blind pupil.

Referred to Committee on Appropriations.

By Mr. WALTER ALLEN BLAIR. House Bill No. 265.

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties; authorizing the holding of elections for the approval thereof, and the appointment of boards of directors to erect and manage the same; providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals; imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals; and prescribing the duties and powers of the board of directors.

Referred to Committee on Public Health and Sanitation.

By Mr. REIBEL. House Bill No. 266.

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission, for various purposes.

Referred to Committee on Appropriations.

By Mr. BLELOCH. House Bill No. 267.

An Act making an appropriation to the Germantown Dispensary and Hospital, in the City of Philadelphia.

Referred to Committee on Appropriations.

By Mr. McCLINTOCK. House Bill No. 268.

An Act making the real and personal property of certain corporations and companies taxable for county, city, borough, town and township purposes.

Referred to Committee on Ways and Means.

By Mr. LOWERS. House Bill No. 269.

An Act making an appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 270.

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process.

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 271.

An Act to amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act increasing the salaries of tipstaves in the Courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five, by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June, Anno Domini one thousand nine hundred and eleven, by further changing the limit of population of such counties.

Referred to Committee on Judiciary General.

By Mr. MILLER. House Bill No. 272.

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 273.

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Referred to Committee on Appropriations.

CHARGES FOR IMPEACHMENT OF HON. HENRY A. FULLER PRESIDENT JUDGE OF THE ELEVENTH JUDICIAL DISTRICT.

The SPEAKER. The Chair has received from Thomas D. Shea, Esq., of Wilkes-Barre, Pa., certain charges addressed to the House of Representatives, asking for the impeachment of Henry A. Fuller, president Judge of the 11th Judicial District.

This is referred to the Committee on Judiciary General.

REPORT OF WESTERN SAVINGS FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1912.

The CHAIR laid before the House the Sixty-Sixth Annual Report of the Auditors of the Western Savings Fund Society of Philadelphia for the year 1912.

(For report see Appendix).

REPORTS FROM COMMITTEES.

Mr. FREY, from the Committee on Judiciary General, reported as amended, House Bill No. 63, entitled:

An Act relating to the furnishing of gas, water, or electricity by persons, companies and coroprations to be paid for by the consumers by meter measure, prohibiting over-charges therefor and providing penalties for the violations of the same.

LEAVES OF ABSENCE.

Mr. MITCHEL asked and obtained leave of absence for Mr. Bayle and Mr. Redfield until Wednesday morning.

Mr. MATT asked and obtained leave of absence for Mr. Snavely indefinitely on account of illness.

Mr. GRAMLEY asked and obtained leave of absence for Mr. Showalter for this session.

RESOLUTIONS.

APPOINTMENT OF COMMISSION TO REVISE THE CRIMINAL LAWS.

Mr. McALEER, presented the following resolution, which was twice read, and laid over under the rules.

In The House, January 27, 1913.

Be it Resolved (if the Senate concur), That the Governor of the Commonwealth be and is hereby authorized to appoint a Commission to revise the criminal laws of the Commonwealth of Pennsylvania; that said Commission shall be composed of nine members, two of whom shall be members of the present House of Representatives, and two of whom shall be members of the present Senate of this Commonwealth, and five of whom shall be appointed from the State at large, not more than four members of said Commissions to be members of the same political party; that one member of said Commission shall be designated as Chairman by the Governor, and that the members of the Commission appointed from the Senate and House of Representatives shall serve without compensation:

That the expenses of said Commission shall not exceed the sum of thirty thousand dollars, which shall be appropriated in the general appropriation bill, the expenses to be paid on warrants duly signed by the Chairman of the Commission. The said Commission shall be autnorized to select one or more attorneys, a secretary and a stenographer, all of whom shall be paid from the said appropriation of thirty thousand dollars;

That said Commission shall make a report of its deliberations to the next Legislature, which will convene on the first Tuesday of January, A. D. 1915.

Resolved Further, That said Commission be directed to report a codification of the criminal laws as at present existing, and to report separately the amendments or changes it recommends therein.

RELATIVE TO COUNTY OFFICERS OF PHILADELPHIA.

Mr. McCLINTOCK, offered the following resolution, which was twice read and laid over under the rules.

A CONCURRENT RESOLUTION.

Proposing an amendment to article fourteen, section two of the Constitution of the Commonwealth of Pennsylvania.

Section 1. Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania, (if the Senate concur), That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth article thereof.

Amend section two of article fourteen of said Constitution which reads as follows:

"Section 2. County officers shall be elected at the municipal elections and shall hold their offices for the term of four years, beginning on the first Monday of January next after their election, and until their successors shall be duly qualified; all vacancies not otherwise provided for, shall be filled in such manner as may be provided by law," so as to read as follows:

Section 2. In the County of Philadelphia the coroner, recorder of deeds, county commissioners, and county treasurer shall be appointed by the Mayor of the city of Philadelphia, subject to the approval of Councils of the City of Philadelphia, but the county treasurer shall not be eligible to succeed himself. The register of wills in the county of Philadelphia shall be appointed by the judge of the orphans' court of said county, and the clerk of the court of oyer and terminer and quarter sessions of the peace in the County of Philadelphia shall be appointed by the Judges of the courts of common pleas. All other county officers shall be elected at the municipal elections and all county officers shall hold their offices for the term of four years, beginning on the first Monday of January next after their election or appointment, and until their successors shall be duly qualified; all vacancies not otherwise provided for shall be filled in such manner as shall be provided by law.

INVESTIGATION OF PERSONS HOLDING MORE THAN ONE POSITION.

Mr. GEISER, offered the following resolution, which was twice read and laid over under the rules.

In The House of Representatives.

Whereas, It is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services redered.

Therefore be it

Resolved, That a Committee of five members of the House of Representatives, to be appointed by the Speaker of the House two of whom shall be Democrats, shall be and are hereby constituted a committee to inquire into the facts and to make report of their findings to the House within thirty days. Such committee shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a Committee of the House of Representatives.

REQUESTING INFORMATION FROM THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION COMMISSION.

Mr. MATT, offered the following resolution, which was twice read and laid over under the rules.

Whereas, There was created by joint resolution approved the fourteenth day of June, 1911, a Commission to provide for the participation of the State of Pennsylvania in the Panama-Pacific International Exposition to be held in San Francisco, California, in 1915, and

Whereas, By said resolution the sum of $50,000 was appropriated to defray the expenses of said Commission;

Therefore be it

Resolved, That said Commission be and it is hereby directed to furnish to the House of Representatives within five days, a full complete and itemized statement of all expenditures made by said Commission out of the appropriation made to it; and also a statement containing the name of each and every person, whether a member of said Commission or not, who accompanied said Commission in its trip to San Francisco, California, and also furnish this House with full information as to the purpose of said trip to San Francisco, and as to its actual business transactions while there.

REQUESTING INFORMATION FROM ATTORNEY-GENERAL RELATIVE TO BELL TELEPHONE COMPANY.

Mr. JAMES J. CAMPBELL, offered the following resolution, which was twice read and laid over under the rules.

Whereas, Article 3, Section 7, of the Constitution of the Commonwealth enumerates the subjects which the General Assembly is prohibited from authorizing inter alia exempting property from taxation; and

Whereas, Article 9, of the Constitution, referring to uniformity of taxation, reads as follows:

"Section 1. All taxes shall be uniform upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity."

"Section 2. All laws exempting property from taxation other than the property above mentioned, shall be void."

"Section 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party."

And Whereas, The Bell Telephone Company claimed a legal right to exemption from taxation, and has for a number of years failed to pay taxes on the following properties in the City of Philadelphia, to wit:

Building and Exchange, 17th & Filbert Sts.,	$125,000
Building, 4th & Manning Sts.,	85,000
Building, 54th & Woodland Ave.,	57,000
Exchange, Lancaster Ave. & Media St.,	50,000
Building, Preston N. of Market,	35,000
Building, 1705 S. Broad St.,	30,000
Building and Exchange, 1639 Poplar St.,	28,000
Exchange, 3200 N. 17th St.,	25,000
Office Building, 8320 Germantown Ave.,	20,000
Office Building, 1632 Diamond St.,	16,400
Exchange, Hope & Berks Sts.,	15,000
Building, 32 W. Chelten Ave.,	14,000
Office Building, 1640 Church St.,	14,000
Exchange, 4336 Terrance St.,	4,500

And Whereas we are informed that in other cities and towns of the State similar properties are exempeted; therefore

Resolved, That the Attorney-General of the Commonwealth be requested to furnish the House of Representatives with information by what authority the Bell Telephone Company within the State of Pennsylvania claims the

right to exemption under the Constitution or the law from the payment of taxes on the aforesaid properties.

RESOLUTION FIXING THE MANNER OF SELECTING SEATS BY THE MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Mr. BROWNLEE, offered the following resolution, which was twice read and laid over under the rules.

Resolved, That hereafter seats shall be drawn by the members of the House of Representatives at the beginning of each session, as follows:

First: Immediately after the members are sworn in, the chief clerk shall place in a box prepared for that purpose a number of small balls, of marble or other material, equal to the number of the members of the House, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the member whose name on a numbered alphabetical list shall correspond with the number of the ball shall advance and choose his seat for which he is elected.

Second: Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished; and whenever the seats of members shall have been drawn, no proposition for a second drawing shall be in order during that session of the General Assembly.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 70, entitled:

A joint resolution proposing an amendment to section seven, article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 34, entitled:

An act providing for the safety of persons from fire or panic in certain buildings other than cities of the first and second classes requiring proper exits fire-extinguishers and other preventives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 24, entitled:

An act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real esate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 11, entitled:

An act to provide for an additional law judge of the several courts of the Forty-seventh judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2, entitled:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamhplet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 89, entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 66, entitled:

An Act to authorize the appointment by the County Commissioners of Twelve (12) Assessors in Counties having not less than two hundred twenty-five thousand inhabitants; prescribing their powers, duties and procedure and fixing salaries to be paid by the proper county and the method of their appointment and abolishing the office of ward, borough and township assessors in so far as respects the assessment of State and county taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 185, entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 82, entitled:

An Act authorizing and regulating the employment on county highways of male prisoners in county jails and prisons, and fixing penalties for violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 132, entitled:

An Act to amend an act, entitled "An Act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants each by erecting in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons;" approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

An Act to amend the first section of an act, entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties;" approved the twenty-seventh day of June, one thousand eight hundred ninety-five as amended by the act, entitled "An Act to amend sections one and sixteen of an act, entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditors in said county,' approved June twenty-seventh, one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies;" approved the eighth day of May one thousand nine hundred and one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 97, entitled:

An Act regulating the cold storage of food and providing penalties for violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 51, entitled:

An Act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February, one thousand eight hundred and fifty-three, entitled "An Act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County, and relating to the collection of taxes in Franklin County."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 194, entitled:

An Act requiring the Prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said courts when filed to the Superintendent of the Department of Public Printing and Binding, and requiring said Superintendent to have the same printed and

a copy thereof mailed to every judge of every court of record of this State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act regulating the cold storage of food and providing penalties for violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 28, entitled:

An Act to amend an act approved the eighth day of June one thousand eight hundred and ninety-three, entitled "An Act relating to mandamus," as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine, entitled "An Act to amend section one of the act entitled 'An Act relating to mandamus,' approved the eighth day of June one thousand eight hundred and ninety-three, enlarging the power of the Court of Common Pleas of the county in which the seat of government is or may be located to issue writs of mandamus" and as further amended by an act approved the nineteenth day of March one thousand nine hundred and three, entitled "An Act amending section one (1) of an act entitled 'An Act relating to mandamus,' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act amending an act entitled "An Act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class or of the poor district of which said city is a part," approved the twenty-fourth day of June one thousand eight hundred and ninety-five by extending the provisions of the act to second class cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 184, entitled:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 13, as follows:

A Joint Resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

Whereas The Congress of the United States of America has in due form prescribed by law passed the following joint resolution proposing an amendment to section three of Article one of the Constitution of the United States namely

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES

"Resolved By the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein) That in lieu of the first paragraph of section three of article one of the Constitution of the United States and in lieu of so much or paragraph two of the same section as relates to the filling of vacancies the following be proposed as an amendment to the Constitution which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states

"The Senate of the United States shall be composed of two senators from each state elected by the people thereof for six years and each Senator shall have one vote The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures

"When vacancies happen in the representation of any state in the senate the executive authority of such state shall issue writs of election to fill such vacancies Provided That the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution"

And whereas said resolution has been submitted to the various states of the United States of America for ratification according to law therefore be it

Resolved By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the said General Assembly of the Commonwealth of Pennsylvania hereby ratifies and approves the amendment to section three in Article one of the Constitution of the United States of America as proposed in said joint resolution passed by the Congress of the United States in the second session of the sixty-second Congress and be it further

Resolved That a certified copy of the foregoing preamble and of this resolution be forwarded by the Governor to the secretary of State for the United States of America in accordance with the law in such case made and provided

And the said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. R. J. BALDWIN. Mr. Speaker, I will try and take but a little time of the House, as I am going to vote against this Resolution which gives or changes one of the fundamental principles of our government, in my judgment, namely, changing the manner of electing the United States Senators. I know, and you know, that there has been for several years a very effective and energetic effort on the part of some of the citizens of this great government of ours advocating this proposition. If I felt convinced of that it was based upon a careful investigation and a thorough knowledge of the reasons why the present system is in vogue, I would be willing to yield my judgment to that of the public, but I feel satisfied that much that has been said and much that has been written upon the subject has been from men who have not studied the underlying principles that led to that manner of electing the United States Senators. The men who framed the Constitution of this Government of ours must have had some reason for not providing for the direct election of United States Senators, which was the method of electing the chief executive of our Government, and also for electing the lower branch of our Government. I feel that this sentiment or feeling against the present method of electing United States Senators comes largely from the few that do not understand that it is a step towards that system of governing republic that has in all history proven a failure. I don't believe that the passing of this Resolution, or the endorsement of this Resolution, by the various states of this Union in sufficient numbers to make it a part of the Constitutional law of our government is particularly dangerous. I believe we can adjust ourselves to those conditions, and under normal conditions there is not the slightest danger in making the change; but the test of our laws comes only when unusual conditions arise. While we are moving along as we are now, it would matter very little whether the United States Senator was elected by the direct vote of the people, or whether he was elected indirectly as it now is. But, in the life of all governments and republics especially there comes crucial periods. We have passed through two very crucial periods in the history of the American people. One of the most crucial periods in our history when we were trying to create a government under the Articles of Confederation. That was found to be an instrument under which a republic such as ours could not live, such as at that time, with its limited population of 4,000,000 of people, it practically came to pass and with that experience and with the experience of all the nations that had ever attempted to build republics. It was evident that sometimes the people suffered from their own folly. Nearly every republic in history went down from the follies of their own people. Those follies were the result of false doctrines that were preached to them by men who perhaps were honest in their belief. A well balanced legislature for a government as large as this should certainly have some checks and balance. If it is to be governed by the sentiment or the feeling of the moment, we will suffer through our own errors and those errors may be so great that the republic may go down under those conditions. Now when those conditions exist generally in the minds of the people, there should be some check somewhere where hasty action could not prevail. The men who framed the constitution of this government knew evidently if they did not have that fear, if they did not have a suspicion that it was unwise to let all of the people act hastily in that matter, they never would have engrafted into the constitution of this government these checks and balances. Now let us see what some of them are. They provided that the executive should be elected by the vote of the people, each and every individual having an equal force and an equal power in that selection of each individual elector. It provided that that elector could not take his seat until the Congress in existence at the time of his election had gone out of existence, and that he would not

have to deal with a new Congress until he had been in office about ten months. It provided while a Congressman be elected in November, he should not take his seat until the following December one year hence.

Why didn't they provide that he take his seat almost immediately? They must have had some reason for that. What was the reason? The reason that existed then is more vital now. It was that they knew well that in the turmoil and strife and hatred that arises in campaigns, criminations and recriminations thrown backward and forward, that the elected congressman comes in contact with gentlemen of another party and that the members will probably meet each other in bad temper, and they will have no opportunity to study the needs of the Government if they are engaged in factional quarrels. They knew that when they framed the Constitution. They must have thought of that, They, therefore, provided that about thirteen months should elapse between the time of the election and the time of the taking up of their official duties, and there was no reason for that except that they feared that in the heat of passion(under exciting conditions, they would not carefully and considerately and faithfully handle the legislative propositions that would be presented to them. And you know, all of you, as well as I do, that the suggestion of a second body, or in other words, dividing the legislative members into two bodies was a new proposition, and while all the monarchial countries of old Europe and the rest of the world at that time, and all the statesmen of the world, believed that this republic would be a failure because they had measured the attempt to build republics from what had occurred in previous history, and any man who carefully investigates that question will find just exactly what they found, that one representative body fresh from the people with all the powers and no checks had invariably failed, and gone down through the effects of their own follies. Therefore the question of whether the United States Senators should be elected by the direct vote of the people or whether in some other manner was discussed. Three propositions were carefully considered, among them the question of whether the lower halls of congress should be elected. Just at the moment I do not recall the third, but the suggestion was made, and I do not exactly remember by which member of the constitutional convention that they should not reflect if possible the thought of the moment. It should be elected by the different legislatures of the various states because it solved one of the great questions that was discussed by the framers of the Constitution. One of the most difficult propositions, as you all know. In those debates was to fix exactly who should be entitled to the franchise. Whether it should be measured by a man's wealth, or whether it should be measured by his intelligence, and the question of a man's wealth, or in other words, the question of a man's property qualifications very nearly prevailed until Benjamin Franklin suggested that three hundred dollars would be about the necessary property to qualify a person to be an elector, and it seemed to them that that was a good suggestion, but Franklin foiled it with this proposition, "Then I suppose that if I owned a horse and it was worth three hundred dollars, you would allow me to vote." They said, "Yes." Then he said, "If the horse should die, I could not vote." and they said, "No." Then he said, "Who voted, the horse or did I," and that just solved that proposition right there. But to solve the proposition of educational qualifications this plan was hit upon. The legislative bodies of the various states will certainly demand a man that can read and write, and at least have about the average educational qualifications of the masses, and then the matter was considered as to whether the larger states might not join together and take from the smaller states all of their rights; and the suggestion was made that the smaller states of the Union be allowed equal representation with the larger states in that second legislative body, and then they well knew, as every man knows, that a large legislative body is not as a rule deliberative; nor as easy to be counselled with or talked to as a smaller body of men. They thought they could see in future a great republic which has since materialized, a republic of 90,000,000 of citizens and a house of congressmen of nearly five hundred members, in the lower house of Congress. Had they not devised some plan of having a deliberate body just exactly as they did at that time, it would not have stood there up to the present time, and this they knew too well that men when they are in legislative capacities refused to be guided by their better judgment although in a position to understand a public problmm. I think they felt the voice of the people behind them, though they understood better than their constituency as in the case of Thaddeus Stevens who stood in the halls of this legislative body of the State of Pennsylvania notwithstanding the fact that almost to a man the people of his own county, Franklin County, came here and threatened him with his life. It is reported to me, correctly I think, that they came and stood in the corridors with daggers in their sleeves, and told him that if he ever came back into Franklin County he would do so at the peril of his life. But he understood the proposition better than his people, and he prevailed upon the majority of the members of the body not to repeal the school laws, and when the Legislature adjourned, you know he never went back to Franklin County, but he went to Lancaster County, and know he is a figure in the great galaxy of statesmen who have helped to build up this great government of ours. What do I mean my electing a United States Senator fresh from the thought of the moment, fresh from the people that that amount of independence that every public man should try to have, is to a certain degree interfered with and thwarted. We want our legislative body to be stable to be faithful and to be conservative. We want that body to be able to withstand the cry of a majority when the majority is wrongly led. Now, my friends, I do not want any person to say that I distrust the American people, for I do not. I have as much faith in the judgment of the American people I think, as any man in this hall, but I do know that history has told us, and you see it now, and you saw it in Pittsburgh about a day or two ago, that men become frenzied, lose their reason, and will destroy themselves.

Let that condition become large enough and influential enough to reach from the center to the circumference of this great government of ours, and may not a majority make that mistake? And may that not be so great that it may influence this check that the Fathers of our Government put in for that very identical purpose. I think this: I think that there is a prevailing opinion amongst the masses, that the Constituiion of our State and the Constitution of our National Government has robbed the people of their rights.

I have heard it in conversation, so that I am beginning to believe that this is the reason there are so many for the changing of the Constitution. If the people of this great State only knew that it is the Constitution that protects them from the hasty actions of Legislative bodies and also from corruption that may creep into them. Our national constitution and the Constitutions of every State in the Union is the people's "Magna Charta." It is the Constitution that limits and defines your powers, and it is the Constitution which says you can only be a member of this body so long as you behave yourself. Talk about "recall!" The Constitution has had that ever since it was written. The Constitution defines just how far the executive of this great Government can legally go, and he cannot go any farther. It defines exactly how far the greatest can go, and he can go no farther. If you will read your Constitution—perhaps you all have read it more than I have, but it will be good reading, and it will bear reading a great many times. Read it with the thought that every line and every sentence and every paragraph in it is restricting the powers of the officeholders of this Government, from the Chief Executive down to the legislative body. Are you going to trifle with that without thought? If the people only knew that our Constitution gives them all the rights and preserves to them all their rights absolutely. But the trouble is this: In the western part of this great Government of ours, a very large per cent. of the foreign element exists. Socialism, as you know, comes very largely from that element. It is from that section of this Government of ours, sparsely settled, that don't know the conditions of the thickly populated States or communities from which it comes. They started with these "isms." It began back in the time of the Populist Party. It came back gradually from one "ism" to another, but all tend to destroy the safeguards put in their by the fathers of our country, who approved the Constitution, everyone of them. All this is tending to destroy the very protection which is given them. Why, they are actually in the position of Patrick, who stood on the limb and cut it off. He went down with the limb. They don't

know what they are trying to do, or they certainly would not do it. Mr. Speaker, I am going to tell you what Madison's opinion of the Constitution was. I don't like to read to a body like this, as I don't like to take your time, but I feel it is of vital importance:

"The qualifications proposed for a Senator, as distinguished from a Representative, consist in a more advanced age and a longer period of citizenship. Their appointment by the State legislature is recommended by the double advantage of favoring a select appointment, and of giving to the State governments such an agency in the formation of the Federal Government as most secures the authority of the former, forming a convenient link between th two the former, forming a convenient link between the two systems.

Equality of representation in the Senate, the result of a compromise between the opposite pretensions of the large and small States. This being a compound republic, partaking both of the national and federal character, the government ought to be founded on a mixture of the principles of proportional and equal represenation. This equality of representation was a Constitutional recognition of that portion of sovereignty remaining in the individual States, and an instrument for preserving that residuary sovereignty. Another advantage accruing from this ingredient of the Senate is the additional impediment it furnishes against improper acts of legislation. No law can be passed without a concurrence both of a majority of the people and a majority of the States. Excess of law-making is one of the diseases to which republics are most liable.

The Senate doubles the security of the people by requiring the concurrence of two distinct bodies in any schemes of usurpation and perfidy. The necessity of such a safeguard is indicated by the propensity of all single and numerous assemblies to yield to the impulses of sudden and violent passion, and to be led to factious leaders into intemperate and pernicious legislation. To correct this infirmity in legislation, the Senate is made less numerous than the House, and by its mode of selection and its longer tenure of office more independent. It secures a body of men who possess a more profound acquaintance with the objects and principles of legislation and government than can be expected of the other House, composed of men called from private pursuits, and generally continued in office for a short time, and led by no permanent motive to devote the intervals of public occupation to a study of the laws, the affairs and the comprehensive interests of their countrymen.

Such a body as the Senate prevents too great a mutability in the public councils which might arise from a rapid succession of new members. Practically one-half of the Representatives are changed at every election, and from this change of men must proceed a change of measures, (How true to day in the State of Pennsylvania!)

The Senate creates a select body of men with a due sense of national character. While it undergoes an unceasing process of gradual renewal, it does not change all at once, and is, therefore, a stable and permanent body and obtains the respect of foreign governments by maintaining an enlightened, wise and continuous policy, not subject to constant change. Being less numerous and changeable than the House, it results that a sensible degree of the praise and blame of public measures is the portion of each individual Senator. Invested with a durable public trust, they are more considerate of the effect of their measures as viewed by foreign nations and by the States of the Union, than would be a more numerous and changeable body, with a shorter tenure and selected directly by the people.

The Senate creates an additional body in the legislative department with sufficient permanency to provide such measures as require continued attention. It creates an institution which is necessary as a defence to the people against their own temporary errors and delusions."

Did Mr. Madison's views, expressed a hundred years ago, hold true to the conditions that have occurred since? Let us see. We can examine a little history that you and I know something about. We know that the Government of France tried twice to erect a republic, and we know that their efforts twice failed, and we know that in both of their first attempts they created a republic with only one legislative body, and we know that in their third attempt, the men who framed the Constitution of France carefully studied the Constitution of this Government, and they found that we had one of our bodies not elected by the direct vote of the people. But the Government of France was one whole government, or, in other words, one whole republic, if it be a republic. It didn't have the sub-divisions that we have known as States, but they created States. They divided up sections, and the representatives in their lower house were to become members and participate with the mayors of the various towns and cities in those particular districts, and vote for the membership of their Senate. No man who has ever written upon the Government of the French people has ever dealt with the subject with a wider degree of knowledge than Dr. Tocqueville; and he has said that the French Government of today owes its existence to that Senate and not to the former attempts to build republics. This can be laid to the door of the failure of the framers of the earlier French Constitutions to be guided by the wisdom and the provisions of the framers of this republic. Yes, I have heard a voice in my own country, and you have all heard it in yours—that the United States Senate has been weakened because of this system; because they say corruption has crept into the Legislatures of the various States and men don't go into their respective Legislative bodies and act in accordance with their own independent best judgment. Oh, they say, they have been influenced, corruptly influenced, and they have elected men to the United States Senate that didn't represent their people. Perhaps that is true to some extent, but the men who talk that way, must certainly conclude that the people at home are not capable of selecting good men for the Legislative body of their own State. Now, if the people, en masse, in a small subdivision of less than six thousand voters, are not giving enough attention to government affairs to select one man who is fit to represent them in a legislative body, how can the man who holds that opinion think that in a State of eight millions of people they will make a wise selection and that it will not be influenced in the same way. Why, I don't think that there is a member in this House who will not agree with me that if the members who fill the various Legislatures of the States of this Union do not give enough attention to public affairs, how can the people know anything about this great problem of Government and its fundamental principles if they don't even exercise enough thought to select the proper man to represent them in the Legislative body of their State. Why, to my mind the argument that is offered that a United States Senator, elected by the people, will give us a better representation in the Senate, and who will then immediately say that the representative body of the Legislature whom they selected is corrupt and unfit to judge better than they the masses.

I have as intelligent and as honorable a constituency, I think, as any representative in this body, and if they don't exercise good enough judgment to elect a representative from their Second Legislative District of Delaware County, do you tell me, do you hope to make people believe that they can select, when you have enmasse 8,000,000 people, do you think that 8,000,000 people will more carefully and thoughtfully consider the proposition than 207 members in the hall of this House? We are confronted with a remarkable condition. Upon one hand the progressive element tells us that we must reduce the legislative bodies in cities to a commission of eight or ten, and then upon the other hand they come back and say the great masses shall select their United States Senator to represent them, in the most deliberative and best legislative body that has ever existed on the map of the world—every student of American history that has studied the American people has said that the United States Senate is the strongest, the most careful, the most considerate and the wisest legislative body on the map of the globe. There must be a reason. There are no perfect men. The great trouble is that men set up a perfect man, and try to measure us all up to him, and we all fall short. If you want to measure the individual Senators of this great nation of ours by the perfect man, there is not one there. But if there was any one rule that a man ought to be guided by as to whether I am a good mechanic it is to go out and examine my work. I know of no better rule. One hundred and twenty-two years ago, when the last ten amendments were placed—and there would have been none since—well, there was one in 1893 and one in 1898 of minor importance—there would have been no amendments in the building of this enormous government down to the present day had we not wiped out the slavery proposition. The thirteenth, fourteenth and fifteenth amendments were added to the Constitution of this United States, and were added because of the conditions that arose out of the declaring that there should be no more slavery in this government of ours. The only way I have to measure the practicability of a proposition is to put it into operation. Let it be mechanical or let it be theory. One hundred and twenty-four years ago we started to build a republic. The thought of the hour, and the thought of the moment is that for some reason which pervades the political atmosphere—and I think I know the reason why—that all public men should be distrusted. I have seen the legislature of the State of Pennsylvania—and I can look back thirty years and at the close of each and every session the opposition press has generally called us the most unwise and corrupt of all our predecessors. I remember so well

when I went home in 1895, the first time I served as a member in this House, and I read the opposition press. In those days there was only one opposition to the Republican party and only one opposition to the Democratic party; and the Democratic press said that we were the most unwise and profligate legislature that had ever met in the State of Pennsylvania. Why, I know people would swear by the newspaper. If you ask them whether a story is true, they will say: "I know it is true for I have seen it in the newspaper." You have seen them. I have seen them.

The thought that I want to give you is this: The public press of this government of ours, notwithstanding that criticism, notwithstanding those declarations, cannot put a finger on any place on the map of the world where there are a little less than 8,000,000 that will surpass the State of Pennsylvania.

We have upon the statute books of this State laws that would compare with the best brains of the Parliament of the English empire. Now, perhaps I just said that myself, and nobody else ever said so. I realize that I am taking a good deal of your time, but I am dealing with the fundamental principles of this great government of ours, and it is a vital proposition, do not forget it.

In the North American Review of 1908, Emmet O'Neal, a native of Alabama, who studied at the University of Mississippi, and graduated at the University of Alabama, and was admitted to the bar in 1875, in 1893 he was United States Attorney for the Northern District of Alabama, in 1902, he was Democratic Presidential Elector for the State at large, and was also a member of the Constitutional Convention for the State at large—I had my reasons for selecting this, part of which I will read to you, because it was written bp what I consider a very, very able man and a Democrat—and this is what he said:

"There may be isolated cases where members of the legislature have betrayed the interests of the people, but the great mass of the legislatures of the forty-six States of the Union have been picked and chosen men of the communities from which they come, and have been "honest, wise, faithful and just." The statute books of these forty-six commonwealths are without a stain and are replete with wise and beneficent laws under which the States have grown into great and powerful Commonwealths. It was a great statesman, from whose lips words of idle praise never fell, who said: "The statute-books of these Commonwealths can be read by the patriot without a blush. I am not afraid to compare them with the two hundred and fifty parliaments through which for eight hundred years the freedom of England has broadened slowly down from precedent to precedent."

I quote from another great Democratic statesman. John C. Calhoun of South Carolina said this:

"It may be said that the very beau ideal of a perfect Government is the government of the majority acting through a representative body, without check or limitation on its powers; yet, if we may test this theory by reason and experience, we shall find that so far from being perfect, the necessary tendency of all governments based upon the will of an absolute majority, without constitutional check or limitation of power, is to faction, corruption, anarchy and despotism; and this wether the will of the majority be expressed directly through an assembly of the people themeslves or by their representatives."

If a body of men could frame a constitution for a government that would stand for a hundred and twenty-two years with scarcely any change than two insignificant amendments, it is no wonder that the statesmen of the world declare it the greatest instrument every devised by men. Every great statesman has dwelt upon the chacks and balances contained therein, giving to one branch of our government an expression from the people, giving to the executive a direct expression from the people, and then giving to another body a more indirect election so as to remove, as far as possible, one Legislative body from the passions of the hour.

Now just one or two more words and then I am going to stop. There is something that so aptly applies to the hour or the moment. It is from a Democratic United States Senator, delivered in the United tSates Senate on January 31, 1911, and any person who feels like corroborating whta I say can get the Congressional Record of January 31, 1911. I want to preface what he states by ending that the foreign element that has come into this country of ours has mistaken what the word "Liberty" stands for. They have an impression that "Liberty" stands for "license" but it don't. It don't stand for "license" at all. I suppose they read the Constitution of the United States and they find this; and this is the preamble to the Constitution of our national government:

"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquality, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.'

"The blessings of Liberty"—a very large portion come from those countries where individual liberty is very limited. Letters are written back to them to come to this country of liberty where every man is equal. It is not so. Every man is not equal. They should have written back, "come to this country where every man's opportunity is equal, and where we can go as we please, go when we please and come when we please—the land of liberty." Now they think that liberty means that they can do just as they please; that the whole highway is theirs and everybody must get out of the way. That is not liberty. That is license; and it is their conception of liberty that has furthered these propositions that have been handed down from the western country, as I said before. The Constitution in every line, as I said, protects us from the so-called politician. No man ever knew a live statesman. Men become statesmen after they are dead. Jefferson Davis, in a speech as I told you, said; now, look at the belief on the public mind;

"I, sir, believe in the intelligence, the virture, the honesty, and patriotism of the American people, and intrusted with this power they will do no wrong. Ours is a brave, courageous, independent citizenship, who will not tolerate political dictation or bossism, and never was this spirit of independence more righteously and powerfully administered than in the recent elections in November.

Mr. Roosevelt, with his great brain and matchless courage, and unquenchable thirst for power and place, having been feted and almost idolized by the crowned heads of the Old Worlds, returned to his native land and was accorded such a reception as seldom falls to the lot of the returning hero, and but for his undying thirst for dictatorship and his unbridled ambition to rule, he might perhaps have gone down in history as one of America's greatest statesmen, and nothing better illustrates the patriotism and loyalty of the American people to the traditions of our fathers and spirit and genius of our institutions than the scatling rebuke that was administered to him not only in his own country, his own bailiwick, his own State, but the entire Nation itself, where the voice of the people was heard and his new natinoalism, which is but the reincarnation of the old spirit of Hamiltonism, received such a stunning blow at the polls that he has been consigned to the political isle of St. Helena, and his doctrines and his once almost superhuman strength, and power have been thproughly discredited before the American people.

Why, sir, he had become more dangerous than Napoleon to the free spirit of the time. In my own State I saw him ride at the head of the multitude, each clamoring almost for the privilege of touching his garment; he was preceded by couriers and outriders bedecked in coats of mail, marching to the blast of the bugle, and with shamed face and just indignation our people heard him presented as the greatest living American whose doctrines shauld receive their indorsement, and in the anguish of my soul I cried, Oh, tempora! Oh, moras! has the spirit of independence fled? Has the teachings of our fathers been forgotten and are we drifting back to the days of the pomp and splendor of Napoleonic times, to forgetfulness of the rights of the American people?"

Would he say that now? He was mistaken, was he not? I think and, in fact, I agree largely with what Mr. Davis said, and I am not near so severe in my criticism of our ex-President. But I want to say to this House that it is my firm belief that that man, in his desires to be one of the greatest men in the history of America, was one of the characters that Lincoln back in 1837 said would come along some day, an ambitious man, a man who thirsted for glory. And so absorbed was he in his desires that he has forgotten the people and preached doctrines that were dangerous.

I think that it is dangerous to undertake to preach to the people and make them believe that they are thoroughly able to understand the problems of a government so great as this great republic is. I think it is a dangerous doctrine to preach. The State of Nevada in the census of 1911 had 42,000 citizens, and had as much voice in the legislative halls or our United States Senate as the great State of New York, with her nine millions of people. And because of that condition existing in the provisions of the National Constitution to-day the rights of the smaller states are as carefully protected as the rights of the larger States. And if you decide that the Senate shall be a representative body, it won't be long until the doctrine will be brought forward that each individual elector should have equal power in selecting the man who should represent that body. When you do that, what will become of the smaller states? What will prevent the two legislative bodies of our National Government, through a coalition, when at the present time ten states in this Union have a population equal to that of the other thirty-eight, ten states, if it is to be a representative body, and each and every elector have an equal voice in the

government, will be able to control both legislative bodies of this country of ours. That is what the proposition means. I realize, my friends, that I come too late perhaps to convince this House. I believe that the men who have studied the problem of government have neglected their duties and I do not believe that we would be here to-day if the men who should have given atention to it, and perhaps I should not have said should have, had not neglected to have it made plain to the people what this proposition means to them, the preservation of this Union. Why will we now make a change in a matter that has stood for 124 years, and why are we going to tamper with that very proposition that the greatest statesmen in the world have declared was the anchor rock of this great Republic, of this government.

Mr. E. E. JONES: It is not my purpose to reply in detail to the eloquent address which we have just listened to from the gentleman from Delaware. There are others in the House who are far better able to do this than myself. This is a question which has occupied the attention of the American people for many years, for quite a number of years. The halls of Congress have heard great debates upon it. The press throughout the Union have printed arguments pro and con. Books have been written upon it, and magazine articles have appeared all through this land, and I have no doubt that every member of this House has already decided in his mind as to how he shall vote upon this proposition. I do not dispute that in the early days of this country that the wise provision of our forefathers who drew up the Constitution of the United States did wisely in providing as they did for the election of United States Senators, but I do claim that conditions have changed in these later days, and that under this system the faults of bossism have grown up, and that this is one of the strongest position that the bosses can maintain and by striking out and changing this system we strike at the seat of modern bossism. But in addition to that, Mr. Speaker, I want to call the attention of the members of the House to the fact that in my opinion every member of this House would be very glad to have divorced from his candidacy the matter of the candidacy of the United States Senator. It should not be mixed up with the candidacy for this legislative body and thereby embarass and confuse the electors who are passing upon the qualifications of a legislator in this House of Representatives. The system which we propose merely provided that the people throughout the State may vote directly for United States Senators instead of voting for Representatives who come here and who here vote for a United States Senator. I have introduced this Resolution, Mr. Speaker, in compliance with my pledge to the Republican platform in this State, and to the Democratic platform in this State, and to the platform as put forth by the State Grange and I believe that the majority of the members of this House as represented by all members, have pledged themselves already to this proposition, and, therefore, I leave the matter with you to vote upon as you have already doubtless arrived at a decision in your own minds.

Mr. LANIUS: Mr. Speaker and members of the House, I do not wish to go into detail in this matter that is now before the House. I will refrain from going into any argument on the matter, but I wish to say a few facts to the members here. The English government was not as stable under the old form of government as it is at present, which was due to the introduction of the House of Parliament until they had the lower house, the House of Lords, held complete sway and dictated the policies of the country. Since the introduction of the lower house England has the greatest Parliament to-day in the world. Russia has the same form of government, having a Senate and a House not elected by the people at all. The failure of the system in France was due to unrest and Jacobism and other isms and it was not until Lafayette devised the plan of the Code Napoleon that France took her stand among the republics of the world. The gentleman from Delaware asks why we would change a system that had been in vogue for one hundred and twenty-five years. When the Declaration of Independence was written, it was written for the black man just as well as for the white man, but it took this United States seventy-four years before that good man got his share of liberty. When our forefathers kept this man from his justice, were they right, or were they wrong? The were wrong. Every true American patriot rejoiced that Lincoln issued his Emancipation Proclamation and gave to the black people their rights. Now my friends and Mr. Speaker, I wish you to give me just a few moments more. The gentleman from Delaware has said that the people are intelligent enough to vote and choosing a man for themselves, and certainly we are, or why would we be here to-day. Is there a man in the House to-day who will say that the people did not choose intelligently when they sent him here. If they have show intelligence in the selection of the two hundred and seven members who are in this House to-night, I want to call attention to the fact that they can vote just as intelligently district for district for United States Senator. We have representatives from fourty-eight states and we can elect forty-eight more making a total of ninety-six. We select the President of the United States, and we fill our legislative halls and I want to tell you that we are able to vote and select a United States Senator. What are our educational institutions doing. Has this question been carefully considered? Of course it has. The press has given many columns to it. It has been debated and talked about and we are here to-day to give the people what they want, and that is the right to elect a United States Senator by direct vote. And they shall have it. Why should this body be mislead. The people demand to-day that they shall have the right of direct election. It gives to them the responsibility, and that is exactly what they want. I believe in the intelligence of the American people. To-day the American Republic stands out as the greatest republic under the Sun, and who will say that we are not able and intelligent enough here in the State of Pennsylvania to select a man who will represent us in the United States Senate, we could select six, or even a dozen men in this State who are capable and honest. I think that the proposition is the most ridiculous one under the Sun, that the people of this State have not the intelligence to do this. I do not wish to tire this body any longer, but I trust that every true American Patriot, every man who has the confidence of his constituency back of him, and every man who believes he is intelligent enough to represent that constituency, to vote to elect the United States Senator by the direct vote of the people.

Mr. R. J. BALDWIN: Mr. Speaker, I desire to interrogate the gentleman:

The SPEAKER: Will the gentleman permit himself to be interrogated?

Mr. LANIUS: I will.

Mr. BALDWIN: I may perhaps have misunderstood the gentleman from York, but I understood him to say that the framers of the Constitution intended at the time of the framing to treat the black man and white man alike. Is that right.

Mr. LANIUS: That is what I think.

Mr. BALDWIN: Then I will read the Constitution and see what it had in mind, as it referred to that particular matter. From my undestanding the thirteenth and fourteenth amendments changed that condition.

Mr. STEELE: I intend to vote aye on this proposition and I believe that the question resolves itself this evening to the members of the Legislature into just a few points in regard to the election of the United States Senator by the direct vote of the people. The simplicity of this election, the efficiency of this election and the fact that they are answerable to the people. I am not very old and I cannot go back very many years, but I can remember some fifteen or twenty years of the length of time that we have had our Senators from Pennsylvania. To become a United States Senator from Pennsylvania you had to have the endorsement of one Matthew Stanley Quay and Mr. Penrose. Back in New York only a few years ago we had a Senator who was a vice president of the Pennsylvania Railroad Company as one of our United States Senators from New York, and the President of the Adams Express Company as the other. Going out west a little further we have the gold inteserts, and in the Northwest, the Vanderbilt interests. Here is the most august body in the world, the United States Senate, and yet these men are owned and controlled body and soul by corporations, individuals and express companies. Can any man in this House tell me how the good people of the State of Pennsylvania, how it is possible for them to obtain justice in this august body? I want to say that our member from Delaware in speaking about James Madison did not mention the fact, and go a little bit further. He said that they must also put a check between the people and the Senate, and he wished the Legislator instituted as a check to the common people. Now a century and a quarter is a good long time back and I must say that things that have happened then will not happen now, and things that happend now did not happen then. They did not have our efficiency in regard to railroads, telephone or in regard to electricity that we have at the present time. If a man were to be elected by the people directly at the time this Constitution was framed, it would be two or three months before he would know that he was a nominee or elector. At the

present time in the State of Pennsylvania, if a man is elected by the people, it would take about two hours for the people of the State to know who the representative was to be. In speaking of this question I wish to call attention to the three points, the simplicity, the efficiency and the fact that this man would be directly answerable to the people.

Mr. S. B. SCOTT: The gentleman from Delaware seems to be laboring under the misapprehension that this proposition in seeking to amend the Constitution in one particular point is to break down our fundamental law. Of course it isn't. Not in the slightest degree. The framers of our Constitution had wisdom enough at least to know that the times and circumstances and that some changes in their instrument would be necessary, so they wisely provided for that by certain laws, and we are here in the exercise perhaps of the highest duty that we have to give to our country and we therefore have the honor to have this very important question before us. I believe that at the time the United States Constitution was adopted the method for the selection or the election of the United States Senator was by far the best, but there have been changes going on since that time, one of which makes it easier for the people to assume the functions which they have given to the Legislature. It is now more easy for the people to do so, first on account of the greater education than they had at that time and the greater advantages given by the daily, weekly and monthly press, and on account of the telegraph and telephone so that now it is easy for a man to be of State-wide reputation as a public man as it was in that day for a man to be known over his own county. In the second place, in those old days to a very large degree the State did not have those things which are now known as special interests. When Stephen Girard piled up one million dollars, he was known throughout the nation as the richest man on the fact of the earth, but to-day the millionaires are so plentiful that people would not cross the street to look at one. We have a concentration of wealth at the present time that enables great pressure to be brought to bear by a comparatively small number of men and the result of that had not been perceived by the framers of the Constitution. They did not see that the particular piece of machinery they were constructing would operate exactly as it has, and that it would be possible to be in done in case after case. They made that mistake and the people have since rectified it. Take for instance their method of selecting the President of the United States. They introduced exactly the same plan that we now want for the nomination of United States Senators. They allowed the people to elect the body of electors and the body of electors to make the selection, and the people stood for that for twenty-five years and as soon as they came to see the importance of the position of the presidency, the people took that matter into their own hands, and the electoral college became a mere piece of dead machinery, and the people of the United States thus nominated and elected their own Presidents. Now exactly that same thing is going on at the present time in the matter of the election of the United States Senator, and if they do not do it now, they will be instructed at the polls how the members of the House shall vote. That is the Oregon method and no member of the Oregon Legislature would dare to vote contrary to the instructions of the voters, so we have in that State the House and Senate of one party electing a United States Senator of the opposite party. Therefore, I say it makes little difference whether you pass this or not because when the people of the United States have once decided that they will take the election out of the hands of the legislators, that they will do it and nothing will prevent them. Therefore, I say it is better to bow to the will of the people and do that which we must do whether we will or not.

Mr. JOHN ROBERT JONES: I agree with the gentleman from Delaware, Mr. Baldwin, upon one of the propositions of this amendment, that is that it is a very important question and one which should take the time and study of every member of this House. I spoke in favor of this proposed amendment and not under circumstances entirely different from that under which I spoke on the referendum vote on this question in the session of 1911. I believe that most of the members of this House have come to the conclusion and made up their minds to support this resolution and no amount of talking on one side or the other will change their minds on that question. It is one of the very important matters to be considered. The proportion is not a new one by any means. It was proposed as I understand, in the Constitutional Convention. It was discussed, this very proposition, which is now proposed to be changed. It had been debated by James Wilson, many, many years ago. It has been a subject of debate and discussion in many parliamentary bodies and has been passed upon by the House of Representatives at Washington, and debated upon by the United States Senate. It has been the subject of debate in literary societies and has been given wide notice in the press and magazine for over three- quarters of a century, so that it is no new proposition of political discussion. It has been one of the main subjects of discussion when people have been talking upon public questions. It became known from one end of the State to the other in the course of a few years, and it was thought that representative men who make up the General Assembly of the State should not be authorized to select men to fill this position of United States Senator. They were given this power because they feared and distrusted the people; they feared for their inability to make a proper selection. That there were great men selected under the old system, there can be no question. What has been the result of the system? Has it been conductive to good legislation in the State? The State of Pennsylvania stands out as one conspicuous example of the fact that the prest system led to deadlocks. To-day I read from the public press of January 20, 1913, of deadlocks in the States of West Virginia, Dakota, New Mexico and Illinois—deadlocks on the question of selecting a United States Senator. The vice has been that the legislative body has been made an electoral body and not a legislative body. A legislature should not be an electoral body, except for the purpose of electing its own officers, and for no other purpose. What has been the result. As to my own views, I don't think it is for the General Assembly of Pennsylvania or any other State to select a United States Senator. We know that men have been selected or chosen for the General Assembly of Pennsylvania and in other States solely that they may assist in choosing a United States Senator, and not upon the question of their fitness for any legislative position. Can the people be trusted for this selection? I think so. I didn't hear one argument advanced here tonight that the people of Pennsylvania are not content to select a Governor, yet the Governor is selected from the State at large, and surely if I am fitted as a citizen of this State—as one of the electors of this State—to pass upon the qualifications of a man for Governor of the State, why am I unable to pass upon the qualifications of one or two men, as the case may be, from the State at large, for membership in the United States Senate. I have not heard the proposition advanced here to-night that the people of the State of Pennsylvania, at the last election, made an improper selection of four Congressmen-at-large. They were chosen with the entire electorate of this State—four at one time— and did not the public press set forth their qualifications for that office? And was it not discussed upon the platform upon which they ran? Do you mean to say that the people of Pennsylvania are not competent to pass upon them as officers of the House of Representatives in the National Congress? I believe, Mr. Speaker, and gentleman of the House, that the American people have a capacity for self-government and I don't believe that it is necessary for a choice to be made by a legislative body solely because the people of this State are not competent to select these United States Senators. This Government belongs to the people. The Constitution, concerning which my friend from Delaware, Mr. Baldwin, spoke to you and eulogized to such a high extent, is an instrument which derives its power absolutely from the people themselves, and who shall say that the people shall not have authority for changing it and that their wisdom is not well founded at this time, when this selection or manner of selection of United States Senator shall be decided. I have no fear for this warning of the destruction of the Republic by reason of placing greater power in the hands of the people, on account of the character of the people. And when the gentleman recites the old republics of Rome and Greece, he forgets that he is not talking about the American people. The American people, who are supporting a system of public instruction at the expense of the State, and who, year after year and generation after generation, have had public schools in the States where the children are educated in these public schools, and they are also educated and competent to take up a discussion of public problems; they are educated people, and above all, my friends, they are a Christian people, and with such a combination, with such a people that have an education as is imparted by our public schools, and with a Christian education, they should not be any fear of the destruction of this Government or the tearing down of the Constitution because we're going to give them more power in the restoration to them of their rights. The feeling is coming that the United States Senate is not a representative body, and I know that it is the sense of the American people that it should be, and the American

people want it to be a representative body. The American people are making a demand for their right to make a correct selection, and not to have an intermediary to make the selection for United States Senator; and that every man in the State Legislature shall confine himself to State legislation and not to the selection of any national legislator. I have, as I have already stated, a full, deep and abiding faith in the American people. In the one hundred and twenty-five years which have elapsed since the framing of the Constitution, any great question which in the course of time has come up in which they have been consulted, they have acted wisely and well. I am willing to subscribe to the political doctrine and faith of Abraham Lincoln, to accept that definition of democracy in which he says that "This is a Government of the people, by the people and for the people." But I don't subscribe to that paraphrase of his definition, that this is a government of the people by the people for a representative part of the people, because that is not a democracy. Lincoln's ideal is the proper form of government. I say to you, my friends, that when I am speaking to you to-night, I know that I am voicing the sentiment of the district which I represent in this House. I know, too, as well as you know, that I am voicing the sentiment of thousands of other persons and voters of the State of Pennsylvania, and it gives me great pleasure to-night to cast my vote in favor of this resolution

Mr. JOHN R. K. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. John R. K. Scott

Mr. JOHN R. K. SCOTT. Mr. Speaker, and gentlemen of the House, this vote to-night is not alone a vote upon a very important matter, but it is a vote to state to the people of this Commonwealth whether we are a body of good faith. The Republican Party, Mr. Speaker and gentlemen of the House, received at the last election a most striking defeat; a hundred and seventy-five thousand majority was the vote that faced the Republican Party in the very stronghold of Republicansm. Mr. Speaker and gentlemen of the House. public men are divided into three classes. One is the public man who senses the wants of the people and then shows them the way to receive that which is beneficial. The second class is the public man who hears the voice of the people, listens and obeys the voice; and the third class is the public man who hears the voice of the people and then uses all means in his power to set out other means and defeat the will and the voice of the people. Mr. Speaker and gentlemen of the House, that has passed from this day. It no longer exists. It must go down in the march of progress. The same thing, Mr. Speaker and gentlemen of the House, applies to political parties. The party who senses the wants of the people and gives that to the people is the party that will ever live in the minds and in the hearts of the people. The party who hears the voice of the people and moulds its doctrines to that voice is the party that will continue on in the good will of the people. But the party that listens to the voice of the people and then uses means to defeat and to divide the people will meet with overwhelming defeat in this State. Mr. Speaker and gentlemen of the House, the Republican Party is to-night on trial. There are a few men here, and in the majority of the House some of you, who pride themselves on being Republicans. Some of you, who in the past prided yourselves on being Republicans, but have since stepped temporarily out of the ranks of the Republican party, and are here on trial before your constituents. At our Convention, Mr. Speaker, we gave the people of Pennsylvania this solemn pledge: We stand for the election of United States Senators by direct vote of the people, and an amendment to the Constitution to bring his about. Mr. Speaker and gentlemen of the House, there is no question before the House to-night—there is no question as to the meaning of this declaration—and it is a question now of whether you keep your faith with the people. The man who now, to-night, betrays his people, thrusts himself into political darkness. I find here in the platform of the Democratic party the following: "We congratulate the country upon the triumph of two reforms demanded in the last national platform, namely the amendment of the Federal Constitution for the raising of an income tax, and amendment providing for popular election of United States Senators, and we call upon the people of all the States to rally to the support of the two propositions and secure their ratification." Mr. Speaker and gentlemen of the House, if the gentleman from Delaware, Mr. Baldwin, claims to speak for the Republican Party in advocating a betrayal of this promise to the people, then there is at least one member of the Republican Party in this House for whom he is not speaking. I consider that the platform that we have all subscribed to and agreed to obey and bound ourselves to should decide this question to-night by a unanimous vote in favor of this resolution.

Mr. CLAYCOMB. Mr. Speaker.

The SPEAKER. The gentleman from Blair, Mr. Claycomb.

Mr. CLAYCOMB. Mr. Speaker, I desire to express a word in behalf of this resolution. I have a profound respect for the Constitution and for the checks and balances discussed by our friend from Delaware, but I don't believe, in the consideration of this question, which is a serious question, that we need go back to the classification of checks and balances. I think we need refer rather to the demand of the people to-day by reason of the conditions witnessed in our own proud Commonwealth and in other Commonwealths in the election of United States Senators. The trail of slime has crawled in the United States Senate and it has disgraced other Commonwealths, and so, to-day, the people may not be fanatics, but sane and sober, intelligent and conscientious men who stand before the bar and are asking their constituents to redeem their pledges and in response to the appeal for popular government are asking their representatives here to decide this question. The gentleman from Delaware speaks with profound logic when he quotes from the founders or writers of that immortal document. Notwithstanding that, Washington's contention was that public institutions depend upon the right of the people to make or to order their constitutions of government. I say that that sound and that echo comes down through the corridors of Time and it is here to-night. The call comes down from the wooded mountainside, from the valleys of this great Commonwealth, and we are not asked to act here to-night as schoolboys, not as men in the average literary society, but like men with a mission in our hands, and under obligation upon our hearts, and unless we prove true to that pledge, to that appeal of the people, we must reckon with our constituents. I say, my friends, that I have no doubt as to the good faith of the people of this Commonwealth. I am willing to abide with the eight millions of people in this Keystone State, with its glorified history, with its mighty achievements. I say that we ought to look back—that we ought to trace the stream of history and do what the people have been asking for, and then to do that well. I say I have faith in the people and I believe that the time will come that the truth will come, which will shake this Commonwealth, which will be composed of men as intelligent as ever scaled your Bunker Hill under smoke and bullets, and ran and traced your Gettysburg with human life. That is my faith in the people. I say to you there is an obligation upon our hearts, and that obligation must be discharged. And I say it is our duty to clothe the citizen with power and bring the Government close to the people, and then the full realization of what "Governmen by the people and for the people" means will move onward and be free from the stain that has crimsoned this Commonwealth, from which you and I have come to represent our constituents and to whom we are pledged. We will place the government in the hands of the people, where it belongs.

Mr. R. J. BALDWIN. Mr. Speaker, the remarks of the gentlemen in opposition to the position which I took are along the lines that I have read in literature and speeches that I have heard delivered, and that is to misstate the position I have assumed on this floor to-night. They have said many things in quoting me that I didn't say. I have not said, nor never have said, nor never will say, that the American people have not the right to change their Constitution, and any person who tries to put me in that position misstates me. I simply have tried to discuss whether this was a wise thing to do, and that is all the farther I have gone, and it is all the farther that any citizen ought to go, and it is as far as any citizen ought to go that has at heart the welfare of this nation. I hope I was selected, maybe I was not, to represent in part the second legislative district of Delaware county because they felt that I had the ability to do it better than many others. Many others are better, I know, but they didn't care for the job; it didn't pay enough; it paid them better to stay at home.

If an experience of one hundred and twenty-four years shows that the foundation upon which a government stands has resulted in putting the greatest government in the world on the map, then I think men can differ, and I think the man who differs and who is afraid to say so does not deserve a membership in this body. Generally in Congres a member sings his own swan song, when he knows he is not coming back. It is different in the Legislature of Pennsylvania. Somebody else your swan song. I think it is nice to have somebody to do it, because the member himself rarely ever does it without breaking out in tears.

Nobody has attempted to explain or illustrate the effects of the change. I did not when I was on my feet before because

I expected my opposition would explain, as there were so many of them I had hoped that I should not have to do all the talking on this side, but if there is no other member in this body going to vote that way I am, because I believe I am voting right and I believe I know better than the majority of the people of my county, because I have studied the subject more, and I am not saying it boastfully or with any egotism either. I want to say to every member on the floor of this House, if he is not above the average, I do not know what kind of constituency he has at home. I believe you are, every one of you, and I believe instead of allowing the voice of the masses to sway you in great problems of government, it is your duty to lead them and show them, if you do not agree with them, and if you fail to do that you ought not to be here.

Let us see the practical working of this proposition. I know the evils that exist under it and you know them. They are not worthy of men; every member on the floor knows that. But what we want to know is whether this change will exterminate or at least better the conditions and remove some of the evils that exist under the present system. Unfortunately for the man who stands on this side of the subject he has one hundred and twenty-four years of a system to pick holes in, it is very easy to critizise the house that somebody builded, but nobody ever builded a perfect house except the man who never builded any and you cannot critizise his because it is always perfect. But unfortunately for those who stand on this side of the question I have only a glimmer of its workings. Those who have stood on the other side of the question have invariably referred to the fact that the wealthy have an opportunity under this system to become a United States Senator. There is no man that has had any experience in politics but what knows the larger the constituency, the more indirectly the operation of the elective franchise, the greater the numbers, the greater the opportunity for the wealthy. It is a law as immutable as the law of gravity. I have seen it all my life. I want to say that under your direct primary law in the State of Pennsylvania to-day there is a greater opportunity for the wealthy to grasp the offices than there ever was under the delegate system. Has this experiment been tried in any state of this Union? Have I any evidence to offer you? Yes, in Wisconsin. Senator Stevenson admitted under examination, that he spent $106,000. His three opponents, in the agregate, spent more than a like amount. The nearest candidate against him admitted that he spent $66,000; the next, about $36,000, I think it was; and the other a little less; and, strange to say, the vote showed just exactly that proportion; the $100,000 man won, the $60,000 man stood second, the $40,000 man third, and the $30,000 man stood fourth. Do you suppose that if money and personal interest could have affected a body like this that it cannot affect the masses. Why you know it will. You know it as well as I know it, and why stand here on the floor and not admit it. Take the caliber of the men who have gone into the United States Senate under this system; take the caliber of the men from the State of New Jersey. I do not like to individualize. You have a proposition that has only been in operation a very short time, the other having been in operation for one hundred and twenty-four years. I can pick as many evils in this which has only been in operation for a period of eight or ten years, and any man that reads carefully will see that the tendency is that wealth has more power when distributed in the great mass of our people, than if you tryto use it in a more intelligent and select body of men. The law of the United States Senate has been since the first investigation and examination of membership in that body that you could not go behind the legislative body. And the law of the United States Senate is, and probably always will be, that you do not have to prove that the individual senator participated in any way—in fact you cannot prove to the Senate that the individual senator who obtained his seat by corruption may have been totally ignorant of the fact that it existed, and yet the law laid down in that body is that all we have to do is to prove that corrupion existed and the individual cannot take his seat Put that proposition into operation and all you will have to do under that law is to prove that corruption existed in any one election district in the whole State of Pennsylvania, and your United States Senator cannot take his seat. Do you know that I believe that after this proposition is in operation and working a short time, where it is the law that if I can prove corruption in any one single election district, I do not know whether you will have a United States Senate. There has not been a State-wide election in the State of Pennsylvania—and you know it and I know it—that there has not been corruption in some one election precinct; and unless the United States Senate changes the law and the rule that has been there all the time, and which has unseated men, you may have no Senate. You know what the United States Senate said about Lorimer, when they unseated him, that there was no evidence that Mr. Lorimer participated in any way or even had a knowledge of the corruption, but they unseated him. Under this proposition of yours, all that is necessary is to show that in one election precinct corruption existed and the United States Senator cannot take his seat.

Now I have heard them say that in this day of electricity, in this day of telephone, and the telegraph and the automobile—they failed to mention the flying machine, but they no doubt had it in mind—that because of those things it was necessary and wise—I will not say necessary, but wise—to change the manner of electing the United States Senator. In my mind that is the very reason they should not change it, because I can step to the 'phone and say "Buy five more, auction," and that means five thousand dollars additional that can go into that election precinct. I know you are going to pass laws that will stop men from spending money in politics, but the world has been trying to do that ever since we had orginazed government. We have not done it yet. I want to say if you stop the use of money in politics I believe I would vote for this resolution, but you know you cannot. I know from experience that the influence of wealth never will be taken out of American politics, you can pass all the laws you want; you can curtail it and you can punish, but there is a vast difference between passing a law to punish a man and passing a law to stop the crime

That is the practical side of the proposition you will be confronted with when you put this law into operation. It is true. You know it and I know it.

Referring to a few more points that were made along practical lines—the literature of to-day—I want to say to you that I believe that this so-called dissatisfied condition of the American people is due to literature. And what kind of literature? Unfortunately most of use like to read sensational news. Unfortunately when a man can make a thousand dollars by writing an article for a magazine, that is of an unusual character, and that speaks of crime against the government, such as a corrupt mayor in San Francisco (holding bill file in hand) "By Ida Tarbell" on the back of a magazine in letters very different in color from this—"Corruption in San Francisco—A. Rouff arrested—councilmen."—Oh, I will buy that magazine. There has been a premium because of this reading republic—there has been a premium, a high premium, for the man who can picture best the ills of our government; and they are not many when you come to think of this great republic of our, but they are constantly held before the public. A man who does his duty, does it honestly, and the article in the magazine is printed, you say: "Oh, I don't want to buy that; that is what he ought to do anyhow." And this literature of to-day is to my mind poisoning the minds of our people. I mean there is so much of that kind of literature, every offence against the government, every offence against the liberties and the rights of the people are dwelt upon. They are published and republished, iterated and reiterated until the public, no wonder, has an idea that the whole official public structure is corrupt.

I don't want to take all the time of the House, and I know that this resolution is going to be defeated, and I know, because my friend from Philadelphia told me, that I cannot come back if I fail to listen to the voice of the people. But gentlemen let me say this last parting word to you: There is not a man in this room that will live forty years that will not find that your proposition is a step backwards. Oh, they boast of progress. They think they are progressive, I think they are going backwards. I think I stand for progress. They assert that I am a reactionary. That is their business. It may be the opinion of others, but I don't think so. I think I am standing for progress and I can prove it, and they cannot prove the contrary. I can prove that for which I stand has builded the greatest government on the map of the world. What can they prove their theory stood for. They know that I did not mention Rome or Athens, but I did mention France, and what I said about France is true, and that is modern. I want to say here that if you keep on tinkering with that Constitution, get the initiative, and referendum and recall of judges, and direct election of the Supreme Court—these are all along the same line, and the same thought,—you will have written on the pages of American history a dark age. There is one on the history of Europe. I will not live to see it. We can survive a number of those things, but just weep on adding to it along that line. Oh, to stand up and tell the beauties and the wonders and the wisdom of the people! It is the same old story; tickling

the masses under the chin for the plaudits of the masses. The only man I think that ought to feel proud of what he does is the man who tries to lead the people and not the man who has his ear to the ground to follow.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193.

Adams,	Ewing,	Leslie,	Richards,
Allen,	Forster, I. G.,	Letzkus,	Riebel,
Alworth,	Foster, J. D.,	Light,	Robinson,
Ambler,	Frey,	Lohr,	Rockwell,
Arthur,	Gans,	Lowers,	Roney,
Baldwin, G. A.,	Geary,	Malie,	Rothenberger,
Barner,	Geiser,	Mannion,	Runk,
Becker,	Gibson,	Martin,	Sassaman,
Benninger,	Good,	Mather,	Savacool,
Benson,	Goss,	Matt,	Schaeffer, A. C
Bergey,	Grabe,	McAleer,	Schuck,
Bernheizel,	Gramley,	McAllister,	Scott, J. R. K.,
Bigger,	Gransback,	McArdle,	Scott, S. B.,
Bittles,	Gray, Frank,	McCaig,	Semmens,
Blair, W. A.,	Gray, Joseph,	McClintock,	Shaffer, C. A.,
Blair, W. F.,	Hackett,	McDermott,	Shaffer, I. E.,
Bleloch,	Haggerty,	McKay,	Shern,
Body,	Heidinger,	McNichol,	Sherwood,
Brosius,	Hemminger,	Mechling,	Smith, J. W.,
Brown,	Herman,	Mellott,	Smith, L.,
Brownlee,	Hess,	Metzenbacher,	Spangler,
Burnett,	Heyburn,	Miller,	Speiser,
Caldwell,	Hipshman,	Missimer,	Spillinger,
Campbell, C.M.,	Hobbs,	Mitchell,	Steedle,
Campbell, J.J.	Hoffman,	Moore,	Steele,
Carson,	Howard, J.,	Morrow,	Stein,
Carter,	Howard, R.,	Moses,	Stone,
Cheeseman,	Humes,	Moulthrop,	Strauss,
Claycomb,	Isler,	Musser,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Cochran,	Irwin, H. H.,	Newbaker,	Thomas,
Collins,	Jackson,	Newton,	Trach,
Conner,	Jones, E. E.,	North,	Ulerich,
Conniff,	Jones, J. R.,	O'Neill,	Ulman,
Conrade,	Kaiser,	Peachey,	Walnut,
Cox,	Kaufman,	Pennegar,	Walsh,
Currier,	Keegan,	Pennock,	Walton,
Curry,	Keeport,	Perry, H. L.,	Watson,
Davis,	Kennedy,	Perry, S. J.,	Wettach,
DeFrees,	Kern,	Peters,	Whitaker,
Dickinson,	Kitts,	Piper,	Whitman,
Donahoe,	Klepper,	Post,	Wildman,
Donnally,	Kuhn, H. P.,	Price,	Williams,
Down,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Reese,	Wiltbank,
Dunn, J. A.,	Latshaw,	Reeser,	Young, G. K.,
Ehrhardt,	Lenker,	Rex,	Young, J. H.,
Eichenberger,		Rhoads,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—3.

Baldwin, R. J.,	Bass,	Fahey,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 44, as follows:

An Act amending an act entitled "An Act providing a system whereby boroughs may build sewers, grade, sub-grade and pave streets and alleys, pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments," approved June fifteen, Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section one of an act entitled "An Act providing a system whereby boroughs may build sewers, grade, sub-grade and pave streets and alleys, pay the costs thereof by the issue of bonds and collect the same from the property benefited in stalments" approved June fifteenth, Anno Domini one thousand nine hundred and eleven, which reads as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the presentmethods provided by law for the payment and collection of the costs and expense of building sewers, grading streets or the permanent paving and improvement of any streets, alleys or any highways or parts thereof by the boroughs of this Commonwealth, said boroughs shall have power to ordain that said cost and expense may be paid and collected in accordance with the provisions of this act" be and the same is hereby amended so as to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That in addition to the present methods provided by law for the payment and collection of the costs and expense of building **and acquiring** sewers **and sewer systems,** grading streets, alleys or any highways or parts thereof by the boroughs or incorporated towns of this Commonwealth said boroughs or incorporated towns shall have power to ordain that said costs and expense may be paid and collected in accordance with the provisions of this act.

Section 2 That section two of the aforesaid act which reads as follows:

"Section 2 Whenever after the passage of this act the council of any borough in this Commonwealth shall by ordinance authorize the construction or building of any system of sewers, the grading, the sub-grading or the permanent paving and improvement of any streets, avenues, alleys, courts or any highways or parts thereof in said borough and the entire cost or any part of the costs of the said improvements shall be assessed against the properties fronting and abutting on and along the said improvement whether by the foot-front rule or according to benefits it shall be lawful for the council of the said boroughs to provide in said ordinance that the said assessments may be paid in semi-annual or annual instalments, which instalment shall bear interest at a rate not exceeding six (6) per centum from the date of the commencement of the work or construction of the said improvement until paid, and in order to provide for the payment of the cost and expense of such improvement as it progresses the council of said borough may from time to time issue bonds in such sums as may be required in all to an amount not exceeding the amount of said assessments, said bonus shall bear the name of the sewer system built or the name of the street, avenue or alley or part thereof to be improved and shall rest alone for their security and payment upon the said assessments and shall be payable at periods not exceeding five (5) years from the date of their issue to be provided in the ordinance directing the improvement and shall bear interest at a rate not exceeding six (6) per centum per annum payable semi-annually or annually as the council in said ordinance shall direct. Said bonds shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of the costs of said improvement. In case the said bonds are not negotiated by the council they may be delivered to the contractor in payment of the work, but when so delivered must be at their par value," be and the same is hereby amended so as to read as follows:

Section 2 Whenever after the passage of this act the council of any borough or incorporated town in this Commonwealth shall by ordinance authorize the construction or building **or acquisition** of any **sewer or** system of sewers the grading, the sub-grading or the permanent paving and improvement of any streets, avenues, alleys, courts or any highways or parts thereof in said borough or incorporated town and the entire cost or any part of the costs of the said improvement shall be assessed against the properties fronting and abutting on and along said improvement whether by the foot-front rule or according to benefits it shall be lawful for the council of the said boroughs or incorporated towns to provide in said ordinance that the said assessments may be paid in semi-annual or annual instalments, which instalments shall bear interest at a rate not exceeding six (6) per centum from the date of the commencement of the work or construction of the said improvement until paid, and in order to provide for the payment of the cost and expense of such improvement as it progresses, the council of said borough or incorporated town may from time to time issue bonds in such sums as may be required in all to an amount not exceeding the amount of said assessments. Said bonds shall bear the name of the sewer system built or the name of the street, avenue or alley or part thereof to be improved and shall rest alone for their security and payment upon the said assessments and shall be payable at periods not exceeding five (5) years from the date of their issue to be provided in the ordinance directing the improvement and shall bear interest at a rate not exceeding six (6) per centum per annum payable semi-annually or annually as the council in said ordinance shall direct. Said bonds shall be negotiated at not less than par and the proceeds thereof applied solely to the payment of the costs of said improvement. In case the said bonds are not negotiated by the council they may be delivered to the contractor in payment of the work, but when so delivered must be at their par value.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, namely

YEAS—190

Adams,	Eichenberger,	Lenker,	Richards,
Allen,	Ely,	Leslie,	Riebel,
Alworth,	Ewing,	Letzkus,	Robinson,
Ambler,	Fahey,	Light,	Rockwell,
Arthur,	Forster, I. G.,	Lohr,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, R. J.,	Frey,	Malie,	Runk,
Barner,	Gans,	Mannion,	Sassaman,
Bass,	Geiser,	Martin,	Savacool,
Becker,	Gibson,	Mather,	Schaeffer, A. C
Benninger,	Good,	Matt,	Schuck,
Benson,	Goss,	McAleer,	Scott, J. R. K.,
Bergey,	Grabe,	McAllister,	Scott, S. B.,
Berntheizel,	Gramley,	McArdle,	Sammens,
Bigger,	Gransback,	McDermott,	Shaffer, C. A.,
Bittles,	Gray, Frank,	McKay,	Shaffer, I. E.,
Blair, W. A.,	Hackett,	McNichol,	Shern,
Blair, W. F.,	Haggerty,	Mechling,	Sherwood,
Bleloch,	Heidinger,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Spangler,
Brown,	Hess,	Missimer,	Speiser,
Brownlee,	Heyburn,	Mitchell,	Steedle,
Burnett,	Hibshman,	Moore,	Steele,
Caldwell,	Hobbs,	Morrow,	Stein,
Campbell, C.M.,	Hoffman,	Moses,	Stone,
Campbell, J.J.	Howard, J.,	Moulthrop,	Strauss,
Carson,	Howard, R.,	Musser,	Swartz,
Cheeseman,	Humes,	Neel,	Swift,
Claycomb,	Irwin, G. C.,	Newbaker,	Thomas,
Cleary,	Irwin, H. H.,	Newton,	Trach,
Cochran,	Jackson,	North,	Ulerich,
Collins,	Jones, E. E.,	O'Neill,	Ulman,
Conner,	Jones, J. R.,	Peachey,	Walnut,
Conniff,	Kaiser,	Pennegar,	Walsh,
Conrade,	Kaufman,	Pennock,	Walton,
Cox,	Keegan,	Perry, H. L.,	Watson,
Currier,	Keeport,	Perry, S. J.,	Wettach,
Curry,	Kennedy,	Peters,	Whitaker,
Davis,	Kern,	Piper,	Whitman,
DeFrees,	Kitts,	Post,	Wildman,
Dickinson,	Klepper,	Price,	Williams,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Down,	Lanius,	Reeser,	Young, G. K.,
Dunn, H. B.,	Latshaw,	Rex,	Young, J. H.,
Dunn, J. A.,		Rhoads,	Zimmerman,
Ehrhardt,			Alter,
			Speaker.

NAYS—1.

Gray, Joseph,

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 50, entitled :

An Act amending an act entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface and sewerage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nieteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 1 of an act entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved the nineteenth day of April one thousand nine hundred and one Phamphlet Laws eighty-two which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any municipality in which any corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage to become the owners of such sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage and the property of such company by paying therefor the actual value of the same at the time of taking by the municipality" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any municipality in which any corporation created and existing under and by virtue of the laws of this Commonwealth or any person or persons or unincorporated associations have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage to become the owners of such sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage and the property of such company person or persons or unincorporated association by paying therefor the actual value of the same at the time of taking by the municipality

On the question,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer the following amendment.

The Clerk read the amendment as follows:

amend section one by striking out the word "sewerage" in lines 9-25 28-41 and 43 and inserting in lieu thereof the word "sewerage"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

The title of the bill was then read as follows:

Section 2 By adding after the end of section 2 of said act the following

Section 3 That whenever the amount to be paid by any municipality to any corporation person or persons or unincorporated association for the acquistion of sewers culverts conduits and pipes with the necessary inlets and appliances under the act of the General Assembly approved the nineteenth day of April Anno Domini one thousand nine hundred and one Pamphlet Laws eighty-two shall have been ascertained in the manner provided in said act it shall be lawful for the court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said municipal corporation or any person interested to appoint viewers as provided in the Act of May sixteen one thousand eight hundred and ninety-one P L seventy-five who shall assess the costs and expenses of the sewers culverts conduits and pipes with the necessary inlets and appliances acquired by said municipality upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when finally ascertained shall be paid by the municipal corporation and the proceedings of said viewers and the proceedings on their report shall be as provided in said act of May sixteen one thousand eight hundred and ninety-one P L seventy-five for viewers and reports of viewers in cases of property taken injured or destroyed

The title of the bill was then read as follows:

An Act amending an act entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface sewerage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

On the question,

Will the House agree to the title?

Mr. FREY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title by striking out the word "sewerage" in line 6, and inserting in lieu thereof the word "sewage".

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

Mr. FREY asked and received unanimous consent to insert an amendment to section two, which was read as follows:

Amend by striking out in lines 13 and 18 the words "as provided in the Act of May sixteen one thousand eight hundred and ninety-one P. L. seventy-five."

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and at (10:55 P. M.) the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

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SENATE.

TUESDAY, February 4, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES

Mr. MOORE, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 46, entitled:

An Act to amend section ten of an act, entitled "An act to provide for the protection and preservation of game, game quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the 1st day of May, A. D. 1909.

Also from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 45, entitled:

An Act for the better protection of the wild-birds known as the Turtle or Mourning Dove, the Kill-deer Plover, and the bird commonly called the Black-bird in Pennsylvania, and prescribing penalties for violation of its provisions.

Also, from the Committee on Pensions and Gratuities, reported as committed, Senate Bill No. 84, entitled:

An Act to amend section six of an act, entitled "An act providing for the erection and maintenance of a Memorial Hall at the County Seat of Allegheny County, in honor of the soldiers, sailors and marines from that county, who served in the Army and Navy of the United States in the War for the Suppression of the Rebellion; authorizing and directing the commissioners of said Allegheny County to erect and maintain said Memorial Hall upon a petition of fifty citizens, approved by two sucessive grand juries, the Court of Quarter Sessions and a majority vote of the qualified voters of said county at a general election; designating a committee to determine what relics, records, etc., shall be placed in said Memorial Hall and providing for a flagstaff and display of the flag of the United States; approved 12th April, A. D. 1905, by providing for a Board of Managers and that certain judges of the Common Pleas Court and the County Commissioners shall be ex-officio members of the Board of Managers prescribing the powers and duties of the board of Managers and that the expenses of maintaining and operating the building, grounds and improvements shall be paid by the County of Allegheny.

Mr. CLARK, from the Committee on Judiciary General, reported with favorable recommendation all the nominations of Notaries Public and Justices of the Peace made by His Excellency, the Governor of the Commonwealth, at last evening's session, which were laid upon the table.

Mr. COOPER, from the Committee on Pensions and Gratuities, reported as committed, Senate Bill No. 23, entitled:

A bill entitled an act applicable to cities of the first, second and third classes, to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers, for partial support of their children in their own homes; the manner of appointment of the trustees, the administration of the trust, amount of appropriations, proportioning appropriations, co-ordinate appropriations, amounts to be paid, form of records, eligibility, penalties and reports as set forth in sections one, two, three, four, five, six, seven and eight.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent as incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been, or shall be, sentenced under a law declared to be unconstitutional.

CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

Mr. HEACOCK, from the Committee on Pensions and Gratuities, reported as committed, the following resolution, which was laid over one day under the rules.

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the civil war who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore Be It Resolved, (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union Soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

Mr. JARRETT, from the Committee on Judiciary General, reported as amended, Senate Bill No. 47, entitled:

An Act to amend the first section of an act approved the 28th day of March, 1820, entitled "An Act relative to mortgages," by requiring purchase money mortgages to be recorded within ten days in order to have priority of lien.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS INTRODUCED.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 150, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies.

Which was committed to the Committee on Insurance.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings, and providing a penalty for violation thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 152, entitled:

An Act making an appropriation to the Polyclinic Hospital of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 153, entitled:

An Act to provide for an additional law judge of the several courts of the Twelfth Judicial District.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 154, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof, fixing standards for raw and boiled linseed oil, providing penalties for violations thereof, providing for the enforcement of this act and expenses thereof, providing for examination of samples of linseed oil and repealing an act approved the 23rd day of April, 1901, entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the 22d day of April, 1905, entitled "An act supplemental to an act, entitled 'An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the 23d day of April, A. D. 1901.

Which was committed to the Committee on Agriculture.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 155, entitled:

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and non-support of their wives, children or both, or for non-compliance with any sentence or order of the Court or Quarter Sessions in relation thereto.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate bill No. 156, entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the Recorder of Deeds.

Which was committed to the Committee on Judiciary General.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 157, entitled:

An Act to amend an act approved the 3d day of June, 1911, entitled "A further supplement to an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their popuation into two classes, and to prescribe the form of government for townships of each class;' approved the 28th day of April, A. D. 1899, as to townships of the first class; providing for certain duties of the secretary of the board of commissioners; in validating contracts, hirings, purchases or orders not provided for by or in excess of appropriations; providing for inspection of the records and documents by taxpayers, and the method of making contracts.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 158, entitled:

An Act to authorize the board of commissioners of every township of the first class, to establish lights upon State highways, in such townships.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 159, entitled:

An Act prohibiting the giving, selling or furnishing of cigarettes and tobacco to any person under the age of eighteen years and fixing the penalty for violation thereof.

Which was committed to the Committee on Law and Order.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 160, entitled:

An Act repealing part of section one of an act, entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," approved July 9th, 1901.

Which was committed to the Committee on Judiciary General.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 161, entitled;

An Act regulating appeals from the judgment of aldermen and justices of the peace.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 162, entitled:

An Act providing for the acquisition by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River, and making an appropriation therefor.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 163, entitled:

An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll bridges over the Delaware River and making an appropriation therefor.

Which was committed to the Committee on Public Roads and Highways.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 164, entitled:

An Act providing for a Commission to be known as "The Pennsylvania Juvenile Probation Commission," for a juvenile probation association and for probation officers in each county of the State, to assist in the care, treatment and control of dependent, neglected, incorrigible and delinquent children under the age of sixteen years, who are or may be subject to the jurisdiction of the several courts of quarter sessions of th epeace sitting as juvenile courts, specifying their powers and duties, providing the method by which such assistance may be rendered, and making an appropriation for the purpose.

Which was committed to the Committee on Judiciary General.

HOUSE BILLS FOR CONCURRENCE.

The CHAIR cleared his table and laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 13, entitled:

A joint resolution ratifying the proposed amendment to Section three of Article one of the Constitution of the United States of America which provides that senators shall be elected by the people.

Which was committed to the Committee on Elections.

House Bill No. 44, entitled:

An Act amending an act, entitled "An Act providing a system whereby boroughs may build sewers, grade, subgrade and pave streets and alleys, pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments," approved June fifteenth Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems.

Which was committed to the Committee on Municipal Affairs.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 4, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John W. James, to be a Justice of the Peace in and for the Borough of Blakely, County of Lackawanna, vice William H. Berkheiser, resigned.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. Clark,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees and those reported from Committee to lie on the table one day be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations, and those reported from committee at today's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. Clark,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kurtz,	Salus,
Beidleman,	Heacock,	Martin,	Sensenich,
Buckman,	Herbst,	McIlhenny,	Sheatz,
Catlin,	Hilton,	McNichol,	Snyder,
Clark,	Homsher,	McNichols,	Sones,
Cooper,	Huffman,	Miller,	Sproul,
Crow,	Hunter,	Mills,	Stineman,
Dalx,	Jarrett,	Moore,	Thompson,
DeWitt,	Jones,	Morgan,	Vare,
Endsley,	Judson,	Nulty,	Wasbers,
Gerberich,	Kline,	Powell,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

Mr. SHEATZ. Mr. President, I move that Rule 39 be suspended in order to consider the resolution reported from the Committee on Pensions and Gratuities at this morning's session.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read as follows:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the civil war who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore Be It Resolved, (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union Soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of the Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 165, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 166, entitled:

An Act making an appropriation to The Improvement Children's Home of the City of Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 167, entitled:

A supplement to an act, entitled "An act for cities of the second class," approved the 7th day of March, A. D. 1901, enlarging the powers of such cities over the public streets and highways therein.

Which was committed to the Committee on Municipal Affairs.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 168, entitled:

An Act to make an appropriation for the improvement of the maritime port facilities of the State of Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs reported as amended, Senate Bill No. 106, entitled:

An Act to amend an act approved the 23d day of May, 1889, entitled "An act providing for the incorporation and government of cities of the third class."

BILL INTRODUCED.

Mr. THOMPSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 169, entitled:

An Act relating to findings in proceedings in lunacy.

Which was committed to the Committee on Judiciary General.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 3, as follows:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the provisions of an act entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four and under the acts amendatory thereof where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of the election was given to the electors signify their desire for such increase of indebtedness or where the ballots were not certified or signed by the county commissioners or where full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding any defect or informality in the manner of giving notice of such election all bonds issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of the law concerning such election and issue of bonds have been complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

Whereas through an error the last Legislature appropriated to the State Quarantine Board funds for maintenance for only seven quarters instead of eight quarters of the two fiscal years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars or so much thereof as may be necessary be and the same is hereby appropriated to the State Quarantine Board for the purpose of maintenance for the months of March April and May of the current fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 14, as follows:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled "An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private

property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class by extending the act to include townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That th first section of an act approved the tenth day of June one thousand nine hundred and one entitled "An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public building and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred eleven entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awardng and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all boroughs incorporated towns and townships of the first class, shall have the power to acquire enter upon take use and appropriate private property and also land heretofore granted or dedicated to a public use which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of town hall hose-house lockup and such other public buildings as are necessary for public and municipal purposes within the corporate limits of such municipality whenever the council or board of commissioners thereof shall by ordinance determine thereon the compensation and damages arising from such taking using and appropriating of private property for the purposes aforesaid shall be considered ascertained determined awarded and paid in the manner hereinafter provided Provided That no land or property belonging to or used for any cemetery burying-ground or place of public worship shall be taken or appropriated in any manner under and by virtue of the provisions of this act" is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enactd by the authority of the same That from and after the passage of this act all boroughs incorporated towns and all townships shall have the power to acquire enter upon take use and appropriate private property and also land heretofore granted or dedicated to a public use which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of town hall hose-house lockup and such other public buildings as are necessary for public and municipal purposes within the corporate limits of such municipality whenever the council or board of commissioners or township supervisors thereof shall by ordinance determine thereon the compensation and damages arising from such taking using and appropriating of private property for the purposes aforesaid shall be considered ascertained determined awarded and paid in the manner hereinafter provided Provided That no land or property belonging to or used for any cemetery burying-ground or place of public worship shall be taken or appropriated in any manner under and by virtue of the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 21, as follows:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nine thousand three hundred twenty-seven dollars fifty-three cents or so much thereof as may be necessary be and the same is hereby specifically appropriated to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of the said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 8, entitled:

An Act for the protection of the public health and the prevention of fraud and deception in the manufacture labeling or sale of milk products defining such milk products fixing the standards thereof and providing penalties for the violation of the provisions of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 12, entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale, offering for sale, exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined, the prohibiting the use of such eggs in the preparation of food products, providing penalties for the violation thereof and providing for the enforcement thereof," approved the eleventh day of March, Anno Domini one thousand nine hundred and nine; providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries, making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess until twelve o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General.

TRUSTEE OF THE PANTHER CREEK VALLEY HOSPITAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 4, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:— In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin Ludlow, of Schuylkill County, to be a member of the Board of Trustees of the Panther Creek Valley Hospital, vice Baird Snyder, Jr., resigned.

JOHN K. TENER.

BILLS INTRODUCED.

Mr. JARRETT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 170, entitled:

An Act permitting cities and boroughs of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with an improved State highway, when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities and boroughs with the State highway.

Which was committed to the Committee on Public Roads and Highways.

Mr. DAIX. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 171, entitled:

An Act to restrain and regulate the use of dancing schools and academies, kept and maintained for the use of the General public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violations of the provisions of this act.

Which was committed to the Committee on Judiciary General.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 172, entitled:

An Act making an appropriation to the Harrisburg Hospital, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. FARLEY. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 173, entitled:

An Act relating to injunctions and restraining orders.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 174, entitled:

An Act to make plural office holding unlawful.

Which was committed to the Committee on Judiciary General.

Mr. KLINE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 175, entitled:

An Act for carrying into effect the provisions of a concurrent resolution approved by the Governor the 20th day of June, 1911, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 176, entitled:

An Act making an appropriation to the Historical Society of Western Pennsylvania.

Which was committed to the Committee on Appropriations.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. McILLHENNY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:25 o'clock P. M. until 10 o'clock Wednesday morning, February 5, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 4th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Eliot Wright, offered the following prayer:

O God, we thank Thee for our heritage. We rejoice in the sacred and the precious things which have come to us out of the past, the great safeguards of our liberty and the immunities and dignities and social and civil rights. We rejoice in the blood of Thee, our Father, which is flowing in our veins. And with their principles animating our minds and controlling our hearts, we would regard it as our highest duty and privilege to cherish these treasures which have been committed unto us unimpaired to those who shall follow after us. To this end may we reverence our consciousness. May we cherish the teaching of that work which is sacred and may we reverence that before God all be to Thy grace and the fountain and source of every blessing. We thank Thee for this beautiful winter morning. And now, as we address ourselves to the duties of this day, we pray for that presence and blessing and gracious help through Jesus Christ our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yestrday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. ULMAN. House Bill No. 274.

An Act making an appropriation to the Home for the Friendless, of the city of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MATT. House Bill No. 275.

An Act to prevent Fraud and Corruption in Elections, Primary, Municipal, General and Special, and Providing Penalties for the violation thereof.

Referred to Committee on Elections.

By Mr. WHITMAN. House Bill No. 276.

An Act regulating the deposit of county funds.

Referred to Committee on Counties and Townships.

By Mr. BIGGER. House Bill No. 277.

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise, securities or services, and providing penalties for the violation thereof.

Referred to Committee on Judiciary Special.

By Mr. MANNION. House Bill No. 278.

An Act making an appropriation to the Department of Mines of this Commonwealth for paying such expenditures as may be incurred to protect property and the public health and to promote the safety of citizens of this Commonwealth and others from loss and danger from a "Mine fire" within the limits of the City of Carbondale, Lackawanna County, providing how such expenditures shall be made, how the Commonwealth shall be repaid and authorizing the condemnation, destruction and apropriation of property material and compensation therefor to carry into effect the purposes of this act and imposing certain obligations upon the County of Lackawanna.

Referred to Committee on Appropriations.

By Mr. WALTON. House Bill No. 279.

An Act making an appropriation to the Shenango Valley Hospital of New Castle, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LOWERS. House Bill No. 280.

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

Referred to Committee on Education.

By Mr. WALTON. House Bill No. 281.

An Act making an appropriation to the Almira Home, of New Castle, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HAGGERTY. House Bill No. 282.

An Act making an appropriation to the Mid-Valley Hospital.

Referred to Committee on Appropriations.

By Mr. MALIE. House Bill No. 283.

An Act making an appropriation to Avery College Trade School, of North Side, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HESS. House Bill No. 284.

An Act making an appropriation to the Lancaster General Hospital.

Referred to Committee on Appropriations.

By Mr. NORTH. House Bill No. 285.

An Act providing for the appointment, qualifications and compensation of instructors in agriculture.

Referred to Committee on Agriculture.

By Mr. PRICE. House Bill No. 286.

An Act to amend an act approved the tenth day of April, one thousand nine hundred and seven, entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions," by providing a bounty for hawks.

Referred to Committee on Agriculture.

By Mr. HUMES. House Bill No. 287.

An Act defining public utilities, prescribing, defining and limiting the powers and duties of public utilities, creating and establishing a public service commission for the supervision and regulation of public utilities, prescribing and defining the powers and duties of such commission and its employes, prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the Courts of this Commonwealth; prescribing penalties for the violation of such orders or of the provisions of this Act, making certain acts criminal and punishing the same and repealing legislation inconsistent with this Act.

Referred to Committee on Judiciary General.

By Mr. PIPER. House Bill No. 288.

A supplement to an act approved the first day of June, one thousand eight hundred and eighty-five, entitled "An Act to provide for the better government of cities of the first class in this Commonwealth."

Referred to Committee on Municipal Corporations.

By Mr. STEELE. House Bill No. 289.

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WILDMAN. House Bill No. 290.

An Act authorizing Robert Stewart, a citizen of Dauphin County to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary Local.

By Mr. WALNUT. House Bill No. 291.

An Act to provide for the granting of licenses for the conduct of the business of making loans of money at a charge in excess of interest at the lawful rate; regulating assessments of salary or wages and providing penalties for the violation of the provisions thereof.

Referred to Committee on Banks and Banking.

By Mr. PRICE. House Bill No. 292.

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April, one thousand nine hundred and seven, entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth, which, in turn, are to be reimbursed by the Commonwealth; making an appropriation for such reimbursements; and providing penalties for violation of its several provisions," and to reimburse counties for moneys paid under the provisions of such act.

Referred to Committee on Agriculture.

By Mr. RHOADS. House Bill No. 293.

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants, and less than two hundred and fifty thousand inhabitants; and to provide for the payment of the same.

Referred to Committee on Judiciary Local.

By Mr. KITTS. House Bill No. 294.

An Act to amend an act approved the tenth day of May, one thousand nine hundred nine, entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases, and providing for their release on parole."

Referred to Committee on Judiciary General.

By Mr. BROWNLEE. House Bill No. 295.

An Act to provide a method by which it may be determined whether a judgment entered in any of the Courts in this Commonwealth is a lien upon any particular real estate.

Referred to Committee on Judiciary Special.

By Mr. KITTS. House Bill No. 296.

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings, and providing for the payment of the expenses thereof.

Referred to the Committee on Counties and Townships.

By Mr. ULERICH. House Bill No. 297.

An Act making an appropriation to the Latrobe Hospital, Latrobe, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. McALEER. House Bill No. 298.

An Act authorizing the appointment of a Commission to consider the revision and amendment of the Penal laws of the State so as to provide for the employment of all inmates of all Penal Institutions, to provide for compensation for their labor and to devise a system whereby the results of such labor shall be utilized in the Penal and Charitable Institutions for the State, and making an appropriation to the expenses of said commission.

Referred to Committee on Judiciary General.

By Mr. McCLINTOCK. House Bill No. 299.

An Act relating to the government of cities of the first class.

Referred to Committee on Municipal Corporations.

By Mr. KITTS. House Bill No. 300.

An Act to amend an act approved the fifteenth day of March, one thousand nine hundred and eleven, entitled "An act regulating in criminal trials the cross examination of a defendant, when testifying in his own behalf.

Referred to Committee on Judiciary General.

By Mr. WHITMAN. House Bill No. 301.

An Act to amend an act approved the seventh day of May, one thousand nine hundred and seven, entitled 'An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle; providing the manner of publication of said auditors' report, and providing for the payment of publication of said auditors' report by said county thereof."

Referred to Committee on Counties and Townships.

By Mr. R. J. BALDWIN. House Bill No. 302.

An Act to amend section two of an Act entitled "An act to amend section two of an act entitled "An act to regulate the manner of increasing the idebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt, and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due, and the form of statement to be filed, approved the thirteen day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class.

Referred to Committee on Municipal Corporations.

By Mr. CARTER. House Bill No. 303.

An Act to promote the safety of the Traveling Public and employees on Railroads by regulating the appointment of persons to the positions of Conductor, Flagman and Locomotive Engineman by the Railroad Companies, and fixing a penalty for violation thereof.

Referred to the Committee on Railroads.

By Mr. HEMMINGER. House Bill No. 304.

An Act regulating the sale of shoes and fixing a penalty for violation of this act.

Referred to Committee on Manufactures.

By Mr. REESER. House Bill No. 305.

An Act providing for the return of taxes on seated lands in boroughs, incorporated towns and townships for borough, town or township taxes resepectively, and providing for the sale of such lands for taxes.

Referred to Committee on Judiciary Special.

By Mr. ROCKWELL. House Bill No. 306.

An Act to further regulate the granting of license for the sale of vinous spirituous, malt or brewed liquors, or any admixture thereof, by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of 10,000 or upward, and by permitting the electors of any city or borough containing a population of 10,000 or upward to determine by an election whether the granting of licenses for such sale therein shall be prohibited.

Referred to Committee on Law and Order.

By Mr. R. J. BALDWIN. House Bill No. 307.

An Act to regulate the exemption from taxation of public property used for public purposes and places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity, universities, colleges, seminaries, academies, associations, institutions of learning and benevolence.

Referred to Committee on Ways and Means.

By Mr. DONAHOE. House Bill No. 308.

An Act making an appropriation to the trustees of the State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania, at Fountain Springs, near Ashland, Schuylkill County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BENSON. House Bill No. 309.

An Act making an appropriation to the Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CONNIFF. House Bill No. 310.

An Act making an appropriation to the Pittston Hospital Association, of Pittston, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CONNIFF. House Bill No. 311.

An Act prohibiting certain promises or pledges by candidate for election or nomination or by others for such candidate, and the asking, demanding, receiving or transmitting of such promises or pledges, and providing a penalty for violation of this act.

Referred to Committee on Elections.

By Mr. EHRHARDT. House Bill No. 312.

An Act making an appropriation for the Associated Charities and Humane Society of Lackawanna County.

Referred to Committee on Appropriations.

By Mr. WILDMAN. House Bill No. 313.

An Act making an appropriation to the Polyclinic Hospital, of Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 314.

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 315.

An Act making an appropriation to the Girls' Training School, of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 316.

An Act making an appropriation to the Florence Crittenten Mission of the City of Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 317.

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County.

Referred to Committee on Appropriations.

By Mr. GEARY. House Bill No. 318.

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GEARY. House Bill No. 319.

An Act making an appropriation to the Rosalia Foundling Asylum and Maternity Hospital of the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULMAN. House Bill No. 320.

An Act making an appropriation to the Boys' Industrial Home, at Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HORACE B. DUNN. House Bill No. 321.

An Act making an appropriation to reimburse Mrs. Rose S. Zacharias for money erroneously paid into the State Treasury for purchase of vacant land.

Referred to Committee on Appropriations.

REPORT OF THE DOLLAR SAVINGS BANK.

The SPEAKER. The Chair lays before the House the Semi-Annual Report of the Dollar Savings Bank of Pittsburgh. The report will be noted upon the Journal of the House and printed in the appendix to the Legislative Journal.

(See Appendix).

PETITION,

FAVORING REPEAL OF MERCANTILE TAX.

Mr. CALDWELL presented the petition of Citizens of Northumberland County, asking for the repeal of the Mercantile Tax.

Which was referred to the Committee on Ways and Means.

REPORT FROM COMMITTEES.

Mr. BENSON, from the Committee on Law and Order, reported as committed, House Bill No. 195, entitled:

An Act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

Mr. MOSES, from the Committee on Law and Order, reported as committed, House Bill No. 6, entitled:

An Act for the further regulation and restraint of the sale of vinous, spirituous, malt or brewed liquors and admixtures thereof, by those having a wholesale license from any of the several courts of quarter sessions of this Commonwealth.

Mr. STEIN, from the Committee on Law and Order, reported as committed, House Bill No. 116, entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

Mr. BROWNLEE, from the Committee on Law and Order, reported as committed, House Bill No. 113, entitled:

A Supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof."

Mr. EHRHARDT in the Chair.

TIME FOR FINAL ADJOURNMENT.

Mr. KITTS. Mr. Speaker.

The SPEAKER. The gentleman from Erie, Mr. Kitts.

Mr. KITTS. Mr. Speaker, I ask for unanimous consent to call up Concurrent Resolution No. 7.

The SPEAKER. The Clerk will read the resolution.

The resolution was twice read, as follows:

Resolved (if the Senate concur), That this General Assembly shall adjourn sine die on Tuesday, April fifteenth, one thousand nine hundred and thirteen.

On the question,

Will the House agree to the resolution?

Mr. KITTS. It seems to me that when the Session draws to a close, it is the usual thing that so many bills are brought up that could have been introduced at an earlier date, that the work of the Committees is naturally congested and the House has not the proper time nor the opportunity in debate on third reading to give them the necessary attention, and during the thirty days in which the Governor has to give attention to bills that have been passed, after the close of the Legislature, his attention is necessarily hurried over such a variety of legislation that no ordinary person could possibly give them the attention they require. From the agitation that has been sweeping the State in the last few years, it is apparent that various bills calling for reform legislation will be presented in this Session of the Legislature, many of which have already been presented, and I feel that this House should not be hurried, and it seems that if we stated a definite day on which we were to adjourn, we could work up to that end and save the Commonwealth some expense. Investigations have been asked for to look into the expense of the running of the Legislature.

I might add that if it is the sense of the House that this time should be extended to another date that meets with the unanimous consent of the House, I shall be very glad to entertain such amendment. I wish to add that this resolution was not presented as coming from any political faction or any political agency or any political party, but I simply introduced it on my own behalf. I offer it as a non-partisan resolution for the consideration of the House as a whole.

Mr. HUMES. Mr. Speaker.

The SPEAKER. The gentleman from Crawford, Mr. Humes.

Mr. HUMES. Mr. Speaker, I am gratified to know that the gentleman from Erie realizes the agitation that is sweeping over the State at this time, but it strikes me, if the desire of the gentleman is only to limit the time of the House, that it could well have been taken care of by a resolution covering that subject, and it was not necessary for the gentleman to cover in this resolution the time for adjournment of the House to accomplish his avowed or declared purpose. It is evident that there is some purpose other than the desire to prevent the introduction of bills back of this resolution. I believe that the people of this State have elected this Legislature for the purpose of securing for themselves some legislation that will relieve the troubles and difficulties by which they are now afflicted. They are expecting legislation from this body; they are expecting us to consider intelligently bills that are presented to this House and are expecting this Legislature to enact very many important bills and to pass on legislative matters, and it strikes me that we had better consider, or that we dare not at this time assume that we can meet all of these questions and act upon them intel-

ligently within the time provided for in this resolution. I think we all agree that if we can reach an adjournment even by April first, we will be very thankful for it. The quicker we adjourn, the better it suits us all, and if we have performed our duty, the quicker we adjourn, the quicker we will have brought relief. The people of this State are demanding at this time that this legislation shall be acted upon, but it is foolish at this time to undertake to assume that we can do all that work within the time provided for by this resolution. I don't believe that any member in this House is opposed to adjourning on April fifteenth if the work can be finished. We have not gone far enough at this time to undertake to set a date, and we cannot see far enough in advance to know definitely whether or not we are ready to adjourn on the date fixed by this resolution. In a month from now, we will be able to see what we have accomplished, and it will do just as much good to act upon a resolution of this kind then as at this time, and the suggestion is made that we can extend the time subsequently. If we find that the business matters coming before the House make it impossible for us to reach adjournment on the day fixed. And I warn you gentlemen, that this is a concurrent resolution. We have no assurance that a resolution extending the time of adjournment will be concurred in by the other branch of this Assembly. I think we had better not take the responsibility and run the risk of being able to extend this session by a subsequent concurrent resolution. The House should not be hasty at this early date to fix a time for adjournment. We have accomplished little or nothing in the month that we have been here, and I hope that this resolution will be voted down, not because we are opposed to an early adjournment, but because the action would be premature if taken at this time.

M. GEORGE A. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Beaver, Mr. George A. Baldwin.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer the following amendment to the resolution.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was twice read, as follows:

Strike out the words "adjourn sine die" and substitute the words "take a recess for thirty days."

On the question,

Will the House agree to the amendment?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I have my reason for offering this amendment. It may be that this House can transact its business by the fifteenth of April, and perhaps not, but if it is the temper of the House to fix definitely the day upon which you desire to adjourn. Now this Legislature is passing certain legislation. The Governor, in his annual message, recommended some of this legislation and on some of it he has not committed himself. He gives us his word that he will sign bills providing public utility measures and other legislation that is mentioned on which he has not committed himself. For instance, direct presidential primaries, direct nomination and election of State officers, direct nomination of United States Senators; on these matters he has not committed himself, and he might or might not sign them. If you think it proper to fix this date for a recess after you adjourn to thirty days, there are plenty of bills that the people of this State have been demanding but which are not signed by the Governor.

As I have said, on certain legislation which the Governor has recommended, the veto power is in the hands of the Chief Executive, but there are some laws which are recommended on which he has not committed himself. We, gentlemen, ought to place ourselves into the position of being able to make it possible to put these measures into law without any reference to date.

QUESTION OF INFORMATION.

Mr. R. J. BALDWIN. Mr. Speaker, I don't want to interject myself into every debate, but the Constitution provides that there shall be no adjournment of the Legislature and I can put no other construction on this proposed amendment.

POINT OF ORDER.

I rise to a point of order to the effect that the amendment to this resolution is out of order.

The SPEAKER. The point of order is not well taken, for the reason that the amendment provides for a recess and not for an adjournment.

Mr. SHERN moved that the amendment, together with the resolution, be referred to the Committee on Rules.

On the question,

Will the House agree to the reference of the resolution and amendment to the Committee on Rules?

It was agreed to.

BILLS RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask the unanimous consent of the House to offer a motion to recommit at this time.

The SPEAKER. The gentleman from Philadelphia, Mr. John R. K. Scott, asks unanimous consent to recommit a bill at this time. Is there any objection. The Chair hears none.

The motion will be read by the Clerk.

The Clerk read as folows:

Move to recommit House Bill 97, file folio 91, entitled "An Act regulating the cold storage of food and providing penalties for violation of this act," on page 4 of to-day's calendar, to the Committee on Health and Sanitation.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker and gentlemen of the House, I offer this motion at this time because of the fact that two cold storage bills have been sent to the Committee on Judiciary Special and both bills seem to be drafted by practically the same author, and the committee reported out both bills, and they have now passed first reading. It is the desire of the committee on Judicary Special to recommit these bills to the Committee on Public Health and Sanitation. The Committee on Public Health and Sanitation have a public meeting this afternoon for the purpose of hearing those who desire to be heard on this subject, and it is their intention to submit a bill embodying the points agreed upon. The gentleman who is the Chairman of the Committee on Public Health and Sanitation has invited a sub-committee of the Committee on Judiciary Special to attend his committee and assist in working out this proposition. It is therefor the desire of the Judiciary Special committee that these bills be sent to the Committee on Public Health and Sanitation.

On the question recurring,

The motion was agreed to.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent to oer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The Clerk read as follows:

Move to recommit House Bill No. 1, file folio 55, entitled "An Act regulating the cold storage of food and providing penalties for the violation of this act," page 2 of to-day's calendar, to the Committee on Health and Sanitation.

SPEAKER ALTER IN THE CHAIR.

The SPEAKER. Will the House give unanimous consent to consider this motion at this time? The Chair hears no objection.

The motion was agreed to.

EXTENDING TIME FOR REPORT OF COMMISSION TO INVESTIGATE SURFACE SUPPORT OF ANTHRACITE COAL MINING.

Mr. DAVIS. Mr. Speaker, I desire at this time to call up Senate Concurrent Resolution No. 2.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read as follows:

Whereas, The Commission to investigate and report upon surface support in mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D. 1911, will be unable to make its report to the General Assembly on February 1, 1913, the date specified in the Resolution, because of insufficient time.

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a member of expert mining engineers and others is still to be taken by the Commission.

Therefore, Be it Resolved (if the House concur), The Commission be granted an extension of time to make its report to the General Assembly, said report to be made on or before the 15th day of March, A. D. 1913.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. REESE. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend by striking out "February 15th, 1913" and inserting in lieu thereof "March 1st, 1913."

Mr. DAVIS. Mr. Speaker, I move the adoption of the amendment.

The motion was agreed to and the amendment was adopted.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 50, entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owner of such sewers, culverts, conduits and pipes with the necessary inlets and appliances aforesaid; providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same," approved April nineteenth one thousand nine nundred and one by extending the provisions thereof to sewers, culverts, conduits and pipes with the necessary inlets and the appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FREY. Mr. Speaker, in order that the members of the House, who seem to be interested in this bill, may have an opporuntity to examine it more closely I move that it be placed on the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 70, entitled:

A joint resolution proposing an amendment to section seven article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor

The first section of the bill was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Amendment to Article Three Section Seven

Section 2 Amend section seven article three of the Constitution of Pennsylvania which reads as follows

"Section 7 The General Assembly shall not pass any local or special law authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

"Authorizing the laying out opening altering or maintaining roads highways streets or alleys

"Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other state

"Vacating roads town plots streets or alleys

"Relating to cemeteries grave yards or public grounds not of the State

"Authorizing the adoption or legitimation of children

"Locating or changing county seats erecting new counties or changing county lines

"Incorporating cities towns or villages or changing their charters

"For the opening and conducting of elections or fixing or changing the place of voting

"Granting divorces

"Erecting new townships or boroughs changing township lines borough limits or school districts

"Creating offices or prescribing the powers and duties of officers in counties cities boroughs townships election or school districts

"Changing the law of descent or succession

"Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbritrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judciial sales of real estate

"Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

"Regulating the management of public schools, the building or repairing of school houses and the raising of money for such purposes.

"Fixing the rate of interest.

"Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment.

"Remitting fines, penalties and forfeitures or refunding moneys legally paid into the treasury.

"Exempting property from taxation.

"Regulating labor, trade, mining or manufacturing.

"Creating corporations or amending, renewing or extending the charters thereof.

"Granting to any corporation, association or individual any special or exclusive privilege or immunity or to any corporation, association or individual the right to lay down a railroad track.

"Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed.

"Nor shall any law be passed granting powers and privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for" so as to read as follows:

Section 7. The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens.

Regulating the affairs of counties, cities, townships, wards, boroughs or school districts.

Changing the names of persons or places.

Changing the venue in civil or criminal cases.

Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys.

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other state.

Vacating roads, town, plats, streets or alleys.

Relating to cemeteries, grave-yards or public grounds not of the State.

Authorizing the adoption or legitimation of children.

Locating or changing county seats, erecting new counties or changing county lines.

Incorporating cities, towns or villages by changing their charters.

For the opening and conducting of elections or fixing or changing the place of voting.

Granting divorces.

Erecting new townships or boroughs, changing township lines, borough limits or school districts.

Erecting offices or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts.

Changing the law of descent or succession.

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chacery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate.

Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

Regulating the management of public schools, the building or repairing of school houses and the raising of money for such purposes.

Fixing the rate of interest.

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment.

Remitting fines, penalties and forfeitures or refunding moneys legally paid into the treasury.

Exempting property from taxation.

Regulating labor, trade, mining or manufacturing, but the Legislature may regulate and fix the wages or salaries, the hours of work or labor and make provision for the protection, welfare and safety of persons employed by the State or by any county, city, borough, town, township, school district, village or other civil division of the State or by any contractor or sub-contractor performing work, labor or service for the State or for any county, city, borough, town, township, school district, village or other civil division thereof.

Creating corporations or amending, renewing or extending the charters thereof.

Granting to any corporation, association or individual any special or exclusive privilege or immunity or to any corporation, association or individual the right to lay down a railroad track.

Nor shall the General Assembly indirectly enact such special or local laws by the partial repeal of a general law but laws repealing local or special acts may be passed.

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for.

On the question,

Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, line 3, by inserting after the word "met" the word "that."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was then read and agreed to as follows:

A Joint Resolution proposing an amendment to section seven article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Hill No. 24, as folows:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any real estate in this Commonwealth heretofore held by or for any corporation or corporations not having the right to own and hold the same has been conveyed to any citizen of the United States or to any corporation authorized by the laws of this Commonwealth to hold the same such citizen or corporation grantee as aforesaid shall hold and may convey such title and estate indefeasibly as to any right of escheat in this Commonwealth by reason of such real estate having been sold by or for a corporation not authorized to hold the same by the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 11, as follows:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in adition to the judges provided for in an act entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election appointment and commissioning of judges learned in the law for the said districts in cases where such judges are not provided for by existig law" approved the eighteenth day of July one thousand nine hundred and one an additional law judge is hereby authorized and provided for the several courts of the Forty-seventh judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided by law for judges learned in the law as if the said office had been established in the time of and subject to the provisions of an act entitled "An act to fix the salaries of the judges of the supreme court the judges of the superior court the judges of the Courts of Common Pleas and the judges of the Orphans Courts" approved the fourteenth day of April one thousand nine hundred and three

Section 2 At the next municipal election after the passage of this act the qualified electors of the said Forty-seventh judicial district shall elect in the manner prescribed by law for the election of president judge a competent person learned in the law to serve as said additional law judge in said district from the first Monday in January Anno Domini one housand nine hundred and fourteen for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is rquired by law in case of a similar vacancy in the office of president judge

Section 3 The judge in said district whose commission shall first expire shall be the president judge thereof except where the president judge shall be re-elected in which case he shall continue to be president judge

Section 4 The Governor is hereby authorized by and with the consent of the Senate to appoint some competent person learned in the law as additional law judge of said Forty-seventh district until the first Monday in January succeding the next municipal election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 28, as follows:

An Act to amend an act approved the eighth day of June one thousand nine hundred and ninety-three entitled "An act relating to mandamus" as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June one thousand eight hundred and ninety-three enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" and as further amended by an act approved the ninetenth day of March one thousand nine hundred and three entitled "An act amending section one (1) of an act entitled 'An act relating to mandamus,' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to mandamus" which as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June one thousand eight hundred and ninety-three enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" reads as follows

That the several courts of common pleas shall within their respective counties have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or any township district or place within such county and to all corporations being or having their chief place of business within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writ of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioners of the Sinking Fund the Medical Council of Pennsylvania and the several Boards of Medical Examiners the Board of Undertakers the Board of Dental Examiners and the Board for the Examination of Accountants for the State of Pennsylvania" and which as further amended by the act approved the nineteenth day of March one thousand nine hundred and three entitled "An act amending section one (1) of an act entitled 'An act relating to mandamus' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three' reads as follows

"That the several courts of common pleas within their respective counties shall have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or for any township district or place within the county and to all corporations being or having their chief place of business within such county and to any corporation doing business or having its property in whole or in part within the county Provided The relief act duty matter or thing the performance of which is sought should be given or performed within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writ of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioner of the Sinking Fund" is amended to read as follows

Section 1 That the several courts of common pleas shall within their respective counties have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or for any township district or place within such county and to all corporations being or having their chief place of business within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writs of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioners of the Sinking Fund the Medical Council of Pennsylvania and the several Boards of Medical Examiners the Board of Undertakers the Board of Dental Examiners the Board for the Examination of Accountants for the State of Pennsylvania and the State Board of Examiners for the Registration of Nurses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 120, as follows:

An Act amending an act entitled "An Act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class or of the poor district of which said city is a part," approved the twenty-fourth day of June one thousand eight hundred and ninety-five by extending the provisions of the act to second class cities.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section one of an act, entitled "An act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class or of the poor district of which said city is a part." approved the twenty-fourth day of June one thousand eight hundred and ninety-five, which reads as follows:

"Section 1. Be it enacted, by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That whenever territory adjacent and adjoining any city of the third class comprising one poor district or a portion of a poor district has been or shall hereafter be annexed to and made a part of any such city of the third class that the territory or district so annexed shall constitute and form a part of the poor district of said city or of the poor district of which said city is a part," is amended to read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That whenever territory adjacent and adjoining any city of the second or third class comprising one poor district or a portion of a poor district has been or shall hereafter be annexed and made a part of any such city that the territory or district so annexed shall constitute and form a part of the poor district of said city or of the poor district of which said city is a part.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2, as follows:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand (20,000) dollars be and the same is hereby appropriated for the payment of a deficiency in the appropriaion act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) to pay local Registrars in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar and to pay for such work as shall be necessary to and including May thirty-first nineteen hundred and thirteen (1913) said appropriation to be paid out under the same conditions as those under which the original appropriation was made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 89, as follows:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county having by any Federal census a population of one hundred thousand inhabitants or over where no provision has heretofore been made for the salary of controller of such county the controller shall receive out of the county treasury an annual salary of two thousand five hundred dollars payable monthly

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 185, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

The first section was read as follows:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genral Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof that section one of article eight which reads as follows

"Section 1 Every male citizen of twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject to such laws requiring and regulating the registration of electors as the general assembly may enact

"First He shall have been a citizen of the United States at least one month

"Second He shall have resided in the State one year (or having previously been a qualified elector or native born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

"Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

"Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election" be amended so that the same shall read as follows

"Section 1 Every citizen male or female of twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the general assembly may enact

"First He or she shall have been a citizen of the United States at least one month

"Second He or she shall have resided in the State one year (or having perviously been a qualified elector or native-born citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceedig the election

"Third He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

"Fourth If twenty-two years of age and upward he or she shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election

"Fifth Wherever the words 'he' 'his' 'him' and 'himself' occur in any section of article VIII of this Constitution the same shall be construed as if written resepctively 'he or she' 'his or her' 'him or her' and 'himself or herself'"

On the question,

Will the House agree to the section?

Mr. HOCKWELL. Mr. Speaker, there appears to be two typographical errors in section one so I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section one by striking out the first word "of" in line 7.

Also amend section one by inserting after the word "subject" in line 9 the word, "however."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 82, entitled:

An Act authorizing and regulating the employment on county highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That during the period for which he shall have been sentenced every male person sentenced to undergo an imprisonment in the jail or prison of any county may be employed by the county commissioners of such county in the construction improving repairing or maintenance of any county highway in such county

On the question,

Will the House agree to the section?

Mr. E. G. M. KUHNS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section one by cutting out all of line 4 except the last two words, "every male." In line 5 strike out "sentenced to undergo" and insert "who has served." In the same line, after the word "imprisonment" add "of thirty days." In line 7 after the word "county" add "but not for more than eight hours in any one day, nor more than six days in any one week."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. WALTON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section one line 8 by striking out the word "county," and in lieu thereof substitute the word, "public."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections were read and agreed to as follows:

Section 2 The employment of such prisoners on the highways shall be under such regulations as the county commissioners may prescribe but the services of any such prisoner may not be let out or leased or sold to any person firm or corporation Such number of guards may be employed as the commissioners may deem necessary at a compensation not to exceed two dollars and fifty cents per day each

Section 3 If such employment shall render it impracticable to feed such prisoners in the jail or prison it shall be the duty of the person or persons directed by law to feed prisoners in the prison or jail to provide such prisoners while at work with such meals as may be necessary An extra compensation therefor may be paid by thec ounty commissioners not to exceed ten cents per day for each prisoner so employed

The Fourth Section was read as follows:

Section 4. If any person guarding any prisoner so employed shall perform his duties so negligently as to permit any prisoner to escape or shall wilfully permit or aid any prisoner to escape he shall be guilty of a misdeamanor and upon conviction thereof shall be sentenced to undergo imprisonment in the jail of the proper county for a period of one year. If any person not being a guard shall aid any prisoner so employed to escape he or she shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this section.

On the question,

Will the House agree to the Section?

Mr. E. G. M. KUHNS. Mr. Speaker, I desire to offer the following amendment.

The amendment was then read by the Clerk as follows:

Amend Section four, line 6, after the word "period" by striking out the word "of" and inserting "not exceeding."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The Fifth and Sixth Sections were read and agreed to as follows:

Section 5. If any prisoner so employed shall escape or attempt to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the proper county jail for a period of one year. Such prisoner so convicted shall not be released on probation or parole; such sentence shall take effect upon the expiration of the term of the original sentence.

Section 6. All acts and parts of acts inconsistent with this act are repealed.

The Title was read as follows:

An Act authorizing and regulating the employment on county highways of male prisoners in county jails and prisons and fixing penalties for violation of this act.

On the question,

Will the House agree to the title?

Mr. WALTON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend line 1 of the title by striking out "county" and substitute the word "public."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

BLELOCH. Mr. Speaker, I would like to corect what is evidently an error on the part of the gentleman from Lehigh, Mr. Kuhns. The bill appears to read like this: That every male sentenced to imprisonment for thirty days shall do certain work. That would appear to make it read that a person should do this work even after he has been discharged, and I would like to offer and an amendment to the bill after the words, "thirty days" by adding, "has still a balance of the sentence to serve," and I ask the unanimous consent of the House to insert this amendment at this time to the first section.

The SPEAKER. The Chair hears no objections. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section one, line 5, by adding after the words, "thirty days," the words "still has a balance of a sentence to serve."

The SPEAKER. The amendment will be inserted in accordance with the instructions of the House.

Mr. KITTS. Mr. Speaker, I would ask that the section as amended be read for the information of the House.

The section as amended was then read by the Clerk.

POINT OF INFORMATION.

Mr. KITTS. Mr. Speaker, I rise to a point of information. From this section I would infer that where a prisoner is sentenced for a term of thirty days only, he cannot be put out on road work. It seems to me this is wrong as a majority of the men who are sent to jail are sent there for a period of less than thirty days, it does not exceed that.

The SPEAKER. I will have to turn the question over to the member who has the bill in charge.

Mr. E. G. M. KUHNS. That is just exactly what the section means. I have received reports from different sections of the country where we have these different strikes and I am informed that laborers are thrown in jail for but a few days at a time without any cause whatever, and it is to save them that I have changed that section one so that if such were the case that such workmen would be thrust into jail under any conditions they would not be taken out an worked and that is why I changed this section.

The question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 132, as follows:

An Act to amend an act, entitled "An Act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prison."

Approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants shall compose a board to be known by the name and style of Inspectors of the Jail or County Prison, to wit: The judges of the court of quarter sessions the district attorney, the sheriff, the controller and commissioners of each of said counties in which board and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary. A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of

all the members of said board. The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management. The board shall appoint a warden of the prison who shall reside in the building. The warden subject to the approval of the board may appoint such deputy or deputies, assistant or assistants, keeper or keepers as may be required in taking care of the prison, the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners, the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder.

Section 4. That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency. All deputies, assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board.

Section 5. Provided that in all counties to which this act applies where the sheriff is now the acting warden or keeper of the county jail or prison and has his residence therein this act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper.

Section 6 This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and not less than three hundred and twenty-five thousand inhabitants shall compose a board to be known by the name and style of inspectors of the jail or county prison to wit. The sheriff the controller and the commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution

Section 2 That within thirty days after this act shall become effective the above-named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quoroum for the transaction of business and all actions of said board must be by the approval of a majority of all of the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors

Section 3 That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder

Section 4 That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board

Section 5 This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act

Section 6 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 88, as follows:

An Act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by an act entitled "An act to amend sections one and sixteen of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county, approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one which as amended reads as follows

"Section 1 That the qualified voters of each of the counties of this Commonwealth containing one hundred and fifty thousand inhabitants as shown by the last preceding decennial census or any decennial census thereafter shall elect on the first Tuesday after the first Monday of November one thousand eight hundred and ninety-five and triennially thereafter in place of county auditor one citizen of each of said counties to serve as controller of said county for the term of three years or until his successor shall be qualified if he so long shall behave himself well" is amended so as to read

Section 1 The office of county controller is hereby established and the office of county auditor abolished in each county of this Commonwealth which shall contain by any Federal census one hundred thousand inhabitants or over At the municipal election in the year one thousand nine hundred and thirteen the qualified electors of each such county not now having a controller shall elect one citizen of such county to serve as controller in place of county auditor until the first Monday of January one thousand nine hundred and sixteen At the municipal election in the year one thousand nine hundred and fifteen and quadriennially thereafter the qualified electors of each county entitled to a controller shall elect one citizen of such county who shall serve as controller for the term of four years from the first Monday of January thereafter following or until his successor shall be qualified if he so long shall behave himself well

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 51, as follows:

An Act to repeal sections eight, nine ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February, one thousand eight hundred fifty-three, entitled "An Act authorizing the laying out of a State road from Ayr township in Fulton county, to Warren township in Franklin county, and relating to the collection of taxes in Franklin county."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That sections eight, nine ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen of an act approved the twenty-sixth day of February one thousand eight hundred fifty-three, entitled "An Act authorizing the laying out of a State road from Ayr township in Fulton county, to Warren township in Franklin county, and relating to the collection of taxes in Franklin county" are repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 194, as follows:

An Act requiring the prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said courts when filed to the Superintendent of the Department of Public Printing and Binding and requiring said Superintendent to have the same printed and a copy thereof mailed to every judge of every court of record of this State.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That as soon as an opinion shall hereafter be filed in any case by the Supreme Court or Superior Court of this Commonwealth it shall be the duty of the prothonotary of such court in whose office the same is filed and he is hereby directed immediately and without charge to mail a duly certified copy of such opinion to the Superintendent of the Department of Public Printing and Binding of this Commonwealth who shall immediately on receipt thereof cause the same to be printed and a copy thereof to be mailed immediately and without charge to every judge of every court of record of this Commonwealth and to the prothonotary of each county of this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being taken in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 184, as follows:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That from and after the first day of January one thousand nine hundred and fourteen the appraisers' lists of mercantile licenses shall not be published.

Section 2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 63, entitled:

An Act relating to the furnishing of gas, water or electricity to persons, companies and corporations to be paid for by consumers by meter measurement; prohibiting overcharges therefor, and providing penalties for the violations of the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS.

Mr. SHERN. Mr. Speaker, I move that the House do now take a recess until 4:30 o'clock this afternoon, in order that the committees may make a report of their work in regard to their bills, after meeting this afternoon.

The motion was agreed to, and (at 11:15 A. M.) the House took a recess until 4:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

REPORTS FROM COMMITTEES.

Mr. LETZKUS, from the Committee on Manufactures, reported as committed House Bill No. 236, entitled:

An Act regulating the manufacture, sale and offering for sale of mattresses, and fixing penalties for violation hereof.

Mr. GEARY, from the Committee on Federal Relations, reported as committed, House Bill No. 138, entitled:

Joint Resolution making application to Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited.

Mr. S. B. SCOTT, from the Committee on Judiciary General, reported as committed, House Bill No. 271, entitled:

An Act to amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five, by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June, Anno Domini one thousand nine hundred and eleven, by further changing the limit of population of such counties.

Mr. J. R. K. SCOTT, from the Committee on Judiciary General reported as committed House Bill No. 168, entitled:

An Act to amend an act approved the fourteenth day of April, one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the courts of justice."

Mr. I. GORDON FORSTER, from the Committee on Judiciary General reported as committed, House Bill No. 166, entitled:

An Act to amend an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to the appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and nine."

Mr. STONE, from the Committee on Judiciary Special reported as committed, House Bill No. 241, entitled:

An Act providing for the appointment by the Governor of a commission to determine what portions of the Constitution of this Commonwealth need revision, to gather literature, statistics and other information, and to make a report embodying its recommendations and the result of its inquiries; defining the power and duty of such commission; providing for its organization and for the filling of vacancies in its membership; fixing its compensation and making an appropriation for its compensation and expenses.

Mr. GRAMLEY, from the Committee on Counties and Townships, reported as committed House Bill No. 153, entitled:

An Act to repeal an act approved the first day of June, one thousand nine hundred and eleven, entitled "An Act to tax traction engines, and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed."

Mr. KLEPPER, from the Committee on Judiciary Special, reported as committed, House Bill No. 277, entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise, securities or services, and providing penalties for the violation thereof.

Mr. JAMES J. CAMPBELL, from the Committee on Municipal Corporations, reported as committed, House Bill No. 179, entitled:

An Act empowering cities to establish and maintain free public employment bureaus.

Mr. STEELE, from the Committee on Federal Relations, reported as committed, House Bill No. 248, entitled:

An Act to amend an act approved the twenty-fifth day of June, one thousand eight hundred and ninety-five, entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult."

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed, House Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March, one thousand nine hundred and eleven, entitled "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf."

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected.

Mr. BLELOCH, from the Committee on Appropriations, reported as amended, House Bill No. 73, entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

Mr. COX, from the Committee on Elections, reported as committed, House Bill No. 104, entitled:

An Act amending Section 102 of an act entitled "An act relating to the elections of this Commonwealth approved the second day of July, A. D. 1839" by providing punishment for certain offenses committed by election officers and clerks and amending section 103 of said act by increasing the penalties therein provided.

Mr. WALTON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 20, entitled:

An Act further amending section one of an act entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools,

in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof," approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to all cities of the third class.

Mr. JACKSON, from the Committee on Agriculture, reported as committed, House Bill No. 171, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors, gambling and the conducting of immoral exhibitions at or near the fair grounds

Mr. SPANGLER, from the Committee on Judiciary Special, reported as committed, House Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January, one thousand nine hundred and thirteen, by counties, cities, boroughs, townships, school-districts, and other municipalities, or incorporated districts, not in excess of two per centum of the assessed valuation of taxable property in the resepective county, city, borough, township, school-district, or incorporated district, in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act, entitled "An act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April, Anno Domini, one thousand eight hundred and seventy-four, abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt, and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due, and the form of statement to be filed," approved the thirteenth day of April one thousand eight hundred and ninety-seven, and designating the time when said statement must be filed.

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed, House Bill No. 149, entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor.

Mr. LOHR, from the Committee on Elections, reported as committed, House Bill No. 122, entitled:

An Act amending section 120 of an act entitled, "An act relating to the elections of this Commonwealth," approved the second day of July, A. D. 1839, as amended by Act of Assembly approved the twelfth day of July, A. D. 1897.

Mr. WILLIAMS, from the Committee on Elections, reported as committed, House Bill No. 123, entitled:

An Act amending sections 50 and 51 of an act entitled "An Act to consolidate, revise and amend the Penal Laws of this Commonwealth," approved the thirty-first day of March, A. D. 1860.

Mr. LOHR, from the Committee on Elections, reported as committed, House Bill No. 131, entitled:

An Act amending section 119 of an act entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, A. D. 1839, as amended by Act of Assembly approved the fourteenth day of July, A. D. 1897.

Mr. GLENN, from the Committee on Judiciary General, reported as committed, House Bill No. 181, entitled:

An Act to amend the second section of an act approved the thirteenth day of March, Anno Domini one thousand nine hundred and seven, entitled "An act amending section two of the Act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth,'" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount there, and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise.

Mr. LANIUS, from the Committee on Judiciary Special, reported as amended, House Bill No. 86, entitled:

An Act to amend Sections one and two of an Act entitled "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor," approved the fourteenth day of April, one thousand nine hundred five.

Mr. GEORGE A. BALDWIN, from the Committee on Elections, reported as committed, House Bill No. 57, entitled:

An Act to amend the eight section of an act, entitled "An act providing for a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions," approved the seventeenth day of February, Anno Domini one thousand nine hundred and six; by fixing the compensation of election boards at primary elections.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was laid upon the table.

The SPEAKER. Reports from Committees being the only order of business at this session, what is the pleasure of the House?

ADJOURNMENT.

Mr. LETZKUS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, and (at 4:45 P. M.) the House adjourned to meet to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, FEBRUARY 5, 1913. No. 11.

SENATE.

WEDNESDAY, February 5, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by Rev. M. D. Lichliter.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The CLERK proceeded to read the Journal of the preceding session, when, on motion of Mr. Kline, the further reading was dispensed with, and the Journal was approved.

TIME OF NEXT MEETING.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That when the Senate adjourns today it shall reconvene on Monday evening, February tenth, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February tenth, at eight o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF STATE HIGHWAY DEPARTMENT.

The CHAIR cleared his table and laid before the Senate the following communication and report accompanying the same, which were referred to the Committee on Public Roads and Highways:

Pennsylvania State Highway Department,
Harrisburg, Pa., February 5, 1913.

To the President and Members of the Senate of Pennsylvania.

Sirs:—In pursuance of a resolution of the House of Representatives, of date January 22, 1913, I have prepared a report of this Department to date of January 1, 1913, and I wish to herewith submit a copy of same to your Honorable Body. Inasmuch as the fiscal year of the Highway Department closes on May thirty-first of each year, and as the Annual Report is regularly made at that time, I have included in this report full details of the expenditures of the Department between the dates June 1, 1912 and January 1, 1913.

This report is submitted to you herewith, and attached hereto are schedules showing detailded statements of expenditures and work done by the Department under all contracts, and divided so as to show the district and county in which the work was performed . The report also includes the administration, surveying, construction and maintenance, and the statements of all materials, supplies, machinery and equipment purchased. In the fore part of these schedules is shown a summarized statement of each appropriation, showing the total appropriation and the charges as at January 1, 1913 made against the same as follows:

Schedule "A-1" covers the contracts in force between the above dates and includes the maintenance contracts on which the work was done by the Department contractors, furnishing labor and equipment on a percentage basis, the material for which was purchased by the Department. It is itemized under the following heads: the county and township in which the work was done; the route number; the contractor's name; the date of the execution of the contract; the amount of the contract; the amount paid January 1, 1913; the cost of advertising: the length contracted for; and the percentage of work completed.

Schedule "A-2" is a report covering the expense of surveying and plotting the various Highway Routes designated in the Act of May 31, 1911, together with general engineering expense of the roads at present under construction. This schedule is in detail as to cost per mile for surveying and plotting each route.

Schedule "A-3" is a statement of maintenance expense and show the route number, the counties, the total mileage of the route, and the mileage worked by the Highway Department's maintenance forces in each county, the number of men and teams employed, the amount of money expended for labor and material, and the total maintenance cost of each route.

Schedule "A-4" is a statement of the costs of surveying, plotting, and printing the maps of the various counties of the State.

Schedule "A-5" is a statement of the purchase of equipment, machinery and tools.

Schedule "A-6" is a statement of Departmental expenses.

Schedule "A-7" is a statement of maintenance work done by the County Commissioners, in which the counties shared the costs.

Schedule "B"—State-aid Fund, Act of 1911, shows the county, township, and application number; the name of the contractor; the date of the contract; the amount paid as of January 1, 1913; the length contracted; and the percentage of work completed.

Schedule "C"—Covers the State-aid Fund, Act of 1907 and 1909, and is in same detail as Schedule "B".

Schedule "D"—Is a statement of the Cumberland Road Fund appropriation, and is in detail as Schedule "B" and "C".

Schedule "E"—Shows the expenditures under the appropriation for all Experiments and Tests

Schedule "F"—Is a detailed statement of Expenditures of the Traveling Expense Fund.

Schedule "G"—Shows detailed statement of Expenditures of Contingent Fund Appropriation.

Schedule "H"—Shows detail expenditures of the Automobile Contingent Fund appropriation.

Attached herewith also find a list of the employes of this Department which includes the permenant forces and the persons temporarily employed in the central offices and the various division offices, together with an organization chart.

Respectively submitted,
EDWARD M. BIGELOW,
State Highway Commissioner.

(For report see today's proceedings of the House of Representatives.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives returning to the Senate the following resolution:

RESOLUTION GRANTING COMMISSION TO INVESTIGATE AND REPORT UPON SURFACE SUPPORT IN MINING ANTHRACITE COAL EXTENSION OF TIME TO MAKE REPORT.

In the Senate, January 21, 1913.

Whereas, The Commission to Investigate and Report upon Surface Support in Mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D., 1911, will be unable to make its report to the General Assembly on February 1st, 1913, the date specified in the Resolution, because of insufficient time;

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a number of expert mining engineers and others is still to be taken by the Commission;

Therefore, Be it resolved (if the House concur), That the Commission hereinbefore mentioned be granted an extension of time to make its report to the General Assembly; said report to be made on or before the 15th day of March, A. D., 1913.

With the information that the House has passed the same with amendment, in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

By striking out the words "15th day of March," and inserting in lieu thereof the words "1st day of March."

On the question,

Will the Senate concur in the same?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 4, 1913.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William H. Law, to be Justice of the Peace in and for the borough of Koppel, county of Beaver, re-creation of new borough.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1913.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

John Kadlecik, Pittsburgh.

BRADFORD COUNTY.

H. P. Newell, Towanda.

ERIE COUNTY.

Francis T. Nagorski, Erie.
Lorenz Stachowski, Erie.

FAYETTE COUNTY.

William Barkell, Uniontown.

LEHIGH COUNTY.

Roy B. Woodring, Allentown.

MONTGOMERY COUNTY

Howard S. Stillwagon, Lower Merion Twp.

PHILADELPHIA COUNTY.

Jos. M. Gardiser, Philadelphia.
Joseph G. Magee, Jr., Philadelphia.
Miss Florence G. Rickett, Philadelphia.
Chas. Van Blunk, Philadelphia.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1913.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

Miss Beatrice FitzGerald, Pittsburgh, Feb. 6, 1913.
W. M. Maneese, Pittsburgh, Feb. 9, 1913.

BERKS COUNTY.

L. S. Mabry, Longswamp Twp., Feb. 9, 1913.
James M. High, Amity Twp., Feb. 27, 1913.

BRADFORD COUNTY.

Irving M. Allis, Wyalusing, Feb. 10, 1913.

CAMBRIA COUNTY.

Albert W. Stenger, Johnstown, March 10, 1913.

CARBON COUNTY.

Andrew J. Shigo, Lansford, Feb. 10, 1913.

CLEARFIELD COUNTY.

W. D. Dukeman, Cooper Twp., March 10, 1913.

DAUPHIN COUNTY.

Robert F. Cook, Harrisburg, March 10, 1913.

ERIE COUNTY.

Francis F. McClintock, Union City, March 10, 1913.

FAYETTE COUNTY.

Chas. S. Bowman, Uniontown, Feb. 27, 1913.

LANCASTER COUNTY.

J. W. Buch, Ephrata, March 10, 1913.

LEHIGH COUNTY.

Mrs. Ella A. Trumbauer, Coopersburg, March 10, 1913.

LYCOMING COUNTY.

Thos. H. Hammond, Williamsport, Feb. 27, 1913.

MONTGOMERY COUNTY.

Geo. E. Brecht, Norristown, Feb. 12, 1913.
Jonathan B. Grubb, Schwenksville, Feb. 27, 1913.

PHILADELPHIA COUNTY.

Jacob W. Beby, Philadelphia, Feb. 27, 1913.
Andrew M. Stokes, Philadelphia, March 10, 1913.
Louis M. Fridenberg, Philadelphia, March 10, 1913.
Royal W. Urie, Philadelphia, March 20, 1913.

PIKE COUNTY.

Joseph C. Chamberlain, Milford, March 3, 1913.

WESTMORELAND COUNTY.

R. Kay Porter, Greensburg, Feb. 26, 1913.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McNICHOLS.

That Rule 38, which requires nominations made by the Governor to be referred to proper committees to be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. McNICHOLS,

That the Senate do advise and consent to said nominations,

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gerberich,	Kline,	Moore,
Beidleman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Martin,	Sensenich,
Cooper,	Hilton,	McIlhenny,	Sheatz,
Crow,	Homsher,	McNichol,	Snyder,
Endsley,	Hunter,	McNichols,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
Fisher,	Judson,	Mills,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES.

Mr. JARRETT, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators, and making an appropriation thereof.

Mr. ENDSLEY, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 9, entitled:

An Act for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of cold storage poultry, game, eggs and fish, providing penalties for the violation thereof and providing for the enforcement thereof.

Mr. McNICHOLS, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 146, entitled:

An Act to amend an act approved the 20th day of April, 1911, entitled "An Act providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes.

BILLS INTRODUCED.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 177, entitled:

An Act making an appropriation to the Florence Crittendon Circle of Wilkes-Barre.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift, sale or otherwise of cigarettes or cigarette paper to minors, acquiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained, and providing penalties for violation of this act.

Which was committed to the Committee on Law and Order.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 179, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners, of the City of Philadelphia and State of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 180, entitled:

An Act making an appropriation to the West Mountain Sanatorium of Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also, at the request of Mr. McNichol read in his place and presented to the Chair Senate Bill No. 181, entitled:

An Act making an appropriation to the Philadelphia Jewish Sanatorium for Consumptives, located at Eagleville, Montgomery County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 182, entitled:

An Act relating to and defining contempts of court, the procedure therein, providing for a change of judge or venue and a trial by jury in certain cases with the right of appeal.

Which was committed to the Committee on Judiciary General.

CONSIDERATION OF BILLS ON SECOND AND FIRST READING.

Mr. CROW. Mr. President, I move that the Senate do now proceed to the consideration of bills on second and first reading in their order.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was laid upon the table.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 8, as follows:

An Act for the protection of the public health and the prevention of fraud and deception in the manufacture labeling or sale of milk products defining such milk products fixing the standards thereof and providing penalties for the violation of the provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That it shall be unlawful for any person or persons firm or corporate body by himself herself or themselves or by his her or their agents servants or employes to sell offer for sale or expose for sale or have in possession with intent to sell as such any condensed skim-milk evaporated skim-milk dried milk desiccated milk milk powder dried skim-milk desiccated skim-milk skim-milk powder that does not conform to the requirements of this act as respects nature composition condition and labeling or branding.

Section 2. For the purpose of this act the milk products named in Section one hereof are defined and standarized as follows:

First. Condensed milk evaporated milk is milk from which a considerable portion of its water has been evaporated and contains not less than seven and eight-tenths (7.8) per cent. of milk fat nor less than thirty-four and three-tenths (34.3) per cent. of milk solids and milk fat collectively.

Second. Sweetened condensed milk is milk from which a considerable portion of its water has been evaporated and contains not less than twenty-eight (28) per cent. of milk solids of which not less than twenty-seven and five-tenths (27.5) per cent. is milk fat.

Third. Condensed skim-milk, evaporated skim-milk is skim-milk from which a considerable portion of its water has been evaporated.

Fourth. Dried milk, dessiccated milk, milk powder is milk from which practically all of its water has been evaporated and the residual solids reduced to powdery condition.

Fifth. Dried skim-milk, dessiccated skim-milk powder is skim-milk from which practically all of its water has been evaporated and the residual solids reduced to powdery conditions.

Section 3. All milk used for the manufacture of condensed milk evaporated milk sweetened condensed milk dried milk desiccated milk or milk powder shall be the fresh clean lacteal secretion obtained by the complete milking of one or more healthy cows properly fed and kept excluding that obtained fifteen (15) days before and seven (7) days after calving or for such longer period thereafter as shall be necessary to restore the cow or cows to normal milk-producing condition and must be kept free from added substance of any kind whether for preservation neutralizing coloring or other purposes. All skim-milk used for the manufacture of condensed skim-milk dried skim-milk desiccated skim-milk or skim-milk powder shall be milk as above defined from which a part of its cream has been removed and must likewise be kept free from added substances of any kind from injurious fermentation and from contamination injurious to its edible qualities and sanitary condition.

Section 4. The several milk products defined in Section two hereof shall when sold offered or exposed for sale be free from spoilages of any kind whether because of imperfections in manufacture or because of subsequent conditions of handling or keeping.

Section 5. All containers in which any of the several substances enumerated in Section one of this act is originally packed for retail sale shall have labels containing a plainly legible statement including the name of the product the name and address of the manufacturer thereof the net weight of the package contents and a statement of the volume of water that must be added to a unit volume of the contained manufactured product to bring its concentration back to that of white milk containing not less than twelve (12) per cent. of total milk solids and not less than three and twenty-five one-hundredths (3.25) per cent. of milk fat.

Section 6. That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty (50) dollars nor more than two hundred (200) dollars or to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both or either at the discretion of the court.

Section 7. The Dairy and Food Commissioner shall be charged with the enforcement of this act shall cause samples of commercial products of the kind enumerated in Section one hereof to be purchased and analyzed and shall publish the results of such examinations.

Section 8. All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner be paid into the State Treasury for the use of the Commonwealth.

Ordered, To be transcribed for third reading.

And said bill having been read at length the second time and agreed to,

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was laid upon the table.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 12, as follows:

An Act suppelmentary to an act entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporate body by himself herself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell eggs that are unfit for food within the meaning of an act entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of foods products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini on thousand nine hundred and nine for any purposes use cause or reason whatsoever unless the same shall have first been denatured with a sufficient quantity of kerosene to render all of the same unfit for use in the preparation of food and food products and further providing that the shells of all such eggs that may be unfit for food as hereinbefore mentioned shall first be removed or broken by smashing or otherwise so as to permit a free impregnation of the whole of the egg substance by the denaturing fluid and all persons violating any of the provisions hereof shall be guilty of a misdemeanor and subject to the same penalties as provided in the act to which this is a supplement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 103, as follows:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of September Anno Domini one thousand nine hundred and thirteen whenever any teacher holding a certificate which confers a permanent right to teach shall have taught for ten years in any school district of this Commonwealth it shall be the duty of the president and secretary of the board of school directors to execute a contract of permanent employment with such teacher in the school work of such district and thereafter he or she may not be dismissed from the employ of such district except for cause specified in the laws of this Commonwealth

Section 2 That the salary of any teacher permanently employed according to the provisions of this act shall not be reduced nor his or her position changed without his or her consent in writing or upon the recommendation of the superintendent of the county or district and the unanimous vote of the school directors of the district

Section 3 That any president or secretary of a school board who neglects or refuses to perform his duty as specified in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 23, entitled:

A bill entitled an act applicable to cities of the first second and third classes to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes the manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and rtports as set forth in sections one two three four five six seven and eight

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 45, entitled:

An Act for the better protection of the wild birds known as the turtle or mourning dove the kill-deer plover and the bird commonly called the black-bird in Pennsylvania and prescribing penalties for violation of its provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act to amend section ten of an act entitled "An act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 47, entitled:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortages" by requiring purchase money mortages to be recorded within ten days in order to have priority of lien

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 84, entitled:

An Act to amend section six of an act entitled "An act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at the general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the board of managers prescribing the powers and duties of the board of managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the county of Allegheny

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 106, entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities the third class"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The CHAIR cleared his table and laid before the Senate communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 5, 1913.

Resolved, (if the House of Representives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, February tenth, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February tenth, at eight o'clock.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General.

JUDGE OF THE THIRTY-THIRD JUDICAL DISTRICT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Painter of Kittanning, to be Judge of the Thirty-third Judicial District, composed of the county of Armstrong, to serve until the first Monday in January, 1914, vice W. D. Patton, deceased.

JOHN K. TENER.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:35 o'clock A. M. until 9 o'clock Monday evening, February 10, 1913.

ERRATA.

In proceedings of February 3, 1913, page 126, column 2, and in proceedings of February 4, page 142, column 2, under "House Bills for Concurrence," the Senate numbers given House bills should have been stated. "House Bill No. 10" should read "House Bill No. 10 (Senate Bill No. 183)"; "House Bill No. 13" should read "House Bill No. 13 (Senate Bill No. 184)"; and 'House Bill No. 44" should read "House Bill No. 44 (Senate Bill No. 185".

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 5, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

Oh God, we give ourselves to Thee this morning for the work of this day. Take us as we are, body and mind and spirit; and consecrate us to the uses which we should serve. Let us remember the story of Him whom we reverence, and of whom it was said when here upon earth he went about doing good; whose life was a life of love and service, who lived and labored for the people, who suffered and died for the people. May the same mind be in us which was also in Christ Jesus. May we have His spirit and imitate His life and follow in His footsteps. So shall we best honor God and serve men and help to make this world better. And all this we ask, with the pardon of our sins, in the name and for the sake of Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings when on motion of Mr. Ulman the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. THOMAS. House Bill No. 322.

An Act fixing a basis upon which to calculate the earnings of miners, employed in anthracite coal mines and providing penalties for violations hereof.

Referred to Committee on Mines and Mining.

By. Mr. SPANGLER. House Bill No. 323.

An Act making an appropriation to the York Cadets, of York, York County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STRAUSS. House Bill No. 324.

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth.

Referred to Commitee on Ways and Means

By Mr. GIBSON. House Bill No. 325.

An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations.

Referred to Committee on Counties and Townships.

By Mr. STEELE. House Bill No. 326.

An Act to amend Section one of an act approved the fourth day of April, one thousand nine hundred and five, entitled "An Act to provide for the better protection of life and property, by the examination and licensing of engineers having charge of steam-boilers, steam-engines and appliances connected therewith, in cities of the second and third class of this Commonwealth, and providing penalties for violation."

Referred to Committee on Municipal Corporations.

By Mr. NEWTON. House Bill No. 327.

An Act to amend Section ten of an act, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, chief engineer, chief draftsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turn-pikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town; and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," approved the thirty-first day of May, one thousand nine hundred and eleven; regulating the liability of boroughs or incorporated towns for the maintenance of State highways.

Referred to Committee on Public Roads.

By Mr. LORENZO SMITH. House Bill No. 328.

An Act giving the right to the Department of Public Safety in cities of the first class to make rules and regulations governing the traffic use and police control of all public highways, streets, lanes, avenues, boulevards, parkways and alleys providing for public notice of the same, and providing also for punishments for the violations thereof with the right of appeal.

Referred to Committee on Municipal Corporations.

By Mr. GIBSON. House Bill No. 329.

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SHERN. House Bill No. 330.

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth, providing a penalty in the case of neglect or refusal, and making it the duty of the Commissioner of Health to Report.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 331.

An Act regulating annulment of marriage, divorce and alimony, defining the kinds thereof, the causes therefor, and the defenses thereto, regulating the jurisdiction of the courts over the same, regulating the procedure of said courts in annulment and divorce proceedings, the kind, form, enforcement and effect of the decrees of said courts and providing for appeals therefrom; defining the effect of annulment or divorce upon property rights and upon the status of children and providing for the care, custody and support of minor children, prohibiting marriage with a particeps criminis, declaring the effect of marriage on false rumor of death of either party, and of foreign decrees, and repealing, consolidating and extending existing laws in relation to these subjects.

Referred to Committee on Judiciary General.

By Mr. WETTACH. House Bill No. 332.

An Act making an appropriation to the Presbyterian Hospital, of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. SHERN. House Bill No. 333.

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVIS. House Bill No. 334.

An Act making an appropriation to the West Side Hospital Association of the City of Scranton.

Referred to Committee on Appropriations.

By Mr. MISSIMER. House Bill No. 335.

An Act making an appropriation to The Berean Manual Training and Industrial School.

Referred to the Committee on Appropriations.

By Mr. McDERMOTT. House Bill No. 336.

An Act making it unlawful to use any type of Mining Machine in the removal of ribs, stumps or pillars in any Bituminous Coal Mine in the State of Pennsylvania.

Referred to Committee on Mines and Mining.

By Mr. WALTON. House Bill No. 337.

An Act to further regulate the granting of licenses for the sale of vinous spirituous malt or brewed liquors or any admixture thereof by permitting the electors of any borough, township or ward of any city in this Commonwealth to determine by an election whether the granting of licenses for such sale therein shall be prohibited.

Referred to Committee on Law and Order.

By Mr. IRWIN. House Bill No. 338.

An Act regulating the time of payment of wages and earnings, and providing a penalty for violation thereof.

Referred to Committee on Labor and Industry.

By Mr. REIBEL. House Bill No. 339.

An Act for carrying into effect the provisions of a concurrent resolution approved by the Governor, the 20th day of June 1911, and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 340.

An Act to provide for the better equipment of Public Schools in which are enrolled pupils of Grammer or High School grade by supplying them with standard reference books.

Referred to Committee on Education.

By Mr. McDERMOTT. House Bill No. 341.

An Act to amend Article 19, Section 3 of an Act, entitled "An act to provide for the Health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," approved June 9th, 1911, P. L. 756.

Referred to Committee on Mines and Mining.

My Mr. McALLISTER. House Bill No. 342.

An Act making an appropriation to the Citizens General Hospital of New Kensington, Westmoreland County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. REX. House Bill No. 343.

An Act making an appropriation to Charity Hospital of Montgomery County, Pennsylvania, located at Norristown.

Referred to the Committee on Appropriations.

By Mr. JACKSON. House Bill No. 334.

An Act requiring corporations operating railroads to cause certain paving to be done where highways cross railroads at grade.

Referred to Committee on Public Roads.

By Mr. JAMES J. CAMPBELL. House Bill No. 345.

An Act relating to the operation of street passenger railways and providing for the health, protection and safety of employees and passengers using cars for the transportation of passengers upon street passenger railways in this Commonwealth, fixing a penalty for the violation of the same and providing for the prosecution of violations thereof.

Referred to Committee on Electric Railways.

By Mr. ARTHUR. House Bill No. 346.

An Act making an appropriation to the Kensington Hospital for Women, at Philadelphia.

Referred to the Committee on Appropriations.

By Mr. SHERN. House Bill No. 347.

An Act providing for the return of statistics relating to marriages requiring the clerks of the orphans' courts to make such returns to the Department of Health of the Commonwealth, providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report.

Referred to the Committee on Judiciary General.

By Mr. McNICHOL. House Bill No. 348.

An Act making an appropriation towards the maintenance of the Pennsylvania Nautical School-ship, located at the port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. REX. House Bill No. 349.

An Act making an appropriation to St. Joseph's Protectory, Norristown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JAMES J. CAMPBELL. House Bill No. 350.

An Act providing for the protection and safety of passengers and employees, and against the use of outside running boards for the receiving and discharging of passengers upon the street cars in operation of passenger railways in the Commonwealth of Pennsylvania, fixing a penalty for the violation of the same, and providing for the prosecution of violations thereof.

Referred to Committee on Electric Railways.

By Mr. REESE. House Bill No. 351.

An Act to amend an act entitled "An act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June, Anno Domini one thousand eight hundred and ninety-five, so as to make it a misdemeanor to sell anthracite coal by short weight.

Referred to Committee on Mines and Mining.

By Mr. ALWORTH. House Bill No. 352.

An Act to amend sections three and four of an Act, approved the eighth day of June, one thousand eight hundred and ninety-three, entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make last will, and enabling them to sue and testify against each other in certain cases," by providing that they may sue each other and testify against each other in certain cases.

Referred to Committee on Judiciary Special.

By Mr. WHITMAN. House Bill No. 353.

An Act making an appropriation to the Trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk Pennnsylvania.

Referred to the Committee on Appropriations.

By Mr. RUNK. House Bill No. 354.

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleansed after such individual use, and providing a penalty for violation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. GEORGE K. YOUNG. House Bill No. 355.

An Act prohibiting any officer, clerk or employee of any county, city, borough, town, township, school district or poor district from taking any active part in politics, political movements or elections or from interfering with elections or from using his office to influence politics, political movements, or elections and providing penalties for violation thereof.

Referred to Committee on Elections.

By Mr. BERGEY. House Bill No. 356.

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom, repealing all prior acts relating hereunto, and providing for payment of expenses for such treatment heretofore incurred in good faith.

Referred to Committee on Public Health and Sanitation.

By Mr. GOSS. House Bill No. 357.

An Act to amend Section one of an act appoved the twenty-first day of May, one thousand nine hundred and one, entitled "An act creating and defining the offence of disorderly conduct by persons on railroad and railway cars, public or private parks, and picnics grounds kept for the amusement of the public in this Commonwealth, and fixing the penalties for the commission of such offence.

Referred to Committee on Judiciary Special.

By Mr. GRANSBACK. House Bill No. 358.

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Salors' Home, at Erie, Pennsylvania, for maintenance of said home, and fixing the annual maximum per capita rate of maintenance, and providing that all moneys received from the United State Government by the Governor of Pennsylvania, on account of maintenance, shall be paid into the State Treasury.

Referred to Committee on Judiciary Special.

By Mr. NEELY. House Bill No. 359.

An Act making an appropriation to the Historical Society of Western Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NEELY. House Bill No. 360.

An Act making an appropriation to The Improvement Children's Home of the City of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. HARRY P. KUHN. House Bill No. 361.

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. BERGEY. House Bill No. 362.

An Act regulating the issue, sale, gift or furnishing of trading stamps, trading coupons, or similar or analogous devices and providing a penalty for violation hereof.

Referred to Committee on Judiciary Special.

By Mr. DICKINSON. House Bill No. 363.

An Act making an appropriation to the Harrisburg Hospital, of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. E. E. JONES. House Bill No. 364.

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof, fixing standards for raw and boiled linseed oil, providing penalties for violation thereof, providing for the enforcement of this act and expenses thereof, providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April, one thousand nine hundred and one, entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil and the act approved the twenty-second day of April, one thousand nine hundred and five, entitled "An act supplemental to an act entitled 'An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April, Anno Domini one thousand nine hundred and one."

Referred to the Committee on Manufactures.

By Mr. BLELOCH. House Bill No. 365.

An Act to prevent the procreation of idiots, imbeciles and feeble-minded persons by the process of sterlization, under

certain circumstances and prescribing the conditions under which it may be performed.

Referred to Committee on Judiciary Special.

By Mr. STEIN (By request). House Bill No. 366.

An Act authorizing the appointment of a Commission to inquire into the subject of creating a public pension for dependent mothers; defining its powers and duties; and making an appropriation for the expenses therefor.

Referred to Committee on Judiciary General.

PETITIONS.

FAVORING MUNICIPAL COURT FOR PHILADELPHIA.

The SPEAKER laid before the House a resolution from the Philadelphia Chamber of Commerce, favoring the establishment of a municipal court for the city of Philadelphia.

Which was referred to the Committee on Judiciary General.

FAVORING RECOMMENDATIONS OF THE GOVERNOR RELATIVE TO LIQUOR REGULATIONS FOR SOCIAL CLUBS.

The SPEAKER laid before the House a resolution from the Catholic Total Abstinence Union of Philadelphia, favoring the recommendations of Governor Tener relative to social clubs dispensing liquors.

Which was referred to the Committee on Law and Order.

REPORT OF THE PHILADELPHIA SAVINGS FUND SOCIETY.

The SPEAKER laid before the House the report of the Philadelphia Savings Fund Socity which will be noted on the Journal of the House and printed in the Appendix of the Legislative Journal.

(See Appendix).

REPORT OF THE STATE HIGHMAY COMMISSIONER IN RESPONSE TO RESOLUTION OF THE HOUSE ASKING FOR INFORMATION.

The SPEAKER. The Chair lays before the House the report of the State Highway Commissioner made in response to a resolution adopted by the House calling for information from his Department.

The Clerk will read the report.

Mr. HUMES. I move that the report be printed in the current number of the Legislative Journal and the reading here be dispensed with.

The motnon was agreed to.

(For Report see subsequent issue.)

REPORTS FROM COMMITTEES.

Mr. WILLIAM H. WILSON, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 39, entitled:

An Act regulating the use of bottles and other utensils for milk or cream, and providing a penalty for violation of this act.

Mr. KITTS; from the Committee on Judiciary General, reported as committed, House Bill No. 189, entitled:

An Act to repeal Section 10 of an act passed the fifth day of April Anno Domini, one thousand eight hundred and forty-nine, entitled "An act to vacate Long Lane in the County of Philadelphia; in relation to promissory notes and counterfeit endorsements; and for other purposes."

SENATE MESSAGE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate as follows:

TIME OF NEXT MEETING OF SENATE AND HOUSE OF REPRESENTATIVES AFTER WEEKLY ADJOURNMENT.

In the Senate, February 5, 1913.

Resolved, (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, February 10th, at 9 o'clock; and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February 10th, at 8 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REQUESTING INFORMATION FROM THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION COMMISSION.

Mr. MATT. Mr. Speaker, I call up resolution No. 11.

The SPEAKER. The Resolution will be read by the Clerk

The Resolution was read by the Clerk as follows:

Whereas, There was created by joint resolution approved the fourteenth day of June, 1911, a Commission to provide for the participation of the State of Pennsylvania in the Panama-pacific International Exposition to be held in San Francisco, California, in 1915, and

Whereas, By said resolution the sum of $50,000 was appropriated to defray the expenses of said Commission;

Therefore be it

Resolved, That said Commission be and it is hereby directed to furnish to the House of Representatives within five days, a full, complete and itemized statement of all expenditures made by said Commission out of the appropriation made to it; and also a statement containing the name of each and every person, whether a member of said Commission or not, who accompanied said Commission on its trip to San Francisco California; and also furnish this House with full information as to the purpose of said trip to San Francisco, and as to its actual business transacted while there.

On the question,

Will the House agree to the resolution?

Mr. R. J. BALDWIN. Mr. Speaker, I do not call to mind just who introduced that resolution, but I want to say to the House that I do not think that there would have been a particle of trouble. You would have gotten all the information in that resolution by simply going to the proper parties and asking them for it. If the author of that resolution has tried to get that information without a resolution, why then it is proper for this House to pass this resolution; but in the absence of any one saying that the parties who took part in this visit to the western slope, in accordance with what the bill provided and practically telling them they must do so, it seems to me there is no necessity for a resolution of that kind until some evidence is brought into the House that the parties who expended this money, or who had charge of these funds, refused to give the House the information or any other proper person who desired the information. In the absence of any evidence that they have refused, I do not think the House need pass this resolution. Really, on its face it appears to be a reflection. If there is any member in this House who says that in the expenditure of this money the officials have tried to cover it up and keep it from the public or keep it from the House, then this resolution ought to be passed; but in the absence of that, where is the necessity of it? Is it not a reflection, or suspicion, or indication, that there is something, or has been something wrong? In the absence of any information along that line, do you think it is the right kind of a resolution to pass? I do not think it is.

Mr. MATT. Mr. Speaker and gentlemen of the House, there does seem to be a reflection when you read the papers, and it is only fair not only to the Commission, but to the House, and just as fair to the taxpayers, to know how this money has been expended. On my part, there is no reflection, but this Commission was only a custodian of fifty thousand dollars, to which the taxpayers have a right to know as to how it was expended. The papers have been full of criticism of this very fact, and if you have an itemized account, as I have asked for, there cannot possibly be any reflection on the Commision, if we get the statement, and I move its adoption.

Mr. R. J. BALDWIN. Mr. Speaker, I do not mean to infer that the public should not know all about it. I simply mean to call the House's attention to the fact that this resolution certainly must indicate, if we pass it, that we cannot get this information without the resolution and it would so go out before the public. That is not fair, in my mind, unless someone rises here to say that such information is withheld from this House and from the public.

Mr. STEIN. Mr. Speaker, as a personal privilege, may I may be permitted, to interrogate the gentleman who introduced this resolution?

The SPEAKER. Will the gentleman from Bedford permit himself to be interrogated?

Mr. MATT. Mr. Speaker, yes, sir.

Mr. STEIN. Mr. Speaker, I would like to ask the gentleman from Bedford if he made application to the proper authorities of the State for the information he desires in the resolution?

Mr. MATT. Personally, I have not.

Mr. STEIN. Has any person on your behalf.

Mr. MATT. No.

Mr. STEIN. I would like to ask, following the remarks of the gentleman from Delaware, if the gentleman from Bedford thinks he could not get this information if he asked for a statement.

Mr. MATT. An itemized statement?

Mr. STEIN. Everything called for in the resolution.

Mr. MATT. I could not say. I have not made any request.

On the question,

Will the House agree to the resolution?

The SPEAKER declared the Nays seem to have it.

Whereupon a division was called for, 89 voting in the affirmative, and 49 in the negative.

And the question was determined in the affirmative.

RESOLUTION REFERRED TO COMMITTEE.

Mr. GEISER. Mr. Speaker, I move that Resolution No. 10 be referred to the Committee on Judiiary General.

Mr. MATT. I second the motion.

The motion was agreed to.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate, which were laid on the table.

RESOLUTION FIXING THE MANNER OF SELECTING SEATS BY THE MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Mr. BROWNLEE called up resolution No. 12, which was read and referred to the Committee on Rules, as follows:

RESOLUTION FIXING THE MANNER OF SELECTING SEATS BY THE MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Resolved, That hereafter seats shall be drawn by the members of the House of Representatives at the beginning of each session, as follows:

First. Immediately after the members are sworn in, the chief clerk shall place in a box prepared for that purpose a number of small balls, of marble or other material, equal to the number of members of the House, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the member whose name on a numbered alphabetical list shall correspond with the number of the ball shall advance and choose his seat for the term for which he is elected.

Second. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished; and whenever the seats of members shall have been drawn, no proposition for a second drawing shall be in order during that session of the General Assembly.

BILL RE-COMMITTED.

Mr. FRANK GRAY. I move that Bill No. 28 on page two of today's calendar be recommitted to the Committee on Judiciary General.

The motion was agreed to.

SUPPLEMENTARY REPORT FROM THE COMMITTEE ON RULES.

Mr. S. B. SCOTT offered a supplementary report from the Committee on Committees, which was twice read and adopted, as follows:

Substitute upon the Committee on Public Roads the name of Mr. Reiser instead of Mr. Currier; substitute on the Committee on Forestry the name of Mr. Currier, instead of Mr. Reiser.

Signed.

S. B. SCOTT,
DANIEL J. SHERN,
CHAS. A. ARTHUR,
JNO. ROBERT JONES,
FRANK K. ROCKWELL,
A. S. MOULTHROP,
EDWARD R. BENSON,
JOHN T. MATT,
GEO. W. ALLEN,
Wm. H. WILSON.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 63, entitled:

An Act relating to the furnishing of gas water or electricty by persons companies and corporations to be paid for by the consumers by meter measure prohibiting over-charges therefor and providing penalties for the violations of the same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person company or corporation now engaged or hereafter engaging in the business of furnishing natural or artificial gas water or electricty for any purpose to be used and paid for by consumers by meter measure shall furnish to each and every patron a meter properly tested and in good order and shall arrange such meters so that the patron can at any time see the meter dial and ascertain readily how much gas water or electricty he is consuming and how much he is liable to pay for

On the question,

Will the House agree to the section?

Mr. HEMMINGER. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk as follows:

Amend section one, line 8, after "shall' by inserting the words "when requested by the patrons."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment to this section

The amendment was read as follows:

Amend section 1, line 8 by striking out the word "patron" and substituting the word "consumer," also line 9 by striking out the word "patron" and substituting the word "consumer;" also line 10 by inserting before the word "gas" the words "natural or artificial."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section of the bill was read as follows:

Section 2 It shall be unlawful for any person company or corporation engaged or hereafter engaging in furnishing gas water or electricty to consumers to be paid for by meter measure to charge or receive from any consumer pay for more gas water or electricty than the meter furnished by such person company or corporation shall indicate has been used by such consumer at the time to which payment is made and received.

On the question,

Will the House agree to the section?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as folows:

Amend section two, line 2 by inserting before the word "gas" the words "natural or artificial"; also in line 4, by inserting before the word "gas" the words "natural or artificial."

On the question,

Wil the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section of the bill was read as follows:

Section 3 It shall be unlawful for any person company or corporation engaged or hereafter engaging in furnishing gas water or electricity to consumers to be paid for by meter measure to charge or receive from any consumer for the use of said meter any greater sum than the actual cost of the installation of the same

On the question,

Will the House agree to the section?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amend section 3, line 2, by inserting before the word "gas" the words "natural or artifical."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section of the bill was read and agreed to, as follows:

Section 4 Any person company or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than ten dollars and not more than one hundred dollars for each offense

The fifth section of the bill was read as follows:

Section 5 This act shall take effect the thirtieth day of June one thousand nine hundred and thirteen and all acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the section?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment as a substitute for the fifth section of the bill.

The amendment was read as follows:

Section 5. Nothing contained in this act shall be construed to affect municipalities engaged or hereafter engaging in the business of furnishing natural or artificial gas, water and electricity to consumers.

On the question,

Wil the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. SCHUCK. Mr. Speaker, I desire to offer a further amendment to section 5.

The amendment was read as follows:

Strike out the numeral 5, and insert the numeral 6.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act relating to the furnishing of gas water or electricity by persons companies and corporations to be paid for by the consumers by meter measure prohibiting over-charges therefor and providing penalties for the violations of the same

On the question,

Will the House agree to the title?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment to the title.

The amendment was read as follows:

Amend the title by adding before the word "gas" the words "natural or artificial"; also in the second line by inserting before the word "and" the word "other than municipalities.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 70, as follows:

A Joint Resolution proposing an amendment to Section seven, article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor.

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Amendment to Article Three, Section Seven.

Section 2. Amend Section seven, Article three of the Constitution of Pennsylvania which reads as follows:

"Section 7. The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens.

Regulating the affairs of counties, cities, townships, wards, boroughs or school districts.

Changing the names of persons or places.

Changing the venue in civil or criminal cases.

"Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys.

"Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other state.

"Vacating roads, town plats, streets or alleys.

"Relating to cemerteries, grave-yards or public grounds not of the State.

"Authorizing the adoption or legitimation of children.

"Locating or changing county seats, erecting new counties or changing county lines.

"Incorporating cities, towns or villages or changing their charters.

"For the opening and conducting of elections or fixing or changing the place of voting.

"Granting divorces.

"Erecting new townships or boroughs, changing township lines, borough limits or school districts.

"Creating offices or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts.

"Changing the law of descent or succession.

"Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate.

"Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

"Regulating the management of public schools, the building or repairing of school houses and the raising of money for such purposes.

"Fixing the rate of interest.

"Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be raised in the special enactment.

"Remitting fines, penalties and forfeitures or refunding moneys legally paid into the treasury.

"Exempting property from taxation.

"Regulating labor, trade, mining or manufacturing.

"Creating corporations or amending, renewing or extending the charters thereof.

"Granting to any corporation, association or individual any special or exclusive privilege or immunity or to any corporation, association or individual the right to lay down a railroad track.

"Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed.

"Nor shall any law be passed granting powers and privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for," so as to read as follows:

Section 7. The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens.

Regulating the affairs of counties, cities, townships, wards, boroughs or school districts.

Changing the names of persons or places.

Changing the venue in civil or criminal cases.

Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys.

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other state.

Vacating roads, town plats, streets or alleys.

Relating to cemeteries, grave-yards or public grounds not of the State.

Authorizing the adoption or legitimation of children.

Locating or changing county seats, erecting new counties or changing county lines.

Incorporating cities, towns or villages by changing their charters.

For the opening and conducting of elections or fixing or changing the place of voting.

Granting divorces.

Erecting new townships or boroughs, changing township lines, borough limits or school districts.

Creating offices or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts.

Changing the law of descent or succession.

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitrators, auditors, masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate.

Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

Regulating the management of public schools, the building or repairing of school houses and the raising of money for such purposes.

Fixing the rate of interest.

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment.

Remitting fines, penalties and forfeitures or refunding moneys legally paid into the treasury.

Exempting property from taxation.

Regulating labor, trade, mining or manufacturing, but the Legislature may regulate and fix the wages or salaries, the hours of work or labor and make provision for the protection, welfare and safety of persons employed by the State or by any county, city, borough, town, township, school district, village or other civil division of the State or by any contractor or sub-contractor performing work, labor or service for the State or for any county, city, borough, town, township, school district, village or other civil division thereof.

Creating corporations or amending, renewing or extending the charters thereof.

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation, association or individual the right to lay down a railroad track.

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed.

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Adams,	Eichenberger,	Latshaw,	Riebel,
Allen,	Ely,	Lenker,	Robinson,
Alworth,	Ewing,	Leslie,	Rockwell,
Ambler,	Forster, I. G.,	Letzkus,	Roney,
Arthur,	Foster, J. D.,	Light,	Rothenberger,
Baldwin, G. A.,	Frey,	Lohr,	Sassaman,
Baldwin, R. J.,	Gans,	Lowers,	Savacool,
Barner,	Geary,	Malie,	Schaeffer, A. C
Bass,	Geiser,	Mannion,	Schuck,
Bayle,	Gibson,	Martin,	Scott, J. R. K.,
Becker,	Glenn,	Mather,	Scott, S. B.,
Benninger,	Good,	Matt,	Semmens,
Benson,	Goss,	McAllister,	Shaffer, C. A.,
Bergey,	Grabe,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gramley,	McCaig,	Shern,
Bigger,	Gransback,	McClintock,	Sherwood,
Bittles,	Gray, Frank,	McDermott,	Showalter,
Blair, W. A.,	Gray, Joseph,	McKay,	Smith, J. W.,

Blair, W. F.,	Hackett,	Mechling,	Smith, L.,
Bleloch,	Haggerty,	Mellott,	Snavely,
Body,	Heidinger,	Metzenbacher,	Spangler,
Brosius,	Hemminger,	Miller,	Speiser,
Brown,	Herman,	Missimer,	Spillinger,
Brownlee,	Hess,	Mitchell,	Steedle,
Burnett,	Heyburn,	Moore,	Steele,
Caldwell,	Hobbs,	Morrow,	Stein,
Campbell, C.M.,	Hoffman,	Moses,	Stone,
Campbell, J.J.	Howard, J.,	Moulthrop,	Strauss,
Carson,	Howard, R.,	Musser,	Swartz,
Carter,	Humes,	Neel,	Swift,
Cheeseman,	Isler,	Neely,	Thomas,
Claycomb,	Irwin, G. C.,	Newbaker,	Trach,
Cleary,	Irwin, H. H.,	Newton,	Ulman,
Cochran,	Jackson,	North,	Walnut,
Collins,	Jones, J. R.,	O'Neill,	Walsh,
Conner,	Jones, E. E.,	Peachey,	Walton,
Conniff,	Kaiser,	Pennegar,	Watson,
Conrade,	Kaufman,	Pennock,	Wettach,
Cox,	Keegan,	Perry, S. J.,	Whitaker,
Currier,	Keeport,	Peters,	Whitman,
Curry,	Kenna,	Piper,	Wildman,
Davis,	Kennedy,	Post,	Williams,
DeFrees,	Kern,	Price,	Wilson, J. H.,
Dickinson,	Kitts,	Ramsey,	Wilson, W. H.,
Donahoe,	Klepper,	Redfield,	Wiltbank,
Donnally,	Kuhn, H. P.,	Reese,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Dunn, H. B.,	Lanius,	Rex,	Zimmerman,
Dunn, J. A.,			Alter,
Ehrhardt,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 24, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

On the question,

Will the House agree to the bill on third reading?

Agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia. Mr. John R. K. Scott.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to have the author of this bill state what title is to be quited by this act.

Mr. REX. The Speaker.

The SPEAKER. The gentleman from Montgomery, Mr. Rex.

Mr. REX. Mr. Speaker, from the information that I have, it is necessary that a bill of this kind pass so that the Wilberforce people may secure a clear title in transferring this property, which has just been done.

Mr. JOHN R. K. SCOT. Is there any litigation pending.

Mr. REX. None whatever.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ehrhardt,	Kuhns, E.G.M.,	Rex,
Allen,	Eichenberger,	Lanius,	Rhoads,
Alworth,	Ely,	Latshaw,	Riebel,
Ambler,	Ewing,	Lenker,	Robinson,
Arthur,	Forster, I. G.,	Leslie,	Rockwell,
Baldwin, G. A.,	Foster, J. D.,	Letzkus,	Roney,
Baldwin, R. J.,	Frey,	Light,	Rothenberger,
Barner,	Gans,	Lohr,	Runk,
Bass,	Geary,	Lowers,	Savacool,
Bayle,	Geiser,	Malie,	Sassaman,
Becker,	Gibson,	Mannion,	Schaeffer, A. C.
Benninger,	Glenn,	Martin,	Schuck,
Benson,	Good,	Mather,	Scott, J. R. K.,
Bergey,	Goss,	Matt,	Scott, S. B.,
Berntheizel,	Gransback,	McAllister,	Shaffer, C. A.,
Bigger,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bittles,	Gray, Joseph,	McKay,	Shern,
Blair, W. A.,	Hackett,	Mechling,	Sherwood,
Blair, W. F.,	Haggerty,	Mellott,	Showalter,
Bleloch,	Heidinger,	Metzenbacher,	Smith, J. W.,
Body,	Hemminger,	Miller,	Spangler,
Brosius,	Herman,	Mitchell,	Speiser,
Brown,	Hess,	Moore,	Spillinger,
Burnett,	Heyburn,	Morrow,	Steedle,
Caldwell,	Hibshman,	Moses,	Steele,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stein,
Campbell, J.J.	Hoffman,	Murphy,	Stone,
Carson,	Howard, J.,	Musser,	Strauss,
Carter,	Howard, R.,	Neel,	Swartz,
Cheeseman,	Humes,	Neely,	Swift,
Claycomb,	Irwin, G. C.,	Newton,	Thomas,
Cleary,	Irwin, H. H.,	North,	Trach,
Cochran,	Jackson,	O'Neill,	Ulman,
Collins,	Jones, J. R.,	Peachey,	Walnut,
Conner,	Kaiser,	Pennegar,	Walsh,
Conniff,	Kaufman,	Pennock,	Walton,
Cox,	Keegan,	Perry, H. L.,	Whitaker,
Currier,	Keeport,	Peters,	Whitman,
Curry,	Kenna,	Post,	Wildman,
Davis,	Kennedy,	Price,	Williams,
Dickinson,	Kern,	Ramsey,	Young, G. K.,
Donahoe,	Kitts,	Redfield,	Young, J. H.,
Donnally,	Klepper,	Reeser,	Zimmerman,
Down,	Kuhn, H. P.,		Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

On the question,

Will the House agree to the bill on third reading?

Agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSES. Mr. Seaker.

The SPEAKER. The gentleman from Cambria, Mr. Moses.

Mr. MOSES. Mr. Speaker, in presenting this bill to the House, we have had to do so from the fact that an additional law judge is absolutely necessary in Cambria County, which is the Forty-seventh district. We think it is the desire of the tax-payers of Cambria County that this bill should pass. Our calendars are blocked with work. Our judge is as good as any judge in the State, but he cannot keep up with the work. It is absolutely impossible for one man to keep up with the work, and every court he holds he has to bring another judge to help him out. There is no politics or anything of that kind connected with this bill. It is simply a case of necessity. Our population is now one hundred and eighty thousand. In 1910 it was one hundred and sixty-six thousand, so that there is an average increase of from six to eight thousand a year. As I have said, we have a population today of over one hundred and eighty thousand, We had a population of one hundred and five thousand in 1900, and at that time that there was a bill presented here for an additional judge, which was lost sight of in some way. Since that time our County has grown at an average rate of from six to eight thousand a year, and there is a necessity for an additional law judge. There is nothing at all that is political or of any political significance in this matter; it is simply a bill for which there is an absolute necessity. This is the third time this matter has been presented to this House, and we want it to go through this time. Fortunately, we have a member of the bar from Cambria County here, Mr. Gray, who will be glad to inform the House of the necessity of this bill.

Mr. JOSEPH GRAY. Mr. Speaker.

The SPEAKER. The gentleman from Cambria, Mr. Joseph Gray.

Mr. JOSEPH GRAY. Mr. Speaker, we have a great deal of court business in our county, and as has already been said by my colleague, we have a population of one hundred and seventy-five to one hundred and eighty thousand, and we have the city of Johnstown in our County, which is the principal city out our way and a great business center, and in that County we have a great deal of business, and we have only one common pleas judge in our County, and he is kept very busy. I know of a case, although I am not interested in the case personally, but I know of a case that

was argued in January 1912, in which there were eight hundred pages of transcribed testimony, a case involving fifty thousand dollars; and, Mr. Speaker, I understand that that case has not been touched because of the great pressure of work which our presiding judge is compelled to do. In September, the last term, there was not a civil case tried by our judge, on account of the heavy criminal cases. There were only thirty-eight civil cases tried in 1912 in our County, and that is the cause of the business being thrown back, and that was done then with the assistance of three judges, Judge Reed, of Jefferson, Judge Bounton and Judge Baldridge, who assisted our presiding judge, Judge Stevenson. The civil and criminal lists are both growing heavier all the time. This demand for an additional law judge of Cambria County does not come along through the members of the bar. There is a general demand for it. I don't know how the general population or the entire people of the community would vote and I don't speak for them. I have an extract from an editorial in the Johnstown Democrat of January 24, 1913. It is headed:

FOR A SECOND JUDGE.

Mr. Moses seems to have sensed public opinion in this county fairly in bringing in a bill at Harrisburg providing for an additional law judgt for Cambria. It is generally felt that the creation of this new office would serve an excellent purpose.

It is claimed by lawyers that the court is more or less clogged with litigation and it is known that judges must be imported at every term to assist in clearing the dockets. It is urged that this condition alone amply justifies the creation of the new office for which the Moses bill provides.

There is some opposition to this bill in Harrisburg, but I wish to call the House's attention to an editorial from the Johnstown Tribune of January 24th, an evening paper which is a Republican paper, or rather a Progressive paper:

DIFFERENT NOW.

It is understood a decided and emphatic expression of disapproval of the measures providing for an additional law Judge for Cambria County has been filed, sub rosa, at Harrisburg. The objection comes from the body of men who call themselves "the organization" and have attached themselves, for various purposes, to the Republican party.

Reasonable and unprejudiced persons will be prepared to accept the certificate of Judge Stephens, Messrs. William P. Reese, John H. Stephens, William Davis, Bruce H. Campbell, and 29 other members of the Cambria County bar who solemnly averred, away back in 1901, that there was imperative need for an additional law Judge in Cambria County.

The Judge, and his associates at the bar, have never disavowed or repudiated the representations made to the General Assembly in 1901. On the contrary, there has been a renewal of the claims set forth. At the instance of the Judge and fellow-members of the Cambria County bar Ex-Senator Wertz presented and pressed to passage an act providing for an additional law Judge.

With this record staring us in the face, who dares go to Harrisburg and attempt to prevent the enactment of the Moses bill into a law? What miscreant would dare give the lie to the plain, square statements made by entirely disinterested lawyers back in 1901?

The argument that "things are different now" will not do. What heartless wretch, what designing "friend," would impede the passage of a bill designed to relieve an overworked Judge of a portion of his responsibilities?

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. JOSEPH GRAY. Yes sir.

Mr. ALLEN. I desire to ask the gentleman from Cambria what the condition of their civil docket is at this time in Cambria County.

Mr. JOSEPH GRAY. I think, Mr. Speaker, that our docket is pretty well filled up at the present time.

Mr. ALLEN. I fail to comprehend the answer, or to understand what the gentleman means by "pretty well filled up." How far behind is the court?

Mr. JOSEPH GRAY. I don't know how far behind it is. I know of cases that were argued in January, 1912, and that is over a year ago.

Mr. ALLEN. Mr. Speaker, as a suggestion to the answer made by the gentleman from Cambria to the last question, I would say that may come from dereliction of duty on the part of the judge, and that tells us nothing of the condition of the calendar. In relation to this bill, it appears to me that there has been a limit to the information. I wish to refer to the fourth section of the bill. As I understand it, in 1913, there will be a municipal election in the State of Pennsylvania. At that time, should this bill pass, nominations will have been made for judges to appear on the ticket as additional law judges, and then there would be allotted to the County of Cambria what is desired. but the people of that County might be likely to want to recommend a candidate for that high office, and it would then be to the people to place a candidate in nomination for additional law judge, and they would select a man of their choice. In the first place, if this bill does pass and become a law, it then becomes the duty of the Governor of the Commonwealth to appoint some one for the position of additional law judge of Cambria County, who shall at once assume his duties. I don't know the purpose of this proposed bill, any more than has been suggested that a judge is needed, but I do know that with the authority that this bill carries with it, that some particular individual in the County of Cambria is going to receive the benefits of the appointment at the hands of the Governor, therefore increasing his chances at the primaries held a month later. For that reason I am opposed to this bill. In the next place, inasmuch as the judges of this Commonwealth are paid out of the funds of the Commonwealth and this bill comes up for an additional judge, it seems to me that the bill orignally should have been referred to the Judiciary Local Committee for such investigation as would permit that Committee to say whether a judge is needed in this particular County or in other Counties in this Commonwealth. I think the purpose of the Judiciary General Committee in passing upon this bill was or should have been to see that the bill was in proper form. I am not convinced, from what has been said in relation to the condition in Cambria County, that this legislative body, without going further in the matter, should allow this bill to pass and thereby inflict upon the Commonwealth an additional law judge without knowing whether or not he is needed, and in consequence of the fourth section of this bill, as it stands, I shall vote against the bill.

Mr. JOSEPH GRAY. I think the usual practice in the enactment of laws for additional law judges is that some provision shall be made for the appointment of a judge from the time the law takes effect until the next general election. I cannot understand the gentleman's opposition to the measure, when he says it will inflict an additional law judge, with additional funds and gives this as a reason why he is opposed to the appointment of an additional law judge in the State. I think possibly the people of Cambria County know whether they need an additional law judge or not. I think in courtesy to Cambria County, with its population of from one hundred and seventy-five thousand to one hundred and eighty thousand, it should be recognized, and that this legislative body ought to take notice of their wishes. I cannot, I repeat, understand the attitude of the gentleman from Allegheny who will oppose this bill for Cambria County, when we have possibly one of the biggest and most rapidly growing populations in the western part of the State. I think if our people demand it, and if the attorneys—and I here state positively that the best attorneys of Cambria County are on record as desiring an additional law judge, and if this additional law judge is needed, for what reason should we not take the necessary funds from the State or the County or from anywhere else if we need this service to carry on our business.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, as this bill has been criticised, and as I believe that many members of the House are in doubt about it and don't have full information, I would make a motion that the further consideration of the bill be postponed, in order to give the gentleman from Cambria County an opportunity to give us full and detailed information, and after he has done that, that this House may then, if it thinks proper, take action upon it. Mr. Speaker, I move that the further consideration of House Bill number eleven be postponed for the present.

On the question,

Will the House agree to the motion?

Mr. STEIN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Stein.

Mr. STEIN. Mr. Speaker, if I am in order, I would like to ask the members of this House to vote down the motion for postponement, and at the same time, in order not to occupy too much of the attention of the House, I will ask them to vote for this bill. It has been very thoroughly discussed by the Judiciary General Committee, and the Committee consists of thirty members, all of whom are reputable lawyers, and the Committee gave the bill thorough consideration. The Committee had before it all the necessary information. By way of comparison and in answer to my colleague from Allegheny, I would say that our own county of Allegheny, with a population of one million or over, has twelve common pleas judges, three orphans court judges and a county court composed of five judges. You can readily see that the ratio for the population is at least twice as much as for Cambria County. There has been a request in this House for the past ten years for the appointment of an additional law judge in Cambria County, and the people of the County thoroughly know whether justice is being expeditiously handled or not. It seems to me that we should heed their request. I, therefore, ask the House not to postpone this bill, but to vote down the motion to postpone and to vote in favor of the passage of this bill, with the belief that the wishes of the people of Cambria County should be recognized.

Mr. R. J. BALDWIN. Mr. Speaker, if the gentleman who seconded my motion will withdraw the second, I will withdraw my motion to postpone this bill.

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Eichenberger,	Latshaw,	Riebel,
Alworth,	Ely,	Lenker,	Robinson,
Ambler,	Ewing,	Leslie,	Roney,
Arthur,	Fahey,	Letzkus,	Rothenberger,
Baldwin, G. A.,	Forster, I. G.,	Light,	Runk,
Baldwin, R. J.,	Foster, J. D.,	Lohr,	Sassaman,
Barner,	Frey,	Lowers,	Savacool,
Bass,	Geary,	Malie,	Schaeffer, A. C
Bayle,	Geiser,	Mannion,	Schuck,
Becker,	Gibson,	Martin,	Scott, J. R. K.,
Benninger,	Glenn,	Mather,	Scott, S. B.,
Benson,	Good,	Matt,	Semmens,
Bergey,	Goss,	McAllister,	Shaffer, C. A.,
Berntheizel,	Grabe,	McArdle,	Shaffer, I. E.,
Bigger,	Gransback,	McCaig,	Shern,
Bittles,	Gray, Frank,	McClintock,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. F.,	Hackett,	Mechling,	Smith, J. W.,
Bleloch,	Haggerty,	Mellott,	Smith, L.,
Body,	Heidinger,	Metzenbacher,	Spangler,
Brosius,	Hemminger,	Miller,	Speiser,
Brown,	Herman,	Missimer,	Spillinger,
Brownlee,	Hess,	Mitchell,	Steedle,
Burnett,	Heyburn,	Moore,	Steele,
Caldwell,	Hibshman,	Morrow,	Stein,
Campbell, C.M.,	Hobbs,	Moses,	Stone,
Campbell, J.J.	Hoffman,	Moulthrop,	Strauss,
Carson,	Howard, J.,	Musser,	Swartz,
Carter,	Howard, R.,	Neel,	Swift,
Cheeseman,	Humes,	Neely,	Thomas,
Claycomb,	Isler,	Newbaker,	Trach,
Cleary,	Irwin, G. C.,	Newton,	Ulman,
Cochran,	Irwin, H. H.,	North,	Walnut,
Collins,	Jackson,	O'Neill,	Walsh,
Conner,	Jones, J. R.,	Peachey,	Walton,
Conniff,	Jones, E. E.,	Pennegar,	Watson,
Conrade,	Kaiser,	Pennock,	Wettach,
Cox,	Kaufman,	Perry, H. L.,	Whitaker,
Currier,	Keegan,	Perry, S. J.,	Whitman,
Curry,	Keeport,	Peters,	Wildman,
Davis,	Kenna,	Piper,	Williams,
DeFrees,	Kennedy,	Price,	Wilson, J. H.,
Dickinson,	Kern,	Ramsey,	Wilson, W. H.,
Donahoe,	Kitts,	Redfield,	Wiltbank,
Donnally,	Klepper,	Reeser,	Young, G. K.,
Down,	Kuhn, H. P.,	Rex,	Young, J. H.,
Dunn, H. B.,	Lanius,	Rhoads,	Zimmerman,
Dunn, J. A.,		Richards,	Alter,
Ehrhardt,			Speaker.

NAYS—2.

Allen,	Gramley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 120, entitled:

An Act amending an act entitled "An act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class or of the poor district of which said city is a part" approved the twenty-fourth day of June one thousand eight hundred and ninety-five by extending the provisions of the act to second class cities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Ehrhardt,	Leslie,	Rothenberger,
Allen,	Eichenberger,	Letzkus,	Runk,
Alworth,	Ewing,	Light,	Sassaman,
Ambler,	Fahey,	Lohr,	Savacool,
Arthur,	Forster, I. G.,	Lowers,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	Malie,	Schuck,
Baldwin, R. J.,	Gans,	Mannion,	Scott, J. R. K.,
Barner,	Geary,	Martin,	Scott, S. B.,
Bass,	Geiser,	Mather,	Semmens,
Bayle,	Gibson,	Matt,	Shaffer, C. A.,
Becker,	Glenn,	McAllister,	Shaffer, I. E.,
Benninger,	Good,	McCaig,	Shern,
Benson,	Gransback,	McClintock,	Sherwood,
Berntheizel,	Gray, Frank,	McKay,	Smith, J. W.,
Bigger,	Gray, Joseph,	Mechling,	Smith, L.,
Bittles,	Hackett,	Mellott,	Spangler,
Blair, W. A.,	Haggerty,	Miller,	Speiser,
Blair, W. F.,	Heidinger,	Missimer,	Spillinger,
Bleloch,	Hess,	Mitchell,	Steedle,
Body,	Heyburn,	Moore,	Steele,
Brosius,	Hobbs,	Morrow,	Stein,
Brown,	Hoffman,	Moses,	Stone,
Brownlee,	Howard, J.,	Moulthrop,	Strauss,
Burnett,	Howard, R.,	Neel,	Swartz,
Caldwell,	Humes,	Neely,	Swift,
Campbell, C.M.,	Isler,	Newbaker,	Thomas,
Campbell, J.J.	Irwin, H. H.,	North,	Trach,
Carter,	Jackson,	O'Neill,	Ulman,
Cheeseman,	Jones, E. E.,	Peachey,	Walnut,
Claycomb,	Jones, J. R.,	Pennegar,	Watson,
Cleary,	Kaiser,	Pennock,	Wettach,
Conner,	Kaufman,	Perry, H. L.,	Whitaker,
Conniff,	Keeport,	Peters,	Whitman,
Conrade,	Kenna,	Post,	Wildman,
Cox,	Kennedy,	Ramsey,	Williams,
Currier,	Kitts,	Redfield,	Wilson, J. H.,
Curry,	Klepper,	Reese,	Wilson, W. H.,
Bayle,	Kuhn, H. P.,	Reeser,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Rex,	Young, G. K.
Dickinson,	Lanius,	Rhoads,	Young, J. H.,
Donahoe,	Latshaw,	Richards,	Zimmerman,
Donnally,	Lenker,	Riebel,	Alter,
Down,		Roney,	Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2, entitled:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Ehrhardt,	Kuhns, E.G.M.,	Rex,
Allen,	Eichenberger,	Lanius,	Rhoads,
Alworth,	Ely,	Latshaw,	Richards,
Ambler,	Ewing,	Lenker,	Riebel,
Arthur,	Fahey,	Leslie,	Rockwell,
Baldwin, G. A.,	Forster, I. G.,	Letzkus,	Roney,
Baldwin, R. J.,	Foster, J. D.,	Light,	Rothenberger,
Barner,	Frey,	Lohr,	Runk,
Bass,	Gans,	Lowers,	Sassaman,
Bayle,	Geary,	Malie,	Savacool,

Becker,	Geiser,	Mannion,	Schaeffer, A. C
Benninger,	Gibson,	Martin,	Schuck,
Benson,	Good,	Mather,	Scott, J. R. K.,
Bergey,	Goss,	Matt,	Scott, S. B.,
Berntheizel,	Grabe,	McAllister,	Semmens,
Bigger,	Gramley,	McArdle,	Shaffer, C. A.,
Bittles,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Blair, W. A.,	Gray, Joseph,	McClintock,	Shern,
Blair, W. F.,	Hackett,	McDermott,	Sherwood,
Bleloch,	Haggerty,	McKay,	Smith, J. W.,
Body,	Heidinger,	Mechling,	Smith, L.,
Brosius,	Hemminger,	Mellott,	Spangler,
Brown,	Herman,	Metzenbacher,	Speiser,
Brownlee,	Hess,	Miller,	Spillinger,
Burnett,	Heyburn,	Missimer,	Steedle,
Caldwell,	Hibshman,	Mitchell,	Steele,
Campbell, C.M.,	Hobbs,	Moore,	Stein,
Campbell, J.J.	Hoffman,	Morrow,	Stone,
Carson,	Howard, J.,	Moses,	Strauss,
Carter,	Howard, R.,	Moulthrop,	Swartz,
Cheeseman,	Humes,	Neel,	Swift,
Claycomb,	Isler,	Neely,	Thomas,
Cleary,	Irwin, H. H.,	Newbaker,	Ulman,
Cochran,	Jackson,	Newton,	Walsh,
Collins,	Jones, E. E.,	North,	Walton,
Conner,	Jones, J. R.,	O'Neill,	Watson,
Conniff,	Kaiser,	Peachey,	Wettach,
Conrade,	Kaufman,	Pennegar,	Whitaker,
Cox,	Keegan,	Pennock,	Whitman,
Currier,	Keeport,	Peters,	Wildman,
Curry,	Kenna,	Piper,	Williams,
Davis,	Kennedy,	Post,	Wilson, J. H.,
DeFrees,	Kern,	Ramsey,	Wiltbank,
Dickinson,	Kitts,	Redfield,	Young, G. K.,
Donahoe,	Klepper,	Reese,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Reeser,	Zimmerman,
Down,			Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 89, entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Ely,	Lanius,	Rockwell,
Allen,	Fleming,	Latshaw,	Roney,
Alworth,	Fahey,	Lenker,	Rothenberger,
Ambler,	Forster, I. G.,	Leslie,	Runk,
Arthur,	Foster, J. D.,	Letzkus,	Sassaman,
Baldwin, R. J.,	Frey,	Light,	Savacool,
Bass,	Gans,	Lohr,	Schaeffer, A. C
Bayle,	Geary,	Lowers,	Schuck,
Becker,	Gibson,	Mannion,	Scott, J. R. K.,
Benninger,	Good,	Martin,	Semmens,
Benson,	Goss,	Mather,	Shaffer, C. A.,
Bergey,	Grabe,	Matt,	Shaffer, I. E.,
Berntheizel,	Gransback,	McAllister,	Shern,
Bigger,	Gray, Frank,	McArdle,	Sherwood,
Bittles,	Gray, Joseph,	McCaig,	Showalter,
Blair, W. A.,	Hackett,	McClintock,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McDermott,	Smith, L.,
Bleloch,	Heidinger,	McKay,	Spangler,
Body,	Hemminger,	Mechling,	Speiser,
Brosius,	Herman,	Mellott,	Spillinger,
Brown,	Hess,	Metzenbacher,	Steedle,
Brownlee,	Heyburn,	Missimer,	Steele,
Caldwell,	Hibshman,	Moses,	Stein,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stone,
Campbell, J.J.	Hoffman,	Musser,	Strauss,
Carter,	Howard, J.,	Neel,	Swartz,
Cheeseman,	Howard, R.,	Neely,	Swift,
Claycomb,	Humes,	Newton,	Thomas,
Cleary,	Isler,	North,	Trach,
Cochran,	Irwin, G. C.,	O'Neill,	Ulman,
Collins,	Irwin, H. H.,	Peachey,	Walnut,
Conner,	Jackson,	Pennegar,	Walsh,
Conniff,	Jones, E. E.,	Pennock,	Walton,
Conrade,	Jones, J. R.,	Perry, H. L.,	Watson,
Cox,	Kaiser,	Peters,	Wettach,
Currier,	Kaufman,	Piper,	Whitaker,
Curry,	Keegan,	Price,	Whitman,
Davis,	Keeport,	Ramsey,	Wildman,
DeFrees,	Kenna,	Redfield,	Williams,
Dickinson,	Kennedy,	Reese,	Wilson, J. H.,
Donahoe,	Kern,	Reeser,	Wilson, W. H.,
Donnally,	Kitts,	Rex,	Wiltbank,
Down,	Klepper,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Kuhn, H. P.,	Richards,	Young, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Riebel,	Zimmerman,
Ehrhardt,			Alter,
Eichenberger,			Speaker.

NAYS—4.

Miller, Mitchell, Morrow, Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 185, as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof that section one of article eight which reads as follows

"Section 1 Every male citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the general assembly may enact

"First He shall have been a citizen of the United States at least one month

"Second He shall have resided in the state one year (or having previously been a qualified elector or native born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

"Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

"Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election" be amended so that the same shall read as follows

"Section 1 Every citizen male or female of twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the general assembly may enact

"First He or she shall have been a citizen of the United States at least one month

"Second He or she shall have resided in the State one year (or having previously been a qualified elector or native-born citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceding the election

"Third He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

"Fourth If twenty-two years of age and upward he or she shall have paid within two years a state or county tax which shall have been assessed at least two months and paid at least one month before the election

"Fifth Wherever the words 'he' 'his' 'him' and 'himself' occur in any section of article VIII of this Constitution the same shall be construed as if written respectively 'he or she' 'his or her' 'him or her' and 'himself or herself' "

On the question,

Will the House agree to the bill on third reading.

Mr. ROCKWELL. Mr. Speaker, and fellow members of the House of Representatives, I just want to say a thing or two in explanation of this resolution. This is the first move to put the equal suffrage question before the people of this great State of Pennsylvania in a position where it can be fairly considered, digested and discussed. If this General Assembly passes this resolution at this time, and two year from now the General Assembly of 1915 passes the same resolution, then it will come up in the Fall election of 1915 to a vote of the people. It is simply and merely a referendum, putting this question back to the people, who are so much interested in it, for them to decide. It is very much in the public eye and has been discussed generally all over the United States. It is so much in the public eye that nine States of our great Union now have equal suffrage on all elections; twenty more states have equal suffrage on many questions. It is so much in the public eye that a number of the great political parties have adopted planks in their several platforms to the support of submitting this to the people and letting them decide upon it. For instance, the Republican party platform at Harrisburg on May 1st, 1912, adopted a resolution along that line, the democratic party platform at Harrisburg, May 7, 1912, along that line; the National Progressive party along that line in Chicago, on August 7th, 1912; and some of the minor parties, like the Keystone, the Socialist and the Prohibition party have all adopted resolutions along this line. It is so much in the public eye that his Excellency, the Governor of this State, saw fit in his message to this General Assembly to recommend that this Legislature put this matter in a form where it could be considered by the people, and considered as soon as pos-

sible. I would like to see a general expression along this line, and it seems to me it is only fair that you put this up to the vote of the people. It is so much in the public eye that only last week our great sister Commonwealth on the North, New York, passed a similar constitutional amendment, and in the House of Representatives of New York State it passed with 123 yeas and 7 nays, and in the Senate it passed by 46 yeas to one nay. I would like to see this House of Representatives do in this State one better, and not a single vote be against it.

Mr. ADAMS. Mr. Speaker, speaking from the point of duty which is sometimes a very embarrassing point, in explanation of my ballot in the House, I wish to state that in supporting this measure, I am supporting the voice and call of the people, and the particular plank of the platform of the party which elected me. I earnestly desire that the members of this House consider that they are not voting for woman surage. You are voting for the voice of the people to decide whether or not we want woman suffrage, and in the name of the ladies of this Commonwealth I ask you to give this measure due consideration.

Mr. JOSEPH GRAY. Mr. Speaker, and gentlemen of the House, I know you are tired of hearing me, but I am not going to talk very long. I am sorry that I cannot acceed to the wishes of the gentlemen on the other side that we go New York State one better in voting for this resolution. Sir, the gentlemen say, refer it to the people, and I want to ask the gentlemen if they would refer everything to the people? They have talked about this being a widely discussed issue. It was in the platform, but when the gentleman came to mention the planks in the national platforms he could only mention the Progressives, and he could not mention the Republican and Democratic. They did not think enough of the measure to refer to it. It is true that the Republican State platform has the plank in it. It is also true that the Democratic State Platform has the plank in; but fortunately for myself when I wrote, according to the rules of the Democratic platform, accepting or rejecting the platform, I reserved my decision on the woman suffrage question for further study. I have given it the further study as best I could, and I have decided that I do not want to refer it to the people. To the gentlemen who demand that we refer it to the people I ask them would they refer the question of socialism to the people? That has been more widely discussed than the woman suffrage question. If we were voting on the socialistic doctrine to abolish private property and capital would the gentlemen of this House vote to refer those things to the people? No; certainly they would not vote to refer them to the people. I want to point out to the other gentlemen one or two of the arguments of the people who want this passed, for to-day I was importuned by some of the ladies who desire this measure to pass, and when I had given them what I had thought were good reasons, at least they were to me good reasons, for opposing this rationalism I was told by one of those sweet and gentle ladies that I was ignorant. I suppose that was the right answer for the reason that it does not need further question, and it brought to my mind a book I read lately. In a book by the Hon. Ex-Controller of New York City Coler he spoke of a certain German teacher, a great man, a great rationalist and ethical culturist, a man trained in the best schools according to the belief of himself and of his father. He was a brilliant son of a worthy father. He was given the best education that the rationalists of his day could give him, and when he had grown to manhood they upheld him as a model, a paragon of a man, a man of great intellect, capacity, attainment and weight. He was a deep thinker and dug down into the sources of life, and he discovered that there was something else in life besides rationalism and realism and ethical culture. He discovered in his investigation that there was something in life which had been left out of the realist's theory and that something was the appreciation of man, the perfect grandure of the Babe of Bethlehem, and as he thought of these matters the rationalists and ethical culturists spoke very disparingly of him, as anybody can see by looking at the book, a book which I recommend to any member of this House to stimulate his thinking apparatus. When this was put up to these people they said this was something unanswerable, and they used the words that I refrain from using. They let it go at that. They could not answer it, for they considered the man was mentally deficient. And so it is here, if a man puts a proposition to the people, and argues for it, they say he is ignorant and let it go at that. It does not need to be answered. I have nothing against the sweet, gentle ladies.

But, sir, another argument is being put to us, as the gentleman from Cambria has said, where we have the highest points in the Allegheny mountains, and we think we soar just as high as anybody. The gentleman says there is not a sensible woman in the country who wants woman suffrage; but he says "I am going to vote for it, and let it be referred to the people." I am sorry for the gentleman from Cambria. Mr. Speaker and gentlemen of this House, this body as I understand, as I have been given to understand the dissallusion, or allusion or whatever you call it, is a legislative body, and not merely a representative body. But we are here to do some things for the betterment of the State; we are here to enact good legislation. I hope that disallusion shall not be dispelled. If we saddle everything back on the people what good are we. If everything is to be referred to the people, what is the use of having a legislative body in this State. Let all the gentlemen think of that. If every measure that comes up before this House must be referred to the people, why then we better abolish the legislative department of this State government. That is the way it looks to me. Men are afraid of newspaper criticism. There are a great many men in the State who sit in this legislative body and assert that the papers do not effect them and control them. I think that way deep down in their hearts there is a horrible fear of the Philadelphia North American. I think that is a plain statement, and they are afraid to vote against this measure. They don't say that the men want it, because when the gentleman said that New York State had lately passed it, he did not say that the people of Ohio just lately condemned the resolution or condemned the movement. I hope that this body will not prove as spinless as a milk and water body. I hope that the gentlemen will show that they have something besides the fear of public opinion in them. I for one hope that this resolution will be voted down. I will vote the same as I would vote on any other resolution which I did not think was for the betterment of the people.

Mr. MOSES. Mr. Speaker, and gentlemen of the House, I want this House to know that all of the members from Cambria County do not think as this gentleman does. I realize the fact that our friend from Cambria is a little young in years, but he will learn from experience. We are on the affirmative side, regardless of the fact that our friend from Ebensburg is on the negative. I believe that this question or any other question should be referred to the people, and I think we are perfectly safe in letting it go to the people.

Mr. WILTBANK. Mr. Speaker and gentlemen of the House, it seems to me that you are using a very cowardly argument. Are you afraid to let it go back to your constituents? It is of just as much importance as the matter on which you voted the other day, to refer the election of the United States Senators to the people. This thing belongs to the people, and there should not be one vote against it in this House. And any gentleman in this hall who is opposed to this measure I want to tell you gentlemen he is afraid to record his vote and go back to his people, for in 1915 you will see his place taken in this House. I believe in giving the people that which they demand. I intend to support this measure, and by voting for it I give my constituents the right to say whether or not they will give the women this right. I am not giving it myself. And I hope that every member in this House will give his constituents that right. Why mention New York? We do not have to go to New York for guidance. It is better to be hanged in the state of Pennsylvania, than to die a natural death in the state of New York. And I hope that the members of this House will not only go New York one better, but four better. Why not stand for your Keystone state?

Mr. O'NEILL. Mr. Speaker and gentlemen of the House, I am a representative from the same district as Mr. Wiltbank. I think that Mr. Wiltbank has sung my swan song.

Mr. REX. Mr. Speaker and gentlemen of the House, I wish to state that in my election I made no reservations and was elected on a platform that is favorable to this measure. Therefore, it is going to give me great pleasure

to vote for it, and I hope that every member of the House who has not made reservations, will do the same. I want to correct the statement of the gentleman from Cambria in regard to saying that we might just as well leave Socialism to the people, as this woman's suffrage movement. I think I state it correctly when I say that we do not submit Socialism to the suffrage of the people at every election. I trust that this measure will pass, and it will be submitted to the people to say whether or not we shall have equal suffrage in this state.

Mr. LOWERS. Mr. Speaker and gentlemen of the House, I shall oppose this resolution. I shall vote against it for the reason that I am not yet convinced that a majority of the people desire to pass upon this particular question. When I was a candidate for this seat, or rather for the nomination for this seat, at the primary election, I received a communication from an organization supporting equal suffrage. I responded to that organization and stated that I agreed with an organization known as the Anti-Equal Suffrage Organiaztion. I also agree with the statement that what this country needs is an increase in the quality of the votes and not an increase in the quantity, and I believe that if we give equal suffrage in Pennsylvania that we simply increase the quantity and not the quality of votes. So I am on record as being opposed to this measure. I have received no request from my constituents to support this measure. Not even the nine per cent. which this movement represents in my district have requested me to support a measure of this kind. And so I will vote against it for the reason that I do not believe that the people at this time should pass upon the question.

Mr. WILDMAN. Mr. Speaker and gentlemen of the House, it is not my desire to take up much of the time of this House. I desire to reply to the gentleman from Cambria County. The question of female suffrage is not a question of party or a question of politics. It is simply a matter of right. I contend there is no gentleman in this House this morning who can give one good reason why he should place himself above the qualities of woman, except that which is created in his own mind. The women of Pennsylvania only ask us to permit them to submit this question to the people and I can see no reason why this question should not be submitted to the people. That is all they are asking. We are not giving them the right to vote. The people are supposed to give them that right. One half of the members of this House are Progressives and as a Progressive, I think that the most progressive measure that would be passed at this session would be to give the women the right to submit this question to a vote of the people.

Mr. C. M. C. CAMPBELL. Mr. Speaker and gentlemen of the House, I come from the same district as my colleague. I come from the tenth Allegheny district. I came here with the intention of supporting this resolution. I stated to the people of my district before the nomination, that if I were nominated and elected, I would come to this House and support womans' suffrage. I believe the women are justified in asking for this right. I think it is an important matter to this state. I do not agree with my colleague that in adding the vote of the women to the voters of this state that you will not increase the quality of the vote. I believe that you will add quality. In the state of Pennsylvania today we have many thousands of teachers in our schools, and if we are willing that our boys and girls should be put under their care, should be taught by them,why should we not give them the right of suffrage. I notice in the progressive platform that the Progressive party has pledged itself to secure equal suffrage to man and woman alike. That is in the Chicago platform, the Progressive platform. You will rememmber that in 1860 the great Emancipator, Abraham Lincoln, carried the state of Pennsylvania. You will remember that it has stood solid for the Republican party until the Progressive party came up with their platform, read by that great Progressive, Theodore Roosevelt, for woman's suffrage, that tore this state of Pennsylvania from the Republican ranks and placed it in the Progressive column, due I believe, to the intention of giving the women the right to vote. I trust that this House will submit to the people this question, that they may decide it for themselves.

Mr. FORSTER. Mr. Speaker and gentlemen of the House, I too, like the gentleman from Cambria, may be young in years and young in experience, and as time goes on both my years and experience will increase; but in the meantime I propose to do my duties under my oath of office, as I see them. The general trend of argument here seems to be that this is not a question for us to pass upon, that it should be submitted to the people absolutely regardless of our own opinion or judgment. Now gentleman, if that is the measure of our responsibility, then the provisions of the Constitution looking to the procedure of amendments, are meaningless words. I believe that when my constituents sent me here they sent me here because they believed in my judgment. And I believe it is my duty to exercise my judgment. Now gentlemen, if in my view or in the view of any member here any proposed constitutional amendment is contrary to the interest of the people of this Commonwealth, I firmly believe it is their duty to vote against it in this House, as it would be their duty to vote against it at the polls. I am of the opinion that when a man proposes to submit to the public any constitutional amendment, he merely does it because it is an easy way out of the duties on an important question. I am opposed to this measure. I believe, like the gentleman from Allegheny County, that we are but increasing the number of votes without improving the quality. This is an important question, and I doubt very much whether this Commonwealth would gain anything by granting this privilege. If as it is argued, the granting to the ladies of the right to vote would better municipal affairs and clean up our elections, and bring about a general millenium, then give it to them. If you gentlemen think that women are capable of exercising the same discretion that men do, then allow them this privilege, but if they are unable to do that, then conditions will not be improved. If you are of the opinion that they are more capable than the men, then why not step down and give over the entire charge of the government to them. Not one of you men here has reached that stage where he is willing to step out and give the ladies entire charge. There is no one here who will say that the ladies will not be more ameniable to the interest of self interests. There have been men big enough and grand enough to step down and work and vote against a measure contrary to their own interests for the sake of the common good. I defy you to show me one woman who would at any time vote for a measure when the livlihood of her children is concerned. I honor her for it, but that is sentiment and emotion. Are we going to bring that into our elections? There is no one who will contend that the wife of a public man or a man in a public office, or holding office under a corrupt government, would vote to overthrow the government, when her livlihood and that of the children is derived from it. The question answers itself. In Colorado for about twenty years they have had full suffrage. According to Judge Lindsay, in a book written about three years ago—and Judge Lindsay is an advocate of woman's suffrage, and the book is written by one of their advocates—according to Judge Lindsay the conditions that exist today are worse than ever prevailed in our state or that ever prevailed in the state of New York in the palmy days of the ring rule, and yet women have been voting there for fifteen years. Why not have the conditions improved there? As a matter of fact Judge Lindsay was preaching all that was good and all that women are supposed to stand for. At least two women, one a member of the House and the other a member of the Senate, stumped the state against Lindsay. It is claimed that women would be less corrupt in public affairs than men. Judge Lindsay cleaned up Denver, but the women did not do it. Will they help us clean up here in Pennsylvania? I have faith in man. The man is the person to run the public affairs, and the woman to run the home. Man is represented in his home by his wife. A woman is represented in public affairs and in the government by the husband, father or children. There is nothing in this argument of taxation without representation being unjust, because she is represented. We will double and more than double our number of votes without improving the conditions. Shall we bring about this condition? I say no.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. I. GORDON FORSTER. I will.

Mr. R. J. BALDWIN. As I understand the gentleman, he said that Lindsay cleaned up Denver. Am I correct in that?

Mr. I. GORDON FORSTER. Right.

Mr. R. J. BALDWIN. Mr. Lindsay said that the women did it. Is that not right?

Mr. I. GORDON FORSTER. Judge Lindsay took up his work some fifteen years after the women had been voting, and taking part in municipal affairs in Denver. It took a man to clean up Denver. It is true that it was done with the help of the women, but it took a man to clean up that town.

Mr. HOBBS. Mr. Speaker and gentlemen of the House, I do not intend to take up very much of your time. This matter is of great importance, and it is nation wide. We are not required to go to Colorado or any other Commonwealth of this nation to ascertain what the sentiment is along this line. It is a progressive doctrine, and as our friend from Philadelphia stated, that he has faith in man, I want to say to him and to you that I have faith in woman. This is not a question as to whom we have faith in. It is a question as to giving the people their rights. And when you come to intelligence and refinement and capability no man has the right to say that our sisters are not equal to us. If this matter could be referred to all of the people of this state it would be decided right, but unfortunately it is going to be referred to but one part of the people. Now as a member of an organization which represents the rural people of this Commonwealth, in which the ladies have equal rights, I want to say that it is my experience that they discovered to a certainty that they are capable of action. This organization is the Grange, in which they have equal rights and privileges, and from what I have seen of them there, I hope that this resolution will carry, and that the vote for it will be unanimous.

Mr. R. J. BALDWIN. Mr. Speaker, the House the other evening seemed to think it was not necessary to have any checks and balances in this Government. I think, and have thought for some time, that if the ladies had the right of franchise, that they would not exercise it to the extent that the men would after a little bit of experience, but I am satisfied about this, that at any crucial period in the history of our country, you can depend upon it where the women will be. Let any great question bearing on peace or war arise, a question involving a proposition of war, for instance, when men are carried off their feet in anger and passion; where will you find in any community a lot of women who will do that? I am going to vote for this resolution, because I believe the people are going to take out one of the greatest checks that steadies the Government, and when the great test of Government comes when we are confronted with great questions such as maintained previous to the Civil War, the steadying influence of the female mind will perhaps avert those great dangers and counteract the danger which threatens by allowing the people to vote directly for United States Senators.

Mr. SPANGLER. Mr. Speaker.

The SPEAKER. The gentleman from York, Mr. Spangler.

Mr. SPANGLER. Mr. Speaker, the modern tendency of legislation seems to be to shirk our responsibilities as legislators. The Constitution strictly provides that "Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and, if the same be agreed to by a majority of the members elected to each House—" In other words, the responsibility is here placed upon us to determine in the first instance whether or not there is any demand or whether there is any call for this proposition, for the submitting thereof to the people. It seems to me, before we decide to submit this matter to the people, we should answer these three questions: Is there a reasonable demand for it? Will it benefit the State? Do the women of our great Commonwealth want it? Now, as to the first question, is there a reasonable demand throughout the State of Pennsylvania for the ballot for women, or is it merely the demand of a small coterie of women—a few women who are now restless and who desire a change? In my county, and I represent about fifty thousand people, I have not received a single letter or a single communication bearing on this matter.

Mr. JOHN R. K. SCOTT. You were overlooked.

Mr. SPANGLER (continued). Mr. Speaker, in the State of Colorado, where the matter has been thoroughly tried out, it has not met with the success that was anticipated. I therefore feel, under the conditions, with what knowledge we have, that unless there is a strong demand for woman suffrage, we should wait until we hear further in this respect.

Mr. SEMMENS. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Semmens.

Mr. SEMMENS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members:

Messrs. Adams, Alworth, Carter, James A. Dunn, Frank Gray, Hobbs, Isler, Irwin, Lenker, Lowers, Malie, Moore, Moses, Neely, North, O'Neill, Piper, Sassaman, Shern, Spillinger, Whitman, W. H. Wilson, Wiltbank.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Whereupon Mr. Williams and Mr. Dickinson requested a verification of the roll, upon the completion of which the Speaker announced the vote as follows:

YEAS—131.

Adams,	Dunn, J. A.,	Lenker,	Reeser,
Allen,	Ehrhardt,	Leslie,	Rex,
Alworth,	Fahey,	Light,	Richards,
Ambler,	Geary,	Lohr,	Rockwell,
Baldwin, G. A.,	Geiser,	Malie,	Runk,
Baldwin, R. J.,	Gibson,	Mannion,	Schuck,
Barner,	Glenn,	Martin,	Scott, J. R. K.,
Bass,	Grabe,	Mather,	Scott, S. B.,
Bayle,	Gramley,	Matt,	Semmens,
Benson,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Bergey,	Heidinger,	McKay,	Shaffer, I. E.,
Berntheizel,	Hemminger,	Mechling,	Shern,
Bigger,	Herman,	Mellott,	Showalter,
Bittles,	Hess,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Heyburn,	Miller,	Smith, L.,
Blair, W. F.,	Hobbs,	Mitchell,	Speiser,
Bleloch,	Hoffman,	Moore,	Spillinger,
Brosius,	Howard, J.,	Moses,	Steedle,
Brown,	Howard, R.,	Moulthrop,	Stone,
Brownlee,	Humes,	Musser,	Straus,
Burnett,	Isler,	Neel,	Swift,
Campbell, C.M.,	Jackson,	Neely,	Thomas,
Carson,	Jones, E. E.,	Newton,	Walnut,
Carter,	Jones, J. R.,	North,	Watson,
Cheeseman,	Kaiser,	Peachey,	Whitaker,
Claycomb,	Kaufman,	Pennock,	Whitman,
Cochran,	Keeport,	Peters,	Wildman,
Currier,	Kennedy,	Piper,	Williams,
Davis,	Klepper,	Post,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Dickinson,	Latshaw,	Redfield,	Wiltbank,
Donnally,		Reese,	Young, G. K.,
Down,			Zimmerman,
Dunn, H. B.,			

NAYS—70.

Arthur,	Foster, J. D.,	Lanius,	Riebel,
Becker,	Frey,	Letzkus,	Robinson,
Benninger,	Gans,	Lowers,	Roney,
Body,	Good,	McAllister,	Rothenberger,
Caldwell,	Goss,	McArdle,	Sassaman,
Campbell, J.J.	Gramley,	McCaig,	Savacool,
Cleary,	Gray, Joseph,	McDermott,	Schaffer, A. C.
Collins,	Hackett,	McNichol,	Sherwood,
Conner,	Haggerty,	Missimer,	Spangler,
Conniff,	Hibshman,	Morrow,	Stein,
Conrade,	Irwin, G. C.,	Murphy,	Swartz,
Cox,	Irwin, H. H.,	Newbaker,	Trach,
Curry,	Keegan,	O'Neill,	Ulman,
Donahoe,	Kenna,	Pennegar,	Walton,
Eichenberger,	Kern,	Perry, H. L.,	Wettach,
Ely,	Kitts,	Perry, S. J.,	Young, J. H.,
Ewing,	Kuhns, E.G.M.,	Price,	Alter,
Forster, I. G.,		Rhoads,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. ALLEN. I desire to explain why I vote as I do. I vote as I do because I am in favor of the bill.

Mr. KEEGAN. My sympathies are with the anti-suffragettes and therefore oppose the bill giving the privilege of the ballot to women. I do not believe the present bill is the right or equitable way to meet or settle this question. The legislature does not have the power to grant by virtue of its own right, the right of suffrage to women.

A request has been made that an opportunity be given to ascertain the opinion of the people by a popular vote. One plan is to place it before the people in the form of a constitutional amendment. The other is to permit the women to settle the question for themselves. Believing the latter is the most equitable way to settle the matter, I will vote against the present bill. I will, however, vote for a measure that will allow the women to determine the question: "To vote or not to vote."

I feel the question is one that should be decided by a feminine vote, as it would be eminently fair to both suffragettes and the antis and therefore remove man as a factor in determining the question.

I believe a majority of the legislators have no desire to shoulder the responsibility of deciding the matter, but prefer to be guided by a feminine vote that a majority of the women of this Commonwealth want the ballot or do not want it. If they want it surely they will support a measure to show their desire.

The will of the women of Pennsylvania should be ascertained and what they say they will. It is hardly probable that a body of men dare say they wont.

Mr. ULMAN. I desire to vote no, because I have not been requested to do otherwise by my constituents, and therefore take the right to use my own judgment in voting no.

BILLS POSTPONED.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 82, entitled:

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. E. G. M. KUHNS. Mr. Speaker, I move that consideration of this bill be postponed for the present.

Mr. DONNALLY. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 132, entitled:

An Act to amend an act entitled "An act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants each by erecting in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88, entitled:

An Act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditors in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred and one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants

On the question,

Will the House agree to the bill on third reading?

Mr. MORROW. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the clerk as follows:

Amend section 1, line 31, after the word "auditor" add or "or auditors;" line 37, after the word "auditor" add "or auditors."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 51, entitled:

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County" relating to the collection of taxes in Franklin County"

On the question,

Will the House agree to the bill on third reading?

Mr. RUNK. Mr. Speaker, and gentlemen of the House, I feel that I should make a little explanation of this short bill. In Franklin County we have been suffering because we were governed by an act passed in 1853. We have about fifty tax collectors that collect the taxes in the little County of Franklin where we have only fourteen townships and four boroughs. What we want you to do is to repeal this act in order that we may come under the general law providing for the collection of taxes in Pennsylvania. It is not an act that will affect any one of you but it will aid us greatly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Eichenberger,	Lanius,	Rex,
Alworth,	Ely,	Latshaw,	Rhoads,
Ambler,	Ewing,	Lenker,	Robinson,
Arthur,	Fahey,	Leslie,	Rockwell,
Baldwin, G. A.,	Forster, I. G.,	Light,	Roney,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Rothenberger,
Barner,	Frey,	Malie,	Runk,
Bass,	Gans,	Mannion,	Sassaman,
Becker,	Geary,	Martin,	Savacool,
Benson,	Geiser,	Mather,	Schaeffer, A. C.
Bergey,	Gibson,	Matt,	Schuck,
Berntheizel,	Good,	McAllister,	Scott, J. R. K.,
Bigger,	Goss,	McCaig,	Scott, S. B.,
Bittles,	Grabe,	McClintock,	Semmens,
Blair, W. A.,	Gramley,	McKay,	Shaffer, I. E.,
Blair, W. F.,	Gray, Frank,	McNichol,	Shern,
Bleloch,	Gray, Joseph,	Mechling,	Sherwood,
Body,	Hackett,	Mellott,	Showalter,
Brosius,	Haggerty,	Metzenbacher,	Smith, J. W.,
Brown,	Heidinger,	Miller,	Smith, L.,
Burnett,	Hemminger,	Missimer,	Spangler,
Caldwell,	Herman,	Mitchell,	Spillinger,
Campbell, C.M.,	Hess,	Moore,	Steedle,
Campbell, J.J.	Heyburn,	Morrow,	Steele,
Carson,	Hibshman,	Moses,	Stein,
Carter,	Hobbs,	Moulthrop,	Stone,
Cheeseman,	Hoffman,	Murphy,	Strauss,
Claycomb,	Howard, J.,	Musser,	Swartz,
Cleary,	Howard, R.,	Neel,	Swift,
Cochran,	Irwin, G. C.,	Neely,	Thomas,
Collins,	Irwin, H. H.,	Newbaker,	Ulman,
Conner,	Jackson,	Newton,	Walnut,
Conniff,	Jones, E. E.,	North,	Walsh,
Conrade,	Jones, J. R.,	O'Neill,	Walton,
Currier,	Keegan,	Peachey,	Watson,
Curry,	Keeport,	Pennegar,	Whitaker,
Davis,	Kenna,	Pennock,	Whitman,
DeFrees,	Kennedy,	Perry, S. J.,	Wildman,
Dickinson,	Kern,	Peters,	Williams,
Donahoe,	Kitts,	Piper,	Wilson, J. H.,
Donnally,	Klepper,	Post,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Price,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Zimmerman,
Dunn, J. A.,		Redfield,	Alter,
Ehrhardt,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 194, entitled:

An Act requiring the Prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said courts when filed to the Superintendent of the Department of Public Printing and Binding and requir- said Superintendent to have the same printed and a copy thereof mailed to every judge of every court of record of this State

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Allen,	Ely,	Latshaw,	Riebel,
Alworth,	Fahey,	Lenker,	Robinson,
Ambler,	Forster, I. G.,	Leslie.	Roney,
Arthur,	Foster, J. D.,	Letzkus,	Rothenberger,
Baldwin, G. A.,	Frey,	Light,	Runk,
Baldwin, R. J.,	Gans,	Lohr,	Sassaman,
Barner,	Geiser,	Lowers,	Savacool,
Bass,	Gibson,	Malie,	Schaeffer, A. C
Bayle,	Glenn,	Mannion,	Schuck,
Becker,	Good,	Martin,	Scott, J. R. K.,
Benninger,	Grabe,	Mather,	Scott, S. B.,
Benson,	Gramley,	Matt,	Semmens,
Bergey,	Gransback,	McAllister,	Shaffer, I. E.,
Berntheizel,	Gray, Frank,	McClintock,	Shern,
Bigger,	Hackett,	McDermott,	Sherwood,
Bittles,	Haggerty,	McKay,	Showalter,
Blair, W. A.,	Heidinger,	Mechling,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mellott,	Smith, L.,
Bleloch,	Hess,	Metzenbacher,	Spangler,
Brosius,	Heyburn,	Miller,	Spillinger,
Brown,	Hibshman,	Mitchell,	Steedle,
Burnett,	Hobbs,	Moore,	Steele,
Campbell, C.M.,	Hoffman,	Morrow,	Stein,
Campbell, J.J.	Howard, J.,	Moses,	Stone,
Carter,	Howard, R.,	Moulthrop,	Swartz,
Cheeseman,	Humes,	Musser,	Swift,
Claycomb,	Isler,	Neely,	Thomas,
Cleary,	Irwin, G. C.,	Newbaker,	Trach,
Cochran,	Irwin, H. H.,	Newton,	Walnut,
Collins,	Jackson,	North,	Walsh,
Conner,	Jones, E. E.,	O'Neill,	Walton,
Conniff,	Jones, J. R.,	Peachey,	Wettach,
Conrade,	Keegan,	Pennock,	Whitaker,
Cox,	Keeport,	Perry, H. L.,	Whitman,
Currier,	Kenna,	Perry, S. J.,	Williams,
Curry,	Kennedy,	Peters,	Wilson, J. H.,
Davis,	Kern,	Piper,	Wilson, W. H.,
DeFrees,	Kitts,	Ramsey,	Wiltbank,
Dickinson,	Kuhn, H. P.,	Redfield,	Young, G. K.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Down,	Lanius,	Rex,	Zimmerman,
Dunn, H. B.,		Rhoads,	Alter,
Dunn, J. A.,			Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the ajrmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

BILLS POSTPONED.

The House proceeded to the third reading and consideration of House Bill No. 184, entitled:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published.

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 195, entitled:

An Act to enjoin and abate houses of lewdness, assignation and prostitution to declare the same to be nuisances to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 6, entitled:

An Act for the further regulation and restraint of the sale of vinous, spirituous malt or brewed liquors and admixtures thereof by those having a wholesale license from any of the several courts of quarter sessions of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 113, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 236, entitled:

An Act regulating the manufacture, sale and offering for sale of mattresses, and fixing penalties for violation hereof.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 138, entitled:

Joint resolution making application to Congress under the provisions of Article five of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 271, entitled:

An Act to amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June, Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the courts of justice."

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 166, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and eleven, entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and nine."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 241, entitled:

An Act providing for the appointment by the Governor of a commission to determine what portions of the Constitution of this Commonwealth need revision to gather literature, statistics and other information and to make a report embodying its recommendations and the result of its inquiries; defining the power and duty of such commission; providing for its organization and for the filling of vacancies in its membership; fixing its compensation and making an appropriation for its compensation and expenses.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 153, entitled:

An Act to repeal an act approved the first day of June one thousand nine hundred and eleven, entitled "An Act to tax traction engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 277, entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise, securities or services, and providing penalties for the violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 179, entitled:

An Act empowering cities to establish and maintain free public employment bureaus.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 248, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five, entitled "An Act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven, entitled "An Act regulating the criminal trials, the cross-examination of a defendant when testifying in his own behalf."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 104, entitled:

An Act amending section one hundred and two of an act, entitled "An Act relating to the elections of this Commonwealth approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine," by providing punishment for certain offenses committed by election officers and clerks and amending section one hundred and three of said act by increasing the penalties therein provided.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act further amending section one of an act entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gambling and the conducting of immoral exhibitions at or near the fair grounds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act entitled "An act to amend section two of an act entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approvd the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 149, entitled:

An Act relugating to extortion and attempted extortion by threats and fixing a penalty therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 122, entitled:

An Act amending section one hundred and twenty of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 123, entitled:

An Act amending sections fifty and fifty-one of an act entitled "An act to consolidate revise and amend the Penal Laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 131, entitled:

An Act amending section one hundred and nineteen of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the fourteenth day of July Anno Domini one thousand eight hundred and ninety-seven.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 181, entitled:

An Act to amend the second section of an act approved the thirteenth day of March Anno Domini one thousand nine hundred and seven entitled "An act amending section two of the act entitled 'An act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount there and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act to amend sections one and two of an act entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April one thousand nine hundred and five.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act to amend the eighth section of an act entitled "An act providing for a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by fixing the compensation of election boards at primary elections.

And said bill having been read at length the first time.

Ordered, To be laid aside for a second reading.

SENATE MESSAGE.

EXTENDING TIME FOR REPORT OF COMMISSION TO INVESTIGATE SURFACE SUPPORT OF ANTHRACITE COAL MINES.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to the resolution from the Senate, as follows, viz:

In the Senate, January 21, 1913.

Whereas, The Commission to investigate and report upon surface support in mining Anthracite, created by Joint Resolution, approved the 24th day of March, A. D. 1911, will be unable to make its report to the General Assembly on February 1, 1913, the date specified in the Resolution, because of insufficient time.

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a member of expert mining, engineers and others is still to be taken by the Commission.

Therefore, Be it resolved (if the House concur), The Commission be granted an extension of time to make its report to the General Assembly, said report to be made on or before the March 1st, A. D. 1913.

SENATE MESSAGE.

TO BROADEN SCOPE OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG COMMISSION.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

CONCURRENT RESOLUTION.

In the Senate, January 4, 1913.

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commssion

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd, and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore be it Resolved, (if the House concur), that the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions mad for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union Soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennnsylvania as citizens of this Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution will lie over under the rules.

Mr. LOWERS asked and received unanimous consent to offer the following resolution which was twice read and laid over under the rules.

AUTHORIZING THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE LABOR TROUBLES AT BRADDOCK AND RANKIN IN THE COUNTY OF ALLEGHENY.

Whereas, It is alleged that the American Steel and Wire Company, a branch of the United States Steel Corporation, having plants at Braddock and Rankin in Allgheny County, have refused to come to an agreement with certain of their employes who are now on a strike; and

Whereas, Said Company has hired armed guards whose actions have incited the gravest disorder in said boroughs resulting in a riot wherein one man was killed and many injured; and

Whereas, The continuance of this disorder may lead to grave consequences and great danger to the citizens of this Commonwealth; therefore

Be it Resolved (if the Senate concur), That a Commission be appointed to investigate the labor troubles now existing in Braddock and Rankin in Allegheny County between the American Steel and Wire Company, a branch of the United States Steel Corporation, and certain of their employes. The Commission shall consist of three members of the Senate, two of them shall be members of the Republican Party and one of the Democratic Party, to be appointed by the President Pro tempore, and three members of the House of Representatives, two of whom shall be of the Republican Party and one of the Democratic Party, to be appointed by the Speaker. It shall be the duty of said commission to organize immediately after their appointment and proceed to investigate thoroughly the said labor troubles and report in writing to this General Assembly on or before the fifteenth day of March of this year stating the causes of such trouble so far as ascertainable and making such suggestions as they deem proper tending to ameliorate the conditions now existing in said plants. The commission shall serve without compensation but shall be allowed such expenses as shall be actually and necessarily incurred in the performance of the duties herein imposed. The Commission shall have authority to enter any premises or enclosures and to require the production and testimony of any witnesses they may deem necessary, and may compel the production of such books and papers as they may require in conducting said investigation.

That the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriattd for the payment of the necessary expenses of the commission and shall be paid out of the State Treasury upon vouchers signed by the chairman of the said commission.

ADJOURNMENT.

Mr. ISLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (1:20 P. M.) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, FEBRUARY 6, 1913. No. 12.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 6th, 1913.

The House met at ten o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

CHAPLAIN'S PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

Our Father, it is by Thy kindness and favor that we have been brought through the successive days and nights of this legislative week, and that we are in the enjoyment of that health and vigor so essential to our work. We thank Thee for the nature of the work which is assigned us, so peculiarly important and interesting, so affecting the welfare of this great Commonwealth and so vitally relating to the health and hope and happiness of the people of this Commonwealth. It is our earnest desire to pass upon the questions submitted to us for consideration soberly, advisedly, discreetly and in the fear of the Lord. May we not be governed by prejudice or passion or by selfish motives and may we utter no decisions which do not strictly accord with our conscientious convictions. Now if it be Thy will that we should take a respite from this public work and return to our homes, we pray that through Thy gracious kindness we may find our friends there well, and that we may be returned safely and in strength at the appointed time to take up again our work. We ask all of this in the name and for the sake of Jesus Christ our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Wiltbank, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. HUMES. House Bill No. 367.

An Act making an appropriation to the Spencer Hospital, located at Meadville, Crawford County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FRANK GRAY. House Bill No. 368.

An Act to amend an act approved the first day of June, one thousand eight hundred eighty-nine, entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," as variously amended.

Referred to Committee on Ways and Means.

By Mr. IRA SHAFFER. House Bill No. 369.

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth, and to limit the hours of labor of fire bosses and persons whose duties, either in whole or in part, are those of a fire boss, employed at, in or about the same; and fixing a penalty for the violation of any of the provisions of this act.

Referred to Committee on Mines and Mining.

By Mr. SASSAMAN. House Bill No. 370.

An Act making an appropriation to the Beulah Anchorage of Reading, of Reading, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. REX. House Bill No. 371.

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto.

Referred to Committee on Judiciary Special.

By Mr. NORTH. House Bill No. 372.

An Act to amend Section four of an act, approved the twenty-third day of June, one thousand nine hundred and eleven, entitled "An act establishing in each county a board of viewers; prescribing their duties; providing for their appointments as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs, and expenses thereof."

Referred to Committee on Judiciary General.

By Mr. NORTH. House Bill No. 373.

An Act making an appropriation to the Adrian Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BASS. House Bill No. 374.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art of Philadelphia.

Referred to Committee on Appropriations.

By Mr. LORENZO SMITH. House Bill No. 375.

An Act to restrain and regulate the use of billiard tables, pool tables and bagatelle boards, or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth. Providing for the granting of licenses and providing for punishments for the volations of the provisions of this act.

Referred to Committee on Law and Order.

By Mr. O'NEILL. House Bill No. 376.

An Act making an appropriation to the Board of Commissioners of Navigation of the River Delaware and its navigable tributaries and regulating the expenditure thereof.

Referred to Committee on Appropriations.

By Mr. STONE. House Bill No. 377.

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, Chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and im-

provement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. WALTON. House Bill No. 378.

An Act to amend an act approved the fourteenth day of May, one thousand eight hundred and eighty-nine, entitled "An act to provide for the incorporation and government of street railway companies in this Commonwealth," as amended by an act approved the third day of May, one thousand nine hundred and five, entitled "A supplement to an act entitled 'An act to further amend an act, entitled "An act to provide for the incorporation and government of street railway companies in this Commonwealth," approved the fourteenth day of May, Anno Domini one thousand eight hundred and eighty-nine and the amendments therto, approved the twenty-first day of May, Anno Domini one thousand eight hundred and ninety-five; and providing for the length of tracks of any companies that may be used by another company; for the use by any company of streets, highways and bridges which have been abandoned or may be abandoned, or are not in use by any other companies chartered or authorized to use the same, or which are not in constant daily use for the transportation of passengers by such companies; and for the use of streets, highways and bridges by any company, which other companies have relinquished the right to use, or which are only in temporary use, either by virtue of the provisions of any Act of Assembly or of any ordinance of council, or of any contract or agreement with the Commonwealth or the local authorities of any city, borough or township; and providing compensation therefor; limiting the time within which application must be made to the local authorities of any city, borough or township, within which work must be commenced and the railway completed; and providing that where a company shall receive a charter to build a road on any street or highway, no other charter shall be granted to any other company to occupy the same street or highway, until after the time given to the first company to obtain the consent of the local auhorities, and begin and complete its work, shall have elapsed; conferring the right to acquire property by purchase, for certain uses of the corporation,' approved the seventh day of June, Anno Domini one thousand nine hundred and one."

Referred to Committee on Electric Railways.

By Mr. KAISER. House Bill No. 379.

An Act making an appropriation to the Home for Colored Children of Allegheny, now Pittsburg, North Side, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MALIE. House Bill No. 380.

An Act to amend an act approved the seventh day of March, one thousand nine hundred one, entitled "An act for the government of cities of the second class," as amended by an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An act amending and supplementing article fourteen of an act, entitled "An act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred and one, as same was amended and supplemented by an act, approved the twentieth day of June, Anno Domini one thousand nine hundred and one; by abolishing the present select and common councils; providing a new body, to be known as the council, and fixing their terms of office; and providing for the selection of members of council, prescribing the qualifications of members thereof, their powers and duties, and fixing their salaries."

Referred to Committee on Municipal Corporations.

By Mr. SASSAMAN. House Bill No. 381.

An Act making an appropriation of six thousand dollars to the Berks County Tuberculosis Society, for the maintenance of indigent persons suffering from Tuberculosis, and received for treatment into its sanatorium located on Neversink Mountain, Berks County, Pennsylvania.

Referred to Committee on Municipal Corporations.

By Mr. WHITAKER. House Bill No. 382.

An Act making an appropriation for the purchase of the Roberts Mineral Collection for the Pennsylvania State Museum.

Referred to Committee on Appropriations.

By Mr. BENSON. House Bill No. 383.

An Act to equalize the taxation of all properties, real, personal, corporate or mixed by the creation of a Tax Commission, and repealing all laws or parts of laws inconsistent herewith.

Referred to Committee on Ways and Means.

My Mr. CHARLES A. SHAFFER. House Bill No. 384.

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. HAGGERTY. House Bill No. 385.

An Act making an appropriation to the West Mountain Sanatorium of Scranton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LESLIE. House Bill No. 386.

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania, at Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HERMAN. House Bill No. 387.

An Act to amend an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish, and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same, to protect the waters within this Commonwealth from unfair, improper, wasteful and destructice fishing, and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish-wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribtution of the same by the Department of Fisheries in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially proprogated for profit; to forbid the sale of unlawful devices for catching fish; and to provide penalties and punishments for the violation of the provisions of this act, and providing how and by whom the costs shall be paid."

Referred to Committee on Fisheries.

By Mr. HAGGERTY. House Bill No. 388.

An Act entitled "An Act authorizing and empowering all cities and boroughs, within its Commonwealth, to regulate by ordinance or by-laws, the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits.

Referred to the Committee on Mines and Mining.

By Mr. HUMES. House Bill No. 389.

An Act to amend an act approved the ninth day of June, one thousand nine hundred and eleven, entitled "An Act relating to private sales of real estate, ordered, decreed or approved by the orphans' courts; and providing a method of giving notice of such sales, and validating such private sales of real estate, heretofore made under the authority of the orphans' courts, for the payment of debts."

Referred to Committee on Appropriations.

By Mr. HERMAN. House Bill No. 390.

An Act to enable city, county, poor ward, school, borough and township tax collectors, their executors or administrators, if they are deceased, or either surety or sureties, if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for the collection of the same for a period of two years from the passage of the act.

Referred to Committee on Judiciary Special.

By Mr. R. J. BALDWIN. House Bill No. 391.

An Act making an appropriation to the State Quarantine Board for the maintenance of the Quarantine Station and Boats at Marcus Hook and office expenses at Philadelphia and Marcus Hook.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 392.

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth and the inmates thereof in Boards of Prison Inspectors; providing for the appointment of such Boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for the keeping, furnishing and maintaining said jails and prisons by the several counties respectively, and prescribing the duties of the Commissioners and treasurers respectively of said counties relative to the payment of such expenses.

Referred to the Committee on Counties and Townships.

By Mr. BROWNLEE, House Bill No. 393.

An Act prohibiting certain trust companies to act as surety.

Referred to the Committee on Banks and Banking.

By Mr. BROWNLEE. House Bill No. 394.

An Act making an appropriation to the City Hospital Association, of Washington, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HEMMINGER. House Bill No. 395.

An Act relating to the sale or offering for sale of certain milk, and providing a penalty for violation hereof.

Referred to the Committee on Public Health and Sanitation.

By Mr. HEIDINGER. House Bill No. 396.

An Act to promote the public health by providing for one day of rest in seven for employees in certain employments, and making a violation of its provisions to be a misdemeanor, and providing penalties for the violation thereof.

Referred to the Committee on Labor and Industry.

By Mr. HEIDINGER. House Bill No. 397.

An Act to require the recording and reporting by employers to the State Department of Factory Inspection of accidents; making a violation of its provisions to be a misdemeanor, and providing penalties for the violation thereof.

Referred to Committee on Labor and Industries.

By Mr. HEIDINGER. House Bill No. 398.

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases, and making a violation of its provisions a misdemeanor, and providing penalties for violations thereof.

Referred to the Committee on Labor and Industry.

By Mr. SHERN. House Bill No. 399.

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 400.

An Act amending an act, entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women, by fixing the hours of labor for women; to provide for the safety of all employees in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required; to provide for the health of all employees and of men, women and children in all such establishments, storehouses and buildings by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who, with the Chief Factory Inspector, to enforce the same, shall constitute the Department of Factory Inspection, to enforce the same and provide penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," approved the second day of May, Anno Domini one thousand nine hundred and five; defining the terms "Industrial Establishment" and "Establishment" as used in said act, and further limiting the hours of labor for women and children.

Referred to the Committee on Labor and Industry.

By Mr. SHERN. House Bill No. 401.

A Joint Resolution proposing an amendment to Section twenty-one of Article three of the Constitution of Pennsylvania.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 402.

An Act to regulate policies of insurance against liability arising under Article II of The Workmen's Compensation Law of 1913.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 403.

An Act to provide for the incorporation and regulation of employers' mutual liability insurance associations.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 404.

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employees, and prescribing a penalty for non-compliance therewith.

Referred to Committee on Judiciary General.

By Mr. SHERN. House Bill No. 405.

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same, to inquire into the subject of fair compensation for those injured or killed as a result thereof, and to study the operation and effect of the workmen's compensation law of 1913, and making an appropriation for the expenses of said commission.

Referred to Committee on Judiciary General.

By Mr. RIEBEL. House Bill No. 406.

An Act making an appropriation to the Children's Homeopathic Hospital of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. House Bill No. 407.

An Act making an appropriation to the Ohio Valley General Hospital, McKees Rocks, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVIS. House Bill No. 408.

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets, avenues, thoroughfares, courts, alleys, places and public highways within the limits of the several municipal corporations, and authorizing the creation of a Bureau of Mine Inspection and Surface Support by any municipal corporation, and giving such Bureau jurisdiction.

Referred to the Committee on Mines and Mining.

By Mr. RICHARDS. House Bill No. 409.

An Act providing for the establishment and maintenance of Boards of Health in Boroughs and Townships of the first class and defining their powers and duties; providing for the appointment of members of such Boards of Health by the President Judge of the Court of Common Pleas of the County wherein such Borough or Township of the first class is located; providing for the election of a Secretary and a Health Officer; providing that the Commissioner of Health may take charge of the administration of health laws in any Borough or Township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such Borough or Township of the first class, or when it may be known to him that such Borough or Township of the first class is without an existing or efficient Board of Health; and providing the manner in which the expenses of Boards of Health or of the Commissioner of Health incurred in administering health laws in any Borough or Township of the first class shall be paid.

Referred to Committee on Public Health and Sanitation.

By Mr. WALNUT. House Bill No. 410.

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Referred to Committee on Appropriations.

By Mr. HACKETT. House Bill No. 411.

An Act relating to the time of payment of wages or salaries to officers and employes in counties co-extensive with cities.

Referred to Committee on Counties and Townships.

By Mr. WALNUT. House Bill No. 412.

An Act authorizing and directing the State Treasurer to refund to Fannie C. Spiers, the amount illegally demanded and collected as a State license fee from her as the proprietress of a Moving Picture place in the State of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LOWERS. House Bill No. 413.

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LOHR. House Bill No. 414.

An Act to regulate the sale for agricultural purposes of crushed limestone, lime, gypsum and related products; defining said products and requiring that they be sold under official tags bearing the manufacturer's or dealer's guaranty; providing for its enforcement and prescribing penalties for its violations.

Referred to Committee on Agriculture.

By Mr. WALNUT. House Bill No. 415.

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company, the amount illegally demanded and collected as a State License fee from it as proprietor of a Moving Picture place in the State of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 416.

An Act to prevent occupational diseases, and to provide for the health of employees exposed to the danger of lead poisoning and other occupational diseases, by regulating certain manufacturing establishments, providing for medical examinations and reports and requiring sanitary precautions and appliances, and making violation of its provisions a misdemeanor and providing penalties for violation thereof.

Referred to the Committee on Manufactures.

By Mr. HERMAN. House Bill No. 417.

An Act to amend an act approved the third day of June, one thousand nine hundred and eleven, entitled "An Act to provide for the better protection and preservation of game, game-quadrupeds and game birds' and prescribing penalties for violation of its several provisions."

Referred to the Committee on Game.

By Mr. JAMES J. CAMPBELL. House Bill No. 418.

An Act making an appropriation to the Union Home for Old Ladies, of West Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 419.

An Act relating to the advertising of proposed amendments of the Constitution of this Commonwealth.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 420.

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June, Anno Domini one thousand nine hundred and eleven (Appropriation Acts, page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools.

Referred to Committee on Appropriations.

LEGISLATIVE PRINTING.

The SPEAKER. Mr. SCHUCK, who is a practical printer and manager of a printing establishment has taken the time to make a personal investigation of the State Printing Department, and has submitted to the Speaker a very brief report, which the Chair asks permission to submit to the House.

The report was then read as follows:

House of Representatives,
Harrisburg, Pennsylvania, February 5, 1913.

Honorable George E. Alter, Speaker, House of Representatives, Harrisburg, Pennsylvania.

My Dear Sir:—In response to your personal request for a visit to the State Printing Establishment and an investigation of possible causes of delay in handling the printed matter of the House with respect to facilities and the time of delivery, I wish to submit the following:

After a visit to the State Printery and consultation with the Chief Clerk, Resident Clerk, Assistant Clerk and Sergeant-at-Arms of the House, there appear at least three points where marked improvement may be made.

1. Proof-reading and editing copy, double force required.
2. Official reporters and stenographers, one more of each being needed.
3. More copy should go to the printer in "takes," or sections instead of complete form for the session.

Under the State contract for printing the State reads all proof. I found but two proof-readers and two copy-holders on duty. The task is too great for them, however experienced and efficient. At least one more of each and perhaps two should be employed for the session. I would recommend that these be employed at the suggestion of the State printer or foreman in order that experienced men or women be secured. Proof-reading is a trained occupation, ex-printers making the best men.

Copy for the Legislative Journal should be edited more carefully for the reason that the operators on the type setting machines find errors which they have not the authority to correct and know destroy the meaning, so stop to ask questions and get permission to make necessary changes. This work should be done before the copy goes to the machine, perhaps by an experienced extra proof-reader. It may be the official reporters and stenographers are over-crowded with work. I believe the law authorizes the employment of four each of these men, while but three are now engaged at the work.

The greatest need for early copy in "takes" appears to be for the pink calendar. Under the new rules of the House bills introduced must first go to the transcribing room and from there to the printer instead of direct from the Resident Clerk as before. However, the Assistant clerk who has these in charge has accepted the suggestion to send this copy to the printer in "takes" instead of in complete form.

I find the plant well equipped with modern machinery. Twelve type-setting machines are now in use day and night with 24 operators on two turns. Three more of these machines are ordered and will be installed shortly. Eight or ten cylinder presses, half of which are rapid and self-feeding and other up-to-date power machinery are included in the equipment.

It was reported that no commercial work was being handled by the plant and all department printing for the State is being withheld for the present as most of this work is up-to-date.

Respectfully submitted,
(Signed) C. L. SCHUCK.

REPORT OF THE SECRETARY OF THE COMMONWEALTH IN RESPONSE TO THE RESOLUTION OF THE HOUSE ASKING FOR INFORMATION.

The CHAIR laid before the House the report of the Secretary of the Commonwealth given in response to a Resolution adopted January 29, 1913.

The Clerk proceeded to the reading of the report, when on motion of Mr. Allen, the further reading was dispensed with and the report ordered to be spread upon the pages of the Journal.

Office of the Secretary of the Commonwealth,
Harrisburg, Pennsylvania, February 4, 1913.

To the Honorable The House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—In compliance with the request contained in a Resolution of the House of Representatives, adopted under date of January 29, 1913, I have the honor to herewith transmit a list of all the newspapers which were authorized to publish the proposed Amendments to the State Constitution during the year one thousand nine hundred and twelve; together with the advertising charge of each newspaper, except in eighteen instances wherein the advertising bills have not yet been properly filed in this department.

The advertising bills rendered were, in each instance, accompanied by an affidavit setting forth that the proposed amendments were published thirteen times, and that the Commonwealth was not charged at any higher rate than that charged any individual advertiser, for an equal or less number of insertions of work of an equal or less magnitude.

Settlement of the advertising bills is made by the Auditor-General, who in the past, has made very material reductions in the amounts charged. For that reason, it is respectively suggested that the total amount of the advertising charges, as shown in the accompanying list, does not fairly indicate the amount to be appropriated for the final settlement of the same.

I would also respectively recommend that the General Assembly limit the publication of advertisements of this character to two newspapers in each county.

Very Respectively yours,
ROBERT McAFEE
Secretary of the Commonwealth.

NEWSPAPERS

ADVERTISING PROPOSED CONSTITUTIONAL AMENDMENTS—1912.

ADAMS COUNTY.	
Gettysburg, Star and Sentinel,	$ 568 10
Gettysburg, Compiler,	566 80
Gettysburg, Times,	436 80
ALLEGHENY COUNTY.	
Pittsburgh, Dispatch,	1,123 20
Pittsburgh, Chronicle Telegraph,	
Pittsburgh, Gazette Times,	1,157 00
Pittsburgh, Leader,	1,248 00
Pittsburgh, Post,	1,123 20
Pittsburgh, Press,	873 60
Pittsburgh, Volksblatt and Freiheits Freund,	624 00
Pittsburgh, Pittsburgh Legal Journal,	624 00
Sharpsburg, Sharpsburg and Etna Herald,	312 00
Pittsburgh, Amerikansko Slovenski Noviny,	624 00
Elizabeth, Herald,	146 25
McKeesport, News	624 00
McKeesport, Swedish Weekly,	624 00
Pitcairn, Pitcairn Express,	312 00
ARMSTRONG COUNTY.	
Kittanning, Free Press,	624 00
Kittanning, Kittanning Tribune,	624 00
Leechburg, Advance,	312 00
BEAVER COUNTY.	
Beaver Falls, Review	566 80
Beaver Falls, Tribune,	566 80
Beaver, Republican,	
BEDFORD COUNTY.	
Bedford, Inquirer,	517 40
Everett, Republican,	686 40
BERKS COUNTY.	
Birdsboro, Dispatch,	524 00
Reading, Eagle	455 52
Reading, Post,	998 40
Boyertown, Democrat,	499 20
Kutztown, Patriot,	624 00
Reading, Telegram,	748 80
BLAIR COUNTY.	
Altoona, Tribune,	380 00
Altoona, Morning Times,	624 00
Altoona, Evening Gazette,	1,092 00
Altoona, Evening Mirror,	261 30
Tyrone, Times,	312 00
BRADFORD COUNTY.	
Towanda, Reporter Journal,	234 00
Canton, Sentinel,	312 00
BUCKS COUNTY.	
Doylestown, Bucks County Intelligencer,	325 50
Bristol, Weekly Courier,	192 00
Sellersville, Sellersville Herald,	206 40
Perkasie, Central News	177 60
Newton, Newton Enterprise,	336 00
Doylestown, Democrat,	336 00
BUTLER COUNTY.	
Butler, Eagle,	312 00
Butler, Butler County Record,	312 00
Slippery Rock, Sun,	283 40
CAMBRIA COUNTY.	
Barnesboro, Star,	283 40
Ebensburg, Mountaineer Herald,	312 00
Lilly, Signal,	374 40
Johnstown, Freie Press,	93 60
Johnstown, Leader,	294 00
CAMERON COUNTY.	
Emporium, Cameron County Press,	468 00
Driftwood, Driftwood Gazette,	522 00
Emporium, Independent,	665 50
CARBON COUNTY.	
Mauch Chunk, Coal Gazette,	333 90
Lehighton, Press,	310 05
Lansford, Leader	
CENTRE COUNTY.	
Bellefonte, Keystone Gazette,	436 80
Bellefonte, Republican,	436 80
Philipsburg, Ledger,	624 00
Howard, Hustler,	614 90
Bellefonte, Democratic Watchman,	412 80
CHESTER COUNTY.	
West Chester, Daily Local News,	362 40
West Chester, Village Record,	624 00

Coatesville, Record,	624 00
Coatesville, Times,	624 00
Honeybrook, Honeybrook Graphic,	936 00
Avondale, Avondale Herald,	624 00
Oxford, News,	156 00
CLARION COUNTY.	
Clarion, Republican,	374 40
New Bethlehem, Vindicator,	336 00
East Brady, Review,	312 00
New Bethlehem, Leader,	335 30
CLEARFIELD COUNTY.	
Clearfield, Raftsmans Journal,	573 30
Dubois, Morning Courier,	608 00
Curwensville, Mountaineer,	312 00
Clearfield, Republican,	392 20
Madera, Hustler,	300 95
Clearfield, Public Spirit,	936 00
Dubois, Morning Journal,	624 00
CLINTON COUNTY.	
Lock Haven, Clinton County Times,	624 00
Lock Haven, Express,	305 50
Renovo, Evening News,	436 80
Renovo, Record,	416 00
Lock Haven, Democrat,	436 80
COLUMBIA COUNTY.	
Bloomsburg, Columbia County Republican,	572 00
Benton, Argus,	570 70
Bloomsburg, Morning Press,	
CRAWFORD COUNTY.	
Meadville, Messenger,	618 80
Cochranton, Times	312 00
Cambridge Springs, News,	295 75
Cambridge Springs, Enterprise,	624 00
Conneautville, Courier,	285 35
Titusville, Herald,	624 00
Meadville, Tribune,	1,185 60
Spartansburg, Sentinel,	624 00
Meadville, Journal,	624 00
CUMBERLAND COUNTY.	
Carlisle, Evening Herald,	336 00
Carlisle, Carlisle Volunteer,	336 00
Newville, Star and Enterprise,	336 00
Mechanicsburg, Journal,	568 10
DAUPHIN COUNTY.	
Harrisburg, Telegraph,	960 00
Harrisburg, Star-Independent,	946 00
Harrisburg, West End Reporter,	436 80
Millersburg, Herald,	624 00
Middletown, Journal,	624 00
Lykens, Standard,	570 70
Middletown, Middletown Press,	312 00
DELAWARE COUNTY.	
Chester, Morning Republican,	336 00
Chester, Times,	336 00
Media, Delaware County Record,	336 00
Darby, Progress,	315 00
Swarthmore, Republican,	
Media, Delaware County American,	333 60
Chester, Delaware County Democrat,	336 40
ELK COUNTY.	
St. Marys, Elk County Gazette,	468 00
St. Marys, Enterprise,	438 75
Ridgway, Elk County Democrat,	429 00
Johnsonburg, Breeze,	
Ridgway, Advocate,	468 00
ERIE COUNTY.	
Erie, Times,	960 00
Erie, Dispatch,	620 10
Erie, Tageblatt,	624 00
Corry, Leader,	624 00
Waterford, Leader,	312 00
North East, Breeze,	312 00
North East, Advertiser,	626 60
Girard, Cosmopolite Herald,	624 00
North Girard, Success,	314 60
FAYETTE COUNTY.	
Connellsville, Courier,	322 00
Connellsville, News,	322 00
Uniontown, News-Standard,	336 00
Uniontown, Morning Herald,	336 00
Uniontown, Evening Genius,	336 00
Bellevernon, Enterprise,	336 00
FOREST COUNTY.	
Tionesta, Forest Republican,	312 00
Tionesta, Democratic Vinidicator,	312 00
Marienville, Express,	370 40
FRANKLIN COUNTY.	
Chambersburg, Franklin Repository,	624 00
Chambersburg Public Opinion,	624 00
Greencastle, Echo Pilot,	336 00
Waynesboro, Record,	468 00
Cahmbersburg, Valley Spirit,	624 00
FULTON COUNTY.	
McConnellsburg, Republican,	390 00
McConnellsburg, News,	390 00
GREENE COUNTY.	
Waynesboro, Times,	360 00
Waynesboro, Independent,	360 00
Waynesboro, Republican,	360 00
HUNTINGDON COUNTY.	
Huntingdon, Globe,	360 00
Huntingdon, New Era,	594 10
Huntingdon, Monitor,	360 00
Mount Union, Times,	283 40
Mapleton Depot, Mapleton Item,	286 00
Arbisonia, Dispatch,	312 00
INDIANA COUNTY.	
Indiana, Progress,	624 00
Indiana, Messenger,	624 00
Indiana, Times,	346 32
Indiana, Democrat,	436 80
Marion Center, Independent,	312 00
Blairsville, Courier,	157 20
JEFFERSON COUNTY.	
Brookville, Republican,	608 40
Punxsutawney, Spirit,	624 00
Punxsutawney, Republican,	624 00
Reynoldsville, Star,	312 00
Brockwayville, Record,	562 90
JUNIATA COUNTY.	
Mifflintown, Republican and Sentinel,	612 00
Thompsontown, Globe,	624 00
Port Royal, Times,	624 00
Mifflintown, Herald,	312 00
LACKAWANNA COUNTY.	
Scranton, Truth,	564 00
Scranton, Druid,	624 00
Olyphant, Record,	561 00
Olyphant, Gazette,	624 00
Archbald, Citizen,	504 56
Peckville, Journal,	468 00
Elmhurst, Signal,	624 00
Scranton, Scrantonian,	
LANCASTER COUNTY.	
Columbia, News,	468 00
Columbia, Spy,	378 86
Elizabethtown, Chronicle,	
Ephrata, Reporter,	499 20
Ephrata, Review,	499 20
Lancaster, Inquirer,	320 60
Lancaster, Morning News,	321 60
Lancaster, New Era,	297 00
Lititz, Record,	499 20
Manheim, Sentinel and Advertiser,	499 20
New Holland, Clarion,	374 40
Strasburg, News,	
Terre Hill, Times,	292 50
Mount Joy, Bulletin,	936 00
Columbia, Independent,	336 00
LAWRENCE COUNTY.	
New Castle, News,	624 00
Ellwood City, Enterprise,	312 05
Ellwood City, Citizen,	312 00
LEBANON COUNTY.	
Lebanon, News,	566 80
Lebanon, Evening Report,	624 00
Lebanon, Times,	468 00
Lebanon, Semi-Weekly News,	566 80
LEHIGH COUNTY.	
Allentown, Chronicle and News,	312 00
Allentown, Leader,	312 00
Allentown, Morning Call,	312 00
LUZERNE COUNTY.	
Wilkes-Barre, Evening News,	936 00
Dallas, Post,	448 38
Hazleton, Sentinel,	624 00
Pittston, Gazette,	608 40
Wilkes-Barre, Record,	1,245 00
Wilkes-Barre, Independent,	720 00
Wilkes-Barre, Review,	
LYCOMING COUNTY.	
Williamsport, News,	936 00
Williamsport, Gazette and Bulletin,	468 00
Williamsport, Sun,	624 00
Muncy, Luminary,	312 00
Jersey Shore, Herald,	618 80
M'KEAN COUNTY.	
Bradford, Era,	624 00
Bradford, Star-Record,	1,092 00
Kane, Republican,	748 80
Port Allegheny, Reporter,	499 20
Smethport, McKean County Miner,	468 00
Smethport, Democrat,	468 00
Mount Jewett, News,	624 00

MERCER COUNTY

Mercer, Dispatch and Republican,	457 60
Sharon, Eagle,	306 60
Sharon, Herald,	283 40
Sharpsville, Advertiser,	308 00
Greenville, Shenango Valley News,	496 08

MIFFLIN COUNTY.

Lewistown, Gazette,	315 25
Belleville, Times,	312 00
Lewistown, Democrat and Sentinel,	312 00
Newton Hamilton, Herald,	312 00

MONROE COUNTY.

East Stroudsburg, Press and Jeffersonian,	312 00
Stroudsburg, Monroe Record,	312 00

MONTGOMERY COUNTY.

Norristown, Times,	624 00
Norristown, Herald,	599 30
Collegeville, Independent,	252 72
Lansdale, Reporter,	403 20
Jenkintown, Times Chronicle,	599 30
Pottstown, News,	624 00
Bryn Mawr, Home News,	499 20
Conshohocken, Reporter,	180 00

MONTOUR COUNTY.

Danville, Morning News,	618 80
Danville, Montour County Democrat,	561 60

NORTHAMPTON COUNTY.

Easton, Fress Press,	
Easton, Argus,	124 80
Easton, Sunday Call,	124 80
South Bethlehem, Globe,	648 00
Bangor, Daily News,	312 00

NORTHUMBERLAND COUNTY.

Milton, Miltonian,	
Sunbury, Item,	624 00
Sunbury Democrat,	624 00
Shamokin, Daily News,	585 00
Shamokin, New Herald,	616 20
Mount Carmel, News,	624 00
Herndon, Star,	624 00
Herndon, News,	312 00

PERRY COUNTY.

New Bloomfield, People's Advocate and Press,	312 00
Duncannon, Record,	283 40

PHILADELPHIA COUNTY.

Philadelphia, Cracks,	1,495 00
Philadelphia, Evening Bulletin,	1,622 40
Philadelphia, Evening Herald,	1,560 00
Philadelphia, Evening Item,	1,560 00
Philadelphia, Evening Star,	1,235 00
Philadelphia, Evening Telegraph,	1,560 00
Philadelphia, Democrat, (German),	1,560 00
Philadelphia, Inquirer,	1,560 00
Philadelphia, Jewish Morning Journal,	1,560 00
Philadelphia, North American,	1,560 00
Philadelphia, Press,	1,560 00
Philadelphia, Public Ledger,	1,560 00
Philadelphia, Record,	1,560 00
Philadelphia, Opinione, (Italian),	1,560 00
Philadelphia, Trades Union News,	1,560 00
Philadelphia, Philadelphia Plain Dealer,	1,560 00
Philadelphia, Tageblatt,	1,560 00
Philadelphia, German Daily Gazette,	1,560 00
Philadelphia, West Philadelphia Bulletin,	1,560 00
Philadelphia, Quiver,	1,560 00
Philadelphia, Philadelphia Advocate,	1,560 00
Philadelphia, Sunday Transcript,	1,872 00
Philadelphia, Sontagpe, Journal,	1,560 00
Philadelphia, Sunday Dispatch,	1,560 00
Philadelphia, Pennsylvanische Statts Gazette,	1,560 00
Philadelphia, Gwigada,	1,248 00

PIKE COUNTY.

Milford, Dispatch,	312 00
Milford, Pike County Press,	312 00

POTTER COUNTY.

Coudersport, Potter County Journal,	336 00
Galeton, Leader-Dispatch,	332 50
Shinglehouse, Oswayo Valley Mail,	434 07

SCHUYLKILL COUNTY.

Shenandoah, Herald,	468 00
Mahanoy City, American,	446 80
Mahanoy City, Tribune,	624 00
Ashland, News,	336 00
Tamaqua, Courier,	624 00
Tower City, Herald,	566 80
Tremont, West Schuylkill Press,	312 00
Pottsville, Journal,	648 00
Pottsville, Chronicle,	811 20
Pottsville, Republican,	1,560 00
Mahanoy City, Record,	748 80
Shenandoah, Advocate,	285 35
Shenandoah, Anthracite Labor News,	

SNYDER COUNTY.

Middleburg, News,	624 00
Beaver Springs, Herald,	624 00
Selinsgrove, Tribune,	452 40
Middleburg, Middleburg Post,	936 00

SOMERSET COUNTY.

Somerset, Standard,	312 00
Meyersdale, Republican,	312 00
Berlin, Record,	312 00

SULLIVAN COUNTY.

Dushore, Gazette Herald,	581 10
Dushore, Sullivan Review,	624 00
Laporte, Republican News Item,	310 70

SUSQUEHANNA COUNTY.

Forest City, News,	336 00
Montrose, Independent Republican,	318 50
Susquehanna, Ledger,	307 30
New Milford, Advertiser,	318 50

TIOGA COUNTY.

Wellsboro, Republican Advocate,	436 80
Wellsboro, Agitator,	312 00
Westfield, Free Press,	312 00
Wellsboro, Wellsboro Gazette,	312 00

UNION COUNTY.

Lewisburg, Saturday News,	1,248 00
Lewisburg, Journal,	624 00
Mifflinburg, Telegraph,	468 00

VENANGO COUNTY.

Oil City, Derrick,	
Franklin, Evening News,	336 00

WARREN COUNTY.

Warren, Mirror,	594 10
Warren, Mail,	624 00
Tidioute, News,	310 05
Sheffield, Observer,	566 80

WASHINGTON COUNTY.

Washington, Record,	311 50
Charleroi, Mail,	336 00
Monongahela, Republican,	336 00
Roscoe, Ledger,	624 00
Donora, American,	312 00

WAYNE COUNTY.

Honesdale, Citizen,	312 00
Hawley, Times,	299 00

WESTMORELAND COUNTY.

Greensburg, Tribune,	615 60
New Kensington, Kensington Keystone,	308 00
Latrobe, Bulletin,	282 10
Mount Pleasant, Journal,	315 00
Greensburg, Morning Review,	332 50
Monessen, News,	336 00
Irwin, Republican Standard,	319 20
Vandergrift, News,	615 60
Scottdale, Independent,	311 50
Jeannette, Dispatch,	615 60
Greensburg, Press,	615 60
Monessen, Daily Independent,	336 00

WYOMING DOUNTY.

Tunkhannock, Republican And New Age,	284 00
Nicholson, Record,	

YORK COUNTY.

York, Dispatch,	624 00
Hanover, Herald,	286 00
York, York Daily,	286 00

REPORT FROM COMMITTEES.

Mr. WILLIAM H. WILSON, from the Committee on Ways and Means, reported as committed, House Bill No. 33, entitled:

Joint Resolution providing for the Ratification of the Income Tax Amendment to the Federal Constitution.

Mr. FRANK GRAY, from the Committee on Constitutional Reform, reported as committed, House Bill No. 252, entitled:

An Act relating to the holding of a constitutional convention; providing for the submission of the question of holding such a convention to the electors, regulating the time and manner of nominating and electing delegates, fixing their number and compensation; providing for the organization and constitution of the convention; defining its power; providing for the publication of the constitution proposed by the convention and for its submission to the electors, and making an appropriation to carry out the provisions of this act.

Mr. RONEY, from the Committee on Judiciary General, reported as committed, House Bill No. 270, entitled:

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process.

Mr. BROSIUS, from the Committee on Ways and Means, reported, with a negative recommendation, House Bill No. 237, entitled:

An Act regulating the sale of cigarettes or cigarette paper, and fixing a penalty for violation hereof.

Mr. PIPER, from the Committee on Labor and Industry, reported as committed, House Bill No. 68, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine, entitled "An Act to provide for the health and safety of minors in certain employments, by regulating the ages at which said minors may be employed, their hours of employment, their protection against injury, and to prescribe rules for the obtaining of employment certificates, and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act.

Mr. ISLER, from the Committee on Labor and Industry, reported as committed, House Bill No. 69, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers, by regulating the ages at which said minors may be employed, their hours of employment, and to prescribe rules for the obtaining of employment certificates, and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act.

Mr. LETZKUS, from the Committee on Labor and Industry, reported as committed, House Bill No. 175, entitled:

An Act providing payment for overtime worked by employees in mercantile establishments and making it unlawful to compel such employees to do extra service by threat or discharge.

Mr. HERMAN, from the Committee on Fisheries, reported as committed, House Bill No. 170, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek, Huntingdon County, is located, and providing for the disposition of the fund.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 243, entitled:

An Act to prevent deception in the sale of paint, putty, turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof.

Mr. PETERS, from the Committee on Counties and Townships, reported as committed, House Bill No. 262, entitled:

An Act repealing section four of an act, entitled "A further supplement to an act, entitled 'An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for the townships of each class;' approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class; providing for certain duties of the secretary of the Board of Commissioners; invalidating contracts, hirings, purchases or orders not provided for by, or in excess of appropriations; providing for inspection of the records and documents by taxpayers and the method of making contracts;" approved the third day of June, Anno Domini one thousand nine hundred and eleven.

Mr. J. GRAY, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 52, entitled:

An Act for the better preservation of the records contained in the offices of the Recorder of Deeds of the several counties of this Commonwealth, providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds.

Mr. BENNINGER, from the Committee on Counties and Townships, reported as committed, House Bill No. 301, entitled:

An Act to amend an act approved the seventh day of May, one thousand nine hundred and seven, entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle; providing the manner of publication of said auditors' report, and providing for the payment of publication of said auditors' report by said county thereof."

Mr. MUSSER, from the Committee on Counties and Townships, reported as committed, House Bill No. 259, entitled:

An Act to amend an act approved the twelfth day of May, one thousand nine hundred and eleven, entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth, in counties having a population of over two hundred thousand and under one million, and to provide the time of paying the same.

Mr. GEISER, from the Committee on Judicary General, reported as committed, House Bill No. 226, entitled:

An Act to provide for registration of persons employed to advocate or oppose legislative measures, and to regulate the method of such advocacy or opposition, and providing penalties for the violation thereof.

Mr. RICHARDS, from the Committee on Manufactures, reported as committed, House Bill No. 85, entitled:

An Act to repeal the second section of an act approved the first day of April, one thousand seven hundred ninety-seven, entitled "An Act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same."

QUESTION OF PERSONAL PRIVILEGE.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. R. J. BALDWIN. Mr. Speaker, the Philadelphia Telegraph, in yesterday's issue, speaks of a bill introduced by myself. I will read just what it says:

"Hundreds of Roman Catholic Schools, orphan asylums, hospitals, seminaries, churches and convents, which are exempted from taxes, will become liable to taxation if a bill presented in the House by Richard J. Baldwin, of Delaware County, becomes law."

Evidently, the writer of the article thought that it was something new that was to be read into the laws of the State of Pennsylvania.

I will read you what has been the law since 1901, and this is an exact repetition of what is contained in the bill that was then introduced. The Act of May, 1901, is as follows:

"And provided that all property, real and personal, in actual use and occupation, for the purposes aforesaid, shall be subject to taxation unless the person or persons, association or corporation, in so using and occupying the same shall be seized of the legal or equitable title in the realty and the possessor of the personal property."

I am aware of the fact that newspaper men are not nearly so liable to error as members of this House, but they do make mistakes. I have no criticism to make however, and the only reason why I raise this question of personal privilege is that I don't want the House, having this bill in front of it, to have a wrong impression regarding it.

I hope each member of the House, when the Committee reports favorably on this bill, will be advised and not prejudiced against it by information. Of course I cannot counteract what may have gone out to the public; that will have to stand for itself.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ULERICH. Mr. Speaker.

The SPEAKER. The gentleman from Westmoreland, Mr. Ulerich.

Mr. ULERICH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ULERICH. Mr. Speaker, whenever a question of wide public interest is up for passage in this House, it is important that every member record himself on one side or the other, and when not so recorded the public should have some idea why he did not so record himself. Yesterday there was a question up for final passage, of not only State-wide but nation-wide interest, and I failed to record myself. Therefore, if it is in order, Mr. Speaker, I would like to state to the House why I didn't record myself and how I would have recorded myself had I been here. I was sick yesterday and unable to be out of bed and that is the reason I didn't record myself. Had I been here, I would have voted in the affirmative, in favor of the proposition for woman's suffrage.

The SPEAKER. The gentleman's future is protected.

LEAVES OF ABSENCES.

The SPEAKER asked and obtained leave of absence for Mr. Rockwell for the day.

The SPEAKER asked and obtained leave of absence for several members of the Committee on Appropriations who are paying an official visit to Mt. Alto.

Mr. STEIN asked and obtained leave of absence for Mr. Keeport for the day.

Mr. POST asked and obtained leave of absence for Mr. Brownlee and Mr. Latshaw for the day.

Mr. JOHN R. JONES asked and obtained leave of absence for Mr. Williams for the day.

Mr. RIEBEL asked and obtained leave of absence for Mr. Watson for the day.

DIRECTING THE COMMISSION APPOINTED TO SELECT A SITE AND BUILD A HOSPITAL FOR THE INSANE UNDER HOMEOPATHIC MANAGEMENT TO RENDERING AN ACCOUNTING AND REQUESTING HIS EXCELLENCY THE GOVERNOR TO FURNISH A COPY OF THE REPORT OF THE EXAMINATION MADE BY THE STATE EXPERT.

Mr. BLELOCH offered the following resolution, which was twice read and ordered to lie over under the rules:

Whereas, The General Assembly, Session of 1901, by an Act approved July 18, 1901 (P. L. 737), created a commission to select a site and erect a State Hospital for the Insane under Homeopathic management, to be called the Homeopathic State Hospital for the Insane.

And Whereas, There has theretofore been appropriated for this purpose the total sum of ($1,881,750);

And Whereas, The General Assembly in 1911 by an Act approved May 10, 1911 (P. L. 205) dissolved the original commission and directed the appointment of a new one to complete the work;

And Whereas, Considerable scandal attached to the institution, which is located at Rittersville, Lehigh Co., Pa. by reason of the alleged fraudalent juggling of contracts to such an extent that the name of "Rittersville Hospital" has become a synonym for corruption in State contracts;

And Whereas, Lindley Johnson, an expert employed by the State to make an examination of the work, made a report thereon to the Governor in the spring of 1911, advising a legislative investigation, "in view of the condition found when investigating the work done";

And Whereas, If fraud has been committed it is necessary that action thereon be immediately taken to come within the statute;

Now Therefore Be it Resolved, That the original commission and its successor, be and it is hereby required to furnish forthwith to this House full, complete and detailed information as follows:—

(a) Detailed and itemized account of all its receipts and expenditures, with the date of payments, the names or persons, firms or corporations to whom the same were made and the purpose thereof.

(b) A complete set of the plans and specifications originally adopted with a detailed statement of the nature, extent and character of any alterations made therein.

(c) A statement of contracts let thereunder and copies of the schedule of unit prices giving dates, amounts, parties with whom made and all additions made thereto, commissions, and deductions therefrom and substitutions thereunder, with the dates, nature and reason for such additions, omissions, deductions or substitutions and the cost thereof and allowances therefor.

(d) The original or copies of all contracts and orders under authority of which the changes, alterations, omissions, deductions, substitutions were made.

And Be It Further Resolved, That his Excellency, the Governor be requested to transmit to this House the original or a complete copy of the report made by Lindley Johnson, C. E. as above recited, with any exhibits that may be thereto attached.

TO FIXING THE TIME LIMIT FOR INTRODUCING BILLS.

Mr. ULMAN offered the following resolution, which was twice read and ordered to lie over under the rules:

Whereas, There have already been introduced in this General Assembly more bills than can be well considered, unless the present session be unduly prolonged; and

Whereas, If the introduction of bills continues at the present rate, this Assembly will necessarily have to continue in session for many months in order to give each bill proper investigation; and

Whereas, It would be better for this Commonwealth that the General Assembly cease making laws in such volume and turn its attention to repealing much of the unwise, superfluous, contradictory and unscientific legislation now on the statute books; therefor

Be it Resolved by the House of Representatives, That the introduction of all bills cease on the fifteenth day of February, in order to afford the members and committees more time to consider thoroughly and impartially all the bills introduced up to such date.

AUTHORIZING THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE LABOR TROUBLES AT BRADDOCK AND RANKIN IN THE COUNTY OF ALLEGHENY.

Mr. LOWERS. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Lowers.

Mr. LOWERS. Mr. Speaker, I desire to call up concurrent resolution No. 13.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read, as follows:

Whereas, It is alleged that the American Steel and Wire Company, a branch of the United States Steel Corporation, having plants at Braddock and Rankin in Allegheny county, have refused to come to an agreement with certain of their employes who are now on a strike; and

Whereas, Said company has hired armed guards whose actions have incited the gravest disorder in said boroughs resulting in a riot wherein one man was killed and may injured; and

Whereas, The continuance of this disorder may lead to grave consequences and great danger to the citizens of this Commonwealth; therefor be it

Resolved, (if the Senate concur), That a commission be appointed to investigate the labor troubles now existing in Braddock and Rankin in Allegheny county between the American Steel and Wire Company, a branch of the United States Steel Corporation, and certain of their employes. The commission shall consist of three members of the Senate, two of whom shall be members of the Republican Party and one of the Democratic Party, to be appointed by the President pro tempore and three members of the House of Representatives, two of whom shall be of the Republican Party and one of the Democratic Party, to be appointed by the Speaker. It shall be the duty of said commission to organize immediately after their appointment and proceed to investigate thoroughly the said labor troubles and report in writing to this General Assembly on or before the fifteenth day of March of this year stating the causes of such trouble so far as ascertainable and making such suggestions as they deem proper tending to ameliorate conditions now existing in said plants. The commission shall serve without compensation but shall be allowed such expenses as shall be actually and necessarily incurred in the performance of the duties herein imposed. The commission shall have authority to enter any premises or enclosures and to require the production and testimony of any witnesses they may deem necessary, and may compel the production of such books and papers as they may require in conducting said investigation

That the sum of one thousand dollars or so much thereof as may be necessary is hereby appropriated for the payment of the necessary expenses of the commission and shall be paid out of the State Treasury upon vouchers signed by the chairman of the said commission.

On the question,

Will the House agree to the Resolution?

It was agreed to.

PRINTING REPORT OF THE HIGHWAY COMMISSION.

Mr. HUMES. Mr. Speaker.

The SPEAKER. The gentleman from Crawford, Mr. Humes.

Mr. HUMES. Mr. Speaker, yesterday there was a motion passed by the House to have the report of the Highway Commissioner published in current number of the Legislative Record. Because of the congested condition of the affairs of the State Printer, it seems that there may be some difficulty in promptly getting the Record out, if that motion is not changed. For that reason, I desire to offer the following motion.

The motion was twice read by the Clerk, as follows:

That the report of the Highway Commissioner presented to the House yesterday, instead of being printed in the Journal as directed by the House, be printed in pamphlet form for the use of the members, the requisition to be issued for 1,000 copies, the same to be furnished to the members within one week.

The SPEAKER. Will the House agree to the motion.

It was agreed to.

BILLS RECOMMITTED.

Mr. JOHN R. K. SCOTT. I move that Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties, cities, boroughs, townships, school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county, city, borough, township, school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act, entitled "An Act to amend section two of an act, entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof,' approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed," approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed.

on page four of today's calendar be recommitted to the Judiciary Special Committee.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 116, as follows:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act whenever any licensed retail or wholesale dealer in vinous spirituous or malt liquors or any admixture thereof or any bottler of such liquors shall apply to the court of quarter sessions of the proper county for a transfer of such license such dealer or bottler shall be permitted to keep the licensed premises open for business during the pendency of the application for transfer and it shall not be lawful for said court by rule or standing order to require the applicant for transfer of such license to keep said licensed place of business closed during the pendency of the application for transfer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 113, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof"

The first section of the bill was read, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority or the same. That it shall be unlawful for any person licensed to sell vinous spirituous malt or brewed liquors or any admixtures thereof at retail to furnish or give or to permit or cause to be furnished or given any liquors to any person who shall not have paid for the same or permit any person who shall not have paid for the same to drink any such liquors upon the premises

On the question,

Will the House agree to the section?

It was agreed to.

The second section of the bill was read, as follows:

Section 2 It shall be unlawful for any person employed by any person licensed to sell vinous spirituous malt or brewed liquors to furnish or give any such liquors to any person who shall not have paid for the same or permit any such liquors to be drunk upon the premises by any person that shall not have paid for the same

On the question,

Will the House agree to the section?

Mr. HORACE B. DUNN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk, as follows:

Amend Section 2 of House No. 113, File Folio 145, as follows: Insert after the word "liquors" on line three (3) the words "at retail."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section of the bill was read, as follows:

Section 3 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred nor more than five thousand dollars and to undergo imprisonment in the proper county jail of not less than ninety days and not more than twelve months

On the question,

Will the House agree to the section?

Mr. HORACE B. DUNN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk, as follows:

Amend Section 3 of House Bill No. 113, File Folio 145, as follows:

Strike out lines 4, 5 and 6 of Section three (3) of the bill and insert instead the following words:

"Than twenty-five dollars nor more than one hundred dollars and in default of payment of the fine imposed shall undergo an imprisonment in the county jail of not less than ninety days nor more than six months."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read, as follows:

A Supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof"

On the question,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 236, entitled:

An Act regulating the manufacture sale and offering for sale of matresses and fixing penalties for violation hereof.

The first section of the bill was read, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That it shall be unlawful in manufacturing mattresses to use in whole or in part any material which shall have formed part of any mattress pillow or bedding used in or about any hospital or used by any person having an infectious or contagious disease.

On the question,

Will the House agree to the first section?

It was agreed to.

The second section of the bill was read, as follows:

Section 2. It shall be unlawful to sell or offer for sale any mattress unless there shall be indelibly marked or stamped thereon or upon a cloth label securely sewed thereon a statement showing the quantity and quality of the materials used in making the mattress and whether the materials so used are wholly or party new or second-hand. Such statement shall be in large type and in the English language.

On the question,

Will the House agree to the second section?

Mr. HEMMINGER. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk, as follows:

Amend Section 2, line 1: After the word "to," add "manufacture."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3. Any person, firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00), nor more than five hundred dollars ($500.00), or to undergo an imprisonment in the jail of the proper county for a period of not more than six months or both.

On the question,

Will the House agree to the third section?

Mr. ULMAN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amendment to House Bill No. 236.

On page 2, after section 3, add the following as section 4:

"No mattress manufactured outside of this Commonwealth shall be sold or offered for sale in this Commonwealth unless the person, firm or corporation selling or offering the same for sale shall have first secured and shall exhibit to the purchaser or the prospective purchaser, an affidavit, duly executed by the manufacturer of the mattress, setting forth that in the manufacture of such mattress the provisions of this act have been complied with."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section of the bill was read, as follows:

Section 4. All acts and parts of acts inconsistent with the provisions of this act are repealed.

On the question,

Will the House agree to the section?

Mr. ULMAN. Mr. Speaker, I desire to offer an amendment.

The amendment was read as follows:

Strike out the numeral "4" and insert the numeral "5".

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The title was read as follows:

An Act regulating the manufacture, sale and offering for sale of mattresses and fixing penalties for violation thereof.

On the question,
Will the House agree to the title?
It was agreed to.
And said bill having been read at length the second time and agreed to, as amended,
Ordered, to be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 271.

An Act to amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section one as enacted in an act, entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June, Anno Domini one thousand nine hundred and eleven which reads as follows:

"That from and after the first day of June Anno Domini one thousand nine hundred and eleven the salary or compensation of each tipstave employed in the courts of any county in this Commonwealth having a population of not less than one million five hundred thousand shall not be less than one thousand eight hundred dollars nor exceeding two thousand dollars per annum and shall be paid in the same manner as such tipstaves are now paid" be and the same is hereby amended to read as follows:

"That from and after the approval of this act the salary or compensation of each tipstave employed in the courts of any county in this Commonwealth having a population of not less than one million shall not be less than one thousand eight hundred dollars nor exceeding two thousand dollars per annum and shall be paid in the same manner as such tipstaves are now paid."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 241, as follows:

An Act providing for the appointment by the Governor of a Commission to determine what portions of the Constitution of this Commonwealth need revision, to gather literature, statistics and other information and to make a report embodying its recommendations and the result of its inquiries; defining the power and duty of such Commission; providing for its organization and for the filling of vacancies in its membership; fixing its compensation and making an appropriation for its compensation and expenses.

Section 1. Appointment of a Commission on Constitutional Revision by the Governor.
Section 2. Time and Manner of Organization of the Commission.
Section 3. Duties of the Commission, Reports and Recommendations.
Section 4. Filling Vacancies.
Section 5. Compensation of the Commission, Appropriation for its Expenses.

Appointment of a Commission on Constitutional Revision by the Governor.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the Governor shall within thirty days after the passage of this act appoint a Commission of nine persons to be known as "The Commission on Construction Revision of the Commonwealth of Pennsylvania."

Time and Manner of Organization of the Commission.

Section 2. Such Commission shall assemble within fifteen days after its appointment at a time and place to be fixed by the Secretary of the Commonwealth. It shall be called to order by the Secretary of the Commonwealth and shall immediately thereafter organize by the election of a Chairman and Secretary and such other officers as it shall deem necessary.

Duties of the Commission, Report and Recommendations.

Section 3. It shall be the duty of such Commission to make such inquiry, pursue such study and gather such literature, statistics and other information as it may deem necessary to determine what parts of the present Constitution of this Commonwealth are in need of revision and to arrange in convenient form such literature, statistics and other information as will be useful in revising the Constitution.

If a Constitutional Convention be held in this Commonwealth before the first Tuesday of January in the year nineteen hundred and fifteen, the Commission shall report to such Convention immediately upon the organization thereof. Its report shall contain specific recommendations for Constitutional revision with the reasons therefor and shall be accompanied by such literature, statistics and other information as the Commission shall have gathered and arranged.

If a Constitutional Convention be not held in this Commonwealth prior to the first Tuesday of January nineteen hundred and fifteen, the Commission shall on that day report to the General Assembly of this Commonwealth. Its report shall contain such specific amendments to the Constitution of this Commonwealth as the Commission shall deem advisable with the reasons therefor and shall be acompanied by such literature, statistics and other information as the Commission may have gathered and arranged.

Filling Vacancies.

Section 4. The Governor shall fill by appointment all vacancies which may occur in the membership of the Commission.

Compensation of the Commission. Appropriation for its Expenses.

Section 5 Each member of the Commission shall receive as compensation three thousand dollars and his traveling and other necessary expenses.

The Commission shall have power to employ and to fix the compensation of such assistants, clerks and other employees as it may deem necessary to carry out the provisions of this act.

The sum of fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of carrying out the provisions of this act.

Warrants for the compensation of Commissioners assistants, clerks and employees and all proper expenses of the Commission shall be drawn upon the State Treasurer by the Chairman and countersigned by the Secretary of the Commission and shall be paid when audited by the Auditor-General out of the moneys herein specifically appropriated.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 153, as follows:

An Act to repeal an act approved the first day of June one thousand nine hundred and eleven entitled "An act to tax traction-engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the first day of June one thousand nine hundred and eleven entitled "An act to tax traction-engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed" is hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 277, as follows:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That whoever in a newspaper periodical circular form letter or other publication published distributed or circulated in this Commonwealth or in any advertisement in this Commonwealth knowingly makes or disseminates or causes to be made or disseminated any statement or assertion concerning the quantity the quality the value the merit the use the present or former price the cost the reason for the price or the motive or purpose of a sale of any merchandise securities or services or concerning the method or cost of production

or manufacture of such merchandise or the possession of rewards prizes or distinctions conferred on account of such merchandise or the manner or source of purchase of such merchandise or securities which is untrue or calculated to mislead shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail not exceeding sixty days or by both such fine and imprisonment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 300, as follows:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven, entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the first section of an act approved the fifteenth day of March one thousand nine hundred and eleven, entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf," which reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked and if asked shall not be required to answer any question tending to show that he has committed or been charged with or been convicted of any offense other than the one wherwith he shall then be charged or tending to show that he has been of bad character or reputation unless

"One. He shall have at such trial personally or by his advocate asked questions of the witness for the prosecution with a view to establish his own good reputation or character or has given evidence tending to prove his own good character or reputation or

"Two. He shall have testified at such trial against a co-defendant charged with the same offense," is hereby amended to read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That hereafter any person charged with any crime and called as a witness in his own behalf unless he shall have at the time of such trial personally or by his counsel asked questions of the witness for the prosecution with a view to establish his own good reputation or character or unless he has given evidence tending to prove his own good character or reputation or unless he shall have testified at such trial against a co-defendant charged with the same offense he shall not be asked and if asked shall not be required to answer any question tending to show that he has committed or been charged with or been convicted of any offense other than the one wherewith he shall then be charged or tending to show that he has been of bad character or reputation nor shall the record of a prior conviction of a crime committed in this Commonwealth be introduced in evidence against such person unless he shall have testified or given evidence or asked questions as aforesaid.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 253, as follows:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

Section 1 Ballots
Section 2 Election Officers Manner of Conducting Elections
Section 3 Proclamation of the Result of Elections
Section 4 Provision of Supplies
Section 5 Additional Clerks
Section 6 Notice of Elections
Section 7 Payment of Expenses
Section 8 Qualifications of Electors
Section 9 Penalties for Violations of Duty by Election Officers

Ballots

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the question of holding a Constitutional Convention is to be submitted to the electors and at the same election delegates to a Constitutional convention are to be elected the County Commissioner of each county shall prepare a special ballot to be used for such purpose Said ballot shall be of suitable size and substantially in the following form

CONSTITUTIONAL CONVENTION BALLOT

.....District .....Ward City of.....
County of .....State of Pennsylvania
Election held on the .....day of .....191..

SHALL A CONSTITUTIONAL CONVENTION BE CALLED

YES
NO

The voter will if he favors a Constitutional Convention place a cross mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross mark () after the word "No"

DELEGATES TO A CONSTITUTIONAL CONVENTION
DELEGATES-AT-LARGE
(Vote for)

A B
C D
E F
G H

DISTRICT DELEGATES
(Vote for)

I J
K L
M N

The voter will place a cross mark (X) after the names of the candidates for whom he wishes to vote

The name of a political party shall in no case appear n the ballot

The names of candidates shall be arranged in alphabetical order Ballots shall be bound in books of one hundred and shall be delivered to the election officers in the manner in which ballots are delivered at general and municipal elections

Under the names of candidates there shall be as many lank spaces defined by light lines as there are to be delegates elected

On the back of each ballot shall be printed in prominnt type the words "Official Constitutional Convention Ballot" There shall also appear on the back of each ballot the fac simile signatures of the County Commissioners of the county

The County Commissioners shall also furnish separate allot boxes to receive such ballots properly numbered for ach election district

Election Officers Manner of Conducting Elections

Section 2 Any election on the question of holding a Constitutional Convention and any election for delegates to a Constitutional Convention shall be conducted by the reguar election boards and shall be governed by the laws reguating the conduct of general and municipal elections in so far as the same are not modified by tht provisions of this act or are not inconsistent with its terms Provided That the result of any such election shall be separately counted returned computed canvassed tabulated and certified by the proper officers

Proclamation of the Result of Elections.

Section 3. The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of any election upon the question of holding a Constitutional Convention or of any election for delegates to a Constitutional Convention shall certify the result of such election to the Governor who shall forthwith issue a proclamation declaring the same.

Provision of Supplies.

Section 4. In addition to the ballots and ballot boxes provided for in this act the County Commissioners shall at any election conducted under this act provide such lists of voters forms, blanks, return sheets, blank books and other supplies as they are by law required to furnish to election officers for use at general or municipal elections. Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the election for which they are supplied.

Additional Clerks.

Section 5. At any election, held under this act the regular election boards are authorized to hire such additional clerks as shall be necessary to comply with the provisions of this act and such clerks shall receive the compensation that clerks receive for such services at general and municipal elections.

Notice of Elections.

Section 6. The Secretary of the Commonwealth shall prepare a form of notice of any election to be held under this act including such portions of this act as shall be necessary and proper for the information of voters and election officers at said election outlining their respective rights and duties in relation thereto. The said form so prepared shall be transmitted by the Secretary of the Commonwealth to the sheriffs of the several counties to be observed by them in making proclamation of the holding of said election in their respective jurisdictions.

Payment of Expenses.

Section 7. The County Commissioners shall keep an accurate account of the expense of holding any election under this act including the preparation and delivery of supplies voting materials, et cetera and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners. As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor-General who if he finds the same corect shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated.

Qualifications of Electors.

Section 8. The qualifications of electors entitled to vote at any election held under this act shall be the same as the qualifications of electors entitled to vote at any general and municipal elections within the election district where such election under this act is held. Each elector shall prove hi squalifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on general and municipal election days.

Penalties for Violations of Duty by Election Officers.

Section 9. Election officers shall be subject to the same pains and penalties for violation or neglect of their duties at any election under this act as they are or hereafter may be subject to for violation or neglect of such duties at general and municipal elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 73, as follows:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

Whereas, In the appropriations heretofore made by the General Assembly to the Trustees of the Homeopathic State Hospital for the Insane no provision was made for necessary maintenance and inadequate provision for equipment of said hospital for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen, and

Whereas, The Board of Trustees have been compelled to contract for certain equipment and maintenance and because of lack of adequate apropriation a deficiency has arisen, Therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the sum of seventy thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiencies in maintenance and equipment incurred and to be incurred by the said Board of Trustees of the Homeopathic State Hospital for the Insane for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 104, as follows:

An Act amending one hundred and two of an act entitled "An act relating to the elections of this Commonwealth approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" by providing punishment for certain offenses committed by election officers and clerks and amending section one hundred and three of said act by increasing the penalties therein provided

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one hundred and two of an act entitled "An act relating to the elections of this Commonwealth approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" which reads as follows

"Section 102 If any inspector judge or clerk as aforesaid shall be convicted of any willful fraud in the discharge of his duties as aforesaid he shall undergo an imprisonment for any term not less than three nor more than twelve months and be fined in any sum not less than one hundred dollars nor more than five hundred dollars and shall be for seven years thereafter disabled from holding any office of honor trust or profit in this Commonwealth and shall moreover be disabled for the term aforesaid from giving his vote at any general or special election within this Commonwealth" be and the same is hereby amended to read as follows

Section 102 Any election officer or clerk who shall be guilty of any willful fraud in the conduct of his duties at an election or who shall make a false return of the votes cast at such election or who shall deposit fraudulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the lists of voters for the purpose of concealing the deposit of such fraudulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a period of not less than one year and not exceeding three years

Section 2 That section one hundred and three of said act which reads as follows

"Section 103 If any inspector or judge of an election shall knowingly reject the vote of any qualified citizen or knowingly receive the vote of any person not qualified or conceal from his fellow-officers any fact on the knowldge of which such vote should by law be received or rejected each of the persons so offending shall on conviction be punished in the manner prescribed in the one hundred and seventh section of this act" be and the same is hereby amended to read as follows

Section 103 If any inspector or judge of an election shall knowingly reject the vote of any qualified citizen or knowingly receive the vote of any person not qualified or conceal from his fellow-officers any fact on the knowledge or which such vote should by law be received or rejected each of the persons so offending shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a period not less than one year and not exceeding three years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 122, as follows:

An Act amending section one hundred and twenty of an act, entitled "An act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July, Anno Domini one thousand eight hundred and ninety-seven.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That section one hundred and twenty of an act, entitled "An Act relating to the election of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July, Anno Domini one thousand eight hundred and ninety-seven, which reads as follows:

"Section 120. If any person shall vote at more than one election district or otherwise fraudulently vote more than once on the same day or shall fraudulently fold and deliver to the inspector two tickets together with the intent to illegally vote or shall vote the same or if any person shall advise and procure another so to do he or they so offending shall on conviction be fined in any sum not less than fifty nor more than five hundred dollars and be imprisoned for any term not exceeding five years," be and the same is hereby amended so as to read as follows:

Section 120. If any person shall vote at more than one election district or otherwise fraudulently vote more than once on the same day or shall fraudulently fold and deliver to the inspector two tickets together with the intent to illegally vote or shall vote the same or if any person shall advise and procure another so to do he or they so offending shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a term not less than one year and not exceeding three years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 123, as follows:

An Act amending sections 50 and 51 of an act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section fifty of an act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty which reads as follows:

"Section 50. If any elector authorized to vote at any public election shall directly or indirectly accept or receive from any person any gift or reward in money goods or other valuable thing under an agreement or promise express or implied that such elector shall give his vote for any particular candidate or candidates at such election or shall accept or receive the promise of any person that he shall thereafter receive any gift or reward in money, goods or other valuable thing any office appointment or employment public or private or any personal or pecuniary advantage whatsoever under such an agreement or promise express or implied such elector shall be guilty of a misdemeanor and shall on conviction of either of the said offenses be sentenced to pay a fine not exceeding one hundred dollars and undergo an imprisonment not exceeding six months."

Be and the same is hereby amended to read as follows:

Section 50 If any elector authorized to vote at any public election shall directly or indirectly accept or receive from any person any gift or reward in money, goods or other valuable thing under an agreement or promise express or implied that such elector shall give his vote for any particular candidate or candidates at such election or shall accept or receive the promise of any person that he shall thereafter receive any gift or reward in money, goods or other valuable thing any office, appointment or employment public or private or any personal

or pecuniary advantage whatsoever under such an agreement or promise express or implied such elector shall be guilty of a misdemeanor and shall on conviction of either of the said offenses be sentenced to pay a fine not exceeding five hundred dollars and undergo imprisonment for a period not less than one year and not exceeding three years.

Section 2. That Section fifty-one of said act which reads as follows:

"Section 51. Any person who shall directly or indirectly give or offer to give any such gift or reward to any such elector with the intent to induce him to vote for any particular candidate or candidates at such election or shall directly or indirectly procure or agree to give any such gift or reward to such elector with the intent aforesaid or shall with the intent to influence or intimidate such elector to give his vote for any particular candidate or candidates at such election give, offer or promise to give to such elector any office, place, appointment or employment or threaten such elector with dismissal or discharge from any office, place, appointment or employment, public or private then held by him in case of his refusal to vote for any particular candidate or candidates at such election, the person so offending shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment not exceeding two years."

Be and the same is hereby amended to read as follows:

Section 51. Any person who shall directly or indirectly give or offer to give any such gift or reward to any such elector with the intent to induce him to vote for any particular candidate or candidates at such election or shall directly or indirectly procure or agree to give any such gift or reward to such elector with the intent aforesaid or shall with the intent to influence or intimidate such elector to give his vote for any particular candidate or candidates at such election give, offer or promise to give to such elector any office, place, appointment or employment or threaten such elector with dismissal or discharge from any office, place, appointment or employment, public or private then held by him in case of his refusal to vote for any particular candidate or candidates at such election, the person so offending shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment for a period not less than one year and not exceeding three years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 131, as follows:

An Act amending section one hundred and nineteen of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by an act of Assembly approved the fourteenth day of July Anno Domini one thousand eight hundred and ninety-seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and nineteen of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by act of Assembly approved the fourteenth day of July Anno Domini one thousand eight hundred and ninety-seven which reads as follows

"Section 119 If any person not by law qualified shall fraudulently vote at any election within this Commonwealth or being otherwise qualified shall vote out of his proper district if any person knowing the want at such qualification shall aid or procure such person to vote the person or persons so offending shall on conviction be fined in any sum not exceeding five hundred dollars and be imprisoned for any term not exceeding five years" be and the same is hereby amended so to read as follows

Section 119 If any person not by law qualified shall fraudulently vote at any election within this Commonwealth or being otherwise qualified shall vote out of his proper district or if any person knowing the want of such qualification shall aid or procure such person to vote the person or persons so offending shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a term not less than one year and not exceeding three years

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 86, as follows:

An Act to amend sections one and two of an act entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April one thousand nine hundred and five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and two of an act entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty thereof" approved the fourteenth day of April Anno Domini one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act it shall be unlawful for any person willfully to enter upon any land within the limits of this Commonwealth where the owner or owners of said land has caused to be prominently posted upon said land printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this act"

"Section 2 Every person violating the provisions of this act shall be liable to a penalty of not exceeding ten dollars together with the costs of prosecution to be recovered before any magistrate or justice of the peace as fines and penalties are by law recoverable and in default of payment of said fines and costs the party convicted shall be committed to the county jail of the proper county for one day for each dollar of fine imposed" be and the same are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawfully for any person willfully to enter upon land within the limits of this Commonwealth where the owner or owners have caused to be prominently posted upon said land printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this act provided that under no circumstances shall any person be arrested or prosecuted as a trespasser for being in or upon any private road owned by any firm or corporation when such road leads to or is used for the purpose of reaching any public highway or church or any school store post-office or other publicly used building or any mill factory or mine or any dwelling rented and occupied by the employes or any mill factory or mine or for being in or about any such public building or dwelling

Section 2 Every person found guilty of a trespass as defined in this act shall be liable to a penalty of not exceeding five dollars together with the costs of prosecution to be recovered before any magistrate or justice of the peace as fines and penalties are by law recoverable and in default of payment of said fines and costs the party convicted shall be committed to the county jail of the proper county for one day for each dollar of fine imposed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 88, as follows:

An Act to amend the first section of an act, entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties," approved the twenty-seventh day of June one thousand eight hundred ninety-five, as amended by the act, entitled "An Act to amend sections one and sixteen of an act, entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditors in said county,' approved June twenty-seventh one thousand eight hundred and ninety-five, so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies," approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That section one of an act, entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties," approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by an act, entitled "An Act to amend sections one and sixteen of an act, entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county,' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies," approved the eighth day of May one thousand nine hundred one, which as amended reads as follows:

"Section 1. That the qualified voters of each of the counties of this Commonwealth containing one hundred and fifty thousand inhabitants as shown by the last preceding decennial

census or any decennial census thereafter shall elect on the first Tuesday after the first Monday of November one thousand eight hundred and ninety-five and triennially thereafter in place of county auditor one citizen of each of said counties to serve as controller of said county for the term of three years or until his successor shall be qualified if he so long shall behave himself well" is amended so as to read:

Section 1 The office of county controller is hereby established and the office of county auditor or auditors abolished in each county of this Commonwealth which shall contain by an Federal census one hundred thousand inhabitants or over. At the municipal election in the year one thousand nine hundred and thirteen the qualified electors of each such county not now having a controller shall elect one citizen of such county to serve as controller in place of county auditor or auditors until the first Monday of January one thousand nine hundred and sixteen. At the municipal election in the year one thousand nine hundred and fifteen and quadriennially thereafter the qualified electors of each county entitled to a controller shall elect one citizen of such county who shall serve as controller for the term of four years from the first Monday of January thereafter following or until his successor shall be qualified if he so long shall behave himself well.

On the question,

Shall the bill pass finally?

Mr. R. J. BALDWIN. Mr. Speaker, I did not intend or do not care to make any speech on the bill, but I will tell the House just what the provisions of this bill are. At the present time the counties of over one hundred and fifty thousand inhabitants have a controller instead of county auditors. The difference between a controller's duty and the duties of a county auditor's are these; a controller passes immediately at the time that the commissioners are considering and advising among themselves a proposition to spend public money. Under the auditor system they are not under check until the auditors come to look over their accounts one year afterward. Under such a condition where the county commissioners have contracted some debt immediately after the beginning of the year, if there is a question raised by the county auditors, all of the circumstances surrounding the expenditure and the making of the contract of course, have been forgotten and are not fresh in the mind of the auditing committee, so as to correct any mistakes and protect the county in any way. With the county controller you have the immediate attention of a second body to protect your county's affairs. The system of all counties not over 150,000 inhabitants had existed for I don't know how many years. Every person knows that it is very hard to go over an account twelve months old and have all the incidents connected with it. I think all large business corporations would consider it almost impossible to get along with somebody to audit their accounts at the close of the year. That is what the bill provides. It affects only such counties as have a population of not over 150,000 and not less than 100,000. Representatives of counties of over 150,000 inhabitants and representatives of counties with less than 100,000 inhabitants need not consider this bill from a personal standpoint as it does not affect their counties. I do not mean by that you should not consider the matter, but I want you to be enabled to vote upon it intelligently. It is only for the relief of such counties as have a population between one hundred and one hundred and fifty thousand inhabitants.

Mr. MILLER. Mr. Speaker, I ask unanimous consent at this time to amend the title of the bill.

Mr. R. J. BALDWIN. Mr. Speaker, I have considered that matter by looking at the title, it simply recites the old law, and I do not think that it needs any change. I will, however, look further into the matter if this bill passes the House, and see that it has attention before it reaches the Senate if necessary, but as I understand it it does not need amending to conform to the bill plural.

The SPEAKER. Unanimous consent is not granted.

Mr. ALWORTH. Mr. Speaker, I would like to ask the gentleman from Delaware County if this bill will affect counties where they have county controllers existing at the present time?

Mr. R. J. BALDWIN. Mr. Speaker, unquestionably no. I thought I had made that point clear. Wherever you have a county with a population of 150,000 or more in the State of Pennsylvania, this bill does not affect them, and wherever you have a population of less than 100,000 this bill does not affect them.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Adams,	Dunn, J. A.,	Kuhns, E.G.M.,	Schuck,
Allen,	Ehrhardt,	Lanius,	Scott, J. R. K.,
Alworth,	Ely,	Lenker,	Scott, S. B.,
Baldwin, G. A.,	Flynn,	Leslie,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	Letzkus,	Showalter,
Barner,	Frey,	Lowers,	Smith, J. W.,
Benninger,	Geiser,	Malie,	Smith, L.,
Bergey,	Glenn,	Martin,	Spangler,
Berntheizel,	Good,	Mather,	Spillinger,
Bigger,	Goss,	McAleer,	Steedle,
Bittles,	Grabe,	McAllister,	Steele,
Blair, W. A.,	Gramley,	McClintock,	Stone,
Body,	Gray, Frank,	McDermott,	Strauss,
Brosius,	Haggerty,	McKay,	Swartz,
Brown,	Heidinger,	Mellott,	Swift,
Brownlee,	Hemminger,	Missimer,	Thomas,
Burnett,	Herman,	Murphy,	Trach,
Carson,	Hess,	Musser,	Ulerich,
Cheeseman,	Heyburn,	Neely.	Ulman,
Claycomb,	Hibshman,	Newton,	Walnut,
Cochran,	Hoffman,	Peters,	Wettach,
Collins,	Howard, J.,	Piper,	Whitaker,
Conniff,	Howard, R.,	Post,	Whitman,
Conner,	Humes,	Ramsey,	Wildman,
Conrade,	Irwin, G. C.,	Rhoads,	Wilson, J. H.,
Cox,	Jackson,	Richards,	Wilson, W. H.,
Currier,	Jones, E. E.,	Riebel,	Wiltbank,
Davis,	Jones, J. R.,	Robinson,	Young, G. K.
DeFrees,	Kaufman,	Roney,	Young, J. H.,
Dickinson,	Keegan,	Rothenberger,	Zimmerman,
Down,	Klepper,	Savacool,	Alter,
Dunn, H. A.,			Speaker.

NAYS—5.

Kitts,	Kuhn, H. P.,	Miller,	Mitchell,
Morrow,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 63, as follows:

An Act relating to the furnishing of natural or artificial gas, water or electricity by persons, companies and corporations other than municipalities to be paid for by the consumers by meter measure prohibiting over-charges therefor and providing penalties for the violations of the same.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That every person, company or corporation now engaged or hereafter engaging in the business of furnishing natural or artificial gas, water or electricity for any purpose to be used and paid for by consumers by meter measure shall furnish to each and every consumer a meter properly tested when requested by the consumer and in good order and shall arrange such meters so that the consumer can at any time see the meter dial and ascertain readily how much natural or artificial gas, water or electricity he is consuming and how much he is liable to pay for.

Section 2. It shall be unlawful for any person, company or corporation engaged or hereafter engaging in furnishing natural or artificial gas, water or electricity to consumers to be paid for by meter measure to charge or receive from any consumer pay for more natural or artificial gas, water or electricity than the meter furnished by such person, company or corporation shall indicate has been used by such consumer at the time to which payment is made and received.

Section 3. It shall be unlawful for any person, company or corporation engaged or hereafter engaging in furnishing natural or artificial gas, water or electricity to consumers to be paid for by meter measure to charge or receive from any consumer for the use of said meter any greater sum than the actual cost of the installation of the same.

Section 4. Any person, company or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than ten dollars and not more than one hundred dollars for each offense.

Section 5. Nothing contained in this act shall be construed to affect municipalities engaged or hereafter engaging in the business of furnishing natural or artificial gas, water or electricity to consumers.

Section 6. This act shall take effect the thirteenth day of June, one thousand nine hundred and thirteen and all acts or parts of acts inconsistent herewith are hereby repealed.

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, it occurs to me that this kind of a bill is peculiarly proper for a public utilities commission which we expect to have. If the bill is pressed to passage now I shall unquestionably vote against it for that reason.

Mr. SCHUCK. Mr. Speaker, I wish to say in reply to the gentleman from Philadelphia that there is no draft of a public service commission bill that includes this little feature provided for in this bill. My whole object in this bill is merely to eliminate the minimum charge. The question of whether or not a meter shall be installed is left to the public service commission. This fixes the rental charge at the actual cost of installation. At the present, as you know, many companies charge a small sum, say of one dollar per month, and this makes twelve dollars a year, in ten or twenty years, one hundred and twenty or two hundred and forty dollars, for the use of that little insignificant device that costs ten or twelve dollars. This merely puts the consumer on the one side of the meter and the producer on the other side and makes the bet even. If you are on a flat rate you take the chance of using the more, and the producer takes the chance of your using less of his product. This bill would only make fair play when it is installed. It does not force a meter upon anybody It does not compel the producer to furnish a meter, just when meters are in use. I will say that I have examined the public service bills and they do not include this little feature. I would like the members to vote on this bill because it is not local in its appliance. It is fair and general. I have only found the suggestion made to me in extremely unusual and out of the ordinary cases where any difference or any hardship had arisen, extremely unusual cases.

Mr. BERNHEIZEL. Mr. Speaker, from a recent conversation with the gentleman from Westmoreland I am sure that my home town presents an exception, and as I propose to vote no on the bill I will state that exception. We have numerous manufacturing industries there, most or at least many of which have their own water supply. It is recognized that this water supply is inadequate in case of fire, and in order to secure lower insurance rates they ask the local water company, which is a private corporation, to make connections for fire service. These connections are four and six inch mains. A four inch detector meter costs $300 and a six inch meter costs $450.00. It is a business proposition of cost. By the installation of this private water service their insurance rates are lowered from $500 to $1,000 to $1,500. I am quite sure that our local water company is not going to carry this fixed charge of perhaps five, six or seven thousand dollars for the installation of these meters, unless somebody pays the bill. They install the meters, and they must retain some person to read them every month and they must incur the expense of readings and service charges. I fear very much that our water companies are not in the eleemosinary business, and that the man who actually consumes the water will have to pay for the fire protection afforded those industries which now have meters installed. There is no answer to say, let the water company have a fixed charge for the service, for the reason that no service is contemplated except in case of fire, and that may not occur for twenty years; and furthermore, as a matter of fact, I know that our water company has tried that, and they have found that the corporations borrow water when their own service becomes inefficient. Therefore it resolves itself into a case of the local water company either denying these corporations the meter service or the water service, or making the actual consumer pay the bill. Again, our town is served by private corporations furnishing both gas and electricity and all of the smaller houses are provided with gas, and all of the better class houses with both gas and electricity. Electricity is used and the gas service maintained in case of emergency. Now if a gas company must carry a fixed charge of ten, twelve or fifteen thousand dollars to have installed in every private residence a gas meter in fifty per cent. of the cases no charge will be made because no gas will be used. If the electric light service does not fail, they will not have occasion to use the gas meter. If that is the case, that gas company, I am sure, will raise the rates on the actual consumer of gas. I cannot see how you can figure it any other way. No corporation for furnishing gas, electricity or water is in business for the benefit of the public. I cannot see but what this bill in both instances is gong to result in increasing the rate to the actual consumer, and therefore I am bound to vote against it.

BILL POSTPONED.

Mr. SCHUCK. Mr. Speaker, in order to give the members an opportunity to understand the merits of this bill I would move you that we postpone further action on it for the present.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 39, entitled:

An Act regulating the use of bottles and other utensils for milk or cream providing a penalty for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 189, entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine, entitled "An act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTSS ON IMPEACHMENT CHARGES AGAINST HON. HENRY A. FULLER.

Mr. JOHN R. K. SCOTT asked and received unanimous consent of the House to report from the Committee on Judiciary General, Document No. 5, entitled:

"In re Charges for the Impeachment of the Hon. Henry A. Fuller, President Judge of the Eleventh Judicial District of Pennsylvania, County of Luzerne."

With the information that the committee is without power to act upon it.

PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO FORMULATE ARTICLES OF IMPEACHMENT AGAINST HENRY A. FULLER, PRESIDENT JUDGE OF THE ELEVENTH JUDICIAL DISTRICT.

Mr. JOHN R. K. SCOTT presented a resolution which was twice read and adopted as follows:

In the House of Representatives.

Whereas, A petition from one Thomas D. Shea, a resident of Luzerne County and a citizen of Pennsylvania was presented to the House of Representatives preferring charges of official misconduct against Hon. Henry A. Fuller, President Judge of the Eleventh Judicial District, County of Luzerne, and praying for his impeachment; and

Whereas, Said petition was referred to the Committee of this House on Judiciary General; and

Whereas, Said Committee has returned said petition to this House with the suggestion and recommendation that it has no power to act in the matter and that in accordance with the usage and custom in Pennsylvania in matters of impeachment the petition should be referred to a special Committee to formulate articles of impeachment and present them to this body for its consideration; therefore be it

Resolved, That the Speaker appoint a Committee consisting of five members of this House to which Committee shall be referred a petition of one Thomas D, Shea, a citizen of Pennsylvania, praying for the impeachment of Hon. Henry A. Fuller, President Judge of the Eleventh Judicial District of Pennsylvania. It shall be the duty of said Committee to consider the charges preferred against the said Hon. Henry A. Fuller and report, together with the testimony taken, its findings to the House of Representatives, and if its finding require, to formulate and present to the House articles of impeachment, based on such charges and upon such additional matters as may be brought to the attention of the Committee.

The Committee shall have permission to sit during any session of this body and shall have full power to require the attendance of any person and the production of any books, papers, and documents, to administer oaths and hear testimony.

The SPEAKER. The Chair will announce the members of the Committee later.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at twelve o'clock noon) the House adjourned until Monday evening, February 10th, 1913, at eight o'clock.

ERATUM.

Page 119, second column, House Bill No. 264 has been renumbered House Bill No. 174.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, FEBRUARY 10, 1913. No. 13.

SENATE.

MONDAY, February 10, 1913.

The Senate met at nine o'clock P. M.

The ACTING PRESIDENT PRO TEMPORE (Mr. Crow) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Powell, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCES.

Mr. McNICHOLS asked and obtained leave of absence for the Senator from Armstrong, Mr. Graff, for the balance of the week, on account of illness.

Mr. FISHER asked and obtained leave of absence for the Senator from McKean, Mr. Hilton, for the balance of the week.

Mr. HUFFMAN asked and obtained leave of absence for the Senator from Northampton, Mr. Morgan, for the balance of the week.

The CHAIR asked and obtained leave of absence for the Senator from Chester, Mr. SPROUL, for the balance of the week, on account of illness.

The CHAIR asked and obtained leave of absence for the Senator from Cambria, Mr. STINEMAN, for the balance of the week, on account of illness.

BILLS INTRODUCED.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 186, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 187, entitled:

An Act relating to the administration of oaths or affirmations to administrators, executors, committees or guardians to qualify them for the performance of their respective duties.

Which was committed to the Committee on Judiciary General.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 188, entitled:

An Act to amend the third, fifth and sixth section of Article nineteen of an act, entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," approved the 9th day of June, A. D., 1911, by removing the age limit of fifty years and thus enlarging the eligibility of persons to the office of inspector in the bituminous coal region of this Commonwealth, and by providing that appointments to the office of inspector in the bituminous coal region of this Commonwealth shall be made in order of the rank of percentage attained by the applicant or candidates for the office at the examinations held by the Examining Board, the highest to be first preferred over those of lower percentage, and in case of a tie in percentage, service or experience to govern.

Which was committed to the Committee on Mines and Mining.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 189, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State forest reserves, and to improve and maintain the same.

Which was committed to the Committee on Forestry.

Also read in his place and presented to the Chair Senate Bill No. 190, entitled:

An Act to classify certain surface lands as auxiliary forest reserves, to prescribe the terms and conditions for their continuance in said classifications or their withdrawal therefrom, and to provide for the expenses attendant thereon.

Which was committed to the Committee on Forestry.

Also read in his place and presented to the Chair Senate Bill No. 191, entitled:

An Act to provide for the assessment and taxation of auxiliary for reserves and the collection, distribution and use of the taxes collected therefrom.

Which was committed to the Committee on Forestry.

Also read in his place and presented to the Chair Senate Bill No. 192, entitled:

An Act providing a fixed charge on land classified as Auxiliary Forest Reserves and the distribution of the fund thus set aside for school and road purposes.

Which was committed to the Committee on Forestry.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 193, entitled:

An Act making an appropriation to the Erie Home for the Friendless, of the City of Erie, Erie County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 194, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association, of the City of Erie, Erie County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 195, entitled:

An Act making an appropriation to the Elmwood Home of Erie, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 196, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 197, entitled:

An Act making an appropriation to the Old Ladies' Home of Wissinoming, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HERBST read in his place and presented to the Chair Senate Bill No. 198, entitled:

An Act to provide for the holding of a Constitutional Convention, the election of delegates thereto, and the submission of the report thereof for the approval of the people.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 199, entitled:

An Act to prevent fraud and corruption in elections, primary, municipal, general and special, and providing penalties for the violation thereof.

Which was committed to the Committee on Elections.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS INTRODUCED.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 200, entitled:

An Act making an appropriation to the Lewistown Hospital of Lewistown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 201, entitled:

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 202, entitled:

An Act making an appropriation to the Trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania, at Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 203, entitled:

An Act making an appropriation to the House of Good Shepherd, Scranton Lackawanna County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 204, entitled:

An Act to establish a State Industrial Home for Women, providing for the appointment of a Board of Managers to purchase a tract of land for that purpose and to erect and furnish buildings on the same and to manage said institution, and providing for the commitment thereto and the temporary or permanent discharge therefrom of females between the ages of sixteen and thirty years, defining the powers and duties of the Board of Managers, and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June 1, 1915.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 205, entitled:

An Act providing for the enrollment of electors participating in primaries in cities of the first class of this Commonwealth, and prescribing penalties for the violation of its provisions.

Which was committed to the Committee on Elections.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 206, entitled:

An Act making an appropriation to the Elizabeth Steel Magee Hospital of Pittsburgh.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 207, entitled:

An Act defining public utilities, prescribing defining and limiting the powers and duties of public utilities creating and establishing a public service commission for the supervision and regulation of public utilities prescribing and defining the powers and duties of such commission and its employes, prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the courts of this Commonwealth, prescribing penalties for the violation of such orders or of the provisions of this act, making certain acts criminal and punishing the same and repealing legislation inconsistent with this act.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 208, entitled:

An Act to further amend an act, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the 10th day of June, A. D. 1893, by changing the form of the ballot and regulating the method of marking the same.

Which was committed to the Committee on Elections.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 209, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 210, entitled:

An Act to amend section ten of an act entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the 24th day of May 1887; providing for the sale of mixed paints, white leads and colors ground in oil, and all leads products and painters' materials used in the arts and industries, without the necessity of labeling the same

Which was committed to the Committee on Public Health and Sanitation.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 211, entitled:

An Act providing for the establishment and maintenance of Boards of Health in boroughs and townships of the first class and defining their powers and duties; providing for the appointment of members of such Boards of Health by the president judge of the Court of Common Pleas of the county wherein such borough or township of the first class is located; providing for the election of a secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or inefficient board of health; and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Which was committed to the Committee on Public Health and Sanitation.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 212, entitled:

An Act to amend section seventy-five of the act entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," approved the 31st day of March, A. D. 1860.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 213, entitled:

An Act requiring a written demand for a jury trial in actions at law in the several Courts of Common Pleas of this Commonwealth by either party thereto, the payment of a jury fee at the time of demand, regulating the procedure of trials at law in which a jury trial is not demanded by either party ,authorizing the several Courts of Common Pleas of this Commonwealth and the Supreme Court to adopt rules for regulating the procedure under this act, and regulating appeals from judgments.

Which was committed to the Committee on Judiciary General.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 214, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons of York, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 215, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated, to purchase electricity from any corporation, individual partnership, or any persons manufacturing electricity for commercial purposes, and for the use of the inhabitants of said borough, and for said purposes to erect apparatus, and to pass ordinances regulating the same, and making valid the acts of any borough which has heretofore received the sanction of said borough or boroughs, or incurred any indebtedness thereby, in accordance with the provisions of this act.

Which was committed to the Committee on Judiciary Special.

Mr. FISHER read in his place and presented to the Chair Senate Bill No. 216, entitled:

An Act making an appropriation for the payment to one John J. Devitt, for services rendered due him as a member of the Mine Inspectors' Examining Board for the Counties of Schuylkill, Northumberland, Columbia and Dauphin, which was not paid him.

Which was committed to the Committee on Appropriations.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 217, entitled:

An Act to repeal an act entitlted "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felony," approved the 25th day of May, A. D. 1897.

Which was committed to the Committee on Judiciary General.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 218, entitled:

An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to limit the number of cars in their freight trains.

Which was committed to the Committee on Railroads.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 219, entitled:

An Act making an appropriation to the State Normal Schools of the Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 220, entitled:

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette County.

Which was committed to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION GRANTING COMMISSION TO INVESTIGATE AND REPORT UPON SURFACE SUPPORT IN MINING ANTHRACITE COAL EXTENSION OF TIME TO MAKE REPORT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, extending the time for the making of the report of the Commission to Investigate and report upon Surface Support in Mining Authracite Coal

JOHN K. TENER.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate T. Clayton Smith, to be Justice of the Peace in and for the Second Ward of the borough of Middletown, county of Dauphin, vice James Campbell, deceased, to serve until the first Monday in January, 1914.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert F. Dicken, to be Justice of the Peace in and for the township of West Providence, county of Bedford, vice John Shaffer, resigned, to serve until the first Monday in January, 1914.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

William D. Grimes, Pittsburgh, Feb. 14, 1913.
Harry M. Aronson, Pittsburgh, Feb. 27, 1913.
John F. Milliken, Munhall, Feb. 27, 1913.
R. D. Jenkinson, Bellevue, March 10, 1913.
Edward Evans, Etna, March 10, 1913.
H. H. Hanna, Pittsburgh, March 10, 1913.
C. O. Miller, Pittsburgh, March 10, 1913.
Mrs. Ida A. Sturtevant, Pittsburgh, March 10, 1913.
H. E. Rutherford, Tarentum, March 10, 1913.
John T. Small, Wilmerding, March 10, 1913.

BEDFORD COUNTY.

W. A. Alexander, Everett, April 6, 1913.

BERKS COUNTY.

Aaron S. Hornberger, Mohnton, Feb. 14, 1913.
J. Victor Grim, Reading, March 5, 1913.

BUCKS COUNTY.

Franklin H. Strohm, Telford, March 10, 1913.

BUTLER COUNTY.

William Humphrey, Portersville, March 3, 1913.

CHESTER COUNTY.

Arthur R. Yearsley, Coatesville, March 29, 1913.

CLEARFIELD COUNTY.

C. Woodring, DuBois, March 10, 1913.

COLUMBIA COUNTY.

John W. Evans, Berwick, Feb. 23, 1913.

ELK COUNTY.

W. N. Goodrich, St. Marys, Feb. 22, 1913.

FAYETTE COUNTY.

Charles H. Cox, Masontown, March 10, 1913.

GREENE COUNTY.

John L. Wood, Waynesburg, Feb. 22, 1913.

LACKAWANNA COUNTY.

J. O'Hearn, Carbondale, Feb. 17, 1913.

LANCASTER COUNTY.

Albert F. Shenck, Lancaster, March 3, 1913.
Samuel B. Kiefer, Elizabethtown, March, 10, 1913.

M'KEAN COUNTY.

Frank C. Whitling, Bradford, Feb. 27, 1913.

PHILADELPHIA COUNTY.

Miss Mary F. Lyons, Philadelphia, Feb. 23, 1913.
W. J. Jackson, Philadelphia, Feb. 26, 1913.
Edward Ramsey, Philadelphia, Feb. 26, 1913.
H. A. Cannon, Philadelphia, Feb. 27, 1913.
Thomas Cummings, Philadelphia, Feb. 27, 1913.
Vincent D'Ambrosio, Philadelphia, Feb. 27, 1913.
Morris Zinman, Philadelphia, Feb. 27, 1913.
Walter C. Blakely, Philadelphia, March 10, 1913.
E. H. Williamson, Jr., Philadelphia, March 10, 1913.
Henry J. Rebman, Philadelphia, March 13, 1913.

SOMERSET COUNTY.

Clarence L. Shaver, March 10, 1913.

SULLIVAN COUNTY.

R. D. Kehrer, Eagles Mere, March 10, 1913.

TIOGA COUNTY.

James R. Butler, Westfield, March 10, 1913.

WESTMORELAND COUNTY.

William T. Osborne, Latrobe, March 10, 1913.

YORK COUNTY.

Charles A. May, York, Feb. 27, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Ernest W. Beach, Pittsburgh.
Miss May Verda Gasmire, Pittsburgh.
C. C. Lee, Pittsburgh.
Michael J. O'Brien, Pittsburgh.
Jas. McGettigan, McKeesport.
Henry C. Schwartz, Millvale.
Miss Edith E. Walp, Swissvale.
W. A. Turner, Chartiers Twp,

BUTLER COUNTY.

Abraham L. Findley, Butler.

CARBON COUNTY.

John E. Rosenstock, Weatherly.

CHESTER COUNTY.

William E. Bushong, Phoenixville.

LACKAWANNA COUNTY.

James J. Stone, Scranton.

M'KEAN COUNTY.

Harry M. Wick, Bradford.

PHILADELPHIA COUNTY.

John W. Graham, Philadelphia.
Miss Josephine Levering, Philadelphia.
John B. Lukens, Philadelphia.
Daniel G. Murphy, Philadelphia.
Roscoe C. Schmidt, Philadelphia.
James Hay Simms, Philadelphia.
Clinton M. Smith, Philadelphia.

JOHN K. TENER.

REPORT OF JOINT COMMITTEE TO CONSIDER AND REPORT UPON REVISION OF LAWS RELATING TO CORPORATIONS AND REVENUE.

Mr. McNICHOL. Mr. President, I desire to submit the report of the Joint Committee appointed pursuant to concurrent resolution approved May 25, 1911, to consider and report upon a revision of the corporation and revenue laws of the Commonwealth, together with the testomony, and move that the report, together with the testimony, be printed in the Appendix of the Legislative Journal.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

(For report and testimony see Appendix).

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 3, entitled:

An Act validating certain elections of counties boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness o fmunicipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—42.

Alexander,	Gerberich,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Heacock,	Knapp,	Powell,
Clark,	Herbst,	Kurtz,	Salus,
Cooper,	Hilton,	Magee,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
Daix,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Fisher,	Jones,	Mills,
Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. JONES. Mr. President, I ask that Senate Bill No. 8, on third reading, entitled:

An Act for the protection of the public health and the prevention of fraud and deception in the manufacture labeling or sale of milk products; defining such milk products; fixing the standards thereof, and providing penalties for the violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 12, entitled:

An Act supplementary to an act entitled 'An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possesion with intent to sell of eggs unfit for food as therein defined the prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shal the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Fisher,	Jones,	Mills,
Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 14, entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred and one entitled "An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary Public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved tne fifth day of May one thousand nine hundred and eleven entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—45.

Alexander,	Fisher,	Jones,	Mills,
Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 21, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for the

payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—45.

Alexander,	Fisher,	Jones,	Mills,
Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 103, on third reading, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently, and defining the manner of changing their positions and salaries; making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts, and providing penalties for the neglect or refusal to perform such duty.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 23, as follows:

An Act entitled an act applicable to cities of the first second and third classes to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records elegibility penalties and reports as set forth in sections one two three four five six seven and eight

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this bill and its approval by the Governor of the Commonwealth the Chief Executive shall appoint not less than five and not more than seven women residents of said city or cities to act as trustees in whom shall be intrusted the carrying into effect the provisions of this act To provide monthly payment as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes such payment to be made direct to the recipient by the State Treasurer upon warrants drawn by the Auditor General and the City Treasurer direct to the recipient Such payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment This act shall apply only to cities of the first second and third class

Section 2 The administration of this act shall lie solely in the hands of the trustees appointed by the Governor They shall serve without pay but shall be permitted to charge for traveling expenses in making investigations of cases before a final recommendation is made to the Auditor General and City Treasurer The trustees shall provide a headquarters appoint an investigator and a stenographer (if necessary) also suitable furnishings stationery and postage but at no time shall the yearly expense be more than three thousand dollars for cities of the first class twenty-four hundred dollars for cities of the second class and eighteen hundred dollars for cities of the third class with the exception of the first year when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars for furnishings In order to carry the provisions of this act into effect an appropriation of one hundred thousand dollars from moneys not otherwise appropriated is hereby made proportioned in the following manner Forty thousand dollars to cities of the first class twenty thousand dollars to cities of the second class and fourty thousand dollars to cities of the third class these amounts to be subdivided among the cities of the second and third classes by the Auditor General and State Treasurer according to their respective population in the census of 1910 and upon the passage and approval of this bill the State Treasurer shall place the proportionate amount of the entire appropriation to the various cities of the first second and third class upon the books of the State Treasury to the credit of the trustees one-half of which amount shall be available the first year after approval and the remainder the second year or until another appropriation may become available provided however that no city through their trustees or otherwise shall receive their allotment of the State's appropriation unless an equal amount has been provided by the municipal government of such city desiring the benefits under this act

Section 3 The trustees shall in no case recommend payment to any widow or abandoned mother until they are thoroughly satisfied that the recipient is worthy in every way and that in order to keep her children in her own home a monthly payment is necessary but then only upon satisfactory reports from a teacher in the district school stating that the child or children of the recipient of this fund are attending school provided they are of proper age and physically able to do so The combined total maximum payment shall not exceed twelve dollars per month for one child twenty dollars per month for two children twenty-six dollars per month for three children and five dollars per month for each additional child These payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 4 Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act the number of children their full names ages and places of residence shall be provided one copy to be on file in the office of the trustees as a public record one copy to be kept as a record in the juvenile court and in cities where no such court exists the records shall be kept on file in the Orphans Court and one copy to be forwarded with each application for a warrant to the Auditor General and one copy to the City Treasurer The copy of the Auditor General and the City Treasurer shall be sworn to by the Investigator and approved by at least a majority of the trustees

Section 5 No family shall be a beneficiary under this act unless the mother has been a continuous resident of the municipality in which she is applying for the benefits under this act for a period of three years

Section 6 Any person securing or attempting to secure an allowance not entitled thereto shall be declared guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year or both as the court may decide

Section 7 A detailed report of the number of beneficiaries the amount expended the advantages and disadvantages of the system improvements and recommendations shall be made by the trustees to the members of the General Assembly at the beginning of the Session of 1915

Section 8 All laws or parts of laws inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34, as follows:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Whenever all the law judges of any judicial district shall be absent from the district or incapacitated in any way from performing the duties of their office any law judge of an adjoining district may on application made to him in his proper district entertain any motion or petition and may make any order or issue any rule or decree in like manner and with the same effect as if such judge had been duly commissioned in the district from which the application shall be made Except in matters ex parte five hours notice of the time and place wherein and where such application is to be made shall be served upon the opposite party or the counsel therefor At the time of making such application a copy of such notice together with an affidavit of the time of service thereof shall be presented with the application

Section 2 Each such order rule or decree shall bear the name of the judge making or issuing the same shall note the fact that he is specially presiding and shall give the number of his proper judicial district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 45, as follows:

An Act for the better protection of the wild birds known as the Turtle or Mourining Dove the Kill-deer Plover and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the wild birds known as the Turtle or Mourning Dove the Kill-deer Plover and the bird commonly called the Black-bird now classed as game-birds in this State shall be taken from the list of birds at this time accorded but partial protection in this State and shall be added to that class of birds known as "wild birds other

than game-birds" to which class continuous protection is accorded

Section 2 Except as provided by the laws of this Commonwealth it shall be unlawful for any person at any time to take or kill or wound or to attempt to take or kill or wound either a Turtle or Mourning Dove or a Kill-deer Plover or one of the birds commonly called Black-birds in this Commonwealth or to have such Dove or such Plover or such Black-bird or any part of either bird in possession under a penalty of ten dollars for each bird either dove or plover or blackbird taken or killed or wounded or attempted to be taken or killed or wounded or had in possession in this Commonwealth or in lieu thereof to suffer an imprisonment in the common jail of the county for a period of one day for each dollar of penalty imposed and unpaid Provided That Black-birds may be killed by the owners of land when caught in the act of destroying either the eggs or young of other birds or fruit or berries or grain upon such property

Section 3 Each and every magistrate alderman or justice of the peace of this Commonwealth is herewith given the power of summary conviction in all cases relating to the violation of this act The course of procedure before such magistrate alderman or justice of the peace to be that prescribed by section thirty-one of the act of May first one thousand nine hundred and nine entitled "An act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectiverous and other wild birds and prescribing penalties for violation of its several provisions"

Section 4 All acts or parts of acts inconsistent with the provisions of this act are herewith repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 46, as follows:

An Act to amend Section 10 of an act, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the first day of May Anno Domini one thousand nine hundred and nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section 10 of an act entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," which reads as follows:

Section 10. It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at, wound or take or kill any wild bird other than a game bird or to have such bird or any part thereof in possession or under control within this Commonwealth or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth any such bird or any part thereof protected by the laws of this Commonwealth or to have in possession or under control or to sell or to offer to sell within this Commonwealth either living or dead any wild birds other than a game-bird that has been brought into this Commonwealth from another State or country that is of a kind found in a wild state in this Commonwealth. Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each bird shot at wounded or killed taken or had in possession or sold, offered for sale, transported, shipped or removed or attempted to be transported, shipped or removed out of this Commonwealth or for any part thereof in any manner held for a purpose contrary to the provisions of this act. Provided however, That the blue-jay, the English sparrow, the European starling, the kingfisher, the shrike, the eagle, buzzard, the osprey, sharp-shinned hawk, Cooper's hawk, goshawk, duck hawk, pigeon hawk, the great-horned owl, barrel owl, the crane, the heron, the bittern, the crow and the raven shall not be protected by any law of this Commonwealth and may be killed at any time and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animal that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the Stae of the living bodies of English Mongolian or Chinese pheasants or of Belgian hare raised in captivity that are shipped from such place of confinement without being first released or set at liberty in the Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild bird or animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported be and the same is hereby amended so as to read as follows:

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at or wound or take or kill any wild bird other than a game-bird or to have such bird or part thereof in possession or to have any part of the plumage or skin thereof in possession or under control for purposes of sale or to offer or expose the same for sale within this Commonwealth or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose such bird or any part of the plumage or skin thereof or to have such bird in possession or under control for sale or to sell or to offer to sell within this Commonwealth either living or dead any wild bird other than a game bird or any part of the plumage or skin thereof of a kind found either in a wild state in this Commonwealth or that may have been brought into this Commonwealth from another State or country and which belong to the same family as those found in a wild state in this Commonwealth

Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each bird shot at wounded or killed or taken or had in possession transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or from any part thereof in any manner taken or held for a purpose contrary to any of the provisions of this act such bird being of a kind found in a wild state in this Commonwealth and any person acting either for himself or as the agent or representative of another who shall sell or barter or who shall attempt to sell or barter or who shall have in possession for sale or barter within the Commonwealth or who shall ship or remove or cause to be shipped or removed out of this Commonwealth for sale or barter a bird either living or dead or the skin or the plumage or any part of such bird or skin or plumage of a kind belonging to the same family as those birds found in a wild state in this Commonwealth shall be liable to a penalty of twenty dollars for each bird or bird skin or bird plumage or any part thereof sold offered for sale had in possession for sale or in any manner removed out of this Commonwealth for sale contrary to the provisions of this section Provided however That the blue-jay the English sparrow the European starling the kingfisher the buzzard sharp-shinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl the barred owl and the crow shall not protected by any law of this Commonwealth and may be killed at any time and provided further that the owner or operator of a public or private plant in which fish are artificially raised or returned shall have the right to kill any great blue heron night heron or green heron when such birds are caught in the act of destroying their fish and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animals that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the State of live English Mongolian or Chinese pheasants or Belgian hares raised in captivity that are shipped from such place of confinement without being first released or set at liberty in this Commonwealtn or to prevent the possession of the tanned skin or any part thereof of any wild animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported or the possession of any part of a bird legally taken in this Commonwealth or captured elsewhere and legally imported into this Commonwealth from any other State or country for purposes of study or exhibition but not for sale

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 47, entitled:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty, entitled "An Act relative to mortgages," by requiring purchase money mortgages to be recorded within ten days in order to have priority of lien.

The first section of the bill was read as follows and agreed to.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the first section of an act approved the twenty-eight day of March one thousand eight hundred and twenty, entitled "An Act relative to mortgages," which reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands, tenements or hereditaments within this Commonwealth shall have priority accordings to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid. Provided, That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within sixty days from the execution thereof," is hereby amended so as to read:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands, tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making

or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid. Provided, That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within fifteen days from the execution thereof.

The title of the bill was read as follows:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages" by requiring purchase money mortgages to be recorded within ten days in order to have priority of lien

On the question,

Will the Senate agree to the title?

Mr. JARRETT. Mr. President, I move to amend the title in line 4 by striking out the word "ten" and inserting in lieu thereof the word "fifteen".

Mr. CLARK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 82, as follows:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person duly convicted of crime in the Commonwealth has been or shall be sentenced under the provisions of a law declared unconstitutional the court declaring said law unconstitutional shall not discharge said convict but shall remand said convict to the court before which said convict was tried for sentence under the provisions of the law in force at the time of the commission of the crime of which said convict stands convicted

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 84, as follows:

An Act to amend section six of an act entitled "An act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at a general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five, by providing for a Board of Managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the Board of Managers; prescribing the powers and duties of the Board of Managers and that the expenses of maintaining and operating the building, grounds and improvements shall be paid by the County of Allegheny.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section six which reads as follows: Said memorial hall shall be in honor of the soldiers, sailors and marines from Allegheny county who served in the army and navy of the United States in the War for the Suppression of the Rebellion. It shall contain one large assembly hall or auditorium for public meetings of the soldiers, sailors and marines of Allegheny county but which may be used for other public meetings. It shall also contain rooms for meetings of posts of the Grand Army of the Republic, encampments of the Union Veteran Legion, commanderies of the Loyal Legion and kindred patriotic organizations. It shall also contain rooms and places for the proper display and preservation of relics and trophies of the War for the Suppression of the Rebellion, flags, histories, rosters and records of the Grand Army Posts, encampments of the Union Veteran Legion commanderies of the Loyal Legion, regimental and company histories, photographs, paintings and portraits, busts and statues of soldiers sailors and marines of Allegheny county and mural tablets upon which shall be inscribed the names of the soldiers, sailors and marines of Allegheny county who served in the War for the Suppression of the Rebellion. A committee of ten with power to fill vacancies shall be selected by the survivors of the War for the Suppression of the Rebellion residing in Allegheny county, said committee shall determine and designate what relics, trophies, flags, statues, busts, histories, rosters, records, et cetera shall be placed in said rooms. The president judge of the courts of common pleas numbers two and three and the county commissioners of said county shall be ex-officio members of said committee be amended to read as follows:

Section 6. Said memorial hall shall be in honor of the soldiers, sailors and marines from Allegheny county who served in the army and navy of the United States in the war for the suppression of the Rebellion. It shall contain one large assembly hall or auditorium for public meetings of the soldiers, sailors and marines of Allegheny county but which may be used for other public meetings. It shall also contain rooms for meetings of the posts of the Grand Army of the Republic, encampments of the Union Veteran Legion, commanderies of the Loyal Legion and kindred patriotic organizations. It shall also contain rooms and places for the proper display and preservation of relics and trophies of the war for the suppression of the Rebellion, flags, histories, rosters and records of the Grand Army posts, encampments of the Union Veteran Legion, commanderies of the Loyal Legion regimental and company histories, photographs, paintings and portraint busts and statues of soldiers, sailors and marines of Allegheny county and mural tablets upon which shall be inscribed the names of the soldiers, sailors and marines of Allegheny county who served in the War for the Suppression of the Rebellion. A committee of ten with power to fill vacancies shall be selected by the survivors of the War for the Suppression of the Rebellion residing in Allegheny county. The president judge of the court of common pleas, the judge next oldest in commission in said court and the three county commissioners of said county shall ex-officio be members of the committee who together shall constitute a board of managers. The board of managers thus constituted shall annually select from their number a president, a secretary and such other officers as may be necessary but no member shall receive any compensation except the secretary, but shall be allowed the necessary expenses incurred in the performance of their duty. The board shall select the superintendent and the necessary employees, the number and salaries to be fixed by the salary board of the county. The board of managers shall have full power to maintain, operate and rent Memorial Hall and the grounds for purposes not inconsistent with the memorial character of the building and shall determine what supplies, materials, decorations or improvements are required in the building and grounds and the design and character thereof and when so determined by the board the president and secretary shall certify the same to the county commissioners together with designs, plans and estimates of the cost of any proposed improvement or decoration. The county commissioners shall thereupon make all contracts for supplies, materials, decorations or improvements in the manner now provided by law. The board shall make a detailed report at the close of each fiscal year to the commissioners and controller in the form prescribed by them and at least thirty days prior to the beginning of of each fiscal year submit to the county commissioners a detailed estimate of the amount of money which will be required by them for the coming year and should the board of managers and the county commissioners differ in their judgment as to the amount of money required the estimates shall be submitted by the board of managers to the court of common pleas of the county which court after investigation shall certify the amount to be allowed and its decision shall be final and no expense shall be incurred in excess of these amounts without the consent of the county commissioners. Provided however, That any improvement or decoration requiring an expenditure of over five thousand dollars ($5,000) must receive the approval of the grand jury and the court of quarter sessions of the county before such improvement shall be made. The president and secretary upon direction of the board shall issue certificates for all moneys to be paid which certificates shall be chargeable at the office of the county commissioners for such forms of warrant as may be in use for the distribution of county funds for general county purposes and all moneys so expended shall be paid and accounted for in the same manner as moneys expended for general county purposes and any moneys realized by the board shall be paid into the county treasury and become a part of the general county fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 106, as follows:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine en-

titled "An act providing for the incorporation and government of cities of the third class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorportion and government of cities of the third class" which as amended by an act approved the fifteenth day of April one thousand nine hundred and seven entitled "An act to amend section one of article one of an act entitled 'An act to amend section one article one of an act entitled 'An act providing for the incorporation and government of cities of the third class' approved May twenty-third Anno Domini one thousand eight hundred and eighty-nine providing for the submission of the question of incorporation of such city of the third class by councils upon the petition of a certain number of the qualified electors of the towns or boroughs embraced within the limits of the proposed city' approved the tenth day of April Anno Domini one thousand nine hundred and five providing for the submission of such question of the incorporation of such city of the third class by the court of quarter sessions of the peace of the county wherein such proposed city is to be located upon the petition of a certain number of the qualified electors of the towns and boroughs embraced within the limits of the proposed city" to the qualified electors and the manner of voting thereon" reads as follows

"Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "for a city charter" followed by the words "yes" and "no" with squares of sufficient size to the right of said words "yes" and 'no" as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "yes" and "no" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of the election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" and which as further amended by an act approved the twenty-eighth day of May one thousand nine hundred and seven entitled "An act to further amend section one article one of an act entitled 'An act prviding for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine and which was amended by an act approved the tenth day of April Anno Domini one thousand nine hundred and five prescribing the manner and computing and making return of the same" reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or boroughs or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and the councils or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be may on their own motion or upon the petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice thereof by the publication of said resolution during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at said general election in the borough or boroughs aforesaid in the following form "Proposed city charter" and below shall be printed on two lines with a square at the right of each the words "For city charter" and "Against city charter" and the electors shall designate with a cross-mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said borough or boroughs to count the votes so cast for and against city charter and make return thereof on blanks to be furnished by the corporate authorities of said borough or boroughs to the clerk of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making returns of votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" is hereby further amended to read as follows

Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be charatered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or borughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "For a city charter" followed by the words "Yes" and "No" with squares of sufficient size to the right of said words "Yes" and "No" as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "Yes" and "No" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votts cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 This act shall not affect or impair any act done right vested duty imposed penalty accrued or proceeding commenced before the approval of this act but all acts done and proceedings commenced under the section which is hereby amended are hereby validated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor vehicles and the licensing of operators, and making an appropriation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the sale of cold storage poultry game eggs and fish providing penalties for the violation thereof and providing for the enforcement thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 146, entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An act

providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 221, entitled:

An Act to continue the existence of Commissioners for the Promotion of Uniformity of Legislation in the United States, provided for in the Act of the General Assembly of the Commonwealth of Pennsylvania, approved the 23d day of May, A. D. 1901.

Which was committed to the Committee on Judiciary General.

Mr. GERBERICH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 222, entitled:

An Act for the protection of the public health, relating to cold storage and refrigerating warehouses the dispositions or sale of the foods kept or preserved therein and defining the duties of the Dairy and Food Commissioner in relation thereto, and providing penalties for the violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The CHAIR cleared his table and laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 116 (Senate Bill No. 223) entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license

Which was committed to the Committee on Law and Order.

House Bill No. 271 (Senate Bill No. 224) entitled:

An Act to amend an act entitled "An act to amend the first section of an act entitled 'An act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand' approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minmum and maximum limits of said salaries" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties

Which was committed to the Committee on Judiciary General.

House Bill No. 88 (Senate Bill No. 225) entitled:

An Act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over precribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over precribing his duties and abolishing the office of county auditors in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred and one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants

Which was committed to the Committee on Judiciary General.

House Bill No. 70 (Senate Bill No. 226) entitled:

A joint resolution proposing an amendment to section seven article three of the Constitution of Pennsylvania so as to permit special legislation regulating labor

Which was committed to the Committee on Judiciary General.

House Bill No. 2 (Senate Bill No. 227) entitled:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

Which was committed to the Committee on Appropriations.

House Bill No. 194 (Senate Bill No. 228) entitled:

An Act requiring the Prothonotaries of the Superior and Supreme Courts of this State to mail certified copies of all opinions of said courts when filed to the Superintendent of the Department of Public Printing and Binding and requiring said Superintendent to have the same printed and a copy thereof mailed to every judge of every court of record of this State

Which was committed to the Committee on Judiciary General.

House Bill No. 24 (Senate Bill No. 229) entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

Which was committed to the Committee on Judiciary General.

House Bill No. 11 (Senate Bill No. 230) entitled:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district

Which was committed to the Committee on Judiciary General.

House Bill No. 185 (Senate Bill No. 231) entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

Which was committed to the Committee on Judiciary General.

House Bill No. 89 (Senate Bill No. 232) entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

Which was committed to the Committee on Judiciary General.

House Bill No. 51 (Senate Bill No. 233) entitled:

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and sventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County and relating to the collection of taxes in Franklin County"

Which was committed to the Committee on Judiciary General.

House Bill No. 120 (Senate Bil No. 234) entitled:

An Act amending an act entitled "An act providing that territory annexed to any city of the third class shall constitute a part of the poor district of such city of the third class or of the poor district of which said city is a part" approved the twenty-fourth day of June one thousand eight hundred and ninety-five by extending the provisions of the act to second class cities

Which was committed to the Committee on Municipal Affairs.

RESOLUTION AUTHORIZING THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE LABOR TROUBLES AT BRADDOCK AND RANKIN IN THE COUNTY OF ALLEGHENY.

He also laid before the Senate extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Judiciary Special.

In the House of Representatives, February 5, 1913.

Whereas, It is alleged that the Aemrican Steel and Wire Company, a branch of the United States Steel Corporation, having plants at Braddock and Rankin in Allegheny county, have refused to come to an agreement with certain of their employes who are now on a strike; and

Whereas, Said company has hired armed guards whose actions have incited the gravest disorder in said boroughs resulting in a riot wherein one man was killed and many injured; and

Whereas, The continuance of this disorder may lead to grave consequences and great danger to the citizens of this Commonwealth; therefor be it

Resolved (if the Senate concur) That a commission be appointed to investigate the labor troubles now existing in Braddcok and Rankin in Allegheny county between the American Steel and Wire Company, a branch of the United States Steel Corporation, and certain of their employes. The commission shall consist of three members of the Senate, two of whom shall be members of the Republican Party and one of the Democratic Party, to be appoinated

by the President pro tempore and three members of the House of Representatives, two of whom shall be of the Republican Party and one of the Democratic Party, to be appointed by the Speaker. It shall be the duty of said commission to organize immdeiately after their appointment and proceed to investigate thoroughly the said labor troubles and report in writing to this General Assembly on or before the fifteen day of March of this year stating the causes of such trouble so far as asecertainable and making such suggestions as they deem proper tending to ameliorate the conditions now existing in said plants. The commission shall serve without compensation but shall be allowed such expenses as shall be actually and necessarily incurred in the performance of the duties herein imposed The commission shall have authority to enter any premises or enclosures and to require the production and testimony of any witnesses they may deem necessary, and may compel the production of such books and papers as they may require in conducting said investigation.

That the sum of one thousand dollars or so much thereof as may be necessary is hereby appropriated for the payment of the necessary expenses of the commission and shall be paid out of the State Treasury upon vouchers signed by the chairman of the said commission.

RECESS.

Mr. McNICHOL. Mr. President, We have present in the Senate tonight His Honor the Mayor of Philadelphia, I move that the Senate do now take a recess to hear a few words from him while he is in Harrisburg.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

ADJOURNMENT.

Mr. KLINE. Mr. President, I move that the Senate do now adjourn until tomorrow morning at eleven o'clock.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:15 o'clock P. M. until eleven o'clock Tuesday morning, February 11, 1913.

HOUSE OF REPRESENTATIVES.

MONDAY, February 10th, 1913.

The House met at eight o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we are exorted in Thy name to offer prayer and supplication and giving of thanks for all men and especially for those who are in authority, that we may live careful and peaceful lives in all honesty and godliness. We are told that this is acceptable and worthy in the sight of God, our Saviour, who wills that all men shall be saved and come to the knowledge of the truth. In response to this exhortation we mention to Thee all kings and emperors, all princes and potentates, all presidents and governors, all judges and legislators, upon whom so largely depends the safety and prosperity and the peace of nations and states and governments. We come for all those who occupy responsible places, asking that Thou wouldst quicken them, by your grace, and guide them, richly with Thy spirit, and make them wise men and good men and faithful men so that our God shall be honored and the people shall be saved, and Thy name shall have the praise of it forever more. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of February 6th, 1913.

The Clerk proceeded to read the Journal of the proceedings of February 6th, 1913, when on motion of Mr. Ulerich the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. MITCHELL. House Bill No. 421.

An Act to amend the thirteenth section of an act approved the 29th day of March, Anno Domini one thousand eight hundred and five, and making the sum of four dollars taxed as cost for every verdict taken in any civil action, payable to the Prothonotary instead of the sheriff.

Referred to Committee on Judiciary Special.

By Mr. MITCHELL. House Bill No. 422.

An Act to validate defective acknowledgments by married women of deeds, mortgages and other instruments in writing.

Referred to Committee on Judiciary Special.

By Mr. SEMMENS. House Bill No. 423.

An Act prohibiting the placing of earth or any other material in any run, creek, river or stream within this Commonwealth, or upon the banks of the same, or in any place where said earth or other material would be likely to slide into, or be washed into such run, creek, river or stream, without first having constructed in accordance with plans, specifications and application approved by the Water Supply Commission of Pennsylvania, a retaining wall or walls along the banks of said runs, creeks, rivers or streams under the supervision of the Water Supply Commission of Pennsylvania, and providing a penalty for the violation of this act.

Referred to Committee on Manufactures.

By Mr. BIGGER. House Bill No. 424.

An Act to regulate the business of making loans where charges are made other than the legal rate of interest; to provide for the licensing of such business; to regulate the assignment of wages when given as security; providing a penalty for the violation thereof, and providing for the repeal of existing laws.

Referred to Committee on Judiciary Special.

By Mr. ADAMS. House Bill No. 425.

An Act making an appropriation to the trustees of the State Hospital for Injured persons of the Middle Coal Field.

Referred to Committee on Appropriations.

By Mr. KITTS. House Bill No. 426.

An Act relating to actions for divorce.

Referred to Committee on Judiciary Special.

By Mr. J. H. WILSON. House Bill No. 427.

A Supplement to an act approved the thirty first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. BECKER. House Bill No. 428.

An Act making an appropriation to the Panther Creek Valley Hospital, Coaldale, Schuylkill County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RONEY (by request). House Bill No. 429.

An Act to regulate the practice of Neuropathy in the State of Pennsylvania to provide for the establishment of a State Board of Neuropathic Examiners to define the powers and duties of said Board of Neuropathic Examiners to pro-

vide for the examining and licensing of Neuropaths in this State and to provide penalties for the violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. STRAUSS. House Bill No. 430.

A Supplement to an act approved the thirty first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. REDFIELD. House Bill No. 431.

An Act making an appropriation to the Bradford Hospital, of the City of Bradford.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 432.

An Act defining the duties of the State Police.

Referred to Committee on Law and Order.

By Mr. J. H. WILSON. House Bill No. 433.

An Act providing a penalty for escape of prisoners from borough lockups.

Referred to Committee on Judiciary Special.

By Mr. WHITAKER. House Bill No. 434.

An Act making an appropriation to the Pennsylvania Industrial School located at Eaglesville, Montgomery County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 435.

A joint resolution providing for the appointment by the Governor of a commission to consider and report upon the advisability of establishing a State system of workhouses to which workhouses persons convicted of misdemeanors and sentenced to imprisonment for not less nor more than certain prescribed periods, shall be committed, and if said commission shall consider the same advisable to report a plan for the construction, establishment and maintenance of such workhouses, and the government and regulations of the inmates thereof and making an appropriation to meet the expenses of said commission.

Referred to Committee on Judiciary Special.

By Mr. DICKINSON. House Bill No. 436.

An Act providing for the sale, distribution and use, for the promotion biological and medical science, and for the discovery of new methods of treatment in medicine and surgery, of unclaimed animals in the public pounds, and providing penalties for neglect or refusal to comply with the provisions of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. RIEBEL. House Bill No. 437.

An Act to authorize the pruchase of historical works relative to the services of any regiment or battery, or other unit of military organization, of Pennsylvania Volunteers, during the war for the suppression of the rebellion, when same has been approved by the Governor, Auditor General and Adjutant General; making an appropriation for purchase of same, and payment of expenses incurred or services rendered in examination and correction of said histories; and providing for distribution of histories so purchased.

Referred to Committee on Appropriations.

By Mr. PIPER. House Bill No. 438.

An Act to amend an act approved the seventh day of June, one thousand nine hundred and eleven, entitled "An act requiring foundries to be provided with toilet room and water closet; regulating same; and providing a penalty for violation thereof."

Referred to Committee on Labor and Industry.

By Mr. FAHEY. House Bill No. 439.

An Act making an appropriation to the Lying-in Charity Hospital, Philadelphia.

Referred to Committee on Appropriations.

By Mr. CONRADE. House Bill No. 440.

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Commonwealth of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DOWN. House Bill No. 441.

An Act making an appropriation to the Greenville Hospital, Greenville, Mercer County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JAMES A. DUNN. House Bill No. 442.

An act amending section one, one thousand four hundred twelve in artcile fourteen of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children.

Referred to Committee on Education.

By Mr. W. H. WILSON. House Bill No. 443.

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

Referred to Committee on Judiciary Special.

By Mr. WILTBANK. House Bill No. 444.

An Act making an appropriation to the Charity Hospital of the City of Philadelphia.

Referred to Committee on Appropriations.

By Mr. WILTBANK. House Bill No. 445.

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 446.

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia, Commonwealth of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DICKINSON. House Bill No. 447.

An Act making an appropriations to the Nursery Home, of Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEELE. House Bill No. 448.

An Act to protect the public health and providing for the examination and licensing of persons engaged in the purchase or preparation of food for public use or consumption, and providing penalties for violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. STEELE. House Bill No. 449.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. STEELE. House Bill No. 450.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all

laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

Referred to Committee on Education.

By Mr. REESER. House Bill No. 451.

An Act creating a reward or bounty for the destruction of certain noxious animals, killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth, which, in turn, are to be reimbursed by the Commonwealth making an appropriation for such reimbursement; and providing penalties for violation of its several provisions.

Referred to Committee on Agriculture.

By Mr. LOHR. House Bill No. 452.

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. HEIDINGER. House Bill No. 453.

An Act to promote the public health by providing for one day of rest in seven for employes in continuous industries; and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof.

Referred to Committee on Labor and Industry.

By Mr. SHOWALTER. House Bill No. 454.

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses, wagons, et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel.

Referred to Committee on Judiciary Special.

By Mr. NEWTON. House Bill No. 455.

An Act regulating pleading and practice in Actions of Assumpsit and Trespass.

By Mr. S. B. SCOTT. House Bill No. 456.

Referred to Committee on Judiciary General.

An Act directing the Legislative Reference Bureau to prepare a compliation or digest of the existing general laws of this Commonwealth, fixing the powers and duties of the Bureau therein, and making an appropriation therefor.

Referred to Committee on Judiciary General.

By Mr. FREY. House Bill No. 457.

An Act regulating the method of installment payments on conditional sales or on bailments with right to purchase, regulating the issuing of writs of replevin therefor, and prohibiting a waiver of the provisions of this act.

Referred to Committee on Judiciary General.

LEAVES OF ABSENCE.

Mr. MATT asked and obtained an indefinite leave of absence for Mr. Snavely by reason of illness.

TO FIX THE TIME LIMIT FOR INTRODUCING BILLS.

Mr. ULMAN. Mr. Speaker, I desire to call up Resolution No. 16.

The SPEAKER. The Resolution will be read by the Clerk.

The Resolution was then read as follows:

Whereas, There have already been introduced in this General Assembly more bills than can be well considered, unless the present session be unduly prolonged; and

Whereas, If the introduction of bills continue at the present rate, this Assembly will necessarily have to continue in session for many months in order to give each bill proper investigation; and

Whereas, It would be better for this Commonwealth that the General Assembly cease making laws in such volume and turn its attention to repealing much of the unwise, superfluous, contradictory and unscientific legislation now on the statute books; therefore

Be it resolved by the House of Representatives, That the introduction of all bills cease on the fifteenth day of February, in order to afford the members and committees more time to consider thoroughly and impartially all the bills introduced up to such date.

On the question,

Will the House agree to the adoption of the Resolution?

Mr. ULMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

In line 2 on page 2 insert the word "bills" the words, "excepting appropriation bills"; in line 2 on page 2 strike out the fords "fifteenth day of February,' and in lieu thereof insert "tenth day of March."

On the question,

Will the House agree to the amendment?

Mr. GEORGE R. BALDWIN. Mr. Speaker, I would move that the Resolution and the amendment be referred to the Committee on Rules.

Mr. S. B. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

APPOINTMENT OF A COMMISSION TO REVISE THE CRIMINAL LAWS.

Mr. McALEER. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McAleer.

Mr. McALEER. Mr. Speaker, I desire to call up concurrent resolution No. 8.

The resolution was read by the Clerk, as follows:

Be it resolved (if the Senate concur): That the Governor of the Commonwealth be and is hereby authorized to appoint a Commission to revise the criminal laws of the Commonwealth of Pennsylvania; that said Commission shall be composed of nine member, two of whom shall be members of the present House of Representatives, and two of whom shall be members of the present Senate, of this Commonwealth, and five of whom shall be appointed from the State at large, not more than four members of said Commission to be members of the same political party; that one member of said Commission shall be designated as Chairman by the Governor, and that the members of the Commission appointed from the Senate and House of Representatives shall serve without compensation;

That the expense of said Commission shall not exceed the sum of thirty thousand dollars, which shall be appropriated in the general appropriation bill, the expenses to be paid on warrants, duly signed by the Chairman of the Commission. The said Commission shall be authorized to select one or more attorneys, a secretary and a stenographer, all of whom shall be paid from the said appropriation of thirty thousand dollars;

That said Commission shall make a report of its deliberations to the next Legislature, which will convene on the first Tuesday of January, A. D. 1915.

Resolved further, That said Commission be directed to report a codification of the criminal laws as at present existing, and to report separately the amendments or changes it recommends therein.

Mr. SCHUCK. Mr. Speaker.

The SPEAKER. The gentleman from Westmoreland, Mr. Schuck.

Mr. SCHUCK. Mr. Speaker, I desire to offer the following amendment to concurrent resolution No. 8.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk, as follows:

Amend line 16 of resolution, by inserting after the word "expenses" the words "to include printing and".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. JAMES J. CAMPBELL. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr.: James J. Campbell.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I offered a resolution which I fail to see on the desk. I therefore ask unanimous consent of the House to call it up at this time.

The SPEAKER. When did the gentleman introduce his resolution?

Mr. JAMES J. CAMPBELL. A week ago tonight.

The SPEAKER. The Chair will state to the gentleman from Philadelphia that his resolution is one which does not require printing. The gentleman is entitled to call it up without unanimous consent. Does the gentleman desire to call it up?

Mr. JAMES J. CAMPBELL. Yes, sir. The resolution was read as follows:

Whereas, Article 3, Section 7, of the Constitution of the Commonwealth enumerates the subjects which the General Assembly is prohibited from authorizing inter alia exempting property from taxation; and

Whereas, Article 9, of the Constitution, referring to uniformity of taxation, reads as follows:

"Section 1. All taxes shall be uniform upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity."

"Section 2. All laws exempting property from taxation other than the property above mentioned, shall be void."

"Section 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party."

And Whereas, The Bell Telephone Company claimed a legal right to exemption from taxation, and has for a number of years failed to pay taxes on the following properties in the City of Philadelphia, to wit:

Building and Exchange, 17th & Filbert Sts.,	$125,000
Building, 4th and Manning Sts.,	85,000
Building, 54th & Woodland Ave.,	57,000
Exchange, Lancaster Ave., & Media St.,	50,000
Building, Preston N. of Market,	35,000
Building, 1705 S. Broad St.,	30,000
Building and Exchange, 1639 Poplar St.,	28,000
Exchange, 3200 N. 17th St.,	25,000
Office Building, 8320 Germantown Ave.,	20,000
Office Building, 1632 Diamond St.,	16,400
Exchange, Hope & Berks Sts.,	15,000
Building, 32 W. Chelten Ave.,	14,000
Office Building, 1640 Church St.,	14,000
Exchange, 4336 Terrance St.,	4,500

And Whereas, We are informed that in other cities and towns of the State similar properties are exempted; therefore

Resolved, That the Attorney-General of the Commonwealth be requested to furnish the House of Representatives with information by what authority the Bell Telephone Company within the State of Pennsylvania claims the right to exemption under the Constitution or law from the payment of taxes on the aforesaid properties.

Mr. SPEISER. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Speiser.

Mr. SPEISER. Mr. Speaker, I move that this resolution be referred to the Ways and Means Committee.

It was agreed to.

BILLS ON FIRST READING.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 33, entitled:

Joint resolution providing for the ratification of the Income Tax amendment to the Federal Constitution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 252, entitled:

An Act relating to the holding of a constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates; fixing their number and compensation; providing for the organization and constitution of the convention; defining its power; providing for the publication of the Constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 270, entitled:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 68, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine, entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed, their hours of employment, protection against injury and to prescribe rules for the obtaining of employment certificates, and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 69, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed, their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates, and extending to truant officers the enforcing of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 175, entitled:

An Act providing payment for overtime worked by employees in mercantile establishments and making it unlawful to compel such employees to do extra service by threat of discharge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 170, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek, Huntingdon County is located, and providing for the disposition of the fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 243, entitled:

An Act to prevent deception in the sale of paint, putty, turpentine and linseed oil or any substitutes therefor, and providing penalties for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 262, entitled:

An Act repealing section four of an act, entitled "A further supplement to an act, entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for the townships of each class,' approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and ninety-nine, as to townships of the first class; providing for certain duties of the secretary of the board of commissioners; invalidating contracts, hirings, purchases or orders not provided for by or in excess of appropriations; providing for inspection of the records and documents by taxpayers and the method of making contracts," approved the third day of June Anno Domini one thousand nine hundred and eleven.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 301, entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven, entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle; providing the manner of publication of said auditors' report, and providing for the payment of publication of said auditors' report by said county thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 259, entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven, entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million, and to provide the time of paying the same."

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 226, entitled:

An Act to provide for registration of persons employed to advocate or oppose legislative measures and to regulate the method of such advocacy or opposition, and providing penalties for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 85, entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven,

entitled "An Act to regulate the manner of selling loaf bread, and to repeal certain existing laws respecting the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 116, entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ely,	Letzkus,	Robinson,
Allen,	Ewing,	Light,	Roney,
Alworth,	Fahey,	Lowers,	Rothenberger,
Ambler,	Flynn,	Malie,	Runk,
Arthur,	Forster, I. G.,	Mannion,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Savacool,
Baldwin, R. J.,	Frey,	Mather,	Schaeffer, A. C
Bass,	Gans,	McAleer,	Scott, J. R. K.,
Bayle,	Geary,	McAllister,	Scott, S. B.,
Becker,	Geiser,	McArdle,	Semmens,
Benninger,	Gibson,	McCaig,	Shaffer, C. A.,
Benson,	Good,	McClintock,	Shaffer, I. E.,
Berntheizel,	Goss,	McDermott,	Shern,
Bigger,	Gramley,	McNichol,	Sherwood,
Bittles,	Gransback,	Mechling,	Showalter,
Blair, W. A.,	Gray, Frank,	Mellott,	Smith, J. W.,
Blair, W. F.,	Gray, Joseph,	Miller,	Smith, L.,
Bleloch,	Hackett,	Missimer,	Spangler,
Body,	Haggerty,	Mitchell,	Speiser,
Brosius,	Hemminger,	Moore,	Spillinger,
Brown,	Herman,	Morrow,	Steedle,
Burnett,	Hess,	Moses,	Steele,
Caldwell,	Heyburn,	Moulthrop,	Stone,
Campbell, C.M.,	Hibshman,	Murphy,	Strauss,
Campbell, J.J.	Hobbs,	Neel,	Swartz,
Carson,	Hoffman,	Neely,	Swift,
Carter,	Howard, J.,	Newbaker,	Thomas,
Cheeseman,	Howard, R.,	Newton,	Trach,
Cleary,	Isler,	North,	Ulerich,
Cochran,	Jones, E. E.,	O'Neill,	Ulman,
Collins,	Jones, J. R.,	Peachey,	Walsh,
Conniff,	Kaiser,	Pennock,	Walton,
Conrade,	Kaufman,	Perry, H. L.,	Watson,
Cox,	Keegan,	Peters,	Wettach,
Currier,	Keeport,	Piper,	Whitaker,
Curry,	Kenna,	Price,	Wildman,
Davis,	Kern,	Ramsey,	Williams,
DeFrees,	Klepper,	Redfield,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Donnally,	Lanius,	Rex,	Young, G. K.,
Down,	Lenker,	Richards,	Young, J. H.,
Dunn, H. B.,	Leslie,	Riebel,	Zimmerman,
Dunn, J. A.,			Alter,
Ehrhardt,			Speaker.

NAYS—7.

Claycomb,	Glenn,	Jackson,	Matt,
McKay,	Post,	Snyder,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 113, as follows:

A Supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person licensed to sell vinous spirituous malt or brewed liquors or any admixture thereof at retail to furnish or give or to permit or cause to be furnished or given any liquors to any person who shall not have paid for the same or permit any person who shall not have paid for the same to drink any such liquors upon the premises

Section 2 It shall be unlawful for any person employed by any person licensed to sell vinous spiritous malt or brewed liquors at retail to furnish or give any such liquors to any person who shall not have paid for the same or permit any such liquors to be drunk upon the premises by any person that shall not have paid for the same

Section 3 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars nor more than one thousand dollars and in default of payment of the fine imposed shall undergo an imprisonment in the county jail of not less than ninety days nor more than six months

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. H. B. DUNN. Mr. Speaker, on last Thursday this bill was amended in section 3, line 7, by changing the words "one thousand dollars" to "one hundred dollars," but the printer has not yet made the change. It still stands "one thousand dollars." Therefore, I move that this bill be postponed for the present.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 236, as follows:

An Act regulating the manufacture, sale and offering for sale of mattresses, and fixing penalties for violation hereof.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That it shall be unlawful in manufacturing mattresses to use in whole or in part any material which shall have formed part of any mattress, pillow or bedding used in or about any hospital or used by any person having an infectious or contagious disease.

Section 2. It shall be unlawful to manufacture, sell or offer for sale any mattress unless there shall be indelibly marked or stamped thereon or upon a cloth label securely sewed thereon a statement showing the quantity and quality of the materials used in making the mattress and whether the materials so used or wholly or party new or second-hand. Such statement shall be in large type and in the English language.

Section 3. Any person, firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than six months or both.

Section 4. No mattress manufactured outside of this Commonwealth shall be sold or offered for sale in this Commonwealth unless the person, firm or corporation selling or offering for sale shall have first secured and shall exhibit to the purchase or the prospective purchaser an affidavit duly executed by the manufacturer of the mattress, setting forth that in the manufacture of such mattress the provisions of this act have been complied with.

Section 5. All acts and parts of acts inconsistent with the provisions of this act are repealed.

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I ask unanimous consent to offer an amendment as this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 3, line 4, by striking out all after the word "not" down to the words "five hundred" in line 5, and insert after the word "not" the word "more."

Mr. R. J. BALDWIN. Mr. Speaker, I just want to say to the members of the House that the purpose of the amendment is to strike out the minimum penalty in the bill.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 271, entitled:

An Act to amend an act entitled "An act to amend the first section of an act entitled 'An act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five nundred thousand' approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minumum and maximum limits of said salaries" approved the first day day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of poulation of such counties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Adams,	Ely,	Klepper,	Robinson,
Alworth,	Ewing,	Lanius,	Roney,
Ambler,	Fahey,	Lenker,	Sassaman,
Arthur,	Flynn,	Letzkus,	Savacool,
Baldwin, R. J.,	Forster, I. G.,	Lowers,	Schaeffer, A. C.
Bass,	Foster, J. D.,	Malie,	Schuck,
Bayle,	Frey,	Mannion,	Scott, J. R. K.,
Becker,	Gans,	Mather,	Scott, S. B.,
Benninger,	Geary,	Matt,	Shaffer, C. A.,
Benson,	Geiser,	McAleer,	Shaffer, I. E.,
Berntheizel,	Gibson,	McAllister,	Shern,
Bittles,	Good,	McArdle,	Sherwood,
Blair, W. A.,	Goss,	McCaig,	Showalter,
Blair, W. F.,	Gramley,	McDermott,	Smith, J. W.,
Bleloch,	Gransback,	McNichol,	Smith, L.,
Brown,	Gray, Frank,	Mechling,	Snyder,
Burnett,	Gray, Joseph,	Mellott,	Spangler,
Caldwell,	Hackett,	Metzenbacher,	Spillinger,
Campbell, J.J.	Haggerty,	Missimer,	Steedle,
Carson,	Heidinger,	Moore,	Stone,
Carter,	Hemminger,	Moses,	Strauss,
Claycomb,	Hess,	Neel,	Swartz,
Cleary,	Heyburn,	Neely,	Thomas,
Cochran,	Hibshman,	Newbaker,	Trach,
Collins,	Howard, J.,	Newton,	Ulerich,
Conner,	Howard, R.,	North,	Ulman,
Conrade,	Humes,	O'Neill,	Walsh,
Cox,	Isler,	Peachey,	Walton,
Curry,	Irwin, G. C.,	Perry, S. J.,	Wettach,
Davis,	Irwin, H. H.,	Piper,	Whitaker,
DeFrees,	Jones, E. E.,	Price,	Wildman,
Dickinson,	Kaiser,	Ramsey,	Wilson, J. H.,
Donahoe,	Kaufman,	Reese,	Wilson, W. H.,
Down,	Keegan,	Rex,	Wiltbank,
Dunn, H. B.,	Keeport,	Richards,	Young, G. K.,
Dunn, J. A.,	Kenna,	Riebel,	Young, J. H.,
Ehrhardt,	Kern,		Alter,
Eichenberger,			Speaker.

NAYS—32.

Baldwin, G. A.,	Kuhn, H. P.,	Mitchell,	Runk,
Bigger,	Kuhns, E.G.M.,	Morrow,	Semmens,
Brosius,	Latshaw,	Moulthrop,	Steele,
Campbell, C.M.,	Leslie,	Peters,	Swift,
Cheeseman,	Light,	Post,	Walnut,
Currier,	Martin,	Redfield,	Whitman,
Jones, J. R.,	McKay,	Reeser,	Williams,
Kennedy,	Miller,	Rothenberger,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 241, entitled:

An Act providing for the appointment by the Governor of a commission to determine what portions of the constitution of this Commonwealth need revision to gather literature statistics and other information and to make a report embodying its recommendations and the result of its inquiries defining the power and duty of such commission providing for its orginization and for the filling of vacancies in its membership fixing its compensation and making an appropriation for its compensation and expenses

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. PIPER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of of H. R. Bill No. 153, entitled:

An Act to repeal an act approved the first day of June one thousand nine hundred and eleven entitled "An act to tax traction-engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liabel for taxation are assessed"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, with the consent of the gentleman from Sullivan County, I move that the further consideration of this bill be postponed for the present.

Mr. REESER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 277, entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I ask unanimous consent of the House to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend by striking out the words "less than one hundred dollars" in line 18.

Mr. R. J. BALDWIN. Mr. Speaker, the amendment is simply striking out the minimum penalty, and not disturbing the maximum penalty.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? is there any objections? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven, entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Adams,	Flynn,	Malie,	Sassaman,
Allen,	Forster, I. G.,	Mannion,	Savacool,
Alworth,	Foster, J. D.,	Mather,	Scott, J. R. K.,
Ambler,	Frey,	Matt,	Scott, S. B.,
Arthur,	Gans,	McAleer,	Semmens,
Baldwin, G. A.,	Geiser,	McArdle,	Shaffer, C. A.,
Bass,	Glenn,	McDermott,	Shern,
Bayle,	Good,	McKay,	Showalter,
Becker,	Goss,	McNichol,	Smith, J. W.,
Benninger,	Gransback,	Mechling,	Snyder,
Benson,	Gray, Frank,	Mellott,	Spangler,
Berntheizel,	Gray, Joseph,	Metzenbacher,	Speiser,
Bigger,	Hackett,	Miller,	Spillinger,
Bittles,	Haggerty,	Missimer,	Steedle,
Blair, W. A.,	Heidinger,	Mitchell,	Steele,
Brosius,	Hemminger,	Moore,	Stein,
Brown,	Hibshman,	Morrow,	Stone,
Caldwell,	Hobbs,	Moses,	Swartz,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Swift,
Campbell, J.J.	Howard, R.,	Murphy,	Thomas,
Carter,	Humes,	Musser,	Trach,
Cheeseman,	Irwin, G. C.,	Neel,	Ulerich,
Claycomb,	Irwin, H. H.,	Neely,	Ulman,
Cleary,	Jackson,	Newbaker,	Walnut,
Cochran,	Jones, E. E.,	Newton,	Walsh,
Collins,	Jones, J. R.,	North,	Walton,
Conner,	Kaiser,	O'Neill,	Watson,
Conniff,	Kaufman,	Peachey,	Wettach,
Conrade,	Keegan,	Perry, S. J.,	Whitaker,
Cox,	Keeport,	Peters,	Whitman,
Currier,	Kenna,	Post,	Wildman,
Curry,	Kennedy,	Price,	Williams,
Davis,	Klepper,	Reese,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Rhoads,	Wiltbank,
Donnally,	Lanius,	Richards,	Young, G. K.,
Dunn, H. B.,	Lenker,	Riebel,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Roney,	Zimmerman,
Ehrhardt,	Lowers,	Rothenberger,	Alter,
Eichenberger,		Runk,	Speaker.
Ely,			

NAYS—1.

Baldwin, R. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitution convention

is to be submitted to the electors at the same time that delegates to such a convention are to be elected.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. HORACE B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 73, entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

On the question,

Will the House agree to the bill on third reading?

Mr. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Lehigh.

The SPEAKER. Will the gentleman from Lehigh, Mr. Miller, permit himself to be interrogated?

Mr. MILLER. Certainly.

Mr. WILLIAMS. Will you kindly inform the House as to the location of the hospital referred to in this bill?

Mr. MILLER. It is located at what is known as Rittersville, about three miles from Allentown.

Mr. WILLIAMS. Will you explain the bill to the House?

Mr. MILLER. About two years ago there was a new commission appointed for the Rittersville Hospital. Previous to that, for about ten years, the old commission was working to construct the Hospital for the Insane at Rittersville, and the Governor made a change and appointed a Committee which consisted of the very best men to be found in Lehigh County, and these men undertook the completion of the work. The work was completed in remarkably short time. In fact, I dare say the last Legislature had thought the work would not be completed before the present Session and therefore they overlooked the important fact of providing for a maintenance appropriation. I understand that this is the usual thing to do in the starting up of a hospital, to have this maintenance appropriation made. The hospital at Fairview had an appropriation—I don't know the exact amount—but somewhere from fifty to seventy-five thousand dollars. This hospital at Rittersville was completed and ready for inmates last summer. An expert superintendent was chosen and a steward, one of the best to be secured, and everything was in readiness, but for some reason or other they could not open the hospital, and that simple reason was, that there was no money to provide for the necessary stores, or to pay for the maintenance and other necessities. There was a demand from certain sources for the opening of the hospital. People throughout the State were asking why the Trustees did not open the institution, and finally the Trustees took it upon themselves to open the institution and incur these contracts and expenses necessary to start the institution, the salaries, stores, supplies, groceries and one thing or another, amounting to over one hundred thousand dollars, and from credits which consisted of certain items received from the State Treasurer's office and other counties, drew the amount down to sixty-six thousand dollars. I might also say that in this item there were several other items included which it was necessary to include in these expenditures, because the old commission, in building the hospital, had overlooked certain requirements in the covering of pipes and radiators which the Factory Inspector required after the hospital was completed. Then there was the insurance on the hospital. They insured the buildings at $1,500,000.00 and the cost of that amounted to over $8,000.00 They got a very low rate, that is, twenty-eight cents for every thousand, and paying fifty-six cents for the three years. Now this commission has done everything that the State can possibly ask it to do. It has done everything toward the opening of the hospital in time, to open its doors ready for patients. I want to say that since the third of October, since the hospital has been opened, patients have been coming in there at the rate of fifty per week, until the thirty-first of January, there was a total of eight hundred and twenty patients received. Ten have been discharged, so that there is now a population at the Rittersville Hospital aggregating somewhere between 810 and 830 persons. As I said in the outset, there was nothing there to pay the grocery bills or salaries. There are items of maintenance remaining unpaid as far back as November, and the December items have not been paid. The salaries up to February 1st have been paid, but from February on have remained unpaid. The present Trustees cannot pay the salaries or maintain the inmates that they have there. The Trustees are not asking anything but justice, simply that which has been done heretofore. In providing for maintenance appropriations, it was neglected in this instance, and they are asking for it at this time. I will say that the State Board of Charities visited the institution and recommended $80,000.00 for the maintenance appropriation. When this bill was introduced several weeks ago, there was a special committee appointed by the Appropriation Committee which committee visited the institution and was surprised to see what the State possesses and what work is being done there. If any member of that Committee i asked concerning this, he will bear me out in this statement. All the Trustees are asking for this evening is simply justice, simply asking the State to pay the necessary bills and keep the inmates in food and clothing.

Mr. NORTH. Mr. Speaker.

The SPEAKER. The gentleman from Jefferson, Mr. North.

Mr. NORTH. When this bill came before the Appropriation Committee for their consideration, there was some doubt as to the amount desired. The Chairman of that Committee appointed a sub-committee to investigate, and that committee reported that the amounts required which were absolutely necessary, and for that reason were so reported in the bill, which was sixty-six thousand and some dollars for maintenance and some three or four thousand dollars for necessary expenses. There was no provision for maintenance when the bill was passed two years ago. For that reason, I hope the members will favor this bill.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194.

Adams,	Foster, J. D.,	Light,	Riebel,
Allen,	Frey,	Lowers,	Robinson,
Alworth,	Gans,	Malie,	Roney,
Ambler.	Geary,	Mannion,	Rothenberger,
Arthur,	Geiser,	Martin,	Runk,
Baldwin, G. A.,	Gibson,	Mather,	Sassaman,
Baldwin, R. J.,	Glenn,	Matt,	Savacool,
Bass,	Good,	McAleer,	Schaeffer, A. C.
Bayle,	Gess,	McAllister,	Schuck,
Becker,	Grabe,	McArdle,	Scott, J. R. K.,
Benninger,	Gramley,	McCaig,	Scott, S. B.,
Benson,	Gransback,	McClintock,	Semmens,
Berntheizel,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Bigger,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Blair, W. A.,	Hackett,	McNichol,	Shern,
Blair, W. F.,	Haggerty,	Mechling,	Sherwood,
Bleloch,	Heidinger,	Mellott,	Showalter,
Body,	Hemminger,	Metzenbacher,	Smith, J. W.,
Brosius,	Herman,	Miller,	Smith, L.,
Brown,	Hess,	Missimer,	Snyder,
Caldwell,	Heyburn,	Mitchell,	Spangler,
Campbell, C.M.,	Hibshman,	Moore,	Speiser,
Campbell, J.J.	Hobbs,	Morrow,	Spillinger,
Carson,	Hoffman,	Moses,	Steedle,
Carter,	Howard, J.,	Moulthrop,	Steele,
Cheeseman,	Howard, R.,	Murphy,	Stein,
Claycomb,	Humes,	Musser,	Stone,
Cleary,	Isler,	Neel,	Strauss,
Collins,	Irwin, G. C.,	Neely,	Swartz,
Conner,	Irwin, H. H.,	Newbaker,	Swift,
Conniff,	Jackson,	Newton,	Trach,
Conrade,	Jones, E. E.,	North,	Ulerich,
Cox,	Jones, J. R.,	O'Neill,	Ulman,
Currier,	Kaiser,	Peachey,	Walnut,
Curry,	Kaufman,	Pennegar,	Walsh,
Davis,	Keegan,	Pennock,	Walton,
DeFrees,	Keiport,	Perry, S. J.,	Watson,
Dickinson,	Kenna,	Peters,	Wettach,
Donahoe,	Kennedy,	Piper,	Whitaker,
Donnally,		Post,	Whitman,
Down,			Wildman.

Dunn, H. B.,	Kern,	Price,	Williams,
Dunn, J. A.,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Ehrhardt,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Eichenberger,	Lanius,	Reese,	Wiltbank,
Ely,	Latshaw,	Reeser,	Young, G. K.
Ewing,	Lenker,	Rex,	Young, J. H.,
Fahey,	Leslie,	Rhoads,	Zimmerman,
Flynn,	Letzkus,	Richards,	**Alter,**
Forster, I. G.,			**Speaker.**

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 104, as follows:

An Act amending section one hundred and two of an act, entitled "An Act relating to the elections of this Commonwealth approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine," by providing punishment for certain offenses committed by election officers and clerks and amending section one hundred and three of said act by increasing the penalties therein provided.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker.

The SPEAKER. The gentleman from Schuylkill, Mr. John Robert Jones.

Mr. JOHN ROBERT JONES. Mr. Speaker and Gentlemen of the House, I have been asked a number of questions with reference to the effect of these election bills which have been placed on the calendar for third reading tonight. For the information of the House, I wish to state that these four bills are bills which have been drafted by the Executive and Legislative Committee of the Republican Party. You will recall that there was a convention held in Harrisburg during the Summer, at which there was created a Legislative Committee, which was empowered to draft certain legislation to carry into execution the pledges of their platform. Among these pledges, you will find this bill, among these four bills, relating to specific amendments to the existing law. If you will read it, you will find that it fixes a minimum and a maximum penalty and increases the fines and penalties in accordance with the decree of the offence. The one I have reference to is Bill 104, which amends section 102 and section 103 of the Act of 1839, July second, which relates to the law fixing the penalties for willful frauds in elections. There is no need for me to go into any further explanation, except that these election offences are serious offences. It is a crime against the entire State, as well as the election district in which the fraud is committed, and the object is to make the punishment commensurable with the crime.

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I ask unanimous consent to introduce the following amendment.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 2, line 19, after the word "imprisonment," strike out the words "for a period not less than one year."

Mr. R. J. BALDWIN. Mr. Speaker, may I make a statement in regard to the purpose of the amendment? I wish to state that the purpose of the amendment is to strike out the minimum of imprisonment. (Calls of no no!) My observation and experience has been that minimums in criminal law don't work out as they have been intended. The young man or the person is brought before the court and the evidence is very strong that he has committed a crime. There are circumstances surrounding the case, however, that in the opinion of reasonable people he is not guilty, but after all this, there being a minimum penalty, the court has no redress; he must inflict a penalty. The consequence is that the infringement of the law is winked at by declaring the defendant "not guilty", while the court might feel that he deserved some penalty or some punishment. As a matter of fact he would not punish him at all, as he could not unless he puts him in prison for one whole year for this offense, while perhaps ninety days imprisonment would be ample and sufficient. The result would be, if we put into this statute a penalty of one year—it is a pretty heavy penalty—if we put it in as much as that the result will be that the effect intended by the law will be thwarted by winking at the proposition and by saying that the defendant is not guilty. Such will be the effect as it comes before the jury, and the jury knows that he has committed some offense against the law, yet the penalty is so much more severe than the offense deserves, the jury would bring in a verdict of "not guilty." It is for that reason, according to my observation, that the criminal law should have no minimum written into it. I do think, if any person pay any attention to this or has paid any attention to this, they will certainly agree that we ought to strike out the minimum clause, and you will bring about a great deal better results than you will by making the penalty so great that the jury hesitates to inflict the penalty upon the defendant.

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, I have listened to the arguments of the gentleman from Delaware in relation to the winking of juries at the innocence of defendants. If a minimum penalty be fixed by statute. I wish to call attention to the fact that it takes the winks of twelve jurors to wink at that law. If there is no minimum, it takes the wink of one judge to wink at that law and he becomes the judge and the jury in a case of that kind. If this be an offence sufficient to be punishable with imprisonment, I believe in this case, as I believe in every other case, that there ought to be a minimum fixed by law so that no court can go farther than that, and a parole law would be applicable to a case of that kind, and I am sure that if the court, in sentencing one who had been found guilty, would sentence him as he believes he deserves it, and after he has served sufficiently long, that upon proper presentation of the case to the court, that the court could exercise its pleasure and its authority and parole the defendant, if he thought the reasons were sufficient. I think that that amendment should not be embodied in the bill, but that the bill should stand as it is drawn.

Mr. JOSIAH HOWARD. Mr. Speaker.

The SPEAKER. The gentleman from Cameron, Mr. Howard.

Mr. JOSIAH HOWARD. Mr. Speaker, I have no objection to an increase of the penalty, but I have an objection to what is said by a gentleman on this floor in regard to the original bill providing a penalty of imprisonment and fine. Now, the reform legislation is going to imprison a man on conviction, for not less than one year, when before it was three months. If you will read the section on page 199, you will notice that the penalty then provided was for three months' in prison, in addition to a fine. No judge or jury could get by that three months. Now, we are asked to raise the imprisonment to one year. I don't think that it is any reform to make it one year.

Mr. R. J. BALDWIN. Mr. Speaker, I would call the House's attention to this fact: While the gentleman from Allegheny suggested that the court may wink at the law, the fact must be recalled that he is but one juror among the thirteen, where he believes the penalty was entirely too great and would probably vote for a verdict of not guilty, and it would result just as I said when I was on my feet before. I am just as much in favor of punishing crime as any member present, and I know from experience and from conditions in my own county, where jurors have come out and said, "The penalty was so great, I was not going to inflict it on that person. If the penalty had been more moderate, I would have voted for conviction." This is my own actual experience. You must either vote for a year or acquit, and if one juror in the twelve feel that he would like to vote for acquittal on account of the severity of the sentence, that would free him. I am arguing for the enforcement of this law, and not against it. I think that the one year penalty would defeat the purpose of the law rather than furnish punishment or conviction.

Mr. JOHN R. JONES. Mr. Speaker, the gentleman from Cameron, Mr. Howard, was evidently speaking under a misapprehension when he made reference to my explanation of this bill. I was speaking with reference to all bills relating to elections that are on the third reading calendar tonight. The point now is that you are increasing the penalty; you are making a minimum and a maximum in the same where none such existed; and, as you will find

in the amended section two here, in section 102 you have increased the minimum and also the maximum.

In answer to the gentleman from Delaware, Mr. Baldwin, I would say that under the law the jury has nothing to do with the penalty. The only question involved with the jury is whether under the evidence and the explanation of the law by the court the prisoner or defendant is guilty. With the penalty the jury has nothing whatsoever to do.

Now let us think for a moment whether or not the penalty provided here is too high for the nature of the crime. Now what is the crime in section 102? As amended it is "Any election officer or clerk who shall e guilty of any willful fraud in the conduct of his duties at an election or who shall make a false return of the votes cast at such eltction" and so on. It deals with what is known as ballot box stuffing, crimes that are deliberate, willful and premeditated. The crime is not against an individual, and is no such crime as would be related to theft, wherein the one from whom nothing is stolen is the only one affected; but if the crime be committed at a State election it is a crime against the entire State, and not affecting but a single individual. And I repeat what I said in the first instance that it is a crime in the nature of treason, and it is a great crime, a willful, deliberate, premeditated, ballot box stuffing and when you consider the nature of the crime it is not too severe a punishment and I hope that this amendment will be voted down.

Mr. HOBBS. Mr. Speaker and gentlemen of the House, I agree with Mr. Jones, of Schuylkill, and if I had my say about it I would increase the minimum, rather than reduce it. The object of this amendment is to place a warning before the voters of this Commonwealth to be more careful in violating our election laws; and I would also, in addition to increasing the minimum penalty, have the voter disfranchised for a number of years.

Mr. RONEY. Mr. Speaker and gentlemen of the House, I do not think that the supporters of this bill, as it now stands, would find any comfort in the thought that the person convicted and sentenced under this act, may avail himself of the parole act. I think with this mandatory minimum the court would be absolutely powerless to parole a convicted defendant, and I think the House might consider just for a moment the tendency of legislatures in regard to criminal punishment. The legislature of 1909, in establishing a parole act, provided that the minimum should be not more than one fourth the maximum, which resulted in such an undesirable condition in criminal affairs that the legislature of 1911, allowed the court to fix both the minimum and the maximum. Now you consider for a moment that if a man looking through the window pane of a bake shop should lift the latch and take a roll or bun under the act of 1909 the Court would be obliged to assess against the man a maximum of ten years, and the minimum being obligatory, one-fourth or two and one-half years, which I think you will agree would be a ridiculous punishment. I think in election laws, as in all laws, we should not fix a rigid minimum. I think the punishment should suit the offense. Where you have a man who deliberately and willfully violates the law of the land in regard to elections. I say soak him and soak him good and hard; but if you have simply a technical violation of the law, do not fix on that man the yoke of a rigid minumum or maximum. I think you should fix the maximum good and high so that the punishment may suit the offence, but let us keep in touch with the penalogical notions that the punishment should be elastic, and make the punishment suit the offence and the offender. I think we should not for a moment consider that the courts would not be acting according to the best public opinion in the punishment of election crimes. I think we may safely assume that in Pennsylvania election criminals will receive their just punishments. But don't let us go back on the advanced notions of penalogy. Let us make a high maximum and then punish the man who commits election crimes as he deserves.

On the question recurring,

Will the House go into committee of the whole for the purpose of considering the amendment?

A division was called for, 75 voting in the affirmative and 91 in the negative, and the question was decided in the negative.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—172.

Adams,	Eichenberger,	Latshaw,	Rhoads,
Allen,	Ely,	Lenker,	Richards,
Alworth,	Ewing,	Leslie,	Riebel,
Ambler,	Fahey,	Letzkus,	Robinson,
Arthur,	Flynn,	Light,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Sassaman,
Baldwin, R. J.,	Frey,		Savacool,
Barner,	Gans,	Mannion,	Scott, J. R. K.,
Bass,	Geiser,	Mannion,	Scott, S. B.,
Becker,	Gibson,	Martin,	Shaffer, C. A.,
Benninger,	Glenn,	Mather,	Shaffer, I. E.,
Benson,	Good,	Matt,	Shern,
Berntheizel,	Goss,	McAleer,	Showalter,
Bigger,	Grabe,	McAllister,	Smith, J. W.,
Bittles,	Gramley,	McCaig,	Smith, L.,
Blair, W. A.,	Gray, Frank,	McClintock,	Snyder,
Blair, W. F.,	Haggerty,	McKay,	Spangler,
Bleloch,	Heidinger,	McNichol,	Speiser,
Body,	Hemminger,	Mechling,	Spillinger,
Brosius,	Herman,	Mellott,	Steedle,
Brown,	Hess,	Metzenbacher,	Steele,
Burnett,	Hibshman,	Miller,	Stein,
Caldwell,	Hoffman,	Missimer,	Stone,
Campbell, C.M.,	Howard, J.,	Mitchell,	Strauss,
Campbell, J.J.	Howard, R.,	Moore,	Swartz,
Carson,	Humes,	Morrow,	Swift,
Carter,	Isler,	Moses,	Thomas,
Cheeseman,	Irwin, G. C.,	Moulthrop,	Ulerich,
Claycomb,	Irwin, H. H.,	Murphy,	Ulman,
Cleary,	Jackson,	Musser,	Walsh,
Cochran,	Jones, E. E.,	Newbaker,	Walton,
Collins,	Jones, J. R.,	Newton,	Watson,
Conniff,	Kaiser,	North,	Wettach,
Cox,	Kaufman,	O'Neill,	Whitaker,
Currier,	Keegan,	Peters,	Whitman,
Curry,	Keeport,	Piper,	Wildman,
Davis,	Kennedy,	Post,	Williams,
DeFrees,	Kern,	Price,	Wilson, J. H.,
Dickinson,	Klepper,	Ramsey,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Redfield,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Down,	Lanius,	Reeser,	Young, J. H.,
Dunn, H. B.,		Rex,	Zimmerman,
Dunn, J. A.,			Alter,
Ehrhardt,			Speaker.

NAYS—11.

Bayle,	Forster, I. G.,	Heyburn,	Roney,
Conner,	Gray, Joseph,	Pennegar,	Sherwood,
Conrade,	Hackett,	Perry, S. J.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 122, entitled:

An Act amending one hundred and twenty of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend on page one, line 5 by adding letter "S" to the word "election."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 123, entitled:

An Act amending sections fifty and fifty-one of an act entitled "An act to consolidate revise and amend the Penal Laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

On the question,

Will the House agree to the bill on third reading?

Mr. JOSIAH HOWARD. Mr. Speaker, under the law, if you ask a man to vote for you and promise to get an appointment for him, and he receives any remuneration for working for you, providing he promises to vote for you at the election and acts as your emissary for the dissemination of information, that man is liable to a fine and imprisonment if he is found guilty. Under this amendment to the law, he would have to undergo an imprisonment of not less than one year and not exceeding three years and he would have to pay a fine not exceeding $500.00. All of you, as I, are in favor of punishing a man who takes a bribe or who is corrupt at election time. Now, Mr. Speaker, and Gentlemen of the House, there was a bill offered here the other day prohibiting treating, the treating to intoxicating liquors of one man by another, and the penalty in that bill was placed at not less than $'500.00 nor more than $5,000.00. Think of a penalty of $5,000.00 if a man bought a drink for another man. That penalty alone was enough to kill the bill, and the bill was afterwards amended. You can kill any bill amending the penal laws by making the penalty in it severe enough. I would not vote for a conviction if I were on a jury, I would not vote for a conviction if there was a penalty of 5,000.00 where a man bought a drink for another man. I simply wanted to call the attention of the House to this bill.

Mr. JOHN ROBERT JONES. Mr. Speaker, with the consent of the House I desire to interrogate the gentleman from Cameron.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated.

Mr. JOSIAH HOWARD. I will.

Mr. JOHN ROBERT JONES. I would like to ask the gentleman whether the proposed change in the law has created any new crime?

Mr. JOSIAH HOWARD. I am not an attorney, Mr. Speaker.

Mr. JOHN ROBERT JONES. I will repeat my question: I will ask the gentleman whether or not the bill of which I am the sponsor has created any new offense?

Mr. JOSIAH HOWARD. I simply said or meant that it increased the penalty. I think it does, that is the way it reads in my sheet, but as to the legal phraseology, I do not know.

Mr. JOHN ROBERT JONES. I asked that question for the reason that the gentleman in his remarks to the House indicated that the proposed law created more offenses and more crimes. It was drawn up in accordance with the Fiftieth and Fifty-first sections of an act approved the thirty-first day of March, 1860, known as the "Crimes Act." This was done in order, in my judgment and the judgment of the committee, to make the punishment fit the crime. I do not want to take up your time in discussing this thing. The gentleman from Delaware offered an amendment to the other bills which had reference to the minimum penalty, and not the maximum penalty. The theory of Criminal Law is exactly the same in the bills as debated and discussed and passed upon in the first bill. Beyond that I have nothing to say unless there is some question raised by the gentleman from Cameron.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Dunn, H. B.,	Kuhns, E.G.M.,	Richards,
Allen.	Dunn, J. A.,	Lanius,	Riebel,
Alworth,	Ehrhardt,	Latshaw,	Sassaman,
Ambler,	Eichenberger,	Lenker,	Savacool,
Arthur,	Fahey,	Leslie,	Schaeffer, A. C
Baldwin, G. A.,	Flynn,	Letzkus,	Schuck,
Barner,	Foster, J. D.,	Light,	Scott, J. R. K.,
Bass,	Frey,	Malie,	Scott, S. B.,
Bayle,	Gans,	Mannion,	Semmens,
Becker,	Geary,	Martin,	Shaffer, C. A.,
Benson,	Geiser,	Mather,	Shaffer, I. E.,
Bergey,	Gibson,	Matt,	Shern,
Berntheizel,	Good,	McAleer,	Sherwood,
Bigger,	Grabe,	McAllister,	Showalter,
Bittles,	Gramley,	McClintock,	Smith, L.,
Blair, W. A.,	Gransback,	McDermott,	Snyder,
Bleloch,	Gray, Frank,	McKay,	Speiser,
Body,	Haggerty.	Mechling,	Spillinger,
Brosius,	Heidinger,	Mellott,	Steedle,
Brown,	Hemminger,	Metzenbacher,	Steele,
Burnett,	Herman,	Mitchell,	Stein,
Caldwell,	Hess,	Morrow,	Strauss,
Campbell, C.M.,	Hibshman,	Moses,	Swartz,
Campbell, J.J.	Howard, J.,	Moulthrop,	Swift,
Carson,	Howard, R.,	Neel,	Trach,
Carter,	Humes,	Neely,	Ulerich,
Cheeseman,	Irwin, G. C.,	Newbaker,	Ulman,
Claycomb,	Irwin, H. H.,	Newton,	Walnut,
Cleary,	Jackson,	Pennock,	Walsh,
Cochran,	Jones, E. E.,	North,	Walton,
Collins,	Jones, J. R.,	O'Neill,	Watson,
Connift,	Kaiser,	Peachey,	Whitaker,
Cox,	Kaufman,	Pennegar,	Whitman,
Curry,	Keegan,	Pennock,	Wildman,
Davis,	Keeport,	Ramsey,	Williams,
DeFrees,	Kennedy,	Redfield,	Wilson, W. H.,
Dickinson,	Kern,	Reese,	Wiltbank,
Donahoe,	Klepper.	Reeser,	Young, G. K.
Donnally,	Kuhn, H. P.,	Rex,	Zimmerman,
Down,			Alter,
			Speaker.

NAYS—9.

Conner,	Gray, Joseph,	McArdle,	Roney,
Conrade,	Hackett,	Perry, J. J.,	Rothenberger,
Forster, I. G.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SHERN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SHERN. Mr. Speaker, since this Legislature has been in session we have shown great Progressivism. Some of us have seen a new light, but I believe there is one in a nearby room who emigrated from the shores of Germany some sixty years ago and who has been for forty years a reformer. He is now the present Mayor of the City of Philadelphia, and I move the House now take a recess for fifteen minutes to listen to the Hon. Rudolph Blankenburg, of Philadelphia.

Mr. S. B. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

RECESS.

Whereupon, (at 9:40 P. M.) the House took a recess for fifteen minutes.

ADDRESS OF HONORABLE RUDOLPH BLANKENBERG MAYOR OF PHILADELPHIA.

During recess, the Hon. Rudolph Blankenburg addressed the House as follows:

Mr. SPEAKER and Members of the House of Representatives.

While I at the present time occupy the Speaker's place, I am not a speaker, and I am not going to make a speech. I only desire to say that I am more than pleased. I am delighted to have the privilege of standing before you this evening. I know a great many of the members of the House. I believe I have been in nearly every county in the State on one kind of an errand or another,—sometimes it was the other. Philadelphia is represented by myself as chief magistrate of the good old Quaker City. We are a part of the great Commonwealth of Pennsylvania. We do not think, as some may believe, or have been told, that Philadelphia is better than any other part of the State. Philadelphia is only one part of this great Commonwealth. We want legislation for our city, and I am going to try and make a good impression on you tonight by being very modest. It has always been my habit to be as modest as I possibly can, but there are some things, especially one thing to which I would call the attention of every member of this distinguished House, and that is, that Philadelphia may be made one of the greatest seaports, not only in this country, but in the whole world. If Philadelphia is made such a seaport, it will rebound to the credit and benefit not only of the City where I live, but it will help the whole Commonwealth of Pennsylvania. The City of Hamburg is ninety miles distant from the Ocean. By the persistent efforts of that little Commonwealth, Hamburg today has the largest steamship line of any city in the world, larger than the Cunard, White Star and the French Lines put together. We in Phila-

delphia are one hundred and fifty miles from the Ocean. We have the magnificent river, the Delaware, and if we can be helped by you, I say to you to night we can make Philadelphia the equal of Hamburg. I want to call your attention to the City of Boston. They have appropriated nine millions of dollars for the benefit of the harbor of Boston—the State of Massachusetts being but one-fifth the size of Pennsylvania and the City of Boston but one-half the size of Philadelphia, the State of Pennsylvania manufacturing double the quantity of goods that Massachusetts does. Now, gentlemen, let us pull together, and leave politics entirely out of sight. I am not a politician, I am simply here as a plain citizen of this great Commonwealth, and I would ask you, gentlemen of the House of Representatives of this great State of William Penn, to give us that aid, to do for Philadelphia what Massachusetts has done for Boston. It will redound to the benefit and help of everybody living in our great Commonwealth.

There are several other things I might talk about, but I do not care to make a speech. In all probability a number of us will appear before some of your committees. There are a number of things we would like to discuss with you, but I want to say to you tonight that in all fairness and earnestness we will not demand a single thing that we do not believe to be absolutely right. I want to say to you further that the antogonism that has been created from time to time between the great cities and between the country districts must be and will be wiped out all together. We are one great Commonwealth. What is good for Philadelphia is good for Pittsburgh, good for Harrisburg, good for Tioga County, Crawford County, Wayne County or any other county of the State. I would love to have you act regardless of all political affiliations for the good of the great Commonwealth which we all love so dearly. I thank you, gentlemen.

AFTER RECESS.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 131, as follows:

An Act amending section one hundred and nineteen of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the fourteenth day of July Anno Domini one thousand eight hundred and ninety-seven.

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker.

The SPEAKER. The gentleman from Cambria, Mr. Joseph Gray.

Mr. JOSEPH GRAY. Mr. Speaker, I would like to interrogate the sponsor of this bill, Mr. J. R. Jones.

The SPEAKER. Will the gentleman from Schuylkill, Mr. John Robert Jones, permit himself to be interrogated?

Mr. JOHN ROBERT JONES. Yes, sir.

Mr. JOSEPH GRAY. Mr. Speaker, I desire to ask a question, whether this is a bill the same as the others increasing the penalty for the offences of election officers?

Mr. JOHN ROBERT JONES. It is. It specifies the nature of the crime; it does not specify the offence; that is specified as a misdemeanor.

Mr. JOSEPH GRAY. Two of these bills I have voted against because I didn't believe in fixing a minimum penalty. I think the gentlemen are right who voted to leave the minimum to the judge. The gentleman from Schuylkill has stated to the House, generally, that in passing on the guilt or innocence of a defendant, that the jury has nothing to do with the penalty. I say they have a great deal to do with the penalty; if they recommend to the judge that the mercy of the court be given, as they do in many cases, certainly they have a great deal to do with the penalty, because the judge always hears that request. If you fix the minimum by statute, it takes it entirely away from the discretion of the court, and he must impose a penalty as provided by the law, no matter what his inclination may be, whether that penalty is commensurate punishment for the crime or not, and we all know that crimes differ. Those who have acquaintance with court procedure know that some men are charged with crime and are guilty and deserve a heavy penalty; and there are other men who are charged with some offence and deserve a light penalty. That is a familiar form with court procedure, and we all know it. Furthermore, this thing of imposing great penalties is not good practice. Every person knows that heavy court penalties cause violations of the law. The greatest of English Chancellors, Sir Thomas Moore, raised his voice against extreme penalties. I think that man should guide us, and we might follow his voice and be careful in the imposition of heavy penalties. I shall take a great deal of pleasure in voting against this bill.

Mr. RONEY. Mr. Speaker, where a man should vote where he has no right to vote, it is a deliberate offence and a crime and I think that a violation of the election laws of this character should have a penalty of five years and that it is not too severe a maximum. So, in this particular bill the maximum which was five years under the Act of 1897 is now reduced to three years. I would like to call the attention of the House to that fact in this bill, so that I may be understood when I vote against these bills as voting with the thought in mind that I am doing what I think is best. I feel on the question of election laws, as I feel on every other question involving suffrage in this country, that the crime cannot have too severe a penalty. I have been in this country long enough, and my people have been in this country so long that no man remembers when they came. They have thought along these lines always, that it would be best for the people of the Commonwealth, and I feel that when I vote against this election laws that I vote for a reason, that I would like to have the elections in this Commonwealth and in this country carried on just as honestly as possible.

Mr. JOHN ROBERT JONES. Mr. Speaker, I just wish to say a word to corect any misapprehension. I understand from the arguments of the opponents of these measures that the great objection was to the creation of a maximum prison sentence, and I take it that there is an increase of the penalty, because when we say to a court, "You shall have the power not to go beyond a certain maximum or minimum" and then it is possible that you might let them have a penalty of even ten days. Therefore, when a bill fixes the maximum and the minimum, we believe it to be a step forward. It is true this one reduces the maximum. That is in accordance with the opinions of the drafters of the bill. Whether or not this particular offence merits the particular punishment is a question for consideration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Adams,	Flynn,	Light,	Robinson,
Allen,	Foster, J. D.,	Lowers,	Runk,
Alworth,	Frey,	Malie,	Sassaman,
Ambler,	Gans,	Mannion,	Savacool,
Arthur,	Geary,	Martin,	Schaeffer, A. C.
Baldwin, G. A.,	Geiser,	Mather,	Schuck,
Barner,	Gibson,	Matt,	Scott, J. R. K.,
Bass,	Glenn,	McAleer,	Scott, S. B.,
Bayle,	Good,	McAllister,	Semmens,
Becker,	Goss,	McClintock,	Shaffer, C. A.,
Benninger,	Grabe,	McDermott,	Shaffer, I. E.,
Benson,	Gramley,	McKay,	Shern,
Berntheizel,	Gray, Frank,	McNichol,	Sherwood,
Bigger,	Haggerty,	Mechling,	Showalter,
Bittles,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Herman,	Mitchell,	Snyder,
Bleloch,	Hess,	Moore,	Spangler,
Body,	Heyburn,	Morrow,	Speiser,
Brosius,	Hibshman,	Moses,	Spillinger,
Brown,	Hobbs,	Moulthrop,	Steedle,
Burnett,	Hoffman,	Murphy,	Stein,
Caldwell,	Howard, R.,	Musser,	Stone,
Campbell, C.M.,	Humes,	Neel,	Swartz,
Campbell, J.J.	Isler,	Neely,	Swift,
Carson,	Irwin, G. C.,	Newbaker,	Thomas,
Carter,	Irwin, H. H.,	Newton,	Trach,
Cheeseman,	Jackson,	North,	Ulerich,
Cleary,	Jones, E. E.,	O'Neill,	Ulman,
Cochran,	Jones, J. R.,	Peachey,	Walnut,
Collins,	Kaiser,	Pennegar,	Walsh,
Conniff,	Kaufman,	Peters,	Watson,
Cox,	Keegan,	Piper,	Wettach,
Currier,	Keeport,	Post,	Whitaker,
Curry,	Kennedy,	Price,	Whitman,
Davis,	Kern,	Ramsey,	Wildman,
DeFrees,	Kuhn, H. P.,	Redfield,	Williams,
Dickinson,	Lanius,	Reese,	Wilson, J. H.,
Donahoe,	Latshaw,	Reeser,	Wilson, W. H.,
Donnally,	Lenker,	Rex,	Wiltbank,
Down,	Leslie,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Letzkus,	Richards,	Young, J. H.,
Ehrhardt,		Riebel,	Zimmermar,
Ely,			Alter,
			Speaker.

NAYS—19.

Arthur,	Eichenberger,	Hackett,	Perry, H. L.,
Baldwin, R. J.,	Ewing,	Howard, J.,	Perry, S. J.,
Claycomb,	Faber,	Kenna,	Roney,
Conner,	Forster, I. G.,	McArdle,	Rothenberger,
Conrade,	Gray, Joseph,	McCaig,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 86, entitled:

An Act to amend sections one and two of an act, entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor," approved the fourteenth day of April, one thousand nine hundred and five."

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker.

The SPEAKER. The gentleman from Columbia, Mr. Charles A. Shaffer.

BILL POSTPONED.

Mr. CHARLES A. SHAFFER. Mr. Speaker, with the permission of the sponsor of this bill, the gentleman from Allegheny I ask that this bill be postponed for the present.

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House bill No. 34, entitled:

An Act providing for the safety of persons from fire or panic in certain buildings other than cities of the first and second classes requiring proper exits, fire-extinguishers and other preventives of fire, and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That in all theatres, opera houses or other buildings where stage scenery, moving pictures or other apparatus is used other than in cities of the first or second class there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passageways to and from the same shall be unobstructed and properly lighted. Neither on or about the stage, auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safety guarded. All drop-curtains and sky-borders shall be of non-combustible substance. There shall also be provided for each side of the stage not less than two fire-extinguishers and one cask of not less than forty-two gallons' capacity which shall be kept full of water and two buckets for each cask, buckets and casks to be painted red and kept in readiness for immediate use. All auditoriums and galleries of said buildings as described in this section shall be provided with aisles as follows:

Where the rows in width of such auditorium and galleries contain six seats or less there shall be one centre aisle three feet wide with three seats or less on either side.

Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one centre aisle four feet wide with four seats or less on either side. Where such rows contain more than eight but less than twelve seats there shall be one four foot centre aisle with six seats or less on either side and a two-foot aisle along each side wall.

Where such rows contain twelve seats or more but less than twenty seats there shall be a four-foot centre aisle with ten seats or less on either side and a three-foot aisle along each side wall.

Where such rows contain twenty seats or more there shall be a four-foot centre aisle and a four-foot aisle along each side wall or at least one additional four-foot aisle for every ten seats above twenty.

All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire-escapes and the words "Exit to Fire-escapes" in large legible illuminated letters shall be posted and kept pested before each fire-escape exit and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

On the question,

Will the House agree to the section as read?

Mr. FRANK GRAY. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk, as follows:

Line 31, after the word "be," strike out the word "one" and insert "two."

After the word "foot" in the same line, strike out the word "centre" and add the letter "s" to "aisle."

In line 32, strike out all after the word "side."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section, as amended, was then agreed to.

The second section of the bill was read and agreed to, as follows:

Section 2. It shall be the duty of the Chief Factory Inspector to enforce the provisions of this act.

The third section of the bill was read and agreed to as follows:

Section 3. All acts or parts of acts general, local or special inconsistent herewith are repealed.

The title was read and agreed to as follows:

An act providing for the safety of persons from fire or panic in certain buildings other than in cities of the first and second classes requiring proper exits fire-extinguishers and other preventatives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries

On the question,

Will the House agree to the bill on second reading?

Mr. GIBSON: Mr. Speaker.

The SPEAKER: The gentleman from Lycoming, Mr. Gibson.

Mr. GIBSON: Mr. Speaker, I hope the members of the House will look at this bill pretty carefully before it passes. It provides for regulating moving picture shows, in cities of the first, second and third classes. It provides that they must have aisles so and so wide. My attention was called to this bill last week, and I made it a point to step into several moving picture shows here on Market Street, and in each instance, including one down here on Market Street where there were nine seats, there were three seats against the wall and then an aisle and then three or four seats and then an aisle and so on, and it is a question about whether this recommendation will bear out. I don't believe that it can be solved in this way. If it should be passed in this House, I don't believe it is possible to enforce it, because the only provision that is made is that it shall be the duty of the Chief Factory Inspector to enforce these provisions. I therefore move that further consideration of this bill be postponed for the present.

Mr. FRANK GRAY: Mr. Speaker, this bill is practically the same as the one that passed this House two years ago. Under the present law, it is reported in the Senate that the bill as amended is unconstitutional—that is what they called it over there. The bill of 1909 provides for all kinds of amusement places, to the effect that there shall be three or four good aisles. If you know anything about aisles, you know that where there are factories having three four-foot aisles, it takes off twelve feet. Consequently, I have tried to make this bill so that it don't have to be left entirely to the factory inspector to tell a man that he can violate the law if he so decides. Then I have drawn it so that the person can make his blue prints and lay out his seats and don't have to go to the factory inspector at all. (Mr. Gray read a portion of the bill.)

On the question,

BILL POSTPONED.

Will the House agree to the motion to postpone the bill for the present?

A division was called for, 86 voting in the affirmative and 66 in the negative, and the question was decided in the affirmative.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill 195, entitled

An act to enjoin and abate houses of lewdness assignation and prostitution to declare the same to be nuisances to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purposes and to assess a tax against the person maintaining said nuisance and against the building and owner thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever shall erect

establish continue maintain use own occupy or release any buildinng erection or place used for the purpose of lewdness assignation or prostitution in the State of Pennsylvania is guilty of a nuisance and the building erection or place or the ground itself in or upon which such lewdness assignation or prostitution is conducted permitted or carried on continued or exists and the furniture fixtures musical instruments and contents are also declared a nuisance and shall be enjoined and ebated as hereinafter provided

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. SWIFT: Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order.

Mr. GEORGE A. BALDWIN: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 6, as follows:

An act for the further regulation and restraint of the sale of vinous spirituous malt or brewed liquors and admixtures thereof by those having a wholesale license from any of the several courts of quarter sessions of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any brewer distiller rectifier bottler compounder jobber dealer or any other person company or corporation licensed by any of the several courts of quarter sessions of this Commonwealth to sell vinous spirituous malt or brewed liquors and admixtures thereof at wholesale to hereafter sell any such liquors to a consumer or consumers at any place other than at the place named in his or its application for license or to employ any one to solicit anywhere in this Commonwealth from consumers orders for or to peddle among or deliver to them any such liquors or to reserve and collect from them empty vessels after the liquor has been consumed therefrom at any place or places in this Commonwealth other than that named in his or its application

Section 2 A consumer in this act shall be taken to mean a person company or corporation not lawfully engaged in the business of selling vinous spirituous malt or brewed liquors

Section 3 Any person company or corporation licensed to sell vinous spirituous malt or brewed liquors and admixtures thereof by any of the several courts of quarter sessions of this Commonwealth who shall offend against and violate the provisions of this act shall forfeit his or its license and it shall be the duty of the proper court on proof of such offending and violation to forthwith revoke the same

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 138, as follows:

Joint resolution making application to Congress under the provisions of Article Five of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited

Whereas It appears from investigation recently made by the Senate of the United States and otherwise that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several States thereof and

Whereas The practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the subject under Federal jurisdiction and control at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce Now therefore be it

Resolved By the Senate and House of Representatives That the application be made and hereby is made to Congress under the provisions of Article Five of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited and Congress shall be given power to enforce such prohibition by appropriate legislation

Resolved That the legislators of all other states of the United States now in session or when next convened be and they hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution

Resolved further That the Secretary of State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States and to the several members of said bodies representing this State therein also to transmit copies hereof to the legislatures of all other states of the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 168, as follows:

An act to amend an act approved the twenty-seventh day of April one sand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice" which reads as follows

"Section 78 The judges of the several courts of this Commonwealth shall have power to appoint a crier for the respective court and so many tipstaves or constables as may be necessary to attend upon the court and the said officers shall be paid by the respective counties for such sum for each days attendance as the said judge shall allow" is hereby amended to read as follows

Section 78 The judges of the several courts of this Commonwealth shall have power to appoint one or more criers for the respective court or courts and so many tipstaves or constables as may be necessary to attend upon the courts and the said officers shall be paid by the respective county such sum for each days attendance as the said judges shall allow

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 166, as follows:

An act to amend an act approved the twenty-seventh day of April one thousand nine hundred and eleven entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled "An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-seventh day of April one thousand nine hundred and eleven entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act by Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the counties of this Commonwealth which contain more than ninety thousand and less than one hundred and fifty thousand inhabitants the court criers of the several courts shall be paid an annual salary of eight hundred and forty dollars and the tipstaves thereof shall be paid an annual salary of six hundred dollars said salaries shall be paid monthly out of the treasury of the particular county in which the services shall be rendered Provided however That in none of the counties falling within the provisions of this act shall there be more than six tipstaves employed at any one time" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the counties of this Commonwealth which contain more than ninety thousand and less than one hundred and fifty thousand inhabitants the court criers of the several courts shall be paid an annual salary of eight hundred and forty dollars and the tipstaves thereof shall be paid an annual salary of six hundred dollars said salaries shall be paid monthly out of the treasury of the particular county in which the services shall be rendered Provided however That in none of the counties falling within the provisions of this act shall there be more than ten tipstaves employed at any one time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 179, as follows:

An act empowering cities to establish and maintain free public employment bureaus

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each city of this Commonwealth is empowered to establish and maintain in such city a free public employment bureau under such regulations as may be prescribed by ordinance

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 248, as follows:

An act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-fifth day of June one thousand eight hundren and ninety-five entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no other flag than the stars and stripes which is our national emblem be allowed to wave from the public buildings of our State except such as may be occupied by a duly accredited minister or consul of a foreign civil power to these United States" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no other flag than the stars and stripes which is our national emblem shall be allowed to wave from any public building in this Commonwealth except such as may be occupied by a duly accredited minister or consul of a foreign civil power to these United States

Section 2 The second section of said act which reads as follows

"Section 2 That at all public processions in this Commonwealth no red flag intended to represent anarchy shall be carried or displayed" is hereby amended to read as follows

Section 2 That at all public processions in this Commonwealth no red flag shall be carried or displayed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 20, as follows:

An act further amending section one of an act entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged in or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one and extending the provisions of said act to all cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by the act of May fourteen one thousand nine hundred and nine (Pamphlet laws eight hundred and forty) which reads as so amended as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on or work at the business of plumbing or house drainage in the cities of the second and third class having a system of sewerage and water supply of this Commonwealth until a certificte or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities nor until they have registered as such in the office of the department or board or bureau of health of said cities" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on or work at the business of plumbing or house drainage in cities of the second and third class of this Commonwealth until a certificate or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities nor until they have registered as such in the office of the department or board or bureau of health of said cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 171, as follows:

An act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and is hereby established a State Fair Commission to be composed of the Governor of the State the Secretary of Agriculture and seven other members to be appointed by the Governor Of the members of the State Fair Commission that are appointed by the Governor two shall hold office for two years two shall hold office for three years three shall hold office for four years As vacancies occur they shall be filled by appointees who shall be appointed for a term of four years Provided that when a vacancy occurs before the expiration of term of any member the vacancy shall be filled by appointment for the unexpired term

Section 2 The Board of State Fair Commissioners shall met annually in Harrisburg on the first Wednesday after the first Monday in January The Board is authorized to elect from its membership a president vice-president and an executive committee whose term of office shall be fixed by the by-laws

Section 3 The Board of State Fair Commissioners is hereby authorized to hold once each year a State Fair The exact time for holding the same shall be fixed by the Board of State Fair Commissioners at the January meeting

Section 4 The Board of State Fair Commissioners shall provide a permanent location for the State Fair have the sole control of the fair and it may make such by-laws rules and regulations in relation to the management of its business as a majority of said board shall from time to time determine not inconsistent with the Constitution and laws of this State and of the United States

Section 5 The Board of State Fair Commissioners shall appoint some person not a member of the board as general manager and fix his compensation The general manager shall hold his office for a term not to exceed four years He shall perform such duties as pertain to such office or as shall be required of him by the Board of State Fair Commissioners

Section 6 The Board of State Fair Commissioners shall appoint some person not a member of the Board as secretary of the State Fair and shall also appoint a clerk and a stenographer and fix their compensation The secretary clerk and stenographer shall hold their offices for a term fixed by the board not to exceed four years unless for good reason they shall sooner be removed by the board The secretary shall perform such duties as usually pertain to the office of secretary or shall be required of him by the Board of State Fair Commissioners

Section 7 The Board of State Fair Commissioners shall appoint some person not a member of the board as treasurer and fix his compensation and prescribe his duties The treasurer shall give bond in such sum and with such sureties as the board shall direct The length of the term he shall hold office shall be fixed by the board but may not exceed four years He shall keep an accurate itemized account of all moneys received by him and paid out and make a report and full settlement with the board annually or oftener if required by the board

Section 8 The Board of State Fair Commissioners shall after each annual meting in January make and deliver to the Governor for transmission to the Legislature a report of their acts and doings including an accurate amount of receipts and expenditures

Section 9 Whatever moneys shall be appropriated for the purposes of a State Fair shall be paid to the Board of State Fair Commissioners and may be expended by them as in the opinion of said Board will best advance the interests of agriculture live stock breeding dairying horticulture manufacture and domestic arts in this State

Section 10 The Board of State Fair Commissioners may in that name contract and be contracted with may purchase hold or sell property may sue and be sued in all courts or places and this State shall not be liable for any debts or contracts of said board The title of the property real or personal aequired and controlled by the Board of State Fair Commissioners shall be vested in the Commonwealth of Pennsylvania and shall be free from taxes

Section 11 The members of the Board of State Fair Commissioners shall receive no compensation for their services whether directly or indirectly but their actual and necessary traveling and hotel expenses while going to and from and while in attendance upon the regular and special meetings of the board may be paid upon presentation of a specifically itemized bill after approval by the president of the board

Section 12 Whoever shall keep any shop booth tent wagon vessel boat or other place for the sale of intoxicating liquors or expose for sale or sell give away or otherwise dispose of any intoxicating liquors or engage in gaming or conducting any indecent or immoral exhibitions at or within one mile of the place where the State Fair is held shall for each offense be fined not less than twenty-five dolars nor more than five hundred dollars Provided this section shall not affect hotel keepers distilers or others exercising their calling at their usuel places of business

Section 13 Any person violating the provisions of the preceding section may be arrested upon view or upon warrant by any sheriff constable or other officer authorized to make arrests

Section 14 The sum of five hundred thousand dollars is hereby appropriated to the Board of State Fair Commissioners for the period ending May thirty-first one thousand nine hundred and thirteen for meeting expenses in the organization conduct and management of annual exhibitions of the State Fair as provided by this act The funds here appropriated shall be paid by the State Treasurer on a warrant of the Auditor General in the manner now provided by law Specifically itemized vouchers covering every item of expense made under this appropriation shall be filed with the Auditor General

Section 15 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 149, as follows:

An act relating to extortion and attempted extortion by threats and fixing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person shall be guilty of a felony who shall extort or attempt to extort monty or any other personal property of value from another by means of oral or writ-

ten or printed threats to kidnap him or any one related to him or by threats to injure or destroy by any means real or personal property belonging to him or to any one related to him or who knowing any such threat to have been made shall solicit or demand or receive from such threatened person any money or other personal property of value or who knowing such threat to have been made shall receive such money or property and deliver it directly or indirectly to the person or persons who have made or caused to be made such threats Upon conviction thereof such person shall be senteneed to pay a fine not exceeding one thousand dolars and to undergo an imprisonment by separate or solitary confinement at labor for a period not exceeding fifteen years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 181, as follows:

An act to amend the second section of an act approved the thirteenth day of March Anno Domini one thousand nine hundred and seven entitled "An act amending section two of the act entitled 'An act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth'" approved the thirteenth day of April Anno Domini one thousand eight hundred and si .ty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act entitled "An act amending section two of the act entitled 'An act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof approved the fifth day of March one thousand nine hundred and seven which now reads as follows

"Section 2 The information proceedings thereon and warrant shall be returned to the next court of quarter sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of such sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall dirrect for the compliance therewith" be and the same is hereby amended to read as follows

"Section 2 The information proceedings thereon and warrant shall be returned to the next court of quarter sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the compliance with the said order the court may issue the appropriate writ of execution against any propertty real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled whether under what is kuown as a spendthrift trust or otherwise Where an attachment execution is issued the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments

On the question,

Will the House agree to the bill on second reading?

Mr. SPEISER: Mr. Speaker, there seems to be some controversy on the part of my colleagues, as to the exact intent of this bill, just what it is to provide for. I think it would be in order at this time, Mr. Speaker, that the introducer of this bill be called upon to explain, particularly that section that has to do with spend-thrift trusts. There is a great amount of talk going on between the legal members of this House on the subject and I think the gentleman from Philadelphia might enlighten us on this particular point.

Mr. SHERN: Mr. Speaker, if my friend would seek the advice of some older member he would know that the proper time to interrogate the sponsor of this bill would be when it is on the third reading, and not on second reading. But nevertheless, gentlemen, I have no hesitancy in explaining this bill. This is a very serious and important matter and no matter for joking.

Under the present law where a testator executes a will bequeathing to his son or daughter a certain amount of money in trust, to be free from any entanglements, or free from any debts or engagements which the son or daughter may enter into, the income of what is known as a spend-thrift trust cannot be attached. In Lockhart's appeal 202, Pa. S. R., it was decided by the Supreme Court of this State that the income of a spend-thrift trust could not be attached for the support of the wife or child. In that case there was a crippled child. The husband filed the jurisdiction of the court of Philadelphia, and went to Canada, and the income of his spend-thrift trust was attached and the Supreme Court decided that the income of a spend-thrift trust could not be attached. This act is for the purpose of getting over the decision of the Supreme Court so that destitute wives and children can attach the income from spend-thrift trusts for their support.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 57, as follows:

An act to amend the eighth section of an act entitled "An act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by fixing the compensation of election boards at primary elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the seventeenth day of February Anno Domini one thousand nine hundred and six entitled "An act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" which reads as follows

"Section 8 The primaries shall be conducted by the regular election boards duly elected under existing laws who shall receive one-half the compensation for their services that they receive at elections Inspectors of election shall have the right to appoint clerks to assist them as at elections who shall receive one-half the compensation that clerks receive for such services at elections Vacancies on election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn as is now required by law

"The polls shall be open between the hours of two post meridian and eight post meridian Provided That all persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary elections only between the hours of one o'clock post meridian and nine o'clock post meridian

"Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms But provided That no elector shall be permitted to receive any assistance in marking his ballot unless he shall first make an affidavit that he cannot read the names on the ballot or that by reason of physical disability he is unable to mark his ballot" is hereby amended so as to read

Section 8 The primaries shall be conducted by the regular election boards duly elected under existing laws who shall receive the same compensation for their services that they receive at elections inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies on election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn as is now required by law

The polls shall be open between the hours of two post meridian and eight post meridian Provided That all persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary elections ony between the hours of one o'clock post meridian and nine o'clock post meridian

Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms But provided That no elector shall be permitted to receive any assistance in marking his ballot unless he shall first make an affidavit that he cannot read the names on the ballot or that by reason of physical disability he is unable to mark his ballot

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 39, as follows:

An act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person selling or delivering milk or cream in bottles or other analogous utensils to use or permit to be used any such bottle or utensil unless the same shall have been thoroughly washed in boiling water immediately before it is again employed to contain milk or cream

Section 2 Every person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than fifty dollars ($50) for the first offense and for each subsequent offense a fine of not less than one hundred ($100) nor more than five hundred dollars ($500)

Section 3 The Dairy and Food Commissioner shall be charged with the enforcement of all the provisions of this act but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any

such prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such prosecution immediately upon the commencement of the same stating the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such prosecution and such citizen shall upon complying with the provisions of this section be entitled to receive one-half of any penalty or fine which may be received in such proceeding and paid to the Dairy and Food Commissioner and immedately upon the receipt and covering into the treasury of any such penalty or fine recovered and paid in any proceeding commenced by a citizen as aforesaid the Dairy and Food Commissioner shall pay the one-half thereof to the said citizen so commencing said proceeding and complying with the provisions of this section

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 189, as follows:

An act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An act to vacate Long Lane in the County of Philadelpnia in relation to promissory notes and counterfeit endorsements and for other purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An act to vacate Long Lane in the County of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

APPOINTMENT OF COMMITTEE TO CONSIDER IMPEACHMENT CHARGES.

The SPEAKER: In pursuance of the resolution adopted at our last session for the appointment of a committee to consider certain impeachment charges, the Speaker has appointed the same gentlemen who constituted the sub-committee of the Judiciary General Committee for the preliminary examination on this matter—Messrs. John R. K. Scott, Samuel B. Scott, Roney, Stein and Forster.

ADJOURNMENT.

Mr. WILTBANK: Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 10:40 P. M.) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, FEBRUARY 11, 1913. No. 14.

SENATE.

TUESDAY, February 11, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. JARRETT, from the Committee on Judiciary General, reported as amended, Senate Bill No. 22, entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges, and requiring certain certificates from judges before their salaries shall be paid.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 123, entitled:

An Act to repeal the second section of an act approved the 8th day of February, 1865, entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks," and also to repeal an act approved the 27th day of February, 1873, entitled "An Act relative to the pay of jurors in the County of Bucks."

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

Also from the Committee on Judiciary General, reported with favorable recommendation the following nomination, which was laid upon the table.

TRUSTEE OF THE PANTHER CREEK VALLEY HOSPITAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 4, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin Ludlow, of Schuylkill County, to be a member of the Board of Trustees of the Panther Creek Valley Hospital, vice Baird Snyder, Jr., resigned.

JOHN K. TENER.

Mr. HUFFMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 33, entitled:

An Act amending the first section of an act, entitled "An Act to further define the police power of cities of the third class and boroughs, with reference to electric light wires," approved the 28th day of April, 1903, so as to include telegraph and telephone wires, and reducing the number of jurors.

Mr. THOMPSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 30, entitled:

An Act supplementing and amending sections four, six, seven, nine, ten, eleven, twelve, seventeen and nineteen of a act, entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911, by providing for affixing the seal of the Court to all official papers, by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein; by modifying the practice in replevin; by extending the time in all civil cases for the date of hearing; by changing the time before which process must be served and answer filed; by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default; by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court; by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars, changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff; changing the effect of judgment entered by transcript in the office of the prothonotary, and giving the county court power to issue writs of execution or attachment execution in certain cases; prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate; by modifying the requirements as to docket entries in certain respects; by giving the court power to suspend or exclude attorneys guilty of improper conduct, and by making further provisions regarding costs.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 31, entitled:

A further supplement to an act, entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911.

Mr. McILHENNY. From the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at last evening's session, which were laid upon the table.

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 57, entitled:

An Act to amend Section nine of the act, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contact, except where the State Highway Commissioner decided the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State Aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough or incorporated town petitions; providing for percentage of cost of improvements or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, borough and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are

not affected by provisions of this act," approved the 31st day of May, A. D., 1911, by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads, providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers; providing a method whereby the State Highway Commissioner may, at any time during said proceedings enter upon and take the said turnpike or toll-road, and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

BILLS INTRODUCED.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 235, entitled:

An Act providing for an Initiative and Referendum system of legislation under certain conditions in all cities and boroughs within the Commonwealth of Pennsylvania; the manner and time of conducting the elections hereunder; the form of petitions and number of qualifications of petitioners required; the form of the ballot to be used; the ascertainment and announcement of the result of elections hereunder; the payment of expenses incurred under this act; also making certain violations of this act misdemeanors, and prescribing penalties for the violations of the provisions of this act.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 236, entitled:

An Act relating to and regulating marriage and marriage licenses; and to promote uniformity between the State in reference thereto.

Which was committed to the Committee on Judiciary General.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 237, entitled:

An Act to amend section one of an act, entitled "A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14th, 1865," approved the 2d day of February, A. D. 1867, so that the members of the board of revision of taxes shall be elected in counties containing a population of not less than one million two hundred and fifty thousand nor more than one million seven hundred and fifty thousand.

Which was committed to the Committee on Judiciary Special.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 238, entitled:

An Act making an appropriation to Saint Vincent's Orphans Asylum of Tacony, Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 239, entitled:

An Act relating to the wearing of certain emblems and prohibiting interference therewith and providing a penalty for violation of this act.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 240, entitled:

An Act prohibiting interference with an employe in the purchase of uniforms or clothing, and providing a penalty for violation of this act.

Which was committed to the Committee on Judiciary General.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 241, entitled:

An Act relating to the sale of goods.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 242, entitled:

An Act making an appropriation to Saint John's Orphan Asylum, Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 243, entitled:

An Act making an appropriation to the House of Good Shepherd, Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 244, entitled:

An Act making an appropriation to Saint Vincent's Home and Maternity Hospital, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. SALUS (at the request of Mr. Catlin) read in his place and presented to the Chair Senate Bill No. 245, entitled:

An Act making an appropriation to the Nesbitt West Side Hospital at Dorranceton, Luzerne County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 246, entitled:

An Act making an appropriation to the Western Pennsylvania Humane Society.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 247, entitled:

An Act making an appropriation to the trustees of the Franklin Institute of the State of Pennsylvania for the promotion of the mechanic arts.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 248, entitled:

An Act making an appropriation to the Philadelphia Protectory for Boys, Protectory Station, Montgomery County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 249, entitled:

An Act making an appropriation to Saint Vincent's Home, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 250, entitled:

An Act making an appropriation to the Punxsutawney Hospital Association at Punxsutawney, Jefferson County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 251, entitled:

An Act making an appropriation to carry out further the provisions of the act approved the 14th day of June, 1911, entitled "An act making an appropriation for the improvement of the State canal basins at the port of Erie by dredging the said basins; for widening the piers and bridge over the water channel between the said canal basins, and erecting certain walls in the same; for the protection of said state canal basins, with harbor of Erie; authorizing the appointment of a commission to make said improvements; and providing for regulating the manner in which said basin shall be used by the public, and kept in repairs."

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 252, entitled:

An Act making an appropriation to the Saint Joseph's Home and Maternity Hospital, Scranton, Lackawanna County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 253, entitled:

An Act making an appropriation to the Saint Patrick's Orphan Asylum of Scranton, Lackawanna County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 254, entitled:

A joint resolution providing for the appointment of a commission to amend, revise, and collate the laws relating to the boroughs of the Commonwealth, and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 255, entitled:

An Act providing that the real estate of all railroads, street railway, water, gas, telegraph, telephone, electric light and power companies and all other like public service corporations within this Commonwealth held or used for corporate purposes or otherwise shall be subject to taxation for county, city, borough and all other local purposes.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 256, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standards to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 257, entitled:

An Act providing that all bonds or other indebtedness of all counties, cities, boroughs and incorporated districts of this Commonwealth shall be exempt from taxation, and repealing all acts inconsistent herewith.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 258, entitled:

An Act relating to sewage disposal systems in cities, boroughs, and other municipalities of this Commonwealth, providing for the cost and expense thereof, and making an appropriation for the same.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 259, entitled:

An Act to amend an act approved the 1st day of June, 1911, entitled "An act defining what shall constitute the offense of lamicious injury to railroads; providing a punishment therefor; fixing the punishment in case of loss of life as a result of such offense; and repealing sections 142 and 143 of an act approved the 31st day of March, A. D. 1860, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' and an act approved the 26th day of May, A. D. 1891, entitled 'An act defining the offense of the taking of human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 260, entitled:

An Act for the protection of street railway employes and for the enclosure of the front and rear platforms of street railway cars, and providing a penalty for violation of the provisions of this act.

Which was committed to the Committee on City Passenger Railways.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 261, entitled:

An Act making an appropriation to the Catholic Home for Destitute Children, Philadelphia.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. McNICHOL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL offered the following resolution, which was twice read, considered and agreed to:

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it shall reconvene on Monday evening, February seventeenth, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February seventeenth, at eight o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. HALL read in his place and presented to the Chair Senate Bill No. 262, entitled:

An Act making an appropriation to the Renovo Hospital, at Renovo, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 263, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries for two years, from June first, 1913.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 264, entitled:

An Act to amend an act, entitled "An act to amend sections four, seven, eighteen, nineteen, twenty-one, twenty-six, twenty-nine, thirty-one, thirty-three, thirty-four and thirty-six of an act, entitled "An act to establish a Board of Wardens for the Port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," approved the 29th day of March, 1803, and vesting the authority over pilots and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries, approved the 8th day of June, 1907; providing for hearing complaints of misbehavior of pilots, authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved, to compel the attendance of witness at any hearing or inquiry to examine witnesses under oath or affirmation, and providing penalties for the misbehavior or negligence of pilots.

Which was committed to the Committee on Judiciary General.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 265, entitled:

An Act to amend section eighteen of the act of March 1st, 1909, entitled "An act to provide for the protection and preservation of game, game quadrupeds, and game birds and song and insectiverous birds and other wild birds and prescribing penalties for violation of its several provisions."

Which was committed to the Committee on Games and Fisheries.

RESOLUTION GRANTING USE OF SENATE CAUCUS ROOM TO DEPARTMENT OF FORESTRY.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ALEXANDER offered the following resolution which was twice read, considered and agreed to:

Resolved, That the use of the Senate Caucus Room be granted to the Department of Forestry during Tuesday, Wednesday, and Thursday, February 18, 19, and 20, for the purpose of holding the Sixth Annual Convention of the Pennsylvania State Foresters.

REPORT FROM COMMITTEE.

Mr. POWELL. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL from the Committee on Judiciary General reported with favorable recommendation on the following nomination, which was laid upon the table:

JUDGE OF THE THIRTY-THIRD JUDICIAL DISTRICT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Painter of Kittanning, to be Judge of the Thirty-third Judicial District, composed of the county of Armstrong, to serve until the first Monday in January, 1914, vice W. D. Patton, deceased.

JOHN K. TENER.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 125, entitled:

An Act regulating the payment of any deposit made with any bank, trust company, or savings institution in the name of two persons.

BILL INTRODUCED.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 266, entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Harry A. Porter, Pittsburgh.

LACKAWANNA COUNTY.

Gabriele Pugliano, Carbondale.
Thomas J. Creegan, Scranton.
William T. Reynolds, Scranton.
George W. Thomas, Scranton.

LANCASTER COUNTY.

Miss Nellie C. Shay, Lancaster.

LUZERNE COUNTY.

Miss Jane M. Gorman, Hazleton.
Matteo Gerod, Pittston.

MONTGOMERY COUNTY.

Charles W. Hunsberger, Green Lane.

PHILADELPHIA COUNTY.

George McKeown, Philadelphia.
Fred W. Neuber, Philadelphia.
Charles Cobb Van Riper, Philadelphia.

JOHN K. TENER.

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. B. Porter, to be Alderman in and for the Fourth Ward of the City of Corry, County of Erie, vice Albert Truesdell, deceased, to serve until the first Monday in January, 1914.

JOHN K. TENER.

REPORT FROM COMMITTEES.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation the nominations made by His Excellency, the Governor of the Commonwealth, at today's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McNichols,

That Rule 38 which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McIlhenny.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hoke,	Martin,	Sheatz,
Cooper,	Homsher,	McIlhenny,	Snyder,
Crow,	Huffman,	McNichol,	Sones,
Daix,	Hunter,	McNichols,	Thompson,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Mills,	Washers,
Farley,	Judson,	Moore,	Gerberich,
Fisher,			Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 8, on third reading, entitled:

An Act for the protection of the public health and the prevention of fraud and deception in the manufacture, labeling or sale of milk products; defining such milk products; fixing the standards thereof, and providing penalties for the violation of the provisions of this act.

be recommitted to the Committee on Public Health and Sanitation for the purpose of hearing. I desire to say I do this with the concurrence of the author of the bill.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. SHEATZ. Mr. President, I ask that Senate Bill No. 23, on third reading, entitled:

A bill entitled an act applicable to cities of the first second and third classes to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust amount of appropriations; proportioning appropriations; co-ordinate appropriations; amounts to be paid; form of records, eligibility; penalties and reports as set forth in sections one, two, three, four, five, six, seven and eight.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS.—44.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Mills,	Washers,
Fisher,	Judson,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 45, entitled:

An Act for the better protection of the wild birds known as the turtle or mourning dove, the kill-deer, plover and the bird commonly called the black-bird in Pennsylvania, and prescribing penalties for violation of its provisions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Mills,	Gerberich,
Fisher,	Judson,	Moore,	Pres. pro tem.

NAYS—1.

Washers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 46, on third reading, entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game, game quadrupeds and game-birds and song and insetivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the first day of May, Anno Domini one thousand nine hundred and nine.

be recommitted to the Committee on Game and Fisheries.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47, as follows:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within sixty days from the execution thereof" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within fifteen days from the execution thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Hall,	Knapp,	Powell,
Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Herbst,	Magee,	Sensenich,
Clark,	Hoke,	Martin,	Sheatz,
Cooper,	Homsher,	McIlhenny,	Snyder,
Crow,	Huffman,	McNichol,	Sones,
Daix,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich,
Gyger,	Kline,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 84, entitled:

An Act to amend section six of an act entitled "An act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers, sailors and marines from that county who served in the army and navy of the United State in the War for the Suppression of the Rebellion; authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries, the court of quarter sessions and a majority vote of the qualified voters of said county at the general election designating a committee to determine what relics, records, etcetera shall be placed in said memorial hall, and providing for a flagstaff and display of the flag of the United States," approved twelfth April, Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the board of managers; prescribing the powers and duties of the board of managers and that the expenses of maintaining and operating the building, grounds and improvements shall be paid by the County of Allegheny.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 103, on third reading, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries; making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts, and providing penalties for the neglect or refusal to perform such duty.

be recommitted to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SNYDER. Mr. President, this bill was referred to the Committee on Judiciary Special and I polled the committee and had the bill reported out. The Senate is not used to these progressive movements and some of the Senators seemed to have forgotten that the bill had been reported out of committee.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 106, entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine, entitled "An Act providing for the incorporation and government of cities of the third class."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Huffman,	Mills,
Beidleman,	Farley,	Jarrett,	Moore,
Buckman,	Fisher,	Jones,	Powell,
Clark,	Gyger,	Kline,	Sensenich,
Cooper,	Hall,	Knapp,	Snyder,
Crow,	Heacock,	Kurtz,	Thompson,
Daix,	Homsher,	McNichols,	Washers,
DeWitt,			

NAYS—4.

Herbst,	Judson,	Salus,	Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 1, as follows;

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof

Whereas Under the provisions of an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the lcesing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" the moneys derived from the registration of motor-vehicles and the licensing of operators were to be paid into the treasury of this Commonwealth to be used in the improvement of the roads and

Whereas There has accumulated in such fund the sum of one million eight hundred thousand dollars or over and

Whereas Owing to lack of specific authorization the said moneys have not been available to the Highway Department in the improvement of the roads and therefore cannot be used for the purposes for which such moneys were intended therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvana in General Assembly met and it is hereby enacted by the authority of the same That the su mof one million eight hundred thousand dollars now in the Treasury of this Commonwealth derived from the fees for registration of motor-vehicles and the licensing of operators thereof is hereby specifically appropriated to the State Highway Department for the purpose of maintenance repair and construction of the State highways described and as prescribed in the act establishing the State Highway Department approved the thirty-first day of May one thousand nine hundred eleven and for the payment of the State's share of the maintenance and repair of the State-aid highways heretofore constructed or constructed or improved under the provisions of the said act

One million four hundred thousand ($1,400,000.00) dollars of this fund shall be expended for maintenance repair and construction of the State highways and four hundred thousand ($400,000.00) dollars for maintenance repair and construction of State Aid highways and the money thus appropriated shall be rateably apportioned among the several counties of the Commonwealth by the State Highway Commissioner according to the mileage of township and county roads in the respective counties

And said having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate bill No. 9, on second reading, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the sale of cold storage poultry, game, eggs and fish; providing penalties for the violation thereof, and providing for the enforcement thereof

be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 146, as follows:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each and every county of this Commonwealth in which a poor or almshouse for the support care and shelter of the needy and indigent is maintained by and at county expense it shall be the duty of the poor directors or overseers in such counties under the conditions and with the limitations hereinafter provided for in this act to provide for the burial of indgent persons who shall hereafter die in their county at an expense to their county poor districts not exceeding twenty dollars is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each and every county of this Commonwealth in which a poor or almshouse for the support care and shelter of the needy and indigent is maintained by and at county expense it shall be the duty of the poor directors or overseers in such counties under the conditions and with the limitations hereinafter provided for in this act to provide for the burial of indigent persons who shall hereafter die in their county at an expense to their county poor-districts not exceeding thirty-five dollars ($35.00)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED.

Mr. KURTZ. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 267, entitled:

An Act making an appropriation to the Adrian Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 268, entitled:

An Act to amend the first paragraph of the first section of "An Act to authorize chattel mortgages in this Commonwealth upon iron-ore, pig-iron, blooms, steel and iron nails, ingots and billets, rolled or hammered steel in sheets, bars or plates and all steel and iron castings of every description not in place," approved the 28th day of April, A. D., 1887, so

as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery.

Which was committed to the Committee on Judiciary General.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 73 (Senate Bill No. 269) entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

Which was committed to the Committee on Appropriations.

House Bill No. 104 (Senate Bill No. 270) entitled:

An Act amending section one hundred and two of an act entitled "An act relating to the elections of this Commonwealth approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" by providing punishment for certain offenses committed by election officers and clerks and amending section one hundred and three of said act by increasing the penalties therein provided

Which was committed to the Committee on Elections.

House Bill No. 123 (Senate Bill No. 271) entitled:

An Act amending section fifty and fifty-one of an act entitled "An act to consolidate revise and amend the Penal Laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

Which was committed to the Committee on Elections.

House Bill No. 131 (Senate Bill No. 272) entitled:

An Act amending section one hundred nineteen of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the fourteenth day of July Anno Domini one thousand eight hundred and ninety-seven

Which was committed to the Committee on Elections.

House Bill No. 300 (Senate Bill No. 273) entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An act regulating the criminal trials the cross-examination of a defendant when testifying in his own behalf"

Which was committed to the Committee on Judiciary General.

BILLS INTRODUCED.

Mr. McILHENNY. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 274, entitled:

An Act to amend the third section of an act approved the 31st day of May, 1907, entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers; defining their powers and duties, and fixing their compensation; and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the Act of General Assembly, approved the 28th day of March, A. D. 1895.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 275, entitled:

An Act to amend an act approved the 26th day of March, 1895, entitled "An act relative to the Public Grounds and Buildings; defining the powers of the Commissioners; authorizing the Board of Commissioners to carry into effect the provisions of Section twelve, Article three of the Constitution relative to contracts for stationery, supplies, fuel, furniture, furnishings, distribution of documents, repairs, alterations or improvements, and other matters needed by the Legislature the several departments, boards and commissions of the State government and Executive Mansion; authorizing the appointment of a Superintendent and defining his powers, authority and duties, and provided for the appoinment of subordinate officers required by this act and fixing the compensation of the same."

Which was committed to the Committee on Judiciary General.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess until 12:45 o'clock.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the resolution from the Senate, as follows:

In the Senate, February 11, 1913.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it shall reconvene on Monday evening, February seventeenth, at nine o'clock, and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February seventeenth, at eight o'clock.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:47 o'clock P. M. until 9 o'clock Monday evening, February 17, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 11th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, Lord, our Lord, how excellent is thy name in all the earth. Thou hast set Thy glory above the Heavens. Thou art glorious with holiness, working with praise, doing wonders. We recognize Thy hand in the stirring events which are going on about us. Thou art working Thy will and doing Thy pleasure in ways which are to us mysterious and wonderful. Thou art using men as Thine agents, even though they are working unconsciously with Thee. Thou art in the tumults and confusion which are startling and impressing us, the wars and revolutions, and all the great tragedies of life. Thou art in the resistless pressure of the world's work. Thou art in the quiet and orderly movements of homes and schools and churches. Thou art in the rush of the streets and in the work which is being done in stores and shops, and courts and offices, and forests and fields. Thou art voicing Thyself in the daily press which molds our opinions. Thou art recording Thy pleasure in Legislation Assemblies. We recognize all this, O., God, and bow before Thee as a wonderworking God. We would work in harmony with Thee, and therefore humble ourselves to Thee, that Thou mayst take us and use us and enable us to do efficient and faithful work, and Thy name shall have the praise of it, through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Malie, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BAYLE. House Bill No. 458.

An Act making an appropriation to the Corry Hospital of the City of Corry, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BAYLE. House Bill No. 459.

An Act making an appropriation to the Elmwood Home, of Erie, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JOHN H. YOUNG. House Bill No. 460.

An Act making an appropriation for the Dixmont Hospital for the Insane.

Referred to Committee on Appropriations.

By Mr. HUMES. House Bill No. 461.

An Act to further amend an act eneitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by changing the form of the ballot and regulating the method of marking the same.

Referred to Committee on Elections.

By Mr. HUMES. House Bill No. 462.

A Supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven, entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof."

Referred to Committee on Law and Order.

By Mr. McKAY. House Bill No. 463.

An Act to amend an act approved the thirty-first day of May, one thousand eight hundred ninety-three, entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," as amended by an act approved the twenty-third day of June, one thousand eight hundred ninety-seven, entitled "An act to amend an act, entitled 'An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days, approved the thirty-first day of May, Anno Domini one thousand eight hundred ninety-three, further designating the days and half days to be observed as legal holidays," and as further amended by an act approved the sixteenth day of February one thousand nine hundred eleven, entitled 'An act to amend an act, entitled, 'An act to amend an act, entitled 'An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days"; approved the twenty-third day of June, Anno Domini one thousand eight hundred ninety-seven; further designating the days and half days to be observed as legal holidays."

Referred to Committee on Judiciary General.

By Mr. NORTH. House Bill No. 464.

An Act amending section one of an act, entitled "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providig proper exits, firt-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," approved the third day of May, Anno Domini, one thousand nine hundred and nine, by limiting the application of the act to tenement houses, apartments and flats to those occupied by ten or more persons.

Referred to Committee on Judiciary Special.

By Mr. NORTH. House Bill No. 465.

An Act requiring a license for conducting certain kinds of business; regulating such licensing and fixing a penalty for violation of this act.

Referred to Committee on Judiciary Special.

By Mr. NORTH. House Bill No. 466.

An Act to amend the title, the first section the second section, and the third section of an act of Assembly, entitled "An act relating to the settlement and audit of the accounts of all officers, elected or appointed, of boroughs, townships, poor districts, and school districts; prescribing the time for such settlement and audits, for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the Clerk of Quarter Sessions, and of appeals to the Court of Common Pleas and Superior and Supreme Courts," approved the ninth day of June, A. D. one thousand nine hundred and eleven, by repealing so much thereof as applies to school districts.

Referred to Committee on Education.

By Mr. NORTH. House Bill No. 467.

An Act making an appropriation for the payment of the expense of publication of amendments to the Constitution in the year one thousand nine hundred and twelve.

Referred to Committee on Appropriations.

By Mr. MITCHELL. House Bill No. 468.

An Act making an appropriation to the Saint Vincent's Hospital Association, of the City of Erie, Erie County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. EHRHARDT. House Bill No. 469.

An Act making an appropriation to the Florence Crittenden Mission, of Scranton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. COCHRAN. House Bill No. 470.

An Act authorizing the trustees of the Cottage State Hospital, located at Connellsville, Pennsylvania, to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution.

Referred to the Committee on Judiciary Local.

By Mr. GIBSON. House Bill No. 471.

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for cooperative Agricultural Extension work for the purpose of improving and devoloping the agricultural resources of the proper counties.

Referred to Committee on Agriculture.

By Mr. BENSON. House Bill No. 472.

A Joint Resolution proposing an amendment to the constitution of Pennsylvania granting to the people the right of initiatve and referendum.

Referred to Committee on Constitutional Reform.

By Mr. GEORGE C. IRWIN. House Bill No. 473.

An Act for the protection of the public health, relating to cold storage and refrigerating warehouses, the disposition or sale of the foods kept or preserved therein, and defining the duties of the dairy and Food Commissioner in relation thereto, and providing penalties for the violation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. REUBEN HOWARD. House Bill No. 474.

An Act making an appropriation to the Uniontown Hospital, of Uniontown, Fayette County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. EHRHARDT. House Bill No. 475.

An Act making an appropriation to the trustees of the State Hospital of the Northen Anthracite Coal Region of Pennsylvania, at Scranton, Pa.

Referred to Committee on Appropriations.

By Mr. MITCHELL. House Bill No. 476.

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie, Erie County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RUNK. House Bill No. 477.

An Act making an appropriation to the Chambersburg Hospital of Chambersburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. McDERRMOTT. House Bill No. 478.

An Act providing for the designation of depositories of county funds, the securing of the funds deposited therein and the payment of interest thereon.

Referred to the Committee on Counties and Townships.

By Mr. LIGHT. House Bill No. 479.

An Act to amend section five hundred sixty-one of an act, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providng revenue to establish and maintain in the same, and the method of collecting such revenue; and repealing all laws, general, special or local ,or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini, one thousand nine hundred and eleven.

Referred to Committee on Education.

By Mr. KLEPPER. House Bill No. 480.

An Act making an appropriation to the Renovo Hospital, at Renovo, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LIGHT. House Bill No. 481.

An Act making an appropriation to the Children's Aid Society of Franklin County.

Referred to Committee on Appropriations.

By Mr. HUMES. House Bill No. 482.

An Act to provide for the holding of a Constitutional Convention, the election of delegates thereto, and the submission of the report thereof for the apprval of the people.

Referred to Committee on Constitutional Reform.

By Mr. BROSIUS. House Bill No. 483.

An Act to amend an act approved the thirtieth day of April, one thousand eight hundred and sixty-four, entitled "An act imposing additional taxes for State purposes, and to abolish the Revenue Board," as amended by an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An act amending section four of an act, entitled 'An act imposing additional taxes for State purposes, and to abolish the Revenue Board,' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four; by requiring the treasurer of each school district and chief officer of each incorporated district to make report, under oath, to the Auditor General of the amount of scrip bonds, or certificates of indebtedness outstanding in their respective counties."

Referred to Committee on Ways and Means.

By Mr. COCHRAN. House Bill No. 484.

An Act making an appropriation to the trustees of the Cottage State Hospital, at Connellsville, Fayette County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KAUFMAN. House Bill No. 485.

An Act making an appopriation to the Home for Widows and Single Women of Lebanon and Lebanon County.

Referred to Committee on Appropriations.

By Mr. WETTACH. House Bill No. 486.

An Act making an appropriation to the Allegheny General Hospital of the North Side, City of Pittsburgh.

Referred to Committee on Appropriations.

By Mr. GLENN. House Bill No. 487.

An Act making an appropriation to the Franklin City Hospital.

Referred to Committee on Appropriations.

By Mr. KAUFMAN. House Bill No. 488.

An Act making an appropriation to the Good Samaritan Hospital of Lebanon.

Referred to Committee on Appropriations.

By Mr. CHEESEMAN. House Bill No. 489.

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DOWN. House Bill No. 490.

An Act to authorize county commissioners to appropriate and use certain limited amounts of money out of the funds of their counties, respectively, for the improvement of agricultural conditions, by means of general instruction and public demonstration of improved methods of farming.

Referred to Committee on Agriculture.

By Mr. KUHNS. House Bill No. 491.

An Act making an appropriation to the Childrens Home, of South Bethlehem, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SWIFT. House Bill No. 492.

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton, Beaver County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GEORGE A. BALDWIN. House Bill No. 493.

An Act making an appropriation to the Passavant Memorial Home for the Care of Epileptics, at Rochester, Beaver County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HEIDINGER. House Bill No. 494.

An Act making an appropriation to the Saint Timothy's Memorial Hospital and House of Mercy, Roxborough.

Referred to the Committee on Appropriations.

By Mr. MARTIN. House Bill No. 495.

An Act prohibiting railroad corporations from placing in passenger trains a wooden car in front of a steel car, and fixing a penalty for violation of this act.

Referred to the Committee on Railroads.

By Mr. S. B. SCOTT. House Bill No. 496.

An Act to regulate the issuance of shares, bonds and other written evidences of indebtedness of corporation; requiring directors to file a certificate with the Secretary of the Commonwealth in certain cases; providing for an investigation by the Secretary of the Commonwealth when it is desired to issue shares or bonds for property or labor; making issues of shares or bonds contrary to the act void; defining the rights of the holders thereof, and imposing liabilities and penalties for the violation of the act.

Referred to Committee on Judiciary General.

By Mr. JOHN R. K. SCOTT. House Bill No. 497.

An Act providing for the nomination of candidates for the office of United States Senator, and requiring candidates for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth named in nomination papers to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at the General Election next preceding the election of a United States Senator by the General Assembly.

Referred to the Committee on Elections.

By Mr. REESE. House Bill No. 498.

An Act making an appropriation to the Pottsville Hospital, Pottsville, Schuylkill County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GANS. House Bill No. 499.

An Act to amend Section two of an act approved the fourth day of June, Anno Domini one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or materials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line; canal, mill-race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public; well for the production of gas, oil or other volatile or mineral substance; or other structure or improvement, of whatsoever kind of character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto;" by providing for a lien for improvement done to land including sodding, planting of trees or shrubbery of any kind and landscape gardening.

Referred to Committee on Judiciary Special.

By Mr. JOHN R. K. SCOTT. House Bill No. 500.

An Act providing for the nomination by political parties at primaries of candidates for the office of United States Senator, and requiring any candidate for nomination for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth at certain primary elections to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at the General Election next preceding the election of a United States Senator by the General Assembly.

Referred to the Committee on Elections.

By Mr. BLELOCH. House Bill No. 501.

An Act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of the defendant from the lien thereof and repealing an act, entitled "Relating to the entry of bail upon an appeal to the Supreme or Superior Court, from an order, judgment or decree directing the payment of money, and the release of the appellant's real estate from the lien of said judgment, order or decree pending the appeal and re-entry of judgment, if judgment be affirmed," approved the twenty-second day of April, one thousand nine hundred and nine.

Referred to Committee on Judiciary Special.

By Mr. BLELOCH. House Bill No. 502.

An Act to amend Section 2 of an Act of Assembly approved June 10, 1911, entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof, when the balance for distribution in an estate, after the debts are paid, includes stocks, bonds and other securities, to make distribution of the same in kind to parties entitled thereto, to authorize subsequent sales thereof, and to validate such distributions heretofore made, by striking out the provisions thereof requiring the sale and conversion of such securities."

Referred to the Committee on Judiciary Special.

By Mr. BLELOCH. House Bill No. 503.

An Act prescribing the condition under which agreements and contracts for the sale and exchange of lands, tenements and hereditaments may be recorded in the offices of the Recorders of Deeds in the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary Special.

By Mr. GEORGE A. BALDWIN. House Bill No. 504.

An Act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens, and providing penalties for the violation thereof.

Referred to Committee on Judiciary General.

By Mr. WATSON. House Bill No. 505.

An Act to amend an act approved the twenty-sixth day of May, one thousand eight hundred ninety-seven, entitled "An Act in relation to officers taking illegal fees, and providing a penalty therefor."

Referred to the Committee on Judiciary General.

By Mr. MOSES. House Bill No. 506.

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALLEN. House Bill No. 507.

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs with the Commonwealth of Pennsylvania.

Referred to Committee on Municipal Corporations.

By Mr. LOWERS. House Bill No. 508.

An Act regulating the business of making certain loans, or buying or receiving assignments of wages or salaries, and providing penalties for violation of the provisions hereof.

Referred to the Committee on Judiciary General.

By Mr. WALTON. House Bill No. 509.

An Act to amend Section one of an act, entitled "An Act to provide for the better protection of game, game-quadrupeds and game-birds, and prescribing penalties for violation of its several provisions," approved the third day of June, Anno Domini, one thousand nine hundred and eleven.

Referred to Committee on Game.

By Mr. W. J. PRICE. House Bill No. 510.

An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds in Penn-

sylvania and prescribing penalties for violation of its several provisions.

Referred to the Committee on Game.

By Mr. KEEPORT. House Bill No. 511.

An Act for the protection of the public health by prohibiting the use of common drinking cups in public drinking places, and providing a penalty for the violation thereof.

Referred to the Committee on Public Health and Sanitation.

By Mr. COX. House Bill No. 512.

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property, money, credit or the extension of credit, and providing penalties for the violation thereof.

Referred to the Committee on Judiciary Special.

By Mr. WHITAKER. House Bill No. 513.

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans Burtnett Company, of Harrisburg, in payment for meats and groceries furnished by them, at the instance of the Adjutant-General of Pennsylvania, under directions from the Governor, for the relief of the sufferers from the Austin Dam Disaster, occuring September thirtieth, one thousand nine hundred and eleven.

Referred to the Committee on Appropriations.

By Mr. ALLEN. House Bill No. 514.

An Act supplementing and amending an act, entitled "An Act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs and expenses thereof," approved June twenty-third, one thousand nine hundred and eleven, P. L., page 1123, by providing for election by the people in each county of a board of viewers

Referred to the Committee on Judiciary Special.

By Mr. LETZKUS. House Bill No. 515.

An Act permitting certain baseball games on Sunday between three and six o'clock post meridiam.

Referred to Committee on Law and Order.

By Mr. GANS. House Bill No. 516.

An Act to prevent improper interference with jurors, making same a misdemeanor and imposing penalty therefor.

Referred to the Committee on Judiciary Special.

By Mr. WALTON. House Bill No. 517.

An Act to protect the owners of buildings by prohibiting the damaging or destroying of fixtures therein, and prohibiting tenants from leaving buildings in such condition that the fixtures may become damaged or destroyed, and providing a penalty for violation hereof.

Referred to the Committee on Judiciary General.

By Mr. WATSON. House Bill No. 518.

An Act making an appropriation to the Saltsburg General Hospital, at Saltsburg, Indiana County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SAMUEL B. SCOTT. House Bill No. 519.

An Act to change and fix the terms of Managers of the Poor and Auditors authorized to audit, settle and adjust accounts of said Managers of the Poor in incorporated poor districts where the number of said Managers and Auditors respectively is nine, and said Managers and Auditors are required to be elected in blocks of three, fixing the times when the terms of present Managers and Auditors shall expire, their successors be elected and assume office.

Referred to the Committee on Judiciary General.

By Mr. PRICE. House Bill No. 520.

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions."

Referred to the Committee on Game.

By Mr. LORENZO SMITH. House Bill No. 521.

An Act to amend an act entitled "An act to establish a public system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini 1911, by providing for the appointment of school visitors by the board of public education in school districts of the first class.

Referred to Committee on Education.

By Mr. BENSON. House Bill No. 522.

An Act making an appropriation to the Beacon Light Mission, near the city of Bradford, Pennsylvania.

Referred to Committee on Appropriations

By Mr. LORENZO SMITH. House Bill No. 523.

An Act to amend section one of article eight of an act entitled "An act to provide for the better government of cities of the first class of this Commonwealth," approved the first day of June, A. D. 1885, by providing for the appointment of the city solicitor by the mayor.

Referred to Committee on Appropriations.

By Mr. WILLIAMS. House Bill No. 524.

An Act making an appropriation for the Trustees of the State Hospital for Injured Persons to the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located in Blossburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HORACE B. DUNN. House Bill No. 525.

An Act to amend section eight of an act, entitled "An act relating to roads; providing for the election and appointment of township supervisiors in second class townships; defining their power, duties and limitations; relating to road tax, and the expenditures thereof; abolishing the work tax; defining certain duties of the clerk of court; fixing penalties for violation of this act; and making an appropriation to carry out its provisions," approved the fourteenth day of June, Anno Domini, one thousand nine hundred and eleven.

Referred to Committee on Public Roads.

By Mr. MATT. House Bill No. 526.

An Act making an appropriation for the erection of a monument in memory of the soldiers of the Revolutionary War of Captain Philip's company of Colonel Piper's regiment murdered by Indians near Saxton, in Bradford County, Sunday, July sixteen, one thousand seven hundred and eighty.

Referred to Committee on Appropriations.

By Mr. RICHARDS. House Bill No. 527.

An Act to regulate the practice of pharmacy and sale of poisons and drugs of all kinds and providing penalties for the violation thereof, defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality, strength and purity.

Referred to Committee on Public Health and Sanitation.

By Mr. McNICHOL. House Bill No. 528.

An Act making an appropriation to the National Farm School at Doylestown.

Referred to Committee on Appropriations.

By Mr. NORTH. House Bill No. 529.

An Act making an appropriation to cover the deficiency incurred in the care, treatment and maintenance of the indigent insane of the Commonwealth, during the period of four years beginning June first, one thousand nine hundred and nine and ending May thirty-first, one thousand nine hundred and thirteen

Referred to Committee on Appropriations.

By Mr. GLENN. House Bill No. 530.

An Act to amend section sixty-eight of an act approved the fourteenth day of April, one thousand eight hundred and thirty-four, entitled "An act relative to the organization of the Courts of Justice."

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 531.

An Act fixing the time of organization of the commissioners of first class townships.

Referred to the Committee on Counties and Townships.

By Mr. RICHARDS. House Bill No. 532.

An Act regulating the sale, prescription and possession of opium, morphine, heroin, codeine, their salts, derivatives or compounds; or any substance or preparation containing opium, morphine, heroin, codeine, their salts, derivatives or compounds; providing penalties for the violation thereof and providing for the enforcement of said law and providing an appropriation for the enforcement of said law.

Referred to Committee on Public Health and Sanitation.

By Mr. KAUFMAN. House Bill No. 533.

An Act relating to divorce.

Referred to Committee on Judiciary General.

By Mr. LORENZO SMITH. House Bill No. 534.

An Act providing for the licensing and regulation of all buildings and the grounds adjacent thereto and all tent or tents or other temporary structures used for public exhibitions, in cities of the first class in this Commonwealth, and also providing for the licensing and regulation in said cities or all dramatic performances such as tragedies, comedies, or farces, or the exhibition of stereopticon views of either fixed or moving pictures, or exhibitions of songs, dances, acrobatic and athletic performances and other exhibitions of personal skill, for the amusement of the public, and the exhibition of trained animals, which said performances are known and called vaudeville performances, or any equestrian beings, because of abnormal physical conditions, and providing for punishments for violations thereof.

Referred to Committee on Law and Order.

By Mr. GOSS. House Bill No. 535.

An Act making an appropriation to the Brownsville General Hospital, at Brownsville, Fayette County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ALLEN. House Bill No. 536.

An Act authorizing the commissioners of any township of the first class of this Commonwealth to grade, pave curb, macadamize or otherwise improve any street, lane or alley or part thereof in the said townships, and to construct sewers; and providing for the ascertainment, levy, assessment and collection of the costs, damages, and expenses thereof upon and from the property benefited; and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same.

Referred to Committee on Counties and Townships.

By Mr. LORENZO SMITH. House Bill No. 537.

An Act to amend the second section of an act entitled "An act relating to the keepers of junk shops and second hand dealers in cities of this Commonwealth," approved the eleventh day of April, A. D. 1899.

Referred to Committee on Municipal Corporations.

By Mr. WHITAKER. House Bill No. 538.

An Act making an appropriation for the purpose of purchasing land for rifle range, or land for permanent camping ground for division encampment, or land for permanent camping grounds for three separate brigade encampments, either or all, and providing for the care and preparation of same; said purchase of land to be made under the direction of the State Military Board, the title thereof to be examined and approved by the Attorney General, and the purchase approved by the Governor; and fixing the maximum average price per acre of such lands as may be purchased; providing that the title to all lands purchased shall be vested in the Commonwealth, and land be used for military purposes under the control and direction of the Adjutant General; and providing for the method of payment of land purchased.

Referred to Committee on Military Affairs.

By Mr. GEARY. House Bill No. 539.

An Act establishing in the Department of Health a division to be known as the Division of Child Welfare and defining its powers and duties and providing a penalty for violation of the orders of the Commissioner of Health.

Referred to Committee on Judiciary Special.

By Mr. ALLEN. House Bill No. 540.

An Act authorizing townships of the first class to lay sewers in and under county and state highways and providing for the ascertainment, levy and collection of the costs and expenses thereof.

Referred to Committee on Counties and Townships.

By Mr. KAISER. House Bill No. 541.

An Act making an appropriation to the Western Pennsylvania Humane Society.

Referred to Committee on Appropriations.

By Mr. LOWERS. House Bill No. 542.

An Act supplementary to an Act entitled "An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth with reference to the care, treatment and control of dependent, neglected, incorrigible and neglected children, under the age of sixteen years, and providing for the means in which such power may be exercised," approved April 23rd, A. D. 1903; conferring power upon the judge or judges of the courts of quarter sessions of the peace, who are, from time to time assigned to the sessions and said court known as the juvenile court, to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court; defining the purpose, method and extent of such examination and the character and use of the reports of examining phsicians; designating the time and place of and authorizing the necessary equipment for such examinations; and providing for the installation or said equipment and payment therefor, and for the appointment and compensation of examining physicians and assistants for the said work.

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 543.

A bill entitled "An act applicable to cities of the first, second and third classes, to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers, for partial support of their children in their own homes." The manner of appointment of the trustees, the administration of the trust, amount of appropriations, proportioning appropriations, subordinate appropriations, amounts, to be paid, form of records, eligibility, penalties and reports as set forth in sections one, two, three, four, five, six, seven and eight.

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 544.

An Act making an appropriation for the Whites Christian Home for Children, 2535 Webster Avenue, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALSH. House Bill No. 545.

An Act to provide for the compensation to be paid to the Election Officers in cities of the first and second class of this Commonwealth.

Referred to Committee on Elections.

By Mr. NEELY. House Bill No. 546.

An Act making an appropriation to the Pittsburgh Maternity Dispensary.

Referred to Committee on Appropriations.

By Mr. SPANGLER. House Bill No. 547.

A Joint Resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River, by the McCall's Ferry Power Company at McCall's Ferry, providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution.

Referred to Committee on Fisheries.

By Mr. MALIE. House Bill No. 548.

An Act making an appropriation to the Home of the Good Shepherd of the County of Allegheny, Lowrie Street, Troy Hill, North Side, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 549.

An Act making an appropriation to the St. Joseph's Protectory for Homeless Boys, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 550.

An Act making an appropriation for the Irene Kaufmann Settlement, of Pittsburgh, Pennsylvania, formerly known as The Columbian School and Settlement, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RICHARDS. House Bill No. 556.

An Act to provide for the compensation by the proper county of the licensed practitioners of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death, birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law or by the Rules and Regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act.

Referred to Committee on Public Health and Sanitation.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 3 (House Bill No. 551)

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

Which was referred to the Committee on Judiciary Special.

Also Senate Bill No. 4 (House Bill No. 552)

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

Which was referred to the Committee on Appropriations.

Also Senate Bill No. 12 (House Bill No. 553)

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale, offering for sale, exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof and providing for the enforcement thereof," approved the eleventh day of March, Anno Domini one thousand nine hundred and nine; providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act, and providing penalties for the violation thereof.

Which was referred to the Committee on Public Health and Sanitation.

Also Senate Bill No. 14 (House Bill No. 554)

An Act to amend the first section of an act approved the tenth day of June, one thousand nine hundred one, entitled "An Act authorizing and empowering boroughs and incorporated towns to take, use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality, and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor," as amended by the first section of an act approved the fifth day of May, one thousand nine hundred eleven, entitled "An Act to amend Section one of 'An Act authorizing and empowering boroughs and incorporated towns to take, use

and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor,' approved the tenth day of June, one thousand nine hundred and one so as to extend the same to townships of the first class," by extending the act to include townships of the second class.

Which was referred to the Committee on Municipal Corporations.

Also Senate Bill No. 21 (House Bill No. 555)

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin, Northumberland County, Pennsylvania, for the payment of indebtedness incurred in furnishings, furniture, equipment ,repairs and making extraordinary alterations and changes in the buildings of said hospital.

Which was referred to the Committee on Appropriations.

REPORT FROM THE PENNA PANAMA-PACIFIC COMMISSION.

The SPEAKER. The Chair lays before the House the report of the Pennsylvania Panama-Pacific Commission, called for by resolution of the House. The report will be read by the Clerk.

The Clerk proceeded to read the report,

Whereupon,

Mr. ELLSWORTH G. M. KUHNS moved that the further reading of this report be dispensed with and that the report be printed in the Legislative Journal.

Mr. HOFFMAN seconded the motion.

It was agreed to.

February 10, 1913.

To the House of Representatives of the Commonwealth of Pennsylvania:

Sirs:—In accordance with the request contained in the Resolution of the House of Representatives of the Commonwealth of Pennsylvania, No. Eleven, dated February 3rd, 1913, the following is a complete and itmeized statement of all expenditures incurred by the Pennsylvania Panama-Pacific Exposition Commsson; also a statement containing the names of the members of the Commission and persons who accompanied it to San Francisco.

Under the terms of a resolution adopted at a meeting of the Pennsylvania Pana-Pacific Commission, June 25, 1912, it was decided that the entire Commission should go to San Francisco to select and dedicate the site for the Pennsylvania building. This acton was taken as the result of a ruling by the Exposition Commission at San Francisco, that no property be turned over to the use of any State unless a proper representation of such State be on the ground and participate in proper ceremonies. The Commission was joined by members of the Pennsylvania Society of California, and the dedicaton ceremony took place July 5th, 1912.

Like action has been taken by twenty States and Territories and twenty-six foreign governments.

(Signed) W. H. GAITHER,
Secretary, Executive Committee.

MEMBERS OF THE PENNSYLVANIA PANAMA-PACIFIC COMMISSION

John K. Tener, Chairman
Charles W. Ashley, Treasurer
Hon. John C. Bell
Hon. Ernest L. Tustin
Hon. W. E. Crow
Hon. Charles W. Sones
Hon. James L. Adams
Hon. Charles A. Bentley
Hon. C. Victor Johnson
Hon. Charles A. Shaffer
Hon. Frank B. McClain
James W. King, Esq.
Mr. Charles D. Armstrong
Mr. H. J. Heinz
Mr. M. S. Hershey
Mr. George W. Creighton
Mr. Morgan E. Gable
Mr. G. W. Nitrauer
Mr. E. H. Porter
Mr. Charles F. Thompson
Mr. Chester P. Ray

C. E. Carothers, Secretary of Commission.
W. H. Gaither, Sec'y Executive Com.

LIST OF PERSONS WHO ATTENDED DEDICATION EXERCISES AT SAN FRANCISCO, CALIFORNIA.

John K. Tener, Chairman of Commission,
Hon. John C. Bell, Member of Commission,
James W. King, Esq., Member of Commission,
Hon. Ernest L. Tustin, Member of Commission,
Mr. Chester P. Ray, Member of Commission,
Mr. G. W. Nitrauer, Member of Commission,
Mr. Charles F. Thompson, Member of Commission,
Mr. E. H. Porter, Member of Commission,
Hon. Frank B. McClain, Member of Commission,
Mr. Morgan E. Gable, Member of Commission,
Mr. George W. Creighton, Member of Commission,
Hon. James L. Adams, Member of Commission,
Hon. Charles W. Sones, Member of Commission,
Hon. Charles A. Bentley, Member of Commission,
Hon. C. Victor Johnson, Member of Commission,
Hon. Charles A. Shaffer, Member of Commission,
Hon. John P. Elkin, Justice of the Supreme Court,
W. H. Gaither, Secretary of Executive Committee,
C. E. Carothers, Secretary of General Commission,
C. A. Dunn, Stenographer.

HARRISBURG, PA., February 10, 1913.

FINANCIAL STATEMENT.

Amount Appropriated,	$50 000 00	
Drawn from State Treasury,		$15 000 00
Disbursements,		11 394 19
Balance in hands of Treasurer of Commission,		3 605 81
Balance in State Treasury,		35 000 00
Balance in Fund,		$38 605 81

EXPENDITURES TO FEBRUARY 10, 1913.

Voucher No.	Date of Payment.	To whom paid.		Amount.
(1)	July 1st.	E. L. Tustin, railroad fare, Philadelphia to Harrisburg and return, account of organization of Commission,	$4 20	
		Pullman, round trip,	1 00	$5 20
(2)	July 1st.	Jas. W. King, railroad fare, Philadelphia to Harrisburg and return, account of organization of Commission,	$4 20	
		Pullman, one way,	50	4 70
(3)	July st.	C. P. Ray, railroad fare, Philadelphia to Harrisburg and return, account organization of Commission,	$4 20	
		Pullman, round trip,	1 00	5 20
(4)	July 1st.	C. A. Shaffer, railroad fare, Berwick to Harrisburg and return, account of organization of Commission,	$4 15	
		Railroad fare, Berwick to Harrisburg (June 29) to Commission,	2 28	
		Hotel at Harrisburg,	2 75	9 18
(5)	July 1st.	C. W. Sones, railroad fare, Williamsport to Harrisburg to attend organization of Commission (June 25), and railroad one way (June 29) to join Commission,	$5 64	
		Pullman, round trip and one single trip,	1 50	
		Hotel,	1 80	8 94
(6)	July 1st.	G. W. Nitrauer, railroad fare, Lebanon to Harrisburg, on account of organization of Commission, June 25, and rail road fare, Lebanon to Harrisburg to join Commission (June 29),		1 98
(7)	July 1st.	C. Victor Johnson, railroad fare, Meadville to Harrisburg and return, account of organization of Commission,	$18 40	
		Pullman, round trip,	6 00	
		Hotel,	3 75	
		Railroad fare, Meadville to Pittsburgh (June 29),	3 35	
		Pullman and Porter,	1 25	
		Meals,	4 50	37 95
(8)	July 1st.	E. H. Porter, railroad fare, Beaver Falls to Harrisburg and return, account of organization of Commission,	$11 20	
		Pullman sleeper and chair car,	3 00	
		Hotel,	6 40	20 60
(9)	July 1st.	Charles F. Thompson, railroad fare, Charleroi to Harrisburg and return, account of organization of Commission,	$11 44	
		Pullman sleeper round trip,	4 00	15 44
(10)	July 1st.	Chas. A. Bentley, railroad fare, Monongahela City to Harrisburg and return, account of organization of Commission,	$11 00	
		Pullman sleeper round trip,	4 00	
		Hotel,	3 25	18 25
(11)	July 1st.	C. W. Ashley, railroad fare, Homestead to Harrisburg and return, acc't of organization of Commission,	$10 44	

	Pullman sleeper, round trip,	4 00		
	Hotel,	3 25		17 69
(12) July 1st.	Jas. L. Adams, railroad fare, Pittsburgh to Harrisburg and return, acc't of organization of Commission,	$9 75		
	Pullman sleeper and chair,	3 00		
	Hotel,	2 25		15 01
(13) July 1st.	Morgan E. Gable, railroad fare, Pittsburgh to Harrisburg and return acc't of organization of Commission,	$9 75		
	Pullman sleeper and chair car,	3 00		
	Hotel,	3 60		16 36
(14) July 1st.	C. E. Carothers, railroad fare, Pittsburgh to Harrisburg (June 26), acc't of organization of Commission,	$9 76		
	Pullman sleeper, round trip,	2 00		
	Hotel,	2 50		14 26
(15) July 13.	Chas. W. Ashley, Treasurer, paid for rubber stamp for use of Executive Committee,			1 50
(16) July 1st.	C. P. Ray, to cash paid for dinner for nine members of Commission in Pittsburgh, enroute to San Francisco,			15 80
(17) July 1st.	C. W. Ashley, Treasurer, cash paid for expenses of Commission and employes at Chicago, enroute to San Francisco:			
	Breakfast,	$17 90		
	Luncheon,	22 75		
	Dinner,	37 85		
	Cab and carriage hire,	11 75		
	Telegrams and Telephone,	13 75		104 00
(18) July 6.	Chas. W. Ashley, Treasurer for expenses of Commission and employes at San Francisco, July 3-6 both inclusive:			
	Rooms and meals, Fairmont Hotel,	$642 10		
	Services of Hotel employes,	48 70		
	Telegrams,	8 75		
	Cab Hire,	17 95		
	Extra Meals (other than at hotel),	14 30		731 30
(19) July 11.	Chas. W. Ashley, Treasurer, for expenses of members and employes of Commission at Portland, Oregon, July 8-11, both dates inclusive,—Imperial Hotel: Lodging and meals, services of hotel employes, telegrams and cab hire,	$615 75		
	Rooms and meals, Multnomah Hotel for C. P. Ray and C. F. Thompson,	47 80		
	Extra meals (other than at said hotels),	105 95		769 50
(20) July 13.	Chas. W. Ashley, Treasurer, for room and board of Commission and employes at the Washington Hotel, Seattle, including fees for hotel service, telegrams, cab hire and extra meals,			259 85
(21) July 13.	C. W. Ashley, Treasurer, cash paid for transferring baggage at Seattle,			8 75
(22) July 13.	C. W. Ashley, Treasurer, cash paid for auto hire at Victoria and Vancouver,			45 00
(23) July 13.	C. W. Ashley, cash paid for staterooms and meals on steamer from Seattle to Vancouver,			66 25
(24) July 15.	C. W. Ashley, Treasurer, cash paid G. Frontin Field, B. C., for cigars,			11 00
(25) July 16.	C. W. Ashley, Treasurer, cash paid for meals and bus hire at Laggan,			55 95
(26) July 17.	C. W. Ashley, Treasurer, cash paid Banff Springs Hotel for lodging and Meals of Commission and employes, including bus hire,			201 95
(27) July 18.	C. W. Ashley, Treasurer, cash paid Royal George Hotel, for cigars,			10 00
(28) July 18.	Jos. K. Davison's Sons, 50 bronze badges for Commission,			37 50
(29) July 20.	C. W. Ashley, Treasurer, cash paid St. Paul Hotel, St. Paul, for rooms and hire,			20 00
(30) July 20.	H. Y. Darnell, reimbursing him for sundry bills paid by him for the Commission, including cab hire, porters, etc.,			57 35
(31) July 20.	W. H. Gaither, cab hire, extra meals and telegrams, at Banff,			7 20
(32) July 30.	D. D. Harry, cigars,			155 25
(33) Aug. 8.	Western Union Telegraph Co., telegrams,			2 65
(34) Sept. 7.	Finley Acker Co., Commissary Supplies,			37 99
(35) Sept. 12.	P. R. R. Co., transportation and Pullman charges to San Francisco and return to Philadelphia, June 29th to July 21st, 1912, viz:			
	Special car, Phila. to Chicago and return, 25 persons at $32.70,	$817 50		
	Special car, Phila. to Chicago and return,	817 50		
	Phila. to Chicago, extra fare, 50 tickets at $2.00,	100 00		
	Chicago to San Francisco and return, 36 tickets at $80,	2880 00		
	Pullman charge for private cars "Rainbow" and "Ennerdale:"			
	Rainbow, 22 days at $50,	1100 00		
	Ennerdale, 22 days at $45,	990 00		
	Commissary supplies,	1008 90	$7 713 90	
(36) Sept. 17.	C. E. Carothers, Secretary, salary for July and August, 1912 at $125,			250 00
(37) Dec. 23.	C. E. Carothers, Secretary, salary for September and October,			250 00
(38) Dec. 18.	C. E. Carothers, Secretary, salary for November,			125 00
(39) Dec. 14.	D. W. Cotterell, Minute Book,			2 25
(40) Dec. 14.	C. W. Ashley, expenses to Philadelphia to settle account of P. R. R., as follows:			
	Railroad fare, Pittsburgh to Phila. and return,			13 00
	Pullman sleeper and chair cars,			3 50
	Meals and fees to employes,			4 50
(41) Dec. 14.	C. W. Ashley, expenses Pittsburgh to Harrisburg and return, to settle account with Auditor General:			
	Railroad fare, round trip,	$12 25		
	Pullman sleeper and chair car,	3 00		
	Meals,	3 00		
	Fees to employes and taxi-cab,	1 00		19 25
(42) Dec. 19.	Jas. W. King, expenses, Phila. to Harrisburg and return to attend meeting of Executive Committee:			
	R. R. fare, round trip,	$4 20		
	Pullman fare, round trip,	1 00		
	Dinner,	95		6 15
(43) Dec. 19.	E. L. Tustin, expenses, Phila. to Harrisburg and return to attend Executive Committee meeting:			
	Railroad fare, round trip,	$4 20		
	Pullman fare round trip,	1 00		
	Dinner and sundries,	1 35		6 55
	1913.			
(44) Jan. 30.	C. E. Carothers, Secretary, salary for December, 1912,			125 00
(45) Jan. 23.	C. P. Ray, expenses, Phila. to Harrisburg and return to attend Executive Committee meeting:			
	Railroad fare, round trip,	$4 20		
	Pullman fare, round trip,	1 00		
	Dinner,	75		5 95
(46) Jan. 23.	H. J. Heinz, expenses, Pittsburgh to Harrisburg and return, to attend Executive Committee Meeting:			
	R. R. fare, round trip,	$9 80		
	Section in Pullman,	3 60		
	Meals,	2 00		
	Parlor car seat,	1 00		16 40
	H. J. Heinz, for expenses attending organization			

	meeting held June 25, 1912:		
	R. R. fare round trip, ...	$9 80	
	Pullman sleeper section, ...	3 60	
	Meals, ...	2 00	
	Parlor car, ...	1 00	16 40
(47) Jan. 31.	C. V. Johnson, expenses on return from 'Frisco:		
	Fort Pitt Hotel, ...	$7 75	
	R. R. fare, Pittsburgh to Linesville, ...	2 60	
	Pullman and porter, ...	70	
	Trolley fare, Linesville to Meadville, ...	30	
	Cab hire, Pittsburgh, ...	50	11 85
(48) Jan. 31.	C. V. Johnson, expenses attending Executive Committee meeting on Dec. 10:		
	Trolley fare, Meadville to Linesville and return, ...	$ 60	
	Pullman fare, Linesville to Pittsburgh, to Harrisburg and return via Pittsburgh,	4 10	
	Railroad fare, Linesville to Harrisburg via Pittsburgh and return, ...	15 00	
	Meals on train, ...	3 00	
	Senate Hotel, room, ...	3 50	
	Breakfast, Pittsburgh, ...	1 50	28 45
	Total, ...		$11 394 19

REPORTS FROM COMMITTEES.

Mr. WILLIAM H. WILSON, from the Committee on Ways and Means, reported, with a negative recommendation, House Bill No. 31, entitled:

An Act to repeal an act approved the second day of May, one thousand eight hundred and ninety-nine entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," together with the amendments thereof.

Mr. GOOD, from the Committee on Mines and Mining, reported as committed House Bill No. 322, entitled:

An Act fixing a basis upon which to calculate the earnings of miners, employed in anthracite coal mines and providing penalties for violation hereof.

Mr. McDERMOTT, from the Committee on Mines and Mining, reported as committed House Bill No. 234, entitled:

An Act to provide for the Safety of Persons Employed in and about Bituminous Coal Mines and to provide for the examination of persons seeking employment as coal miners, and to prohibit the employment of incompetent persons as miners and providing penalties for the violation the same.

Mr. WILLIAM H. WILSON, from the Committee on Municipal Corporations, reported, with a negative recommendation, House Bill No. 198, entitled:

An Act providing that actions for personal injuries caused by defects in streets, highways, bridges, or other public places shall not be maintained against any county, city, borough, township, or other municipality, unless the person injured, or some person in his or her behalf or by those entitled in case of death, or some one in their behalf, shall give notice in writing to the proper corporation or municipality, of the time and place of such injury and of the character and nature of the defect which caused it.

LEAVES OF ABSENCE.

Mr. MITCHELL asked and obtained leave of absence for Mr. Kitts for the balance of the week.

Mr. HEMMINGER asked and obtained leave of absence for Mr. LOHR for the balance of the week.

CONCURRENT RESOLUTION.

Mr. LORENZO SMITH offered the following resolution, which was twice read and laid over for printing:

A Concurrent Resolution proposing an amendment to article eight, section fourteen of the Constitution of the Commonwealth of Pennsylvania.

Section 1 Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concur) that the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth article thereof.

Amend section fourteen of article eight of said Constitution, which reads as follows:

"Section 14 District election boards shall consist of a judge and two inspectors, who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled, as shall be provided by law. Election officers shall be privileged from arrest upon days of election, and while engaged in making up and transmitting returns, except upon warrant of a court of record or judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their terms of service," so as to read as follows:

Section 14 District election boards shall consist of a judge and two inspectors, who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled, as shall be provided by law. Election officers shall be privileged from arrest upon days of election, and while engaged in making up and transmitting returns, except upon warrant of a court of record or judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their terms of service; Provided however that in the city of Philadelphia the district election boards shall be appointed by the Board of registration commissioners, and they may be either registrars of electors for said districts, or other qualified electors thereof, as the said commissioners may determine; provided the judge and one inspector shall be members of the majority party in said election district at the last preceding election, and the other inspector shall be a member of the largest minority party at the last election aforesaid.

CONCURRENT RESOLUTION.

Mr. LESLIE offered the following resolution, which was twice read and laid over for printing.

Concurrent Resolution providing for the appointment of a commission to investigate the charges against the Western Pennsylvania Training School, located at Morganza, Washington County, Pennsylvania.

Whereas, Recently in the public prints grave charges have appeared alleging wanton abuse of the inmates of the Western Pennsylvania Training School located at Morganza, Washington County, Pennsylvania, and

Whereas, The charges, if true, are of such nature as demand a speedy reform in the method of administering such institution and

Whereas, It would be unwise to ignore the charges, inasmuch as they are alleged in great volume and in detail; therefore

Be It Resolved (if the Senate concur) That a commission be appointed to investigate all charges that have recently been made in public prints and elsewhere against the management of the Western Pennsylvania Training School, located at Morganza, Washington County, Pennsylvania. This commission shall consist of three members of the Senate, to be appointed by the President Pro Tempore thereof, and of three members of the House of Representatives, to be appointed by the Speaker thereof. The members of the commission shall serve without compensation, but shall be allowed expenses actually and necessarily incurred by them or any of them in the performance of the duties imposed hereby upon them. Said commission is authorized to make a thorough examination of the methods of administration and treatment of the inmates used in said institution, and are authorized to examine such witnesses as may be produced before them, and to subpoena such other witnesses whose testimony they desire. They shall also have the authority to require the production of such books, papers and other matters as in their judgment will conduce to a thorough investigation of the matter in hand. This commission shall organize immediately after their appointment by the election of a chairman, and shall promptly proceed upon the performances of the duties herein imposed. They shall report in writing to the General Assembly on or before the first day of April of this year, making in such report such recommendations as in their judgment are necessary. The expenses made necessary by this commission shall be appropriated in the general appropriation bill.

REQUESTING INFORMATION FROM STATE HIGHWAY COMMISSIONER.

Mr. MILLER offered the following resolution, which was twice read, considered and agreed to:

Whereas, The State Highway Commissioner is directed by law to issue license tags for motor vehicles upon payment of certain fixed fees and said tags are forwarded prepaid to the person applying for same, and

Whereas, Said tags, weighting approximately three pounds each, are sent by express at an average cost of forty (40) cents each, and

Whereas, Said tags could be sent by Parcels Post at an average cost of fourteen (14) cents each, thereby saving to the State twenty-six (26) cents on an average on each tag, and

Whereas, The number of tags sent out annually exceed sixty (60) thousand, and the State would save approximately fifteen thousand ($15,000) dollars annually were this change made, and although the Parcels Post has been in operation since January 1, 1913, so far as known, no tag has thus far been sent by this means;

Now, therefore, be it

Resolved, That the State Highway Commissioner furnish to the House of Representatives any reason which prevents this change in the shipment of said Auto-License tags.

GRANTING USE OF THE HALL OF THE HOUSE TO DR. J. T. ROTHROCK.

Mr. WILLIAMS. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to present a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was twice read by the Clerk as follows, and agreed to:

Resolved, That the use of the Hall of the House be granted

to Dr. J. T. Rothrock on Wednesday evening, February 19th, for an illustrated lecture on "Desolated Pennsylvania."

COMMISSION TO INVESTIGATE THE SERVICE IN THE SENATE AND HOUSE OF REPRESENTATIVES.

Mr. HUMES. Mr. Speaker, I wish at this time to call up Concurrent Resolution No. 1, as reported from Committee.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore, be it

Resolved (if the House of Representatives concur), That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate and five members of the present House of Representatives, two of whom shall be Democrats, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate and House of Representatives and to make report thereof, and, if necessary, to recommend, not later than March 12, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and

The Chief Clerk of the Senate shall assign one of the regularly elected clerks to committees to said commission as its clerk.

Mr. HUMES. Mr. Speaker, I move the adoption of the resolution as amended.

The motion was agreed to.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING.

Mr. REESER. Mr. Speaker, I desire to call up at this time House Bill No. 153, entitled:

An Act to repeal an act approved the first day of June one thousand nine hundred and eleven entitled "An act to tax traction-engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed"

on page 4 of today's calendar, bills on third reading postponed for the present.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to hear from the sponsor of this bill what the purpose of it is.

Mr. REESER. Mr. Speaker, at the session of 1911, an act was passed assessing traction engines. The act read they should be assessed for all purposes. The intention was it should be a tax raised for local purposes. Since then there is a State tax collected on these engines. Counties where the traction engines are used do not receive any benefit only as they receive it from the general school fund or road fund, and the traction engines are possibly only used for agricultural purposes for four to six weeks in the year. I do not see that it is fair that they should be burdened by this tax, any more than that thereshould be a State tax on a binder or mowing machine, or anything else of that character. If this act had been carried out as the intent was, to levy a local tax for local purposes, we would not ask to have it repealed; but as there is a State tax levied, and that only, for that reason we ask to have the act repealed.

Mr. E. E. JONES. Mr. Speaker, I would like to interrogate the gentleman from Sullivan.

The SPEAKER. Will the gentleman from Sullivan permit himself to be interrogated?

Mr. REESER. Certainly, Mr. Speaker.

Mr. E. E. JONES. Mr. Speaker, I would like to know if this repealer carries, when this act is repealed, if the local authorities will have power to tax these engines?

Mr. REESER. Mr. Speaker, I think not, because this bill that is presented now is to repeal this act entirely.

Mr. E. E. JONES. Mr. Speaker, I would like to further interrogate the gentleman by asking him if there is any other bill in preparation to provide for the taxation of traction engines.

Mr. REESER. Mr. Speaker, I think there will be; that is the intention.

Mr. E. E. JONES. Mr. Speaker, then I suggest to the gentleman from Sullivan that this bill be left on the postponed calendar until the substitute has been prepared so that these traction engines shall not go untaxed.

Mr. H. B. DUNN. Mr. Speaker, I think this bill should be repealed. The Auditor General's office in their red tax blank have put in an item of traction engines. There is nothing in that bill which provides that traction engines should pay a state tax. The fact of the matter is that there is nothing that provides for a state tax, it is very vague and indefinite. The road supervisors and county commissioners do not know what to do on the subject, some doing one thing and some another. We have no objection to having the traction engine taxed for road purposes or for any other purposes, but this bill is so vague and indefinite that no one knows what shall be taxed or how it shall be assessed. I know this from experience. If the gentleman will have a bill introduced whereby traction engines shall be assessed for road purposes everybody will be satisfied. This bill has no provision whatever to levy a tax and therefor I think this bill should be repealed.

Mr. GIBSON. The demand for this bill came largely from rural townships where the traction engines have broken down a great many bridges and the purpose of the bill was to provide a tax for these local communities. The bill is not perfectly clear, and there has been pointed out a whole lot of doubt as to what it means, and I think the thing to do is to repeal this bill. It has been stated here that very likely another bill will be presented, and there is no reason why this bill should not be repealed.

Mr. ROCKWELL. In response to a very urgent demand two years ago, I introduced this bill, because the traction engines were going over the roads and damaging them and breaking down sluices and the people of these communities thought it no more than right to tax them to help defray this expense. The purpose of the bill was to make them taxable for local purposes, for counties, boroughs, cities and townships, but the Attorney-General has so construed it that it is a State tax. It does not meet with the purposes for which it was introduced, and as the original sponsor of the bill, I have no objection to the act being repealed. I propose to prepare a new bill to meet the purposes for which this act was originally introduced and passed.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—187.

Adams,	Ewing,	Light,	Rockwell,
Alworth,	Fahey,	Lohr,	Roney,
Ambler,	Flynn,	Lowers,	Rothenberger,
Arthur,	Foster, J. D.,	Malle,	Runk.
Baldwin, G. A.,	Frey,	Mannion,	Sassaman,
Baldwin, R. J.,	Gans,	Martin,	Savacool,
Barner,	Geary,	Mather,	Schaeffer, A. C
Bayle,	Geiser,	McAleer,	Schuck,
Becker,	Gibson,	McAllister,	Scott, J. R. K.,
Benninger,	Glenn,	McArdle,	Scott, S. B.,
Benson,	Good,	McCaig,	Semmens,
Bergey,	Goss,	McClintock,	Shern,
Berntheizel,	Grabe,	McDermott,	Sherwood,
Bigger,	Gramley,	McKay,	Showalter,
Bittles,	Gransback,	McNichol,	Smith, J. W.,
Blair, W. A.,	Gray, Frank,	Mechling,	Smith, L.,
Blair, W. F.,	Hackett,	Mellott,	Snyder,
Bloch,	Haggerty,	Metzenbacher,	Spangler,
Body,	Heidinger,	Miller,	Speiser,
Brosius,	Herman,	Missimer,	Spillinger,
Brown,	Hess,	Mitchell,	Steedle,
Burnett,	Heyburn,	Morrow,	Steele,
Caldwell,	Hibshman,	Moses,	Stein,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stone,
Campbell, J.J.			

Carson,	Howard, J.,	Murphy,	Strauss,
Cheeseman,	Howard, R.,	Musser,	Swartz,
Claycomb,	Humes,	Neel,	Swift,
Cleary,	Isler,	Newbaker,	Thomas,
Cochran,	Irwin, G. C.,	Newton,	Trach,
Collins,	Irwin, H. H.,	North,	Ulerich,
Conner,	Jackson,	O'Neill,	Ulman,
Conrade,	Jones, E. E.,	Peachey,	Walnut,
Cox,	Jones, J. R.,	Pennegar,	Walsh,
Currier,	Kaiser,	Pennock,	Walton,
Curry,	Kaufman,	Perry, S. J.,	Watson,
Davis,	Keegan,	Peters,	Whitaker,
DeFrees,	Keeport,	Piper,	Whitman,
Dickinson,	Kennedy,	Post,	Wildman,
Donahoe,	Kern,	Price,	Williams,
Donnally,	Klepper,	Ramsey,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Reese,	Wiltbank,
Dunn, J. A.,	Latshaw,	Reeser,	Young, G. K.,
Ehrhardt,	Lenker,	Rhoads,	Young, J. H.,
Eichenberger,	Leslie,	Richards,	Zimmerman,
Ely,	Letzkus,	Riebel,	Alter,
		Robinson,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 6, entitled:

An Act for the further regulation and restraint of the sale of vinous spirituous malt or brewed liquors and admixtures thereof by those having a wholesale license from any of the several courts of quarter sessions of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pas finally?

Mr. ULERICH. Mr. Speaker and gentlemen of the House, I had hoped that when this bill would come up for final passage that I would have the facts relative thereto so assembled and so formulated in my own mind that I would be able to present them to this House without the use of any manuscript. But this bill has been a good deal like the material with which it deals, it has been traveling pretty rapidly, so I am going to ask the indulgence of this House, Mr. Speaker, while I read the notes that I dictated to the stenographer this morning, and I hope that I shall have the attention of the House, because this bill, in my judgment, and in the judgment of those who live in my community, is one of the most important bills that will be up for passage in this House.

Mr. SPEAKER and Gentlemen of the House, I wish to take as little time of this body as inconsistent with an adequate discussion of the merits of this bill.

The material with which this measure deals is not such as to inspire one with pride, patriotism or pleasure in its discussion.

Rather does it tend to make him hang his head in shame knowing as he does, that it is only because of the revenue it produces or the taxes it pays that it is tolerated at all, in many of its phases.

The liquor business as I see it, and there are others who think differently is a sworded one at its very best. There is nothing in it in its most favored aspects that remind one of an eleemeosinary institution. It helps no one not even those directly engaged in the business. In its worse forms the liquor business is an unmixed evil. It is what General Sherman said "war is."

It is because of the evils of the liquor business in its worst aspects, that this measure is withdrawn. It is because the wholesale liquor business in many parts of the Commonwealth has become so enamored of diffidends that it is willing to sacrifice home, happiness and even life itself, that its coffers may be filled.

This is a harsh statement to make, but it is not outside the facts as many of you gentlemen know and which I hope to prove to you in what I have to say.

If all the members of this House lived in certain parts of Philadelphia, and Pittsburgh, or in the coal producing territory of this Commonwealth there would be no necessity for my making the statements about which I am about to make. The men from these portions of the State, know if they have made any effort at all, to inform themselves, that the wholesale liquor business as it is conducted in many parts of this State is a disgrace and a gigantic menace to any civilized community. I doubt if you men, who live in rural communities, outside of the great industrial centers of this great Commonwealth have any adequate conception of what the wholesale liquor trade, doing practically and unrestrained retail business, is doing to destroy the homes, the lives of the adults, and the physical and intellectual endowment of the children of the great army of aliens continuously landing upon our shores.

I am not here to deliver to you gentlemen a temperance lecture.

Lecturing is not my business, neither do I wish to discuss with you the significantly proven evil effects of indulgence in alcoholic liquors. You can get that from your family physicians, or you eight year old boy when he comes home from school in the evening.

All I want to do is to give you a few concrete examples of the unrestrained wholesale liquor business and the evils connected therewith. I am going to take my own community, the one about which I know most and the one with which I am quite familiar, for I have lived in it for more than a quarter of a century.

My town is Latrobe, a municipality of more than ten thousand inhabitants in it are twelve licensed hotels, most of them I want to say, much above the average in the carefulness to which they adhere to the provisions of the Brooks law. There are also numerous clubs in my town where one can get all the drink necessary to quench his thirst and more possibly than is good for him. Added to these we have two large brewery plants and a distillery, you will note that my own town is not excessively dry.

Latrobe is in the midst of one of the largest bituminous coal regions of the State and possibly of the world. Within a radius of a few miles are numerous coal operations employing thousands of men mostly foreigners. In this territory there are also quite a number of licensed houses, thus adding to the moisture of the territory I am describing.

I hold no brief for the licensed saloons of my town and surrounding community, for if it were up to me they would shortly go out of business, for their bars as I see it do only harm to our people, nevertheless it is my judgment that these licensed houses in the aggregate do one tenth of the harm to the communiy especially the poor unfortunate as does the unresrained trade of our two breweries and one distillery.

Let me describe this trade in as brief manner as possible. I hold in my hand a letter which is given to each person soliciting business for one of the breweries of my town.

Dear Sir:—You are hereby notified that I have employed you as a solicitor for this company for the purpose of securing orders for its product, and enclose herewith some blank orders, which are to be used by you in each case, explaining fully to the customer, whose order is solicited. In approaching a customer for the purpose of securing his order, if he understands English read this order to him in that language, if not, have it explained through an interpreter, so that he fairly understands what he is signing. We wish you to understand that you have no power to agree to sell the product of this brewery at all, but only the power to secure orders for its product, for which you must get the money, when the order is received, and then transmit the order and the money at once to this brewery, after you have investigated as to the signers age and habits, and you have signed the certificate that is on the order, that he is of full age and of temperate habits, if this is the fact and unless this is the fact return the order to the signer.

And the letter goes on and deals with the arrangement for the shipment and things of that sort.

You will note that this liquor is to be sold only to those of legal age and temperate habits. Let us see how much beer it takes to supply these people of temperate habits. Within the past two weeks I asked a reliable citizen of our town to ascertain for me how many teams the two breweries of my town employed to deliver their product on the two days of special delivery, Wednesdays and Saturdays, to the surrounding mining towns. He reported that one brewery employed twenty-five teams, some of them four horse teams, and that the other brewery employed twenty teams.

Think of it, in the judgment of the breweries it requires forty-five teams, two days out of each week to deliver the booze necessary to satisfy the appetite of the miners of temperate habits of our community, and my community is a type of all the communities in the bituminous coal-region and perhaps in the anthracite region as well.

I am not sure that this unrestrained liquor trade is even as bad in the mining community surrounding my town as it is in some other portions of my county. Last

Friday I was talking to the General Superintendent of one of the largest coal companies of our county and one of the very largest in the state and he gave me this remarkable instance, of a liquor delivery made to a customer working for his company, a man of course of temperate habits. He said that to this man's house was delivered at one time, fifteen half barrels of beer, fifteen gallons of whiskey and several cases of other dope, the name of which he did not know. Those of you who have a constructive imagination can picture the condition of that household together with the neighboring households after having consumed the contents of that shipment. The worse carousals in the worse licensed bar of our county would be a pink tea compared to that.

What are the visible results of this unrestrained trade outside of its evil effects to those who drink the product. I have in my hand the trial list of the Westmoreland counties criminal court for the term beginning February 3, 1913, for this term there are one hundred and four cases listed. I called up our district attorney and asked him what per cent. of these cases came from mining territories outside of municipal supervision, he stated that he thought 80 per cent. I asked him what per cent. of the crimes listed were due to drink. He stated that about 60 per cent. were directly due, and directly and indirectly about 80 per cent.

Those statements tell their own story, I need not take the time of you intelligent men to tell you why our county and state are so high in the language of the Big Book a wayfaring man though a fool can figure that out.

Last week I wrote twenty letters to as many coal superintendents of the First legislative district which I have in part the honor to represent.

I enclosed in each letter a copy of this bill, many of the twenty have answered and each answer contains a strong endorsement of this bill. They have the best reasons for being in its favor.

They tell me that when pay-day comes on Saturday, not fifty per cent. of their men are back at work on Monday and Tuesday of the next week. By Wednesday more are back and by Thursday most of the men are working again. They tell me that during the time the men are off on their bi-monthly vacations their out-put in coal and coke decreases in direct ratio to the absence of their men.

They tell men that ninety per cent. of the crime and devilment committed about the works is due to the unrestrained distribution of intoxicants such as I have endeavored to describe to you. Last but not least I want to call your attention to another feature of this trade.

There standing in that great painting in front of you is the heroic figure of Thadeus Stevens. He is represented as pleading in the General Assembly of this State, the causes of popular education, he is not pleading the cause of the rich. He is pleading the cause of the rich and poor alike. He is pleading for a school system that will give the poor man's child an equal opportunity with the rich man's child to acquire the rudiments of an education. In the face of tremendous odds and opposition Thaddeus Stevens won and gave to this State its system of free public schools. His pleading for equal advantages meant equal advantages for the little Italian in our little mining town, the little Bohemian and the little Pole just as much as it meant equal advantages for our little American.

We have greatly improved upon the system that Thaddeus Stevens gave us; we have done our part in placing the school room and the teacher almost at the door of every Pennsylvania miner.

We have given his child the same opportunity that has been given your child and mine.

Let us see what the brewery and the distillery do to counteract this opportunity. They load up their wagons with beer and bad whiskey and deliver it in large quantities to the homes of these foreigners.

The fathers drink it, the mothers drink it, and the children drink it. It hurts the parents but it hurts infinitely more, it dwarfs their bodies, their minds and creates such a state of physical and mental debility that they are considered in no condition at all to take advantage, in any large measure at all of the opportunities the schools afford, they are continually retarded.

There is not a man in this presence who does not know this is true.

Gentlemen of the House, if there is a man here who can look upon the historic figure with the conception in his mind of his duty to the children of this state that evidently was in the mind of Thaddeus Stevens when he was pleading for the youth of this Commonwealth and then vote to continue the evils which this bill proposes to correct, then his ideas of patriotism and duty to the homes and the children of this state are not mine. I plead of you to support this measure.

Mr. PIPER. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Piper.

Mr. PIPER. Mr. Speaker and gentlemen of the House, I rise at this time in opposition to this bill. Coming from a district as I do, where we have close on to twelve thousand assessed voters, and knowing that I voice their sentiments, I believe that a number of you will agree with me that this bill should not pass. I believe, in my district—and while I am not positive of the total number, but we have over three thousand homes, I think, the majority of which are working men, who toil every day for their living, there is not one of those homes who would call me non-patriotic for speaking against this bill. They believe in patriotism; they believe in freedom, and their freedom is the right to have one source in their homes for their particular pleasure; something in the line of liquor. I don't only speak for my particular district, but I speak for organized labor throughout the State of Pennsylvania. I believe that everyone of you will find in your mail box or on your desk here today some intimation that organized labor is represented here today. In this city in the Commonwealth Building, representing a hundred thousand toilers throughout this State, there is on record today as being opposed to the passage of this law that fact, not only because they believe the worker should be entitled to what he wants in his own home, but for other reasons. You will realize, as Mr. Ulerich has said, the number of team men who have to deliver this stuff to the people. What are we going to do with those poor teamsters? Every man of them, if this bill should become a law, would be thrown entirely out of that employment. I stand today fighting in this House and will fight at all times for labor throughout this State, and I am going to stand today in opposition to this bill because I know that labor wants to have freedom and their rights just the same as any other class of people.

Mr. ELLSWORTH G. M. KUHNS. Mr. Speaker.

The SPEAKER. The gentleman from Lehigh, Mr. Ellsworth G. M. Kuhns.

Mr. ELLSWORTH G. M. KUHNS. Mr. Speaker and gentlemen of the House, I wish to say a few words before the roll is called and you go on record on this bill. I have had a little experience in the retail liquor business. I don't know whether I carry the sign and I don't know whether you see it or not, but I was for fifteen years in that business. The brewers and distillers are using the retailer, and no man of fairness will question that, but I wish to call your attention to the first section, to show you whether or not Mr. Ulerich is gaining the point in saying here "that all brewers, distillers, rectifiers, bottlers or anyone engaged in the wholesale business, who is granted a license by the different courts in this Commonwealth" is restricted. Now, since our friend comes from a bituminous coal district, suppose this bill No. 6 happens to become a law. How is he going to restrict brewers on the other side of the State line? Are not those miners getting the same kind of booze, or even more? Can they not get greater loads on the steam cars than they could put on two-horse wagons? If we give him the point he is after, will not this be the fact, or are we simply restricting our own neighbors and giving liberties to those outside of the boundaries of the State of Pennsylvania? I wish, gentlemen, that you would examine this bill very closely before you vote on it. Consider it carefully and exercise your very best judgment before deciding.

Mr. STEIN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Stein.

Mr. STEIN. Mr. Speaker, will the gentleman from Westmoreland permit himself to be interrogated?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Ulerich, permit himself to be interrogated by the gentleman from Allegheny?

Mr. ULERICH. I shall be very glad to permit myself to be interrogated, but I am not sure that I will be able to answer all of the questions a lawyer might present to me.

Mr. STEIN. I wish to ask the gentleman from Westmoreland to please tell the House whether it is not the law that solicitation or peddling is prohibited by the rules of Westmoreland County courts and in other districts.

Mr. ULERICH. I don't think so, or we certainly would have some cases of the kind referred to for doing all the things that have been stated.

Mr. STEIN. Does not the Quarter Session Court in your county by a fixed rule prohibit the solicitation of beer orders?

Mr. ULERICH. No, sir

Mr. STEIN. Please look at your rules and you will find that they do. I ask further whether or not your bill limits the solicitation to wholesalers, bottlers and brewers only?

Mr. ULERICH. I would say so, probably, in reading over the bill.

Mr. STEIN. The principal purpose of this bill, as it is drawn now, stands to prohibit these men from collecting in their empty receptacles.

Mr. ULERICH. Mr. Speaker, may I go into detail in that respect?

The SPEAKER. The gentleman from Allegheny has the floor.

Mr. STEIN. I will leave it to the gentleman.

The SPEAKER. The gentleman from Westmoreland Mr. Ulerich.

Mr. ULERICH. This bill was drawn up after consultation with a number of cial operators in the county of Westmoreland and other counties in Western Pennsylvania, together with some of the very best legal talent available, even so far as a judge upon the bench. Now, I am not a lawyer, and don't pretend to say whether this is in accordance with the Constitution of the United States. My friend from Delaware has all of the Constitution in this end of the House, but I presume that this bill covers the evils which will be eradicated by the passage of it.

Mr. STEIN. Have you finished?

Mr. ULERICH. I have.

Mr. STEIN. Mr. Speaker and gentlemen of the House, I wish to be thoroughly fair and consistent with the gentleman from Westmoreland and with all my other colleagues in this House, and in doing so I think I am perfectly right in asking every gentleman to oppose this bill because, first, I am a lawyer as the gentleman has indicated, and I want to say to him and to all the members of this House, that every Court in this Commonwealth, by a standing rule, now prohibits absolutely the solicitation of any order from any consumer within the meaning of this act. I want to say to you gentlemen that that restriction is enforced with a great deal more severity in the hands of a local judge than you could ever expect to get in a bill such as this; the only additional feature provided in this bill is what? The bill says, line 13, that no wholesale dealer or brewer shall collect any empty vessels after the liquor has been consumed. Now, looking at that thing fairly and squarely and honorably, what have we? Any wholesaler, merchant, bottler, or brewer who sells his case of beer, we will say, for a dollar, delivers to you twenty-four pints contained in a woden case. The selling price is about a dollar, or a dollar and five or a dollar and ten. The actual cost of the twenty-four bottles is between seventy-five and a dollar. Now, gentlemen, ask yourselves in all fairness, if the dealer cannot re-collect all these bottles and why he cannot gather up these empty bottles, and why impose this confiscatory tax upon his business? My friend has made a very long speech, a very eloquent and pathetic plea in favor of the bill, in the interests of the child as against this business, and it affects his heart and brings tears to his eyes when he thinks of the great loads of beer that pass through his town. I can say that, while his arguments are often applicable, but his address is wrong, because he does not speak to restrain the sale of liquor, but he simply speaks to confiscate the vessels and cases in which the liquor is delivered, without any corresponding good to any person, and imposing such burden as is absolutely unfair and illegal. My friend says that liquor is the great evil of the Commonwealth. I say to the gentleman as I frequently say to many others, that you will find liquor something like politics, that it is hated most by those who know the least about it, and that there is no harm in moderate doses, neither is there going to be any harm in the moderate use of liquor. This week the coal operators consulted the best legal talent they could get, and they thought that they ought to have this law. I make the contention with my friend from Westmoreland, Mr. Ulerich, about the coal operators' position. I want the gentleman to give them his reasons. I say, as was said by the Saviour on the Mount, "Let him that is without sin cast the first stone." But if you want equality in your community, why don't you give the poor coal miner a square deal.

The very coal operators who want to make the coal miner temperate, the very coal operator who wants to confisciate the bottle or receptacle which contains the liquor is the self same coal operator who operates a company store in violation of the law. It is the self same coal operator who practically cheats the coal miner out of half of his pay envelope and does it in open violation of the law. I say to my friend from Westmoreland County, if these men, if these coal operators are so anxious to spend their money to consult legal counsel in making laws, let them spend a little of it in finding out what the law is in their own district; and if your coal miner does not come back to you on Monday it is no wonder, because you pay him in tin money such as I have here and don't give him any chance, and he must take out his pay in merchandise, and when pay day comes, which is every once in four weeks, if he takes a day off he takes it off at his own cost; and every chance that the coal operator gets he is putting it on him and he is paying for his merchandise at a cost that makes a profit of one hundred and sixty per cent to the merchant or company store, and yet my friend from Westmoreland says that "the coal operators from my district demand that these men do not return these receptacles."

I want to ask you one question further. With the average eighth of beer, the barrel costs one dollar or seventy-five cents at least, and I am told it even costs one dollar and a quarter in some localities. The beer it contains sells at one dollar, twelve and one-half cents of which is government tax. What is wrong with the brewer in sending out for the barrel after the contents are consumed? Whom will it benefit, if you prevent the brewer or bottler from sending after his receptacle, and who will it help if the receptacle, instead of being reused for its commercial purpose, is allowed to go to waste. I want to say to my friend that this particular parcel of legislation has no merit or reason whatever back of it. It is simply foisted on the House because of the narrow desire on the part of well meaning people living in the district which my friend represents who are so narrow in their prejudices that they cannot see any other side to the question. I ask every member of the House to look at this bill in a fair and impartial manner and from that light let us conclude, as we certainly have the right to, that this bill will not accomplish any good, and that it will protect nobody but put expense upon the wholesaler and bottler. As my friend, Mr. Kuhn, has said, it will destroy our own industry and put the privilege into the hands of our neighbors across the line. If this is wise legislation the sooner we conclude our labors the better off the State will be. I therefore ask my friends in the House to vote against this bill by a sharp and decisive vote that we may have an end of this kind of legislation.

Mr. ULERICH. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Stein.

The SPEAKER. Will the gentleman from Alegheny permit himself to be interrogated?

Mr. STEIN. Mr. Speaker, with pleasure.

Mr. ULERICH. Mr. Speaker, the gentleman has the power of inflection better than I have, but I would like to ask him if he saw any tears down at this end of the House?

Mr. STEIN. What were you wiping your eyes and brow for, Mr. Ulerich? I thounght it was tears.

Mr. ULERICH. They were not tears I would have the gentleman understand. As far as I know myself I am not of the soft sister kind.

Mr. STEIN. Perhaps they were political tears. I could not see so well.

Mr. ULERICH. They may be the kind you have in Allegheny.

I would like to ask the gentleman from Allegheny this question. Do you know the judges of Westmoreland County?

Mr. STEIN. I do.

Mr. ULERICH. Have you got a high regard for their integrity and their ability as judges?

Mr. STEIN. I certainly do.

Mr. ULERICH. Why is it then that if what you say is true, that the present law provides for or is against the soliciting of liquor in the mining towns, why is it that a letter of this kind is allowed to be sent out to the solicitor, and why are the orders permitted, the blank orders that the solicitors take? I have it from a solicitor himself that he gets $250 a month for soliciting orders in the territory which I describe. Now then if the judges of Westmoreland County know their job, what sort of people do you think they are if they allow that sort of thing to go on?

Mr. STEIN. I would say that you will first have to show me that those letters were not gotten out by enemies of the brewers or interests concerned, and you will first have to show me that they are sincere.

Mr. ULERICH. They were gotten from the brewers themselves.

Mr. STEIN. I want to say to the gentleman that if he will submit those letters to the Courts I am satisfied that Judge McConnell and Judge Doty will promptly bring those men to time and a great deal stronger and more strictly than any law of this Commonwealth.

Mr. ULERICH. We have been up against that sort of thing in Westmoreland County for quite a while and we have not gotten any further ahead than now.

Mr. STEIN. And while you are making complaints to the courts please tell them of the coal operators here stealing one-half of the pay envelopes of the coal miners.

Mr. ULERICH. Mr. Speaker, I want to remind the gentleman from Allegheny that he has presented the "pluck-me-store" resolution to this House for which I have voted and for which I will vote again, because he is absolutely right so far as company stores are concerned. If there is any man in this House who loves the miner or laboring man—because I have had to labor all my life—I am that man just as much as the gentleman from Allegheny.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. ULERICH. Mr. Speaker, this is more attention than I have had paid to me for a long time except by my wife, I certainly will permit the gentleman to interrogate me.

Mr. JOSIAH HOWARD. Mr. Speaker, the real question I think is, does this bill stop soliciting or does it allow the brewer or bottler from another State to come in and solicit orders if we prevent our local people from soliciting.

Mr. ULERICH. Mr. Speaker, the real object of this bill is to prevent the brewer from receiving an order away from his brewery, and taking the product that that order calls for to the man that orders it. That is the business in short.

Mr. JOSIAH HOWARD. Mr. Speaker, what I want to know is whether it prohibits a brewer from another State from coming in and soliciting?

Mr. ULERICH. I would state to the gentleman from Cameron that I am not a lawyer and cannot answer that question.

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that a ray of light is necessary on this particular question. I might continue and say that having seen some light in the morning newspaper I will contribute it to the members of the House. There are some matters in the State that come under the Interstate laws of the United States. That is to say, that matter, which has been given up by the State to the national representatives. Now for years those people who believed that the localities themselves ought to have a right to regulate their own liquor conditions have besieged the national legislature, or a long time to get Congress to pass a bill to regulate interstate commerce, so that it would allow each district and each state to regulate the matter of liquor to suit their own people. I am happy to say that I saw in the morning paper that the United States Senate has finally passed such a bill which the House has passed and that it is now on its way for the President's signature, which will allow each State to regulate its liquor business; and if we pass this bill it will require little legislation, very little additional legislation to absolutely correct the only evil the gentleman has suggested, the bringing in of liquor from other States.

Mr. ALLEN. Mr. Speaker, by reason of some interest in the moral lecture given in relation to the liquor traffic I want to say just a few words relative to the merits of the bill, although I have no interest in the bill either as a producer, as a wholesaler, bottler, retailer, or even a consumer. Further than that, I may add that neither am I on the pay roll of any of the organizations aimed at in this bill. It has been suggested in relation to what seems to me to be a very vital part of the bill, that Congress has taken this matter in hand. That is very true so far as dry territory is concerned, as I understand the provisions of the bill which has recently passed Congress. In other words, a State like the State of Kansas liquor will be debarred entirely from that State and cannot be shipped into the State from outside sources. So far as the State of Pennsylvania is concerned, and in the great State of Westmoreland County which is not dry territory any outside institution would be allowed to ship its goods in there tomorrow after this bill is put into operation, just the same as in the past. As I read this bill the entire drive is made at local institutions, and I failed for the life of me when I read this bill to make up my mind whether it was a bill drawn in the interests of a cooperage establishment, or some bottling manufacturer, because these are the only two things that it seems to me that it does benefit.

Reading the bill:

"That it shall be unlawful for any brewer, distiller, rectifier, bottler, or compounder, jobber, dealer, or any other person, company or corporation, licensed by any of the several courts of quarter sessions of this Commonwealth" —nothing outside of this Commonweolth—"to sell vinous, spirituous, malt or brewed liquors and admixtures thereof at wholesale to hereafter sell any such liquors to a consumer or consumers at any place other than at the place named in his or its application for license, or to employ any one to solicit anywhere in this Commonwealth from consumers orders for or to peddle among or deliver to them any such liquors, or to reserve and collect from them empty vessels after the liquor has been consumed therefrom at any place or places in this Commonwealth other than that named in his or its application."

Now, as I read the purpose of the bill into the bill it simply comes to this: It has been suggested by the gentleman from Allegheny that the law already provides and the rules of the courts provide throughout this Commonwealth that there shall be no peddling. This has been provided for for years. The only purpose then reached by this bill is this; other than is now protected by the law. That the brewer, bottler, distiller, wholesaler or jobber cannot go out and collect back again his empties. Now that means quite an item to the wholesaler, the jobber, the distiller or brewer, whoever it may be, serving these goods. And where does it come from? Can any one show me, not only in the liquor business, but in anything else, where a man gets two dollars worth for a dollar? If the consumer is going to consume—and he will so long as it is brewed or distilled he is going to consume either liquor or beer, he must when he orders a case of whiskey, pay for the case in which that whiskey is shipped and the bottles as well. If it be beer he must pay for the case and the bottles, or else from his home, which may be six or eight miles distant from the location at which he gets the goods, he must, at his own expense, or by his own endeavor, carry back and deliver to that place there the empty case or the empty crate, and get credit for the unconsumed part, or else he must pay for it. If he wants credit for his empties he must deliver back the empties. Now whose accommodation is that? Is that yours or mine, or my neighbors accommodation, who may order a case now and again? Certainly not. In the County of Westmoreland alone, where this gentleman tells us there are two breweries, one employing fifteen teams and another twenty-five, it would seem the disposition of those fifteen drivers in the case of one and twenty-five in the case of the other, besides the help that it takes to run the brewery and unload the empties. It would dispense with these people. It would dispense with the cost of maintaining the teams. It would dispense with the purchase of all the corn fed and feed it takes for these horses.

It would dispense with repairs it takes to keep the wagons in running order. It would dispense with all that, but you and I and every other consumer must shoulder that expense, and we shoulder that expense for the benefit of the brewery. There is nothing that I can see in this bill that is dangerous; nothing whatever. I mean the point which the bill attempts to reach. There is nothing that is dangerous in that. The gentleman says that he is not ashamed of his County, that he calls it his county. I say to you gentlemen, if the liquor traffic is handled in the County of Westmoreland in the reckless and haphazard and open way in which the gentleman suggests, it is certainly different in that County than it is in any other County of this Commonwealth of Pennsylvania; and if it be handled in that way, and it takes the united efforts of not only the great interests of that territory, but the legal lights of the bar to determine upon this kind of a bill in order to defeat some purpose which they have in mind, they had better start a primary school in law in Westmoreland County to determine what the present statutes are in relation to the liquor traffic. This bill deserves to have recorded in its passage the vote of every member of this House.

Mr. ROCKWELL. Mr. Speaker and gentlemen of the House, I did not intend to say anything upon this proposed legislation, but there have been so many statements made here that needed contradiction or explanation that I cannot sit still and see this bill go to a vote without saying something. In the first place, in order that any honest legislator should know how to vote properly upon a bill, he should know what the old law is, what the mischief is, and what the proposed remedy is. Now, to go back to the old law, we have in this State two systems of dispensing liquor, the retailer and the wholesaler that is, to the general public. The retailer is supposed to sell only at his licensed hotel. I believe that the intention of the old law in relation to the wholesaler was that he should sell to the retailer. Thus we have the two laws relating to the liquor traffic. Now that is a short statement of the liquor law. What is the evil? Now, on the side of the wholesalers, we have them doing that which I believe the law did not intend them to do—namely, that he is going outside and making his business not a wholesale business but a retail business under a wholesale name. I can cite you one instance of a mining town in my own county of from 2,500 to 3,000 people, and practically every inhabitant of that village engaged in mining interests, and not one saloon and not a hotel in the town. There are only one or two stores, and one of them is the mining company's store to which my friend from Allegheny has taken exception. In that little town, there is a wholesale license place, and not another town within five miles of it. There is not a licensed hotel in that place. Who, then, supplies them? They simply deliver the liquor in wholesale bulk to the people of the mining town, which is the evil in one instance of this wholesaler's law. There is one statement that I wish to contradict and that is, when the gentleman stated that the rules of the Court of Quarter Sessions of this Commonwealth provide that these wholesalers shall not employ people as solicitors. That statement is not true. There is no law that authorizes any judge of the Court of Quarter Sessions to make such a rule. Some of them have made such a rule, and the only use it is in force and effect is that the licensed dealers fear the action of the judges when making application for license the next year. Some of the judges of the courts have put into effect rules governing the closing hour, making hotels close up at a certain hour. The hotels comply with this law in many instances because they fear the power of the Quarter Sessions judges and because they fear that they may have their licences refused the next year if they do not comply with it. So I take issue with the gentleman that we have laws or rules of the court that wholesalers must not employ solicitors. They can take their wagons out and go through the rural districts and mining towns and solicit orders. I have known of a case as Prosecuting Attorney of my county. This incident happened: that a peddler for a wholesale business would take out his orders or his consignments of liquor and load them on the wagon. He would only pretend to take orders. He didn't do it, but he would simply load up his wagon from the wholesale place in the morning and start out through the district, and if you or I, Tom, Dick and Harry wanted a case of beer he would simply write out a slip and we signed it there, and he delivered. That was a violation of the wholesale license law, and this man was arrested, indicted, tried, convicted and sentenced because it was a violation of the law. The only way the wholesaler has a right, under the present law, to sell is when the orders to his place first. What is the remedy going to be? It is simply going to make the wholesaler deal from his own place. It does not prevent him from selling to the retailers. It simply says that he is to make his sales at his own place of business, except to the retail licensed dealers. This violation of the law governing the liquor traffic is a great and serious evil. It has opened the eyes of the people to such an extent that even the Governor of our Commonwealth, in his message to this Assembly recommends a change in the act which I will read to you. You will find it on page fourteen of the Governor's Message, under the heading of Liquor Laws. He says this: "I recommend for your consideration the amendment of the liquor laws in several respects. Because of the widespread abuse of the privilege, and for the well-being of our villages, towns and cities, I believe that an act should be passed forbidding social and other clubs to dispense liquors to their members" Then further on in his message, he says: "And to correct another existing evil—to prevent what amounts, practically, to an indescriminate sale of liquors by the traveling agents of brewers, distilleries and other wholesale dealers directly to consumers, I recommend such further regulation and restriction in the sale of liquors by wholesale as shall forbid the solicitation for this by any traveling agent of such wholesale dealer, from any and all persons except duly licensed retailers." Now gentleman, do you suppose that His Excellency recommended that to this Assembly without consultation with the Attorney General, who is the legal adviser of this Commonwealth. And don't you suppose he knew what he was talking about when he says, virtually, that there is no such law today. It seems to me that such a message ought to have some weight with us coming as we do from the districts which we represent, and from the people whose sentiments we are supposed to vote here. I can cite another instance of another town in our county of about three thousand people, entirely a mining community and not a single retail place in it. The whole town is supplied from two wholesale places from another town over five miles away, and I am informed correctly, these wholesale stores, or wholesale dealers deliver into this mining town, I believe daily, or at least every other day, wagonload after wagonload of liquor. In this mining town, the mining company owns practically every foot of land. The miners are not even allowed a burying-ground. They have to bury in another place. The company does this in order to protect their own interests and will not allow a licensed place there. It seems to me that the arguments used by one of the gentlemen against this bill are made more in respect to his own bill, that is, the company store bill, than against this bill, but perhaps the other members of the House can see that for themselves. The next question raised was with regard to the empty kegs. If I want a keg of beer, under this law, I can go to the wholesale place and get it. I can take it and put it on a wagon, and take it home, or take it home with a trolley car, and this bill simply provides that I must return the keg there. In other words, anything I take away, I must bring back. Perhaps to some this might seem a little unreasonable. From all the information that I have received I regard the liquor traffic as an unmitigated evil, and the time is coming, sooner or later, when restraint will be placed upon it more closely than it is today. I trust this bill may pass.

Mr. SPEISER. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. ROCKWELL. I will.

Mr. SPEISER. Isn't it a fact that this bill would then prohibit the delivery of liquor by any wholesaler to a private residence?

Mr. ROCKWELL. It would prohibit the wholesaler from delivering to any private residence, but not to a licensed retailer.

Mr. SPEISER. I am not here to plead for the liquor interests. I have some slight interest, but only as a con-

sumer. I want to say to you, that I come from a district that has quite a number of retail licenses, and in the last eight years, we have cut down the number to about twenty-four. Of course, we are in a thickly populated section. Now, in my own race we have never had any prohibition laws, and my race has come down through all these ages and is both physically and mentally able to cope with the other races of the world. I most seriously protest against a bill of this character. I do not make this plea for the people dealing in liquor, nor do I do it in support of those interests, but I do have a regard for the opinion of those people who want a drink, and drink moderately, as we do more or less. Mr. Speaker, if this bill should pass, you practically put it out of the power of a man to get a case of beer sent to his home.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia yield to the gentleman from Tioga?

Mr. SPEISER. Not at this time, Mr. Speaker. I want to say for the gentleman who is the sponsor for this this bill that it is an ably drawn bill. I will say that I have liquor in my home, and I dare say that many of you here have it, and I get mine from a wholesale dealer. I get it sometimes from Fletcher, or Gimbel, as the case may be. If this bill were to become a law, I would have to hire a horse and wagon and go and get it, and then bring back the case, or I would not get a new order, I suppose. This question could very easily be decided. We have such a rule in our Quarter Sessions Court in Philadelphia. Whether or not our judges have a right to enforce this rule governing the sale of liquor, it is rigidly enforced. I can say to the members of this House, that I do not plead for the liquor interests, but for my own interests, that I may have the right to order directly from the wholesaler and have it delivered to the house, otherwise I might have to carry it under my coat to my house, or hire a horse and wagon. If there were an amendment offered to this bill I would be heartily in favor of it. But, in its present form, it is legislation that needs a careful examination. It means an annihilation of the wholesale business in the State of Pennsylvania. If it could be sent back to the committee, and amended in some particulars, and then brought to the consideration of the House, it might be in such form, that I could support it. I will now allow myself to be interrogated.

Mr. ROCKWELL. I desire to ask the gentleman if he construed this bill as such that it would prevent a man from taking a drink?

Mr. SPEISER. No, don't go to that extent. I feel that I am rather sane in the construction I have put upon it.

Mr. ROCKWELL. I would like to ask the gentleman what amendment he could suggest to this bill in order to make it such that he could support it.

Mr. SPEISER. If the gentleman will use his efforts to have it recommitted to the committee, I will appear before the committee. I cannot state the amendment in a minute.

Mr. WATSON. Mr. Speaker, I am from the little county of Indiana. A wholesale license is prohibited in that county by a special law. We have one brewery, and a limited number of licensed houses. Our county is developing in the coal interests very rapidly, I think the most rapid development of any place in Western Pennsylvania in the last three or four years. We have a changed population now. We have a very different condition from what it has been in the past, and in looking over this bill, I find that we have in our county today under the requirements of our court practically what this bill requires. It is practically the same thing, and is within the power of any judge of this Commonwealth to prescribe his rules. Whether or not they have the power to legislate rules, yet they can prescribe certain rules to control the sale of liquor, setting forth under what conditions it can be sold, and the wholesalers will not dare to violate it because the judge has the arbitrary power to refuse the licenses at the next license court if they have refused to obey them. Now, then, I will say this. It has been attempted by some of the coal operators in our county to prohibit the delivery of beer in their mining towns. They tried the experiment, one of the largest corporations we have in the county, and the result was we had shipped in this cheap adulterated, rot-gut, whiskey in barrels and bottles, and pay a farmer or some one to haul it to the houses, and we contribute a number of the crimes and murders in our county to where these barrels where delivered. Now, if this bill would bring about a better condition of affairs, better the condition of the laboring man in any way, I would gladly support it, but from our actual experience where I live, it would not do so. The result would be in our own State and in the surrounding cities, letters would be sent to everybody there that was not in favor of local option or opposed to it advertising the elegant brands of liquor at about $1.25 a galon that they could deliver to them, and who could interfere with them? Now I say that this shutting off the laboring man from his beverage—who understands the use of liquor better than most Americans—is going to give an opportunity to flood this district with bad liquor, and I will say from my experience in not allowing beer to be shipped in there, that after trying that experiment they changed their rule and allowed the beer to be delivered. Now the Court can regulate those things through the constables, and from the information he gets, he can regulate this question of the amount of liquor that is to be delivered. I will say very frankly that between the question of beer and the question of whiskey being delivered to the miners in our county, they would prefer the beer, and it would be a great deal better for them to ship out from their own wholesalers than to send it to the county from St. Louis and every other city in the United States of America. How would we interfere with it. They would enclose their check and send for it and have it delivered at the house. I voted for the Constitutional Amendment, and last Session voted for prohibition in this House, and will vote for it again, but I will not vote for this bill because our court has control of this situation, and we have a condition of affairs there a great deal better than we would have under this bill.

Mr. CHEESEMAN. Mr. Speaker.

The SPEAKER. The gentleman from Butler, Mr. Cheeseman.

Mr. CHEESEMAN. Mr. Speaker, I move the previous question.

The SPEAKER. The previous question is moved by the gentleman from Butler.

The motion was seconded by Messrs. Letzkus, Malie, Lowers, Keeport, Josiah Howard, Reeser, Steedle, Currier, Leslie, John H. Young, Moulthrop, Carter, Stein, Isler, Neely, Humes, Rex, Kaufman and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—65.

Baldwin, G. A.,	Glenn,	Martin,	Rockwell,
Benson,	Grabe,	Mather,	Rothenberger,
Bergey,	Gramley,	Matt,	Scott, S. B.,
Bittles,	Gray, Frank,	McKay,	Shaffer, I. E.,
Bleloch,	Heidinger,	Mechling,	Smith, L.,
Brosius,	Herman,	Metzenbacher,	Snyder,
Brownlee,	Hobbs,	Moses,	Steele,
Campbell, C.M.,	Hoffman,	Moulthrop,	Stone,
Carson,	Humes,	Musser,	Swartz,
Cheeseman,	Irwin, G. C.,	Neel,	Swift,
Claycomb,	Jackson,	Newton,	Ulerich,
Currier,	Jones, J. R.,	Peachey,	Walnut,
DeFrees,	Kennedy,	Pennegar,	Whitman,
Donnally,	Klepper,	Pennock.	Williams,
Dunn, H. B.,	Latshaw,	Perry, H. L.,	Wilson, J. H.,
Gibson,	Light,	Post,	Alter,
		Rhoads,	Speaker.

NAYS—134.

Adams,	Eichenberger,	Lanius,	Richards,
Allen,	Ely,	Lenker,	Riebel,
Alworth,	Ewing,	Leslie,	Robinson,
Ambler,	Fahey,	Letzkus,	Roney,
Arthur,	Flynn,	Lowers,	Sassaman,
Baldwin R. J.,	Forster, J. G.,	Malie,	Savacool,
Barner,	Foster, J. D.,	Mannion,	Schaeffer, A. C
Bass,	Frey,	McAleer,	Schuck,

Bayle,	Gans,	McAllister,	Scott, J. R. K.,
Becker,	Geary,	McArdle,	Semmens,
Benninger,	Geiser,	McCaig,	Shern.
Berntheizel,	Good,	McClintock,	Sherwood,
Bigger,	Goss,	McDermott,	Showalter,
Blair, W. A.,	Gransback,	McNichol,	Smith, J. W.,
Blair, W. F.,	Gray, Joseph,	Mellott,	Spangler,
Body,	Hackett,	Miller,	Speiser,
Brown,	Haggerty,	Missimer,	Spillinger,
Burnett,	Hemminger,	Mitchell,	Steedle,
Caldwell,	Hess,	Moore,	Stein,
Campbell, J.J.	Heyburn,	Murphy,	Strauss,
Carter,	Hibshman,	Neely,	Thomas,
Cleary,	Howard, J.,	Newbaker,	Trach,
Cochran,	Howard, R.,	North,	Ulman,
Collins,	Isler,	O'Neill,	Walsh,
Conner,	Irwin, H. H.,	Perry, S. J.,	Walton,
Conniff,	Kaiser,	Peters,	Watson,
Conrade,	Kaufman,	Piper,	Wettach,
Cox,	Keegan,	Price,	Whitaker,
Curry,	Keeport,	Ramsey,	Wildman,
Davis,	Kenna,	Redfield,	Wilson, W. H.,
Dickinson,	Kern,	Reese,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Reeser,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Rex,	Young, J. H.,
Ehrhardt,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

JOHN R. K. SCOTT, of Philadelphia 8th District, files as his reason for voting negative on House Bill No. 6, File Folio page 155, entitled "An act for the further regulation and restraining of the sale of spiritous, malt and brewed liquor, etc." as follows:

"This bill is meritorious in that it prevents the peddling of liquors from wagons by the various brewers, wholesalers, jobbers and other dealers without having received previous orders for sale of same. There is no doubt that in many of the districts where there are large industrial plants and consequently large numbers of working men that this peddling of liquor is abused and much crime and misery follows. The bill, however, is poorly drawn. It not only prevents the above abuse, but it also prevents the honest, delivery of liquor to the household of a consumer. The enactment of this law would prevent the delivery by one's grocer holding a wholesale liquor license of liquors or beers to the home of the citizens of this Commonwealth. It would prevent the honest working man from having a case of beer delivered by a bottler or wholesaler at his home. This is a discrimination that is not desirable, I further oppose the enactment of this law because the accredited representative of the labor associations upon the floor of the House stated that labor opposed this bill in its present form.

"While having voted against this bill I still reserve the right in the future to vote for legislation that will destroy the pernicious practice that has grown up in this Commonwealth of peddling liquor and beer without previous sale by a licensed liquor dealer, and to support legislation that will prevent the supplying of liquor to illegal resorts and places conducted in violation of the law."

SENATE MESSAGE.

TIME OF NEXT MEETING AFTER WEEKLY ADJOURNMENT.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, February 11, 1913.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it shall reconvene on Monday evening, February 17th, at nine o'clock; and when the House of Representatives adjourns this week it shall reconvene on Monday evening, February 17th, at eight o'clock.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 138, entitled:

Joint Resolution making application to congress under the provisions of Article five of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the Unied States whereby polygamy and polygamous cohabitation shall be prohibited

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker.

The SPEAKER. The gentleman from Cambria, Mr. Joseph Gray.

Mr. JOSEPH GRAY. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BENSON. I will.

Mr. JOSEPH GRAY. Where is the polygamy in the United States that is intended to be reached by the resolution before this House.

Mr. BENSON. In Utah.

Mr. JOSEPH GRAY. Mr. Speaker, I think probably the State of Utah knows whether they want polygamy or not. I don't think it is necessary for Pennsylvania, away over here at the other end of our country, to worry about the practice of polygamy in Utah. If this is to become national, I think that we have men in the United States Senate and in Congress at Washington that would take up this matter, if it became a great national evil. The reason I am not in favor of this resolution is because it is ridiculous and that is all there is to it. If the gentleman will insert or change the resolution to provide for the abolition of successive polygamy, which is the same as instantaneous polygamy, I think that this House would approve such a bill. The evil of successive polygamy is a great one, and it is a vile and a filthy and a disgracing practice that brings the courts into disrepute, and it parades itself in broad headlines in papers by serving the most purient desires of men. If that evil shall be abolished and steps were taken in that direction, this House would not make itself look ridiculous as they would by going on record in favor of this bill. If we are going to work on what takes place in Utah, we are hurting our consciousness and I think we are going to make ourselves the laughing-stock of the country and be hooted at by every one. I am against this because I don't want to be included in such a transaction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Adams,	Donnally,	Latshaw,	Roney,
Allen,	Down,	Lenker,	Rothenberger,
Alworth,	Dunn, H. B.,	Leslie,	Runk,
Ambler,	Dunn, J. A.,	Letzkus,	Sassaman,
Arthur,	Ehrhardt,	Light,	Savacool,
Baldwin, G. A.,	Eichenberger,	Lowers,	Schaeffer, A. C
Baldwin, R. J.,	Fahey,	Malie,	Scott, J. R. K.,
Barner,	Forster, I. G.,	Mannion,	Scott, S. B.,
Bayle,	Foster, J. D.,	Martin,	Semmens,
Becker,	Frey,	Matt,	Shaffer, I. E.,
Benninger,	Geary,	McAleer,	Shern,
Benson,	Geiser,	McAllister,	Showalter,
Bergey,	Gibson,	McArdle,	Smith, L.,
Berntheizel,	Glenn,	McClintock,	Snyder,
Bigger,	Goss,	McKay,	Spangler,
Bittles,	Gramley,	McNichol,	Spillinger,
Blair, W. A.,	Gransback,	Mellott,	Steedle,
Blair, W. F.,	Gray, Frank,	Metzenbacher,	Steele,
Bleloch,	Hackett,	Miller,	Stein,
Body,	Haggerty,	Missimer,	Strauss,
Brosius,	Heidinger,	Moore,	Swartz,
Brown,	Hemminger,	Morrow,	Swift,
Brownlee,	Heyburn,	Moses,	Thomas,
Caldwell,	Hibshman,	Moulthrop,	Trach,
Campbell, C.M.,	Hobbs,	Murphy,	Ulerich,
Campbell, J.J.	Hoffman,	Neel,	Ulman,
Carson,	Howard, J.,	Neely,	Walnut,
Carter,	Howard, R.,	Newbaker,	Walsh,
Cheeseman,	Humes,	Newton,	Walton,
Claycomb,	Isler,	North,	Watson,
Cleary,	Irwin, H. H.,	Pennegar,	Wettach,
Cochran,	Jackson,	Pennock,	Whitaker,
Collins,	Jones, J. R.,	Peters,	Wildman,
Conner,	Kaiser,	Post,	Williams,
Conniff,	Kaufman,	Ramsey,	Wilson, J. H.,
Conrade,	Kennedy,	Redfield,	Wiltbank,
Cox,	Kern,	Reese,	Young, G. K.,
Currier,	Klepper,	Reeser,	Young, J. H.,
Curry,	Kuhn, H. P.,	Rhoads,	Zimmerman,
Davis,	Kuhns, E.G.M.,	Richards,	Alter,
DeFrees,	Lanius,	Rockwell,	Speaker.
Dickinson,			

NAYS—1.

Gray, Joseph,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

On the question,

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

On the question,

Will the House agree to the bill on third reading?

Agreed to.

And said bill having been read at length the third time, considered and agreed to.

Agreeably to order,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Adams,	Eichenberger,	Lenker,	Riebel,
Allen,	Ely,	Leslie,	Robinson,
Arthur,	Ewing,	Letzkus,	Roney,
Baldwin, G. A.,	Fahey,	Light,	Rothenberger,
Barner,	Flynn,	Lowers,	Runk,
Bass,	Forster, J. D.,	Malie,	Sassaman,
Becker,	Frey,	Mannion,	Savacool,
Benninger,	Gans,	Martin,	Schuck,
Benson,	Geary,	Mather,	Semmens,
Berntheizel,	Geiser,	Matt,	Shaffer, C. A.,
Bigger,	Gibson,	McAleer,	Shern,
Bittles,	Good,	McAllister,	Sherwood,
Blair, W. A.,	Goss,	McArdle,	Showalter,
Bleloch,	Grabe,	McDermott,	Snyder,
Body,	Gramley,	McKay,	Spangler,
Brosius,	Gransback,	McNichol,	Speiser,
Brown,	Gray, Frank,	Mechling,	Steedle,
Brownlee,	Gray, Joseph,	Mellott,	Steele,
Caldwell,	Hackett,	Metzenbacher,	Stein,
Campbell, C.M.,	Haggerty,	Mitchell,	Stone,
Campbell, J.J.	Heidinger,	Moses,	Strauss,
Carson,	Heyburn,	Moulthrop,	Swartz,
Carter,	Hibshman,	Murphy,	Swift,
Cheeseman,	Hobbs,	Neely,	Thomas,
Claycomb,	Hoffman,	Newbaker,	Trach,
Cleary,	Howard, J.,	Newton,	Ulerich,
Cochran,	Howard, R.,	North,	Ulman,
Collins,	Humes,	O'Neill,	Walnut,
Conner,	Isler,	Peachey,	Walsh,
Conniff,	Irwin, G. C.,	Perry, H. L.,	Walton,
Conrade,	Irwin, H. H.,	Perry, S. J.,	Wettach,
Cox,	Jackson,	Peters,	Whitaker,
Currier,	Jones, J. R.,	Piper,	Wildman,
Curry,	Keegan,	Price,	Williams,
Davis,	Keeport,	Ramsey,	Wilson, J. H.,
DeFrees,	Kenna,	Redfield,	Wilson, W. H.,
Dickinson,	Kennedy,	Reese,	Young, G. K.,
Donnally,	Klepper,	Reeser,	Young, J. H.,
Down,	Kuhn, H. P.,	Rex,	Zimmerman,
Dunn, H. B.,	Lanius,	Rhoads,	Alter,
Ehrhardt,	Latshaw,	Richards,	Speaker.

NAYS—2.

Kuhns, E.G.M., Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 166, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and eleven entitled 'An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitats providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants" approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine

On the question,

Will the House agree to the bill on third reading?

Agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—91.

Adams,	Flynn,	Mather,	Riebel,
Allen,	Forster, I. G.,	McAleer,	Rockwell,
Ambler,	Frey,	McAllister,	Roney,
Arthur,	Gans,	McArdle,	Schaeffer, A. C
Baldwin, G. A.,	Geiser,	McClintock,	Schuck,
Benson,	Good,	McDermott,	Scott, S. B.,
Berntheizel,	Gransback,	McKay,	Semmens,
Bigger,	Gray, Joseph,	McNichol,	Shern,
Blair, W. A.,	Hackett,	Mechling,	Sherwood,
Campbell, C.M.,	Haggerty,	Metzenbacher,	Showalter,
Campbell, J.J.	Heidinger,	Missimer,	Smith, L.,
Carter,	Hemminger,	Mitchell,	Speiser,
Cleary,	Howard, R.,	Newton,	Spillinger,
Cochran,	Humes,	O'Neill,	Stone,
Conner,	Jackson,	Pennegar,	Swift,
Conrade,	Jones, J. R.,	Pennock,	Walsh,
Cox,	Keegan,	Perry, H. L.,	Walton,
Curry,	Kennedy,	Perry, S. J.,	Wettach,
Davis,	Lanius,	Peters,	Whitaker,
DeFrees,	Leslie,	Piper,	Wilson, W. H.,
Dunn, H. B.,	Letzkus,	Rhoads,	Wiltbank,
Eichenberger,	Malie,	Richards,	Young, G. K.,
Ely,	Mannion,		
Ewing,			

NAYS—73.

Baldwin, R. J.,	Donahoe,	Kuhns, E.G.M.,	Robinson,
Becker,	Donnally,	Lenker,	Rothenberger,
Benninger,	Foster, J. D.,	Lowers,	Sassaman,
Bergey,	Glenn,	Martin,	Savacool,
Bittles,	Grabe,	Matt,	Shaffer, I. E.,
Body,	Gramley,	McCaig,	Smith, J. W.,
Brosius,	Herman,	Miller,	Snyder,
Brown,	Heyburn,	Moses,	Steedle,
Brownlee,	Hibshman,	Moulthrop,	Steele,
Burnett,	Hobbs,	Murphy,	Swartz,
Caldwell,	Hoffman,	Musser,	Thomas,
Carson,	Irwin, G. C.,	Neel,	Trach,
Cheeseman,	Irwin, H. H.,	Newbaker,	Ulerich,
Claycomb,	Kaiser,	Peachey,	Ulman,
Collins,	Keeport,	Post,	Walnut,
Conniff,	Kenna,	Ramsey,	Wildman,
Currier,	Kern,	Redfield,	Williams,
Dickinson,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 179, entitled:

An Act empowering cities to establish and maintain free public employment bureaus

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

YEAS—171.

Adams,	Gibson,	Mather,	Roney,
Allen,	Good,	Matt,	Rothenberger,
Arthur,	Grabe,	McAleer,	Runk,
Baldwin, G. A.,	Gramley,	McAllister,	Sassaman,
Baldwin, R. J.,	Gransback,	McArdle,	Schaeffer, A. C
Barner,	Gray, Joseph,	McCaig,	Scott, J. R. K.,
Becker,	Hackett,	McClintock,	Scott, S. B.,
Benson,	Haggerty,	McDermott,	Semmens,
Bergey,	Heidinger,	McKay,	Shaffer, C. A.,
Berntheizel,	Hemminger,	McNichol,	Shaffer, I. E.,
Bigger,	Heyburn,	Mechling,	Shern,
Bittles,	Hibshman,	Mellott,	Sherwood,
Blair, W. A.,	Hobbs,	Metzenbacher,	Showalter,
Bleloch,	Hoffman,	Miller,	Smith, J. W.,
Body,	Howard, J.,	Missimer,	Smith, L.,
Brosius,	Howard, R.,	Mitchell,	Snyder,
Brown,	Humes,	Moore,	Spangler,
Caldwell,	Isler,	Moses,	Speiser,
Campbell, C.M.,	Irwin, G. C.,	Moulthrop,	Spillinger,
Carter,	Irwin, H. H.,	Musser,	Steedle,
Cheeseman,	Jackson,	Neel,	Steele,
Claycomb,	Jones, E. E.,	Neely,	Stone,
Cleary,	Jones, J. R.,	Newbaker,	Strauss,
Collins,	Kaiser,	Newton,	Swartz,
Conner,	Kaufman,	North,	Swift,
Conniff,	Keegan,	O'Neill,	Thomas,
Conrade,	Keeport,	Peachey,	Trach,
Cox,	Kennedy,	Pennock,	Ulerich,
Curry,	Kern,	Perry, H. L.,	Ulman,
Davis,	Klepper,	Perry, S. J.,	Walnut,
DeFrees,	Kuhn, H. P.,	Piper,	Walsh,
Dickinson,	Kuhns, E.G.M.,	Post,	Walton,
Donahoe,	Lanius,	Price,	Wettach,
Donnally,	Latshaw,	Ramsey,	Whitaker,
Ehrhardt,	Lenker,	Redfield,	Wildman,
Eichenberger,	Leslie,	Reese,	Williams,
Ely,	Letzkus,	Reeser,	Wilson, J. H.,
Ewing,	Light,	Rex,	Wilson, W. H.,
Fahey,	Lowers,	Rhoads,	Wiltbank,
Flynn,	Malie,	Richards,	Young, G. K.,
Forster, I. G.,	Mannion,	Riebel,	Young, J. H.,
Foster, J. D.,	Martin,	Robinson,	Zimmerman,
Geary,		Rockwell,	Alter,
Geiser,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. S. B. SCOTT. Mr. Speaker, I move this House take a recess until four o'clock this afternoon.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move to amend that so that we meet at five a'clock.

Mr. WALNUT. Mr. Speaker, I second the amendment.

The amendment was agreed to.

The motion as amended was then agreed to.

Whereupon at 1:10 P. M. the House took a recess.

AFTER RECESS.

The House reconvened at 5 o'clock P. M.

REPORTS FROM COMMITTEES.

Mr. SHERN, from the Committee on Judiciary General, reported as committed, House Bill No. 389, entitled:

An Act to amend an act approved the ninth day of June, one thousand nine hundred and eleven, entitled "An act relating to private sales of real estate, ordered, decreed, or approved by the orphans' courts; and providing a method of giving notice of such sales, and validating such private sales of real estate, heretofore made under the authority of the orphans' courts, for the payment of debts.

Mr. BIGGER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 177, entitled:

An Act for the protection of the public by requiring self propelled trucks to be provided with fenders, pilots or safety guards.

Mr. SCHAEFFER, from the Committee on Mines and Mining, reported as committed, House Bill No. 369, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth and to limit the hours of labor of fire bosses and persons whose duties, either in whole or in part, are those of a fire boss, employed at, in or about the same; and fixing a penalty for the violation of any of the provisions of this act.

Mr. W. H. WILSON, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 556, entitled:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death, birth and health, and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the Rules and Regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act.

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 443, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as committed, House Bill No. 421, entitled:

An Act to amend the thirteenth section of an act approved the 29th day of March, Anno Domini one thousand eight nundred and five, and making the sum of four dollars taxed as costs for every verdict taken in any civil action, payable to the Prothonotary instead of to the sheriff.

Mr. MANNION, from the Committee on Mines and Mining, reported as committed, House Bill No. 336, entitled:

An Act making it unlawful to use any Type of Mining Machine in the removal of Ribs, Stumps or Pillars in any Bituminous Coal Mine in the State of Pennsylvania.

Mr. ELLSWORTH G. M. KUHNS, from the Committee on Judiciary Special, reported as committed, House Bill No. 454, entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses, wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel.

Mr. MURPHY, from the Committee on Mines and Mining, reported as committed, House Bill No. 341, entitled:

An Act to amend Article 19, Section 3 of an Act, entitled, "An act to provide for the Health and Safety of Persons Employed in and about the Bituminous Coal Mines of Pennsylvania, and for the protection and preservation of property connected therewith." Approved June 9th, 1911, P. L. 756.

Mr. SPANGLER, from the Committee on Judiciary Special, re-reported as committed, House Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An act to amend section two of an act entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as amended, House Bill No. 158, entitled:

An Act to amend an act approved the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An act relative to mortgages."

Mr. ELY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 265, entitled:

An Act providing for the establishment and maintenance of Tuberculosis Hospitals by a single county or by a group of two or more counties; authorizing the holding of election for the approval thereof, and the appointment of boards of directors to erect and manage the same, providing for the issue of county bonds and the appropriation of money by the county commissioners for the purposes of such hospitals; imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals; and prescribing the duties and powers of the board of directors.

Mr. O'NEIL, from the Committee on Public Health and Sanitation, reported as amended, House Bill 354, entitled:

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleased after each individual use, and providing a penalty for violation thereof.

Mr. SCHAEFFER, from the Committee on Ways and Means, reported with a negative recommendation, House Bill No. 155, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Mr. GIBSON, from the Committee on Forestry, reported as amended, House Bill No. 25, entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for Health and recreation purposes.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 248, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Foster, J. D.,	Matt,	Runk,
Allen,	Gans,	McAleer,	Sassaman,
Alworth,	Geiser,	McAllister,	Savacool,
Ambler,	Glenn,	McArdle,	Schaeffer, A. C.
Arthur,	Good,	McCaig,	Schuck,
Baldwin, G. A.,	Goss,	McDermott,	Scott, J. R. K.,
Barner,	Gramley,	McNichol,	Semmens,
Becker,	Gray, Frank,	Mechling,	Shaffer, I. E.,
Benninger,	Hackett,	Mellott,	Sherwood,
Berntheizel,	Haggerty,	Metzenbacher,	Showalter,
Bittles,	Herman,	Missimer,	Smith, J. W.,
Bleloch,	Hess,	Morrow,	Snavely,
Body,	Hibshman,	Moses,	Snyder,
Brosius,	Hobbs,	Moulthrop,	Speiser,
Brown,	Hoffman,	Musser,	Steedle,
Brownlee,	Howard, R.,	Neel,	Steele,
Burnett,	Humes,	Neely,	Stone,
Caldwell,	Isler,	Newbaker,	Strauss,
Campbell, C.M.,	Irwin, G. C.,	Newton,	Swartz,
Campbell, J.J.	Irwin, H. H.,	North,	Swift,
Carson,	Jackson,	O'Neill,	Thomas,
Cheeseman,	Jones, E. E.,	Peachey,	Ulerich,
Claycomb,	Jones, J. R.,	Pennock,	Walsh,
Cleary,	Keegan,	Perry, H. L.,	Walton,
Conner,	Kennedy,	Perry, S. J.,	Wettach,
Conniff,	Kern,	Peters,	Whitaker,
Conrade,	Klepper,	Piper,	Whitman,
Cox,		Post,	Wildman,

Curry,	Kuhn, H. P.,	Price,	Williams,
Davis,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
DeFrees,	Lanius,	Reese,	Wilson, W. H.,
Donnally,	Leslie,	Reeser,	Wiltbank,
Down,	Letzkus,	Rex,	Young, J. H.,
Ehrhardt,	Lowers,	Rhoads,	Zimmerman,
Ely,	Mannion,	Richards,	Alter,
Ewing.	Martin,	Rockwell,	Speaker.
Forster, I. G.,	Mather,	Rothenberger,	

NAYS—22.

Flynn,	Dunn, H. B.,	Miller,	Smith, L.,
Baldwin, R. J.,	Gray, Joseph,	Mitchell,	Stein,
Benson,	Kaiser,	Murphy,	Trach,
Bergey,	Lenker,	Scott, S. B.,	Walnut,
Bigger,	McClintock,	Shern,	Young, G. K.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 20, entitled:

An Act further amending section one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Ewing,	Lowers,	Runk,
Allen,	Flynn,	Mannion,	Sassaman,
Alworth,	Forster, I. G.,	Mather,	Savacool,
Ambler,	Foster, J. D.,	Matt,	Schaeffer, A. C
Arthur,	Gans,	McAleer,	Scott, J. R. K.,
Baldwin, G. A.,	Geiser,	McAllister,	Scott, S. B.,
Baldwin, R. J.,	Glenn,	McArdle,	Semmens,
Barner,	Good,	McCaig,	Shaffer, I. E.,
Bass,	Goss,	McClintock,	Shern,
Becker,	Grabe,	McDermott,	Sherwood,
Benninger,	Gransback,	Mechling,	Showalter,
Benson,	Gray, Frank,	Metzenbacher,	Smith, J. W.,
Bergey,	Hackett,	Miller,	Smith, L.,
Berntheizel,	[illegible]erty,	Missimer,	Snavely,
Bigger,	Heidinger,	Mitchell,	Snyder,
Bittles,	[illegible]minger,	Morrow,	Spangler,
Blair, W. F.,	Hess,	Moses,	Speiser,
Bleloch,	Hibshman,	Moulthrop,	Spillinger,
Body,	Hobbs,	Murphy,	Steedle,
Brosius,	Hoffman,	Musser,	Steele,
Brown,	Howard, J.,	Neel,	Stein,
Brownlee,	Howard, R.,	Neely,	Stone,
Burnett,	Humes,	Newbaker,	Strauss,
Caldwell,	Isler,	Newton,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	North,	Swift,
Campbell, J.J.	Irwin, H. H.,	O'Neill,	Thomas,
Carson,	Jackson,	Peachey,	Trach,
Carter,	Jones, J. R.,	Pennock,	Ulerich,
Claycomb,	Kaiser,	Perry, H. L.,	Ulman,
Cleary,	Kaufman,	Perry, S. J.,	Walnut,
Cochran,	Keegan,	Peters,	Walsh,
Collins,	Kenna,	Piper,	Walton,
Conner,	Kennedy,	Post,	Watson,
Conniff,	Kern,	Price,	Wettach,
Conrade,	Klepper,	Redfield,	Whitaker,
Cox,	Kuhn, H. P.,	Reese,	Whitman,
Currier,	Kuhns, E.G.M.,	Reeser,	Williams,
Curry,	Lanius,	Rex,	Wilson, J. H.,
Davis,	Latshaw,	Rhoads,	Wilson, W. H.,
DeFrees,	Leslie,	Richards,	Wiltbank,
Donahoe,	Letzkus,	Rockwell,	Young, G. K.,
Donnally,	Light,	Roney,	Zimmerman,
Down,		Rothenberger,	Alter,
Ehrhardt,			Speaker.
Ely,			

NAYS—4.

Cheeseman,	Lenker,	Martin,	Wildman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 171, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HESS. Mr. Speaker on behalf of the sponsor of this bill I move that it be recommitted to the Committee on Appropriations.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 149.

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Forster, I. G.,	Mannion,	Rockwell,
Allen,	Foster, J. D.,	Martin,	Roney,
Alworth,	Gans,	Mather,	Rothenberger,
Ambler,	Geiser,	Matt,	Sassaman,
Arthur,	Glenn,	McAleer,	Savacool,
Baldwin, G. A.,	Good,	McAllister,	Schaeffer, A. C
Baldwin, R. J.,	Goss,	McArdle,	Schuck,
Barner,	Grabe,	McCaig,	Scott, S. B.,
Bayle,	Gramley,	McClintock,	Semmens,
Becker,	Gray, Frank,	McDermott,	Schaeffer, A. C
Benninger,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Benson,	Hackett,	Mechling,	Sherwood,
Bergey,	[illegible]ty,	Mellott,	Showalter,
Berntheizel,	Heidinger,	Metzenbacher,	Smith, J. W.,
Bigger,	Hemminger,	Miller,	Smith, L.,
Bittles,	Hess,	Missimer,	Snavely,
Bleloch,	Hibshman,	Mitchell,	Snyder,
Body,	Hobbs,	Moore,	Spangler,
Brosius,	Hoffman,	Morrow,	Speiser,
Brown,	Howard, R.,	Moses,	Spillinger,
Brownlee,	Humes,	Moulthrop,	Steedle,
Burnett,	Isler,	Murphy,	Steele,
Caldwell,	Irwin, G. C.,	Musser,	Stein,
Campbell, C.M.,	Irwin, H. H.,	Neel,	Stone,
Campbell, J.J.	Jackson,	Neely,	Strauss,
Carter,	Jones, J. R.,	Newbaker,	Swartz,
Cheeseman,	Kaiser,	Newton,	Swift,
Claycomb,	Kaufman,	North,	Thomas,
Cleary,	Keegan,	O'Neill,	Trach,
Cochran,	Keeport,	Peachey,	Ulerich,
Collins,	Kenna,	Pennegar,	Ulman,
Conner,	Kennedy,	Pennock,	Walnut,
Conniff,	Kern,	Perry, S. J.,	Watson,
Conrade,	Klepper,	Peters,	Wettach,
Cox,	Kuhn, H. P.,	Piper,	Whitaker,
Currier,	Kuhns, E.G.M.,	Post,	Whitman,
Curry,	Lanius,	Price,	Wildman,
Davis,	Lenker,	Ramsey,	Williams,
DeFrees,	Leslie,	Reese,	Wilson, J. H.,
Donahoe,	Letzkus,	Reeser,	Wilson, W. H.,
Donnally,	Light,	Rex,	Wiltbank,
Dunn, H. B.,	Lohr,	Rhoads,	Young, G. K.,
Dunn, J. A.,	Lowers,	Richards,	Young, J. H.,
Ely,	Malie,	Robinson,	Zimmerman,
[illegible]ing,			Alter,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 181, entitled:

An Act to amend the second section of an act approved the thirteenth day of March Anno Domini one thousand nine hundred and seven entitled 'An act amending section two of the act entitled 'An act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth'" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount there and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Foster, J. D.,	Malie,	Roney,
Allen,	Gans,	Mannion,	Rothenberger,
Alworth,	Geary,	Martin,	Runk,
Ambler,	Geiser,	Mather,	Sassaman,
Arthur,	Glenn,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Good,	McAleer,	Schuck,
Baldwin, R. J.,	Goss,	McAllister,	Scott, J. R. K.,
Barner,	Grabe,	McArdle,	Scott, S. B.,
Bayle,	Gramley,	McCaig,	Semmens,
Becker,	Gransback,	McClintock,	Shaffer, I. E.,
Bergey,	Gray, Frank,	McDermott,	Shern,
Berntheizel,	Gray, Joseph,	McKay,	Sherwood,
Bigger,	Hackett,	McNichol,	Showalter,
Bittles,	Haggerty,	Mellott,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hemminger,	Miller,	Snavely,
Bleloch,	Hess,	Missimer,	Snyder,
Body,	Heyburn,	Mitchell,	Spangler,
Brosius,	Hobbs,	Moore,	Speiser,
Brown,	Hoffman,	Morrow,	Spillinger,
Brownlee,	Howard, R.,	Moses,	Steedle,
Burnett,	Humes,	Moulthrop,	Steele,
Caldwell,	Isler,	Murphy,	Stein,
Campbell, C.M.,	Irwin, G. C.,	Musser,	Stone,
Campbell, J.J.	Jackson,	Neel,	Strauss,
Carter,	Jones, J. R.,	Neely,	Swartz,
Cheeseman,	Kaiser,	Newbaker,	Swift,
Claycomb,	Kaufman,	Newton,	Thomas,
Cleary,	Keegan,	North,	Trach,
Cochran,	Keeport,	O'Neill,	Ulerich,
Collins,	Kenna,	Peachey,	Ulman,
Conner,	Kennedy,	Pennegar,	Walnut,
Conniff,	Kern,	Pennock,	Walsh,
Conrade,	Klepper,	Perry, S. J.,	Watson,
Cox,	Kuhn, H. P.,	Peters,	Whitaker,
Currier,	Kuhns, E.G.M.,	Piper,	Whitman,
Davis,	Lanius,	Post,	Wildman.
DeFrees,	Latshaw,	Price,	Wilson, J. H.,
Donahoe,	Lenker,	Redfield,	Wilson, W. H.,
Donnally,	Leslie,	Reese,	Wiltbank,
Down,	Letzkus,	Reeser,	Young, G. K.,
Dunn, H. B.,	Light,	Rex,	Young, J. H.,
Ehrhardt,	Lowers,	Rhoads,	Zimmerman,
Ewing,		Rockwell,	Alter,
Flynn,			Speaker.
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 57, entitled:

An Act to amend the eighth section of an act entitled "An act providing for a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by fixing the compensation of election boards at primary elections

On the question,

Will the House agree to the bill on third reading?,

Mr. S. B. SCOTT. Mr. Speaker.

The Speaker. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, the House ought not to pass this bill unless it thoroughly understands it, as it simply doubles the cost of primary elections. They are now paid under the old act, which states that the primary shall be conducted by the regular election officers, who shall receive one-half the compensation for their services which they receive at the regular election. The only change is, instead of one-half, the sum is doubled. That is all there is to it. It will almost double the expense.

Mr. O'NEILL. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. O'Neill.

Mr. O'NEILL. Mr. Speaker and gentlemen of the House, I think this bill ought to pass, and when I say so, I say it because I have acted in the City of Philadelphia in the Twelfth division of the fifteenth Ward as election judge, and the work on the primary election is double, it is treble over what it is on the general election. I have sat at that booth from a quarter to seven in the morning getting ready to open the polls at seven o'clock, and I have left that place at half past one. By the time I deposited the material and the ballot box in the City Hall, and the next day go down and deposit the other material with the Prothonotary; I have practically worked four days for one day's pay. I think this bill ought to pass. It is not fair to the election officer to take him in a city of the first class and ask him to do this work for a measly four dollars and fifty cents a day which is four days' work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Foster, J. D.,	Lowers,	Roney,
Allen,	Gans,	Malie,	Rothenberger,
Alworth,	Geary,	Mannion,	Runk,
Ambler,	Geiser,	Martin,	Sassaman,
Arthur,	Gibson,	Mather,	Savacool,
Baldwin, G. A.,	Glenn,	Matt,	Schaeffer, A. C.
Baldwin, R. J.,	Good,	McAleer,	Schuck,
Bayle,	Goss,	McAllister,	Scott, J. R. K.,
Becker,	Grabe,	McArdle,	Semmens,
Benninger,	Gramley,	McCaig,	Shaffer, I. E.,
Benson,	Gransback,	McDermott,	Shern,
Bergey,	Gray, Frank,	McKay,	Sherwood,
Berntheizel,	Gray, Joseph,	Mechling,	Showalter,
Bigger,	Hackett,	Mellott,	Smith, J. W.,
Bittles,	Haggerty,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Heidinger,	Miller,	Snavely,
Body,	Hemminger,	Missimer,	Snyder,
Brosius,	Herman,	Mitchell,	Spangler,
Brown,	Hess,	Morrow,	Speiser,
Brownlee,	Heyburn,	Moses,	Spillinger,
Burnett,	Hibshman,	Moulthrop,	Steedle,
Caldwell,	Hobbs,	Murphy,	Steele,
Campbell, C.M.,	Hoffman,	Musser,	Stein,
Campbell, J.J.	Howard, R.,	Neel,	Stone,
Carson,	Humes,	Neely,	Strauss,
Carter,	Isler,	Newbaker,	Swartz,
Cheeseman,	Irwin, G. C.,	Newton,	Swift,
Claycomb,	Irwin, H. H.,	North,	Thomas,
Cleary,	Jackson,	O'Neill,	Trach,
Cochran,	Jones, J. R.,	Peachey,	Ulerich,
Collins,	Kaiser,	Pennegar,	Ulman,
Conner,	Kaufman,	Pennock,	Walnut,
Conniff,	Keegan,	Perry, H. L.,	Walsh,
Conrade,	Keeport,	Perry, S. J.,	Walton,
Cox,	Kenna,	Peters,	Watson,
Currier,	Kennedy,	Piper,	Wettach,
Curry,	Kern,	Post,	Whitaker,
Davis,	Klepper,	Price,	Whitman,
DeFrees,	Kuhn, H. P.,	Ramsey,	Wildman,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Williams,
Dunn, H. B.,	Lanius,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Reeser,	Wilson, W. H.,
Ehrhardt,	Lenker,	Rex,	Wiltbank,
Eichenberger,	Leslie,	Rhoads,	Young, G. K.,
Ely,	Letzkus,	Richards,	Young, J. H.,
Ewing,	Light,	Robinson,	Zimmerman,
Flynn,		Rockwell,	Alter,
Forster, I. G.,			Speaker.

NAYS—1.

Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 39, as follows:

An Act regulating the use of bottles and other utensils for milk and cream and providing a penalty for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, I move if necessary, that the House go into Committee of the Whole for the purpose of introducing an amendment to this bill.

The SPEAKER. The gentleman must secure unanimous consent.

Mr. R. J. BALDWIN. I want to strike out the word "immediately" in section 1, line 7. If this can be accomplished without going into Committee of the Whole, I will offer the amendment. It will not affect the principal object of the bill. It is striking out but one word.

The SPEAKER. The gentleman from Delaware asks unanimous consent for the consideration of an amendment which will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1 by striking out the word "immediately" in line 7.

The SPEAKER. Will the House give its unanimous consent to this amendment?

Mr. S. B. SCOTT. Mr. Speaker, I object.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to explain to the gentleman from Philadelphia the object of this amendment.

The SPEAKER. There is nothing before the House, unless the gentleman makes a motion to go into Committee of the Whole.

Mr. R. J. BALDWIN. Mr. Speaker, then I move that the House go into Committee of the Whole for the purpose of presenting an amendment to House Bill No. 39.

On the question,

Will the House agree to the motion?

A division was taken, 72 gentlemen voting in the affirmative and 49 in the negative.

It was agreed to.

Whereupon,

The House resolved itself into Committee of the Whole. Mr. SHERN in the Chair on said Bill.

The CHAIRMAN. The House having gone into Committee of the Whole, the Clerk will read the amendment.

The amendment was again read by the Clerk, as follows:

Amend Section 1 by striking out the word "immediately" in line 7.

Mr. R. J. BALDWIN. Mr. Speaker, I hadn't any idea that the striking out of one word would meet with any opposition. The gentlemen who voted against that motion evidently don't know anything about the conducting of a milk business. As the bill stands, the bottle would have to stand in hot water immediately after the milk was taken out at a temperature of 160. On the other hand, the health authorities insist on all milk never being below 60 degrees. As a matter of fact, the man in the milk busness brings in his empty bottles and he immediately washes them and places them on points or pegs where all the water can drain out; then in the evening when his milk is ready to be bottled, he has the bottles into which to put his milk. Without the word "immediately" you would have to take it out of boiling water and put in enough cold water to accomplish that. It is to make convenient in practice this business for which I have moved the striking out of this one word.

Mr. SAMUEL B. SCOTT. Mr. Speaker, I don't pretend to be a practical milk dealer, but I do know what the act is intended to accomplish. It is to obviate what causes milk to sour and materially what brings death and sickness to people who drink it, from bacteria and germs. What the act is intended to effect is that the bottle shall be sterilized before being used. The question is how long before being used? The answer is, long enough to prevent bacteria from getting in.

The word "immediately" must be construed rationally and reasonably in your interpretation. If you chose to push your log far enough it might be half a second of one millionth of a second. Of course, it does'nt mean that. It don't mean within one millionth of a second, but it means long enough to permit the steam to escape. It should be interpreted rationally and means what it says.

Mr. ALLEN. I quite agree with the gentleman from Delaware that perhaps some of us who voted against going into Committee of the Whole do not understand the milk business, but as a member of this House I do understand that if the word "immediately" be stricken from this bill the real milk of the bill will be milked from the bill. The word "immediately," as I understand it in the connection in which it is used here, and the very purpose of the bill, as has been explained by the gentleman from Philadelphia, is to provide that the cleaning process of the bottles, and the sterilizing with the hot water treatment shall be at such close period of time to the time that the bottle is used that there will be no accummulation of the very thing that process is supposed to kill, and that the bacteria. I think there is no question but that the rational construction and the very intention of the word in the bill would be properly construed by the authority passing upon the bill. If you take the word "immediately" out of the bill bottles could be washed and washed in boiling hot water as is provided and set upon pegs, or set anywhere else where they could drain and stay there for an indefinite period of time before being used, and still the law would be complied with, but the purpose of the law would be far from carried out. The amendment ought not to be injected and ought to fail.

MR. JAMES J. CAMPBELL. Mr. Speaker, then it should read that the bottles should be then again rewashed in cold water, or else bacterial will multiply faster in the warm bottle than it will in the dirty bottle.

Mr. R. J. BALDWIN. Mr. Speaker, when the word "immediately" is taken out, the bill requires that after a bottle has once been used for any purpose whatever it must be thoroughly washed in boiling water. Now any person that has any practical experience, or has observed how the bottling of milk is done, and how the business is done, knows very well that when the empties come in, rather than leave them, lay around dirty and washing them a few minutes before you want to use them and allow bacteria to accummulate in the bottle, in the operation you have endangered your condition instead of remedying it by washing them immediately. I know that in practice nobody will wash their bottles twice, no matter what legislation this House passes, and in washing them immediately before they are used and letting them drain they will carry bacteria and bacteria gets in the room where the milk is bottled and you will have a worse condition than if you wash them and put them on a peg. In washing the water naturally becomes dirty and the bacteria will stay there. That is what practice will show. I have observed it for the last fifty years. Yes it it over fifty years, and I know this bill with the word "immediately" in there endangers conditions, and I know it from practically experience, and nobody knows it better than the gentleman from Philadelphia, for he is talking about something he knows something about.

Mr. O'NEILL. Mr. Speaker and gentlemen of the House, I do not think that it is generally known that in the larger dairies of the cities of the first class, and I guess in a great many of the cities of the second class, there is machinery devised and invented in which they soak all bottles and wash them thoroughly, and it is done in water so hot that you could not put your hand in. They take them out and drain them and in the big dairies they have a machine that fills and caps the bottles, and you defeat the whole thing if you pass the bill without that amendment.

On the question recurring,

Will the members agree to the amendment offered by the gentleman from Delaware.

The Chairman declared the Nays seem to have it.

Whereupon, a division was called for, 84 voting in the affirmative and 60 in the negative.

And the question was determined in the affirmative and the amendment agreed to.

Mr. McALEER. Mr. Chairman, I move that the Committee now rises and reports back to the House.

Mr. ALLEN. I second the motion.

The motion was agreed to.

The SPEAKER (Mr. Alter in the Chair).

Mr. SHERN. Mr. Speaker, as Chairman of the Committee of the Whole House I desire to report back to the House Bill No. 39, with amendment and ask that they be inserted.

On the question,

Will the House agree to the report of the Committee of the Whole.

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Adams,	Gans,	Mather,	Schuck,
Alworth,	Geary,	McAleer,	Scott, S. B.,
Ambler,	Geiser,	McAllister,	Semmens,
Arthur,	Gibson,	McArdle,	Shaffer, I. E.,
Baldwin, G. A.,	Glenn,	McDermott,	Shern,
Baldwin, R. J.,	Good,	McKay,	Sherwood,
Barner,	Goss,	Mechling,	Showalter,
Becker,	Grabe,	Metzenbacher,	Smith, J. W.,
Berntheizel,	Gramley,	Miller,	Smith, L.,
Bigger,	Gransback,	Missimer,	Snavely,
Bittles,	Gray, Frank,	Mitchell,	Snyder,
Bleloch,	Hackett,	Morrow,	Spangler,
Body,			

Brosius,	[illegible]	Moses,	Speiser,
Brown,	Heidinger,	Moulthrop,	Spillinger,
Brownlee,	Hemminger,	Murphy,	Steedle,
Caldwell,	Hess,	Musser,	Steele,
Campbell, J.J.	Heyburn,	Neel,	Stein,
Carson,	Hibshman,	Neely,	Stone,
Cheeseman,	Hobbs,	Newbaker,	Swartz,
Claycomb,	Hoffman,	Newton,	Swift,
Cleary,	Howard, J.,	North,	Thomas,
Cochran,	Howard, R.,	O'Neill,	Ulerich,
Collins,	Irwin, G. C.,	Peachey,	Ulman,
Currier,	Irwin, H. H.,	Pennock,	Walnut,
Conniff,	Jackson,	Perry, H. L.,	Walton,
Conrade,	Jones, J. R.,	Perry, S. J.,	Watson,
Cox,	Kaiser,	Peters,	Wettach,
Currier,	Kaufman,	Piper,	Whitaker,
Davis,	Keeport,	Price,	Whitman,
DeFrees,	Kern,	Redfield,	Wildman,
Donahoe,	Klepper,	Reese,	Williams,
Donnally,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Down,	Latshaw,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Leslie,	Richards,	Wiltbank,
Ely,	Letzkus,	Rothenberger,	Young, G. K.,
Ewing,	Malie,	Runk,	Young, J. H.,
Flynn,	Mannion,	Sassaman,	Zimmerman,
Foster, J. D.,	Martin,	Savacool,	Alter,
		Schaeffer, A. C.	Speaker.

NAYS—20.

Allen,	Campbell, C.M.,	Kennedy,	Matt,
Benninger,	Dunn, H. B.,	Kuhns, E.G.M.,	McCaig,
Benson,	Gray, Joseph,	Lanius,	Post,
Bergey,	Humes,	Lenker,	Rex,
Burnett,	Keegan,	Lowers,	Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 189, entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine, entitled "An act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

On the question,

Will the House agree to the bill on third reading?

Mr. ALWORTH. Mr. Speaker, I would like to ask the sponsor of the bill to kindly explain the effect of this appeal.

Mr. STEIN. Mr. Speaker and gentlemen of the House, for the information of the gentleman and especially those members from Philadelphia County, I wish to state that this act repeals Section 10 of the act of 1840. It does not have any reference whatever to Long Lane, Philadelphia. The Act of 1849, as the gentlemen know, was passed before the Constitution of 1873 was adopted, and in those days it permitted omnibus legislation. For instance, they legislated for Long Lane, promissory notes, cemeteries and a few other kindred things. All sections of the act have been repealed excepting Section 10 which applies to promissory notes. When the Act of 1901, the negotiable instrument act, was passed the framers of that bill evidently forgot to repeal by express provision Section 10 of this bill, and the Supreme Court has lately held that because all other sections of the act were repealed by express provision it is a question whether this is repealed by implication, and it is for the purpose of clearing up that doubt in reference to primossory notes, and to make the negotiable instrument act fully operative that this act is proposed. I want to assure the gentleman from Philadelphia that Long Lane in Philadelphia will be just as it is today, a pleasant by-way to travel along.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Geary,	Mannion,	Rothenberger,
Allen,	Geiser,	Martin,	Runk,
Alworth,	Gibson,	Mather,	Sassaman,
Ambler,	Glenn,	Matt,	Savacool,
Arthur,	Good,	McAleer,	Schaeffer, A. C.
Baldwin, G. A.,	Goss,	McAllister,	Schuck,
Baldwin, R. J.,	Grabe,	McArdle,	Scott, S. B.,
Becker,	Gramley,	McCaig,	Semmens,
Berntheizel,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Benninger,	Gray, Joseph,	McDermott,	Shern,
Benson,	Haggerty,	McKay,	Sherwood,
Bergey,	Heidinger,	Mitchell,	Showalter,
Bigger,	Hemminger,	Miller,	Smith, J. W.,
Bleloch,	Herman,	Mechling,	Smith, L.,
Body,	Hess,	Mellott,	Snavely,
Brown,	Heyburn,	Metzenbacher,	Snyder,
Brownlee,	Hibshman,	Moore,	Spangler,
Burnett,	Hobbs,	Missimer,	Speiser,
Caldwell,	Hoffman,	Morrow,	Spillinger,
Campbell, C.M.,	Howard, J.,	Moses,	Steedle,
Campbell, J.J.	Howard, R.,	Moulthrop,	Steele,
Carson,	Humes,	Murphy,	Stein,
Carter,	Isler,	Musser,	Stone,
Claycomb,	Irwin, G. C.,	Neel,	Strauss,
Cleary,	Irwin, H. H.,	Neely,	Swartz,
Cochran,	Jackson,	Newbaker,	Swift,
Collins,	Jones, J. R.,	Newton,	Thomas,
Conner,	Kaiser,	O'Neill,	Trach,
Conniff,	Kaufman,	Peachey,	Ulerich,
Conrade,	Keegan,	Pennock,	Ulman,
Cox,	Keeport,	Perry, H. L.,	Walnut,
Currier,	Kenna,	Perry, S. J.,	Walsh,
Curry,	Kennedy,	Peters,	Walton,
Davis,	Kern,	Piper,	Watson,
DeFrees,	Klepper,	Post,	Wettach,
Donahoe,	Kuhn, H. P.,	Price,	Whitaker,
Donnally,	Kuhns, E.G.M.,	Redfield,	Whitman,
Down,	Lanius,	Reese,	Wildman,
Ehrhardt,	Latshaw,	Reeser,	Williams,
Eichenberger,	Lenker,	Rex,	Wilson, J. H.,
Ely,	Leslie,	Rhoads,	Wilson, W. H.,
Ewing,	Letzkus,	Richards,	Wiltbank,
Fahey,	Light,	Riebel,	Young, G. K.,
Flynn,	Lowers,	Robinson,	Young, J. H.,
Forster, I. G.	Malie,	Roney,	Zimmerman,
Foster, J. D.,			Alter,
Gans,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 236, as follows:

An Act regulating the manufacture sale and offering for sale of mattresses and fixing penalties for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful in manufacturing mattresses to use in whole or in part any material which shall have formed part of any mattress pillow or bedding used in or about any hospital or used by any person having an infectious or contagious disease

Section 2 It shall be unlawful to manufacture sell or offer for sale any mattress unless there shall be indelibly marked or stamped thereon or upon a cloth label securely sewed thereon a statement showing the quantity and quality of the materials used in making the mattress and whether the materials so used are wholly or partly new or second-hand Such statement shall be in large type and in the English language

Section 3 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than six months or both

Section 4 No mattress manufactured outside of this Commonwealth shall be sold or offered for sale in this Commonwealth unless the person firm or corporation selling or offering the same for sale shall have first secured and shall exhibit to the purchaser or the prospective purchaser an affidavit duly executed by the manufacturer of the mattress setting forth that in the manufacture of such mattress the provisions of this act have been complied with

Section 5 All acts and parts of acts inconsistent with the provisions of this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Forster, I. G.,	Malie,	Roney,
Allen,	Geary,	Mannion,	Rothenberger,
Alworth,	Geiser,	Martin,	Runk,
Ambler,	Gibson,	Mather,	Sassaman,
Arthur,	Glenn,	Matt,	Savacool,
Baldwin, G. A.,	Good,	McAleer,	Schaeffer, A. C.
Baldwin, R. J.,	Goss,	McAllister,	Schuck,
Barner,	Grabe,	McArdle,	Scott, S. B.,
Becker,	Gransback,	McCaig,	Semmens,
Benninger,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Bergey,	Hackett,	McKay,	Shern,
Berntheizel,		Mechling,	Sherwood,
Bigger,	Heidinger,	Mellott,	Showalter,
Bittles,	Hemminger,	Metzenbacher,	Smith, J. W.,
Bleloch,	Herman,	Miller,	Smith, L.,
Body,			Snavely,

Brosius,	Hess,	Missimer,	Snyder,
Brown,	Heyburn,	Mitchell,	Spangler,
Brownlee,	Hibshman,	Moore,	Speiser,
Burnett,	Hobbs,	Morrow,	Spillinger,
Caldwell,	Hoffman,	Moses,	Steedle,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Steele,
Campbell, J.J.	Howard, R.,	Murphy,	Stein,
Carson,	Humes,	Musser,	Stone,
Carter,	Isler,	Neel,	Strauss,
Cheeseman,	Irwin, G. C.,	Neely,	Swartz,
Claycomb,	Irwin, H. H.,	Newbaker,	Swift,
Cleary,	Jackson,	Newton,	Thomas,
Cochran,	Jones, J. R.,	North,	Trach,
Collins,	Kaiser,	O'Neill,	Ulerich,
Conner,	Kaufman,	Peachey,	Ulman,
Conniff,	Keegan,	Pennegar,	Walnut,
Conrade,	Keeport,	Pennock,	Walsh,
Cox,	Kenna,	Perry, H. L.,	Watson,
Currier,	Kennedy,	Perry, S. J.,	Wettach,
Curry,	Kern,	Peters,	Whitaker,
Davis,	Klepper,	Piper,	Whitman,
DeFrees,	Kuhn, H. P.,	Post,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Price,	Williams,
Donahoe,	Lanius,	Ramsey,	Wilson, J. H.,
Donnally,	Latshaw,	Redfield,	Wilson, W. H.,
Down,	Lenker,	Reese,	Wiltbank,
Dunn, H. B.,	Leslie,	Reeser,	Young, G. K.,
Ehrhardt,	Letzkus,	Rex,	Young, J. H.,
Eichenberger,	Light,	Rhoads,	Zimmerman,
Ely,	Lowers,	Richards,	Alter,
Ewing,		Rockwell,	Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 277, as follows:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the volation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever in a newspaper periodical circular form letter or other publication published distributed or circulated in this Commonwealth or in any advertisement in this Commonwealth knowingly makes or disseminates or causes to be made or disseminated any statement or assertion concerning the quantity the quality the value the merit the use the present or former price the cost the reason for the price or the motive or purpose of a sale of any merchandise securities or services or concerning the method or cost of production or manufacture of such merchandise or the possession of rewards prizes or distinctions conferred on account of such merchandise or the manner or source of purchase of such merchandise or securities which is untrue or calculated to mislead shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not more than one thousand dollars or by imprisonment in the county jail not exceeding sixty days or by both such fine and imprisonment

On the question,

Shall the bill pass finally?

Mr. BROSIUS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GANS. Mr. Speaker, I second the motion.

It was not agreed to.

The question recurring.

Shall the bill pass finally?

BILL POSTPONED.

Mr. BROSIUS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. JOSIAH HOWARD. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 122, as follows:

An Act amending section one hundred and twenty of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and twenty of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven which reads as follows

"Section 120 If any person shall vote at more than one election district or otherwise fraudulently vote more than once on the same day or shall fraudulently fold and deliver to the inspector two tickets together with the intent to illegally vote or shall vote the same or if any person shall advise and procure another so to do he or they so offending shall on conviction be fined in any sum not less than fifty nor more than five hundred dollars and be imprisoned for any term not exceeding five years" be and the same is hereby amended so as to read as follows

Section 120 If any person shall vote at more than one election district or otherwise fraudulently vote more than once on the same day or shall fraudulently fold and deliver to the inspector two tickets together with the intent to illegally vote or shall vote the same or if any person shall advise and procure another so to do he or they so offending shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a term not less than one year and not exceeding three years

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Adams,	Geiser,	Malie,	Runk,
Allen,	Gibson,	Mannion,	Sassaman,
Alworth,	Glenn,	Martin,	Savacool,
Ambler,	Good,	Mather,	Schaeffer, A. C.
Arthur,	Goss,	Matt,	Schuck,
Baldwin, G. A.,	Grabe,	McAleer,	Scott, S. B.,
Baldwin, R. J.,	Gramley,	McAllister,	Semmens,
Barner,	Gransback,	McArdle,	Shaffer, I. E.,
Becker,	Gray, Frank,	McCaig,	Shern,
Benson,	Gray, Joseph,	McClintock,	Sherwood,
Bergey,	Hackett,	McDermott,	Showalter,
Berntheizel,		McKay,	Smith, J. W.,
Bigger,	Heidinger,	McNichol,	Smith, L.,
Bittles,	Hemminger,	Mechling,	Snavely,
Blair, W. A.,	Herman,	Mellott,	Snyder,
Bleloch,	Hess,	Metzenbacher,	Spangler,
Body,	Heyburn,	Miller,	Speiser,
Brosius,	Hibshman,	Missimer,	Spillinger,
Brown,	Hobbs,	Mitchell,	Steedle,
Brownlee,	Hoffman,	Moore,	Steele,
Burnett,	Howard, J.,	Morrow,	Stein,
Caldwell,	Howard, R.,	Moses,	Stone,
Campbell, C.M.,	Humes,	Moulthrop,	Strauss,
Campbell, J.J.	Isler,	Murphy,	Swartz,
Carson,	Irwin, G. C.,	Musser,	Swift,
Carter,	Irwin, H. H.,	Neel,	Thomas,
Cheeseman,	Jackson,	Neely,	Trach,
Claycomb,	Jones, J. R.,	Newbaker,	Ulerich,
Cleary,	Kaiser,	O'Neill,	Ulman,
Cochran,	Kaufman,	Peachey,	Walnut,
Collins,	Keegan,	Pennegar,	Walsh,
Conner,	Keeport,	Pennock,	Walton,
Conniff,	Kenna,	Perry, H. L.,	Watson,
Currier,	Kennedy,	Peters,	Wettach,
Curry,	Kern,	Piper,	Whitaker,
Davis,	Kitts,	Post,	Whitman,
DeFrees,	Kuhn, H. P.,	Price,	Wildman,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Williams,
Donnally,	Lanius,	Redfield,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Reese,	Wilson, W. H.,
Ehrhardt,	Lenker,	Reeser,	Wiltbank,
Eichenberger,	Leslie,	Rex,	Young, G. K.,
Ely,	Letzkus,	Rhoads,	Young, J. H.,
Ewing,	Light,	Richards,	Zimmerman,
Forster, I. G.,	Lohr,	Robinson,	Alter,
Foster, J. D.,	Lowers,	Rothenberger,	Speaker.
Gans,			
Geary,			

NAYS—1.

Perry, S. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 66, as follows:

An Act to authorize the appointment by the County Commissioners of twelve (12) assessors in counties having not less than two hundred thousand nor more than three hundred twenty-five thousand inhabitants prescribing their powers duties and procedure and fixing salaries to be paid by the proper county and the method of their appointment and abolishing the office of ward borough and township assessors in so far as respects the assessment of state and county taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having not less than two hundred thousand nor more than three hundred twenty-five thousand inhabitants the County Commissioners of such counties shall appoint twelve (12) sober judicious and intelligent citizens who shall be residents of the county for

which they are appointed for at least four years before such appointment as a board of assessors for a period of four years or until their successors are duly qualified

Section 2 The Board of Assessors appointed pursuant to the provisions of this act shall perform all the duties of assessors under the laws of this Commonwealth as to the valuation of property for county purposes

Section 3 The said Board of Assessors shall during the first year of their term of service make or cause to be made a full just and equal assessment of all property within the wards boroughs and townships and their several sub-division comprised with the county for which they are appointed subject by law to taxation for county purposes which assessment shall stand until the next triennial assessment for county purposes at which time and every third year thereafter an assessment shall be made and shall in all cases value such property at such sums as the same will in their judgment bring at a fair public sale thereof It shall be their duty to revise alter and equalize the said assessments in respect to properties in the ward borough or township and the several divisions thereof and to so far modify the assessment during the years succeeding the year of the triennial assessment as the changes of ownership or the conditions of the improvements thereon shall require and they shall complete their annual assessments on or before the first day of February in each year For the purpose of their duties they shall have the custody of all books relating to the assessment of county taxes upon the completion of the asesssment as hereinbefore required The said board shall sit annually on or before the first day of March to hear complaints for the several wards boroughs and townships and their sub-divisions They shall be provided with an office in the court house at the county seat

Section 4 It shall be the duty of such boards to give at least five days' written or printed notice to every taxable inhabitant of the county for which they are appointed of the amount or sums for which he stands rated in any triennial assessment and also of any change in his assessment in any intervening year together with the time and place of hearing complaints For the purpose of such hearing said board shall have the authority to administer oaths and affirmations touching any matter relating thereto and any willful raise statement under oath as to any material fact of any complaint or his agent or attorney shall be deemed perjury and punishable as such Any person aggrieved by the final action of any board of assessors may appeal therefrom to the County Commissioners whose powers and duties relating to assessment shall remain as heretofore

Section 5 The office of asessors for county purpose in the several wards boroughs and townships in such counties coming under the provisions of this act is hereby abolished in so far as respects the assessment and valuation of property and occupations taxable for state and county purposes

Section 6 All such assessors shall assemble in convention together with the County Commissioners at least once in each year upon the call of the County Commissioners of the county by whom they are appointed for the purpose or comparing adjusting revising et cetera the value of properties and to furnish the County Commissioners with such other information as shall enable them to properly perform their duties in cases of appeal

Section 7 Each of said assessors shall before entering upon his duties take and subscribe the following oath "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity That I will not knowingly receice directly or indirectly any money or other valuable thing for the performance or non-performance of any act of duty pertaining to my office other than the compensation allowed by law and file the same with the Clerk of the Court of Quarter Sessions"

Any vacancy happening in said board shall be filled by appointment by the County Commissioners for the unexpired term

The compensation of such assessors shall be three thousand dollars ($3,000) per annum for each assessor and necessary traveling expenses subject to the approval of the county Commissioners and County Controller

Section 8 Said Board of Assessors shall have the power to appoint a chief clerk at a salary of fifteen hundred dollars ($1,500) per annum and a deputy clerk at a salary of twelve hundred dollars ($1,200) per annum Said Board of Assessors shall have the power to appoint an additional Clerk or clerks at an expense not exceeding fifteen hundred dollars($1,500) per annum subject to the action of the salary board as provided by law

Section 9 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

On the question,

Will the House agree to the bill on second reading?

BILL RECOMMITTED.

Mr. EHRHARDT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Local.

Mr. WILTBANK. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 33, as follows:

Joint Resolution Whereas both houses of the Sixty-first Congress of the United States of America at its first session by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America in the following words to wit "A joint resolution proposing an amendment to the Constitution of the United States"

"Resolved By the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) That the following article is proposed as an amendment to the Constitution of the United States which when ratified by the legislatures of three-fourths of the several States shall be valid to all intents and purposes as a part of the Constitution namely

"'Article XVI The Congress shall have power to lay and collect taxes on incomes from whatever source derived without apportionment among the several states and without regard to any census or enumeration'"

Therefore be it Resolved by the Senate and House of Representatives of the State of Pennsylvania That the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the General Assembly of the State of Pennsylvania And further be it

Resolved That the certified copies of this joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington and to the presiding officers of each House of the National Congress"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 270, as follows:

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several Courts of Common Pleas of this Commonwealth be and are hereby authorized and empowered to fix by rule or standing order the return day of all writs of execution and final process hereafter issuing out of said courts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 68, as follows:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" which reads as follows

"Section 11 Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished for a first offense by a fine of not less than ten dollars or more than twenty-five dollars or ten days imprisonment in the county jail or either or both at the discretion of the court and for a second offense shall be punished by a fine of not more than fifty dollars and ninety days imprisonment in a county jail or either or both at the discretion of the court It shall be the duty of the Chief Factory Inspector to carry out the provisions of this act and prosecutions for violations thereof shall be instituted by the Chief Factory Inspector" is amended so as to read as follows

Section 11 Any person who shall violate any of the provisions of this act or any person who shall make a false statement or shall present a forged birth certificate or baptismal certificate or passport or other official or religious record of the minor's age or a forged attested transcript thereof for the purpose of securing an employment certificate under the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25) or to undergo an imprisonment in the jail of the proper county of not more than ten days or both at the discretion of the court and for the second and any subsequent offense shall be sentenced to pay a fine of not more than fifty dollars ($50) or to undergo an imprisonment in the jail of

the proper county of not more than ninety days or both at the discretion of the court It shall be the duty of the Chief Factory Inspector and the truant officers of the various school districts of this Commonwealth to carry out the provisions of this act and prosecutions for violation thereof may be instituted by the Chief Factory Inspector or the truant officer of the proper school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 69, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in bituminous coal mines and anthracite colleries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act apporved the first day of May one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in bituminous coal mines and anthracite colleries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" which reads as follows

"Section 7 Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished for a first offense by a fine of not less than ten dollars or more than twenty-five dollars or ten days imprisonment in the county jail or either or both at the discretion of the court and for a second offense shall be punished by a fine of not more than fifty dollars and ninety days imprisonment in a county jail or either or both at the discretion of the court

"It shall be the duty of the Chief of the Department of Mines to carry out the provisions of this act and prosecutions for violations thereof shall be instituted either by the Chief of the Department of Mines" is amended so as to read as follows

Section 7 Any person who shall violate any of the provisions of this act or any person who shall make a false statement or shall present a forged birth certificate or baptismal certificate or passport or other official or religious record of the minor's age or a forged attested transcript thereof for the purpose of securing an employment certificate under the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25) or to undergo an imprisonment in the proper county jail of not more than ten days or both at the discretion of the court and for the second and each subsequent offense shall be sentenced to pay a fine of not more than fifty dollars ($50) or to undergo an imprisonment in the proper county jail of not more than ninety days or both at the discretion of the court

It shall be the duty of the Chief of the Department of Mines and the truant officers of the various school districts or this Commonwealth to carry out the provisions of this act and prosecutions for violations thereof may be instituted by either Chief of the Department of Mines or the truant officer of the proper school district

And said bill having been real at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 175, entitled:

An Act providing payment for overtime worked by employees in mercantile establishments and making it unlawful to compel such employees to do extra service by threat of discharge

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen it shall be unlawful for any corporation firm superintendent or other person owning or conducting any mercantile establishment or business within this Commonwealth to employ or compel by threats of discharge an employee to work overtime or do extra service beyond the hours of the regular work day of such employee without having arranged with such employee for payment to him or her of such sum as may be agreed upon in compensation for such overtime or extra service which compensation shall not be less than the proportional amount of the wages than being paid to the employee for a corresponding fractional service of time

The term 'over time" shall mean all extra service rendered outside the period of hours constituting the average day of labor of the employee such average to be determined by a calculation based upon the number of hours in a fully worked week of six days

For violation of this act the penalty shall be a fine not to exceed ten dollars to which costs may be added

It shall be the duty of the district attorney of the county to prosecute all violators of this act when complaints have been made to him and such prosecution shall be without cost to the complainant

The title was read as follows:

An Act providing for overtime worked by employees in mercantile establishments and making it unlawful to compel such employes to do extra service by therat of discharge

On the question,

Will the House agree to the title?

Mr. PIPER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend the title by adding after the word "discharge" in the last line, the following words, "fixing penalty for violation thereof and designating an official prosecutor."

The title as amended was then agreed to.

The bill as amended was then agreed to on second reading.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 170, as follows:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

Whereas The fish hatchery situate on Spruce Creek Huntingdon County is located on a flat which opens from a narrow pass through which Spruce Creek descends and is bounded by high hills which whenever there are any rains shed water into the creek causing such a rapid rise that the hatchery is flooded and the floods are of such extent as to carry away the bridges hatching houses and bulk of the ponds the Fisheries Commission has determined that the property is unfitted for hatchery purposes and that it is for the best interests of the State to abandon said hacthery and dispose of the real estate upon which the same is located Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Fisheries is hereby authorized and directed to sell at public or private sale all of the real estate to which the Commonwealth of Pennsylvania has title now used and composing the fish hatchery situate on Spruce Creek Huntingdon County and that the said property shall be first exposed to public sale at the Court House in Huntingdon Huntingdon County after thirty days' advertisement in at least three newspapers of general circulation two of which shall be newspapers in the County of Huntingdon and that the said Commissioner of Fisheries in the event of his inability to obtain an adequate price for said property by exposing same to public sale may sell the said property at private sale provided that any sale be approved by the Fisheries Commission and the Governor

Section 2 That the money realized from any such sale shall be deposited in the general fund of the treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 243, as follows:

An Act to prevent deception in the sale of paint putty turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall knowingly sell or expose for sale within this Commonwealth any paint putty turpentine or linseed oil or any substitutes therefor or marked in any manner so as to tend to deceive the purchaser as to its nature or composition or which is not labeled as hereinafter provided

Section 2 The term "paint" as used in this act shall include oxide of zinc red lead and white lead dry or in any kind of oil or any compound intended for the same use colors ground in oil paste or semi-paste paint and liquid or mixed paint ready for use For the purpose of this act white lead shall mean both the corroded and sublimed product and when the term "white lead" is used on a label to describe either product such term shall be qualified by the addition of the word "corroded" or "sublimed" as the case may be

Section 3 The label required by this act shall clearly and distinctly state the name and residence of the manufacturer of the paint or of the distributor thereof or of

the party for whom the same is manufactured and show the name and with a substantial accuracy the percentage of each ingredient both solid and liquid contained therein as the same would be disclosed by an ordinary chemical analysis thereof it being the intention of this act to furnish the consumer with such information only concerning the composition of such paint as he could obtain by submitting the same to a chemical analysis Said label shall be printed in plain legible type and so far as possible common English words shall be used instead of technical terms

Section 4 The label on all liquid or mixed paint shall show the next measure of the contents of the container and on all paste and semi-paste paint sold by weight the net weight of the contents of the package or if sold by measure the net measure of such contents

Section 5 The provisions of this act shall not apply to any articles hereinbefore described which are in this State in the hands of the jobbers and dealers at the time this act takes effect

Section 6 The having in possession by any person firm or corporation dealing therein of any of the articles hereinbefore described and improperly marked or not correctly labeled as provided in this act shall be considered prima facie evidence that the same are kept by such person firm or corporaton in violation of the provisions of this act

Section 7 The Secretary of Agriculture of the Commonwealth is hereby charged with the enforcement of the provisions of this act

Section 8 The Secretary of Agriculture and his assistants experts chemists and agents shall have access to all places of busines stores and buildings used for the sale of paint putty turpentine linseed oil or any substitutes therefor and shall have power and authority to open any package can jar tub or other receptacle containing articles subject to the provisions of this act which may there be sold or kept for sale but nothing herein contained shall require a disclosure by any manufacturer or other person of any formula or trade secret except in so far as the same may be indicated by a chemical analysis of the product thereof

Section 9 Any violater of any of the provisions of this act or any person assisting or taking part in the violation of any of said provisions shall be guilty of a msdemeanor and upon convction thereof shall be punished for each offense by a fine of not less than twenty-five dollars nor more than one hundred dollars or by an imprisonment not exceeding sixty days or by both such fine and imprisonment at the discretion of the court

Section 10 This act shall take effect and be in force from and after the first day of September Anno Domini one thousand nine hundred and thirteen

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a thrid reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 262, as follows:

An Act repealing section four of an act entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for the townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchase or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" approved the third day of June Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" approved the third day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 301, as follows:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of May one thousand nine hundred and seven entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the county auditors of the respective counties of this Commonwealth to publish their annual report such as by law is required or shall hereafter be required of them to be made and filed in the court of common pleas of their respective county relating to the accounts of the several officers which by law said county auditors are or may be required hereafter to adjust and settle Said auditors' report or statement shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published for three successive weeks in at least two weekly newspapers of the respective county one of which papers shall be politically of a minority party That the expense of the publication of said auditors' report shall be paid by the county commissioners out of the funds of the respective county of which the said report concerns" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the county auditors of the respective counties of this Commonwealth to publish their annual report such as by law is required or shall hereafter be required of them to be made and filed in the court of common pleas of their respective county relating to the accounts of the several officers which by law said county auditors are or may be required hereafter to adjust and settle Said auditors' report or statement shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published once a week for three successive weeks in at least two daily or weekly newspapers of the respective county one of which papers shall be politically of a minority party That the expense of the publication of said auditors' report shall be paid by the county commissioners out of the funds of the respective county of which the said report concerns

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 259, as follows:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the Courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the Courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" which reads as follows

"Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three plaintiffs three dollars and fifty cents" is hereby amended to read as follows

Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three defendants three dollars and fifty cents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 85, as follows:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled "An act to regulate the manner of sellling loaf-bread and to repeal certain existing laws respecting the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of the act approved the first day of April one thousand seven hundred ninety-seven entitled 'An act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. JOHN H. YOUNG. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 6:35 o'clock P. M.,) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

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HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 12, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Eliot Wright, offered the following prayer:

O God, we are indebted to Thee for the great and good men of history; men whose names have enriched our annals and whose lives have been so fruitful of blessing and good.

Thou hast always been tenderly regardful of the needs of Thy people, and when great crisis have come, then Thou hast raised up leaders to meet these crisis. We thank Thee for the man of whom we are thinking today, so reverent and so sincere and honest; so brave and true. We thank Thee for the qualities with which Thou didst endow him; for his gentleness and sympathy and tenderness; a man of the people whose heart was ever going out toward the suffering ones. We rejoice in his charity and brotherly kindness, having malice towards none and sympathy for all. We thank Thee that so large a proportion of our American citizenship owe their liberty and their manhood and their splendid opportunities of living and of work to him. We pray that our whole nation, North and South, East and West, may be drawn closer together, because this man lived and died for the welfare of the people.

We ask it in Jesus' name, Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Ulman the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. WILLIAMS. House Bill No. 557.

An Act to classify certain surface lands as auxiliary forest reserves, to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom, and to provide for the expenses attendant thereon.

Referred to Committee on Forestry.

By Mr. WILLIAMS. House Bill No. 558.

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection, distribution and use of the taxes collected therefrom.

Referred to Committee on Forestry.

By Mr. WILLIAMS. House Bill No. 559.

An Act providing a fixed charge on land classified as Auxiliary Forest Reserves and the distribution of the fund thus set aside for school and road purposes.

Referred to Committee on Forestry.

By Mr. JOHN H. YOUNG. House Bill No. 560.

An Act making an appropriation of fifty thousand dollars for the Sewickley Valley Hospital Association of Sewickley, Allegheny County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LETZKUS. House Bill No. 561.

An Act making an appropriation to the South Side Hospital of Pittsburgh Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 562.

An Act to fix the salaries of the clerks of the State Department in the office of the County Treasurer of any county of this Commonwealth having a population of one million or over.

Referred to Committee on Judiciary General.

By Mr. WALNUT. House Bill No. 563.

An Act prohibiting officers, clerks and employes in the civil service of the Commonwealth of Pennsylvania or of any county, city or civil division thereof from taking any active part in political movements and elections and providing penalties for any violation thereof.

Referred to Committee on Elections.

By Mr. RUNK. House Bill No. 564.

Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws.

Referred to the Committee on Game.

By Mr. CURRIER. House Bill No. 565.

An Act to amend the act approved the twenty-eight day of May, Anno Domini one thousand nine hundred and seven, entitled "An act to provide for the alteration of the boundaries of contiguous boroughs and townships of this Commonwealth, by detaching part or parts of the land embraced within the lines of any borough and annexing such territory to any adjacent or contiguous township or townships; and for adjustment of the indebtedness of the boroughs and townships affected by such change of boundaries or limits."

Referred to Committee on Municipal Corporations.

By Mr. MILLER. House Bill No. 566.

An Act giving to all owners or tenants of lands, property or material injured by the laying out, opening, widening, vacating, extending, or grading of roads, streets, lanes or alleys, or the changing of grades and lines thereof, the construction of bridges, and the piers, abutments, approaches, embankments, slopes or causeways therefor or leading thereto, and the vacating of the same, and the construction of sewers, the right to damages both direct and consequential or either, directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking, using, occupying, or injuring lands, property or material, to assess said damages both direct and consequential or either, if any, and the benefits, if any, in connection therewith, granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report, and providing that this act shall apply to all existing and future proceedings.

Referred to Committee on Judiciary General.

By Mr. HESS. House Bill No. 567.

An Act making an appropriation to the State Normal Schools of the Commonwealth.

Referred to Committee on Appropriations.

By Mr. GIBBS. House Bill No. 568.

An Act making an apropriation to the Williamsport Hospital of the city of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SHERWOOD. House Bill No. 569.

An Act to ascertain and appoint the fees to be received by the several Clerks of the Courts of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the peace of this Commonwealth in counties having a population of over one million.

Referred to Committee on Judiciary Special.

By Mr. LENKER. House Bill No. 570.

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car, to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars, providing that said record shall be the final basis in computing the miners' earnings per car, without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal, providing further that said record shall be open for the inspection of all miners, and providing penalties for failure to comply with the provisions of this act.

Referred to Committee on Mines and Mining.

By Mr. ULMAN. House Bill No. 571.

An Act making an appropriation to the Williamsport Hospital, of the city of Williamsport, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GOOD. House Bill No. 572.

An Act providing for the relocating and marking at the expense of the proper county of the corners of all original

warrantee tracts, and for the survey of lands in connection therewith.

Referred to Committee on Judiciary General.

By Mr. REESE. House Bill No. 573.

An Act regulating the sale of anthracite coal; fixing standards of size and quality thereof; and requiring inspectors of weights and measures, in certain cases to make a test thereof, and providing penalties for violation of this act.

Referred to Committee on Mines and Mining.

By Mr. CONNIFF. House Bill No. 574.

An Act to amend an act approved the third day of June, one thousand nine hundred and eleven, entitled "An act providing for the election of commissioners of townships of the first class of this Commonwealth, and the filling of vacancies in the office of township treasurer and township commissioner in said townships," and repealing the second section of the act.

Referred to Committee on Counties and Townships.

By Mr. CONNIFF. House Bill No. 575.

An Act to prohibit the letting of prison labor by contract, to regulate the employment of prisoners in all State and County Prisons and Reformatories, regulating the disposition of the products of prison labor, and providing penalty for its violation.

Referred to Committee on Judiciary Special.

By Mr. WILDMAN. House Bill No. 576.

An Act defining and regulating the business of loan brokers and to regulate the business of making loans of two hundred dollars and less, for which no security other than a note or contract, with or without endorsers, is taken; and to provide for the licensing of such business; and providing a penalty for the violation of the provisions thereof.

Referred to the Committee on Banks and Banking.

By Mr. PEACHEY. House Bill No. 577.

An Act making an appropriation to the Lewistown Hospital of Lewistown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JAMES A. DUNN. House Bill No. 578.

An Act defining investment companies; providing for the regulation and supervision of such investment companies, and providing penalties for violation of this act.

Referred to Committee on Banks and Banking.

By Mr. HAGGERTY. House Bill No. 579.

An Act making an appropriation to the Saint Joseph's Home and Maternity Hospital, Scranton, Lackawanna County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RONEY. House Bill No. 580.

An Amendment to an act entitled "A supplement to an act, entitled 'An act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five; creating a Department of Wharves, Docks and Ferries, for the improvement, regulation, and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation for certain purposes," approved the eighth day of June A. D. 1907, as amended by an act entitled "An Act to amend the fifteenth section of an act, approved the eighth day of June, Anno Domini one thousand nine hundred and seven, entitled 'A supplement to an act, entitled 'An act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a Department of Wharves, Docks and Ferries, for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cites, by purchase and by condemnaton, for certain purposes,' by fixing the number of the jury at three," approved the 27th day of April, A. D. 1911.

Referred to Committee on Municipal Corporations.

By Mr. E. E. JONES. House Bill No. 581.

An Act further supplementary to an act approved the seventh day of June, one thousand eight hundred and seventy-nine, entitled "An Act to provide revenue by taxation."

Referred to Committee on Ways and Means.

By Mr. RONEY. House Bill No. 582.

A Supplement to an act, entitled "A supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five; creating a Department of Wharves, Docks and Ferries, for the improvement, regulation and supervision of the Construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures, in cities of the first class, and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation for certain purposes," approved the 8th day of June, A. D., 1907.

Referred to Committee on Municipal Corporations.

By Mr. ALWORTH. House Bill No. 583.

An Act making an appropriation to the House of Good Shepherd, Scranton, Lackawanna County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NORTH. House Bill No. 584.

An Act making an appropriation to the Punxsutawney Hospital Association at Punxsutawney, Jefferson County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MILLER. House Bill No. 585.

An Act to amend the first section of an act, approved the twenty-fifth day of April, one thousand nine hundred and seven, P. L. 103, entitled "A supplement to the act of April third, eighteen hundred and fifty-one, entitled 'An Act regulating Boroughs,' providing for the election of a Borough Solicitor; fixing the term of office and prescribing his duties, and authorizing the Town Council to fix his compensation," so as to include all boroughs, and by changing the length of the term and the time of the election of Borough Solicitors, and extending the terms of the Borough Solicitors holding office under the act of April twenty-fifth, nineteen hundred and seven.

Referred to Committee on Municipal Corporations.

By Mr. SPILLINGER. House Bill No. 586.

An Act making an appropriation to the Women's Homeopathic Association of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 587.

An Act to amend Section one of the act of March 30th, 1911 (P. L. 28), entitled "An Act to provide for the payment by the proper county of witnesses, committed and held in default of bail to appear and testify on behalf of the Commonwealth."

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 588.

An Act to amend Section seven of the act of March 31st, 1860 (P. L. 427), entitled "An Act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings."

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 589.

An Act to abolish for the purpose of municipal assessment and taxation of real estate, the distinction between built-up, rural and farm property.

Referred to Committee on Municipal Corporations.

By Mr. STEEDLE. House Bill No. 590.

An Act enlarging the powers of burgesses in boroughs in criminal matters and regulating the exercise of such powers.

Referred to Committee on Municipal Corporations.

By Mr. RONEY. House Bill No. 591.

An Act relative to Mercantile Appraisers' Lists.

Referred to the Committee on Ways and Means.

By Mr. DONAHOE. House Bill No. 592.

An Act dividing the State of Pennsylvania into two coal mining districts, fixing the qualifications for Inspector of Mines in the anthracite mining district, abolishing the Board of Examiners and Examination for Inspector of Mines, providing for the election of one chief in each district, empowering the chiefs to name their assistants, and fixing their salaries and expenses.

Referred to the Committee on Mines and Mining.

By Mr. CALDWELL. House Bill No. 593.

An Act relating to contracts of insurance, relief, benefit or indemnity in case of injury or death, entered into prior to the injury, between a servant and his master, or any person or association acting for or on behalf of such master.

Referred to the Committee on Judiciary Special.

By Mr. E. E. JONES. House Bill No. 594.

An Act further supplementary to an act approved the seventh day of June, one thousand eight hundred and seventy-nine, entitled "An Act to provide revenue by taxation."

Referred to the Committee on Ways and Means.

By Mr. E. E. JONES. House Bill No. 595.

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June, one

thousand nine hundred and eleven, entitled "An Act relating to roads; providing for the election and appointment of township supervisors in second class townships; defining certain powers, duties and limitations; relating to road tax; defining certain duties of the clerk of court; fixing penalties for violations of this act, and making an appropriation to carry out its provision.

Referred to Committee on Public Roads.

By Mr. CALDWELL. House Bill No. 596.

An Act relative to contracts containing compulsory arbitration provisions entered into in advance of any controversy, affecting the question of ultimate liability thereon and attempting to oust the jurisdiction of the Courts.

Referred to Committee on Judiciary Special.

By Mr. E. E. JONES. House Bill No. 597.

An Act making an appropriation to cover a definciency caused by insufficient appropriation to carry out the purposes of an act approved the twelfth day of April, one thousand nine hundred and five, entitled "An Act providing for the election and appointment of road supervisors in the several townships of the second class of this Commonwealth; defining their duties; authorizing them to make, repair, and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint roadmasters and treasurer, purchase road-making implements and machines; prescribing penalties for violation of this act; and requiring the road supervisors to report to township auditors and to the State Highway Commissioner, from time to time, and for the payment of a percentage of road tax to townships that abolish the work tax; and for the repeal of all laws, general, local or special, inconsistent herewith or supplied hereby," as amended by an act approved the thirteenth day of May, one thousand nine hundred and nine, entitled "An Act to amend an act, entitled 'An Act providing for the election and appointment of road supervisors in the several townships of the second class of this Commonwealth; defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint roadmasters and treasurer, purchase road-making implements and machines; prescribing penalties for violation of this act, and requiring the supervisors to report to township auditors and to the State Highway Commissioner, from time to time; for the payment of a percentage of road tax to townships that abolish the work tax, and for the repeal of all laws, general, local or special, inconsistent herewith or supplied hereby,' approved the twelfth day of April, Anno Domini one thousand nine hundred and five; providing for the appointment of a secretary and a treasurer, and fixing their compensation; providing for the payment of road tax in cash and for the payment to the townships by the State of fifty percentum of the amount of road tax collected in said township if the money is not properly expended; specifying the duties of roadmasters and supervisors; prescribing the method of collecting the road tax; providing that supervisors shall receive payment for their services; requiring clerks of courts to make annual report of the names of township supervisors and commissioners; to abolish the office of township clerk, and making an appropriation to carry out the provisions of this act."

Referred to the Committee on Appropriations.

By Mr. CLEARY. House Bill No. 598.

An Act to prohibit the employment, at any work or labor, of any minor child, under the age of twenty-one years, and over the age of sixteen years, in or around any anthracite coal mine or colliery, for more than eight hours a day; providing a method whereby the employers of labor may ascertain such age, and providing a penalty for non-compliance with the provisions of this act.

Referred to Committee on Mines and Mining.

By Mr. CARSON. House Bill No. 599.

An Act making an appropriation to the Monongahela Memorial Hospital Association, of Monongahela City, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CLEARY. House Bill No. 600.

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation.

Referred to Committee on Judiciary Local.

By Mr. ALWORTH. House Bill No. 601.

An Act making an appropriation to the Saint Patrick's Orphan Asylum of Scranton, Lackawanna County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LETZKUS. House Bill No. 602.

An Act regulating the cold storage of food, and providing penalties for violation of this act.

Referred to Committee on Judiciary Special.

By Mr. PENNEGAR. House Bill No. 603.

An Act making an appropriation to the Trustees of the Coatesville Hospital, Coatesville, Chester County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KAISER. House Bill No. 604.

An Act regulating the pay of election officers and clerks in each of the counties of this Commonwealth.

Referred to Committee on Elections.

By Mr. GIBSON. House Bill No. 605.

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WALSH. House Bill No. 606.

An Act making an appropriation to the Philadelphia Museums.

Referred to Committee on Appropriations.

By Mr. NEEL. House Bill No. 607.

An Act making an appropriation to refund to the Standard Distilling Company, of Mount Pleasant, Westmoreland County, Pennsylvania, the sum of eight hundred and ninety-five and fifty-one hundredth dollars, inadvertantly and erroneously paid by, under protest, into the State Treasury, for a distiller's license, for a distillery heretofore and now known as the Standard Distilling Company.

Referred to the Committee on Appropriations.

By Mr. CARTER. House Bill No. 614.

An Act making an appropriation to Saint Joseph's Hospital and Dispensary, of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVIS. House Bill No. 615.

An Act to regulate advertisements and solicitations for employees during strikes, lockouts or other labor disputes.

Referred to the Committee on Labor and Industry.

By Mr. HESS. House Bill No. 616.

An Act making an appropriation to the Thaddeus Stevens Industrial School of Pennsylvania, at Lancaster, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 617.

An Act to amend an act, entitled "An Act fixing the compensation of Borough and Township Auditors in this Commonwealth," approved the 4th day of May, A. D., 1889.

Referred to Committee on Judiciary General.

By Mr. R. J. BALDWIN. House Bill No. 618.

An Act to amend Section 1 of an act, entitled "An Act relating to the settlement and audit of the accounts of all officers, eleced or appointed of boroughs, townships, poor districts and school districts; prescribing the time for such a settlement and audits, for the matters to be contained in the report of settlement and audit, for the filing of said report in the office of the clerk of quarter sessions, and for appeals to the court of common pleas and superior and supreme courts," approved the ninth day of June, Anno Domini one thousand nine hundred and eleven.

Referred to Committee on Judiciary General.

By Mr. R. J. BALDWIN. House Bill No. 619.

An Act to amend the fourth paragraph of Section seven of an act, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," approved the twenty-eight day of April, Anno Domini, one thousand eight hundred and ninety-nine.

Referred to Committee on Counties and Townships.

By Mr. RICHARDS. House Bill No. 620.

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one, entitled "An Act to prohibit the manufacture and sale of oleomargarine, butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufactureres, wholesale and retail dealers and by proprietors of hotels, restaurants, dining-rooms and boarding houses for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter and to prevext and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure.

Referred to the Committee on Public Health and Sanitation.

By Mr. WHITAKER. House Bill No. 621.

An Act making an appropriation to the trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennsylvania, to meet deficiencies in maintenance.

Referred to Committee on Appropriations.

By Mr. FORSTER. House Bill No. 622.

An Act regulating the location of the District Attorney and his assistants during trial of cases.

Referred to Committee on Judiciary General.

By Mr. WHITAKER. House Bill No. 623.

An Act making an appropriation for the providing and erection of armories throughout the Commonwealth of Pennsylvania for the use of the National Guard of Pennsylvania, said armories to be erected, managed and cared for under the direction of the State Armory Board, also an appropriation for the completion of armories where drill halls or administration buildings only have been erected, also an appropriation for the management and care of armories erected or provided and to be erected or provided for the two fiscal years beginning June first, nineteen hundred and thirteen, necessary repairs and contingent expenses in maintenance of armories, premiums of fire insurance and title insurance, advertisement for bids, actual traveling expenses of members of State Armory Board, clerical expenses of Board and inspection expenses.

Referred to the Committee on Military Affairs.

By Mr. BROWNLEE. House Bill No. 624.

An Act to amend Section one of an act, approved the third day of May, Anno Domini one thousand nine hundred and nine, entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth, to acquire by taking and appropriating under right of eminent domain, and by gift, devise, purchase, lease and otherwise, private property for the purpose of making, enlarging, extending and maintaing public parks, parkways and playgrounds; requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent; authorizing the said townships and boroughs to improve, maintain and regulate such parks, parkways and playgrounds, and providing for the manner of securing, ascertaining, determining, awarding and paying compensation and damages, where property is taken, used and appropriated for the said purposes," by changing the limitation of the amount of money which such township or borough, in the exercise of the authority granted by said act, shall, within any period of three years, obligate itself to pay, without the consent of a majority of the qualified electors.

Referred to Committee on Judiciary Special.

By Mr. FAHEY. House Bill No. 625.

An Act making an appropriation to Saint Vincent's Home, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 626.

An Act making an appropriation to the House of Good Shepherd, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 627.

An Act making an appropriation to the Catholic Home for Destitute Children, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 628.

An Act making an appropriation to Saint Vincent's Orphans Asylum of Tacony, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 629.

An Act making an appropriation to Saint Vincent's Home and Maternity Hospital, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 630.

An Act making an appropriation to Saint John's Orphan Asylum, Philadelphia.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 631.

An Act making an appropriation to the Philadelphia Protectory for Boys, Protectory Station, Montgomery County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MUSSMER. House Bill No. 632.

An Act making an appropriation to the Woman's Hospital of Philadelphia.

Referred to Committee on Appropriations.

By Mr. KAISER. House Bill No. 633.

An Act making an appropriation to the Day Nursery and Temporary Home of the Methodist Episcopal Church Union, North Side, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KENNEDY. House Bill No. 634.

An Act making an appropriation to the Homestead Hospital Association, of Homestead, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FORSTER. House Bill No. 635.

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire-escapes of the following acts of Assembly: the act approved the eleventh day of June one thousand eight hundred and seventy-nine, entitled "An Act to provide for the better security of life and limb, in cases of fire in hotels and other buildings," as amended by an act approved the third day of June, one thousand eight hundred and eighty-five, entitled "An Act to amend an act, entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings,' approved the eleventh day of June, Anno Domini one thousand eight hundred and seventy-nine," and as further amended by an act approved the twelfth day of July, one thousand eight hundred ninety-seven, entitled "An Act to amend Section one of an act approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, entitled 'An Act to amend an act, entitled "An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings,'" approved the eleventh day of June, Anno Domini one thousand eight hundred and seventy-nine, extending the provisions thereof to buildings used in whole or in part for offices not of fire-proof construction;" also the act approved the seventh day of June one thousand eight hundred ninety-five, entitled "A supplement to an act, entitled 'An Act amending Section one of Article three of an act, entitled "An Act for the better government of cities of the first class in this Commonwealth," approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, regulating the construction, maintenance and inspection of buildings,' approved the eight day of June, Anno Domini one thousand eight hundred and ninety-three, regulating the construction, alteration and ventilation of tenement houses, and providing for the safety of the inhabitants thereof, and providing penalties for the violation of the same;" also the act approved the twenty-fifth day of April, one thousand nine hundred three, entitled "An Act to further regulate the construction, maintenance and inspection of buildings and party walls, in cities of the first class."

Referred to Committee on Judiciary General.

By Mr. WHITAKER. House Bill No. 636.

An Act making an appropriation to the Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 637.

An Act making an appropriation to the Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DAVIS. House Bill No. 638.

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal, rock, earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages, etc. begin to run.

Referred to the Committee on Mines and Mining.

By Mr. AMBLER. House Bill No. 639.

An Act to validate certain judgments against executors, administrators, guardins, committees, or other fiduciaries, or heirs-at-law, and to validate sheriff's sales of real and personal estate, made by virtue of writs of execution basis upon such judgments.

Referred to the Committee on Judiciary Special.

By Mr. WHITAKER. House Bill No. 640.

An Act making an appropriation for the support of the National Guard of Pennsylvania and the Naval Force of Pennsylvania, for the two fiscal years beginning June first, one thousand nine hundred and thirteen, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirteen, and for the payment of an annual allowance to commissioned officers of the National Guard of Pennsylvania and Naval Force of Pennsylvania, and for the purpose of placing at the disposal of the Governor of the Commonwealth, the sum of five hundred thousand dollars, or so much thereof as may be necessary, and making same available to replace or repair armory buildings owned by the Commonwealth of Pennsylvania, and occupied by an organization of the National Guard, should such Armory building be destroyed in whole or in part, by fire, flood, or storm, and to pay for services and expenses of the National Guard incident to actual service, under orders of the Governor, in repelling invasion, subduing insurrection, riot or disorder, or to furnish the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States.

Referred to the Committee on Military Affairs.

By Mr. AMBLER. House Bill No. 641.

An Act to authorize the municipal authorities to limit the charges of water companies in certain cases.

Referred to Committee on Municipal Corporations.

By Mr. AMBLER. House Bil No. 642.

An Act to authorize the board of commissioners of every township of the first class, to establish lights upon State Highways, and turnpike roads in such townships.

Referred to the Committee on Public Roads.

By Mr. RICHARDS. House Bill No. 643.

An Act to regulate the practice of Natural or Drugless methods of healing in the State of Pennsylvania, and to provide for State Board of Neurapathic or Drugless Examiners, to define the powers and duties of said Board, to provide for the examining and licensing of Neurapathic Natural or Drugless practitioners in the State, and to provide for penalties for the violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. RICHARDS. House Bill No. 644.

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women through the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this Act, making an appropriation therefor and providing certain penalties for the violation of the provisions thereof, and repealing all acts and parts of acts incompatable herewith.

Referred to Committee on Public Health and Sanitation.

By Mr. ALLEN. House Bill No. 645.

An Act regulating the licensing of all places of amusement, buildings, tents or enclosures used for the purpose of giving dramatic, theatrical or operatic or vaudeville performances, tragedies, comedies or farces or the exhibition of field or moving pictures or steroptican views or of songs, dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public, designating what is meant by the words "Place of amusement, dramatic, theatrical or operatic or vaudeville performances, circuses or menageries or museums or wild west shows" and that the Act of May 5, 1889, entitled "An Act to create a Bureau of Building Inspection, and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class," and the amendments or supplement thereto of June 5, 1901, shall not be held to apply to places of amusement, buildings, tents or enclosures now used for the exhibition of fixed or moving pictures or steroptican views where songs, dances, acrobatic or vaudeville acts (Whether stage scenery and apparatus are employed or not (are exhibited in addition thereto; fixing the amount to be paid for said licenses and providing the penalty for the violation thereof.

Referred to Committee on Law and Order.

By Mr. KLEPPER. House Bill No. 646.

An Act making an appropriation to the Lock Haven Hospital of Lock Haven, Clinton County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BASS. House Bill No. 647.

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women.

Referred to the Committee on Appropriations.

By Mr. ADAMS. House Bill No. 648.

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done.

Referred to Committee on Counties and Townships.

PETITION.

PROTESTING AGAINST LOCAL OPTION.

Mr. McALEER presented the petition of Citizens of Philadelphia protesting against passage of Local Option Laws.

Which was referred to the Committee on Law and Order.

FAVORING CLUB LIQUOR LICENSE.

The SPEAKER presented the petition of a citizen of Brackenridge praying for the passage of a bill regulating the sale of liquor in clubs.

Which was referred to the Committee on Law and Order.

FAVORING THE HUNTING OF FOXES.

Mr. WILLIAMS presented the petition of citizens of Tioga County protesting against the passage of an act prohibiting the hunting of foxes.

Which was referred to the Committee on Game.

FAVORING PASSAGE OF HOUSE BILL NO. 121.

Mr. C. M. C. CAMPBELL presented the petition of citizens of Pitcairn, Allegheny County, praying for the passage of Bill No. 121.

Which was referred to the Committee on Law and Order.

REPORT FROM COMMITTEE.

Mr. JOSHIAH HOWARD, from the Committee on Ways and Means, reported with a negative recommendation, House Bill No. 199, entitled:

An Act amending Section twenty-one and twenty of an act, entitled "An Act relating to motor vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder," approved April 27th, 1909, to provide that a part of the revenues, and fines and penalties derived from said act, shall be paid to cities, boroughs and townships.

LEAVES OF ABSENCES.

Mr. EHRHARDT asked and obtained leave of absence for Mr. Davis for balance of the week.

Mr. LORENZO SMITH asked and obtained leave of absence for himself for tomorrow.

Mr. GIBSON asked and obtained leave of absence for himself for balance of the week.

Mr. WALTON asked and obtained leave of absence for himself for tomorrow.

ABRAHAM LINCOLN MEMORIAL RESOLUTION.

Mr. WILDMAN. Mr. Speaker.

The SPEAKER. The gentleman from Dauphin, Mr. Wildman.

Mr. WILDMAN. I desire to offer a resolution at this time.

The SPEAKER. The Clerk will read the resolution.

The Clerk read the resolution twice as follows:

Whereas, Abraham Lincoln was born on the 12th day of February, 1809, and after a lifetime of arduous service rendered to his State and Nation died the death of a martyr while occupying the highest office within the gift of his fellow citizens:

And Whereas, Our State amongst others in recognition of his services and in commemoration of his achievements for humanity and for the purpose of calling the attention of the youth of the land to them and his sterling character has set apart this day as a legal holiday:

Now therefore be it resolved, That while out of respect to his memory it might be deemed seemly to adjourn over the day thus fixed but recognizing his character and example to leave no occasion unimproved for service for our fellow men, we therefore give ourselves with renewed devotion to the work before us in legislating for the best interests of all of the people of our State.

Mr. WILDMAN. I move that this vote be a rising vote, out of respect to Abraham Lincoln.

Mr. McALEER. I second the motion.

It was unanimously agreed to.

TO AMEND RULES.

Mr. WALNUT offered the following resolution, which was twice read, and

Ordered, To lie over under the rules.

Resolved, That Rule 33 be amended by inserting after the word "bill" in line one, the words "and every resolution providing for an amendment to the Constitution".

By striking out in line two the words "on the bill" and inserting the word "thereon".

And inserting on line 3, after the word "law," the words 'and n' such resolution shall be adopted."

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 34 (House Bill No. 608)

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order or rule or decree issued

Which was referred to the Committee on Judiciary General.

Senate Bill No. 45 (House Bill No. 609)

An Act for the better protection of the wild birds known as the Turtle or Mourning Dove the Kill-deer Plover and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions

Which was referred to the Committee on Game.

Senate Bill No. 47 (House Bill No. 610)

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien.

Which was referred to the Committee on Judiciary General.

Senate Bill No. 82 (House Bill No. 611)

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional.

Which was referred to the Committee on Judiciary General.

Senate Bill No. 84 (House Bill No. 612)

An Act to amend section six of an act entitled "An act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at a general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a Board of Managers and that certain judges of the Common Pleas Court and the county commissioners shall be ex-officio members of the Board of Managers prescribing the powers and duties of the Board of Managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the County of Allegheny.

Which was referred to the Committee on Military Affairs.

Senate Bill No. 106 (House Bill No. 613)

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class."

Which was referred to the Committee on Municipal Corporations.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 260, as follows:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An act to amend section two of an act entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all bonds or other obligations of any county city borough township school district or other municipality or incorporated district within this Commonwealth issued prior to the first day of January one thousand nine hundred and thirteen in conformity with the requirements of the law except that the proper authorities of the municipality issuing the same have failed to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An act to amend section two of an act entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assesing and levying a tax for the payment of the principal and interest when the bonds be come due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven be and the same are hereby made valid legal obligations of the respective county city borough township school district or other municipality or incorporated district which has issued the same and that the respective county city borough township school district or other municipality or incorporated district aforesaid shall be and is bound for the payment in full of said bonds or other obligations according to the tenor thereof Provided That this act shall apply only to bonds issued in the aggregate to an amount not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district And provided further That the said statement must be filed as required by law on or before the first day of January one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 277, as follows:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever in a newspaper periodical circular form letter or other publication published distributed or circulated in this Commonwealth or in any advertisement in this Commonwealth knowingly makes or disseminates or causes to be made or disseminated any statement or asesrtion concerning the quantity the quality the value the merit the use the present or former price the cost the reason for the price or the motive or purpose of a sale of any merchandise securities or services or concerning the method or cost of production or manufacture of such merchandise or the possession of rewards prizes or distinctions conferred on account of such merchandise or the manner or source of purchase of such merchandise or securities which is untrue or calculated to mislead shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not more than one thousand dollars or by imprisonment in the county jail not exceeding sixty days or by both such fine and imprisonment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—166.

Adams,	Forster, I. G.,	Leslie,	Richards,
Allen,	Foster, J. D.,	Letzkus,	Riebel,
Alworth,	Gans,	Light,	Rockwell,
Ambler,	Geary,	Lowers,	Rothenberger,
Arthur,	Geiser,	Malie,	Runk,
Baldwin, G. A.,	Gibson,	Mannion,	Sassaman,
Baldwin, R. J.,	Glenn,	Martin,	Savacool,
Barner,	Good,	Mather,	Schaeffer, A. C.
Bass,	Grabe,	Matt,	Schuck,
Becker,	Gramley,	McAleer,	Semmens,
Benninger,	Gransback,	McAllister,	Shaffer, I. M.,
Benson,	Gray, Frank,	McArdle,	Sherwood,
Bergey,	[illegible]	McCaig,	Showalter,
Bigger,	Heidinger,	McDermott,	Smith, J. W.,
Bittles,	Hemminger,	McKay,	Smith, L.,
Blair, W. A.,	Hess,	McNichol,	Snavely,
Blair, W. F.,	Heyburn,	Mechling,	Snyder,
Body,	Hibshman,	Mellott,	Spangler,
Brosius,	Hobbs,	Metzenbacher,	Spillinger,
Brown,	Hoffman,	Miller,	Steele,
Brownlee,	Howard, J.,	Missimer,	Stein,
Caldwell,	Howard, R.,	Mitchell,	Stone,
Campbell, C.M.,	Humes,	Moore,	Strauss,
Campbell, J.J.	Isler,	Morrow,	Swartz
Carson,	Irwin, H. H.,	Moses,	Swift,
Carter,	Jackson,	Moulthrop,	Thomas,
Cheeseman,	Jones, J. R.,	Murphy,	Trach,
Claycomb,	Kaiser,	Musser,	Ulerich,
Cleary,	Kaufman,	Neel,	Ulman,
Cochran,	Keegan,	Newbaker,	Walnut,
Collins,	Keeport,	North,	Walton,
Conner,	Kenna,	O'Neill,	Wettach,
Conrade,	Kennedy,	Pennegar,	Whitaker,
Currier,	Kern,	Pennock,	Whitman,
Curry,	Klepper,	Peters,	Wildman,
DeFrees,	Kuhn, H. P.,	Post,	Williams,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Donnally,	Lanius,	Redfield,	Wiltbank,
Dunn, H. B.,	Latshaw,	Reese,	Young, G. K.,
Ehrhardt,	Lenker,	Reeser,	Young, J. H.,
Ely,		Rex,	Zimmerman,
Flynn,			Alter, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 33, entitled:

Joint Resolution providing for the ratification of the Income Tax amendment to the Federal Constitution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Gans,	Latshaw,	Reeser,
Allen,	Geary,	Lenker,	Rex,
Alworth,	Geiser,	Leslie,	Rhoads,
Ambler,	Gibson,	Letzkus,	Richards,
Arthur,	Glenn,	Light,	Rockwell,
Baldwin, G. A.,	Good,	Lohr,	Roney,
Baldwin, R. J.,	Goss,	Lowers,	Runk,
Barner,	Grabe,	Malie,	Salisman,
Bass,	Gramley,	Mannion,	Savacool,
Becker,	Gransback,	Martin,	Schuck,
Benninger,	Gray, Frank,	Mather,	Semmens,
Benson,	Gray, Joseph,	Matt,	Shaffer, I. E.,
Bergey,	Haggerty,	McAleer,	Sherwood,
Bigger,	Heidinger,	McAllister,	Showalter,
Bittles,	Hemminger,	McArdle,	Smith, J. W.,
Blair, W. A.,	Herman,	McDermott,	Smith, L.,
Blair, W. F.,	Hess,	McKay,	Snavely,
Bleloch,	Heyburn,	Mechling,	Snyder,
Body,	Hibshman,	Mellott,	Spangler,
Brosius,	Hobbs,	Metzenbacher,	Speiser,
Brown,	Hoffman,	Miller,	Spillinger,
Brownlee,	Howard, J.,	Missimer,	Steele,
Caldwell,	Howard, R.,	Mitchell,	Stein,
Carter,	Humes,	Moore,	Stone,
Cheeseman,	Isler,	Morrow,	Strauss,
Claycomb,	Irwin, G. C.,	Moses,	Swartz,
Cleary,	Irwin, H. H.,	Moulthrop,	Swift,
Cochran,	Jackson,	Murphy,	Thomas,
Collins,	Jones, J. R.,	Musser,	Trach,
Conner,	Kaiser,	Neel,	Ulerich,
Conrade,	Kaufman,	Newbaker,	Ulman,
Currier,	Keegan,	Newton,	Wettach,
Curry,	Keeport,	North,	Whitaker,
DeFrees,	Kenna,	O'Neill,	Whitman,
Dickinson,	Kennedy,	Pennegar,	Wildman,
Donnally,	Kern,	Pennock,	Williams,
Dunn, H. B.,	Klepper,	Perry, S. J.,	Wiltbank,
Ehrhardt,	Kuhn, H. P.,	Ramsey,	Young, G. K.
Eichenberger,	Kuhns, E.G.M.,	Redfield,	Young, J. H.,
Ely,	Lanius,	Reese,	Zimmerman,
Fahey,			Alter,
Flynn,			Speaker.
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 270, entitled:

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Fahey,	Lenker,	Robinson
Allen,	Flynn,	Leslie,	Rothenberger,
Alworth,	Forster, I. G.,	Letzkus,	Runk,
Ambler,	Foster, J. D.,	Light,	Sassaman,
Arthur,	Geary,	Lowers,	Savacool,
Baldwin, R. J.,	Geiser,	Malie,	Schaeffer, A. E.
Barner,	Gibson,	Mannion,	Schuck,
Bass,	Glenn,	Mather,	Scott, S. B.,
Bayle,	Good,	Matt,	Semmens,
Becker,	Goss,	McAleer,	Shaffer, I. E.,
Benninger,	Grabe,	McAllister,	Sherwood,
Benson,	Gramley,	McArdle,	Showalter,
Bergey,	Gransback,	McDermott,	Smith, J. W.,
Berntheizel,	Gray, Frank,	McKay,	Smith, L.,
Bigger,	Gray, Joseph,	Mechling,	Snavely,
Bittles,	Hackett,	Mellott,	Snyder,
Blair, W. A.,	Haggerty,	Metzenbacher,	Speiser,
Blair, W. F.,	Heidinger,	Miller,	Spillinger,
Bleloch,	Hemminger,	Missimer,	Steedle,
Body,	Herman,	Mitchell,	Steele,
Brosius,	Hess,	Moore,	Stein,
Brown,	Heyburn,	Morrow,	Stone,
Brownlee,	Hibshman,	Moses,	Strauss,
Burnett,	Hobbs,	Moulthrop,	Swartz,
Caldwell,	Hoffman,	Murphy,	Swift,
Campbell, J.J.	Howard, J.,	Musser,	Thomas,
Carter,	Howard, R.,	Neel,	Trach,
Cheeseman,	Humes,	Newbaker,	Ulerich,
Claycomb,	Isler,	Newton,	Ulman,
Cleary,	Irwin, H. H.,	North,	Walnut,
Cochran,	Jackson,	Pennock,	Walsh,
Conner,	Jones, J. R.,	Perry, S. J.,	Walton,
Conrade,	Kaiser,	Peters,	Watson,
Cox,	Kaufman,	Post,	Wettach,
Currier,	Keegan,	Ramsey,	Whitaker,
Curry,	Keeport,	Redfield,	Whitman,
DeFrees,	Kenna,	Reese,	Wildman,
Dickinson,	Kennedy,	Reeser,	Williams,
Donnally,	Kern,	Rex,	Wiltbank,
Dunn, H. B.,	Kuhn, H. P.,	Rhoads,	Young, G. K.,
Ehrhardt,	Lanius,	Richards,	Young, J. H.,
Eichenberger,	Latshaw,	Riebel,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION.

Mr. LESLIE. Mr. Speaker, I ask unanimous consent for the consideration of concurrent resolution No. 18 at this time.

The SPEAKER. The gentleman from Allegheny asks unanimous consent for the consideration of Concurrent Resolution No. 18, out of order. The Chair hears no objection and the resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

PROVIDING FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE CHARGES AGAINST THE WESTERN PENNSYLVANIA TRAINING SCHOOL, LOCATED AT MORGANZA, WASHINGTON COUNTY, PENNSYLVANIA.

Whereas, Recently in the public prints grave charges have appeared alleging wanton abuse of the inmates of the Western Pennsylvania Training School, located at Morganza, Washington Count, Pennsylvania, and

Whereas, The charges, if true, are of such nature as demand a speedy reform in the method of administering such institution and

Whereas, It would be unwise to ignore the charges, inasmuch as they are alleged in great volume and in detail; therefore

Be it Resolved (if the Senate concur) That a commission be appointed to investigate all charges that have recently been made in public prints and elsewhere against the management of the Western Pennsylvania Training School, located at Morganza, Washing County, Pennsylvania. This commission shall consist of three members of the Senate, to be appointed by the President Pro Tempore thereof, and of three members of the House of Representatives, to be appointd by the Speaker thereof. The members of the commission shall serve without compensation, but shall be allowed expenses actually and necessarily incurred by them or any of them in the performance of the duties imposed hereby upon them. Said commission is authorized to make a thorough examination of the methods of administration and treatment of the inmates used in said instutition, and are authorized to examine such witnesses as may be produced before them ,and to subpoena such other witnesses whose testimony they desire. They shall also have the authority to require the production of such books, papers and other matters as in their judgment will conduce to a thorough investigation of the matter in hand. This commission shall organize immediately after their appointment by the election of a chairman, and shall promptly proceed upon the performance of the duties herein imposed. They shall report in writing to the General Assembly on or before the first day of April of this year, making in such report such recommendations as in their judgment are necessary. The expenses made necessary by this commission shall be appropriated in the general appropriation bill.

On the question,

Will the House agree to the adoption of the resolution?

Mr. LESLIE. Mr. Speaker and Gentlemen of this House, I want to say in introducing this measure that there is no malice or not political animosity. It was done purely from the prints that appeared in my district in a paper called "Justice" I do not even know the Board of Managers, but I had a case in my business as funeral director that came to my attention five months ago and when a certain article appeared in the paper it brought to my mind that there might be something in these charges. The paper goes on to say, if you will allow the reading of it:

"Grandpa" Judge Shafer Shields Brutish Friends at Morganza.
Whines That He has no Jurisdiction Over Slave Pen
Where Children are Brutally Beaten with Clubs and Rubber Hose—Poor Girl will Commit Suicide.
The Legislature Likely to Investigate Morganza.

The hearing of the petition of Mrs. Rose Boris for a writ of habeas corpus for their daughter who has been confined in the Reform School of Morganza since last July came up before

Judge Shafer Wednesday, January 29th. The petition is denied on the grounds that the court had no jurisdiction and all that it could investigate was the legality of her confinement and that it had no right to hear evidence as to her treatment after entrance into the institution.

W. F. Penn, superintendent, was represented by attorneys Miller and Robb of the Berger building. Mr. Robb being a director of the Reform School.

In spite of his defeat Attorney McDowell proposed to petition the legislature for the investigation of Morganza on the ground that the inmates are treated most cruelly and often barbarously. He appeared in court armed with many affidavits and fourteen witnesses ready to testify to having received cruel treatment in the institution. One woman who was summoned as a witness at the hearing stated that she overheard little Barbara Boris declare on leaving the court room that if she had to go back into the institution at Morganza she would commit suicide at the first opportunity. The testimony that Mr. McDowell had at his command is of the most sensational character.

Mrs. M. Peasner of Economy having offered herself as a witness for the plaintiff stated to the Representative of "Justice" that he daughter Mary on the 4th of last October had been sent to Moranza after a hearing in the county courts at the institution of Officer Cora Blakeledge of Beaver county, who came into her home then in Leetsdale across the county line and brought her child into the Allegheny county courts. Such is the administration of justice, and the respect which the capitalist courts have for the law. This woman stated that she has been to Morganza to visit her daughter and that in her opinion it is not fit for a dog to live in.

Mrs. William Smith also of Leetsdale has a blind son imprisoned at Morganza sent there about September or October last, and she says that her son has been beaten with a hickory board 29 inches long, four inches wide, filled with holes about one half inch in diameter which coming in contact with the flesh makes it like a piece of raw meat. Mr. McDowell had witnesses who could testify to the fact that boys have received as many as 75 strokes with the hickory board described above and that one boy, as a result of such treatment had to stay in the hospital for seven days and that eleven others had received from 40 to 75 strokes and that their flesh was terribly lacerated by the punishment.

One witness a woman, claims that her boy was confined in Morganza and that in an attempt to escape about five years ago a shooting affray followed on the part of the guards and that her boy has never been heard of since.

Pittsburgh, Pa., Jan. 28, 1913.

Dear Sir:

I read in the paper of the mean treatment the inmates of Morganza receive. I am an inmate. The statements in paper are true. I myself have been beaten and choked until I could hardly walk, I served a term of three years and four months. I gained my merits the 21st of last June. I was of age in November. I was a strong and healthy girl when I went to the school and was sick for two years in Morganza. I suffered but was made to work and the officers would tell me there was nothing wrong with me. My sister sent me medicine time after time only to have it thrown in the waste basket when it reached the school. I have seen girls locked in cold stone cells for two and three weeks at a time during which time their clothes were taken from them and they got nothing but bread and water to eat. No wonder the boys and girls run away for they are driven to it. When I complained so much of being sick they said I wanted to be released. Girls are made to do work in the laundry of Morganza that a man should do, such things as running large washers and wringers. If the laundry girls scorch anything while ironing they are beat over the back with a gum hose until some of them would fall under the officers' feet in faint.

Hoping my letter will reach you before the trial.

Respectivefully, Bessie Donaldson, 173 Cotton Alley, City.

Read This affidavit and remain passive if you can:

Marine Barracks, Navy Yards, N. Y. Jan. 28th, 1913.

To whom it May Concern:

I hereby swear that the conditions existing in the Pennsylvania Reform School in Morganza is as stated below:

The boys and girls of that school have been brutally ill-treated by strapping while bent over tables until they have been unable to walk. On the least pretext they have been knocked down and when they tried to expostulate they have been trounced severely.

I, Martin A. McGrory, have been paddled so that I have hardly able to walk, and I have seen other boys beaten the same way, and in a great many cases, worse.

I swear that there has existed a worse condition in that school than has existed in many of our pentitentiaries. Mr. Penn has shown a knowledge of brutality that has not been seen there for some time, paddling the boys on the least pretext, and the paddling has been as follows: A man (full grown) would take a paddle about two feet in length and proceed with all his might to beat you till about thirty or forty strokes had been given, which left you in a weak condition, and I have found that is has injured many a boy in after life.

To this I hereby swear.

Martin A. McCrory.

Here is a letter that speaks for itself:

Navy Yards, New York, Jan. 28th.

William McDowell, Attorney and Counsellor at Law,

My dear Sir:

Enclosed please find a sworn statement, which I hope will be able to get him. If you can get a new trial for her, get it, and I will help pay, for I have been ill-treated and I want to do something for my comrades who have been there. I am not so sure of this letter reaching you before the trial, but I pray that it does, and if you do not win, get a new trial, and I will help pay you, for I have been trying to get somebody interested in that place for years. If you can get a new trial on the event of that affidavit, let me know, and I will try to come. Your letter reached me too late for me to get leave to come to Pittsburgh for the 29th, but if you have to get a new trial please let me know.

With many wishes for success and retribution, I am,

Sincerely yours, Martin McCrory,

Private U. S. Marine Corps.

Now gentlemen of the House, the one thing that brought this to my mind and that caused me to take the means of drawing and presenting this to the House was that three or four years ago a man named Andrew McCoy had a boy placed in Morganza, and the boy was in such dreadful physical condition when he came out that we tried to get him in Mont Alto but they would not take him on account of his record in Moragnza, and we put him in Marshallsea. I was the means of putting him in Marshallsea, where he died. His father said to me: "My boy was not a bad boy but I had seven or eight children and my wife being dead and him staying out late at night I thought possibly they would take care of him, but should I have thought that they would murder my boy, I would not have sent him to it." I buried that boy and that is the one thing that I am quoting that I know to be a fact that that boy was ill treated.

Mr. S. B. SCOTT in the Chair.

Mr. STEIN. Mr. Speaker and Gentlemen of the House, I regret very much that I am compelled to take issue with my colleague from Allegheny, Mr. Leslie, but I must ask you gentlemen in all fairness to yourselves and the institution under charge to vote down this resolution for a commission. Now gentlemen you will observe the resolution calls for a commission to investigate one of the public penal institutions in our State. Now I want to say to you gentlemen that I am not a graduate of that institution, nor am I in any manner connected with it except that some of my unfortunate clients may have the misery of residing there for a temporary period, but I can say that I have been there very many times, and I can say it is as well conducted an institution as any of you will find anywhere. Of course, no person who is confined therein feels that he is justly imprisoned. You gentlemen never saw a man in jail but what thought that the judge was crooked, and the jury was bribed and everybody was against him, and it as the poet said, that "when you feel the halter drawn you get none of the law."

Now, the case that my friend cities was tried openly and fairly in the courts of Allegheny County, and the very able counsel who has himself written up in this paper called "Justice" had all the opportunity of presenting his facts, and because he made a mistake in the law is no reason why this House should give him aid that is entirely uncalled for. If the gentleman has any complaints, if he thinks any murders are being committed, why does he not bring the case to the attention of the Board of Prison Inspectors. The management of that institution is under a board of nine or twelve gentlemen, appointed by the Governor and I think this House. They serve without pay and are gentlemen of standing and reputation in our community, and if any such conduct is going on, I am sure it will be remedied at once if reported to the Board. Of course, nothing of the sort exists and all we have is the mere, unsupported, uncorroborated complaint of some fellow that feels that his client was not treated right. This business of commissions can be worked too far. It can become a nuisance, as well as an act of justice, and it seems to me that this Legislature ought not to interfere, by Commission or otherwise on unfounded complaints of any man who wants to take a rap at any institution. I ask you, with all due respect to my colleague from Allegheny, to vote this resolution down, because the complaint if well founded, will get fair and honorable treatment from the Board of Managers, and there is no need for this House to interfere.

Mr. SWIFT. Mr. Speaker, being a Methodist, I wish to say amen to what the Representative from Allegheny has just remarked, and the statements that he has just made. It has been my privilege for several years to be a frequent visitor at Morganza. I have come in personal contact not only with the inmates there, but with the Superintendent, the teachers and the directors. I have had some knowledge, and have made some observations of institutions of this kind, and I wish to say to this House that never in my experience in this State or any other State, have I seen institutions conducted on so high a scale morally as this institution, and it seems to me that if we this moment were to proceed to appoint a commission for investigation simply upon the newspaper reports, supply because one or two men have felt that injustice may have been done to an inmate we would be doing wrong. It is a well settled

fact that inmates of such institutions, if they are there have been incorrigible, and it is a well settled fact that in such institutions they may often become incorrigible, and because they are compelled to submit to discipline is no evidence that he who compels them to submit should be required to ask the "whys and wherefores" for doing this. For this House to appoint a commission to be at the expense of doing such a thing seems to be child-like and I hope that this House will put itself upon record as against this resolution as some others that are here which I believe should not be adopted.

Mr. GEORGE A. BALDWIN. Mr. Speaker, it seems to me that inasmuch as the Members of the House know practically nothing about this matter, and have no way of telling now whether or not there is any truth in the charges, I should like to have an opportunity of knowing more about it, and I, therefore, move that the Resolution be referred to the Judiciary General Committee.

Mr. ADAMS. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question,

Will the House agree to the adoption of the resolution?

It was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 68, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine, entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed, their hours of employment, their protection against injury, and to prescribe rules for the obtaining of employment certificates, and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—182.

Adams,	[illegible],	Lenker,	Riebel,
Allen,	Flynn,	Leslie,	Robinson,
Ambler,	Forster, I. G.,	Letzkus,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Lohr,	Rothenberger,
Baldwin, R. J.,	Gans,	Lowers,	Runk,
Barner,	Geary,	Mannion,	Sassaman,
Bayle,	Geiser,	Martin,	Savacool,
Becker,	Gibson,	Mather,	Schaeffer, A. C
Benson,	Good,	Matt,	Schuck,
Bergey,	Goss,	McAleer,	Scott, J. R. K.,
Bigger,	Grabe,	McAllister,	Scott, S. B.,
Bittles,	Gramley,	McArdle,	Semmens,
Blair, W. A.,	Gransback,	McCaig,	Shaffer, I. E.,
Blair, W. F.,	Gray, Frank,	McClintock,	Shern,
Bleloch,	Hackett,	McDermott,	Sherwood,
Body,	Haggerty,	McKay,	Showalter,
Brosius,	Heidinger,	McNichol,	Smith, J. W.,
Brown,	Hemminger,	Mechling,	Smith, L.,
Brownlee,	Herman,	Mellott,	Spangler,
Burnett,	Hess,	Metzenbacher,	Spillinger,
Caldwell,	Hibshman,	Mitchell,	Steedle,
Campbell, C.M.,	Hobbs,	Moore,	Steele,
Campbell, J.J.	Hoffman,	Morrow,	Stein,
Carter,	Howard, J.,	Moses,	Stone,
Cheeseman,	Howard, R.,	Moulthrop,	Swartz,
Claycomb,	Humes,	Murphy,	Swift,
Cleary,	Irwin, G. C.,	Musser,	Thomas,
Collins,	Irwin, H. H.,	Neel,	Trach,
Conner,	Jackson,	Newton,	Walnut,
Conniff,	Jones, E. E.,	Newbaker,	Walsh,
Conrade,	Jones, J. R.,	North,	Walton,
Cox,	Kaiser,	O'Neill,	Wettach,
Currier,	Keegan,	Peachey,	Whitaker,
Curry,	Keeport,	Pennegar,	Whitman,
Davis,	Kenna,	Pennock,	Williams,
DeFrees,	Kennedy,	Peters,	Wilson, J. H.,
Dickinson,	Klepper,	Piper,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Down,	Lanius,	Reeser,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Rex,	Zimmerman,
Dunn, J. A.,		Rhoads,	Alter,
Ehrhardt,			Speaker.
Eichenberger,			

NAYS—1.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 69, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed, their hours of employment, and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates, and extending to truant officers the enforcing of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Dunn, J. A.,	Letzkus,	Robinson,
Allen,	Ehrhardt,	Light,	Rockwell,
Alworth,	Eichenberger,	Lowers,	Roney,
Ambler,	Ely,	Malie,	Runk,
Arthur,	Fahey,	Mannion,	Sassaman,
Baldwin, G. A.,	Flynn,	Martin,	Savacool,
Baldwin, R. J.,	Forster, I. G.,	Mather,	Schaeffer, A. C
Barner,	Foster, J. D.,	Matt,	Schuck,
Bass,	Gans,	McAleer,	Scott, S. B.,
Bayle,	Geary,	McAllister,	Semmens,
Benninger,	Geiser,	McArdle,	Shaffer, C. A.,
Benson,	Glenn,	McClintock,	Shaffer, I. E.,
Bergey,	Good,	McDermott,	Sherwood,
Bernthelzel,	Gramley,	McKay,	Smith, J. W.,
Bigger,	Gransback,	McNichol,	Smith, L.,
Bittles,	Gray, Frank,	Mechling,	Snyder,
Blair, W. A.,	Gray, Joseph,	Mellott,	Spangler,
Blair, W. F.,	Hackett,	Metzenbacher,	Speiser,
Bleloch,	Haggerty,	Miller,	Spillinger,
Body,	Heidinger,	Missimer,	Steedle,
Brosius,	Herman,	Mitchell,	Steele,
Brown,	Hess,	Moore,	Stein,
Brownlee,	Hexburn,	Morrow,	Stone,
Burnett,	Hibshman,	Moses,	Strauss,
Caldwell,	Hobbs,	Moulthrop,	Swartz,
Campbell, C.M.,	Hoffman,	Murphy,	Swift,
Campbell, J.J.	Howard, J.,	Neel,	Thomas,
Carson,	Howard, R.,	Newbaker,	Trach,
Carter,	Irwin, G. C.,	Newton,	Ulman,
Cheeseman,	Jackson,	North,	Walnut,
Claycomb,	Jones, E. E.,	O'Neill,	Walsh,
Cleary,	Jones, J. R.,	Peachey,	Walton,
Cochran,	Kaiser,	Pennegar,	Watson,
Collins,	Keegan,	Pennock,	Wettach,
Conner,	Keeport,	Peters,	Whitaker,
Conniff,	Kenna,	Piper,	Whitman,
Conrade,	Kennedy,	Post,	Wildman,
Cox,	Kern,	Ramsey,	Williams,
Currier,	Klepper,	Redfield,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Reese,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Dickinson,	Lanius,	Rex,	Young, J. H.,
Donahoe,	Latshaw,	Rhoads,	Zimmerman,
Donnally,	Lenker,	Richards,	Alter,
Down,	Leslie,	Riebel,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and considerating of House Bill No. 175, as folows:

An Act providing payment for overtime worked by employees in mercantile establishments, and making it unlawful to compel such employees to do extra service by threat of discharge; fixing penalty for violation thereof and designating an official prosecutor.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That on and after the first day of January one thousand nine hundred and fourteen it shall be unlawful for any corporation, firm, superintendent or other person owning or conducting any mercantile establishment or business within this Commonwealth to employ or compel by threats of discharge an employee to work overtime or do extra service beyond the hours of the regular work day of such employee without having arranged with such employee for payment to him or her of such sum as may be agreed upon in compensation for such overtime or extra service which compensation shall not be less than the proportional amount of the wages than being paid to the employee for a corresponding fractional service of time

The term "over time" shall mean all extra service rendered outside the period of hours constituting the average day of labor of the employee, such average to be determined by a calculation based upon the number of hours in a fully worked week of six days.

For violation of this act the penalty shall be a fine not to exceed ten dollars to which costs may be added.

It shall be the duty of the district attorney of the county to prosecute all violators of this act when complaints have been made to him and such prosecution shall be without cost to the complainant.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PIPER. I am willing to answer any questions that may be asked.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to ask whether this bill has reference to everybody employed in mercantile stores.

Mr. PIPER. Yes.

Mr. CHARLES A. SHAFFER. What would you construe as the average day, the number of hours?

Mr. PIPER. The average day in all stores under the present law is set by the employer. The employers make the average day and that is the reason that this bill has arisen.

Mr. R. J. BALDWIN. I would like to call the gentleman's attention to the fact that this bill sets forth that there are fifty-six hours in any one week and the average day would mean the one-sixth of fifty-six. I may be wrong in that, but that is what I gathered from the bill.

Mr. PIPER. I don't believe there is a fifty-six hour clause in this bill. Will the gentleman kindly inform me in what line it is.

Mr. R. J. BALDWIN. I confess I am mistaken. I had in mind another bill.

Mr. WALNUT. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PIPER. I will.

Mr. WALNUT. I would like to inquire as to the meaning of the term that appears on line seventeen, "average day of labor."

Mr. PIPER. Mr. Speaker, there is hardly any one employed in any factory or in any store who does not already under the present law have an average day of labor. That average day of labor, or the number of hours, is set by an agreement between the employer and the employee.

Mr. WALNUT. Mr. Speaker, I desire to further interrogate the gentleman? If the number of hours per week that a working man is supposed to work is put at fifty-five and he works ten hours for the first five days and five hours on Saturday, would not the average be the one-sixth of fifty-five? would not the man who worked for ten hours for the first five days be entitled to overtime on the first five days?

Mr. PIPER. In answer to the gentleman, I would say, that we have no employer in the State to my knowledge who refuses to pay the overtime to the employe when he works overtime, but we have some employers who threaten the employe that if he does not work that overtime he will be discharged, and that is the reason why this bill has been introduced here.

Mr. WALNUT. It was not my thought to raise any objection to the payment of overtime. My interrogation was as to the meaning of the word, "overtime." If a man works ten hours a day the first five days of the week under his general contract, he should not be entitled to be paid for overtime, and I do not believe that the sponsor of this bill intended that he should be. But under the terms of this bill he would be entitled to receive pay for overtime, although he only worked the number of hours per week that he intended to work when he undertook that employment.

Mr. PIPER. Being an employe for a number of years and working in the factory, my wide experience has proven to me that when a certain number of hours per week is set according to law and the employer enforces that law, he wants you to work all those hours when he has need for you. The employer can, if he desires, lay us off for a day or two. We have not the right to ask for pay for the days we are laid off. The employer has no more right, I believe, to ask us to make up a certain number of hours in the week, after he has laid us off for one day, to make up the full working week. I present this bill here today and ask for its passage because labor is asking me to vote for it. They want this bill to pass. They are not trying in any manner, shape of form to antagonize any employer. They merely want the right that all citizens should have. If an employer should ask a man to work overtime, and he is desirous of paying him for that overtime, there is no man who would refuse to work if he is going to be paid for that overtime. But we do want to stop the employers of the State of Pennsylvania from coming along and saying to me, and saying to you, "if you do not work this overtime, we will discharge you," thereby threatening you with discharge if you have no desire to work over the number of hours that is specified in this particular plant. I am going to ask the gentlemen of this House today to vote for the bill. I will say to them that they will be making no mistake and they will have the sympathy and receive the credit from the laboring element of the State of Pennsylvania who are in favor of this bill.

Mr. WALNUT. I think the sponsor or this bill mistakes the point I have raised, or, at least, has overlooked it. I am raising no question as to the provisions of the bill, but merely as to the clarity of the expression used in the bill. He has not yet explained it to me, and I would like to further interrogate him.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. PIPER. I will.

Mr. WALNUT. Will the gentleman kindly advise me as to the ordinary hours at present required in a working establishment, and how they are arranged.

Mr. PIPER. The employer at all times regulates the day's work He is the man who determines the number of hours that will constitute a day's work.

Mr. WALNUT. Is fifty-five hours considered a week's work?

Mr. PIPER. That is the law of the State of Pennsylvania for women and children.

Mr. WALNUT. If an employer provided for the employment of his men for ten hours a day on the first five days of the week, and eight hours—or rather five hours—on Saturday, making a total of fifty-five hours a week, would your bill enable a man to work for ten hours on Monday and receive payment for overtime for that work? The average day's work under this bill would be nine and one-sixth hours, and what I want to know is would he receive extra pay for working overtime if he should work the ten hours a day.

Mr. PIPER. I believe if you will look over the present law on the statute books of the State of Pennsylvania that you will find that it sets forth the average working day to be of ten hours and no more. But in most places the employer is the person who fixes the length of employment in one day.

Mr. WALNUT. Then it is your opinion that thte average day is fixed by the employer now rather than by law?

Mr. PIPER. Yes, sir.

Mr. WALNUT. I would, therefore, suggest that the consideration of the bill be continued for the present, as in my opinion the terms used in the bill do not clearly express the intent of the sponsor of the bill, and I, therefore, move Mr. Speaker, that the further consideration of this bill be postponed for the present.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. McALEER. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McAleer.

Mr. McALEER. I would like to interrogate the gentleman from Philadelphia, Mr. Piper, on the points of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Piper, permit himself to be interrogated?

Mr. PIPER. Yes, sir.

Mr. McALEER. I would like to ask Mr. Piper if you propose to have the provisions of this bill apply to offices and mercantile establishments such as jobbing houses and stores.

Mr. PIPER. It says mercantile estalishments and nothing else.

Mr. McALEER. That includes jobbing houses?

Mr. PIPER. Yes, sir, mercantile establishments, and in those jobbing houses are included; that is what a jobbing house belongs to.

Mr. McALEER. Mr. Speaker, take in my own place of business, for example, in my own business and in most business of a similar kind—a jobbing business—the office employes and all people of that character are paid a weekly salary which never changes whether they are there or not. If they are off on account of sickness or for any other good reason, their salary goes on just the same, and in the dull season each one of these employes are given a vacation, and they are paid for all holidays during the year. If other establishments are run as my own is run and most are run that way, and all comply with the provisions of this bill, my employes will suffer annually a monetary loss, because there may be an occasion in the overtime season, in the very busy season, when there is a night or two overtime which is required for them. We feel that if employes are paid when they are off on occasions to which I have referred that they are compensated for the few hours of overtime that it will be necessary to put in from time to time. If I pay them for their overtime and if I deduct from their salaries the time they lose for vacations, holidays, sickness, et cetera, the employes will lose, in that way—if I should comply with the law.

Mr. PIPER. In answer to the gentleman from Philadelphia, I believe that he has a wrong conception of the bill. The bill does not stop you from having your men work overtime, nor does it say you are compelled to pay for their overtime. If the men desire to work overtime, that is at their discretion, if they desire to do it. The bill is drawn up specifically for the purpose of preventing employers' threatening that if they don't work overtime they will be discharged. It is a question of protecting an employe from being compelled to work overtime without compensation or at the risk of being discharged.

Mr. JAMES J. CAMPBELL. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. James J. Campbell.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I feel that if we had more men employing the rank and file of labor like my friend Mr. McAleer, it would not be necessary to have bills of this kind introduced in this House. There are many places in the City of Philadelphia who work men until eight or nine o'clock four nights in the week, and they give them two weeks vacation in the summertime to recompense them for those long hours that they worked at night. We have had some of the people, such as drivers who would work twelve hours a day and seventeen hours a day. This bill is to prevent such employment as that.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Ely,	Lowers,	Rockwell,
Allen,	Ewing,	Malie,	Runk,
Alworth,	Fahey,	Mannion,	Sassaman,
Arthur,	Flynn,	Martin,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Schaeffer, A. C.
Baldwin, R. J.,	Geary,	Matt,	Schuck,
Barner,	Geiser,	McAleer,	Scott, J. R. K.,
Bass,	Good,	McAllister,	Scott, S. B.,
Bayle,	Goss,	McArdle,	Semmens,
Becker,	Gramley,	McCaig,	Shaffer, C. A.,
Benson,	Gransback,	McClintock,	Shaffer, I. E.,
Benninger,	Gray, Frank,	McDermott,	Sherwood,
Bergey,	Gray, Joseph,	McKay,	Showalter,
Berntheizel,	Hackett,	McNichol,	Smith, J. W.,
Bigger,	Haggerty,	Mechling,	Smith, L.,
Bittles,	Heidinger,	Mellott,	Snavely,
Blair, W. A.,	Hemminger,	Miller,	Snyder,
Bleloch,	Herman,	Mitchell,	Spangler,
Brown,	Heyburn,	Moore,	Speiser,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Howard, J.,	Moses,	Steedle,
Caldwell,	Howard, R.,	Murphy,	Steele,
Campbell, C.M.,	Humes,	Musser,	Stein,
Campbell, J.J.	Isler,	Neel,	Stone,
Carson,	Irwin, G. C.,	Neely,	Swartz,
Carter,	Irwin, H. H.,	Newbaker,	Swift,
Cheeseman,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, E. E.,	North,	Trach,
Cleary,	Jones, J. R.,	O'Neill,	Ulerich,
Cochran,	Kaiser,	Peachey,	Ulman,
Conniff,	Kaufman,	Pennegar,	Walnut,
Conrade,	Keegan,	Pennock,	Walsh,
Cox,	Keeport,	Peters,	Watson,
Currier,	Kenna,	Piper,	Wettach,
Curry,	Kennedy,	Post,	Whitaker,
Davis,	Kern,	Price,	Wildman,
DeFrees,	Klepper,	Ramsey,	Williams,
Dickinson,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Donahoe,	Lanius,	Reeser,	Wiltbank,
Donnally,	Latshaw,	Rex,	Young, G. K.,
Down,	Lenker,	Riebel,	Young, J. H.,
Dunn, H. B.,	Leslie,	Robinson,	Zimmerman,
Dunn, J. A.,			Alter,
Ehrhardt,			Speaker.
Eichenberger,			

NAYS—11.

Body,	Hess,	Kuhns, E.G.M.,	Rothenberger,
Forster, I. G.,	Hibshman,	Rhoads,	Wilson, J. H.,
Glenn,	Hoffman,	Roney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 170, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

On the question,

Will the House agree to the bill on third reading?

Mr. HORACE B. DUNN. Mr. Speaker.

The SPEAKER. The gentleman from Huntingdon, Mr. Horace B. Dunn.

Mr. HORACE B. DUNN. Mr. Speaker, in view of the fact that this hatchery is located in my County, a number of persons have asked me in regard to the matter. I want to say to the House that I interviewed the Commissioner of Fisheries about this bill and he informs me that the intention of the Fishery Commission is to do away with all these hatcheries in the State an put them all under one large and standard hatchery. The land on which this hatchery is locate is to be sold. I believe this bill is to be folowed by other bills to do away with the other hatcheries later on.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Adams,	Forster, I. G.,	Lenker,	Rockwell,
Allen,	Frey,	Leslie,	Rothenberger,
Alworth,	Gans,	Lowers,	Runk,
Arthur,	Geary,	Malie,	Sassaman,
Baldwin, G. A.,	Geiser,	Mannion,	Savacool,
Baldwin, R. J.,	Glenn,	Martin,	Schaeffer, A. C.
Bass,	Good,	Mather,	Schuck,
Bayle,	Goss,	Matt,	Scott, J. R. K.,
Becker,	Grabe,	McAleer,	Scott, S. B.,
Benninger,	Gramley,	McAllister,	Shaffer, I. E.,
Benson,	Gray, Frank,	McCaig,	Shern,
Berntheizel,	Hackett,	McClintock,	Sherwood,
Bigger,	Haggerty,	McDermott,	Showalter,
Blair, W. A.,	Heidinger,	McKay,	Smith, J. W.,
Bleloch,	Hemminger,	McNichol,	Snavely,
Body,	Herman,	Mechling,	Spangler,
Brosius,	Heyburn,	Mellott,	Speiser,
Brown,	Hibshman,	Miller,	Spillinger,
Brownlee,	Hobbs,	Missimer,	Steedle,
Burnett,	Hoffman,	Moore,	Steele,
Caldwell,	Howard, J.,	Morrow,	Stein,
Campbell, C.M.,	Howard, R.,	Moses,	Stone,
Carter,	Humes,	Murphy,	Strauss,
Cheeseman,	Isler,	Neel,	Swartz,
Claycomb,	Irwin, G. C.,	Newton,	Swift,
Cleary,	Irwin, H. H.,	North,	Thomas,
Cochran,	Jackson,	O'Neill,	Ulerich,
Collins,	Jones, E. E.,	Peachey,	Ulman,
Conner,	Jones, J. R.,	Pennegar,	Walnut,
Conniff,	Kaiser,	Perry, H. L.,	Walsh,
Conrade,	Keeport,	Peters,	Wettach,
Cox,	Kenna,	Post,	Whitman,
Currier,	Kennedy,	Price,	Wildman,
Curry,	Kern,	Ramsey,	Williams,
DeFrees,	Kitts,	Redfield,	Wilson, J. H.,
Dickinson,	Klepper,	Reese,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Reeser,	Wiltbank,
Ehrhardt,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Eichenberger,	Lanius,	Rhoads,	Young, J. H.,
Ely,	Latshaw,	Richards,	Zimmerman,
Flynn,		Riebel,	Alter,
			Speaker.

NAYS—12.

Bergey,	Foster, J. D.,	Mitchell,	Robinson,
Bittles,	Gray, Joseph,	Musser,	Snyder,
Fahey,	Keegan,	Pennock,	Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 243, entitled:

An Act to prevent deception in the sale of paint, putty turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker and Gentlemen of the House, since this bill has been reported from the Committee there have been several requests from parties interested who would like to be heard on the merits of this bill, and therefore, I move that the bill be recommitted to the Committee on Judiciary General for the purpose of giving these people a hearing.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 262, entitled:

An Act repealing section four of an act entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for the townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" approved the third day of June Anno Domini one thousand nine hundred and eleven

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MORROW. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 301, entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—195.

Adams,	Ewing,	Leslie,	Riebel,
Allen,	Flynn,	Letzkus,	Robinson,
Alworth,	Forster, I. G.,	Light,	Rockwell,
Ambler,	Foster, J. D.,	Lowers,	Rothenberger,
Arthur,	Gans,	Malie,	Runk,
Baldwin, G. A.,	Geary,	Mannion,	Sassaman,
Baldwin, R. J.,	Geiser,	Martin,	Savacool,
Bass,	Glenn,	Mather,	Schaeffer, A. C
Bayle,	Good,	Matt,	Schuck,
Becker,	Goss,	McAleer,	Scott, J. R. K.,
Benson,	Grabe,	McAllister,	Scott, S. B.,
Bergey,	Gramley,	McCaig,	Semmens,
Berntheizel,	Gransback,	McClintock,	Shaffer, C. A.,
Bigger,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Bittles,	Gray, Joseph,	McKay,	Sherwood,
Blair, W. A.,	Hackett,	Mechling,	Showalter,
Bleloch,	Haggerty,	Mellott,	Smith, J. W.,
Body,	Heidinger,	Metzenbacher,	Snavely,
Brosius,	Herman,	Miller,	Spangler,
Brownlee,	Hess,	Missimer,	Speiser,
Burnett,	Heyburn,	Mitchell,	Spillinger,
Caldwell,	Hibshman,	Moore,	Steedle,
Campbell, C.M.,	Hobbs,	Morrow,	Steele,
Campbell, J.J.	Hoffman,	Moses,	Stein,
Carson,	Howard, J.,	Moulthrop,	Stone,
Carter,	Howard, R.,	Musser,	Strauss,
Cheeseman,	Humes,	Neel,	Swartz,
Claycomb,	Isler,	Neely,	Swift,
Cleary,	Irwin, G. C.,	Newbaker,	Thomas,
Cochran,	Irwin, H. H.,	Newton,	Trach,
Collins,	Jackson,	North,	Ulerich,
Conniff,	Jones, J. R.,	O'Neill,	Ulman,
Conrade,	Kaiser,	Peachey,	Walnut,
Cox,	Kaufman,	Pennegar,	Walsh,
Currier,	Keegan,	Pennock,	Wettach,
Curry,	Keeport,	Perry, S. J.,	Whitaker,
DeFrees,	Kenna,	Peters,	Whitman,
Dickinson,	Kenney,	Post,	Wildman,
Donahoe,	Kern,	Price,	Williams,
Donnally,	Klepper,	Ramsey,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Dunn, J. A.,	Lanius,	Rex,	Young, G. K.,
Ehrhardt,	Latshaw,	Rhoads,	Young, J. H.,
Eichenberger,	Lenker,	Richards,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 259, entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Adams,	Frey,	Malie,	Robinson,
Allen,	Gans,	Mannion,	Rockwell,
Alworth,	Geary,	Martin,	Rothenberger,
Ambler,	Geiser,	Mather,	Runk,
Arthur,	Glenn,	Matt,	Sassaman,
Baldwin, G. A.,	Good,	McAleer,	Savacool,
Baldwin, R. J.,	Goss,	McAllister,	Schaeffer, A. C.
Bayle,	Grabe,	McCaig,	Schuck,
Becker,	Gramley,	McClintock,	Scott, J. R. K.,
Benson,	Gransback,	McDermott,	Scott, S. B.,
Bergey,	Gray, Frank,	McKay,	Semmens,
Berntheizel,	Gray, Joseph,	McNichol,	Shaffer, C. A.,
Bigger,	Hackett,	Meckling,	Shaffer, I. E.,
Bittles,	Haggerty,	Mellott,	Sherwood,
Blair, W. A.,	Hemminger,	Metzenbacher,	Showalter,
Blair, W. F.,	Herman,	Miller,	Smith, J. W.,
Bleloch,	Hess,	Missimer,	Snavely,
Body,	Heyburn,	Mitchell,	Snyder,
Brosius,	Hibshman,	Moore,	Spangler,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Hoffman,	Moses,	Steedle,
Caldwell,	Howard, J.,	Moulthrop,	Steele,
Campbell, C.M.,	Howard, R.,	Murphy,	Stein,
Campbell, J.J.	Humes,	Musser,	Stone,
Carson,	Isler,	Neel,	Strauss,
Carter,	Irwin, G. C.,	Neely,	Swartz,
Claycomb,	Irwin, H. H.,	Newbaker,	Swift,
Cleary,	Jackson,	Newton,	Thomas,
Cochran,	Jones, J. R.,	North,	Trach,
Collins,	Kaiser,	Peachey,	Ulerich,
Conner,	Kaufman,	Pennegar,	Ulman,
Conniff,	Keegan,	Pennock,	Walnut,
Conrade,	Keeport,	Perry, H. L.,	Walsh,
Cox,	Kenna,	Perry, S. J.,	Wettach,
Currier,	Kenney,	Peters,	Whitaker,
DeFrees,	Kern,	Piper,	Whitman,
Dickinson,	Klepper,	Post,	Wildman,
Donahoe,	Kuhn, H. P.,	Price,	Williams,
Donnally,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Down,	Latshaw,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Reese,	Wiltbank,
Ehrhardt,	Leslie,	Reeser,	Young, G. K.,
Eichenberger,	Letzkus,	Rex,	Young, J. H.,
Ely,	Lohr,	Rhoads,	Zimmerman,
Ewing,	Lowers,	Richards,	Alter,
Flynn,		Riebel,	Speaker.
Forster, I. G.,			
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 85, entitled:

An Act to appeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

On the question,

Will the House agree to the bill on third readin?

Mr. ALLEN. Mr. Speaker, I desire to call the attention of the House for the moment to tell them the purpose of this bill. It is a bill, as the title indicates, to repeal. The only law that stands upon the statute books of Pennsylvania to-day in relation to bread is this act of April 1, 1797, and it is a dead-letter and nas been for years and years, and yet under the provisions of this act some evil-minded person could cause all kinds of trouble in any community or over the whole of the State. The act as it stands upon the books here reads as follows:

"All loaf bread made for sale within this Commonwealth, shall be sold by the pound avoirdupois; and every baker or other person offering the same for sale shall keep at his or her house, or at such other place at which he or she shall at any time offer or expose for sale any bread, sufficient scales and weights, lawfully regulated, for the purpose of weighting the same; and if any baker or other person shall sell or offer for sale any loaf bread, in any other manner, the contract respecting the same shall be void: (h) and the person offending against this act shall, on conviction, forfeit and pay the sum of ten dollars for every such offense, one-half to the use of the informer, and the other half to the use of this Commonwealth; and it shall be the especial duty of the clerk of the market, in any place where such officer is appointed, to discover and prosecute all persons offending against this act."

We all know how the bread busines is conducted to-day and yet with this law standing upon the books as it does there is no reason why any one, as I indicated, could not cause all kinds of trouble in his community and embarrass, and harass and annoy and impose upon any little corner grocer or any little baker in the bread business; and that is the reason that this law should be passed and the statute wiped from the statute books.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Ely,	Lenker,	Rhoads,
Allen,	Ewing,	Leslie,	Richards,
Alworth,	Fahey,	Letzkus,	Riebel,
Ambler,	Flynn,	Lohr,	Rockwell,
Arthur,	Forster, I. G.,	Lowers,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Runk,
Baldwin, R. J.,	Gans,	Mannion,	Sassaman,
Bass,	Geary,	Martin,	Savacool,
Bayle,	Geiser,	Mather,	Schaeffer, A. C
Becker,	Glenn,	Matt,	Schuck,
Benninger,	Good,	McAleer,	Scott, J. R. K.,
Benson,	Goss,	McAllister,	Scott, S. B.,
Bergey,	Grabe,	McArdle,	Shaffer, C. A.,
Berntheizel,	Gramley,	McCaig,	Shaffer, I. E.,
Bigger,	Gransback,	McClintock,	Sherwood,
Bittles,	Gray, Frank,	McNichol,	Showalter,
Blair, W. A.,	Hackett,	Mechling,	Smith, J. W.,
Body,	Haggerty,	Mellott,	Snavely,
Brosius,	Heidinger,	Metzenbacher,	Snyder,
Brownlee,	Hemminger,	Miller,	Spangler,
Burnett,	Hess,	Missimer,	Spillinger,
Caldwell,	Heyburn,	Mitchell,	Steedle,
Campbell, C.M.,	Hibshman,	Moore,	Steele,
Campbell, J.J.	Hobbs,	Morrow,	Stein,
Carson,	Hoffman,	Moses,	Stone,
Carter,	Howard, J.,	Moulthrop,	Strauss,
Cheeseman,	Howard, R.,	Neel,	Swartz,
Claycomb,	Humes,	Neely,	Swift,
Cleary,	Irwin, G. C.,	Newbaker,	Thomas,
Cochran,	Irwin, H. H.,	Newton,	Trach,
Collins,	Jackson,	North,	Ulerich,
Conner,	Jones, J. R.,	O'Neill,	Ulman,
Conniff,	Kaiser,	Peachey,	Walnut,
Conrade,	Kaufman,	Pennegar,	Wettach,
Cox,	Keegan,	Pennock,	Whitaker,
Currier,	Keeport,	Perry, H. L.,	Whitman,
Curry,	Kenna,	Peters,	Wildman,
DeFrees,	Kennedy,	Piper,	Williams,
Dickinson,	Kern,	Post,	Wilson, J. H.,
Donahoe,	Klepper,	Price,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Redfield,	Wiltbank,
Dunn, H. B.,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Dunn, J. A.,	Lanius,	Reeser,	Young, J. H.,
Ehrhardt,	Latshaw,	Rex,	Zimmerman,
Eichenberger,			Alter, Speaker.

NAYS—1.

Gray, Joseph,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent to call up House Bill No. 252, on page 1 of to-day's calendar, Bills on Second Reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 252, as follows:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act

Section 1 Time of Submitting the Question of a Constitutional Convention to the Electors

Section 2 Time of Electing Delegates Number of Delegates

Section 3 Manner of Nominating Delegates

Section 4 Time and Manner of Organization of the Convention Members Ex-Officio

Section 5 Filling Vacancies

Section 6 Power of the Convention

Section 7 Filing and Publication of the Proposed Constitution

Section 8 Time and Manner of Submitting the Constitution to the People

Section 9 Compensation of Members and Officers Appropriation for Expenses

Time of Submitting the Question of a Constitutional Convention to the Electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the first Tuesday after the first Monday in November in the year one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution shall be submitted to the electors of this Commonwealth

Time of Electing Delegates Number of Delegates

Section 2 At the same election delegates to a Constitutional Convention shall be elected

The number of delegates shall be one hundred and sixty-five three delegates to be elected from each of the fifty Senatorial districts of the Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for three district delegates and fifteen delegates-at-large and the candidates highest in vote shall be declared elected

Manner of Nominating Delegates

Section 3 Nominations for delegates to the convention shall in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred qualified electors and shall set forth that the signers thereof are qualified electors of the district in which the candidate resides and from which he desires to be elected and that they will support the candidate whose petition they are signing Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county such petition shall set forth that the signers thereof are qualified electors of the Commonwealth and that they will support the candidate whose petition they are signing

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to sixty days before the date on which such petition must be filed and no signature shall be counted unless it shall have been affixed to such petition and bear date within sixty days prior to the time of filing the same

Petitions shall be filed with the Secretary of the Commonwealth at least thirty days prior to the date of the election at which delegates are to be chosen

The Secretary of the Commonwealth immediately after the last day for the filing of said petitions with him shall forward to the County Commissioners of each county a correct list of the candidates for delegates as contained in such petitions

Time and Manner of Organization of Convention Members. Members Ex Officio

Section 4 If a majority of the electors voting on the aforesaid question shall be in favor of holding a constitutional convention the delegates elected as herein provided shall meet in the hall of the House of Representatives at th State Capitol in the city of Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred

and fourteen with general powers of adjournment as to time and place

The members of any Commission which may be appointed to study constitutional questions prior to the election of delegates to such convention shall be members ex-officio of the convention with all the rights and privileges of delegates except the right to vote

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to read the proclamation of the Governor setting forth the names of the delegates to the convention The convention shall then proceed to organize by electing one of its number as president and after the delegates are sworn in such other officers as may be needed for the transaction of business

Filling Vacancies

Section 5 In case of vacancies in the membership of the convention occuring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any senatorial district shall be a resident of such senatorial district

Power of the Convention

Section 6 Said convention shall have power to propose to the citizens of this Commonwealth for their approval or rejection a new constitution

Filing and Publication of the Proposed Constitution

Section 7 The constitution proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth

Time and Manner of Submitting the Constitution to the People

Section 8 The Constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The Constitution shall be submitted to the electors in such manner as the Convention shall direct Provided That any sections in the proposed constitution relating to female suffrage the initiative the referendum the recall either of offices or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Compensation of Members and Officers Appropriation for Expenses

Section 9 The entire compensation and allowance to each member and to each member ex officio of the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that House Bill 252, just read, be recommitted to the Committee on Judiciary Special.

Mr. PIPER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. E. G. M. KUHNS. Mr. Speaker, I desire to call up House Bill No. 82, on page 5 of to-day's calendar, Bills on third reading postponed for the present.

Agreeably to order.

The House proceeded to the consideration on third reading of House bill No. 82, as follows:

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every male person who has served an imprisonment of thirty days and still has a balance of his sentence to serve in the jail or prison of any county may be employed by the county commissioners of such county but not for more than eight hours in any one day and not more than six days in any one week in the construction improving repairing or maintenance of any public highway in such county

Section 2 The employment of such prisoners on the highways shall be under such regulations as the county commissioners may prescribe but the services of any such prisoner may not be let out or leased or sold to any person firm or corporation Such number of guards may be employed as the commissioners may deem necessary at a compensation not to exceed two dollars and fifty cents per day each

Section 3 If such employment shall render it impracticable to feed such prisoners in the jail or prison it shall be the duty of the person or persons directed by law to feed prisoners in the prison or jail to provide such prisoners while at work with such meals as may be necessary An extra compensation therefor may be paid by the county commissioners not to exceed ten cents per day for each prisoner so employed

Section 4 If any person guarding any prisoner so employed shall perform his duties so negligently as to permit any prisoner to escape or shall willfully permit or aid any prisoner to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the jail of the proper county for a period not exceeding one year If any person not being on guard shall aid any prisoner so employed to escape he or she shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this section

Section 5 If any prisoner so employed shall escape or attempt to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the proper county jail for a period of one year Such prisoner so convicted shall not be released on probation or parole such sentence shall take effect upon the expiration of the term of the original sentence

Section 6 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. BIGGER. Mr. Speaker, I believe every provision of the proposed bill is provided for in the act of 1907, approved the 25th of May, the title of which is

"Authorizing the employment of male prisoners of the jails, and workhouses of this Commonwealth upon the public highways of the several counties ,and regulating the same; and providing for the establishment of Prison Boards, the purchase of material and tools, and employment of deputies, at the expense of the proper county, and a penalty for the escape of prisoners while employed outside of said jails, workhouses."

We have the same bill we have here. It provides for an eight hour day on public work and gives the prison boards of the several counties the authority to make provisions for the employment of convicts on private work as well as on public work on county roads. To show you how well it works in Allegheny County I quote from the opinion of Justice Carnahan in the case of Iron City Trades Council against A. H. Leslie, Superintendent of the Alegheny County Workhouse, decided in 1909

"To what extent the institution has been self sustaining does not appear, but the evidence shows that for at least seven years past the labor of convicted inmates has been employed beyond the grounds of the institute by contract between the officers and persons not in any way connected with the workhouse. This labor has been a source of revenue to the institution and to the County of Allegheny. There is no evidence, however, that at the time of the passage and approval of the Act of the General Assembly of the 18th day of June, 1883, any labor of convicts or inmates of this institution was or had been let by contract, and we find that no such labor had been so let by or for said institution at said date.

7. During every month of the year 1907, and more or less for seven years past, workhouse prisoners were employed as laborers outside of the prison grounds. By arrangement and contract with the prison officers, prisoners labored on adjoining or neighboring farms, helped to build or repair houses in the town of Hoboken, or elsewhere, worked on township roads, hauled materials cleaned carts, and in fact did whatever they were able to do in line of employment sought or suggested. Sometime their wok was that of common laborers such as excavating for cellars, trenches, etc., sometimes it was that of a skilled laborer, such as a carpenter, plumber, painter, stone mason, plasterer, etc. For all of these employments a price was contracted for and paid by the employers to the prison officers, and the revenues so derived were used for the benefit of the institution and for the County of Allegheny. When hired out, all prisoners were in the charge of an officer or keeper of the institution. It was the practice to send them out in squads or gangs of not more than twelve men each, in charge of an officer. The price of the officer was three dollars per day. If the gang included a foreman for a particular kind of work his price was four dollars per day; ordinary laborers were charged for at the rate of seventy-five cents per day; carpenter work, under the direction of a foreman, at the rate of one dollar per day. How these prices compared with those for similar work by skilled workmen and laborers in the common pursuit of their trades, occupations and employments, does not appear in evidence.

The same conditions prevail out in Allegheny County relative to its workhouses, and I believe the act proposed by Representative Kuhns is practically a reiteration of the Act of 1907. The proposed act does not repeal the Act of 1907, in which it gives the prison boards of the workhouses of the counties of the state the authority to employ convicts as they see fit.

BILL RECOMMITTED.

Mr. E. G. M. KUHNS. Mr. Speaker, and gentlemen of the House, I am glad and I want you to understand that I was aware of the fact, when I introduced this little bill, that we have on the statutes of 1907 a law, as the gentleman from Allegheny tells you; and I am glad that it works in the County of Allegheny just the way he tells you, and I don't want to spoil the good work in the County of Allegheny by this little bill, not whatever. But we must not forget that there are sixty-six other counties besides Allegheny, and this little bill was spoiled the other day when "county" was changed to "public;" and on that ground, gentlemen of the House, let the other sixty-six counties have a law whereby they can work their prisoners just the same way as the County of Allegheny is doing today successfully with the act of 1907; and on this ground and to save time, I move that this little bill be recommitted to the Committee on Counties and Townships, and have it plainly fixed "counties" in place of "public," and have the title and the first section changed.

I therefore move that this bill be recommitted to the Committee on Counties and Townships.

Mr. DONNELLY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BIGGER. Mr. Speaker, the act of 1907, does not apply specifically to Allegheny County. It says:

"That for the better employment of the prisoners and improvement of highways of this Commonwealth, from and after the passage of this act, it shall and may be lawful to require every able bodied male prisoner, now or hereafter confined under sentence within any jail or workhouse now or hereafter to be established in this Commonwealth, to do and perform eight hours of manual labor each day of such imprisonment, except on Sunday or legal holidays. Provided, That this act shall not include any prisoner awaiting trial, or over ten per centum of the prisoners confined in any workhouse, unless authorized by the managers or officers in control thereof."

The Act under which the officials of the Allegheny County workhouse proceeded is the special act of 1865, but this act of 1907 is a general law applying to all the workhouses and prisons in the State excepting the penal institutions.

On the motion to recommit recurring,

The motion was agreed to.

BILL ON THIRD READING.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to call up at this time House Bill No. 241, File Folio 219, on page 6 of today's calendar, of the bills on third reading, postponed for the present.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 241, entitled:

An Act providing for the appointment by the Governor of a commission to determine what portions of the constitution of this Commonwealth need revision to gather literature statistics and other information and to make a report embodying its recommendations and the result of its inquiries defining the power and duty of such commission providing for its organization and for the filling of vacancies in its membership fixing its compensation and making an appropriation for its compensation and expenses

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. HORACE B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to call up at this time House Bill No. 253, on page 6 of today's calendar, Bills on Third Reading, Postponed for the Present.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. I. GORDON FORSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO PLACE BILL ON CALENDAR.

Mr. NEELY. Mr. Speaker, I ask the unanimous consent of the House that House Bill No. 31, entitled:

An Act to repeal an act approved the second of May one thousand eight hundred and ninety-nine entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof

be placed on the calendar notwithstanding the negative recommendation.

The SPEAKER. The Chair hears objections.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 322, entitled:

An Act fixing a basis upon which to calculate the earning of miners employed in anthracite coal mines and providing penalties for violations hereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 234, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 389, entitled:

An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled An act relating to private sales of real estate ordered decreed or approved by the orphans' courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration House Bill No. 369, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth and to limit the hours of labor of fire bosses and persons whose duties either in whole or in part are those of a fire boss employed at in or about the same and fixing a penalty for the violation of any of the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 443, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 421, entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of

four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 336, entitled:

An Act making it unlawful to use any type of mining machine in the removal of ribs stumps or pillars in any bituminous coal mine in the State of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act providing for the amendment or alteration of the charters of corporation having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act to amend article nineteen section three of an act entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" Approved June ninth one thousand nine hundred and eleven pamphlet Laws seven hundred fifty-six

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 158, entitled:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 265, entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 354, entitled:

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleansed after each individual use and providing a penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 25, entitled:

An Act authorizing the Department of Forestry to lease portion of the State forest for health and recreation purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. MITCHELL. Mr. Speaker, I move that House Bill No. 322, entitled:

An Act fixing a basis upon which to calculate the earnings of miners employed in anthracite coal mines and providing penalties for violations hereof

be recommitted to the Committee on Mines and Mining for a further hearing.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORT FROM HIGHWAY COMMISSIONER.

The CHAIR laid before the House the report of the Commissioner of Highways in response to a resolution adopted yesterday. (See Appendix).

QUESTION OF PERSONAL PRIVILEGE.

Mr. MITCHELL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MITCHELL. Sometime ago I handed in a list of persons who wished the Legislative Journal mailed to them. From my information I find that this Journal has not reached them and I would like to know why this is.

The SPEAKER. The Chair wishes to impart the information that all Legislative Journals have been mailed to the persons whose names have been furnished. This was done yesterday. The Chair wishes to call attention to the fact that many of the members have failed to furnish their list.

Mr. CHEESEMAN. In answer to that, I wish to state that I furnished a list at the beginning of the Session, and the list has not yet reached the printers room. The list contained the names of the people to whom I wished the Legislative Journal sent.

The SPEAKER. The Chair desires to inform the gentleman that the list does not go to the printer's room, but to the pasters and folders.

Mr. CHEESEMAN. My list was given to the Resident Clerk at the beginning of the term, and has not yet reached the folder's room.

The SPEAKER. The attention of the Clerk is called to the matter.

Mr. McALEER. I would suggest to the Speaker that the names of the members who have not sent in their lists be announced from the desk in order that the members of the House may know just who are delinquent in this matter.

The SPEAKER. The Chair is not prepared to furnish this information at this time.

CORRECTION OF JOURNAL.

Mr. HOBBS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOBBS. Mr. Speaker, on two bills that were passed by this House on which I voted in the affirmative I am not recorded as voting at all in the Legislative Journal. These bills are found on pages 210 and 211 of the Journal. I have voted on every bill that has been presented here, and I would like to have it corrected in order that it will show that I have not neglected my duty.

The SPEAKER. The correction will be made.

GRANTING USE OF THE HALL OF THE HOUSE TO WAYS AND MEANS COMMITTEE.

Mr. RONEY asked and received unanimous consent to offer a resolution, which was twice read and agreed to, as follows:

Be it Resolved, by the House of Representatives that the use of the Hall of the House of Representatives be extended to the Ways and Means Committee for the purpose of holding an open and public hearing on Tuesday, February 18th, at eight o'clock P. M. for the discussion of the reports of the Joint Tax Commission of the House of Representatives and Senate, and that Francis Shunk Brown, Counsel for said Joint-Commission be requested to appear and discuss said report and suggested legislation connected therewith, and that all members of the Senate and members of the House of Representatives be invited to attend this public hearing.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at (12:35 o'clock P. M.) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

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HOUSE OF REPRESENTATIVES.

THURSDAY, February 13th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer.

O God, we come to Thee this morning refreshed by the night of sleep; encouraged by the manifest fidelity and earnestness which appears in this Assembly; to give ourselves to Thee anew for this day's work.

We rejoice to believe that the work which we are doing is God's work, for whatever promotes public welfare and ministers to the needs of the people is surely of God. Believing, therefore, that Thou art co-operating with us, we ask that we may be enlightened and quickened and guided in the work which we are doing.

May we not yield to our transient emotions and impulses; may we not be governed by prejudice or passion or sinister motives of any kind. May we be wise, restrained, temperate and thoughtful, so that all that we are doing may approve itself to Thee and minister to the welfare of the people.

We commend unto Thee Thy servant, the presiding officer of this Assembly, who is so earnestly trying to order the conditions for effective work. We pray for all on whom in any way the welfare of this Assembly depends; and the Assembly in all its deliberations and in all its decisions. Now, if it be Thy pleasure that we should return to our homes, we pray that Thou wouldst keep us by the way and bless those who are here; and that Thou shouldst bring us back in safety and in strength at the appointed time. All this we ask for the Saviour's sake. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Moses, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUECD AND REFERRED.

By Mr. KERN. House Bill No. 649.

An Act making an appropriation to the Pottstown Hospital, Pottstown, Montgomery County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KERN. House Bill No. 650.

An Act fixing a close season for quail, and providing a penalty for violation of this act.

Referred to Committee on Game.

By Mr. WALNUT. House Bill No. 651.

An Act making an appropriation to The American Oncologic Hospital at Philadelphia.

Referred to the Committee on Appropriations.

By Mr. STEIN. House Bill No. 652.

An Act making an appropriaton to the Pttsburgh Home for Babies of Pittsburgh.

Referred to Committee on Appropriations.

By Mr. CURRIER. House Bill No. 653.

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State Forest Reserves, and to improve and maintain the same.

Referred to Committee on Public Roads.

By Mr. O'NEILL. House Bill No. 654.

An Act making an appropriation to the home for the aged, one thousand eight hundred and nine, Mount Vernon Street, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SHOWALTER. House Bill No. 655.

An Act to provide State aid for vocational education.

Referred to Committee on Education.

By Mr. C. M. C. CAMPBELL. House Bill No. 656.

An Act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania.

Referred to Committee on Education.

By Mr. ALLEN. House Bill No. 657.

An Act to repeal an act entitled "A supplement to the act, entitled 'An act for preventing clandestine marriages,' " approved the fourteenth day of February, Anno Domini one thousand seven hundred and thirty.

Referred to Committee on Judiciary Special.

By Mr. ALLEN. House Bill No. 658.

An Act to repeal an act entitled "An act for the preventing of clandestine marriages."

Referred to Committee on Judiciary Special.

By Mr. ALLEN. House Bill No. 659.

An Act making an appropriation to the De Paul Institute of Scott Township, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALLEN. House Bill No. 660.

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

Referred to the Committee on Appropriations.

By Mr. LOWERS. House Bill No. 661.

An Act making an appropriation to the Braddock General Hospital, of the Borough of Braddock, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McNICHOL. House Bill No. 662.

An Act making an appropriation to the Mercy Hospital and School for Nurses in the city of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JAMES A. DUNN. House Bill No. 663.

An Act making an appropriation to the Old Ladies' Home of Wissinoming, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JAMES A. DUNN. House Bill No. 664.

An Act making an appropriation to the Frankford Hospital, located in Frankford, Philadelphia.

Referred to Committee on Appropriations.

By Mr. De FREES. House Bill No. 665.

An Act making an appropriation to the Warren Emergency Hospital, of Warren, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DE FREES. House Bill No. 666.

An Act relating to the administering of oaths or affirmations to administrators, executors, committees or guardians to qualify them for the performance of their respective duties.

Referred to Committee on Judiciary General.

By Mr. GEO. K. YOUNG. House Bill No. 667.

An Act to amend the act approved the twenty-ninth day of May, one thousand nine hundred one, entitled 'An act to prohibit the manufacturing and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms and boarding houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation

of yellow butter; and to regulate the manufacture and sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of ths act, and the means and the method of procedure for its enforcement, and regulate certain matters of evidence in such procedure."

Referred to Committee on Public Health and Sanitation.

By Mr. BURNETT. House Bill No. 668.

An Act to provide for the return by the State Treasurer to the several counties from which the same are received, for their own use, of three-fourths of certain taxes received or collected by County Treasurers or other officers and paid into the State Treasury.

Referred to Committee on Ways and Means.

By Mr. FLYNN. House Bill No. 669.

An Act amending an act approved the fifth day of May, A. D. eighteen hundred and thirty-two, entitled "An Act regulating lateral Railroads," extending the length thereof to ten miles and including lessees as well as owners of fire clay and mineras, and changing number of viewers.

Referred to Committee on Railroads.

By Mr. FRANK GRAY. House Bill No. 670.

Au Act relating to jurors in the various courts, and requiring the county to publish a list of the names of such jurors.

Referred to Committee on Judiciary General.

By Mr. McALEER. House Bill No. 671.

An Act regulating the custody of records of criminals during trial of cases.

Referred to the Committee on Judiciary General.

By Mr. KERN. House Bill No. 672.

An Act regulating the killing, wounding or capturing of rabbits, squirrels and pheasants during the open season, and providing a penalty.

Referred to Committee on Game.

By Mr. WHITAKER. House Bill No. 673.

An Act making an appropriation of ten thousand dollars or so much thereof as may be necessary, for the purpose of marking on the ground the site of the Battle of Brandywine.

Referred to the Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 674.

An Act to provide for certain improvements to that certain tract of land known as "Paoli Parade Ground" situate in Willistown Township, Chester county, and making an appropriation therefor.

Referred to Committee on Military Affairs.

By Mr. KAISER. House Bill No. 675.

An Act making an appropriation to the Home for Colored Children of Allegheny, now Pittsburgh, North Side, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WILTBANK. House Bill No. 676.

An Act making an appropriation to the trustees of Temple University.

Referred to the Committee on Appropriations.

By Mr. S. B. SCOTT. House Bill No. 677.

An Act to amend Section 34 of an act approved the thirty-first day of March, one thousand eight hundred and sixty, entitled "An Act to consolidate, revise and amend the Penal Laws of this Commonwealth."

Referred to the Committee on Judiciary General.

By Mr. J. R. K. SCOTT. House Bill No. 678.

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors, for the preparation and distribution of lists of taxables by the county commissioners, and for the abolition of the office of assessor of electors for purposes of taxation in such cities.

Referred to Committee on Elections.

By Mr. J. R. K. SCOTT. House Bill No. 679.

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth, a method of collecting such taxes, penaties for vioation of its provisions and to repeal acts or parts of acts inconsistent therewith.

Referred to the Committee on Elections.

By Mr. J. R. K. SCOTT. House Bill No. 680.

An Act relating to the selection of jurors; making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required, and repealing acts or parts of acts inconsistent therewith.

Referred to Committee on Judiciary Special.

By Mr. BASS. House Bill No. 681.

An Act making an appropriation to the Fiftieth Anniversary Emancipation Proclamation Commission.

Referred to the Committee on Appropriations.

By Mr. WILLIAMS. House Bill No. 682.

An Act authorizing the sale for the best price obtainable by the County Commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at Sheriff's sales under judgments obtained on tax claims.

Referred to the Committee on Counties and Townships.

By Mr. WILLIAMS. House Bill No. 683.

An Act to amend an act, entitled "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, Anno Domini one thousand nine hundred and one; providing for a deed to the County Commissioners of land purchased by the county at a Sheriff's sale under said Act, and further providing for sale by the County Commissioners of land so purchased.

Referred to Committee on Judiciary General.

By Mr. S. B. SCOTT. House Bill No. 684.

An Act to repeal Section 2 of an Act of Assembly approved June 10, 1911, entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof, when the balance for distribution in an estate, after the debts are paid, includes stocks, bonds and other securities, to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof, and to validate such distributions heretofore made."

Referred to the Committee on Judiciary General.

By Mr. GRAMLEY. House Bill No. 685.

An Act making an appropriation for the Cottage State Hospital, Philipsburg, Centre County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 686.

An Act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia.

Referred to the Committee on Appropriations.

PETITION.

FAVORING CHANGE OF ROUTE FORTY-EIGHT.

Mr. MATT presented the petition of citizens of Bedford County favoring change of Route Forty-eight of State Highways.

Which was referred to the Committee on Public Roads.

REPORTS FROM COMMITTEES.

Mr. MATT, from the Committee on Law and Order, reported as committed, House Bill No. 306, entitled:

An Act to further regulate the granting of license for the sale of vinous, spirituous, malt or brewed liquors, or any mixture thereof, by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of 10,000 or upward, and by permitting the electors of any city or borough containing a population of 10,000 or upward to determine by election whether the granting of license for such sale therein shall be prohibited.

Mr. BROWNLEE, from the Committee on Constitutional Reform, reported as committed, House Bill No. 482, entitled:

An Act to provide for the holding of a constitutional convention, the election of delegates thereto, and the submission of the report thereof for the approval of the people.

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as committed, House Bill No. 587, entitled:

An Act to amend section one of the Act of March 30th, 1911, (P. L. 28) entitled "An act to provide for the payment by the proper county of witnesses, committed and held in default of bail to appear and testify on behalf of the Commonwealth."

Mr. WALNUT, from the Committee on Elections, reported as amended, House Bill No. 102, entitled:

An Act amending section thirty-three of an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections" approved the tenth day of June, A. D. one thousand eight hundred and ninety-three by providing punishment for certain offenses committed by judges of election.

Mr. DONNALLY, from the Committee on Counties and Townships, reported as committed, House Bill No. 143, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April, one thousand eight hundred ninety-nine, entitled "An act to provide for the classification of the townships of the Commonwealth, with respect to their popula-

tion, into two classes, and to prescribe the form of government for townships of each class."

Mr. ADAMS, from the Committee on Counties and Townships, reported as committed, House Bill No. 648, entitled:

An Act to probide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done.

Mr. BITTLES, from the Committee on Counties and Townships, reported as amended, House Bill No. 276, entitled:

An Act regulating the deposit of county funds.

Mr. ALLEN, from the Committee on Appropriations, reported as amended, House Bill No. 245, entitled:

An Act making an appropriation to the State Board of Censors of moving pictures.

Mr. FAHEY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 356, entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom, repealing all prior acts relating hereunto and providing for payment of expenses for such treatment hereto incurred in good faith.

Mr. PETERS, from the Committee on Game, reported as committed, House Bill No. 147, entitled:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania, and prescribing penalties for violation of its several provisions.

Mr. CURRY, from the Committee on Appropriations, reported as committed, House Bill No. 552 (Senate Bill No. 4), entitled:

An Act making an apropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

Mr. BENSON, from the Committee on Elections, reported as amended, House Bill No. 98, entitled:

An Act amending section thirty of an act entitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, A. D. one thousand eight hundred and ninety-three, as amended by the Act of Assembly approved the twenty-ninth day of April, A. D. one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots.

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 456, entitled:

An Act directing the Legislature Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth, fixing the powers and duties of the Bureau therein, and making an appropriation therefor.

Mr. CLEARY, from the Committee on Appropriations, reported as committed, House Bill No. 555 (Senate Bill No. 21), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital.

Mr. HOWARD, from the Committee on Appropriations, reported as amended, House Bill No. 529, entitled:

An Act making an appropriation to cover the deficiency incurred in the care, treatment and maintenance of the indigent insane of the Commonwealth, during the period of four years beginning June first, one thousand nine hundred and nine, and ending May thirty-first, one thousand nine hundred and thirteen.

Mr. STEIN, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 617, entitled:

An Act to amend an Act entitled "An act fixing the compensation of Borough and Township Auditors in this Commonwealth," approved the 4th day of May A. D., 1889.

Mr. LIGHT, from the Committee on Judiciary General, reported as committed, House Bill No. 611, (Senate Bill No. 82), entitled:

An Act providing for the resentencing of convicts who shall have been or shall be sentenced under a law declared to be unconstitutional.

Mr. H. B. DUNN, from the Committee on Judiciary General, reported as committed, House Bill No. 530, entitled:

An Act to amend section sixty-eight of an act approved the fourteenth day of April, one thousand eight hundred and thirty-four entitled, "An Act relative to the organization of the Courts of Justice."

Mr. GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 366, entitled:

An Act authorizing the appointment of a Commission to inquire into the subject of creating a public pension for dependent mothers; defining its powers and duties; and making an apropriation for the expenses therefor.

Mr. GEORGE A. BALDWIN, from the Committee on Elections, reported as amended, House Bill No. 130, entitled:

An Act amending section twenty-six of an act entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such election," approved the tenth day of June A. D. one thousand eight hundred and ninety-three by providing for secrecy in voting, for rendering assistance to voters unable to mark their ballots by reason of physical disability and defining the term physical disability and imposing certain duties upon judges of election.

Mr. McNICHOL, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of Boards of Health in Boroughs and Townships of the first class and defining their powers and duties; providing for the appointment of members of such Boards of Health by the President Judge of the Court of Common Pleas of the County wherein such Borough or Township of the first class is located; providing for the election of a Secretary and a Health Officer; providing that the Commissioner of Health may take charge of the administration of health laws in any Borough or Township of the first class when conditions therein in his opinion constitute a menace to the lives of health of the people living outside the corporate limits of such Borough or Township of the first class, or when it may be known to him that such Borough or Township of the first class is without an existing or efficient Board of Health; and providing the manner in which the expenses of Boards of Health or of the Commissioner of Health incurred in administrating health laws in any Borough or Township of the first class shall be paid.

LEAVES OF ABSENCE.

Mr. MARTIN asked and obtained leave of absence for Mr. Berntheizel for the balance of the week.

Mr. HIBSHMAN asked and obtained leave of absence for Mr. Hoffman for the balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Whitman for the balance of the week.

RESOLUTION.

Mr. BLELOCH. Mr. Speaker, I desire to call up Resolution No. 15.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read the resolution as folows:

DIRECTING THE COMMISSION APPOINTED TO SELECT A SITE AND BUILD A HOSPITAL FOR THE INSANE UNDER HOMEOPATHIC MANAGEMENT TO RENDERING AN ACCOUNTING AND REQUESTING HIS EXCELLENCY, THE GOVERNOR, TO FURNISH A COPY OF THE REPORT OF THE EXAMINATION MADE BY THE STATE EXPERT.

Whereas, The General Assembly session of one thousand nine hundred and one, by an act approved July eighteenth, one thousand nine hundred and one (Pamphlet Laws seven hundred and thirty-seven), created a commission to select a site and erect a State Hospital for the Insane under Homeopathic management, to be called the Homeopathic State Hospital for the Insane; and

Whereas, There has heretofore been appropriated for this purpose the total sum of one million, eight hundred and eighty-one thousand, seven hundred and fifty dollars, and

Whereas, The General Assembly in one thousand nine hundred and eleven, by act approved May tenth, one thousand nine hundred and eleven (Pamphlet Laws two hundred and five), dissolved the original commission and directed the appointment of a new one to complete the work; and

Whereas, Considerable scandal attached to the institution, which is located at Rittersville, Lehigh County, Pennsylvania, by reason of the alleged fraudulent juggling of contracts to such an extent that the name of "Rittersville Hospital" has become a synonym for corruption in State contracts; and

Whereas, Lindley Johnson, an expert employed by the State to make an examination of the work, made a report thereon to the Governor in the Spring of one thousand nine hundred and eleven, advising a legislative investigation, "in view of the condition found when investigating the work done;" and

Whereas, If fraud has been committed, it is necessary that action thereon be immediately taken to come within the statute; now therefore be it

Resolved, That the original commission and its successor, be and it is hereby required to furnish forthwith to this House, full, complete and detailed information as follows:

(a) Detailed and itemized account of all its receipts and expenditures, with the date of payments, the names of persons, firms or corporations to whom the same were made and the purpose thereof.

(b) A complete set of the plans and specifications originally adopted with a detailed statement of the nature, extent and character of any alterations made therein.

(c) A statement of contracts let thereunder (and copies of the schedule of unit prices), giving dates, amounts, parties with whom made and all additions made thereto, commissions and deductions therefrom and substitutions thereunder, with the dates, nature and reason for such additions, omissions, deductions or substitutions and the cost thereof and allowances therefor.

(d) The original or copies of all contracts and orders under authority of which the changes, alterations, omissions, deductions, substitutions, were made, and be it further

Resolved, That his Excellency, the Governor, be requested to transmit to this House the original or a complete copy of the report made by Lindley Johnson, C. E., as above recited, with any exhibits that may be thereto attached.

Mr. BLELOCH. Mr. Speaker, I move the adoption of the resolution.

On the question,

Will the House agree to the resolution?

Mr. MILLER. Mr. Speaker.

The SPEAKER. The gentleman from Lehigh, Mr. Miller.

Mr. MILLER. Mr. Speaker, I want to say a word before the motion is put. It is that I think that this resolution needs some examination by one of the Committees. It is hardly fair to ask that the new men, the present Board of Trustees, who have not been connected with the work of the hospital, or who have not been connected with it at the time of this alleged scandal—it is hardly fair for them to be asked to come here and give up their time and appear before a commission and go through a lengthy proceeding of this kind before a commission. They are perfectly willing to do so and to do their duty. They are public-spirited men and not for a moment would any one of them hesitate to comply with the demands of this House. I repeat, it is hardly fair, when a man is willing to take up the work and accomplish what these men have done in the past two years to add an additional hardship. Lindley Johnson made a report in the spring of 1911, and by the exercise of that report the Committee could not act upon this resolution and decide whether it is wise and expedient and necessary at this time that a new Board of Trustees be impressed into the scope of this resolution. I would ask—if I am in order—I would amend that motion to read that the resolution be referred to the Judiciary General Committee.

On the question,

Will the House agree to the amendment to the motion?

Mr. BLELOCH. Mr. Speaker and gentlemen of the House(it is quite evident that the gentleman from Lehigh notwithstanding the fact that this resolution has been on the desks of the members for a week, has not perused its contents carefully. The resolution calls for a report to be made of the doings of the original commission, in this House, in 1911 or 1910, when all this scandal was a matter of public notice and Governor Stuart directed an investigation and ordered such investigation and such report to be made public and the same was not delivered to the public. It is necessary, in order that this report of this real state expert be given to the House to discover its contents that this resolution be adopted. Therefore, I urge that this amendment to the motion be defeated.

Mr. R. J. BALDWIN. Mr. Speaker, will the gentleman permit me to interrogate him?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLELOCH. Yes, sir.

Mr. R. J. BALDWIN. I would like to ask the gentleman from Philadelphia, can't he give the House any information as to the probable cost to the State of this investigation involved by this resolution?

Mr. BLELOCH. This resolution calls for a report to be made by the Commission of the doings of that Commission while they were organized, and that report to be made to this House. It entails no cost outside of stenographic work for the Committee's record.

Mr. R. J. BALDWIN. Mr. Speaker, I can see no objection to this resolution's being turned over to the Judiciary General Committee, where it can have a careful investigation by the committee in committee who will see whether the resolution is one that they would recommend back to the House after making some inquiries into the matter. I don't consider that the House ought to feel that the motion of the gentleman to refer this matter to the Judiciary General Committee is on intended to smother the bill. I have the utmost confidence in the Committee on Judiciary General. It is a very large resolution and I am frank to say that I don't fully understand what its effects are or what its effects may be in the State or what the necessities are for it. I know that there was an investigation made about 1911, and since that time I have heard nothing whatever in public as to who authorized or stood for any necessity for a further inquiry. I am just as anxious as the gentleman from Philadelphia to get the fullest information. I realize that we are here on the floor of this House to digest a proposition of this character, and I feel like the gentleman from Beaver, who spoke yesterday on matters of this kind; something is said, and the House, without full knowledge on the subject, sends it out to the public, calls on our Departments for an enormous expense and it is drawn without a great deal of consideration. I think the gentleman from Philadelphia ought to allow this resolution to go to the Judiciary General Committee, and then, when it comes back, with whatever suggestions they would make, I would certainly stand by the report of the Judiciary General Committee.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLELOCH. Yes, sir, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Philadelphia, whether or not such a report as is contemplated by this resolution has been asked for by himself or anybody else that he knows?

Mr. BLELOCH. Mr. Speaker, as I said a few minutes ago—I do not know where the gentleman from Allegheny was at the time—but to be a little bit more explicit, in 1910 an investigation was made of this institution and the doings of that original commission. I want to draw a line right here between the original commission and the commission appointed by the Act of 1911. When that investigation was made by one of the greatest experts in the State of Pennsylvania, Lindley Johnson, of Philadelphia, his report was made to Governor Stuart. M. Hampton Todd, the Attorney General at that time, gave an opinion to the Governor, that no portion of that report could be made public without legislative authority, and warrant. Therefore, I am of the opinion, and I suggest it to you Mr. Speaker, and gentlemen of the House, that before any committee to whom this resolution is referred could proceed it would have to have the authority of this House to get from the Governor that report.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia further.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated further?

Mr. BLELOCH. Mr. Speaker, I will.

Mr. ALLEN. Does the gentleman from Philadelphia know whether or not the legal authorities of this State reported that there was anything of a criminal character that might be prosecuted under the laws of this Commonwealth, as contained in the official report which was made?

Mr. BLELOCH. Mr. Speaker, in answer to the gentleman from Allegheny I would only say this: That as two years have elapsed since the last session of the Legislature, and as most of our penal statutes have a two years statute of limitation, many criminal acts that might have been committed by the old commission are barred, and the only hope that there is, if there has been any harm done by this commission, would be the recovery in the civil court of what might be due the State.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia further.

The SPEAKER. Proceed.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Philadelphia whether the official record or report which was filed at the time this commission made its report shows that such civil action still remains open for the State to make any recovery in these cases, if such recovery is allowed by law?

Mr. BLELOCH. Mr. Speaker, I might be a little bit obtuse, but I think I have answered that question of the gentleman from Allegheny three times. The opinion of

M. Hampton Todd, Attorney General under Governor Stuart, said that no person could require the commission appointed to make any report.

Mr. ALLEN. Mr. Speaker, I take it that no department of this great Commonwealth will be closed to any Committee from this Legislature which may ask for information from that department. In passing this resolution the House assumes to say that there is something criminally or civilly wrong whereby the rights of the Commonwealth may be set aside and held for naught unless this action be taken. I quite agree with the gentleman from Delaware that the proper attitude for the House at this time would be the reference of the whole matter to a committee for an investigation such at it sees fit to make, and have a report from that committee to this House as to what further action, if any, is necessary; and I trust that the amendment as offered by the gentleman from Lehigh will be the sentiment of the House on the matter.

Mr. NORTH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLELOCH. Yes, sir. Mr. Speaker.

Mr NORTH. Mr. Speaker, I desire to know from the gentleman if he has made a personal examiantion of this institution recently, and, if so, how he finds the conditions of this institution?

Mr. BLELOCH. Mr. Speaker, in order to answer that I presume I will be given permission to speak a little bit on the original question.

Of course, as a member of the sub-committee of the Committee on Appropriations I was to have gone to Rittersville on Friday a week ago. Owing to sickness in my family, of which I told the Chairman of the Committee on Appropriations at the time, I was unable to accompany the sub-committee on their trip, but in view of the conditions that surround the name of Rittersville, I made a trip there on the Sunday following. The institution under its present management is now in the hands of a medical board provided by the Act of Assembly inaugurating this place. To my mind what has been accomplished by that medical board in the few months that it has had it in hand, had it under the jurisdiction, is almost miraculous But notwithstanding that, there is undoubtedly sufficient to warrant our inquiring into the condition of the original commission. Practically one-half of this institution in value has been built by the Commission appointed by the Act of 1911. If, under an appropriations of $478,000, half of that institution has been built, how is it that it took $1,300,000 to build the first half. As a matter of common knowledge, I take it, there has been a course of juggling of contracts at this institution which has been the cause of costing the State hundreds of thousands of dollars.

For illustration: Contract No. 1 calls for the building of an administration building, to cost 284.000. The commission paid for that building under this contract $285,000.

Mr. NORTH. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. The gentleman from Philadelphia is entitled to conclude his remarks, and then he may be further interrogated.

Mr. BLELOCH. Mr. Speaker, under this contract the commission paid $285.000, notwithstanding they permitted the contractor to omit from putting into the building elevators, call bell systems, some of the machinery, and the floors not planed.

Mr. NORTH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. NORTH. Mr. Speaker, in my question I asked the gentleman from Philadelphia, if he would tell this House the present condition of this institution, without going into details as to the original contract.

Mr. BLELOCH. Mr. Speaker, the gentleman desired that I should tell him and this House what I discovered. In order to lead up to his inquiry I am obliged to go into some of the past history of this institution.

The SPEAKER. The gentleman from Philadelphia has the floor. Proceed.

Mr. BLELOCH. Mr. Speaker, nothwithstanding the fact that this commission authorized the contractor to eliminate from his work items which were worth thousands of dollars they paid him under items of extra work the sum I have named to offset the allowances.

Contract No. 2, calls for the building of a kitchen, storage and power houses and foundations of the remaining buildings. They have permitted the contractor to omit from that work all brick work and granite work above grade, on four ward buildings and two corridors, plastering of all buildings, and two boilers in the boiler house, rain drains, plumbing fixtures, enameling brick walls, electrical fixtures, concrete floors, marble work and rails and stairways.

I ask you, Mr. Speaker, and gentlemen of the House, what was meant by the contract for which this contractor received several hundred thousand dollars? That is the condition that existed all through the distribution of these contracts. Is it fair to the other bidders that came there and spent time and money in getting up estimates and going over the specifications and plans in order that they might have an opportunity to get a contract of that sort and be permitted to have advantage taken of them, to have a bigger contractor come along and by reason of omissions and changes in specifications have an unfair advantage over the honest bidders? Coming down to the point of direct answer to the gentleman from Jefferson, I would say, gentlemen, that you must remember that this is a finished plant to-day so far as—

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. ALLEN. Mr. Speaker, the gentleman from Philadelphia is out of order in that his remarks are not responsive to the interrogation made.

The SPEAKER. That is a pretty hard question for the Chair to rule upon as the gentleman is probably allowed to make the explanation in his own way.

Mr. ALLEN. The question, as I understand it, was the condition of the hospital to-day; and I ask for a ruling of the Chair upon my question.

The SPEAKER. The Chair must rule that the gentleman's answer is going somewhat beyond the question. The Chair would suggest to the gentleman that he try to confine himself and be responsive to the interrogatories of the gentleman from Jefferson.

Mr. BLELOCH. Mr. Speaker, I was just about to reply to the gentleman from Allegheny, that his point of order is not well taken, that it is too late because I had already said that I was about to answer the direct question of the gentleman from Jefferson.

Mr. ALLEN. "About," don't mean anything.

Mr. BLELOCH. Mr. Speaker, in response directly to the question of the gentleman from Jefferson, I would say that the operation being a finished contract, there are a number of things to take into consideration, and this much is apparent: In the administration building, the steam radiators there, of which there are numbers, have the name of a firm, A. A. Griffith, of New York, stamped or moulded in the castings, open to the public indicating that these radiators were made by that firm, notwithstanding the fact that that firm has been out of existence some eighteen years. That appears to me to show, gentlemen, that there is only one construction to be placed thereon, and that is that that is second hand junk. In other parts of the buildings there are conditions existing which are a disgrace to the State of Pennsylvania, when you are considering a modern institution. We will be called upon during this session to make an appropriation to remedy these things. There is in the institution what is called a mangle in the laundry which has been out of date for twenty years, that is absolutely worthless for anything more than to be sold as old iron. All through the building the marble surbases are sprung three or four inches from the wall in some places, showing that the contractor has evidently evaded or not complied with the contract or specification in having them braced into the wall. The wood-word,—I have no doubt the specifications will show that they call for well seasoned lumber, and not withstanding that fact, the double doors have sprung may be one-half inch, and in order to remedy that they have nailed on the edge of the door a piece of molding three-eights of an inch thick, and that still leaves a space of three-eighths or half an inch in addition. You must remember, Mr. Speaker and gentlemen of the House, that I did not go there for the purpose of tearing down the building. I did not go there with that idea, but when I went to the institution and investigated, I saw that there was something wrong in

putting down the tunnel work under the ground where the steam pipes are supposed to be covered with asbestos. It appears that these pipes are covered with nothing more than what might be compared to corrugated paper around a whiskey bottle. Of course, the covering is made out of asbestos, but the asbestos is not a non-conductor of heat unless backed up by cement. I want to tell you, Mr. Speaker and gentlemen of the House, that that provision there is not only costing that institution one hundred dollars a day for additional fuel, but will continue to cost the institution thousands and thousands of dollars, because the tunnel in which the pipes are run should be cold, but being supplied with this great waste of heat it is so hot that it is unbearable and shows that the specifications have not been complied with. Now, Mr. Speaker and gentlemen of the House, I think that I have answered the gentleman from Jefferson.

Mr. R. J. BALDWIN. I think now that the gentleman himself will vote to have this resolution referred to the Judiciary General Committee because, as he has told the House, this resolution as it now stands simply calls for a statement of facts that are now contained in one of the Departments. He himself has told us that there are many things at Rittersville that this House ought to know about. If, upon investigation, this Committee finds that it is necessary to recommend that a commssion be appointed to go and investigate the building, we will then be in better shape to act upon the resolution than we are at the present time. If they find that it is not necessary to appoint such commission they can make that recommendation to the House. I think it would be the right thing to do to send this resolution to the Judiciary General Committee.

Mr. NORTH. The Committee that was sent to Rittersville was sent there for the purpose of making an investigation as to the present conditions. The Committee reported favorably. Mr. Bleloch told me personally that the conditions they found there were satisfactory. That is what they were sent there for. He also told other members of the House that conditions were very satisfactory. Mr. Bleloch stated that seventy-five thousand dollars of an appropriation possibly would not be too much. Other members of the committee, however, after making a very fair and careful examination decided that seventy thousand dollars was enough. The majority of the Committee agreed to that report and the bill was prepared accordingly.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The SPEAKER. The previous question is moved by the gentleman from Philadelphia.

The motion was second by Messrs. Cox, Hibshman, Moses, Keeport, Walter A. Blair, Moulthrop, John H. Young, George C. Irwin, Spillinger, George A. Young, Bass, Fahey, Frey, Ulerich, Wildman, Neel, North, Charles A. Shaffer, Donahoe, E. G. M. Kuhns, and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

The question recurring,

Will the House agree to the motion of the gentleman from Lehigh.

The SPEAKER declared, the yeas seem to have it.

Whereupon,

A division was called for, ninety-nine voting in the affirmative and thirty-one in the negative.

And the question was determined in the affirmative, and the motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BLELOCH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BLELOCH. The gentleman from Jefferson, a few moments ago, said that I went out to that institution and reported favorably. When I started to talk on this motion, I told you that I had no criticism to make of the medical board that is now in control of the institution. I stated that what they had accomplished in a few months was miraculous. The bill, the appropriation bill, about which the gentleman from Jefferson spoke, is a bill to provide for the keeping of the inmates, and it would have been a disgrace for any civilized State to refuse it. This resolution was not introduced for the purpose of criticising the present management.

RESOLUTION TO AMEND RULES.

Mr. WALNUT. Mr. Speaker, I desire at this time to call up Resolution No. 19, and move its adoption.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read by the Clerk as follows:

Resolved, That Rule thirty-three be amended by inserting after the word "bill" in line one, the words "and every resolution providing for an amendment to the Constitution;" by striking out in line two the words "on the bill," and insert the word "thereon," and insert on line three after the word "law" the words "and no such resolution shall be adopted."

On the question,

Will the House agree to the adoption of the resolution?

Mr. WALNUT. Mr. Speaker, my purpose in introducing this resolution was to amend our rolls so as to prevent the use or passage of an unfair resolution for the amending of our Constitution. It is customary to amend our Constitution by a joint resolution, which takes the course of a bill, appears on the calendar, and is read on three seperate days. There is nothing in our Constitution, however, which prevents the use of a concurrent resolution for an amendment to the Constitution. It is merely printed in loose form, and placed on our desks, and I think that it is plain to the members of the House that the looseness of this method requires some attention on our part. A concurrent resolution can be passed without proper consideration, and without the proper opportunity to amend it. In some cases, a good resolution may be defeated to readily. This resolution is offered in order that we may proceed under the proper method. I think an amendment to our Constitution requires at least the same care and attention as an ordinary piece of legislation, and I, therefore, move the adoption of this resolution.

Mr. ALLEN. Inasmuch as the resolution contemplates a change of the Rules of the House, and as we have a Committee on Rules, appointed by the House, I move you that Resolution No. 19 be referred to the Committee on Rules.

Mr. COX. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WALNUT. Mr. Speaker, and Gentlemen of the House, there are now before the House two concurrent resolutions that I recall for the amendment of the Constitution. I think the sooner we get this amendment to our Rules enacted, the more likely we are to prevent a concurrent resolution being passed in the manner I have indicated. I think, therefore, if the House is convinced of the advisability of adopting this amendment to the Rules, that there is no necessity whatever of referring it to the Committee on Rules.

The question recurring,

Will the House agree to the motion?

It was agreed to.

STANDING COMMITTEES SHALL GIVE NOTICE OF TIME AND PLACE OF HEARINGS.

Mr. BLELOCH offered the following resolution, which was twice read and laid over under the rules.

Resolved, That the standing committees shall notify the sponsor, or introducer, of matters referred to them of the time and place the same will be considered by the respective committees taking action thereon.

TO BROADEN SCOPE OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG COMMISSION.

Mr. HUMES. Mr. Speaker, I desire to call up at this time Resolution No. 14.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read by the Clerk as follows:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th, by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved, (if the House concur) That the Commission of the Fiftieth Anniversay of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House agree to the adoption of the Resolution?

Mr. WILTBANK. Mr. Speaker, I would like to suggest an amendment to this resolution. My objection to this is that there are just as good men belonging to the State of Pennsylvania that served in the Navy that do not reside at the present time in the State of Pennsylvania. This resolution does not take into consideration any one unless that man resides now in Pennsylvania. There is many a man who served in the Navy who has grown old and whose children have moved away, either to California, or somewhere else, and, if I am not out of order, I would suggest an amendment that would include all the sailors and soldiers of Pennsylvania, whether they reside in Pennsylvania or not.

Mr. MITCHELL. Mr. Speaker, I desire to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend by inserting after the word, "marine" in line fifteen, second page, the words " who are honorably discharged."

On the question,

Will the House agree to the amendment?

Mr. JOSEPH GRAY. Mr. Speaker, if this resolution is adopted as amended, it is going to cut out of this bill that which is the most pleasing part of it. I submit to this House that the Conferderate soldiers are not truly discharged soldiers in the meaning of that term.

Mr. MITCHELL. Mr. Speaker, it is not my intention, by any means, in anything I shall say, to prevent the survivors of the Southern Armies from attending this anniversary. It is my hearty wish that they should do so, and I hope there will be nothing done to preclude their attendance in any way. I think they were honorably discharged by the Federal service.

Mr. JOSEPH GRAY. Mr. Speaker, if the gentleman will look up the law, he will find out the Federal Government does not recognize such a thing.

Mr. ALLEN. Mr. Speaker, as I read the amendment which has been offered, the resolution would read some thing like this, by inserting the amendment after the word "marines," on line 15 and adding the words "who were honorably discharged," of the Civil War, now living in Pennsylvania, also such men who served in Pennsylvania commands known as 'emergency troops,' also all soldiers who served in the Confederate Army, now living in Pennsylvania as citizens of this Commonwealth." It does not cut out the Confederate soldier; that comes in the "also" class.

Mr. HUMES. Mr. Speaker, it has just been suggested to me by a gentleman who has spent some time in investigating the records of the old soldiers residing in the State of Pennsylvania, that the records are so incomplete that there are a great many of the Union soldiers who served in regiments and were lost from their commands and who were, by the records of that command, reported as "deserters" or "missing," who subsequently served in other commands and completed the length of service for which they were enlisted. It would be almost impossible to establish, in many instances, where the line can be drawn between those honorably discharged and those who have not a discharge paper. In view of that fact, it strikes me that possibly we are going to impose a task upon this commission that they will not be able to cope with. It has been the practice of the Federal Congress to restore an honorable discharge to all soldiers who served in the Civil War, upon request, and there are very few who have made applications and they have not been given an honorable discharge. That is probably due to the fact that the records of the War Department are very imperfect in that particular. I fear that the adoption of this amendment will impose a great hardship and do something that we don't care, by this resolution, to do. I believe that this commission can use a sufficient degree of judgment, in acting upon the recommendation we are making, so that the State will, in no way, be imposed upon. I think it would not be advisable to annex this amendment to the resolution.

Mr. WILTBANK. Mr. Speaker, with this resolution, if adopted, you are going to invite men to this annivarsary, that cost this country millions of souls, and you are going to leave out some of those men who were in the Navy. In Pennsylvania you had no Navy. When I joined the Navy in 1861, I did it as a United States citizen from the State of Pennsylvania. You will find this on record at Washington, in regard to the State of Pennsylvania, that there is no record of my serving forty-eight months in the United Startes Navy. If I can go over the boundary lines, I want to go to Gettysburg. There is, to my own knowledge, some fifty or sixty men in Pennsylvania coming from different parts of this State, and I doubt very much whether they knew what that word meant in 1861. I have reference to the word "marine." We had no such thing as a marine in Pennsylvania in 1861. The meaning of the word "marine" today is well understood. A marine at that time was a police officer on board of a ship; he never went off his deck. That was a marine in 1861, and he did police duty and did that alone and nothing else. Our conception of a marine is not that today. If we are going to do that, I will make a motion that we refer this to the Military Committee.

(The motion was not seconded.)

Mr. ELY. Mr. Speaker, I wish to support the contention of the gentleman who followed Mr. Humes (Mr. Wiltbank); inasmuch as this amendment, if it prevails, would do a great injustice to some men—to many soldiers who served during the Civil War. I had the honor of presenting a bill to this House to provide for the transportation of the veterans of the Civil War to this anniversary. In the preparation of that bill, I was in consultation many times with Adjutant-General Stewart of this State, and he tells me there are many men who have not received an honorable discharge from some irregularity of the Department. I think that in justice to many men who would like to come to this anniversary, that the argument followed by the gentleman should be considered.

Mr. ADAMS. Mr. SPEAKER, I find that there is no reason, whatever, why every soldier who served from 1861 to '65, has not an honorable discharge. They all have time to make application for that discharge if they do not have it, and there are in every way facilities to get this discharge.

Mr. HOBBS. Mr. Speaker, this is to be a great patriotic demonstration, and it is my opinion that we should be very careful and not discriminate too closely as to who shall attend. Don't go back a half century and require these late partriots to bring their credentials. Let them be as broad as possible so there will be no feeling engendered between political parties or otherwise. Therefore, I hope this amendment will fall and this great demonstration will be carried out in a truly patriotic spirit.

On the question,

Will the House agree to the amendment?

It was not agreed to.

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

After the words "Civil War" in line 25, strike out the words "now living in," and insert in lieu thereof the words "who enlisted from."

Mr. ALLEN. In order to make myself clear in the matter of this amendment, it covers every point raised including the one by the gentleman from Philadelphia, Mr. Wiltbank. Not only does it cover that point, but, as has been suggested the State of Pennsylvania, since the day when those who served from this State and added to the historical glory of the State by giving their service in the late Civil War, the amendment which I have offered covers all those

points and makes the matter complete. And I offer it for this reason, that the resolution then will read as follows: The words "who enlisted from" being added in this amendment, includes all Union soldiers, sailors and marines in the Civil War who enlisted from Pennsylvania, making no difference whether they lived just across the line in the great empire state of New York, or across the line in Ohio, or west or east or as far west as the Pacific Coast. If their names are added to that roster, of those who went to the front and defended the Stars and Stripes in time of stress, this puts it in proper form, sending an invitation to all to attend this anniversary, whether he be your next door neighbor or a distantly located brother.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was unanimously agreed to.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 389, as follows:

An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled "An act relating to private sales of real estate ordered decreed or approved by the orphans' courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the ninth day of June one thousand nine hundred and eleven entitled "An act relating to private sales of real estate ordered decreed or approved by the orphans' courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' court for the payment of debts" which reads as follows

"Section 1 Be it enacted by the authority of the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before authorizing decreeing or approving such private sale public notice thereof shall be given by advertisement printed in at least one newspaper and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the county where such real estate is located for at least twenty days prior to the date fixed by such order for authorizing decreeing or approving such sale and also by written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of such notices shall be posted at three of the most public places in the vicinity of such real estate" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before authorizing decreeing or approving a private sale of real estate for the payment of the debts of the decedent public notice thereof shall be given by advertisement printed in at least one newspaper and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the county where such real estate is located for at least twenty days prior to the date fixed by such order for authorizing decreeing or approving such sale and also by written or printed notices one of which be posted at a conspicuous place on the real estate proposed to be sold at least three of such notices shall be posted at three of the most public places in the vicinity of such real estate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 369, as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth and to limit the hours of labor of fire bosses and persons whose duties either in whole or in part are those of a fire boss employed at in or about the same and fixing a penalty for the violation of any of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act no person engaged or employed in the capacity of fire boss at in or about any of the anthracite coal mines of this Commonwealth shall be engaged for a longer period than eight hours out of each day of twenty-four hours

Section 2 No person engaged or employed at in or about any of the anthracite mines of this Commonwealth whose duties either in whole or in part are those of a fire boss shall be engaged for a longer period than eight hours out of each day of twenty-four hours

Section 3 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars and not more than two hundred dollars

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 421, as follows:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and five, and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That part of section thirteen of an act entitled "Directing the mode of selecting and returning jurors," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and five, which reads as follows:

"Section 13. That whenever any verdict in a civil action or cause shall be taken the plaintiff or defendant for whom the same shall be given shall forthwith pay to the sheriff the sum of four dollars which shall be taxed with the costs and afterwards repaid by the party against whom such verdict shall be given if the same be a verdict wherein costs be recoverable for the use of the party so advancing that sum and the money so to be collected shall be paid into the hands of the county treasurer to be appropriated towards a fund for defraying the expenses of the juries who shall attend on the said courts respectively," shall be and the same is hereby amended to read as follows:

Section 13. That whenever any verdict in a civil action or cause shall be taken the plaintiff or defendant for whom the same shall be given shall forthwith pay to the prothonotary the sum of four dollars which shall be taxed with the costs and afterwards repaid by the party against whom such verdict shall be given if the same be a verdict wherein costs be recoverable for the use of the party so advancing that sum and the money so to be collected shall be paid into the hands of the county treasurer to be appropriated towards a fund for defraying the expenses of the juries who shall attend on the said courts respectively.

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 336, as follows:

An Act making it unlawful to use any type of mining machine in the removal of ribs, stumps or pillars in any bituminous coal mine in the State of Pennsylvania.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That on and after the passage of this act it shall be unlawful for any person, firm or corporation to use or cause to be used any type of mining machine for the purpose of extracting or mining in any rib, stump or pillar in any bituminous coal mine in the State of Pennsylvania.

Section 2. Every person, firm or corporation violating the provisions of this act shall be liable to a penalty of not exceeding one hundred dollars for each offense together with the costs of prosecution to be recovered before any magistrate or justice of the peace as fines and penalties are by law recoverable and in default of payment of said fine and costs the person, firm or the agent or executive officer of the corporation so offending shall be committed to the county jail of the proper county for one day for each dollar for the fine imposed.

Section 3. That in the event of any violations of the provisions of this act that the mine foreman, superintendent or other executive officer in charge of said mine at the time of the alleged violation shall be held responsible for said violation and be subjected to the fine and imprisonment imposed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 454, as follows:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a free public bridge has been erected and opened across a river or stream in this Commonwealth near to and accommodating the same public travel as the bridge of a private company or corporation authorized to take tolls for the passage of wagons and other vehicles foot passengers horses cattle sheep swine et cetera thus diverting or taking away such travel from such bridges and the said company shall desire to amend or alter the articles and conditions of the charter or instrument upon which said corporation is formed and established as that it may not be obligatory upon such company or corporation to maintain its bridges for travel by wagons and other vehicles foot passengers horses cattle sheep swine et cetera it shall and may be lawful for such corporation to apply to the Governor of this Commonwealth for such amendment or alteration in the manner provided in this act

Secion 2 The corporation desiring such amendment or alteration shall give notice of the intention to apply therefor in two newspapers of general circulation printed in the county wherein the principal office or place of business of said corporation is located once a week for three weeks setting forth briefly the character and objects of the desired amendments or alterations and the intention to make application therefor

Section 3 The said corporation shall prepare a certificate under its corporate seal setting forth the character and objects of the proposed amendment or alteration of its charter or the instrument upon which said corporation is formed or established acknowledged by the president and secretary of said corporation before the recorder of deeds of the county wherein such corporation has its principal office or place of business which certificate together with proof of publication notice as hereinbefore provided shall then be produced to the Governor of the Commonwealth who shall examine the same and if he find it in proper form and that such amendments or alterations are or will be lawful and beneficial and not injurious to the community he shall approve thereof and endorse his approval thereon and direct letters patent to issue in the usual form reciting the said amendments or alterations and the said certificate shall then be recorded in the office of the Secretary of the Commonwealth and with all its endorsements shall be recorded in the office for the recording of deeds i and for the proper county where the principal office or place of business of said corporation is located and form thenceforth the same shall be deemed and taken to be a part of the charter or instrument upon which said corporation was formed or established to all intents and purposes as if the same had originally been made a part thereof And thereupon it shall not be obligatory upon such company or corporation to maintain its bridge for travel by wagons and other vehicles foot passengers horses cattle sheep swine et cetera but such company or corporation may close such bridge to such travel permanently or temporarily as may seem fit retaining however all its rights of property and franchises in such bridge and its location for all other uses and purposes whatsoever

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 341, as follows:

An Act to amend Article Nineteen Section Three of an act entitled "An act to provide for the Health and Safety of Persons Employed in and About the Bituminous Coal Mines of Pennsylvania and for the Protection and Preservation of Property Connected Therewith" Approved June ninth one thousand nine hundred and eleven Pamphlet Laws seven hundred and fifty-six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of same That section three of article nineteen to be amended to read as follows

The qualification of candidates for the office of Inspector shall be certified to the Examining Board and shall be as follows

The candidates shall be citizens of Pennsylvania of temperate habits or good repute as men of personal integrity in good physical condition and shall be between the ages of thirty and sixty-five years provided however that any inspector appointed under the provisions of the act of May fifteenth one thousand eight hundred and ninety-three or under the provisions of this act shall be eligible for re-appointment even if beyond sixty-five years of age if in good physical condition The candidate shall have a knowledge of the different systems of working coal seams and shall have had at least ten years practical experience in bituminous mines five years of which immediately preceding their examination shall have been in bituminous mines in this Commonwealth and shall also have had practical experience with explosive gas and other dangerous gases found in coal mines and upon examination shall give evidence of such theoretical as well as practical knowledge and general intelligence representing mines and mining as will satisfy the examining board of their capability and fitness for the duties imposed upon inspectors of mines by the provisions of this act

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 354, as follows:

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleansed after each individual use and providing penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of same That it shall be unlawful for the proprietors or persons in charge of public eating places to furnish finger bowls for the use of their guests or customers unless such finger bowls have been thoroughly cleansed after each individual use

Section 2 Every person firm or corporation who shall violate or permit to be violated any of the provisions of this act shall for every such offense upon conviction thereof before any magistrate or justice of the peace of the county wherein such offence was committed be sentenced to pay a fine of not less than one ($1.00) dollar or more than ten ($10) dollars to be paid to the use of the said county and the costs of prosecution or to be imprisoned in the county jail for a period of not more than ten days or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act entitled "An act to amend section two of an act entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker.

The SPEAKER. The gentleman from Erie, Mr. Mitchell.

Mr. MITCHELL. Mr. Speaker, possibly it will be advisable for me to make a little explanation bearing on this bill. It relates solely to conditions in the City of Erie. The subject of abolition of grade crossings has been a question with us, and the question of disposal of garbage in Erie has been a stench in the nostrils of that city. The present administration has been active on these measures and the city council passed an ordinance authorizing a bond issue of five thousand dollars for the purpose of erecting an incinerating plant. Councils passed the bond issue and the Mayor signed the bonds and the ordinance was put through, but through an inadvertence the statement required to be filed under the act of 1897 in the office of the Clerk of the Court was not filed. Thirty seven thousand dollars worth of these bonds have been negotiated and are now in the hands of innocent purchasers. This is merely a validating act to protect the holders of these bonds. Everything has been done to make that bond issue valid; there is no contest only on the ground that the statement was not filed in time in the office of the Clerk of the Court, and because this was not done this bill is presented. It was before the Judiciary Special Committee and explained by me and by unanimous vote they reported

it out. Interests opposed to discredit the present administration, wished a hearing and the Mayor of the City of Erie and the City Solicitor were here in support of the act and the opposition was here. They were heard at length and for the second time the Committee on Judiciary Special in open session voted unanimously to affirm the previous decision and send this bill out upon the floor of the House with an affirmative recommendation. That was done in open session, and I would ask all my associates here to join me in voting in the affirmative on this bill.

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Erie.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated.

Mr. MITCHELL. I will, Mr. Speaker.

Mr. HUMES. Mr. Speaker, I would like to inquire from the gentleman from Erie, as to whether or not a request was made by the gentleman from Erie, Mr. Kitts, to have this matter held over until his return?

Mr. MITCHELL. No, sir, Mr. Speaker.

Mr. HUMES. Mr. Speaker, he spoke to me about it and said he did not want any action taken on it until he returned, and had time to look into the matter.

M. MITCHELL. Mr. Speaker, he never mentioned the matter to me.

I have seen him since the gentleman from Crawford has. I do not think you would find either Mr. Bayle or Mr. Kitts on the floor opposing it now.

Mr. HUMES. Mr. Speaker, Mr. Kitts opposed it when speaking to me, and I did not want action taken on it until he returned, if a satisfactory arrangement could be made.

Mr. MITCHELL. Well, Mr. Speaker, he did not ask a postponement of me. I have seen Mr. Kitts since the gentleman from Crawford has and he did not interpose any objection to it. Since that time a public hearing has been had and it was reported unanimously to this House as I have said.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126

Adams,	Ely,	Mather,	Savacool,
Alworth,	Flynn,	Matt,	Schuck,
Baldwin, G. A.,	Foster, J. D.,	McAleer,	Scott, S. B.,
Baldwin, R. J.,	Frey,	McAllister,	Semmens,
Barner,	Geiser,	McCaig,	Shaffer, C. A.,
Bayle,	Goss,	McClintock,	Shaffer, I. E.,
Becker,	Gray, Joseph,	McDermott,	Showalter,
Benson,	Hackett,	McKay,	Smith, J. W.,
Bergey,	Haggerty,	McNichol,	Smith, L.,
Berntheizel,	Hemminger,	Mechling,	Snavely,
Bigger,	Hobbs,	Metzenbacher,	Snyder,
Blair, W. A.,	Howard, J.,	Miller,	Spangler,
Blair, W. F.,	Humes,	Mitchell,	Speiser,
Body,	Isler,	Morrow,	Spillinger,
Brosius,	Irwin, H. H.,	Moses,	Steedle,
Brownlee,	Jackson,	Moulthrop,	Steele,
Burnett,	Jones, J. R.,	Musser,	Stone,
Caldwell,	Kaiser,	Neel,	Strauss,
Campbell, C.M.,	Kaufman,	Neely,	Swartz,
Carson,	Keegan,	Newbaker,	Swift,
Carter,	Keeport,	Newton,	Thomas,
Cheeseman,	Kenna,	O'Neill,	Trach,
Claycomb,	Kennedy,	Peachey,	Walnut,
Cleary,	Kern,	Pennock,	Watson,
Collins,	Kuhn, H. P.,	Post,	Wettach,
Conniff,	Latshaw,	Price,	Wildman,
Conrade,	Lenker,	Ramsey,	Wilson, J. H.,
Currier,	Lowers,	Redfield,	Wiltbank,
Dickinson,	Malie,	Rothenberger,	Young, G. K.,
Donahoe,	Martin,	Runk,	Young, J. H.,
Donnally,	Mather,	Sassaman,	Zimmerman,
Dunn, H. D.,	Matt,	Savacool,	Alter,
Ehrhardt,	McAleer,	Schuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. MOULTHROP. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:50 A. M.) the House adjourned until Monday, February 17th, 1913, at 8 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, FEBRUARY 17, 1913. No. 17.

SENATE.

MONDAY, February 17, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Herbst, the further reading was dispensed with, and the Journal was approved.

PETITION AGAINST SUNDAY BASEBALL.

Mr. HERBST presented the petition of the voters of the City of Reading against the bill legalizing the playing of professional baseball on Sunday.

Which was referred to the Committee on Law and Order.

PETITION FAVORING CLUB LICENSES.

Mr. HERBST presented the petition of the voters of the City of Reading in favor of the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was committed to the Committee on Law and Order.

PETITION FAVORING CHANGE IN ROUTE 48 STATE HIGHWAY.

Mr. ENDSLEY presented the petition of the citizens of Cumberland Township, Bedford County, praying for change in Route 48 State Highway.

Which was referred to the Committee on Public Roads and Highways.

LEAVES OF ABSENCE.

Mr. McNICHOLS asked and obtained leave of absence for the Senator from Armstrong, Mr. Graff, for the balance of the week, on account of illness.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House which were laid upon the table.

REPORT OF COMMISSION TO REVISE AND CODIFY THE ELECTION LAWS.

Mr. SHEATZ. Mr. President, I desire to submit the third and final report of the commission to revise and codify the election laws of Pennsylvania, appointed under joint resolution of May 13, 1909, and continued under joint resolution of March 22, 1911, together with a copy of the codification of election laws, and move that the report, together with the codification, be printed in the Appendix of the Legislative Journal.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

(For report and codification, see Appendix).

MINORITY REPORT OF COMMISSION TO REVISE AND CODIFY ELECTION LAWS.

Mr. GERBERICH. Mr. President, by request I desire to submit the minority report on the same subject and move that the minority report be printed in the Appendix of the Legislative Journal.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

(For minority report, see Appendix).

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 276, entitled:

An Act to amend an act approved the 4th day of June, 1901, entitled "An act defining the rights and liabilities of parties to, and regulating the effect of contracts for work and labor to be done, and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, tollroad, conduit, tunnel, mine, coal-breaker, flume, pump, stream, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line; canal, millrace, works for supplying water, heat, light, power, cold air, or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance; or other structure or improvement of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto," as amended.

Which was committed to the Committee on Judiciary General.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 277, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon county.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 278, entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 279, entitled:

An Act authorizing the State Treasurer to endorse over to the Ladies' Memorial Association of the City of Petersburg, Virginia, all checks, drafts or warrants for interest accruing on a bond bought from the city of Petersburg, Virginia, by the Battlefield Commission of the Third Division, Ninth Corps, Army of the Potomac; said interest being by contract made on file in the Auditor-General's Department due to said Ladies' Memorial Association.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 280, entitled:

An Act for the protection of the public health by providing that persons, firms or corporations who are operating or conducting hotels, restaurants, common carriers, and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks, waiters, kitchen help, chamber maids or other house servants, any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes, pots, pans, finger bowls, linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 281, entitled:

An Act to carry out the mandate of Article 5, section 22 of the Constitution of the Commonwealth of Pennsylvania, providing for the establishment and creation of a separate Orphans' Court in counties having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILLS INTRODUCED.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 282, entitled:

An Act making an appropriation to the Hahnemann Hospital of Scranton, Lackawanna County, Pennsylvania, for maintenance.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 283, entitled:

An Act making an appropriation to the Trustees of the State Hospital for the Criminal Insane at Farview, Wayne county.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company, its successors and assigns, for railroad and depot purposes, a parcel of land containing about one acre situate in the township of Canaan, County of Wayne, being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 285, entitled:

An Act creating the State Water Supply Commission of Pennsylvania declaring its duties powers jurisdiction and authority, conferring certain rights and powers and imposing certain duties restrictions and regulations on persons municipalities or corporations engaged in the supply storage or transportation of water or water power or the development of power generated by the use of water or otherwise using or encroaching upon streams or waters, making violation of certain provisions of this act a misdemeanor and providing penalties therefor and repealing all acts or parts of acts inconsistent herewith.

Which was committed to the Committee on Judiciary General.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 286, entitled:

An Act making an appropriation to the Bellefonte Hospital Corporation, Bellefonte, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 287, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 288, entitled:

An Act making an appropriation for the Cottage State Hospital, Philipsburg, Centre County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 289, entitled:

An Act making an appropriation to the Trustees of the Jefferson Medical College of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 290, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women.

Which was committed to the Committee on Appropriations

Also read in his place and presented to the Chair Senate Bill No. 291, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia.

Which was committed to the Committee on Appropriations.

Also by request read in his place and presented to the Chair Senate Bill No. 292, entitled:

An Act to annul the charter of incorporation of the Borough of Coatesville, and providing for the settlement of the affairs of the Borough by the Attorney-General of the Commonwealth of Pennsylvania, and providing for the preservation of official documents and records of said Borough, and all liens, judgments, verdicts, orders, decrees or awards of arbitrators made against said borough, or entered of record in its behalf.

Which was committed to the Committee on Judiciary General.

Mr. SALUS. Mr. President, I want to place on record the fact that I offer this bill by request of St. Paul's Baptist Church and the National Benefit Association for Colored People, but in offering it and making this statement that it is by request I want it understood that I am not in any way apologizing for offering it, because I approve of the bill.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 293, entitled:

A further supplement to an act, entitled "An Act to accept the grant of public lands by the United States for the endowment of agricultural colleges," approved April 1st, 1863, and making appropriations for carrying the same into effect.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 294, entitled:

An Act amending and supplementing section nine of an act, entitled "An Act to establish a county court of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911, by requiring the appellant in appeals to pay the costs in the County Court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operate as a supersedeas, requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal, and prescribing the practice in such cases.

Which was committed to the Committee on Judiciary General.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 295, entitled:

An Act to regulate and improve the Civil Service of the Commonwealth of Pennsylvania, and of the counties and of cities of the third class; providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth of any county having a population of two hundred and fifty thousand inhabitants or more, and that it shall take effect in so far as it relates to the Civil Service of any county having a population of less than two hundred and fifty thousand, or of any city of the third class upon its acceptance by a vote of the people of such county or city, making any violation of its provisions a misdemeanor, and providing penalties for any violations thereof.

Which was committed to the Committee on Judiciary General.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 296, entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the City of Harrisburg to construct and maintain a dam in the Susquehanna River for the general improvement of the sanitary conditions of said city.

Which was committed to the Committee on Public Health and Sanitation.

Mr. BEIDLEMAN. Mr. President. In connection with offering this bill I submit proof of publication of the intention to apply for this privilege.

Also read in his place and presented to the Chair Senate Bill No. 297, entitled:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream, to purchase, acquire, enter upon, take, use and appropriate private property within or without its territorial limits, for that purpose, and providing the manner in which damages sustained shall be determined and collected.

Which was committed to the Committee on Judiciary General.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 298, entitled:

An Act providing for the purchase by this Commonwealth of the land upon which Fort Washington, Cumberland County was constructed, and its preservation by this Commonwealth as a memorial of the high water mark of the war between the States, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 299, entitled:

An Act making an appropriation to the Hamot Hospital Association of the City of Erie, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 300, entitled:

An Act to compel the use of blowers upon metal polishing machinery.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 301, entitled:

An Act making an appropriation for the improvement of the Port of Erie by constructing a modern commercial steamboat landing or wharf upon State lands within the Harbor of Erie; authorizing the appointment of a Commission to construct same and providing for regulating the manner in which said wharf shall be used by the public and kept in repair.

Which was committed to the Committee on Appropriations.

Mr. GYGER read in his place and presented to the Chair Senate Bill No. 302, entitled:

An Act regulating the sale, prescription and possession of opium, chloral or the salts, derivatives or compounds of them, or either of them; or any substance or preparation containing opium, chloral or the salts, derivatives or compounds of them, or either of them, and prescribing penalties for violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 303, entitled:

An Act making an appropriation to the Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 304, entitled:

An Act making an appropriation to the Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 305, entitled:

An Act making an appropriation to the Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic at Spring City, Pennnsylvania, to meet deficiencies in maintenance.

Which was committed to the Committee on Appropriations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 306, entitled:

An Act making an appropriation to the Pennsylvania Working Home for Blind Men for maintenance in handicraft employment.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 307, entitled:

An Act making an appropriation to the Philadelphia Museums.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 308, entitled:

An Act authorizing the warden, superintendent or person in charge of any pentitentiary, jail, reformatory, workhouse or other penal institution, to lodge female prisoners, temporarily outside such institution at the time when such prisoners may become mothers, and providing for the collection of expenses thereby incurred.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to section ten, article nine of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 310, entitled:

An Act making an appropriation to the Robert Packer Hospital.

Which was committed to the Committee on Appropriations.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 311, entitled:

An Act making an appropriation to the Markleton General Hospital, at Markleton, Somerset County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 312, entitled:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeding one hundred and fifty thousand population.

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 313, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital, Johnstown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 314, entitled:

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 315, entitled:

An Act making an appropriation to the Sewickley Fresh Air Home in Beaver County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 316, entitled:

An Act to provide for the protection and preservation of game, game quadrupeds and game birds and song and insectivorous and other wild birds, providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years, and prescribing penalties for violation of its several provisions.

Which was committed to the Committee on Game and Fisheries.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 317, entitled:

An Act making an appropriation to the Bloomsburg Hospital (formerly Joseph Ratti Hospital) located at Greensburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 318, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Columbia County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 319, entitled:

An Act making an appropriation to the Midnight Mission of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 320, entitled:

An Act providing that insanity shall be the cause for divorce.

Which was committed to the Committee on Judiciary General.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 321, entitled:

An Act to provide for the payment of Commonwealth's witnesses in criminal cases, either before the grand jury or court at the close of each day's attendance, taxing same as costs; and repealing all acts or parts of acts inconsistent therewith.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 322, entitled:

An Act to extend the time for commencing and the time for opening and completing all railroads in this Commonwealth.

Which was committed to the Committee on Corporations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 323, entitled:

An Act providing for the collection of judgments by attachments execution against wages, debts, earnings, salary income from trust funds or any other sources and profits due and owing or which may hereafter become due and owing to the judgment debtor when amount of said wages, debts, earnings, salary income from trust funds or any other sources and profits is twelve dollars and more per week.

Which was committed to the Committee on Judiciary General.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 324, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 325, entitled:

An Act making an appropriation to the Beacon Light Mission, near the City of Bradford, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 326, entitled:

An Act regulating the procedure in all cases of desertion and non-support; dependent, neglected, incorrigible and delinquent children under the age of sixteen years; and establishing as a part of the Court of Quarter Sessions of the Peace of Philadelphia County a special tribunal for same; defining the offences cognizable before said court; providing for the service of its writs, process or warrants by the proper officers of the City or County of Philadelphia; repealing the jurisdiction of magistrates in all criminal cases herein specially enumerated; vesting in said court authority to direct payment of orders for support in defined cases of dependency upon the County treasury; and providing for the means by which such power may be exercised.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 327, entitled:

An Act regulating the procedure in all cases of desertion and non-support; dependent, neglected, incorrigible and delinquent children under the age of sixteen years; and establishing as a part of the Court of Quarter Sessions of the Peace of Philadelphia County a special tribunal for same; defining the offenses cognizable before said court; providing for the service of its writs, process or warrants by the proper officers of the City or County of Philadelphia; repealing the jurisdiction of magistrates in all criminal cases herein specially enumerated; vesting in said court authority to direct payment of orders for support in defined cases of dependency upon the County treasury; and providing for the means by which such powers may be exercised.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 328, entitled:

A further supplement to an act approved the 7th day of June, 1879, entitled "An Act to provide revenue by taxation," as variously amended and supplemented.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 329, entitled:

An Act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 330, entitled:

An Act making an appropriation to the Pennsylvania Industrial Reformatory, at Huntingdon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 331, entitled:

An Act empowering cities and boroughs to erect, construct, maintain and operate telephone, police and fire-alarm systems, and to furnish said service to partnerships, corporations or individuals and to connect with other telephone companies.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEES.

Mr. POWELL. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL, from the Committee on Elections, reported as committed, Senate Bill No. 120, entitled:

An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

MEMBERS OF THE BOARD OF TRUSTEES OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. O'Donnell, of Morris Run, Tioga County, to be a member of the Board of Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Blossburg, to serve until lawfully determined or annulled.

JOHN K. TENER.

SHERIFF.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Winfield S. Shathers, of Clarion, to be Sheriff in and for the county of Clarion, to serve until the first Monday in January, 1914, vice W. S. Smathers, deceased.

JOHN K. TENER.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leidy S. Gruver, to be Justice of the Peace in and for the borough of Dublin, county of Bucks, to serve until the first Monday in January, 1914.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE HOME FOR THE TRAINING IN SPEECH OF DEAF CHILDREN BEFORE THEY ARE OF SCHOOL AGE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. George Becht, of Harrisburg, to be a member of the Board of Trustees of the Home for the Training in Speech of Deaf Children Before They are of School Age, located at Philadelphia, for the term of five years, vice Mrs. Eleanor S. Barker, deceased.

JOHN K. TENER.

MEMBER OF THE CAPITOL PARK EXTENSION COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Spencer C. Gilbert, of Harrisburg, to be a member of the Capitol Park Extension Commission, to serve until June 1, 1917, vice A. G. Knisely, deceased.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to the Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Miss Ada M. Steele, Leetsdale.
R. F. Weger, Pittsburgh.

BERKS COUNTY.

William E. Sharman, Reading.

GREENE COUNTY.

Miss Lula E. Morris, Waynesburg.

LEBANON COUNTY.

W. L. Gelbach, Lebanon.

LEHIGH COUNTY.

Marcus H. Bickert, Allentown.

LACKAWANNA COUNTY.

Stephen Dyer, Scranton.

M'KEAN COUNTY.

Miss Elizabeth O'Mara, Bradford.
Moses Sullivan, Bradford.

MERCER COUNTY.

O. H. Tebay, Grove City.

MONTGOMERY COUNTY.

Aldes J. Bernhart, Pottstown.

PHILADELPHIA COUNTY.

Thomas W. Lee, Philadelphia.
Wallace Lippincott, Philadelphia.
James A. McNelis, Philadelphia.
Wm. J. Moors, Philadelphia.
Boleslaus F. Rudzinski, Philadelphia.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

Israel A. Simon, McKeesport, February 22, 1913.
E. B. Hartman, Jr., Pittsburgh, February 22, 1913.
C. N. Yost, Pittsburgh, February 22, 1913.
Harry E. Carmack, Pittsburgh, February 27 1913.
Robert M. Erskine, Pittsburgh, February 27, 1913.
Jacob Greenberger, Pittsburgh, February 27, 1913.
Albert D. Jones, Pittsburgh, March 23, 1913.
Robert Allen, Pittsburgh, March 10, 1913.
Lewis Aronson, Pittsburgh, March 10, 1913.
Miss Augusta A. Bean, Pittsburgh, March 10, 1913.
Frank Bosic, Pittsburgh, March 10, 1913.
Percy Cooke Pittsburgh, March 10, 1913.
Alexander M. Hamilton, Pittsburgh, March 10, 1913.
Miss Pearl Hollis, Pittsburgh, March 10, 1913.
James H. Irons, Pittsburgh, March 10, 1913.
M. K. Jordan, Pittsburgh, March 10, 1913.
Fred C. MacConnell, Pittsburgh, March 10, 1913.
Gordon L. Russell, Pittsburgh, March 10, 1913.
W. A. Strouss, Pittsburgh, March 10, 1913.
Miss Mabel S. Thompson, Pittsburgh, March 10, 1913.
George Vetter, Jr., Pittsburgh, March 10, 1913.
Wm. C. Walters, Pittsburgh, March 10, 1913.
Frank R. S. Kaplan, McKeesport, March 10, 1913.
S. H. Jackson, Wilkinsburg, March 10, 1913.
James M. Corboy, Pittsburgh, March 19, 1913.
S. H. Church, Pittsburgh, March 23, 1913.
Carl K. Devlin, Pittsburgh, March 29, 1913.

ARMSTRONG COUNTY.

Miss Mary Josephine Rhodes, Kittanning, March 10, 1913.

BEAVER COUNTY.

C. R. Wallace, Beaver Falls, March 3, 1913.

BLAIR COUNTY.

W. J. Hamor, Altoona, April 10, 1913.

BUCKS COUNTY.

Mrs. Mame Hartzell, Richlandtown, March 10, 1913.

CAMBRIA COUNTY.

Miss Jese Hetzline, Johnstown, March 9, 1913.

CENTRE COUNTY.

Harry Keller, Bellefonte, February 22, 1913.

CHESTER COUNTY.

Charles C. Hadley, Kennett Square, February 27, 1913.
Miss Edith H. Russell, West Chester, March 10, 1913.

CLEARFIELD COUNTY.

John B. McGrath, Houtzdale, February 27, 1913.

CLINTON COUNTY.

Miss Mabel T. Myers, Lock Haven, March 29, 1913.

DAUPHIN COUNTY.

B. F. Umberger, Harrisburg, February 27, 1913.

DELAWARE COUNTY.

J. Rohrman Robinson, Media, February 22, 1913.
Edwin B. Lewis, Lansdowne, February 27, 1913.

ERIE COUNTY.

Charles G. Brevillier, Erie, February 26, 1913.
Clark Olds, Erie, February 27, 1913.
Edward L. Whittelsey, Erie, March 16, 1913.

FRANKLIN COUNTY.

Miss Josephine Rollman, Waynesboro, March 10, 1913.
Arthur W. Gillen, Chambersburg, March 13, 1913.

JEFFERSON COUNTY.

William T. Darr, Brookville, February 27, 1913.

LACKAWANNA COUNTY.

J. F. Reynolds, Carbondale, February 27, 1913.
C. Frank Couch, Carbondale, March 10, 1913.
Judson E. Harney, Scranton, March 10, 1913.
Max F. Henkelman, Scranton, March 10, 1913.
George W. Maxey, Scranton, March 10, 1913.

LAWRENCE COUNTY.

H. W. Phelps, Ellwood City, March 10, 1913.

LUZERNE COUNTY.

F. C. Mosier, Pittston, February 22, 1913.
James A. Gorman, Hazleton, February 27, 1913.
John J. Kelley, Hazleton, February 27, 1913.
Jerome Williams, White Haven, March 10, 1913.
John M. Jones, Wilkes-Barre, March 10, 1913.
John Wilhelm, Hazleton, March 16, 1913.
Samuel Sicherman, Wilkes-Barre, April 7, 1913.

MONTGOMERY COUNTY.

Charles E. Bean, North Wales, March 10, 1913.
Jesse R. Evans, Pottstown, March 10, 1913.

MONTOUR COUNTY.

Miss Pauline F. Farnsworth, Danville, March 10, 1913.

NORTHUMBERLAND COUNTY.

F. A. Witmer, Sunbury, February 22, 1913.
Maurice B. Kramlich, Shamokin, March 13, 1913.

PHILADELPHIA COUNTY.

John A. Heyser, Philadelphia, February 22, 1913.
Chas. M. Rainsford, Philadelphia, February 22, 1913.
James S. Clifford, Philadelphia, February 23, 1913.
J. H. Pelly, Philadelphia, February 23, 1913.
Charles F. Ziegler, Philadelphia, Februarp 23, 1913.
Charles Weissinger, Philadelphia, February 25, 1913.
Charles W. Irvin, Philadelphia, February 26, 1913.
Harry T. Stoddart, Philadelphia, February 26, 1913.
Wm. M. Clift, Philadelphia, February 27, 1913.
Charles C. Eareckson, Philadelphia, February 27, 1913.
Charles M. Johnson, Philadelphia, February 27. 1913.
J. W. Kenworthy, Philadelphia, February 27, 1913.
William H. Roth, Philadelphia, February 27, 1913.
Jas. A. Tisdall, Philadelphia, February 27, 1913.
Ben T. Welch, Philadelphia, February 27, 1913.
Albert S. Wray, Philadelphia, February 27, 1913.
Eugene Ziegler, Philadelphia, February 27, 1913.
Francis C. Adler, Philadelphia, March 6, 1913.
W. R. Hummel, Philadelphia, March 6, 1913.
Joseph M. Wooley, Philadelphia, March 6, 1913.
George W. Boyer, Philadelphia, March 10, 1913.
Miss Elizabeth Cassidy, Philadelphia, March 10, 1913.
John N. Costello, Philadelphia, March 10, 1913.
E. Roberts Cox, Philadelphia, March 10, 1913.
Geo. A. Ford, Philadelphia, March 10, 1913.
Peter J. Hausknecht, Philadelphia, March 10, 1913.
William C. Heyde, Philadelphia, March 10, 1913.
G. A. Hildebrand, Philadelphia, March 10, 1913.
Joseph Lieberman, Philadelphia, March 10, 1913.
Robert T. McCracken, Philadelphia, March 10, 1913.
N. Evan Pedrick, Philadelphia, March 10, 1913.
W. Hobart Porter, Philadelphia, March 10, 1913.
Benjamin Rathner, Philadelphia, March 10, 1913.
Geo. B. Reading, Philadelphia, March 10, 1913.
Charles E. Williams, Philadelphia, March 10, 1913.
Miss M. E. Harding, Philadelphia, March 16, 1913.
John McNeill, Philadelphia, March 16, 1913.
Bernard Beerger, Philadelphia, March 22, 1913.
Elias Wolf, Philadelphia, April 6, 1913.
William Sherman, Philadelphia, April 7, 1913.
Elias H. White, Philadelphia, May 4, 1913.

SOMERSET COUNTY.

Mrs. Nellie Glessner, Somerset, March 10, 1913.

UNION COUNTY.

Miss Mary W. Dieffenderfer, Lewisburg, March 3, 1913.

WESTMORELAND COUNTY.

J. R. Hunter, Greensburg, March 10, 1913.

JOHN K. TENER.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently, and defining the manner of changing their positions and salaries, making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts, and providing penalties for the neglect or refusal to perform such duty.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators, and making an appropriation thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Hunter,	McNichols,	Sproul,
Endsley,	Jarrett,	Miller,	Stineman,
Farley,	Jones,	Mills,	Thompson,
Fisher,	Judson,	Morgan,	Vare,
Gerberich,			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SHEATZ. Mr. President, I move that Senate Bill No. 23, on third reading, entitled:

A bill entitled an act applicable to cities of the first, second and third classes to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust amount of appropriations; proportioning appropriations; co-ordinate appropriations; amounts to be paid; form of records, eligibility, penalties and reports as set forth in Sections one, two, three, four, five, six, seven and eight.

be recommitted to the Committee on Pensions and Gratuities.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. THOMPSON. Mr. President, I ask that Senate Bill No. 146, on third reading, entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven, entitled "An Act providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act to avoid delay of the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act supplementing and amending Sections four, six, seven, nine, ten, eleven, twelve, seventeen and nineteen of an act, entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May, one thousand nine hundred eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment, and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauperis; prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars, changing the time when such set-off must be pleaded, and providing for a reply thereto by plaintiff, changing the effect of judgment entered by transcript in the office of the prothonotary, and giving the county court power to issue writs of execution or attachment execution in certain cases; prescribing the practice therein, and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

A further supplement to an act, entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," approved the fifth day of May one thousand nine hundred eleven.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act amending the first section of an act entitled "An Act to further define the police power of cities of the third class and boroughs with reference to electric light wires," approved the twenty-eighth day of April one thousand nine hundred three, so as to include telegraph and telephone wires and reducing the number of jurors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 57, entitled:

An Act to amend Section nine of the act, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns, and extending to the State lines, describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any Sttae Highway and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and

requiring contracts by counties, townships, borough and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven, by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads; providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers; providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road, and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred and sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the county of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred and seventy-three entitled "An act relative to the pay of jurors in the county of Bucks"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act regulating the payment of any deposit made with any bank trust company savings institution in the name of two persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 227 (House Bill No. 2), entitled:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

BILL ON FIRST READING.

Mr. KLINE. Mr. President, I move that the Senate do now proceed to the first reading and consideration of Senate Bill No. 227 (House Bill No. 2), the bill just reported from committee.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 227 (House Bill No. 2), entitled:

An Act makig an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 332, entitled:

An Act making an appropriation to the State Board of Education, for the purchase, by the Commonwealth of Pennsylvania, of State Normal Schools in this Commonwealth, and for liquidating the indebtedness of the same, existing at the time of the purchase thereof.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 333, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June, Anno Domini one thousand nine hundred and eleven (Appropriation Acts, page 259), making an appropriation to pay the tuition of students in State Normal Schools.

Which was committed to the Committee on Appropriations.

RECESS.

Mr. KLINE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 236 (Senate Bill No. 334) entitled:

An Act regulating the manufacturing sale and offering for sale of matresses and fixing penalties for violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 122 (Senate Bill No. 335) entitled:

An Act amending section one hundred and twenty of an act entitled "An act relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine as amended by Act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven

Which was committed to the Committee on Elections.

House Bill No. 57 (Senate Bill No. 336) entitled:

An Act to amend the eighth section of an act entitled "An act providing for a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by fixing the compensation of election boards at primary elections

Which was committed to the Committee on Elections.

House Bill No. 189 (Senate Bill No. 337) entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine, entitled "An act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

Which was committed to the Committee on Judiciary General.

House Bill No. 259 (Senate Bill No. 338) entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same"

Which was committed to the Committee on Judiciary General.

House Bill No. 301 (Senate Bill No. 339) entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

Which was committed to the Committee on Judiciary General.

House Bill No. 85 (Senate Bill No. 340) entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

Which was committed to the Committee on Judiciary General.

House Bill No. 170 (Senate Bill No. 341) entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

Which was committed to the Committee on Game and Fisheries.

House Bill No. 175 (Senate Bill No. 342) entitled:

An Act providing payment for overtime worked by employes in mercantile establishments and making it unlawful to compel such employes to do extra service by threat of discharge fixing penalty for violation thereof and designating an official prosecutor

Which was committed to the Committee on Judiciary Special.

House Bill No. 69 (Senate Bill No. 343) entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in bituminous coal mines and anthracite colleries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 68 (Senate Bill No. 344) entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 33 (Senate Bill No. 345) entitled:

Joint resolution providing for the ratification of the Income Tax amendment to the Federal Constitution

Which was committed to the Committee on Finance.

House Bill No. 270 (Senate Bill No. 346) entitled:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

Which was committed to the Committee on Judiciary General.

House Bill No. 277 (Senate Bill No. 347) entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 149 (Senate Bill No. 348) entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

Which was committed to the Committee on Judiciary Special.

House Bill No. 153 (Senate Bill No. 349) entitled:

An Act to repeal an act approved the first day of June one thousand nine hundred and eleven entitled "An act to tax traction engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed"

Which was committed to the Committee on Finance.

House Bill No. 248 (Senate Bill No. 350) entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult"

Which was committed to the Committee on Judiciary General.

House Bill No. 181 (Senate Bill No. 351) entitled:

An Act to amend the second section of an act approved the thirteenth day of March Anno Domini one thousand nine hundred and seven entitled "An act amending section two of the act entitled 'An act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth'" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount there and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise

Which was committed to the Committee on Judiciary General.

House Bill No. 168 (Senate Bill No. 352) entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

Which was committed to the Committee on Judiciary General.

House Bill No. 138 (Senate Bill No. 353) entitled:

Joint Resolution making application to congress under the provisions of Article five of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited

Which was committed to the Committee on Judiciary General.

House Bill No. 179 (Senate Bill No. 354) entitled:

An Act empowering cities to establish and maintain free public employment bureaus

Which was committed to the Committee on Municipal Affairs.

House Bill No. 20 (Senate Bill No. 355) entitled:

An Act further amending section one of an act entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class

Which was committed to the Committee on Municipal Affairs.

House Bill No. 260 (Senate Bill No. 356) entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties, cities, boroughs, townships, school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county, city borough, township, school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act, entitled "An Act to amend Section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof,' approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt, and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed," approved the thirteenth day of April one thousand eight hundred and ninety-seven, and designating the time when said statement must be filed.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE from the Committee on Appropriations, reported as committed, Senate Bill No. 269 (House Bill No. 73) entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

BILL ON FIRST READING.

Mr. KLINE. Mr. President, I move that the Senate do now proceed to the first reading and consideration of Senate Bill No. 269 (House Bill No. 73) the bill just reported from committee.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate bill No. 269 (House bill No. 73) entitled:

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn until tomorrow morning at eleven o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:10 o'clock P. M. until eleven o'clock Tuesday morning, February 18, 1913.

HOUSE OF REPRESENTATIVES.

MONDAY, February 17, 1913.

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, Thou art King of Kings, and Lord of Lords. We humbly and reverently bow before Thee. We acknowledge Thy right to rule within us and to reign over us. We are Thine agents, chosen by Thee to do the work of this world. We pray that Thou wouldst so possess us and control us, that our wills may be subservient to Thy will and that our interests may be brought into harmony with Thine interests. Now as we enter upon the work of this Legislation week we pray that Thou wouldst enable us to be conscious and courageous in our work, with energy, earnestness, fidelity and vigor, so that God may be honored and the people may be served. All this we ask in the name of Him who taught us to say,

Our Father, who art in Heaven, hallowed be Thy name, Thy Kingdom come, Thy will be done, on earth as it is in Heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors. Lead us not into temptation but deliver us from all evil, for Thine is the Kingdom and the power and the glory forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of February 13, 1913.

The Clerk proceeded to read the Journal of the proceedings of February 13, 1913, when on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. EWING. House Bill No. 687.

An Act prohibiting trespassing on the right of way of any railroad or railway and providing a penalty therefor.

Referred to the Committee on Railroads.

By Mr. PEACHEY. House Bill No. 688.

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed; making it the duty of supervisors to cut or destroy such weeds on or along public highways, and providing penalties for failure to comply with the provisions of the act.

Referred to Committee on Agriculture.

By Mr. DEFREES. House Bill No. 689.

An Act relative to free public non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns, townships and school districts, and providing that all library property and all gifts, devises, grants or endowments for library purposes shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, townships and school districts may levy taxes, condemn private property and borrow money for library purposes, and imposing penalties for injuring library property and for violation of library regulations and repealing existing laws in relation to the above subjects.

Referred to Committee on Education.

By Mr. MARTIN (By request). House Bill No. 690.

An Act to confer upon the School Board in each public school district of this Commonwealth authority to establish and maintain an auxiliary Teachers' Board, defining the duties of auxiliary teachers, and providing for their compensation.

Referred to Committee on Education.

By Mr. MARTIN (By request). House Bill No. 691.

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently, and defining the manner of changing their positions and salaries; making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts, and providing penalties for the neglect or refusal to perform such duty.

Referred to Committee on Education.

By Mr. MARTIN. House Bill No. 692.

An Act to amend an act approved the fourth day of April, one thousand nine hundred and three, entitled "An Act for the protection of the health of persons addicted to the smoking of cigarettes, and imposing a fine for the violation of its provisions," as amended by an act approved the sixteenth day of March, one thousand nine hundred and five, entitled "An Act to amend an act, entitled 'An Act for the protection of the health of persons addicted to the smoking of cigarettes, and imposing a fine for the violation of its provisions,' approved April fourth, Anno Domini, one thousand nine hundred and three."

Referred to the Committee on Law and Order.

By Mr. ADAMS. House Bill No. 693.

An Act relating to the issue and redemption of trading stamps and similar devices.

Referred to Committee on Ways and Means.

By Mr. GEORGE A. BALDWIN. House Bill No. 694.

An Act making an appropriation to the Rochester General Hospital, at Rochester, Beaver County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NEEL. House Bill No. 695.

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 696.

An Act providing and requiring standard provisions in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth; prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act.

Referred to Committee on Insurance.

By Mr. R. J. BALDWIN. House Bill No. 697.

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts; empowering corporations to make such contracts; regulating process in suits on such contracts; fixing certain fees, and providing penalties for any violations of this act.

Referred to Committee on Insurance.

By Mr. R. J. BALDWIN. House Bill No. 698.

An Act defining fraternal benefit societies and their status, authorizing them to create subordinate lodges and to pay benefits upon the sickness, disability or death of their members from funds collected and regulating such benefits. Provided for the organization of such societies and for their licensing, supervision, regulation and examination by the Insurance Commissioner and for the admission of foreign societies; designating tables of mortality and establishing a standard of solvency; requiring annual reports and the appointment of the Insurance Commissioner as attorney for service of process. Providing penalties for any violations thereof; exempting certain societies requiring beneficial associations other than fraternal benefit societies to report to the Insurance Commissioner and repealing existing laws.

Referred to Committee on Insurance.

By Mr. ROCKWELL. House Bill No. 699.

An Act authorizing the Department of Forestry of the Commonwealth of Pennsylvania by and with the consent of the Governor to sell and convey any land owned or possessed by the Commonwealth for forest reservation purposes which land so to be sold in the judgment of the Forestry Reservation Commission is suitable for building sites or agricultural purposes or which is not deemed advisable for the Commonwealth to keep, and providing a method of conveying the same.

Referred to Committee on Forestry.

By Mr. MANNION. House Bill No. 700.

An Act making an appropriation to the Carbondale Hospital Association of the City of Carbondale, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NEWBAKER. House Bill No. 701.

An Act establishing a commission of water works in boroughs of this Commonwealth; providing for the appointment of commissioners of water works; prescribing their powers and duties, and providing for the condemnation of real estate within or beyond the territorial limits of said borough.

Referred to Committee on Municipal Corporations.

By Mr. LESLIE. House Bill No. 702.

An Act making an appropriation to the Industrial Home for Crippled Children, at Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CLEARY. House Bill No. 703.

An Act making an appropriation to the Nesbitt West Side Hospital at Dorranceton, Luzerne County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 704.

An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, to provide penalties for violations of its provisions, and to repeal acts inconsistent therewith.

Referred to Committee on Elections.

By Mr. BERGEY. House Bill No. 705.

An Act requiring persons, firms and corporations using certain stamps, coupons, tickets, cards, or similar or analogous devices in the sale of goods, wares and merchandise to procure a license therefor; regulating the issue of such license, and providing a penalty for the violation of this act.

Referred to Committee on Ways and Means.

By Mr. LETZKUS. House Bill No. 706.

An Act making an appropriation to the Pennsylvania Association for the Blind, located at Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BROSIUS. House Bill No. 707.

An Act making an appropriation to the Pennsylvania Memorial Home, at Brookville, Jefferson County, Pennnsylvania.

Referred to Committee on Appropriations.

By Mr. WALTER ALLEN BLAIR. House Bill No. 708.

An Act making an appropriation to the Miners' Hospital of Northern Cambria, at Spangler, in Cambria County.

Referred to Committee on Appropriations.

By S. B. SCOTT. House Bill No. 709.

An Act regulating the sale or distribution of vinous, spirituous, malt or brewed liquors by any club, society or organization formed for certain purposes; and imposing penalties for violation of this act.

Referred to Committee on Law and Order.

By Mr. EHRHARDT. House Bill No. 710.

An Act making an appropriation to the Hahnemann Hospital of Scranton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LOWERS. House Bill No. 711.

An Act relating to the management of penitentiaries, jails, prisons, houses of correction, workhouses, houses of refuge and reformatories.

Referred to Committee on Judiciary General.

By Mr. LATSHAW. House Bill No. 712.

An Act making an appropriations to the Armstrong County General Hospital.

Referred to Committee on Appropriations.

By Mr. LATSHAW. House Bill No. 713.

An Act making an appropriation to the Kittanning General Hospital.

Referred to Committee on Appropriations.

By Mr. BIGGER. House Bill No. 714.

An Act making an appropriation to Saint John's General Hospital of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DOWN. House Bill No. 715.

An Act making an appropriation to the Grove City Hospital, at Grove City, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HUMES. House Bill No. 716.

An Act to provide for the nomination and selection of candidates for the office of United States Senator, to enable electors to express their choice thereon, and to permit candidates for the office of State Senator and Member of the House of Representatives of the General Assembly of this State to declare their position in regard thereto and have the same stated on the ballot.

Referred to Committee on Elections.

By Mr. CHARLES A. SHAFFER. House Bill No. 717.

An Act making an appropriation to the Berwick Hospital, Berwick, Columbia County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CHAS. A. SHAFFER. House Bill No. 718.

An Act making an appropriation to the Bloomsburg Hospital, (formerly Joseph Ratti Hospital) located at Bloomsburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BITTLES. House Bill No. 719.

An Act empowering cities and boroughs to erect, construct, maintain and operate telephone, police and fire-alarm systems, and to furnish said service to partnerships, corporations or individuals and to connect with other telephone companies.

Referred to Committee on Municipal Corporations.

By Mr. MOSES. House Bill No. 720.

An Act making an appropriation for the improvement of the Conemaugh River below the mouth of Stony Creek.

Referred to Committee on Appropriations.

By Mr. HORACE A. DUNN. House Bill No. 721.

An Act to conserve cattle and to regulate the cattle industry in this State by prohibiting the slaughter of certain grades of heifer calves and female calves and female cattle for a period of two years. Prescribing the duties of the State Veterinary and his deputies with referenece thereto, and their fees for services rendered in connection with this act, and prescribing penalties for the violation of this act.

Referred to Committee on Agriculture.

By Mr. MOULTHROP. House Bill No. 722.

An Act making an appropriation to the City Hospital Association of DuBois, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. PEACHEY. House Bill No. 723.

An Act to authorize the printing of twenty-five thousand copies Bulletin No. 219, issued by the Department of Agriculture, and making an appropriation therefor.

Referred to Committee on Agriculture.

By Mr. MOULTHROP. House Bill No. 724.

An Act making an appropriation to the DuBois Hospital, of DuBois, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GEISER. House Bill No. 725.

An Act providing for the registration of social or other clubs or organizations furnishing vinous, spirituous, malt or brewed liquors among the members thereof, prohibiting the furnishing of the same by unregistered clubs, societies or organizations, and providing for violation of the act.

Referred to Committee on Law and Order.

By Mr. BIGGER. House Bill No. 726.

An Act to protect the public health and welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this act; prescribing the standard by which such rate shall be determined; defining the powers and duties of such commission, and regulating the procedure before it; imposing certain duties on employers of females over sixteen years of age and children under sixteen years of age; compelling newspapers to publish the orders of the commission; fixing penalties for violations of this act, and providing means of enforcing its provisions.

Referred to the Committee on Labor and Industry.

By Mr. WATSON. House Bill No. 727.

A supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof."

Referred to Committe on Law and Order.

By Mr. C. M. C. CAMPBELL. House Bill No. 728.

An Act making an appropriation to the State Board of Education, for the purchase, by the Commonwealth of Pennsylvania, of State Normal Schools in this Commonwealth, and for liquidating the indebtedness of the same, existing at the time of the purchase thereof.

Referred to Committee on Appropriations.

PETITIONS.

FAVORING SUPPRESSION OF PROSTITUTION BY INJUNCTION.

Mr. KERN presented the petition of citizens of Montgomery County, praying for the passage of a bill to suppress prostitution by injunctions.

Which was referred to the Committee on Law and Order.

FAVORING APPROPRIATION FOR INSPECTION OF BEES.

Mr. HORACE B. DUNN presented the petition of citizens of Huntingdon county praying for the passage of a bill making an appropriation for Inspection of Bees.

Which was referred to the Committee on Appropriations.

FAVORING READING THE HOLY BIBLE IN PUBLIC SCHOOLS.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia praying for the passage of act providing for the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

REPORT OF COMMISSION TO CODIFY ELECTION LAWS OF PENNSYLVANIA.

The SPEAKER laid before the House the Third and Final Report of the Commission to Revise and Codify the Election Laws of Pennsylvania; also a Minority Report by the Hon. William Coleman Freeman, of the same Commission; also from the same commission a Codification of the Election Laws of Pennsylvania.

(See Appendix).

REPORT FROM COMMITTEES.

Mr. WATSON, from the Committee on Judiciary General, reported as amended, House Bill No. 588, entitled:

An Act to amend section seven of the Act of March 31st, 1860 (P. L. 427) entitled "An act to consolidate, revise, and amend the laws of this Commonwealth relating to penal proceedings and pleadings."

Mr. RONEY, from the Committee on Judiciary General, reported as committed, House Bill No. 635, entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly; the act approved the eleventh day of June one thousand eight hundred seventy-nine, entitled "An act to provide for the better security of life and limb, in cases of fire in hotels and other buildings," as amended by an act approved the third day of June, one thousand eight hundred eighty-five, entitled "An act to amend an act, entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings, approved eleventh day of June, Anno Domini one thousand eight hundred and seventy-nine'" and as further amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven, entitled "An act to amend section one of an act approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, entitled 'An act to amend an act, entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings"' approved the eleventh day of June, Anno Domini one thousand eight hundred and seventy-nine, extending the provisions thereof to buildings used in while or in part for offices not of fire proof construction;" also the act approved the seventh day of June one thousand eight hundred ninety-five, entitled "A supplement to an act, entitled 'An act amending section one of article three of an act entitled "An act for the better government of cities of the first class in this Commonwealth" approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, regulating the construction, maintenance, and inspection of buildings, and approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three, regulating the construction, alteration and ventilation of tenement houses, and providing for the safety of the inhabitants thereof, and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three, entitled "An act to further regulate the construction, maintenance and inspection of buildings and party walls, in cities of the first class.

Mr. FORSTER, from the Committee on Judiciary General, reported as committed, House Bill No. 551 (Senate Bill No. 3), entitled:

An Act validating certain election of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

Mr. PRICE, from the Committee on Game, reported as committed, House Bill No. 564, entitled:

A Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws.

Mr. FREY, from the Committee on Judiciary General, reported as committed, Resolution No. 10, entitled:

A Resolution providing for the investigation of persons holding more than one position.

LEAVES OF ABSENCE.

Mr. LETZKUS asked and obtained leave of absence for Mr. Isler for the week on account of the death of Mr. Isler's father.

Mr. GIBSON asked and obtained leave of absence for Mr. Ulman for the week on account of serious illness in family.

BILL PLACED ON CALENDAR.

Mr. STEELE. Mr. Speaker, I move that House Bill No. 31, File Folio 317, entitled:

An Act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine, entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise and providing for the collection of said tax," together with the amendments thereof.

be placed upon the Calendar, notwithstanding the negative recommendation of the Committee.

Mr. LOWERS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. RONEY. Mr. Speaker and gentlemen of the House, this bill is to repeal the Mercantile License Tax of 1899. This bill was given serious consideration by the Ways and Means Committee to which it was referred and a public hearing was had and the trend of thought or objection on the part of those supporting this repealer was to the effect that it was unjust taxation and a harsh measure. Now, I would like the House to consider for a moment before placing this bill on the calendar the side of the taxation plan where the farmer is on one side and the mercantile license payer on the other. In the mercantile line we have a man doing a business of from fifteen to twenty thousand dollars a year out of which his net income would be from six to fifteen per cent, and if this mercantile license tax is repealed, he will pay absolutely nothing directly to carry on the Government. I say there is no other tax levied and collected which is easier of payment and more just and more equitable than this mercantile license tax. And I ask the farmer and all other men who pay so much taxes on everything available to consider the large mercantile establishments in Philadelphia, like Wanamaker's, Strawbridge and Clothier and Gimbels, and all other concerns that are doing a mercantile business running into the millions getting off without the payment of one single cent of taxes, for the proper maintenance of the government, should this bill be repealed. There was no good reason proposed by those who advocated the repeal of this bill why it should be taken off, and what is of more importance to this House, no substitute tax measure has been offered. If this bill were repealed, it would take away from the State about $1,400,000, and they do not tell us or propose in what way we shall make up that deficit in the State Revenues. I would ask the gentlemen of this House in considering whether or not this is a fair tax measure to take into consideration that the State needs every penny which can be gotten by taxation. Therefore, I hope that they will vote down this motion to place this bill on the calendar.

Mr. LOWERS. Mr. Speaker and gentlemen of the House as a member of the Ways and Means Committee which had this bill under consideration, and as a member who voted to report this bill out affirmatively, I wish to say at this time that I believe this bill should be placed on the calendar in order that the members of the House could go on record. Many of us in making our campaigns pledged ourselves to oppose or favor the repeal of this measure, and I believe we should be given the privilege of going on record, and in no other way can we do that except in placing this bill on the calendar. I do not propose at this time to enter into the merits or demerits of the bill, although there are a number of people who believe that this bill provides for an unjust tax. I will reserve what I have to say until such time as I can do so when the bill is under consideration by this House.

Mr. R. J. BALDWIN. I would like to say to the members of the House that if this act is repealed, the act of 1899, there will be millions and millions of property relieved from taxation. By as careful a calculation as I am able to make from experience in the mercantile business, I do not believe that this tax would amount to more than three mills on the dollar on the property stored by all the various mercantile establishments of this State. Therefore, ious mercantile establishments of this State. Therefore, the amount that the merchant pays for the support of the State is one of the lighest taxes on any property in our state. If you repeal the Act of 1899, these millions of property will go scot free. Now, if the gentlemen who want this tax repealed would come here witht a provision to reach these millions and millions of property and make them pay their just proportion of taxes for the support of the government, I would gladly consider the proposition, but to come here and say I do not like to pay taxes is only to say what every man says. There is no merchant, farmer, professional man, or others in business in the State but who would like to avoid paying taxes. I have talked with many of the merchants in my county and two years ago I received upwards of three hundred letters asking to have this act repealed. I explained to them exactly the situation and this year I have not received three letters, because the merchants of my county have come to understand that instead of paying more than their share of the

taxes for the maintenance of the government, they are actually paying less. I do not think there is any necessity of placing the bill on the calendar. I believe that we should act on this proposition as it is now presented to the House, dispose of the proposition, and act on other business that is more pressing. I hope that the members of the House will vote the motion down as it is proper that the merchants should pay some taxes.

Mr. WATSON. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

Mr. SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. R. J. BALDWIN. I will.

Mr. WATSON. I would ask the gentleman from Delaware as a merchant how much the tax would be.

Mr. R. J. BALDWIN. As a merchant and considering the stock that I carry in my store, and I have been in business for over thirty years, and now having three sons-in-law and my son engaged in the business with me, I consider that it will average about three mills on the dollar. The neighboring farmer pays thirteen mills. Now they ask the members of this House to repeal this bill, so that they will pay nothing. My sons-in-law and my son have all asked me to have this tax taken off. It is a just tax and every merchant who understands it is willing to pay it

Mr. WATSON. I would like to ask the gentleman from Delaware whether or not he adds anything to the price of his goods, and whether or not the poor farmer paid any part of his tax.

Mr. R. J. BALDWIN. Mr. Speaker, I would say that the gentleman has suggested a question that goes to the very fundamental principle of taxation. Adam Smith and Camden more than two or three hundred years ago in discussing the principle of taxation came to the conclusion that the consumer generally pays that tax.

Mr. WATSON. I thought so.

Mr. R. J. BALDWIN. If that be true, that the various patrons of our stores and warehouses are paying this tax, why should the merchants ask us to repeal it.

Mr. ROCKWELL. Mr. Speaker and gentlemen of the House. I went into the Auditor-General's office and had in my hand an itemized statement for three years of these taxes

In the year 1909 the total tax of this law collected was $162,173.61. In 1910, $163,736.16. In 1911, which is the last year reported, $172,744.61.

Now, I was informed also in the Auditor General's office, that if this tax law is repealed, that it is the only law that provides the machinery for collecting several other taxes, among which are taxes on billiards; tax on brokers; tax on auctioneers; tax on theaters; tax on eating-houses, and tax on peddlers. To repeal this law, this mercantile tax, will be repealing the law which authorizes the collection of all these taxes, which would not only take off the mercantile tax, but all these other taxes. It seems to me that this is only a just and proper tax, so far as it goes, but it does not go far enough, and we ought to leave it on the statute books.

Mr. ULERICH. Mr. Speaker.

The SPEAKER. The gentleman from Westmoreland, Mr. Ulerich.

Mr. ULERICH. Mr. Speaker, I am exactly in accord with my friend from Delaware, Mr. Baldwin, so far as this question goes. Two years ago, I stood for and voted to put a certain bill on the calendar and they voted against the measure of putting it on the calendar, and to be consistent I don't see how a good many of us now can vote in any other way than to put this measure on the calendar. This is not whether it is a good proposition, but to place it on the calendar and when the time comes that it is on the calendar, then we can discuss the merits of the question.

Mr. O'NEILL. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. O'Neill.

Mr. O'NEILL. Mr. Speaker, I call for the previous question.

The SPEAKER. If there is no other gentleman who desires to speak, it is not necessary to put the previous question.

On the question,

Shall the bill be placed upon the calendar?

Agreeably to the provisions of the Constitution, the yeas and nays were taken,

Whereupon, the Speaker announced that a verification of the roll would be taken, upon the completion of which the Speaker announced the vote as follows:

YEAS—122.

Adams,	Ehrhardt,	Leslie,	Runk,
Allen,	Ely,	Letzkus,	Sassaman,
Ambler,	Foster, J. D.,	Light,	Savacool,
Barner,	Geiser,	Lowers,	Schaeffer, A. C
Benson,	Good,	Malie,	Schuck,
Bergey,	Goss,	Mannion,	Scott, S. B.,
Bigger,	Grabe,	Martin,	Semmens,
Bittles,	Gray, Frank,	Matt,	Shaffer, C. A.,
Blair, W. A.,	Haggerty,	McAllister,	Shaffer, I. E.,
Blair, W. F.,	Hemminger,	McCaig,	Showalter,
Brown,	Herman,	McClintock,	Smith, L.,
Brownlee,	Hoyburn,	McDermott,	Snavely,
Caldwell,	Hobbs,	McKay,	Snyder,
Campbell, C.M.,	Howard, R.,	Mechling,	Spangler,
Campbell, J.J.	Humes,	Miller,	Spillinger,
Carson,	Irwin, G. C.,	Mitchell,	Steedle,
Carter,	Irwin, H. H.,	Moses,	Steele,
Cheeseman,	Jackson,	Moulthrop,	Swartz,
Claycomb,	Jones, J. R.,	Murphy,	Swift,
Cleary,	Kaiser,	Musser,	Thomas,
Cochran,	Kaufman,	Newbaker,	Ulerich,
Collins,	Keegan,	Newton,	Walnut,
Conniff,	Keeport,	Pennegar,	Walton,
Conner,	Kenna,	Piper,	Watson,
Conrade,	Kennedy,	Post,	Whitman,
Currier,	Kern,	Ramsey,	Wildman,
Davis,	Kuhn, H. P.,	Redfield,	Young, G. K.,
Dickinson,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Donahoe,	Latshaw,	Rex,	Zimmerman,
Donnally,	Lenker,	Richards,	Alter,
Down,		Robinson,	Speaker.

NAYS—70.

Alworth,	Gans,	McArdle,	Riebel,
Arthur,	Geary,	McNichol,	Rockwell,
Baldwin, R. J.,	Gibson,	Mellott,	Roney,
Bayle,	Glenn,	Metzenbacher,	Rothenberger,
Becker,	Gramley,	Missimer,	Scott, J. R. K.,
Benninger,	Gransback,	Moore,	Shern,
Berntheizel,	Gray, Joseph,	Morrow,	Sherwood,
Body,	Hackett,	Neel,	Smith, J. W.,
Burnett,	Heidinger,	North,	Speiser,
Cox,	Hess,	O'Neill,	Stone,
Curry,	Hibshman,	Peachey,	Trach,
Dunn, H. L.,	Howard, J.,	Perry, H. L.,	Walsh,
Dunn, J. A.,	Jones, E. E.,	Perry, S. J.,	Whitaker,
Eichenberger,	Klepper,	Peters,	Williams,
Ewing,	Lanius,	Price,	Wilson, J. H.,
Fahey,	Mather,	Reeser,	Wilson, W. H.,
Flynn,	McAleer,	Rhoads,	Wiltbank,
Forster, I. G.,			
Frey,			

And the question was determined in the affirmative.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ROCKWELL. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ROCKWELL. Mr. Speaker, in reading the papers which I read here tonight, there is an error which I wish to correct. The figures should be as follows: In 1909 the amount of this tax was $1,480,787.46. In 1910, $1,555,549.68. In 1911, $1,604,426.78.

RESOLUTION.

Mr. GEISER. Mr. Speaker.

The SPEAKER. The gentleman from Northampton, Mr. Geiser.

Mr. GEISER. Mr. Speaker, I desire to call up Resolution No. 10, and ask that a vote be taken upon it now.

The SPEAKER. Resolution No. 10 will be read by the Clerk.

The Clerk read the resolution, as follows:

INVESTIGATION OF PERSONS HOLDING MORE THAN ONE POSITION.

Whereas, It is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered

Therefore be it

Resolved, That a committee of five members of the House of Representatives, to be appointed by the Speaker of the House, two of whom shall be Democrats shall be and are hereby constituted a committee to inquire into the facts and to make report of their findings to the House within thirty days. Such committee shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a Committee of the House of Representatives.

On the question,

Will the House agree to the resolution?

Mr. GEISER. Mr. Speaker and Gentlemen of the House, I wish to inform this House that during this administration there have been a number of men holding more than one job and receiving salaries out of proportion for the service they have rendered. I desire to read, as follows, an article taken from the press:

Chief Clerk George Thorn, in the Secretary of the Commonwealth's office, receives a salary of $2,500, and he also is secretary of the Board of Pardons at $1,000, besides receiving perquisites for counting the State Vote.

John Kendlehart, a clerk in the same department at $1,400, receive $500 more as clerk of the Board of Pardons and the fees of notary public.

John F. Whitworth is corporation clerk of $2,250, and secretary of the Underground Railroads Commission at $750. Until Governor Pennsypacker asked for his resignation he also was a water commissioner at $3,000. The Underground Railroad Commission has issued only one charter since it was established under Governor Stone.

James V. Murray, corporation clerk in the Auditor-General's Department, receives a salary of $3,000. He is also clerk to the Board of Accounts at $300.

Christian Mevers, County Clerk at $2,200, is secretary to the Board of Revenue Commisioners at $1,000. A sub clerk writes the minutes, declared Mr. Geiser.

H. D. Jones is cashier in the State Treasury at $5,000 a year. He is also secretary of the Sinking Fund at $1,000, and until recently was secretary of Public Grounds and Buildings at $600.

Deputy Secretary of Internal Affairs James Craig receives a salary of $3,000. He is also secretary of the Board of Property at $300.

Walter Gaither is private secretary to the Governor at $5,000, recorder of the Board of Pardons at $500 and secretary of the Panama-Pacific Exposition Commission.

Cassius A. Dunn, as stenographer in the Executive Department, receives $1,200 and as clerk to the Capital Park Commission, $600.

Samuel P. Todd is executive controller at $3,000, and secretary of the Capitol Park Commission to investigate prices of real estate at $3,000.

Harry McDevitt is assistant controller at $1,800 and secretary of the Board of Public Buildings and Grounds at $600.

Thomas J. Lynch is assistant executive clerk at $1,800 and a water commissioner at $3,000.

Benjamin Demming, chief clerk to the Adjutant General, has a salary of $1,800; as recorder of the State Military Board receives $300, and as secretary of the Armory Boards of the State $300.

Now, gentlemen, this resolution is simply giving the information which I have just brought to your attention. It is brought before the House in proper order. It has been two weeks since I offered this resolution. It is thoroughly progressive and its object is to bring about a change from these methods which have existed in this State for a number of years. Malus usus abolen dusest.

On the question,

Will the House agree to the resolution?

It was agreed to.

REQUESTING STATEMENT FROM CHARITABLE INSTITUTIONS.

Mr. McALEER offered the following resolution, which was twice read, agreed to and

Ordered, To lie over, under the rules for printing.

House of Representatives, Harrisburg, Pa.

Resolved, That every institution which received an appropriation of State funds for charitable purposes from the session of one thousand nine hundred and eleven and which is again applying for an apropriation from this House shall furnish to this body before March first a list of all monies paid out for salaries or other remuneration in excess of $75.00 per month or $900 per pear, giving name of person to whom paid, amount paid and character of services rendered

And be it Further Resolved, That a copy of this report be furnished to each member.

BILLS RECOMMITTED.

Mr. NORTH. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that House Bill No. 336, file folio 339, entitled:

An Act making it unlawful to use any type of mining machine in the removal of ribs stumps or pillars in any bituminous coal mine in the State of Pennsylvania

be recommitted to the Committee on Mines and Mining for the purpose of a hearing.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. NORTH. Mr. Speaker, by way of explanation I will say to the gentlemen of the House that a number of my constituents would like to have a hearing on this bill. They called me on the long distance this morning and asked me if I would see to have that arrangement carried out. I spoke to the Chairman of the Committee and he very kindly agreed to grant that request. I then went to the author of the bill, and asked him if he would also agree to have the bill recommitted for that purpose and he seems anxious there shall be no delay. In all fairness I hope the House will agree to have this bill recommitted for that purpose. Personally I know nothing about the bill. I have not even read it, but I know the people from my section of the state are vitally interested in this bill and they will be here tonight on a late train. If the hearing can be arranged tomorrow it will certainly not delay the bill any length of time.

Mr. McDERMOTT. Mr. Speaker, I object to the recommitting of this bill at this time. They have had ample time to have a hearing on this bill and will have opportunity for a hearing before the Senate if this bill is carried in the House. I have no objections to their getting a hearing upon this bill when it gets to the Senate, but I do not think it should be referred back to the committee here and now.

I am willing for one bill on the calendar to go back to the committee and that is House Bill No. 341.

Mr. WATSON. Mr. Speaker and gentlemen of the House, anything that I may say on this will not indicate how I may vote on this bill, as I have not made up my mind how I will vote on it; but as Mr. North has said he lives in a region where this may affect either the operators or the miners, and there is a great demand to have a hearing; I will say frankly that I think under the circumstances this bill should not be hastily considered here. For myself I did not notice it, until it was on second reading, and I sent copies of it out, and I think it is but fair that these people should have a hearing. It will not delay the bill any length of time, and I ask the members of the House, under the circumstances, and so that both parties can be heard, that they will grant this request.

Mr. W. A. BLAIR. Mr. Speaker, I have no objections to having a hearing on any of these bills, but these mining bills were considered in committee for nearly the ten days allotted, and these gentleman have had ample time to appear before the committee before this time. These bills, especially these mining bills, have all been in the paper and the mine operators have been in touch with each and every one of them. While there is no objection, at the same time, the committees have a great deal of work to do and if we have got to have a hearing at any time anybody wants to have these bills recommitted we will be here until next March. There was no dissension at all upon any of these bills in committee. Every person interested had an opportunity to be there, and I think that it is only wasting time to recommit the bills.

On the question recurring,

The SPEAKER declared he was in doubt.

Whereupon a division was called for, 88 voting in the affirmative and 86 in the negative.

And the question was determined in the affirmative and the motion adopted.

Mr. RICHARDS. Mr. Speaker, I ask, as the sponsor of the bill, that House Bill No. 556, entitled:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioners of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act

on page 7 of tonight's calendar, be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. NORTH. Mr. Speaker, I move that House Bill No. 341, entitled:

An Act to amend article nineteen section three of an act entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" Approved June ninth one thousand nine hundred and eleven Pamphlet Laws seven hundred fifty-six

be recommitted to the Committee on Mines and Mining for the purpose of a hearing.

Mr. WILDMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. NORTH. Mr. Speaker, I move that House Bill No. 234, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons' seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

on page 7 of tonight's calendar be recommitted to the committee on Mines and Mining for the purpose of a hearing.

Mr. WILDMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 306, entitled:

An Act to further regulate the granting of licenses for the sale of vinous spirituous malt or brewed liquors or any admixture thereof by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of ten thousand or upward and by permitting the electors of any city or borough containing a population of ten thousand or upward to determine by an election whether the granting of licenses for such sale therein shall be prohibited

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 482, entitled:

An Act to provide for the holding of a constitutional convention the election of delegates thereto and the submission of the report thereof for the approval of the people

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 587, entitled:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 102, entitled:

An Act amending section thirty-three of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing punishment for certain offenses committed by judges of election

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 143, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 648, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 276, entitled:

An Act regulating the deposit of county funds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 245, entitled:

An Act making an appropriation to the State Board of Censors of moving pictures

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 356, entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having beeen bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 147, entitled:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act amending section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three as amended by the act of Assembly approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 456, entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the bureau therein and making an appropriation therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considerationtion of House Bill No. 529, entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of four years beginning June first one thousand nine hundred and nine and ending May thirty-first one thousand nine hudred and thirteen

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 530, entitled:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 366, entitled:

An Act authorizing the appointment of a Commission to inquire into the subject of creating a public pension for dependent mothers defining its powers and duties and making an appropriation for the expenses therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 130, entitled:

An Act amending section twenty-six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing for secrecy in voting for rendering assistance to voters unable to mark their ballots by reason of physical disability and defining the term physcial disability and imposing certain duties upon judges of election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president judge of the court of common pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 552 (Senate No. 4) entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 555. (Senate Bill No. 21), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 611, (Senate Bill No. 82), entitled:

An Act providing for the resentencing of convicts who shall have been or shall be sentenced under a law declared to be unconstitutional

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on third reading of House Bill No. 389, entitled:

An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled An act relating to private sales of real estate ordered decreed or approved by the orphans' courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Adams,	Flynn,	Lenker,	Reeser,
Allen,	Forster, I. G.,	Leslie,	Rex,
Alworth,	Foster, J. D.,	Letzkus,	Rhoads,
Ambler,	Geary,	Light,	Richards,
Arthur,	Geiser,	Lowers,	Robinson,
Baldwin, R. J.,	Gibson,		Roney,
Bayle,	Glenn,	Mannion,	Rothenberger,
Becker,	Good,	Martin,	Runk,
Benninger,	Goss,	Matt,	Sassaman,
Benson,	Grabe,	McAleer,	Savacool,
Bergey,	Gramley,	McAllister,	Schaeffer, A. C
Berntheizel,	Gray, Frank,	McArdle,	Schuck,
Bigger,	Gray, Joseph,	McCaig,	Scott, J. R. K.,
Bittles,	Hackett,	McClintock,	Scott, S. B.,
Blair, W. A.,	Haggerty,	McDermott,	Shaffer, C. A.,
Bleloch,	Heidinger,	McKay,	Shaffer, I. E.,
Body,	Hemminger,	McNichol,	Shern,
Brosius,	Hess,	Mechling,	Showalter,
Brownlee,	Heyburn,	Mellott,	Smith, J. W.,
Caldwell,	Hibshman,	Metzenbacher,	Smith, L.,
Campbell, C.M.,	Hobbs,	Miller,	Snavely,
Campbell, J.J.	Hoffman,	Mitchell,	Snyder,
Carson,	Howard, J.,	Moore,	Spangler,
Carter,	Howard, R.,	Morrow,	Spillinger,
Cheeseman,	Humes,	Moses,	Steedle,
Claycomb,	Irwin, G. C.,	Moulthrop,	Steele,
Cleary,	Irwin, H. H.,	Murphy,	Strauss,
Cochran,	Jackson,	Musser,	Swartz,
Collins,	Jones, E. E.,	Neel,	Swift,
Conner,	Jones, J. R.,	Neely,	Thomas,
Conniff,	Kaiser,	Newbaker,	Ulerich,
Conrade,	Kaufman,	Newton,	Walton,
Cox,	Keegan,	North,	Watson,
Currier,	Keeport,	O'Neill,	Whitaker,
Curry,	Kenna,	Peachey,	Whitman,
Davis,	Kennedy,	Pennegar,	Wildman,
Dickinson,	Kern,	Pennock,	Williams,
Donahoe,	Klepper,	Perry, S. J.,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Peters,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Piper,	Wiltbank,
Ehrhardt,	Lanius,	Post,	Young, G. K.,
Eichenberger,	Latshaw,	Price,	Young, J. H.,
Ely,		Ramsey,	Zimmerman,
Ewing,		Redfield,	Alter,
Fahey,		Reese,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.
Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 369, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth and to limit the hours of labor of fire bosses and persons whose duties either in whole or in part are those of a fire boss employed at, in or about the same, and fixing a penalty for the violation of any of the provisions of this act.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Adams,	Fahey,	Letzkus,	Rockwell,
Allen,	Forster, I. G.,	Light,	Rothenberger,
Alworth,	Foster, J. D.,	Lowers,	Runk,
Ambler,	Frey,	Malle,	Sassaman,
Arthur,	Gans,	Mannion,	Savacool,
Baldwin, R. J.,	Geary,	Martin,	Schaeffer, A. C
Barner,	Gibson,	Mather,	Schuck,
Bayle,	Glenn,	Matt,	Scott, J. R. K.,
Becker,	Good,	McAleer,	Scott, S. B.,
Bergey,	Goss,	McAllister,	Shaffer, C. A.,
Berntheizel,	Grabe,	McCaig,	Shaffer, I. E.,
Bigger,	Gramley,	McClintock,	Shern,
Bittles,	Gray, Frank,	McDermott,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McKay,	Showalter,
Blair, W. F.,	Hackett,	McNichol,	Smith, J. W.,
Bleloch,	Haggerty,	Mechling,	Smith, L.,
Body,	Heidinger,	Mellott,	Snavely,
Brosius,	Hemminger,	Metzenbacher,	Snyder,
Brown,	Hess,	Miller,	Spangler,
Brownlee,	Heyburn,	Missimer,	Speiser,
Burnett,	Hibshman,	Mitchell,	Spillinger,
Caldwell,	Hobbs,	Morrow,	Steedle,
Campbell, C.M.,	Hoffman,	Moses,	Steele,
Campbell, J.J.	Howard, J.,	Murphy,	Stone,
Carson,	Howard, R.,	Musser,	Strauss,
Carter,	Humes,	Neel,	Swartz,
Cheeseman,	Irwin, G. C.,	Newbaker,	Swift,
Claycomb,	Irwin, H. H.,	Newton,	Thomas,
Cleary,	Jackson,	North,	Trach,
Cochran,	Jones, E. E.,	O'Neill,	Ulerich,
Collins,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaiser,	Pennock,	Walsh,
Conniff,	Kaufman,	Perry, H. L.,	Walton,
Conrade,	Keegan,	Perry, S. J.,	Watson,
Cox,	Keeport,	Peters,	Whitaker,
Currier,	Kenna,	Piper,	Whitman,
Curry,	Kennedy,	Post,	Wildman,
Davis,	Kern,	Price,	Williams,
Dickinson,	Klepper,	Ramsey,	Wilson, J. H.,
Donahoe,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dunn, H. B.,	Lanius,	Rex,	Young, G. K.,
Dunn, J. A.,	Latshaw,	Rhoads,	Young, J. H.,
Ehrhardt,	Lenker,	Richards,	Zimmerman,
Eichenberger,	Leslie,	Riebel,	Alter,
Ely,		Robinson,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 421, entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and five, and making the sum of four dollars taxed as costs for every verdict taken in any given action payable to the prothonotary instead of to the sheriff.

On the question,

Will the House agree to the bill on third reading?

Mr. MATT: I desire to interrogate the gentleman from Erie.

The SPEAKER: Will the gentleman from Erie permit himself to be interrogated?

Mr. MITCHELL: I will.

Mr. MATT: I desire to ask the gentleman the question why the four dollars is to be transferred to the prothonotary from the Sheriff?

Mr. MITCHELL: For the information of the gentleman from Bedford and the other members of the House, I wish to say that under the law of 1885 in any civil action the unsuccessful party pays four dollars to the Sheriff which is taxed as costs and paid into the county treasury to pay the jury and other expenses of the county. The only change whatever made in the present law is changing the word "Sheriff" to "Prothonotary," simply changing the custodian of the money, and making no other alteration of the law. In every other respect it is exactly the same as the present law.

The question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Adams,	Fahey,	Lenker,	Richards,
Allen,	Flynn,	Leslie,	Riebel,
Alworth,	Forster, I. G.,	Lowers,	Robinson,
Ambler,	Foster, J. D.,	Malie,	Rockwell,
Arthur,	Frey,	Mannion,	Roney,
Barner,	Gans,	Martin,	Rothenberger,
Bass,	Geary,	Mather,	Runk,
Bayle,	Geiser,	Matt,	Sassaman,
Becker,	Gibson,	McAleer,	Savacool,
Benninger,	Glenn,	McAllister,	Scott, J. R. K.,
Benson,	Good,	McArdle,	Scott, S. B.,
Bergey,	Grabe,	McCaig,	Shaffer, C. A.,
Bigger,	Gramley,	McClintock,	Shaffer, I. E.,
Bittles,	Gransback,	McDermott,	Shern,
Blair, W. A.,	Gray, Frank,	McKay,	Sherwood,
Blair, W. F.,	Gray, Joseph,	McNichol,	Showalter,
Bleloch,	Hackett,	Mechling,	Smith, J. W.,
Body,	Haggerty,	Mellott,	Smith, L.,
Brosius,	Heidinger,	Metzenbacher,	Snavely,
Brown,	Hess,	Miller,	Spangler,
Burnett,	Heyburn,	Missimer,	Speiser,
Caldwell,	Hibshman,	Mitchell,	Spillinger,
Campbell, C.M.,	Hobbs,	Moore,	Steedle,
Carson,	Hoffman,	Morrow,	Steele,
Carter,	Howard, J.,	Moses,	Stone,
Cheeseman,	Howard, R.,	Moulthrop,	Strauss,
Claycomb,	Humes,	Musser,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Cochran,	Irwin, H. H.,	Neely,	Thomas,
Collins,	Jackson,	Newbaker,	Trach,
Conner,	Jones, E. E.,	Newton,	Ulerich,
Conniff,	Jones, J. R.,	North,	Walnut,
Conrade,	Kaiser,	O'Neill,	Walsh,
Cox,	Kaufman,	Pennock,	Walton,
Currier,	Keegan,	Perry, H. L.,	Watson,
Curry,	Keeport,	Perry, S. J.,	Whitaker,
Davis,	Kenna,	Peters,	Whitman,
Dickinson,	Kennedy,	Piper,	Wildman,
Donahoe,	Kern,	Post,	Williams,
Donnally,	Klepper,	Price,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
Dunn, J. A.,	Lanius,	Reese,	Young, G. K.,
Ehrhardt,	Latshaw,	Reeser,	Young, J. H.,
Eichenberger,		Rex,	Zimmermar,
Ely,		Rhoads,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 454, entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses, wagons, et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel.

On the question,

Will the House agree to the bill on third reading?

Mr. SHOWALTER: Mr. Speaker, I notice that there is a typographical error in this bill, and therefore ask the unanimous consent of the House to offer an amendment at this time.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section one, line 13, by striking out the word "as" and inserting the word "so".

The SPEAKER: Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 354, entitled:

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleansed after each individual use, and providing a penalty for violation thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. ULERICH. I desire to interrogate the gentleman from Franklin?

The SPEAKER: Will the gentleman from Franklin permit himself to be interrogated?

Mr. RUNK: I will.

Mr. ULERICH: I would like the gentleman to tell the members of this House that if this bill should become a law what provisions could be made for ascertaining whether the provisions of the law were carried out. It says here in the latter part of the bill, or in one part of the bill, "such finger bowls have been thoroughly cleansed after each individual use." How would you ascertain whether or not the law has been carried out in that regard?

Mr. RUNK: I had intended to say a few remarks on this subject and I will be glad to be interrogated.

Mr. Speaker and gentlemen of the House: I arise as much as matter of personal privilege as to defend the merits of this bill. When this bill was introduced in the House, a reporter for a newspaper, called this Health Department bill, one of Dr. Dixon's "freak bills." Some young men down in the Cumberland Valley assumed to be funny, engaging even in poetical effusions. I therefore have had some rather exasperating notoriety. 'This Finger Bowl Bill, is only one of many which have come from the Department of Health. I am not the author of this bill. It was advised by the Advisory Board of the Department of Health of Pennsylvania, composed of the following well known professional men: Adolph Koenig, M. D., Lee Masterson, Civil Engineer; Charles B. Penrose, M. D.; George W. Guthrie, M. D.; B. H. Warren, M. D., and author of that splendid book on the Birds of Pennsylvania, and Charles J. Marshall, Veterinary, M. D.

Being a member of the House Committee on Health and Sanitation, a representative of the Health Department, a personal friend of mine, asked me to introduce the bill, and as you all know my name had to be written on the bill. At first reading I felt as if this finger bowl measure was one of a trivial nature, but having implicit confidence in the Advisory Board and Dr. Dixon, whose name and fame is known all over the civilized world, I hesitated not.

My curiosity became aroused by the queer newspaper references to the finger bowl bill, and I commenced to study the dangers lurking in the oft used waters in finger bowls at hotels and restaurants where the bowl is used daily. It took only a brief time in reading Health reports, not only of Pennsylvania, but those of the United States Public Health Service, to convince me that the Finger Bowl is as dangerous as the Common Drinking Cup. I am now an earnest advocate of this bill for the protection of the public.

If you go to a hotel or restaurant and pay for the meal you order, is it asking too much of a waiter who lurks around expecting a tip, perhaps as large as you pay for the meal, to get you clear water in a finger bowl, and not

require you to use water which has washed the fingers and lips of others before you? Is it asking too much of a proprietor to see that his customers are protected from disease which is more readily contracted through water than any other source? If there is any gentleman within the sound of my voice who is willing to be subjected to such a danger, let him be interrogated.

C. H. Lavinder, surgeon of the United States Public Health Service, in the United States Health Report of January 3, 1913, says this about the finger bowl: "It seems to be customary even in high-classed hotels and restaurants to have in use half a dozen finger bowls, more or less, and these to serve for many patrons. The water in them seems to be changed at rare intervals and entirely in the discretion of the waiter. Occasionally one will see the old water poured out and fresh poured in, but far from frequently even this is not done. I presume the bowls must be washed now and then. Now, when one considers that many persons in using these bowls wash not only their fingers but their lips as well, it would seem that the conditions of the Common Drinking Cup are different only in degree. Moreover with the finger bowl it is not only the question of using a Common bowl but often Common water also.

Since I first noticed in some hotels and restaurants, says Dr. Lavinder, this disgusting manner of serving those convenient accessories of a table service, I have taken some pains to learn how widespread such a thing might be, and my observations lead me to the belief that it is very common indeed. I am inclined to think that the Common finger bowl should be classed with the Common Drinking cup as an offense of the same character, but possibly less in degree."

Now Gentlemen of the House this bill was unanimously recommended as committed by the Committee of the House on Health and Sanitation, a committee composed partly of splendid physicians and chemists. At the time it was being considered, a doctor, a specialist on the eye, ear, throat and nose, was present and has since told me that if this bill passed the House he would personally go before the Health and Sanitation committee of the Senate and urge its passage by that body, for he considered it one of the most dangerous practices at the table service.

So gentlemen if it is a "freak or foolish bill" can we conclude that the Advisory Board of the Health Department, Dr. Dixon and Dr. Lavinder, are foolish men, for it is their measure, their conclusions, and their recommendations for the benefit of mankind. I have done my part in expressing faith in these men, now let us see what you think of them. If you vote down their measure, some day, some time, somewhere, the disease you may catch from the use of the common finger bowl by using the same water that others have used before you, may cause you to remember the advice of Dr. Dixon and his associates.

Mr. LANIUS. Mr. Speaker, will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Franklin permit himself to be further interrogated?

Mr. RUNK. I will.

Mr. LANIUS. Did not the gentleman say that one of these medical authorities was an expert on canary birds.

Mr. RUNK. I do not think I said that.

Mr. LANIUS. Did you not read the name of Dr. Charles Marshall, a veternary surgeon?

Mr. RUNK. I did.

Mr. LANIUS. Do you mean by that that we are to furnish finger bowls for the cattle also.

Mr. RUNK. It would not do any harm.

Mr. LANIUS. Do you not think that there is just as much danger in dirty dishes.

Mr. Runk. Sure.

Mr. LANIUS. Should they not wash the dishes also? I use a knife, and a fork, and a spoon, and a plate and cup. I might not take notice to the finger bowl, and might perhaps drink the water out of it.

Mr. Runk. That is a matter for you, Mr. Lanius.

Mr. ULERICH. Mr. Speaker, I have just ascertained that the gentleman from Franklin is not the author of this bill. I took this bill for a joke the first time I read it, and I was going to make a motion that it be passed as a joke only. I think it has gone far enough; we have given it proper respect, and we should not take it any further. If the party who drew up this bill is really serious about this matter, we ought to start at the beginning with the service of the table, beginning with soup and going clean along the line down to the finger bowl and table cloth. The bill is not wide enough.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—71.

Adams,	Flynn,	Kenna,	Reeser,
Alworth,	Forster, I. G.	Kennedy,	Rhoads,
Ambler,	Foster, J. D.,	Kuhn, H. P.,	Richards,
Barner,	Gans,	Leslie,	Schaeffer, A. C
Bayle,	Gibson,	Letzkus,	Scott, J. R. K.,
Becker,	Glenn,	Mannion,	Showalter,
Bigger,	Gransback,	Mather,	Smith, J. W.,
Bittles,	Gray, Joseph,	McNichol,	Snavely,
Blair, W. A.,	Hoffman,	Morrow,	Snyder,
Bleloch,	Howard, J.,	Moses,	Spillinger,
Brosius,	Humes,	Moulthrop,	Steedle,
Carson,	Irwin, H. H.,	Newton,	Steele,
Cleary,	Jackson,	O'Neill,	Swift,
Davis,	Jones, J. R.,	Perry, S. J.,	Thomas,
Donahoe,	Kaiser,	Piper,	Williams,
Dunn, H. B.,	Kaufman,	Price,	Wilson, J. H.,
Dunn, J. A.,	Keeport,	Reese,	Young, J. H.,
Ehrhardt,			Alter,
Ewing,			Speaker.

NAYS—108.

Allen,	Fahey,	Matt,	Rothenberger,
Arthur,	Geiser,	McAleer,	Runk,
Baldwin, R. J.,	Goss,	McArdle,	Sassaman,
Benninger,	Gramley,	McCaig,	Schuck,
Benson,	Gray, Joseph,	McClintock,	Scott, S B.,
Bergey,	Hackett,	McKay,	Semmens,
Berntheizel,	Haggerty,	Mellott,	Shaffer, C. A.,
Blair, W. F.,	Heidinger,	Metzenbacher,	Shern,
Body,	Hemminger,	Miller,	Smith, L.,
Brown,	Herman,	Missimer,	Spangler,
Burnett,	Hess,	Mitchell,	Speiser,
Caldwell,	Heyburn,	Moore,	Stone,
Campbell, C.M.,	Hibshman,	Musser,	Strauss,
Campbell, J.J.	Hobbs,	Neel,	Swartz,
Carter,	Howard, R.,	Newbaker,	Trach,
Cheeseman,	Jones, E. E.,	North,	Ulerich,
Claycomb,	Keegan,	Peachey,	Walnut,
Cochran,	Kern,	Pennegar,	Walsh,
Collins,	Klepper,	Pennock,	Walton,
Conner,	Kuhns, E.G.M.,	Perry, H. L.,	Watson,
Conniff,	Lanius,	Peters,	Whitaker,
Conrade,	Lenker,	Post,	Whitman,
Cox,	Light,	Ramsey,	Wildman.
Currier,	Lowers,	Redfield,	Wilson, W. H.,
Curry,	Malie,	Riebel,	Wiltbank,
Dickinson,	Martin,	Rockwell,	Young, G. K.,
Donnally,		Roney,	Zimmerman,
Down,			
Eichenberger,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill fails.

BILLS ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 443, as follows:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of June one thousand nine hundred and thirteen the clerks and other employes in the Department of the Auditor General and their salaries shall be as follows

A Deputy Auditor General at five thousand five hundred dollars ($5,500) per annum

An Assistant Deputy Auditor General at four thousand five hundred dollars ($4,500) per annum together with his expenses actually and necessarily incurred in investigations and in the trial of cases and in other mattters assigned to him by the Auditor General

A chief clerk at three thousand five hundred dollars ($3,500) per annum

Seven traveling auditors each ot one thousand eight hundred dollars ($1,800) per annum together with expenses actually and necessarily incurred by them in the performance of the duties assigned them

Ten additional clerks who may be assigned by the Auditor General to any bureau as needed each the sum of one thousand five hundred dollars ($1,500) per annum

Three filing and index clerks each at one thousand four hundred dollars ($1,400) per annum

Two stenographers each at one thousand five hundred dollars ($1,500) per annum

One stenographer at one thousand four hundred dollars ($1,400) per annum

One messenger at one thousand two hundred ($1,200) per annum
One night watchman at nine hundred dollars ($900) per annum
In the Bureau of Coroprations
One chief clerk of the Bureau of Coroprations at five thousand dollars ($5,000) per annum
One assistant chief corporation clerk at four thousand five hundred dollars ($4,500) per annum
One assistant chief corporation clerk at four thousand dollars ($4,000) per annum
Five clerks each at two thousand four hundred dollars ($2,400) per annum
Six clerks each ot one thousand eight hundred dollars ($1,800) per annum
Seven clerks each at one thousand six hundred dollars ($1,600) per annum
In the Bureau of Collections from Public Officers
One chief clerk at three thousand dollars ($3,000) per annum
Two clerks each at one thousand eight hundred dollars (1,800) per annum
One clerk at one thousand six hundred dollars ($1,600) per annum
Three clerks each at one thousand five hundred dollars ($1,500) per annum
One escheat clerk at one thousand eight hundred dollars ($1,800) per annum
In the Bureau of Accounts and Expenditures
One chief clerk at three thousand dollars ($3,000) per annum
One assistant chief clerk and warrant clerk at two thousand five hundred dollars $2,500) per annum
One appropriation clerk at two thousand dolllars ($2,000) per annum
Five clerks each at one thousand five hundred dollars ($1,500) per annum
One statistician at two thousand dollars ($2,000) per annum
One asistant statistician at one thousand eighth undred (1,800) per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 158, as follows:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An act relative to mortgages" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shal be affected by the passage of this act if the same be recorded within sixty days from the execution thereof" is hereby amended to read of follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same All mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or extending such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within ten days from the date of the recording of the deed to the grantee

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MITCHELL. Mr. Speaker, I move that House bill No. 158, just read, be recommitted to the Committee on Judiciary Special.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 265, as follows:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

County Hospitals for Treatment of Tuberculosis

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any county in this Commonwealth after action taken as provided in the following section of this act to establish and maintain a hospital for the care and treatment of persons suffering from tuberculosis or to join with other counties of this Commonwealth to establish and maintain such hospital

For this purpose it shall be lawful for any county by its county commissioners to appropriate money or to issue bonds as hereinafter provided

Petition to Court of Quarter Sessions for an election to Approve Bond Issue

Section 2 Whenever it shall be desired to establish a hospital as described in section one by any county within this Commonwealth or by a group of any two or more counties each one of which is contiguous with one or more of the others the citizens of any such county or counties may present to the court of quarter sessions of the county a petition signed by five per centum of the legally qualified voters within the county as determined by the registry lists for the last preceding general election therein and setting forth that in the judgment of the petitioners it is desirable that such a hospital be established by the county in which the petitioners reside or jointly with the specified county or counties and that for such purpose it is desirable that the county of the petitioners shall issue interest bearing bonds for such purpose to the amount stated in the petition and in case joint action with any other county or counties be contemplated specifying the proportionate amount of money to be contributed at the outstart by each county and praying the court to order an election in the said county upon the question of the issue of said bonds to the amount and for the purposes stated

The said petition shall be subscribed by the petitioners within two months immediately preceding the presentation thereof to the court and shall be verified by affidavit of five or more of the petitioners to the effect that the subscribers constitute the required per centum of legally qualified voters within the county The date of signing by each subscriber and his place of residence shall be clearly set forth in the petition

Filing of Petition Time of Exceptions Action of Court

Section 3 The petition shall be filed with the clerk of the said court at least three months before any election held as hereinafter provided and the fact thereof shall be advertised once a week for two weeks in one newspaper published in the county town of the county and in like manner in the Law Reporter if any published in the county The court shall file an order directing that an election be held in the said county upon the question of the issue of bonds to the amount and for the purpose stated Provided That in any case where joint action is contemplated with any other county or counties the court may refuse to file such an order unless satisfactory proof is given that like petitions have been filed in such other counties provided further that in no case shall an order directing such election be filed within less than forty-five days before holding the same

Election Notice Conduct

Section 4 Whenever the court shall make an order as provided in section three the said election shall be held as part of the next general election in the county and the court shall direct the proper officers to give notice thereof in the county in the manner provided by law for holding general elections

The said election shall be conducted in all respects as the general at which the question shall be voted on provided that the officials whose duty it shall be to provide the ballots shall prepare ballots for such election upon which shall be printed in brief form a statement of the questions submitted followed by the words "for a bond issue" or "against a bond issue" to which may be added directions for voting The expense of the election shall be borne by the county

Returns of Election

Section 5 The court or officer to whom the returns of the said election shall be made shall certify the result thereof to the court of quarter sessions having jurisdiction of the proceedings

Effect of Election Decree of Court

Section 6 (1) If it shall appear by the vote when computed and certified as aforesaid that a majority of the legally

qualified voters of the county voting upon such question have voted in favor of the bond issue the said court of quarter sessions shall enter a decree that the prayer of the petitioners be granted and that the county commissioners shall prepare and cause to be issued in due conformity with law the bonds of the county to the amount set forth in the petition and for the purpose therein specified and shall certify the result of the election to the county commissioners upon whom also shall be served a copy of the decree and to the Governor of the Commonwealth to the Commissioner of Health and to such other board commission or commissioner of the Commonwealth as may have supervision over the said hospital when established

But if a majority of the voters so voting shall vote against the bonds issue the entire proceedings shall be dismissed by the court and the said question shall not again be submitted to the vote of the electors within a period of less than two years from the date of such election

(2) In any case where the petition filed shall contemplate the action of the county jointly with any other county or counties the court shall before entering any decree as provided in subsection one require satisfactory proof in such manner as it may determine of the result of the vote in the other county or counties concerned and the failure of the legally qualified voters of any county concerned to approve the said bond issue shall render void the said election in all the counties concerned and in such case the court in any county where the vote has been in favor of the bond issue shall dismiss the entire proceedings provided that the dismissal in such cases shall not prevent the filing of a petition in that county at any time thereafter

Hospital Board of Directors

Section 7 Whenever any bond issue shall have been approved in accordance with the provisions of this act to establish in any county or counties a hospital for the care and treatment of persons suffering from tuberculosis there shall be and the same is hereby established a board of directors for the purpose of erecting maintaining directing and managing the same for and on the behalf of the county or counties concerned The said board shall consist of five members and shall possess the powers and perform the duties hereinafter specified and also have all powers necessary to enable it to carry out the purposes of this act The said directors shall be a body corporate by the name and style of the Tuberculosis Hospital of County or of and Counties as the case may be under which name it may sue or be sued conduct its business and acquire and hold such real estate rights and easements as may be deemed necessary for carrying out the duties imposed by this act

Appointment of Directors Qualifications Terms Vacancies

Section 8 Within ninety days after the Governor shall have received from the said court or courts as provided in section six a proper certification of the result of the said election or elections he shall be and with the advice and consent of the Senate appoint five citizens of the county or counties concerned at least one of whom shall be a woman and two of whom shall be reputable physicians practicing their profession therein to be members of the board of directors provided that in case more than one county is concerned at least one citizen of each county shall be appointed to the board

Any person association or persons or incorporated society in the county or counties concerned may file with the Governor a list or lists of persons recommended for appointment as members of the said board

Each director shall at the date of his appointment have been a resident of the county or counties concerned for a period of at least one year prior thereto

The directors shall be appointed for a term of five years except that in the first instance the directors shall be appointed to serve from the date of their qualifications to the first Monday of February following the same and then for one two three four and five years respectively in order that the term of one of the said directors shall expire upon the first Monday of February in each year thereafter

Whenever a vacancy shall occur in the office of any director a director shall in the manner aforesaid be appointed for the residue of the term If the Senate shall not be in session when the original appointments are made the same shall be subject to the approval of the Senate when convened but shall for the interim be valid for all purposes if the Senate shall not be in session when any vacancy occurs the Governor shall fill the same and the director so appointed shall hold office until the end of the next session of the Senate unless his appointment shall have been confirmed before that time by the Senate in which case he shall hold office for the residue of the term

Compensation

Section 9 The said directors shall serve without compensation but shall be reimbursed from the funds of the hospital for actual traveling and incidental expenses incurred in the performance of their duties as such

Organization Quorum Officers

Section 10 As soon as practicable after their appointment and annually thereafter the directors of the said hospital shall meet and organize A majority of the board shall constitute a quorum They shall elect a chairman secretary and treasurer The secretary and treasurer may or may not be a member of the board The treasurer shall give bond in the name of the Commonwealth in an amount and with sureties approved by the board The board may make all necessary by-laws and regulations not inconsistent with the Constitution and laws of this Commonwealth and shall have power to employ during its pleasure and for compensation fixed by it a superintendent for the said hospital and such medical professional and other assistants agents or employes as shall be necessary to its operation as well as to purchase supplies and materials and to expend money for its maintenance It may require bonds from such officers agents and employes as it may deem prudent

Office Meetings

Section 11 The boards of directors shall establish an office within the said county or counties where all the records papers and documents of the board shall be kept and the same shall be open to the public inspection under reasonable rules established by the board

The said board shall meet at least quarterly at the office so established and shall hold its annual meeting on or before the first Monday of March of each year

Establishment of Hospital

Section 12 The board of directors shall promptly following its organization select and acquire a site for the intended tuberculosis hospital within the county or counties concerned and shall as soon as practicable erect thereon such buildings or make such improvements repairs or alterations in any existing buildings and do all things necessary to adapt and equip the same for use as a hospital for the care and treatment of persons suffering from tuberculosis

Take Lands and Waters for Hospital Purposes

Section 13 For the purposes of carrying out this act the board of directors of any hospital established hereunder shall have the powers subject to the same restrictions which are conferred upon the directors of any incorporated district having a hospital for the care and treatment of the insane by the act of Assembly entitled "An act to authorize all State hospitals for injured persons and all hospitals for the care and treatment of the insane et cetera to acquire lands et cetera" approved the sixth day of June Anno Domini one thousand nine hundred and seven pamphlet laws four hundred and seventeen provided that nothing in this section shall be construed to give the said boards authority to take by eminent domain the property of any private institution devoted to charitable uses and located in the county or counties concerned

In all such cases it shall be the duty of the commissioners of the county or counties concerned to give all necessary bonds of the county to secure the damages to be assessed for such taking

Funds for Establishment and Maintenance Source of

Section 14 It shall be the duty of the commissioners of the county or counties establishing the hospital upon services on them of a copy of the decree of quarter sessions as provided in section six to issue the interest-bearing bonds of their respective counties to the amount and for purpose specified in the said decree and to pay the proceeds thereof to the treasurer of the board of directors of the hospital to be used for the purpose of carrying out the provisions of this act

It shall be the further duty of the said commissioners in each year and at such times therein as the board of directors may request the same be requisition in writing to pay to the said treasurer such sum as the board may specify for the maintenance and operation of the hospital during the current period of the time provided that the total of the requisitions so made shall not in any year exceed an amount calculated by the multiplication of the number of weeks each patient is cared for and treated in the said hospital by the maximum per capita weekly maintenance allowance for each patient which shall annually be fixed by the board of charities less such sums as may be received by the treasurer on account of patients in the said hospital and provided further that the amounts to be paid by the commissioners of any county in case the hospital shall have been established by two or more counties shall be in proportion to the number of patients in the hospital at the time of the payment who are residents of or chargeable to the said county due allowance being made to the county for sums received by the treasurer of the hospital on account of said patients

The term "maintenance" as used in this act shall include a reasonable and suitable allowance for depreciation in the property of the hospital

Funds for Additions and Extensions

Section 15 Whenever the board of directors shall deem it advisable to erect an addition to or make an extension of the existing building of any hospital established hereunder or to acquire any new lands easements or rights therefor the cost of which cannot be defrayed from the unexpended proceeds of any proceding bond issue made under this act the board may apply to the commissioners of the county or counties establishing the said hospital for an appropriation from county funds to be used for the purpose stated in the application The said commissioners may by a majority vote make such an appropriation Provided That in the event of their failure to do so within two months of the receipt of said application a petition may be filed in each county concerned as provided in section two which shall be proceeded in all respects as in the case of an original petition and with like effect and if an additional bond issue shall be approved in such manner the cost of the said additions or extensions shall be defrayed from the proceeds thereof

Moneys to be Paid to Treasurer Deposit and Expenditures of

Section 16 All moneys whether received from the county commissioners under the provisions of this act or from any other source shall be paid to the treasurer of the board of directors who shall deposit the same in a banking institution organized under the laws of the United States or of this Commonwealth annually selected by the board

No moneys shall be expended except in accordance with the rules and regulations made by the board of directors

Powers and Authority of Directors

Section 17 In the management of the said hospital the board of directors shall have powers to make reasonable rules and regulations governing the admission care treatment and discharge of persons and all other rules and regulations necessary for the suitable and scientific operation of a hospital established for the care and treatment of persons suffering from tubercu-

losis There shall be no undue discrimination in the admission accommodation care or treatment of any patient provided however that preference shall be given to the admission as patients of residents of the county or counties establishing the hospital Subject to the laws of this Commonwealth the directors shall have full and complete authority over the duties and conduct of the superintendent and all other employes and over the property real and personal of the hospital

With respect to applicants for admission who are legal residents of the county or counties establishing the hospital the directors may by themselves or through the superintendent determine whether said applicants are objects of charity and may fix the terms and conditions upon which those who are and those who are not objects of charity may be admitted and treated for tuberculosis

Whenever any vacancies shall exist persons resident in this Commonwealth but not in said county or counties may be received for care and treatment for tuberculosis on payment by or for the patient or by the city borough or county in which he or she may be resident of a weekly or monthly sum to be fixed by the board of directors

The maximum charge to be made for any patient shall not exceed the average per capita maintenance cost for such patients plus a fair and profitable return for interest on the investment

In case there is a dispute as to the ability of any applicant for admission or of those legally liable therefor to pay the charge fixed by the board of directors or doubt in the board concerning the same the court of quarter sessions of the county establishing the hospital or in case of joint establishment of the county of which the said applicant is a resident may hear and determine the same on application of the board or any interested person and may call witnesses and make such order as may be proper

Report of Directors

Section 18 The board of directors shall at such times as may be fixed by law or if no other time be fixed on or before the second Monday of March of each year file with the clerks of the courts of quarter sessions of the county or counties establishing the hospital and with the Governor of the Commonwealth the Commissioner of Health and the Board of Public Charities a report of the proceedings with reference to such hospital and a statement of all receipts and expenditures during the last preceding fiscal year as well as a record of all admissions applications for admission and discharge from the said hospital and all such matters vital and other statistics as shall be pertinent and material

Donations and Bequests

Section 19 The board of directors of any hospital established hereunder are hereby authorized to receive and hold in trust for the use of such hospital any grant or devise of land or any gift or bequest of money or other personal property that may be given for the benefit of such hospital provided that no donation bequest or devise the terms of which will increase the maintenance cost of the said hospital and do not provide a corresponding increase in the maintenance fund shall be accepted by the said board without the approval of the commissioners of the county or of all the counties concerned

Repeal

Section 20 All acts or parts of acts inconsistent herewith are hereby repealed

Time of Effect

Section 21 This act shall take effect on the first day of July one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 25, entitled:

Ordered, To be transcribed for a third reading.

An Act authorizing the Department of Forestry to lease portions of the State forest for health and recreation purposes.

The first and second sections of the bill were read and agreed to as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the Department of Forestry is hereby authorized to lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen, church, organization or school board of Pennsylvania such portion of the State forest as the Department may deem suitable as a site for a temporary building to be used by such citizen or family for health and recreation or as a site for church or school purposes.

Section 2. The receipts from such leasing shall be paid into the State Treasury. Eighty per centum thereof so paid in shall constitute a part of the State School Fund of Pennsylvania.

The title was read as follows:

An Act authorizing the Department of Forestry to lease portions of the State forest for health and recreation purposes.

On the question,

Will the House agree to the title?

Mr. GIBSON. Mr. Speaker, I desire to offer an amendment to the title.

The amendment was read as follows:

Amend the title by inserting after the word "for" the words "church, school."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. CHAS. A. SHAFFER. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed, and at (9:45 o'clock P. M.) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

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SENATE.

TUESDAY, February 18, 1913.

The Senate met at eleven o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. Kurtz, the further reading was dispensed with, and the Journal was approved.

PETITION AGAINST CLUB LICENSE.

Mr. GERBERICH presented the petition of the citizens of Lebanon County against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was referred to the Committee on Law and Order.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEES.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at last evening's session, which were laid upon the table.

Mr. BUCKMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 2, entitled:

An Act to amend an act approved the 27th day of April, 1909, entitled "An act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Mr. MORGAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 162, entitled:

An Act providing for the joint acquisition by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River, and making an appropriation therefor.

Also from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 163, entitled:

An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll bridges over the Delaware River and making an appropriation therefor.

BILLS INTRODUCED.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 357, entiled:

An Act making an appropriation to Emma Lorah, mother of Bruce L. Lorah, formerly an Assistant Range-Master in the Ninth Regiment, National Guard of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 358, entitled:

An Act to enable minors, above the age of sixteen years, to contract for membership in fraternal and beneficial societies.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 359, entitled:

An Act authorizing fraternal beneficial associations, organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 360, entitled:

An Act relating to the organization and meetings of corporations not for profit, incorporated under the laws of Pennsylvania.

Which was committed to the Committee on Corporations.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 361, entitled:

An Act to authorize the acquisition at the cost of the Commonwealth for the use of the respective counties of bridges over one thousand feet in length erected over rivers, creeks and rivulets by corporations organized under general or special laws except bridges occupied in whole or in part by steam railroads and for the abolition of tolls thereon and regulating the procedure in such cases.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 362, entitled:

An Act providing for the granting of Teachers' Training School certificates and diplomas and defining the effect thereof.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 363, entitled:

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities, and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements.

Which was committed to the Committee on Municipal Affairs.

Mr. JUDSON read in his place and presented to the Chair Senate Bill No. 364, entitled:

An Act to fix, regulate and establish the fees to be charged by constables in this Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 365, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants, deoderants, entiseptics and germicides for externel use, to regulate the labeling of such preparations to provide for the standardization of such disinfectants, deoderants, antiseptics and germicides, and providing for the violation of this act.

Which was committed to the Committee on Public Health and Sanitation.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities and boroughs unless covered wagons or vehicles be used; and providing a penalty for violation thereof.

Which was committed to the Committee on Municipal Affairs.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 367, entitled:

An Act to provide for the sterilization of the criminal and incurable insane.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 368, entitled:

An Act refining rape and carnal knowledge of female children and prescribing the penalty therefor.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 369, entitled:

An Act defining assault and battery upon a female with intent, forcibly and against her will to make unlawful carnal knowledge of such female and prescribing the penalty therefor.

Which was committed to the Committe on Judiciary General.

Mr. FISHER read in his place and presented to the Chair Senate Bill No. 370, entitled:

An Act making an appropriation to the state hospital for injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years commencing June 1st, 1911.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 371, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania for its maintenance and support for the two fiscal years beginning June 1st, 1913; for the removal of power plant, for furnishings, equipment and repairs; alterations and changes in buildings; completion of nursery and superintendent's residence; and providing the manner of payment of said appropriation.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 372, entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another.

Which was committed to the Committe on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 373, entitled:

An Act making an appropriation to the Miners' Hospital of Northern Cambria, at Spangler, in Cambria County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HALL read in his place and presented to the Chair Senate Bill No. 374, entitled:

An Act making an appropriation to the Lock Haven Hospital of Lock Haven, Clinton County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair, Senate Bill No. 375, entitled:

An Act making an appropriation to the Beaver County Children's Home Association, of New Brighton, Beaver County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 376, entitled:

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital and Dispensary.

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 377, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies of Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 378, entitled:

An Act making an appropriation to the St. Joseph's Protectory for Homeless Boys, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 379, entitled:

An Act making an appropriation to the Pittsburgh Home, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 103, as follows:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of September Anno Domini one thousand nine hundred and thirteen whenever any teacher holding a certificate which confers a permanent right to teach shall have taught for ten years in any one school district of this Commonwealth it shall be the duty of the president and secretary of the board of school directors to execute a contract of permanent employment with such teacher in the school work of such district and thereafter he or she may not be dismissed from the employ of such district except for causes specified in the laws of this Commonwealth

Section 2 That the salary of any teacher permanently employed according to the provisions of this act shall not be reduced nor his or her position changed without his or consent in writing or upon the recommendation of the majority vote of the school directors of the district

Section 3 That any president or secretary of a school board who neglects or refuses to perform his duty as specified in his act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Fisher,	Judson,	Sheatz,
Beidleman,	Gyger,	McIlhenny,	Snyder,
Buckman,	Hilton,	McNichol,	Sones,
Catlin,	Hoke,	Miller,	Sproul,
Clark,	Huffman,	Morgan,	Stineman,
Daix,	Hunter,	Nulty,	Thompson,
DeWitt,	Jarrett,	Powell,	Vare,
Endsley,	Jones,	Salus,	Wasbers,
Farley,			

NAYS—9.

Cooper,	Herbst,	Knapp,	Mills,
Hall,	Homsher,	Martin,	Sensenich,
Heacock,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 146, entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An act providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Kline,	Salus,
Beidleman,	Fisher,	Knapp,	Sensenich,
Buckman,	Gerberich,	Kurtz,	Sheatz,
Catlin,	Hilton,	Magee,	Sones,
Clark,	Hoke,	Martin,	Sproul,
Crow,	Homsher,	Miller,	Stineman,
Daix,	Hunter,	Mills,	Thompson,
DeWitt,	Jarrett,	Morgan,	Vare,
Endsley,	Jones,	Nulty,	Wasbers,

YEAS—8.

Cooper,	Hall,	Herbst,	McIlhenny,
Gyger,	Heacock,	Judson,	Powell,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 22, as follows:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requring certain certificates from judges before their salaries shall be paid

Whereas There has been grave complaint on the part of litigants and their counsel and others interested that unwarranted delay exists in the administration of justice and

Whereas A large part of this delay is due to the procrastination of judges in rendering decisions and

Whereas Such delay is not alone vexatious but very costly to those seeking justice in our courts and

Whereas This Commonwealth has been very generous in compensating judges for the services rendered on the bench therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any question or matter in law or in equity shall be submitted to or argued before any court or judge of record of this Commonwealth it shall be the duty of such court or judge to render a decision on such question or matter within six months after such submission or argument unless the time be extended in writing signed by all parties in interest or by their respective counsel

Section 2 It shall be unlawful for the Auditor General to draw a warrant in payment of the salary of any law judge of this Commonwealth unless the said judge shall have certified to the Auditor General that this act has been fully complied with during the time covered by such warrant and that such judge has not at the time of giving such certificate any question or matter under consideration or advisement contrary to the requirements of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30, as follows:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and changing the practice in entry of judgment by default requiring the applicant in appeals to pay the costs in county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section four of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duty regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven which reads as follows

"Section 4 The county court shall have a seal for the use of said court which shall contain the name of the court and the word 'seal' which seal shall be affixed to all writs of summons transcripts and other official certificates issued by or under the direction of said court The seal of the court shall be in the custody of the clerk of said court The court may provide for the keeping of a seal at each place designated by it for the holding of court" be and the same is hereby amended and supplemented to read as follows

Section 4 The county court shall have a seal for the use of said court which shall contain the name of the court and the word "seal" which seal shall be affixed to all writs processes transcripts and other official certificates issued by or under the direction of said court The seal of the court shall be in the custody of the clerk of said court The court may provide for the keeping of a seal at each place designated by it for the holding of court

Section 2 That section six of the above mentioned act which reads as follows

Section 6 The court hereby created shall have jurisdiction

(a) In all civil actions wherein only a money judgment is sought to be recovered and in all actions of replevin in which the sum demanded or the value of the property replevied does not exceed six hundred dollars except in cases where the title to lands or testaments may come in question

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or court not of record as provided by law

(d) The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive" be and the same is hereby amended and supplemented to read as follows

Section 6 The court hereby created shall have jurisdiction

(a) In all civil actions wherein only a money judgment is sought to be recovered and in all actions replevin in which the sum demanded or the value of the property repleived does not exceeed fifteen hundred dollars except in cases where the title to lands or tenements may come in question

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or court not of record as provided by law

(d) The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive

(e) In cases where money has been paid into court or the court acquires control over specific personal property and conflicting claims arise thereto the court may add to the record parties interested by voluntary intervention or by service of process and may cause the necessary parties to interplead for the purpose of determing their respective rights and the money or property in question shall thereupon be paid or delivered over to the person found to be entitled thereto The parties shall file such statements of their respective claims as may be necessary to define the issue as the court may by rule or otherwise prescribe The court shall have power to require the parties to such interpleader to stay proceedings in this or other courts until such interpleader is finally determined The court shall have power to order such sale or disposition or property or money within its control as may seem proper either pending such interpleader or after its determination

Section 3 That section seven of the above mentioned act which reads as follows

"Section 7 The procedure in said court in all civil actions shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff the said clerk shall thereupon issue a summons under the seal of the court requiring the defendant to appear at a time and place designated in said summons to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall not be less than ten days or more than twelve days from the date of said summons

(b) Upon the date fixed in said summons or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than seven days after service of the summons upon the defendant the parties shall attend with their witnesses and the case shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court.

(c) In all actions for the recovery of money on any contract express or implied the defendant shall at least two days before the time fixed for hearing the summons or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth fully the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the court upon the trial shall enter such judgment as upon the plaintiff's statement plaintiff may be entitled to recover and if an answer be

filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true In actions ex delicto the court shall enter such judgment as the plaintiff may be entitled to recover upon the evidence

(d) In the action of replevin desertion and support cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writ of summons and of copies of plaintiff's statement shall be made in the same manner as is now provided by law for the service of writs of summons in personal actions and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court" be and the same is hereby amended and supplemented to read as follows

Section 7 The procedure in said court in all civil action shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county-seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand vertified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not less than twelve nor more than fifteen days from the date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision or the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions of replevin enter judgment in the clerk's office in default of such answer and in actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true

(d) In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office as of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ or thereafter as the court may direct and shall be disposed of on the pleadings or evidence as the court may find necessary The court may require such additional pleadings as may be necessary to define the issue In desertion and non-suport cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statements and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the courts of common pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court

Section 4 That section nine of the above-mentioned act which reads as follows

"Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to the court of Common Pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay If such appeal be taken by the plaintiff he shall give bond with surety conditioned for the payment of all costs accured or likely to accrue and if the appeal be taken by the defendant he shall give bail absolute with surety for the debt and the interest and costs accrued and likely to accrue The sureties upon such bonds shall be approved by a judge of the county court Or within ten days after the entry of judgment in any civil action either party may apply to any court of Common Pleas of said county or any judge thereof for leave to appeal the case to the Common Pleas court And if such appeal be allowed then upon filing the certified copy of said order or allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the court of Common Pleas may grant to a writ of certiorari to remove the record to any court of Common Pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said Common Pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of Common Pleas from which such writ of certiorari issues" be and the same is hereby amended and supplemented to read as follows

Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to any court of Common Pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay The appellant shall give bail absolute in a sum and with surety or sureties to be approved as hereinafter provided for his compliance with any judgment that may be finally rendered against him and for payment of all interest and costs likely to accrue All costs accrued up to the time of filing the transcript shall be paid by appellant in the first instant and if the appellant shall finally recover judgment in the case appealed he shall be entitled to receive and collect from the adverse party the costs so aforesaid paid on appeal

The costs on appeals accruing at and from the time of filing the transcript shall abide the event of the suit and be paid by the unsuccessful party as in other cases provided that if the plaintiff be the appellant he shall pay all costs which may accrue on the appeal if in the event of the suit he shall not recover a greater sum or a more favorable judgment exclusive of interest than was rendered by the county court

And provided also That if the defendant either on the trial of the cause before the county court or before an appeal is taken shall offer to give the plaintiff a judgment for an amount which the defendant shall admit to be due and if the said plaintiff shall not accept such offer then and in that case if the defendant shall appeal the plaintiff shall pay all the costs which shall accrue on the appeal if he shall not in the event of the suit recover a greater amount than that for which the defendant offered to give a judgment and in both cases the defendant's bill shall be taxed and paid by the plaintiff in the same manner as if a judgment had been rendered in court for the defendant but provided further that in all cases where the judgment of the county court shall be in favor of defendant on a counterclaim then the terms plaintiff and defendant in the foregoing provisions relating to costs on appeals shall be taken as inverted Any appellant shall have the right to appeal and demand and receive transcripts without payment of costs upon his making and filing with the judge approving the appeal bond an affidavit that he is unable through poverty to pay said costs provided said judge shall be satisfied of the truth of the statements in such affidavit All appeals taken and perfected in the manner above provided shall operate as a supersedeas The amounts of the penalties of and the sureties upon such bonds shall be approved by a judge of the county court

Or within ten days after the entry of judgement in any civil action either party may after such notice to the opposite party as the Common Pleas court shall require apply to any court of Common Pleas of said county or any judge thereof for leave to appeal the case to the Common Pleas court And if such appeal be allowed then after payment of costs in the county court as aforesaid unless the appeal be taken in forma pauperis and upon filing the certified copy of said order of allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the court of Common Pleas may grant to a writ of certiorari to remove the record to any court of Common Pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said Common Pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of Common Pleas from which such writ of certiorari issues

Section 5 That section ten of the above mentioned act which reads as follows

"Section 10 A defendant who shall neglect or refuse in any civil action brought in said court to set off his demand whether founded upon bond note penal or single bill writing obligatory book accounts or damages of assumption against a plaintiff which shall not exceed the sum of six hundred dollars shall be and is hereby forever barred from recovering against the party plaintiff by any after suit but in case of judgment by default the defendant if he has any account to set off against the plaintiff's demand shall be entitled to a rehearing before said court within thirty days on proof being made either on oath or affirmation of the defendant or other satisfactory evidence that the defendant was absent when the process was served and did not return home before the return day of such process or that he was prevented by sickness of himself or other unavoidable cause and the said court shall have power to render judgment for the balance in favor of the plaintiff or defendant as justice may require Each party shall have the same right of appeal or certiorari from judgment as though a separate suit had been brought therefor

It shall be the duty of the defendant desiring to avail himself by way of set-off defalcation or recoupment of his demand against the plaintiff to file a statement of such counterclaim with the proper clerk of the court on or before the date designated in the writ of summons for the trial of said action unless the time for the filing of such statement be extended by

the court" be and the same is hereby amended to read as follows

Section 10 A defendant who shall neglect or refuse in any civil action brought in said court to set off his demand whether founded upon bond note penal or single bill writing obligatory book accounts or damages of assumption against a plaintiff which shall not exceed the sum of fifteen hundred dollars shall be and is hereby forever barred from recovering against the party plaintiff by any after suit but in case of judgment by default the defendant if he has any account to set off against the plaintiff's demand shall be entitled to a hearing before said court within thirty days on proof being made either on oath or affirmation of the defendant or other satisfactory evidence that the defendant was absent when the process was served and did not return home before the return day of such process or that he was prevented by sickness of himself or other unavoidable cause and the said court shall have power to render judgment for the balance in favor of the plaintiff or defendant as justice may require Each party shall have the same right of appeal or certiorari from judgment as though a separate suit had been brought therefor

It shall be the duty of the defendant desiring to avail himself by way of set-off defalcation or recoupment of his demand against the plaintiff to file a statement of such counterclaim with the proper clerk of the court on or before the time fixed by this act for the filing of his answer unless the time for the filing of such statement be extended by the court

A statement of counter-claim shall be replied to by plaintiff within such time and in such manner as the court may prescribe

Section 6 That section eleven of the above mentioned act which reads as follows

"Section 11 Upon rendition of the judgment of the county court the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of said county a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered on the judgment index of said county and from the date of such entry shall bind the real estate of the party against whom judgment is rendered and thereupon the judgment creditor shall be entitled to preserve and continue the lien of or enforce such judgment by execution attachment or other process in the same manner and to the same extent as though it had originally been entered in the office of the prothonotary upon confession The prothonotary shall apportion the said judgments among the several courts of Common Pleas of said county as nearly equally as practicable But upon perfection of an appeal from such judgment for the granting of a certiorari operating as a supersedeas as herein provided the lien of such judgment on real estate shall be thereby removed" be and the same is hereby amended and supplemented to read as follows

Section 11 Upon rendition of the judgment of the county court the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of said county a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of said county and from the date of such entry shall bind the real estate of the party against whom judgment is rendered and thereupon the judgment creditor shall be entitled to preserve and continue the lien of or enforce such judgment by execution attachment or other process in the same manner and to the same extent as though it had originally been recovered in the Common Pleas court But upon perfection of an appeal from such judgment or the granting of a certiorari operating as a supersedeas as herein provided the lien of such judgment on real estate shall be thereby removed

The county court may issue writs of fieri facias capias ad satisfaciendum or attachment execution upon its money judgments and writs de retorno habendo in replevin as provided by law relating to the enforcement of judgment of the Common Pleas courts These writs shall be executed by the sheriff of the county and the practice in the execution of writs of fieri facias capias ad satisfaciendum and de retorno habendo shall be the same as is provided by law in the case of writs issuing out of the courts of Common Pleas except that such writs shall be returnable as the county court may by rule prescribe In writs of attachment execution the practice shall be the same as in cases of other civil suits in the county court subject to such special rules as the court may prescribe No writ of fieri facias or attachment execution issuing out of the county court shall in any manner operate as a lien on or be used for the sale of real estate* Provided however That when a transcript of the record of the county court shall have been filed in the office of the prothonotary as provided in this section no process of execution or attachment execution shall thereafter issue out of the county court but this provision shall not be taken to prevent the final disposition of any execution or attachment proceedings in the county court then pending

Section 7 That section twelve of the above mentioned act which reads as follows

"Section 12 The said court shall cause to be kept proper dockets in which a record of all proceedings in each case brought in said court shall be entered and which in all actions shall show the names of the parties their counsel if any and the addresses of the parties or their counsel where and upon whom service of notice may be made the date on which the complaint was made the manner and date of service of summons upon the defendant the date of trial the nature of the plaintiff's demand and of the plaintiff's answer and the kind of evidence upon which the same may be founded the judgment of the court and the date upon which the same was rendered" be and the same is hereby amended to read as follows

"Section 12 The said court shall cause to be kept proper dockets in which a record of all proceedings in each case brought in said court shall be entered and which in all actions shall show the names of the parties their counsel if any and the addresses of the parties or their counsel where and upon whom service or notices may be made the date on which the complaint was made the manner and date of service of summons upon the defendant the date of trial the judgment of the court and the date upon which the same was rendered and the proceedings had on all execution or attachment process issued thereon

Section 8 That section seventeen of the above mentioned act which reads as follows

"Section 17 Every party shall have a right to appear and to plead his cause in person or by counsel admitted to practice in the courts of Common Pleas of said county" be and the same is hereby amended to read as follows

Section 17 Every party shall have a right to appear and to plead his cause in person or by counsel admitted to practice in the courts of Common Pleas of said county but the county court shall have the right to suspend or exclude any attorney who has been guilty of improper conduct from further appearance in this court

Section 9 That section nineteen of the above mentioned act which reads as follows

"Section 19 The fees and costs for all witnesses writs entries and other service charged for shall be the same in amount as the charge for the corresponding fee writ entry or service in the courts of Common Pleas of said county and shall follow the judgment But no costs shall be required to be deposited or secured in advance except in the case of non-resident plaintiffs upon order of this court" be and the same is hereby amended to read as follows

Section 19 The fees and costs for all witnesses writs entries and other services charged for shall be the same in amount as the charge for the corresponding fee writ entry or service in the courts of Common Pleas and Quarter Sessions of said county and shall follow the judgment in civil cases as in the court of Common Pleas but regardless of the amount claimed or of the amount of said judgment but in case of tender before suit brought or payment of money into court the court may make such order as to payment of costs as shall be equitable But no costs shall be required to be deposited or secured in advance except in the case of non-resident plaintiffs upon order of this court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31, as follows:

A further supplement to an act entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the precedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all civil suits other than suits for penalties brought after the first day of July one thousand nine hundred and thirteen before an alderman or justice of the peace in the County of Allegheny whenever an appeal shall be taken by either party under the provisions of such laws as regulate appeals in such cases said appeal be taken to the county court of said county which court shall have exclusive jurisdiction in the first instance to hear and determine the same The transcript of the record of the alderman or justice shall be filed in the nearest office of the clerk of the county court within ten days after said appeal is taken and upon the filing of said transcript the case shall proceed de novo as though originally instituted in the county court The court may make such rules regulating the pleadings to be filed by the parties the time of hearing the cause and otherwise regulating the practice as may seem necessary From the final judgment of the county court in such cases an appeal to or certiorari from any court of Common Pleas of said county shall lie in the same manner as in cases originally brought in said county court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 33, as follows:

An Act amending the first section of an act entitled "An act to further define the police power of cities of the third class and boroughs with reference to electric light wires" approved the twenty-eighth day of April one thousand nine hundred and three so as to include telegraph and telephone wires and reducing the number of jurors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act to further define the police power of cities of the third class and boroughs with reference to electric light wires" adopted and approved the twenty-eighth day of April one thousand nine hundred and three which reads as follows

Section 1 That within the police power of funicipal authorities of cities of the third class and boroughs in this Commonwealth there shall be included the right to define by ordinance a reasonable district within which all electric light wires shall be placed under ground in conduits owned either by the municipality or corporations owning such wires or by corporations organized for the purpose of laying such conduits and renting space therein Provided That in all cases in which such conduits are owned by any private corporation partnership or individual there shall be re-

served to the municipality whether expressed in the ordinance or not the right to regulate by ordinance the manner in which such conduit shall be used and the terms and conditions and rate of rental to be charged for space therein and also the right to take such conduits either by purchase upon agreement of the owners thereof and the municipality or by condemnation proceedings in which latter case the Court of Common Pleas or any judge thereof in vacation shall upon petition of the municipal authorities appoint a jury of seven reputable citizens of the county not residents of the municipality and the proceedings shall be the same as are provided by law in the case of the condemnation of land by a railroad company The municipal authorities shall not have the power to surrender or barter away any rights herein reserved either by ordinance or contract or otherwise" be amended to read as follows

Section 1 That within the police power of municipal authorities of cities of the third class and boroughs in this Commonwealth there shall be included the right to define by ordinance a reasonable district within which all electric light wires telephone and telegraph wires shall be placed under ground in conduits owned either by the municipality or by corporations owning such wires or by corporations organized for the purpose of laying such conduits and renting space therein Provided That in all cases in which such conduits are owned by any private corporation partnership or individual there shall be reserved to the municipality whether expressed in the ordinance or not the right to regulate by ordinance the manner in which such conduit shall be used and the terms and conditions and rate of rental to be charged for space therein and also the right to take such conduits either by purchase upon agreement of the owners thereof and the municipality or by condemnation proceedings in which latter case the Court of Common Pleas or any judge thereof in vacation shall upon petition of the municipal authorities appoint a jury of three reputable citizens of the county not residents of the municipality and the proceedings shall be the same as provided by law in the case of the condemnation of land by a railroad company

The municipal authorities shall not have the power to surrender or barter away the rights herein reserved either by ordinance or contract or otherwise

And said bill having been read at length the second itme and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 55, entitled:

A Joint Resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Whereas, By a joint resolution approved the fourteenth day of June one thousand nine hundred and eleven a Commission was authorized to investigate and report upon a proper and safe construction of buildings within this Commonwealth and to determine the strength and character of materials used therein and

Whereas, Said Commission was duly appointed and has proceeded upon the performance of the duties imposed by said resolution and

Whereas, In said resolution the Commission was directed to report on or before the first day of February one thousand nine hundred and thirteen and

Whereas, Owing to the magnitude of the undertaking and the great number of details to be considered the Commission is unable to make a complete and final report therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the Commission authorized by a joint resolution approved the fourteenth day of June one thousand nine hundred and eleven to investigate and report upon a proper and safe construction of buildings within this Commonwealth and to determine the strength and character of materials used therein is hereby authorized to continue its labors as set forth in said resolution and to present its final and complete report on or before the first day of November one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 57, entitled:

An Act to amend section ninth of the act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking the property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvements or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

The first section of this bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the ninth section of the act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of townships or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvements and repairs providing penalty for injuring or destroying State highways making appropriations to cary out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven which reads

"Where a turnpike or toll-road company or other private corporation shall own or control the whole or any part of a road or route forming all or any portion of a State highway as hereinbefore described and defined it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement to purchase said turnpike or toll-road or such part thereof owned by such company or corporation and if a fair and reasonable price which shall be approved by the Governor for said road or part thereof cannot be agreed upon it shall then be lawful for the State Highway Commissioner to petition the court of quarter sessions of the county in which the State Highway or any part thereof owned or controlled by said turnpike company or other private corporation is located setting forth that such turnpike or toll-road or part thereof is a State highway within the designation and

description of this act and that no agreement as to price or damage can be reached and thereupon said court shall appoint a jury of view consisting of five reputable citizens of the county in which the road or part thereof is located and said jury shall after due notice to the company or corporation and the State Highway Commissioner view and condemn said turnpike toll-road or highway or part thereof as a State highway or part thereof and shall appraise and report the damages which the owner or owners shall be entitled to receive therefor Said report shall be presented for confirmation nisi at the term of said court next succeeding said appraisement and view unless by order of said court the same be continued to a later term and if no exceptions are filed thereto said report shall at the expiration of thirty days after confirmation nisi be confirmed absolutely and an appeal therefrom by the Commonwealth or by the company or corporation shall lie to the court of common pleas of said county within thirty days after confirmation absolute and upon issue framed by the court of common pleas the damages shall then be ascertained as in similar cases subject to an appeal to the Superior or Supreme Courts as the case may be Immediately upon agreement reached or upon completion of any court proceedings and acceptance of the appraisement or verdict by the Commissioner the damages so determined or awarded shall be paid by the Commonwealth together with the expense of the proceedings in condemnation and the said turnpike toll-road or part thereof shall become a State highway or part thereof free from tolls Provided That if the amount of damages as finally awarded shall be deemed excessive by the State Highway Commissioner he may refuse to tccept the appraisement or verdict and may then omit said turnpike or toll-road or part thereof from the aforesaid route of State highway and all court costs and costs of jury proceedings shall thereupon be paid by the State Highway Department and by necessary divergence therefrom he may select and adopt the next best and most suitable and convenient route or road in order to connect up and complete a continuous State highway and thereafter such diverged route or road shall be taken and remain and be as much a part of the State highways of the Commonwealth as though otherwise particularly described in this act And provided further That where any existing turnpikes or toll-roads or parts thereof owned by turnpike companies or private corporations shall be or form any part of any State highway hereinbefore designated described or defined the same are not hereby immediately taken over for improvement or repair but the purchase thereof shall be deferred by the State Highway Commissioner and the same shall remain and be operated and controlled by the owners thereof as heretofore until such time as the work of improvement of all other State highways and parts or portions thereof shall have been completed and provided further If in the judgment of the State Highway Commissioner local or special conditions of any of said turnpikes or toll-roads or any part or parts thereof are such as tend to interfere with or inconvenience travel thereon and shall sooner require the purchase improvement and control thereof by the State then upon the approval of the Governor such turnpike or turnpikes toll-road or toll-roads or part or parts thereof so affected by such local or special conditions shall be taken over in accordance with the provisions of this act" be and the same is hereby amended so as to read as follows

When a turnpike or toll-road company or other private corporation shall own or control the whole or any part of a road or route forming all or any portion of a State highway as hereinbefore described and defined it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement to purchase said turnpike or toll-road or such part thereof owned by such company or corporation and if a fair and reasonable price which shall be approved by the Governor for said road or part thereof cannot be agreed upon it shall then be lawful for the State Highway Commissioner to petition the court of quarter sessions of the county in which the State highway or any part thereof owned or controlled by said turnpike company or other private corporation is located setting forth that such turnpike or toll-road or part thereof is a State highway within the designation and description of this act and that no agreement as to price or damage can be reached and thereupon said court shall appoint a jury of view consisting of five reputable citizens of the county in which the road or part thereof is located and the said jury having been sworn or affirmed to perform their duties faithfully justly and impartially shall after due notice to the company or corporation and the State Highway Commissioner view and condemn the said turnpike toll-road or highway or part thereof as a State highway or part thereof and shall appraise and report the damages which the owner or owners shall be entitled to receive therefore and for the purpose of appraising the damages as aforesaid the said jury shall first hear evidence on the part of the said owner or owners and afterwards shall hear evidence on the part of the State Highway Commissioner after which evidence shall be heard in rebuttal and in sur-rebuttal as prescribed for trials at law Said report shall be presented for confirmation nisi at the term of said court next succeeding said appraisement and view unless by order of said court the same be continued to a later term and if no exceptions are filed thereto said report shall at the expiration of thirty days after confirmation nisi be confirmed absolutely and an appeal therefrom by the Commonwealth of the company or corporation shall lie to the Court of Common Pleas of said county within thirty days after confirmation absolute and upon issue framed by the Court of Common Pleas the damages shall then be ascertained as in similar cases subject to an appeal to the Superior or Supreme courts as the case may be The said court of quarter sessions may in its discretion appoint a competent stenographer to keep a faithful record of all proceedings before the viewers and to furnish a full copy of his notes to be attached to and form a part of the record And the said stenographer shall be allowed the same compensation as that paid in their resepctive county to court stenographers and each viewer shall be allowed the sum of two dollars and fifty cents for each day necessarily employed which together with the compensation allowed the said stenographer shall be taxed as part of the costs of the proceeding and be paid as hereinafter provided Immediately upon agreement reached or upon completion of any court proceedings and acceptance of the appraisement or verdict by the Commissioner the damages so determined or awarded shall be paid by the Commonwealth together with the costs and expense of the proceedings in condemnation and the said turnpike toll-road or part thereof shall become a State highway or part thereof free from tolls Provided That if the amount of damages as finally awarded shall be deemed excessive by the State Highway Commissioner he may refuse to accept the appraisement or verdict and may then omit said turnpike or toll-road or part thereof from the aforesaid route of State highway and all court costs and costs of jury proceedings shall thereupon be paid by the State Highway Department and by necessary divergence therefrom he may select and adopt the next best and most suitable and conveneient route or road in order to connect up and complete a continuous State highway and thereafter such diverged route or road shall be taken and remain and be as much a part of the State highways of the Commonwealth as though otherwise particularly described in this act Provided further That at any time during the proceedings in condemnation after the filing of the original petition of the State Highway Commissioner the said State Highway Commissioner with the consent and approval of the Governor may after ten days' written otice to the owner or owners of said turnpike toll-road or highway present to the said court of quarter sessions of the proper county a declaration of his intention to immediately enter upon and take the said turnpike toll-road or part thereof and to pay or cause to be paid to the said owner or owners such amount of damages as shall be assessed in the manner provided for by this act and all costs and expenses of the said proceedings which declaration shall contain certificate of the State Highway Commissioner that sufficient funds to pay all possible damages costs and expenses of said proceedings have been appropriated by the Legislature for this specific purpose and upon presentation of said declaration the said court shall mark the same filed of record in said proceedings whereupon the said turnpike toll-road or part thereof shall immediately become a State highway or part thereof free from tolls and the same may then be improved and maintained by the State Highway Commissioner in the manner provided by this act and upon completion of the proceedings in condemnation the State Highway Commissioner shall accept the appraisement and verdict and the damages so determined or awarded shall be paid by the Commonwealth together with the costs and expenses and in case the said damages and costs and expenses are not paid within thirty days from final adjudication and judgment thereon the owner or owners of said turnpike toll-road or highway may enforce the payment by writ of mandamus which shall be issued by the Court of Common Pleas of the county in which the seat of government is or may be located and shall be proceeded in as provided by law And provided further That where any existing turnpike or toll-roads or parts thereof owned by turnpike companies or private corporations shall be or form any part of any State highway hereinbefore designated described or defined the same are not hereby immediately taken over for improvement or repair but the purchase thereof shall be deferred by the State Highway Commissioner and the same shall remain and be operated and controlled by the owners thereof as heretofore until such time as the work of improvement of all other State highways and parts or portions thereof shall have been completed And provided further If in the judgment of the State Highway Commissioner local or special conditions of any of said turnpikes or toll-roads or any part or parts thereof are such as tend to interfere with or inconvenience travel thereon and shall sooner require the purchase improvement and control thereof by the State then upon the approval of the Governor such turnpike or turnpikes toll-road or toll-roads or part or parts thereof so affected by such local or special conditions shall be taken over in accordance with the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. HOKE. Mr. President, I move to amend in line 198 by inserting after the word "Legislature" the words "and are available," and also in line 200 by inserting after the word "whereupon" the words "the funds in the hands of the State Highway Commissioner or in the State Treasury and specifically appropriated to the use of the State Highway Commissioner shall be pledged and deemed as security for all damages done or suffered or which shall have accrued by reason of the taking of said turnpike, toll road or part thereof and."

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section ninth of the act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and

the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof Conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvment maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 123, as follows:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three entitled "An act relative to the pay of jurors in the County of Bucks"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks" and also all of the act aproved seventy-three entitled "An act relative to the pay of jurors in the County of Bucks" are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 125, as follows:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any deposit has heretofore been made or shall hereafter be made in any bank trust company or savings institution within this Commonwealth in the names of two persons and such deposits shall at the time of making the same be made payable to either depositor or to the survivor the whole or any part of such deposit together with any interest or dividends due thereon shall be paid by such depository to either of such persons drawing upon the same and in case of the death of either of such persons the whole of such deposits or any part thereof together with all accumulated interest or dividends due thereon shall be paid on demand to such surviving person

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 227 (House Bill No. 2), as follows:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand ($20,000) dollars be and the same is hereby apropriated for the payment of a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (pamphlet laws page nine hundred) to pay local Registrars in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar and to pay for such work as shall be necessary to and including May thirty-first nineteen hundred and thirteen (1913) said appropriation to be paid out under the same conditions as those under which the original appropriation was made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 269 (House Bill No. 73), as follows:

An Act making an appropriation to the Trustees of the Homeopathic Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital

Whereas In the appropriations heretofore made by the General Assembly to the Trustees of the Homeopathic State Hospital for the Insane no provision was made for necessary maintenance and inadequate provision for equipment of said hospital for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen and

Whereas The Board of Trustees have been compelled to contract for certain equipment and maintenance and because of lack of adequate appropriation a deficiency has arisen Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiencies in maintenance and equipment incurred and to be incurred by the said Board of Trustees of the Homeopathic State Hospital for the Insane for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 120, entitled:

Regulating the pay of election officers at all elections hereafter held within this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Sproul,
Endsley,	Jarrett,	Miller,	Stineman,
Farley,	Jones,	Mills,	Thompson,
Fisher,	Judson,	Morgan,	Vare,
Gerberich,			Washers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONCURRENT RESOLUTION APPOINTING COMMISSION TO INVESTIGATE AS TO THE NECESSITY FOR, EFFICIENCY, NUMBER AND SALARIES OF THE OFFICERS, CLERKS AND EMPLOYES OF THE SENATE, HOUSE OF REPRESENTATIVES, AND THE SEVERAL DEPARTMENTS, BOARDS AND COMMISSIONS CONNECTED WITH THE STATE GOVERNMENT RETURNED WITH AMENDMENTS.

The Chair cleared his table and laid before the Senate communication from the House of Representatives, returning to the Senate concurrent resolution as follows:

In the Senate, February 21, 1913.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes so that if any charges are found necessary there may be authorized during the present session of the Legislature; therefore,

Be it resolved (if the House of Representatives concur) That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate, and five members of the present House of Representatives, one of whom shall be a Democrat, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government, and to make report thereof and, if necessary, to recommend not later than April 1, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such a commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

By inserting in line 8 after the word "Senate" the word "and", and by striking out in line 9 the words "and the several departments, boards and commissions connected with the State government," and by striking out in the latter part of the resolution the words "and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the general appropriation bill of 1913." and inserting in lieu thereof the words "and the Chief Clerk shall assign one of the regularly elected clerks of committees to said commission as its clerk."

Mr. CROW. Mr. President, I move that the Senate nonconcur in the amendments made by the House of Representatives.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

Ordered, that the Clerk inform the House of Representatives accordingly.

CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA RETURN WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate, concurrent resolution as follows:

In the Senate, February 4, 1913.

Whereas, Certain acts and resolution passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the civil war who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore Be it Resolved, (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of the Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

With the information that the House had passed the same with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

By striking out in line 7 the words "now living in" and inserting in lieu thereof the words "who enlisted from".

Mr. SHEATZ. Mr. President, I move that the Senate nonconcur in the amendment made by the House of Representatives.

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Harry H. Lovett, Wilkinsburg.
John N. Piatt, Pittsburgh.

CAMBRIA COUNTY.

Miss Iva B. Sellers, Johnstown.

LANCASTER COUNTY.

Raymond B. Shultz, Columbia.

LAWRENCE COUNTY.

John A. McKee, New Castle.

MONTOUR COUNTY.

W. Fred Jacobs, Danville.

NORTHAMPTON COUNTY.

Charles W. K. Shafer, Nazareth.

PHILADELPHIA COUNTY.

G. Alonzo Dwier, Philadelphia.
Charles Gruber, Jr., Philadelphia.
A. Ellwood Lancaster, Philadelphia.

WESTMORELAND COUNTY.

H. Albert Lauffer, Penn Township.

JOHN K. TENER.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced presented bills of the House of Representatives for concurrence as follows:

House Bill No. 25 (Senate Bill No. 380) entitled:

An Act authorizing the Department of Forestry to lease portion of the State forest for health and recreation purposes.

Which was committed to the Committee on Forestry.

House Bill No. 265 (Senate Bill No. 381) entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors.

Which was committed to the Committe on Public Health and Sanitation.

House Bill No. 369 (Senate Bill No. 382), entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite mines of this Commonwealth and to limit the hours of labor of fire bosses and persons whose duties either in whole or in part are those of a fire boss employed at in or about the same and fixing a penalty for the violation of any of the provisions of this act.

Which was committed to the Committee on Mines and Mining.

House Bill No. 389 (Senate Bill No. 383) entitled:

An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled An act relating to private sales of real estate ordered decreed or approved by the orphans' court and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' court for the payment of debts.

Which was committed to the Committee on Judiciary General.

House Bill No. 421 (Senate Bill No. 384) entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of the sheriff.

Which was committed to the Committee on Judiciary Special.

House Bill No. 443 (Senate Bill No. 385) entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER from the Committee on Appropriations reported as committed Senate Bill No. 279, entitled:

An Act authorizing the State Treasurer to endorse over to the Ladies Memorial Association of the City of Petersburg, Virginia, all checks, drafts, or warrants for interest accruing on a bond bought from the city of Petersburg, Virginia, by the Battlefield Commission of the Third Division, Ninth Corps, Army of the Potomac; said interest being by contract made on file in the Auditor-General's Department due to said Ladies Memorial Association.

ADJOURNMENT

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn until ten o'clock tomorrow morning.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1.00 o'clock P. M., until 10 o'clock Wednesday morning, February 19, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 18, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer.

O God, Thou hast answered the prayers of our fathers and established our land in liberty. We invoke Thy blessing upon our Republic that we may have peaceful times and fruitful seasons and plentious harvests; that our homes may be blessed, that our industries may be prosperous, that we may be exempt from famine, and pestilence and insurrection and war and tumult and confusion and strife.

We pray for Thy blessing upon Thy servant, the President of the United States, and upon Thy servant so soon to assume this responsible office; and upon Thy servant the Governor of this Commonwealth, and the Speaker of this Assembly, and all law-makers, judges and magistrates. Unite the hearts of the people that they may live in concord and amity, and enrich our land with liberty and order, and godliness, and power, that God's name may be glorified and the world be blessed.

We ask it in the name and for the sake of Jesus Christ, our Savior and Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterdays proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Moses, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. ALTER. House Bill No. 729.

A Further Supplement to an act entitled "An act to accept the grant of public lands by the United States for the endowment of agricultural colleges" approved April first, one thousand eight hundred and sixty-three, and making appropriations for carrying the same into effect.

Referred to the Committee on Appropriations.

By Mr. FRANK GRAY. House Bill No. 730.

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital and Dispensary.

Referred to Committee on Appropriations.

By Mr. METZENBACHER. House Bill No. 731.

An Act relating to mutual fire insurance companies and fixing penalties for violation of this act.

Referred to Committe on Insurance.

By Mr. METZENBACHER. House Bill No. 732.

An Act to provide for the protection of insectiverous and fur-bearing animals by fixing a season for trapping or killing the animal commonly called the skunk, or pole cat, and providing a penalty for violation of this act.

Referred to Committee on Game.

By Mr. METZENBACHER. House Bill No. 733.

An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail, in the counties of the Commonwealth of Pennsylvania.

Referred to the Committee on Counties and Townships.

By Mr. GOSS. House Bill No. 734.

An Act to amend Section Twety-two of the act of May first, one thousand nine hundred and nine, entitled: "An act to provide for the protection and preservation of game, game-quadrupeds, and game-birds, and song and insectivorous birds and other wild birds, and prescribing penalties for violation of its several provisions."

Referred to Committee on Game.

By Mr. W. H. WILSON. House Bill No. 735.

An Act to amend an act, entitled "An amendment to an act to authorize incorporated or unincorporated church, cemetery or burial assiciation to purchase other grounds, and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes, or which may have been reconveyed to them, or shall have reverted to or become acquired by them," approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five, "so as to authorize incorporated or unincorporated churches, cemeteries or burial associations owning burial grounds to purchase other grounds, and to sell and convey such portions of their land not used or conveyed by them for burial purposes, or which may have been reconveyed to them, or shall have reverted or become acquired by them," providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth, upon petition of the managers, officers and other persons, to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church, cemeteries or burial association, and to provide for the purchase of new lots, the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein, and the sale of the ground.

Referred to Committee on Judiciary Special.

By Mr. NORTH. House Bill No. 736.

An Act to amend an act approved the eleventh day of May, one thousand nine hundred and one, entitled "An act relative to the purchase of a law library in counties of this

Commonwealth having a population of less than one hundred and fifty thousand inhabitants, and authorizing one-half of the fines and forfeitures, to which said counties would under existing laws be entitled, to be expended for the purchae and support of said library," as amended.

Referred to Committee on Judiciary Special.

By Mr. NORTH. House Bill No. 737.

An Act providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen, but who, by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania, were required to serve an additional year.

Referred to Committee on Judiciary Special.

By Mr. LORENZO SMITH. House Bill No. 738.

A proposed law in relation to Hospitals and Dispensaries in the State of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KEEPORT. House Bill No. 739.

An Act providing for the reimbursing of persons, partnerships and corporations for loss sustained by deprivations of the privilege of selling or manufacturing vinous, spirituous malt or brewed liquors, regulating such reimbursement and providing for the levying of a tax in the proper county, city, borough, town, township or ward .

Referred to Committee on Law and Order.

By Mr. H. H. IRWIN. House Bill No. 740.

An Act requiring all locomotives operated within this Commonwealth by common carriers, to be equipped with headlights and cab lights of a certain candle power; and providing a penalty for violation thereof.

Referred to Committee on Railroads.

By Mr. ALLEN. House Bill No. 741.

An Act to regulate the practice of Optometry in the State of Pennsylvania; to provide for the establishment of a State Board of Optometric Examiners; to define the powers and duties of said Board of Optometric Examiners; to provide for the examining and licensing of Optometrists in this State, and to provide penalties for the violation of this act.

Referred to the Committee on Public Health and Sanitation.

By Mr. GEARY. House Bill No. 742.

An Act making an appropriation to the Tuberculosis League, of Pittsburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MATT. House Bill No. 743.

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls raised on such land.

Referred to Committee on Judiciary General.

By Mr. PIPER. House Bill No. 744.

An Act regulating the sale of paint and fixing a penalty for violation of this act.

Referred to Committee on Judiciary General.

By Mr. WALTON. House Bill No. 745.

An Act authorizing the creation, division and consolidation of wards, and a reapportionment of all wards, in cities of the third class; providing a method therefor, and fixing the minimum number of inhabitants in each ward.

Referred to Committee on Municipal Corporations.

By Mr. JOHN H. YOUNG. House Bill No. 746.

An Act making an appropriation to the German Protestant Home for Aged at Fair Oaks, Allegheny County, Pa.

Referred to Committee on Appropriations.

By Mr. JOHN H. YOUNG. House Bill No. 747.

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JOHN H. YOUNG. House Bill No. 748.

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum, Allegheny County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 749.

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 750.

An Act making an appropriation to the Friends' Home for Children, situate at Four Thousand and Eleven Aspen Street.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 751.

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million and over and for the compensation and payment thereof.

Referred to Committee on Judiciary General.

By Mr. WALNUT. House Bill No. 752.

An Act making an appropriation to the house of the Good Shepherd of Philadelphia, situate at Thirty-fifth street and Fairmount Avenue.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 753.

An Act prescribing what elective or appointive offices, positions or employments of profit shall be incompatiable with the office of a member of either branch of councils in cities of the first class of this Commonwealth, and providing a method for its enforcement.

Referred to Committee on Municipal Corporations.

By Mr. WILDMAN. House Bill No. 754.

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage, main building and a subway, at the State Arsenal, Harrisburg, Pennsylvania, and making an appropriation therefor.

Referred to Committee on Public Buildings.

By Mr. WILDMAN. House Bill No. 755.

An Act making an appropriation to the Children's Industrial Home, at Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SPEISER. House Bill No. 756.

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. NEWTON. House Bill No. 757.

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium, located at Austin, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. W. F. BLAIR. House Bill No. 758.

An Act requiring payment by the county of costs of prosecution in certain criminal cases.

Referred to Committee on Judiciary General.

By Mr. W. F. BLAIR. House Bill No. 759.

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court, and providing for the sentencing of either or both in their absence.

Referred to Committee on Judiciary General.

By Mr. WHITMAN. House Bill No. 760.

An Act making an appropriation to the Northwestern Anti-tuberculosis League, for the Grandview Sanatorium and the Bonair Sanatorium.

Referred to Committee on Appropriations.

By Mr. CURRIER. House Bill No. 761.

An Act making an appropriation to the Clearfield Hospital, Clearfield County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SHERN. House Bill No. 762.

An Act making an appropriation to the Trustees of the Jefferson College of Philadelphia.

Referred to Committee on Appropriations.

By Mr. SHERN. House Bill No. 763.

An Act making an appropriation to the The Jefferson Medical College of Philadelphia.

Referred to Committee on Appropriations.

By Mr. BURNETT. House Bill No. 764.

An Act making an appropriation to the Todd Hospital, at Carlisle, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 765.

An Act making an appropriation to the Bellefonte Hospital Corporation.

Referred to the Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 766.

An Act providing for and regulating and taking of land by condemnation proceedings to enlarge certain cemeteries now or hereafter incorporated.

Referred to the Committee on Judiciary General.

By Mr. BLELOCH. House Bill No. 767.

An Act making an appropriation to the House of the Good Shepherd, Penn and Chew Streets, Germantown, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JAMES A. DUNN. House Bill No. 768.

An Act to change and fix the terms of Directors of the Poor and Auditors authorized to audit, settle and adjust accounts of said Directors of the Poor in incorporated poor districts where the number of said Directors is eight, said directors are required to be elected in blocks of four each

year fixing the time when the terms of such directors and auditors shall expire, their successors be elected and assume office.

Referred to Committee on Judiciary Local.

By Mr. BLELOCH. House Bill No. 769.

An Act making an appropriation to the Chestnut Hill Hospital, of Chestnut Hill, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BLELOCH. House Bill No. 770.

An Act making an appropriation to the Florence Crittenton Home, located at one hundred thirty-nine Queen Street, Germantown, Philadelphia, Pennsylvania .

Referred to Committee on Appropriations.

By Mr. BLELOCH. House Bill No. 771.

An Act making an appropriation to the Tabor Home for Children, Tabor Road east of Second Street Pike, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations

By Mr. BLELOCH. House Bill No. 772.

An Act to amend an act approved the twenty-sixth day of March, one thousand eight hundred twenty-seven, entitled "A supplement to the act entitled 'An act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers,'" as amended by an act approved the first day of June, one thousand eight hundred eighty-seven, entitled "An act to amend a supplement to an act entitled 'An act limiting the time during which judgments shall be a lien on real estate and suits may be brought against sureties of public officers,' approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and twenty-seven.

Referred to Committee on Judiciary Special.

By Mr. STEELE. House Bill No. 773.

An Act to amend an act, approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads: authorizing there location, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property of such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road."

Referred to the Committee on Public Roads.

By Mr. FREY. House Bill No. 774.

An Act to repeal an act approved the fourth day of March, one thousand nine hundred and eleven, entitled "An act to cede jurisdiction to the United States over the Hanover Public Road, in the county of Adams, leading to the scene of the cavalry fight.

Referred to the Committee on Federal Relations.

By Mr. WATSON. House Bill No. 775.

An Act to amend an act, entitled "An act to amend section one of an act, entitled 'An act to provide for the better collection of collateral inheritance taxes' approved May sixth, Anno Domini one thousand eight hundred and eighty-seven, so as to include among the persons taking an estate or any part thereof, to whom the act does not apply, the children of a former husband or wife," approved April twenty-second, Anno Domini one thousand nine hundred and five, defining and making further exemptions from the payment of collateral inheritance tax."

Referred to the Committee on Judiciary General.

By Mr. WATSON. House Bill No. 776.

An Act making it unlawful to procure or purchase intoxicating liquor for any other person or persons to be used as a beverage at any bar or in any room adjacent to said bar room furnished and kept solely for drinking purposes and providing for a penalty for the violation thereof.

Referred to the Committee on Law and Order.

By Mr. GLENN. House Bill No. 777.

An Act to amend section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defiining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties of townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same. and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise. in the imprisonment thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any state highway and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; uroviding aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs, providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act: and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. SASSAMAN. House Bill No. 778.

An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age, for the purpose of obtaining intoxicating liquors.

Referred to the Committee on Law and Order.

My Mr. SPANGLER. House Bill No. 779.

An Act making an appropriation to the York Hospital and Dispensary, of York Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. NEWBAKER. House Bill No. 780.

An Act making an appropriation to the Trustees of the State Hospital for the Insane at Danville Pennsylvania.

Referred to the Committee on Appropriations.

By. Mr. E. E. JONES. House Bill No. 781.

An Act making an appropriation to the Simon H. Barnes Memorial Hosptial of Susquehanna, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr E. E. JONES. House Bill No. 782.

An Act making an appropriation to carry out for the two fiscal years beginning June first one thousand nine hundred and thirteen the provisions of an act approved the fourteenth day of June, one thousand nine hundred and eleven, entitled "An act relating to roads; providing for the election and appointment of township supervisors in second class townships; defining their powers, duties and limitations; relating to road tax, and the expenditures thereof; abolishing the work tax; defining certain duties of the clerk of courts; fixing penalties for violation of this act; and making an appropriation to carry out its provisions."

Referred to the Committee on Public Roads.

By Mr. JAMES A. DUNN. House Bill No. 783.

An Act regulating the sale of vinous spirituous malt or brewed liquors at wholesale and providing a penalty.

Referred to the Committee on Law and Order.

By Mr. DOWN. House Bill No. 784.

An Act making an appropriation to the Trustees of the State Hospital for Injured Persons, at Mercer Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HESS. House Bill No. 785.

An Act making an appropriation to the Home of Friendless Children for the City and County of Lancaster, at Lancaster, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HESS. House Bill No. 786.

An Act making an appropriation in aid of the erection upon the Capitol grounds at Harrisburg of a memorial to commemorate the founding of the common school system of Pennsylvania and perpetuate the memory of the men, who were principally instrumental in establishing and carrying it into practical effect and providing for the appointment of a commission to select a model for and supervise the erection thereof.

Referred to Committee on Appropriations.

By Mr. McNICHOL. House Bill No. 787.

An Act to amend an act entitled "An act to amend section one of an act entitled "An act to provide that municipal cor-

porations shall not be required to file affidavits of defense in actions of assumpsit,' approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and ninety-three; providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations, in any such actions, and authorizing the plaintiff or plaintiffs, therein to take judgments for the amount so admitted to be due."

Referred to the Committee on Judiciary Special.

By Mr. O'NEILL. House Bill No. 788.

An Act making an appropriation to the Eastern State Penitentiary of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BROWNLEE: House Bill No. 789.

An Act relating to county officers in counties having less than one hundred and fifty thousand inhabitants, and providing for their salaries and the compensation of deputies and clerks in the respective county offces, requiring the payment into the respective county treasury of the fees of county officers, and providing penalties for violation of this act.

Referred to the Committee on Judiciary Special.

By Mr. CONNIFF: House Bill No. 790.

An Act to fix the salary of county solicitor, in counties containing a population of more than two hundred and fifty thousand, and less than one million, and providing for the payment thereof.

Referred to the Committee on Judiciary General.

By Mr. CHEESEMAN: House Bill No. 791.

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court.

Referred to the Committee on Counties and Townships.

By Mr. HOBBS: House Bill No. 792.

A supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, chief engineer, chief draughtsman superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways, solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over the same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highways Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying state highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. SAMUEL B. SCOTT: House Bill No. 793.

An Act providing for the establishment of standard paper, ink, typewriter ribbons and stamping pads by the Division of Public Records, and requiring the use of the same by all departments or offices of the Commonwealth, and of each county, city and borough in the keeping of public records, and providing penalties for the violation of this act.

Referred to the Committee on Judiciary General.

By Mr. EHRHARDT: House Bill No. 794.

An Act making it unlawful for any person, firm or corporation to use the word Consul or Consulate, or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor.

Referred to the Committee on Judiciary Local.

PETITIONS.

FAVORING LOCAL OPTION.

The Chair laid before the House petitions signed by citizens of Allison Park, Allegheny County, favoring the passage of a local option law.

Which was referred to the Committee on Law and Order.

FAVORING READING OF THE HOLY BIBLE IN PUBLIC SCHOOLS.

Also the petition of citizens of Philadelphia favoring the reading of the Bible in public schools.

Which was referred to the Committee on Education.

Mr. REDFIELD asked and obtained leave of absence for Mr. DeFrees for to-day.

Mr. HEMMINGER asked and obtained leave of absence for Mr. Lohr for the remainder of the week on account of illness.

Mr. BERNTHEIZEL asked and obtained leave of absence for Mr. Hess for to-day.

Mr. HACKETT asked and obtained leave of absence for himself for the balance of the week.

AMENDMENT TO RULE NO. 64.

Mr. EHRHARDT offered the following resolution which was twice read:

In the House of Representatives, February 18, 1913.

Resolved that Rule 64, paragraph A, which now reads as follows:

"Any person accorded the privilege of a newspaper correspondent must be the telegraphic correspondent of a daily newspaper, who is not engaged in any department of the State government, or in any other business, or must be the official reporter for a Harrisburg daily newspaper; and no more than one representative of each newspaper shall be accorded this privilege."

Be amended so as to read as follows:

"Any person accorded the privilege of a newspaper correspondent must be the telegraphic correspondent of a daily newspaper or of a recognized press association who is not engaged in any department of the State government or any other business, or must be the official reported for a Harrisburg daily newspaper; and no more than one representative of each newspaper shall be admitted to the press gallery at the same time."

Committee on Rules,
By F. C. ERHHARDT,
Chairman.

On the question.

Will the House agree to the resolution?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to interrogate the gentleman from Lackawanna.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. EHRHARDT. Yes, sir, Mr. Speaker.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to ask the chairman of the Committee on Rules to explain the necessity for this change.

Mr. EHRHARDT. Mr. Speaker, at the request of several of the news writers and arrangements with the Speaker of the House, there being four representatives of the Press at present in the House and being only seats provided for one representative from each paper it was agreed that the four or six representatives from one paper should arrange among themselves to occupy but one seat, and attend sessions at such times as they saw fit, so that each paper was afforded a seat for one representative. That is the only change.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna further.

Mr. SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated further?

Mr. EHRHARDT. Certainly, Mr. Speaker.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to ask the gentleman if I understand him correctly, that this resolution meets with the approval of the press, the gentlemen who represent the newspapers?

Mr. EHRHARDT. Mr. Speaker, it does. My arrangement was with the Press Association. At their request this change has been made.

Mr. R. J. BALDWIN. I wish to interrogate the gentleman from Lackawanna also.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated further?

Mr. EHRHARDT. Certainly, Mr. Speaker.

Mr. R. J. BALDWIN. Mr. Speaker, it looks to me as if the words "Any other business" included in the resolution make a very broad term.

The SPEAKER. The Chair would state for the information of the gentleman that that expression is in the present rule. The only change made by this amendment is to permit the granting of cards to a gentleman who represents a press association, like the Associated Press. The present rule odes not provide for that; also to provide that one newspaper may have more than one correspondent, but providing that only one of such correspondents can occupy the seat assigned to that paper at a time, the present rule providing that only one be in the gallery at a time.

On the question recurring,

Will the House agree to the resolution?

It was agreed to.

BILL RECOMMITTED.

Mr. JOHN R. JONES. Mr. Speaker, I move that House Bill No. 648, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done.

file folio 407, on page 4 of today's calendar, be recommitted to the Committee on Counties and Townships for the purpose of a hearing.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr JOHN R. JONES. Mr. Speaker, my purpose in asking for this recommittal is this: This bill is in the nature of an enabling act. I want to call the attention of the members of the House to the fact that while you found a pamphlet on your desk relating to the proposed creation of a new county to be taken out of Luzerne and Schuylkill, that it does not follow that the new act proposed applies wholly to those two counties. It is an enabling act providing that whenever two adjoining counties of this Commonwealth shall each contain eight hundred square miles or more, and attain a population of 150,000 or more or that have already reached the same, they may be divided and a new county created, and so on. Under the provisions of this act, whenever there are counties in that position they can proceed under that act for the creation of a new county. It is a matter for the House to determine whether or not they will support such legislation when it comes up. The point that I want to make in support of my motion to recommit is this, that this bill was introduced on the 12th of February, last Wednesday, and reported out of Committee the very next day, and printed for action to-day, before one could really know whether or not such a bill was introduced into this House. This act proposese to take from two large counties, a big amount of their territory. It affects their financial condition, and it is a matter that should not be passed upon or passed out of the Committee without due notice, and consideration. I do not want to make any reflection upon the Committee; but as the members can see this is an act that does not apply solely to two counties. You can see that the action has been hasty when the bill was referred to the Committee on the 12th and reported out again on the 13th before those affected by it had any notice of its introduction. Now, I have asked that this be put back in committee for further consideration and hearing and I make a personal request to the sponsor of the bill who did not seem fit to do so, as he wants the bill passed promptly. I ask, in all fairness, that the House recommit this bill to the committee that I may consult with my constituents at home who may be affected by this bill. Last evening a bill was recommitted under similar circumstances, for the purpose of a hearing, and I ask the members of the House to support my motion for the recommitting of this bill.

Mr. ADAMS. Mr. Speaker and members of the House I object to having this bill recommitted. The members of the Committee on Counties and Townships are a very competent body. The inhabitants of the two counties are well aware that this bill is a matter of ancient history. The points in this bill have been rehashed for the last thirty years. This is the fifth time that this bill has been introduced. This bill had passed the House and was killed in the Senate on one occasion, and on another occasion it passed in the Senate and was killed in the House, and again the bill was passed by both Houses and vetoed by the Governor. I cannot see why this bill should be recommitted, or why the time was not long enough for the committee to give the bill due consideration. I therefore object to recommittment and ask for a vote on it if necessary.

Mr. JOHN R. JONES. Mr. Speaker and gentlemen of the House, I want to reply to that because you may get some wrong impression. It is not a question as to whether or not the committee has given it due consideration. That is not the sole question. There are other things that it is important should be considered. It does not apply solely to Luzerne and Schuylkill Counties. If you will read the bill you will see it is an enabling act covering counties containing a certain population and certain territory and creating machinery whereby new counties may be created wherever these conditions exist. The fact that this has been hashed and rehashed has nothing to do with the question here. The question is for this Legislature to determine. We want an opportunity to present the facts here and show you how it affects us. I understand, that as far as this bill is concerned, that seven out of the eight members from Luzerne County are opposed to it, and I know of none in my county of Schuylkill that are in favor of it, and I ask that a bill of such vital importance to the two counties, with a special reference to Schuylkill and Luzerne Counties, be given due consideration. I want to say this: That a bill introduced one day and reported out of Committee the next gives one no opportunity to know or find out about the introduction of the bill, and that is all that my motion means.

Mr. ADAMS. Mr. Speaker, I wish to say to the members of the House, that seven out of eight of the members from Luzerne County are not opposed to the bill, and while the members of the Schuylkill County delegation will probably vote against the vote bill, they do not look upon it unfavorably. I wish to say that this bill received the utmost consideration in the Committee on Counties and Townships and if any member of that committee was delinquent in attending to his duties, I cannot see why it is necessary for us to recommit a bill on one man's account.

Mr. BECKER. Mr. Speaker, I think that the bill ought to be recommitted to the Committee on Counties and Townships. I would like to give some information and receive some information in regard to this matter and I certainly think that the bill ought to be recommitted.

The question recurring,

Will the House agree to the motion?

It was agreed to.

SENATE MESSAGES.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate, which were laid on the table.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 443, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

On the question,

Will the House agree to the bill on third reading?

Mr. W. H. WILSON: Mr. Speaker, I wish to say just a word in explanation of this bill. The bill which is now before you for your consideration is the result of the combined labors of the present incumbent in office and the Auditor General elected, and after consultation with former Auditor-General Young. It carried out the suggestion made in the report of the Commission on Taxation, suggesting that five new clerks be appointed in this department for the purpose of carrying out the business of the department. The Commission on Taxation suggested that five new clerks, or five new clerkships be created at five thousand dollars a year. There has been really nothing materially done in the way of the conducting of the business of this department in the way of additional clerkships since 1861, and because of the fact that the other Auditor-Generals and the Auditor-General elect, and the Tax Commission have found that the vast amount of business being done by this collecting agency and disbursing agency of the entire Commonwealth requires that it is absolutely necessary for the proper conduct of the business, I think this measure should be supported. Instead of adopting the suggestion that five clerks be appointed at a salary of five thousand dollars each, in this bill the salary of the various officers has been graduated. I therefore ask everyone of you gentlemen to support this bill, as it is a needed measure, and one which will provide enough clerks to put the department in a position to do the work which is necessary to be done in this department.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Adams,	Fahey,	Latshaw,	Roney,
Allen,	Flynn,	Leslie,	Runk,
Alworth,	Forster, I. G.,	Letzkus,	Sassaman,
Ambler,	Foster, J. D.,	Light,	Schaeffer, A. C
Baldwin, G. A.,	Frey,	Lowers,	Schuck,
Becker,	Gans,	Malie,	Scott, J. R. K.,
Benninger,	Geary,	[illegible]nion,	Scott, S. B.,
Bergey,	Geiser,	McAleer,	Semmens,
Berntheizel,	Gibson,	McAllister,	Shaffer, C. A.,
Bigger,	Good,	McCaig,	Shaffer, I. E.,
Bleloch,	Gransback,	McKay,	Shern,
Brosius,	Gray, Frank,	McNichol,	Sherwood,
Brown,	Gray, Joseph,	Mechling,	Showalter,
Brownlee,	Hackett,	Miller,	Smith, J. W.,
Burnett,	Haggerty,	Missimer,	Smith, L.,
Caldwell,	Heidinger,	Mitchell,	Snyder,
Campbell, C.M.,	Hemminger,	Moore,	Speiser,
Carter,	Heyburn,	Morrow,	Spillinger,
Cheeseman,	Hibshman,	Moses,	Steele,
Claycomb,	Hobbs,	Moulthrop,	Stein,
Cleary,	Hoffman,	Murphy,	Stone,
Collins,	Howard, J.,	Neel,	Swartz,
Conniff,	Humes,	Neely,	Swift,
Conrade,	Irwin, H. H.,	Newbaker,	Thomas,
Cox,	Jackson,	Newton,	Ulerich,
Currier,	Jones, E. E.,	North,	Walnut,
Curry,	Jones, J. R.,	O'Neill,	Watson,
Davis,	Kaiser,	Price,	Wettach,
Dickinson,	Kaufman,	Ramsey,	Whitaker,
Donahoe,	Keeport,	Redfield,	Whitman,
Donnally,	Kenna,	Reeser,	Williams,
Down,	Kennedy,	Rex,	Wilson, W. H.,
Dunn, J. A.,	Kern,	Richards,	Wiltbank,
Ehrhardt,	Kitts,	Riebel,	Young, G. K.,
Eichenberger,	Kuhn, H. P.,	Robinson,	Young, J. H.,
Ely,		Rockwell,	Alter,
Ewing,			Speaker.

NAYS—24.

Benson,	Keegan,	McDermott,	Post,
Dunn, H. B.,	Klepper,	Mellott,	Rhoads,
Goss,	Kuhns, E.G.M.,	Metzenbacher,	Rothenberger,
Gramley,	Lanius,	Musser,	Snavely,
Herman,	Lenker,	Perry, H. L.,	Trach,
Howard, R.,	Martin,	Peters,	Walsh,
			Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 265, entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Ambler,	Ehrhardt,	Leslie,	Schaeffer, A. C.
Arthur,	Eichenberger,	Letzkus,	Scott, J. R. K.,
Baldwin, R. J.,	Ewing,	Lowers,	Scott, S. B.,
Becker,	Forster, I. G.,	Malie,	Semmens,
Benson,	Foster, J. D.,	Mannion,	Shaffer, I. E.,
Bergey,	Frey,	Martin,	Shern,
Bittles,	Gans,	Mather,	Showalter,
Blair, W. A.,	Glenn,	McAleer,	Smith, J. W.,
Bleloch,	Good,	McArdle,	Smith, L.,
Body,	Goss,	McClintock,	Snyder,
Brown,	Gransback,	McDermott,	Spangler,
Brownlee,	Gray, Frank,	McKay,	Speiser,
Burnett,	Gray, Joseph,	Mechling,	Spillinger,
Campbell, C.M.,	Hackett,	Miller,	Steele,
Campbell, J.J.	Haggerty,	Morrow,	Stone,
Carson,	Heidinger,	Moses,	Strauss,
Cheeseman,	Hemminger,	Moulthrop,	Ulerich,
Claycomb,	Heyburn,	Murphy,	Walnut,
Cochran,	Hobbs,	Newton,	Watson,
Collins,	Howard, J.,	Pennock,	Wettach,
Conner,	Humes,	Post,	Whitaker,
Conniff,	Jackson,	Ramsey,	Whitman,
Conrade,	Jones, J. R.,	Redfield,	Wildman,
Cox,	Kaufman,	Rex,	Williams,
Currier,	Keegan,	Riebel,	Wilson, J. H.,
Curry,	Keeport,	Robinson,	Wiltbank,
Davis,	Kennedy,	Rockwell,	Young, G. K.,
Dickinson,	Kuhns, E.G.M.,	Roney,	Young, J. H.,
Donnally,	Lenker,	Rothenberger,	Alter,
Down,			Speaker.

NAYS—65.

Adams,	Grabe,	McCaig,	Richards,
Allen,	Gramley,	McNichol,	Sassaman,
Baldwin, G. A.,	Herman,	Mellott,	Savacool,
Bayle,	Hibshman,	Mitchell,	Schuck,
Benninger,	Kaufman,	Moore,	Shaffer, C. A.,
Bigger,	Jones, E. E.,	Musser,	Sherwood,
Brosius,	Kaiser,	Neel,	Snavely,
Caldwell,	Kenna,	Neely,	Steedle,
Carter,	Kern,	Newbaker,	Stein,
Donahoe,	Kitts,	North,	Swartz,
Dunn, H. B.,	Klepper,	Pennegar,	Swift,
Dunn, J. A.,	Kuhn, H. P.,	Perry, H. L.,	Thomas,
Ely,	Lanius,	Perry, S. J.,	Trach,
Fahey,	Matt,	Peters,	Walton,
Flynn,	McAllister,	Reeser,	Wilson, W. H.,
Geary,		Rhoads,	Zimmerman,
Geiser,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Mr. S. B. SCOTT: Mr. Speaker, I ask that the roll be verified.

The roll was verified as above recorded, 117 voting in the affirmative, and 65 in the negative.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25, entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for chuch school health and recreation purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry is hereby authorized to lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of the State forest as the Department may deem suitable as a site for a temporary building to be used by such citizen or family for health and recreation or as a site for church or school purposes

Section 2 The receipts from such leasing shall be paid into the State Treasury Eighty per centum thereof so paid in shall constiutute a part of the State School Fund of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. WILLIAMS. Mr. Speaker.

The SPEAKER: The gentleman from Tioga, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, This bill is that it does not call for any expenditure of State funds is an exception to the great number of bills introduced from day to day. On the contrary, it is a revenue producer in that it provides that eighty per-cent. of the revenue from the leases shall become part of the permanent School Fund provided for in Article 27 of the School Code, as well as a preserver of health. The land belonging to our Commonwealth represents nearly one million acres; they are the elevated lands, the lands of pure air and pure water where fish and game are found in abundance. Through the ownership of these lands, the State has a monopoly of the desirable sites for location for summer cottages, and this bill is intended to place these lands within the reach of their owners, the people of our State, who may seek rest and recreation among them. Help this bill to become a law, and you will be paving the way for thousands of our citizens to go to their cottages and family health resorts in the mountains during the heated terms of the year and then to occupy these lands in this way will not only contribute to the health of our citizens, but will be an additional protection against fire, that great enemy to forestry, in which those engaged in reforesting our State lands have to meet and contend with. Each year we spend several millions of dollars through our model Health Department in the interest of the health of the people of our State as a whole, and increasing tuberculosis stations in particular, where a law of this kind will have the possible effect of preventing it.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Adams,	Forster, I. G.,	Martin,	Rothenberger,
Allen,	Foster, J. D.,	Mather,	Runk,
Alworth,	Gans,	Matt,	Sassaman,
Ambler,	Geiser,	McAleer,	Schaeffer, A. C.
Arthur,	Gibson,	McAllister,	Schuck,
Baldwin, G. A.,	Glenn,	McArdle,	Scott, J. R. K.,
Baldwin, R. J.,	Good,	McCaig,	Scott, S. B.,
Barner,	Goss,	McClintock,	Semmens,
Bayle,	Grabe,	McKay,	Shaffer, C. A.,
Becker,	Gramley,	McNichol,	Shaffer, I. E.,
Benninger,	Gransback,	Mechling,	Shern,
Benson,	Gray, Frank,	Mellett,	Sherwood,
Bergey,	Gray, Joseph,	Metzenbacher,	Showalter,
Berntheizel,	Hackett,	Miller,	Smith, J. W.,
Bigger,	Haggerty,	Missimer,	Smith, L.,
Bleloch,	Heidinger,	Mitchell,	Snavely,
Body,	Hemminger,	Moore,	Snyder,
Brosius,	Herman,	Morrow,	Spangler,
Brown,	Heyburn,	Moses,	Speiser,
Brownlee,	Hibshman,	Moulthrop,	Spillinger,
Burnett,	Hobbs,	Musser,	Steedle,
Caldwell,	Hoffman,	Neel,	Steele,
Campbell, C.M.,	Howard, J.,	Neely,	Stein,
Campbell, J.J.	Howard, R.,	Newbaker,	Stone,
Carson,	Humes,	Newton,	Strauss,
Carter,	Irwin, H. H.,	North,	Swartz,
Cheeseman,	Jackson,	O'Neill,	Swift,
Claycomb,	Jones, J. R.,	Pennegar,	Thomas,
Cleary,	Kaiser,	Pennock,	Trach,
Collins,	Kaufman,	Perry, H. L.,	Ulerich,
Conniff,	Keeport,	Perry, S. J.,	Walnut,
Conrade,	Kenna,	Peters,	Walsh,
Cox,	Kennedy,	Piper,	Walton,
Currier,	Kern,	Post,	Watson,
Curry,	Klepper,	Price,	Wettach,
Davis,	Kuhn, H. P.,	Ramsey,	Whitaker,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Wildman,
Donahoe,	Lanius,	Reese,	Williams,
Donnally,	Latshaw,	Reeser,	Wilson, J. H.,
Down,	Lenker,	Rex,	Wilson, W. H.,
Dunn, H. B.,	Leslie,	Rhoads,	Wiltbank,
Dunn, J. A.,	Letzkus,	Richards,	Young, G. K.,
Ehrhardt,	Light,	Riebel,	Young, J. H.,
Eichenberger,	Lowers,	Robinson,	Zimmerman,
Ely,	Mannion,	Rockwell,	Alter,
Ewing,		Roney,	Speaker.
Fahey,			

NAYS—2.

Keegan, McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. DAVIS. Mr. Speaker, I desire at this time to call up House Bill 132 on page two of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 132, as follows:

An Act to amend an act entitled "An act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prison"

Approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants shall compose a board to be known by the name and style of Inspectors of the Jail or County Prison to wit The judges of the court of quarter sessions the district attorney the sheriff the controller and commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution

Section 2 That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors

Section 3 That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder

Section 4 That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board

Section 5 Provided that in all counties to which this act applies where the sheriff is now the acting warden or keeper of the county jail or prison and has his residence therein this act shall not take effect until the expiration of the term of the sheriff now so acting as jail or prison warden or keeper

Section 6. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hreby enacted by the authority of the same That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and not less than three hundred and twenty-five thousand inhabitants shall compose a board to be known by the name and style of inspectors of the jail or county prison to wit The sheriff the controller and the commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution

Section 2 That within thirty days after this act shall become effective the above-named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all of the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors

Section 3 That all the expenditures for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder

Section 4 That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board

Section 5 This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act

Section 6 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. MANNION. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section one by inserting after the words "to wit" in line 9 "the judges of the court of Quarter Sessions."
Amend by inserting after section 4, the following:
"Provided that in all counties in which the act applies where the sheriff is now acting warden or kepeer of the county, jail or prison, and has his residence therein, this act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to offer an amendment to this bill.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amen line 2 of title "jail" to read "jails".
Line 2 of title "prison" to read "prisons".
Section 1, title should be recited again in section 1, and insert following words "which read as follows"
Section 1 page 4, line 6, omit "not".

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, that the bill be prepared for final passage.

Mr. ROCKWELL. Mr. Speaker, I desire to call up House Bill No. 184 on page two of today's calendar, Bills postponed for the present, entitled:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published.

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Roney.

Mr. RONEY. Mr. Speaker, if this bill is going to conflict seriously with a bill introduced last week at the suggestion of the Joint Tax Commission, whose report has been laid upon the desks of each member. It provided that in addition to the publishing of the name of those paying mercantile taxes, the amount upon which the claim tax shall also be published. There has been an argument on the part of the people who have advocated the repeal of the mercantile license tax act that the thing was wholly without merit. In addition to the publishing of the names, the amount of business on which they were paying taxes being in reaching persons of responsibility and having them pay a just share of taxation. This conflicts seriously with the bill introduced at the suggestion of the Joint Tax Commission. I think that this bill does not possess the same meritorious features of the other. I ask that the House vote this one down.

Mr. ROCKWELL. Mr. Speaker, my first thought was to withdraw the motion calling it up and letting it stand for the present, if that is the sense of the House. The only purpose of this bill is to save the costs to the State to this bill to become a law It would save the State an expense in collecting the mercantile tax about $173,000. It is the only purpose of introducing this bill. With the suggestion offered by the gentleman from Philadelphia, I will withdraw the calling up of this bill.

The SPEAKER. The gentleman desires to withdraw his request for the present consideration of the bill.

Mr. MORROW. Mr. Speaker, I desire to call up House Bill No 362 page three of today's calendar, entitled:

An Act repealing section four of an act entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for the townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and nienty-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" approved the third day of June Anno Domini one thousand nine hundred and eleven.

On the question,

Will the House agree to the bill on third reading?

Mr. MORROW: Mr. Speaker.

The SPEAKER: The gentleman from Lehigh, Mr. Morrow.

Mr. MORROW: Mr. Speaker, The asking for the repeal of this section I suppose needs some explanation. Under the present section of this act, Township Commissioners are not allowed to expend more than $100.00 upon repairs, or otherwise, except by contract given to the lowest and best bidders. This $100.00 includes labor and material. Whitehall Township, Lehigh County, one of the largest townships in the State, with forty miles of road to keep in repair, wishing to make these repairs itself, without using the contractor, desires that you strike out this restriction of $100 by the repeal of this section. Their reason for this is that during the past year, they made a contract in accordance with this section with the lowest and best bidder for a section of road that required repairs. Now the costs of these repairs amounted to $3,700.00 and the Commissioners contend that they could have made them for $2,-200.00. Now, why should they be compelled to pay the difference to the contractor as profit! We have in Whitehall Township a complete roadmaking outfit including crusher, roller, etc. and also the stone quarry. We are fully confident that we could do our own road work with profit to ourselves, and relief to the needy in our community by employing them at this work. For ten years prior to the passage of this section, we repaired, or rather rebuilt about one-half of our township roads without any increase in taxes. How long do you think such a condition would remain if the contractors received all of our work? Gentlemen, we can ask for no greater favor than the request in this bill. Give us the right to spend our own money as we see fit.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Lehigh.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. MORROW. Certainly, Mr. Speaker, if I can answer the question.

Mr. S. B. SCOTT. Mr. Speaker, I desire to ask the gentleman, if Section 4 of this act be repealed, will there be any legislation which will compel the advertisement of contracts by first class townships.

Mr. MORROW. Mr. Speaker, I want to tell the gentleman that for ten years we contracted and built twenty miles of road and we never in that time raised one mill of taxes.

Mr. S. B. SCOTT. Mr. Speaker, I desire to further interrogate the gentleman, and ask him to answer the question: If this section is repealed will there be any legislation left requiring the advertisement of contracts by townships of the first class.

Mr. MORROW. Mr. Speaker, not in that act.

Mr. S. B. SCOTT. Mr. Speaker, I will ask him again whether there will be any legislation left.

Mr. MORROW. Mr. Speaker, I am simply asking for the repeal of this act, and there will be no new act because section four covers all contracts over one hundred dollars. It may be in some other act passed previous to this act. That I have not looked up.

Mr. S. B. SCOTT. Mr Speaker, unless somebody in this House can state what the status of the law in reference to advertising of contracts by townships of the first class is or will be if this act be repealed, I think this House ought not to pass this bill, and I would request that the gentleman withdraw his request to call up the bill at this time.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—44.

Adams,	Geiser,	McDermott,	Rockwell,
Ambler,	Grabe,	Miller,	Runk,
Baldwin, R. J.,	Hackett,	Missimer,	Sassaman,
Benninger,	Heyburn,	Moore,	Sherwood,
Berntheizel,	Hobbs,	Morrow,	Stein,
Brownlee,	Kuhns, E.G.M.,	Moulthrop,	Strauss,
Campbell, C.M.,	Letzkus,	Neel,	Trach,
Davis,	Light,	North,	Ulerich,
Dunn, H. B.,	Lowers,	Perry, S. J.,	Walnut,
Dunn, J. A.,	Malie,	Peters,	Wettach,
Ewing,	Mannion,	Rhoads,	Williams,

NAYS—144.

Allen,	Ehrhardt,	Klepper,	Rothenberger,
Alworth,	Eichenberger,	Lamus,	Savacool,
Arthur,	Ely,	Latshaw,	Schaeffer, A. C
Baldwin, G. A.,	Forster, J. G.,	Lenker,	Schuck,
Barner,	Foster, J. D.,	Martin,	Scott, J. R. K.,
Bayle,	Gibson,	Mather,	Scott, S. B.,
Becker,	Glenn,	Matt,	Semmens,
Benson,	Good,	McAleer,	Shaffer, C. A.,
Bigger,	Goss,	McAllister,	Shaffer, I. E.,
Blair, W. A.,	Gramley,	McArdle,	Shern,
Blair, W. F.,	Gransback,	McCaig,	Smith, L.,
Bleloch,	Gray, Frank,	McClintock,	Snavely,
Brosius,	Gray, Joseph.	McKay,	Snyder,
Brown,	Haggerty,	Mellott,	Spillinger,
Burnett,	Heidinger,	Metzenbacher,	Steedle,
Campbell, J.J.	Hemminger,	Moses,	Steele,
Carson,	Herman,	Murphy,	Stone,
Carter,	Hibshman,	Musser,	Swartz,
Cheeseman,	Hoffman,	Neely,	Swift,
Claycomb,	Howard, J.,	Newton,	Thomas,
Cleary,	Howard, R.,	O'Neill,	Walnut,
Cochran,	Humes,	Pennegar,	Watson,
Collins,	Irwin, G. C.,	Pennock,	Whitaker,
Conniff,	Jackson,	Perry, H. L.,	Whitman,
Conrade,	Jones, J. R.,	Price,	Wildman,
Cox,	Kaiser,	Ramsey,	Wilson, J. H.,
Currier,	Keegan,	Redfield,	Wiltbank,
Curry,	Keeport,	Reeser,	Young, G. K.,
Dickinson,	Kennedy,	Riebel,	Young, J. H.,
Donahoe,	Kern,	Robinson,	Zimmerman,
Donnally,	Kitts,		Alter,
Down,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative the bill falls.

MOTION TO RECONSIDER VOTE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to offer the following motion.

The SPEAKER. The motion will be read by the Clerk for information.

Moved by John R. K. Scott, seconded by Patrick Conner, who voted in the majority, that the vote by which House Bill No. 6 file folio 155, page 1 of the calendar of Tuesday, February 11th, 1913, was defeated upon final passage, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker and gentlemen of the House, this bill for the reconsideration of the vote by which it was defeated being now before us, was disposed of last Tuesday. The motion is made because the bill that was defeated covered more than that which was meritorious. The bill was brutually drafted and had many elements which could not be supported, but there were some elements in it that some of the members wanted to support. If this motion is allowed and the bill reconsidered, and you will let me move to postpone the bill and then later have it recommitted back to the committee for the purpose of amendment, it will give many of the members an opportunity to be properly recorded upon this bill when the amendments that they are willing to support are made to it. There are a number of members who wanted to vote for the bill, but could not support it as it was drawn, and when it came up on final passage it was defeated, and the real expression of many of the members on this floor could not be shown by the vote on this bill. I hope, therefore, Mr. Speaker and gentlemen of the House, that this motion, which is merely to reconsider the vote by which the bill was defeated, will be adopted and allow the bill to come back on the calendar in proper form, and then be recommitted and amended in accordance with the expression of many of our members. I hope this motion will prevail.

Mr. ULERICH. Mr. Speaker and gentlemen of the House, I think the House fully understood when I presented this bill that I did not draft the bill. The bill was presented to me and I was sponsor for it. But before we vote on it on final passage I desire to recommit this bill for some correction and amendment, and if this motion does not pass, which I hope it does pass, I would certainly put in another bill and eliminate some of the things which are in the former bill. I hope the members of the House will reconsider this bill and pass favorably upon it and then we can recommit it for further consideration.

Mr. STEIN. Mr. Speaker and members of the House, I regret very much that I am compelled to take issue with both my Philadelphia colleague and my Westmoreland colleague. I also regret that my honorable friend from Westmoreland is so long on his intention and so short on his memory. For the information of the House gentlemen, I quote from the gentleman from Westmoreland in his able remarks here last Tuesday, in which he says as follows, on page 236 of the Legislative Journal "This bill was darwn up after consultation with a number of coal operators in the County of Westmoreland and other counties in Western Pennsylvania, together with some of the very best legal talent available, even so far as a judge upon the bench." Now I ask the gentleman, and also all my colleagues in the House, if the gentleman had all of that skillfull preparation and had the benefit of the advice of the very judge upon the bench, how can he now say that the bill was hastily and brutally drawn? How can the gentleman deny the very statement he made to this House, and it seems to me without any further argument that they are certainly able to read, and it seems to me that the gentleman is certainly presumptious in asking for the reconsideration of this bill, when it was honestly defeated, and I hope that his motion will be defeated.

Mr. ULERICH. Mr. Speaker and gentlemen of the House, there is no way by which any one in making an address can make quotation marks. Now I said just what the gentleman has quoted, because I was told by the real drawers of the bill that that was the fact, hence I could not say anything else, and could not mention the drawers of the bill. I was the sponsor of the bill, and I think the Chairman of the Law and Order Committee will tell you that I wanted him to recommit the bill, and I also asked the House to allow me to do that when the bill was under consideration.

Mr. STEIN. Mr. Speaker, I would like to interrogare the gentleman from Westmoreland County.

The SPEAKER. Will the Gentleman from Westmoreland County permit himself to be interrogated?

Mr. ULERICH. Certainly, Mr. Speaker, I will.

Mr. STEIN. Mr. Speaker, will the gentleman please tell the House, who did in fact draw this bill.

Mr. ULERICH. Mr. Speaker, is it necessary for the edification of the House that I make that statement?

The SPEAKER. The gentlemen is not required to make that statement.

Mr. STEIN. Mr. Speaker, I will say that I know that neither I nor any member of the House can require that statement.

Mr. ULERICH. Mr. Speaker, when that bill was presented to the House, that bill was presented and drawn by the Anti-Saloon League.

Mr. STEIN. Mr. Speaker, will the gentleman please say in fact who drew the bill, and also whether a judge was interested.

Mr. ULERICH. Mr. Speaker, as I understand it, and I am not giving the name, I think that was absolutely right. It was a judge of one of the best counties in this State. However, we have some of the best judges in Westmoreland County.

Mr. ALWORTH. Mr. Speaker, I am in hearty accord with the motion to recommit or rather reconsider this bill. There were a number of things contained in its provisions that I could not support, but there were some things that I should have liked to have supported. I believe if this vote is reconsidered, and the bill is sent back to the committee and properly amended, we will have a proper bill and one that will receive the hearty support of the members of this House, and a proper measure for this House to pass.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this motion while it is a proceeding that is possibly not a usual one, in the first six weeks of the session, the motion for the reconsideration of a vote by which a bill has failed is no new proceeding. Not only is it a courtesy usually extended to the sponsor of a bill, such as this one, but it is extended to the sponsor of every bill who comes on the floor of the House and asks that he again be allowed to submit the bill to the members for their vote,—I say, it is not only a courtesy, but in this case it is merely an act of fairness to ourselves. I cannot understand why the gentleman from Allegheny who so successfully and eloquently opposed this measure a few days ago, should now oppose a reconsideration of this bill. Many of us voted along with him to defeat this measure, not because we agreed with him in everything he said, not because we agreed with him that this bill contained no merit, but we voted with him because we thought the bill contained a great deal of demerit. When a bill prevents a man from having served at his home by the deliveries of a legitimate business his wines and liquors, then the legislation is going beyond all reason, but if we have a bill before the House to stop the liquor man to hauling with his four-team horses barrels

of liquor to the miners and working men on the days on which he receives his pay, and lures his money to liquor instead of it going to the family, then we have a bill that contains merit, and one which many of us desire to support. There is no reason for the gentleman from Allegheny, or his friends, to oppose having this bill brought properly before the House, and there is no use for him quibbling with the gentleman from Westmoreland as to who has drawn the bill, whether it was drawn by the Anti-saloon League or by the paid agitators of which he speaks, or whether it is drawn by a learned judge. The bill itself is not properly drawn, and does not properly express the views of all the members of this House, and many of us here were compelled to vote against it in the manner in which it was presented while we may have wanted to vote for the meritorious portions contained in it. Now, in the sense of fair play, where is there any reason to keep this bill from being reconsidered, and then sending the bill back to the committee and having it properly amended? Then we can express our views, and the gentleman from Allegheny may possibly again lead his fight to a successful end. Why not submit it again to our sound judgment? I do not think the bill presented by the gentleman from Westmoreland should be crushed here in this manner when there are merits in it that should be properly presented to this House. I hope that there will be no such action in this House that will stop any member from asking for a reconsideration of his proposed legislation.

Mr. KITTS. Mr. Speaker, I see no reason why this House should disinter a crumbling corpse which has been legally killed and officially buried. As the gentleman from Philadelphia speaks about "sound judgment" I desire to call the attention of the members of this House to the fact that this bill had its day in Court. Everyone understood its provisions. I was not present here on the day of its consideration, being absent on official business, but I followed the bill and understood the entire workings of it. I followed the press reports, and I believe that not only all of the members of this Assembly, but also all of the voters of the State of Pennsylvania understood the provisions of this bill. If the gentleman is so presumptious that he wishes to call up the bill for the purpose of amendment, let him give birth to a new bill, and while it is in its infancy, present it to the House in the proper manner.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia who spoke on this motion a few moments ago.

The SPEAKER. Will the gentleman from Philadelphia Mr. John R. K. Scott, permit himself to be interrogated?

Mr. J. R. K. SCOTT. I will.

Mr. ALLEN. I desire to ask the gentleman whether the purpose which prompts him in this matter is that the bill should be such that peddling may be prohibited in this State?

Mr. JOHN R. K. SCOTT. It is the desire to prohibit peddling to a greater extent that is prohibited under the act of 1911.

Mr. ALLEN. I desire to interrogate the gentleman further, and would ask him if the Act of 1911 is not absolutely prohibitive to peddling in all its details?

Mr. JOHN R. K. SCOTT. In answer to that I would say, the Act of 1911 has not yet become effective. A few hours ago fifty-four of the peddlers were arrested in Philadelphia and are now under bail.

Mr. ALLEN. I desire to ask the gentleman if it is not a fact that many fines, in many sections of the State, have been imposed on many law-breakers under the Act of 1911 for peddling?

Mr. JOHN R. K. SCOTT. I dare say there is no question but that there have been many penalties imposed, but the present penalty is not sufficient to suppress peddling.

Mr. ALLEN. I should like to ask the gentleman what the penalty is under the Act of 1911?

Mr. JOHN R. K. SCOTT. I do not know what the exact penalty is under the Act of 1911.

Mr. ALLEN. If the gentleman at last acknowledges his lack of information as to the penalty, I desire to know what other penalty than that provided in the Act of 1911 could be injected in this bill?

Mr. JOHN R. K. SCOTT. If the gentlemen will allow the passage of this motion, they will get the information, not only as to the penalty but also as to the elements that we desire to have stricken out, and that is why we want to send it back to the committee. It may then have full consideration, and we will have a full understanding of it when it is again brought out on the floor of the House.

Mr. ALLEN. I desire to say in relation to the motion before the House that this Bill was drawn with full understanding, no doubt, as to the provisions in that bill. A whole meal was sought by those who drew the bill. That full meal has been denied them by a positive and overwhelming vote of 134 members of this House, against 65. Having been denied the full meal, so to speak, it is now attempted on the floor of this House to resurrect this bill, as was suggested by the gentleman from Erie, and breathe into it a new life, to see what other portion of a meal may be given at the hands of this House. If you as members of this House come before this House with a measure you stand upon the merits of that measure. If you come before the House on some other measure because of the fact of the defeat of the first measure, you must stand on the merits of that measure.

We read it in the newspapers, and I presume it is true—at least the Chairman of the Committee can answer for it that bills are being introduced almost daily in the Law and Order Committee regarding the liquor traffic in this State. This bill, as I understand it, was not and is not the only bill resting in the hands of the Committee in relation to regulating the liquor laws with reference to the dealers, bottlers and wholesalers. This Committee, let me inform you—the Law and Order Committee of this House—was a committee which at least smacked very much of a committee that had the stamp of approval of the Anti-Saloon League. As a member of the Committee on Committees—and I have no hesitancy in making this statement on the floor of the House—it was demanded by a certain element that a majority of that Committee be appointed from that element. For some reason or other—I do not know why—the challenge seemed to be hurled at me. It was very heartily and rapidly acceded to at that time. And strange to say the names proposed when those who were there for the purpose of handling the legislation in regard to local option in the State of Pennsylvania, and 12 of them—No, 9—I want to be absolutely correct—were named by one man on that Committee. Whether or not————

Mr. SHERN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. ALLEN. I will after I have finished.

Mr. SHERN. I would like to know whether the gentleman intends to proceed further into the proceedings of the meetings of the Committee on Committees and if he had this information at the time the report of the Committee on Committees came to this House, why he did not give this information to the House so that the House could have voted down that report.

Mr. ALLEN. As I was saying I will submit to any interrogation at the conclusion of my remarks, and I still maintain that I will do so. The members of that Committee were handed in and were gladly acceded to. The other members of that Committee suggested apparently, in a haphazard manner————

POINT OF ORDER.

Mr. SHERN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SHERN. The remarks of the gentleman from Allegheny do not pertain to the motion now under consideration. I insist upon my point of order. The remarks of the gentleman from Allegheny are not germane to the issue.

The SPEAKER. The Chair is compelled to state that from the best advice obtainable, the Chair must rule that the remarks of the gentleman from Allegheny are not in order.

Mr. ALLEN. I wish to say to the members of this House that this bill was presented to the Committee on Law and Order on January 21st. That committee must be given credit for giving due consideration for the application of its duties relative to the investigation as to the legality and the merits of this bill. This bill was reported to the House on the fifth of February, 1913, as House Bill No. 6, and then went upon the Calendar for its first reading. That bill stayed upon the calendar in the regular course of legislative proceedings and was passed upon first reading. It came up before this House in the regular course and this

bill was passed upon second reading, when it could have been amended if there was anything in the bill that should have been amended. In due time, it reached third reading in this House and was defeated by a vote of 134 to 65. On what? That the bill which had been introduced by the gentleman from Westmoreland and referred to the Law and Order Committee of this House, and had been debated upon by the members of this House, and explained, and when the vote on the final passage of the bill was taken there was no question raised as to the legality of the bill as drawn, and the bill failed. The sole reason is given at this time for the attempt to again bring on the floor of this House for a further consideration—the only reason given is that the bill might be amended, that some of the features of the present bill that made it so noxious to the House might be stricken out and that the bill might be remodeled. If that is the sense of the motion, what does it mean? It means that the bill comes back to this House for reconsideration. It means that that is something that perhaps if it does come back to this House, that it may meet with the approval of probably a half a dozen more members of the House. Now, I know that in the regular process of erecting a headstone for this bill it will not prevent the recast of an additional bill being introduced to the Committee which may, in some measure, meet with the approval of more members of this House, and that that bill might, in due time, be buried and resurrected, and might again be buried, and that a third bill might take its place so that a final determination might be given to such matters as may come before this House. All the members of the House will agree with me in this statement, and I defy contradiction of this point—that until the liquor legislation is passed, either favorably on the books of the laws of this State, or otherwise, that the progress of this House will be retarded. That has been the history of this House for years and years, and some of the other members on the other side of the House who are older on the floor of this House than I am, will back me up in that statement. I believe, according to the reports that have come to me and the Chairman of the Law and Order Committee can correct me if I am wrong in this statement—that there have been introduced into this committee bills that cover almost every feature of the change demanded by the Anti-Saloon League in reference to the laws that govern the liquor traffic of the State of Pennsylvania. And, if that be true, if that be true, why is it necessary to again call before the House a bill of this character, a bill that has been voted upon and defeated by this House, that we should again pass upon it. Why, in the name of High Heaven, and sound sense, should we not get rid of this legislative measure, which, until it is passed, retards all other measures or legislation that may come before this House? Why should we again vote to put upon the calendar a measure which has already been submitted to this House and defeated? Why should we again have this bill submitted to the house for reconsideration?

The question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. JOHN R. K. SCOTT and Mr. ULERICH and were as follows:

YEAS—79.

Alworth,	Glenn,	Mather,	Rothenberger,
Ambler,	Grabe,	Matt,	Runk,
Baldwin, G. A.,	Gramley,	McAleer,	Scott, J. R. K.,
Barner,	Gray, Frank,	McClintock,	Scott, S. B.,
Benson,	Heidinger,	McKay,	Semmens,
Bergey,	Herman,	Mechling,	Shaffer, C. A.,
Bittles,	Hobbs,	Metzenbacher,	Sherwood,
Bloch,	Hoffman,	Moses,	Smith, L.,
Brosius,	Humes,	Moulthrop,	Snavely,
Brownlee,	Irwin, G. C.,	Musser,	Snyder,
Campbell, C.M.,	Jackson,	Neel,	Steedle,
Carson,	Jones, J. R.,	Newton,	Stone,
Cheeseman,	Klepper,	Pennegar,	Swartz,
Claycomb,	Kuhn, H. P.,	Pennock,	Swift,
Conner,	Latshaw,	Perry, H. L.,	Ulerich,
Cox,	Lenker,	Post,	Walnut,
Currier,	Light,	Reeser,	Whitaker,
Donnally,	Lohr,	Rhoads,	Whitman,
Down,	Martin,	Rockwell,	Williams,
Dunn, H. B.,			Alter,
Gibson,			Speaker.

NAYS—118.

Adams,	Ewing,	Kuhns, E.G.M.,	Richards,
Allen,	Fahey,	Lanius,	Riebel,
Ambler,	Flynn,	Leslie,	Robinson,
Arthur,	Forster, I. G.,	Letzkus,	Roney,
Baldwin R. J.,	Foster, J. D.,	Malie,	Sassaman,
Bayle,	Frey,	Mannion,	Savacool,
Becker,	Gans,	McAllister,	Schaeffer, A. C.
Benninger,	Geary,	McArdle,	Schuck,
Berntheizel,	Geiser,	McCaig,	Shaffer, I. E.,
Bigger,	Good,	McDermott,	Shern,
Blair, W. A.,	Goss,	McNichol,	Sherwood,
Blair, W. F.,	Gransback,	Miller,	Smith, J. W.,
Body,	Gray, Joseph,	Missimer,	Spangler,
Brown,	Hackett,	Mitchell,	Speiser,
Burnett,	Haggerty,	Moore,	Spillinger,
Caldwell,	Hemminger,	Morrow,	Steedle,
Campbell, J.J.	Heyburn,	Murphy,	Stein,
Carter,	Hibshman,	Neely,	Strauss,
Cleary,	Howard, J.,	Newbaker,	Thomas,
Cochran,	Howard, R.,	North,	Trach,
Collins,	Irwin, H. H.,	O'Neill,	Walton,
Conniff,	Kaiser,	Perry, S. J.,	Watson,
Conrade,	Kaufman,	Peters,	Wettach,
Currier,	Keegan,	Piper,	Wildman,
Davis,	Keeport,	Price,	Wilson, J. H.,
Dickinson,	Kenna,	Ramsey,	Wilson, W. H.,
Donahoe,	Kennedy,	Redfield,	Wiltbank,
Dunn, J. A.,	Kern,	Reese,	Young, G. K.,
Ehrhardt,	Kitts,	Rex,	Young, J. H.,
Eichenberger,			Zimmerman,
Ely,			

So the question was determined in the negative and the motion falls.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as above recorded, and 79 voted in the affirmative, and 118 in the negative.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 454, as follows:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not obligatory upon said companies to maintain their bridges for such travel

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a free public bridge has been erected and opened across a river or stream in this Commonwealth near to and accommodating the same public travel as the bridge of a private company or corporation authorized to take tolls for the passage of wagons and other vehicles foot passengers horses cattle sheep swine et cetera thus diverting or taking away such travel from such bridges and the said company shall desire to amend or alter the articles and conditions of the charter or instrument upon which said corporation is formed and established so that it may not be obligatory upon such company or corporation to maintain its bridge for travel by wagons and other vehicles foot passengers horses cattle sheep swine et cetera it shall and may be lawful for such corporation to apply to the Governor of this Commonwealth for such amendment or alteration in the manner provided in this act

Section 2 The corporation desiring such amendment or alteration shall give notice of the intention to apply therefore in two newspapers of general circulation printed in the county wherein the principal office or place of business of said corporation is located once a week for three weeks setting forth briefly the character and objects of the desired amendments or alterations and the intention to make application therefore

Section 3 The said corporation shall prepare a certificate under its corporate seal setting forth the character and objects of the proposed amendment or alteration of its charter or the instrument upon which said corporation is formed or established acknowledged by the president and secretary of said corporation before the recorder of deeds of the county wherein such corporation has its principal office or place of business which certificate together with proof of publication of notice as hereinbefore provided shall then be produced to the Governor of the Commonwealth who shall examine the same and if he find it in proper form and that such amendments or alterations are or will be lawful and beneficial and not injurious to the community he shall approve thereof and endorse his approval thereon and direct letters patent to issue in the usual form reciting the said amendments or alterations and the said certificate shall then be recorded in the office of the Secretary of the Commonwealth and with all its endorsements shall be recorded in the office for the recording of deeds in and for the proper county where the principal office or place of business of said corporation is located and from thenceforth the same shall be deemed and taken to be a part of the charter or instrument upon which said corporation was formed or established to all intents and purposes as if the same had originally been made a part thereof And thereupon it shall not be obligatory upon such company or corporation to maintain its bridge for travel by wagons and other vehicles foot passengers horses cattle sheep swine et cetera but such company or corporation may close such bridge to such travel permanently or temporarily as may seem fit retaining however all its rights of property and franchises in such bridge and its location for all other uses and purposes whatsoever

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—157.

Adams,	Gibson,	Matt,	Sassaman,
Allen,	Good,	McAleer,	Schaeffer, A. C.
Alworth,	Gramley,	McAllister,	Schuck,
Arthur,	Gransback,	McArdle,	Scott, J. R. K.,
Baldwin, R. J.,	Gray, Frank,	McClintock,	Scott, S. B.,
Bayle,	Gray, Joseph,	McDermott,	Semmens,
Benninger,	Hackett,	McKay,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McNichol,	Shern,
Bigger,	Heidinger,	Mechling,	Sherwood,
Blair, W. A.,	Hemminger,	Mellott,	Showalter,
Blair, W. F.,	Herman,	Metzenbacher,	Smith, L.,
Body,	Heyburn,	Miller,	Snavely,
Brosius,	Hibshman,	Mitchell,	Snyder,
Brown,	Hobbs,	Moore,	Spangler,
Brownlee,	Hoffman,	Morrow,	Speiser,
Burnett,	Howard, J.,	Moses,	Spillinger,
Caldwell,	Howard, R.,	Moulthrop,	Steedle,
Campbell, C.M.,	Humes,	Musser,	Steele,
Carter,	Irwin, G. C.,	Neel,	Stone,
Cheeseman,	Irwin, H. H.,	Neely,	Strauss,
Claycomb,	Jackson,	Newbaker,	Swartz,
Cleary,	Kaiser,	Newton,	Swift,
Cochran,	Keeport,	North,	Thomas,
Conner,	Kenna,	Pennegar,	Trach,
Conrade,	Kennedy,	Pennock,	Ulerich,
Cox,	Kern,	Perry, H. L.,	Walsh,
Currier,	Klepper,	Perry, S. J.,	Walton,
Curry,	Kuhn, H. P.,	Peters,	Watson,
Davis,	Kuhns, E.G.M.,	Price,	Whitman,
Dickinson,	Latshaw,	Ramsey,	Wildman,
Dunn, H. B.,	Lenker,	Redfield,	Williams,
Dunn, J. A.,	Leslie,	Reese,	Wilson, J. H.,
Ehrhardt,	Letzkus,	Rhoads,	Wilson, W. H.,
Eichenberger,	Light,	Richards,	Wiltbank,
Ely,	Malie,	Riebel,	Young, G. K.,
Ewing,	Mannion,	Robinson,	Young, J. H.,
Forster, I. G.,	Martin,	Rockwell,	Zimmerman,
Foster, J. D.,	Mather,	Rothenberger,	Alter,
Frey,		Runk,	Speaker.
Gans,			
Geary,			

NAYS—9.

Collins,	Jones, J. R.,	Lanius,	Walnut,
Conniff,	Keegan,	Smith, J. W.,	Whitaker,
Down,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 482, as follows:

An Act to provide for the holding of a Constitutional Convention the election of delegates thereto and the submission of the report thereof for the approval of the people

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the fall primary election to be held at the time fixed by law for the nomination of candidates to be voted for at the municipal election in November one thousand nine hundred thirteen the question of holding a convention to revise the Constitution of this Commonwealth shall be submitted to the electors of this Commonwealth which question shall be stated on the official ballots in the following form "Shall a Constitutional Convention be called" followed by the words "Yes" "No" the one above the other with instructions printed thereon that the voter will if he favors a Constitutional Convention place a cross-mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross-mark (X) after the word "No"

Separate ballots for this purpose shall be used at the said election and marked "Official Constitutional Convention Ballots" and one of which shall be given to each elector to whom a ballot is given for voting at the said primary

It shall be the duty of the commissioners of the respective counties to prepare and have printed the said ballots in the manner now provided for the furnishing of ballots for the said primary election

Section 2 The election on the question of holding the said Constitutional Convention shall be conducted by the regular election boards and shall be governed by the laws regulating the conduct of general and municipal elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms provided that the result of the said election shall be separately counted returned computed canvassed tabulated and certified by the proper officers

Section 3 The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of said election upon the question of holding a Constitutional Convention and not later than the tenth day of October succeeding the holding of the said election shall certify the result thereof to the Governor who shall forthwith issue a proclamation declaring the result of the said election

Section 4 In addition to the ballots provided for in this act the county commissioners shall for the conduct of the said election provide such lists of voters forms blanks return sheets blank books and other supplies as they are by law required to furnish to election officers for the use at general or municipal elections Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the said election

Section 5 The Secretary of the Commonwealth as soon as may be after the approval of this act shall give notice of the holding of the said election by publication in not more than two newspapers in each county of the State for one month prior to the holding of the said election and shall transmit the said notice to the sheriffs of the said counties and the commissioners who shall give notice of the holding of the said election as now provided by law for the giving of notice of the holding of primary general and municipal elections

Section 6 The expenses of holding the said election shall be paid as the expenses of holding municipal and general elections are now payable by law

Section 7 The qualifications of electors entitled to vote at the said election shall be the same as the qualifications of electors entitled to vote at the said primary election to be held on the said day Each elector shall prove his qualifications and his identity in the same manner as now required by law to entitle him to vite at the said primary

Section 8 If the result of the said election be in favor of holding the Constitutional Convention as above provided delegates thereto shall be elected at the succeeding municipal election to be held in November one thousand nine hundred and thirteen

The convention shall be composed of one hundred and sixty-five delegates three to be elected from each of the fifty Senatorial districts of this Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for one district delegate and five delegates-at-large and the candidates highest in votes shall be declared elected

Section 9 Nominations for delegates to the convention shall be in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred and fifty qualified electors of the proper district and shall set forth that the signers thereof are qualified electors of the district in which the candidate resides and from which he desires to be elected and that they will support the candidate whose petition they are signing No elector shall sign more than one nominating petition and in case of his signing two or more his signature shall be counted on the one first signed Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than on hundred of whom shall be residents of any one county Such petitioners shall set forth that the signers thereof are qualified electors of the Commonwealth and that they will support the candidate whose petition they are signing

No elector shall sign more than five nominating petitions for delegates-at-large In case of his signing six or more his signature shall be counted on the five first signed by him

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to the first day of October one thousand nine hundred and thirteen and no signature thereto shall be counted unless it shall have been affixed to such petition and bear date not earlier than October first aforesaid

Nominating petition shall be filed with the Secretary of the Commonwealth at least ten days prior to the election at which delegates are to be chosen

The Secretry of the Commonwealth immediately after the last day for the filing of such petitions with him shall furnish to the county commissioners of each county a correct list of the candidates to be voted for in the respective counties for delegates as contained in such petition

The qualifications of delegates to the Constitutional Convention shall be the same as is by law prescribed for Senators in the General Assembly of this Commonwealth

Section 10 The names of the candidates for delegates to the said convention shall be printed on the official ballot to be used at the said election under the words "Delegates-at-Large to Constitutional Convention Vote for Five" and under the names shall be left blank spaces in which the elector may write the names of any persons for whom he desires to vote and the candidates for district delegate in a separate column under the words "District Delegate to Constitutional Convention Vote for One" under which shall be left out blank space in which an elector may write the name of the person for whom he desires to vote

The ballots in each county shall be printed in as many different series as there are candidates for district delegates In the first series the names of the candidates shall be arranged alphabetically In the second series the candidate first named in the first series shall be last and so on throughout the various series so that each candidate's name occupies different position in each series When the ballots are bound together the first shall be taken from the first series the next from the second and so on so that the one ballot from one series is immediately followed one from the next

In the first series the candidates for delegates-at-large shall be arranged alphabetically in the second the first shall be last and so on making the first in each proceding series the last in the next

Section 11 Returns of the election of district delegates shall be made as now provided by law in the case of the election of State Senators and of the delegates-at-large as provided by law in case of judges of the Supreme Court and the election of the said delegates shall be conducted in all respects as now provided by law for the election of other public officers

Section 12 The delegates so elected shall meet in the hall of the House of Representatives at the State Capitol in Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Section 13 In case of vacancies in the membership of the convention occurring prior to subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any Senatorial District shall be a resident of such Senatorial District

Section 14 Said convention shall have power to propose to the qualifications of this Commonwealth for their approval or rejection a new constitution or specific and particular amendments or additions to the present constitution as they may determine by a majority vote

Section 15 The new constitution or amendments or additions proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on the record in his office and shall publish the same in convenient form and send a copy thereto by mail to every elector in the Commonwealth

For the purpose of carrying into effect the provisions of this section the county commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by the voting or registry lists used at the election at which delegates were elected to said convention together with the post office address of each of said voters

Section 16 The constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The constitution shall be submitted to the electors in such manner as the convention shall direct Provided That any section in the proposed constitution relating to female suffrage the initative the referendum the recall either of officers or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Section 17 The entire compensation and allowance to each delegate to the convention shall be as follows For salary fifteen hundred dollars ($1500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HUMES. Mr. Speaker, I move the reference of this bill No. 482, just read, to the Judiciary Special Committee for further consideration.

The motion was agreed to.

BILLS ON SECOND READING.

Mr. FRANK GRAY. Mr. Speaker, I desire at this time to call up House Bill No. 34, on page 6 of today's calendar, entitled:

An Act providing for the safety of persons from fire on panic in certain buildings other than cities of the first and second classes requiring proper fire extinguishers and other preventives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 34, entitled:

An Act providing for the safety of persons from fire or panic in certain buildings other than cities of the first and second classes requiring proper exits, fire-extinguishers and other preventives of fire, and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

The first section of the bill was read and agreed to as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That in all theatres, opera houses or other buildings where stage scenery, moving pictures or other apparatus is used other than in cities of the first or second class there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passageways to and from the same shall be unobstructed and properly lighted. Neither on or about the stage, auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safe guarded. All drop-curtains and sky-borders shall be of non-combustible substance. There shall also be provided for each side of the stage not less than two fire-extinguishers and one cask of not less than forty-two gallons' capacity which shall be kept full of water and two buckets for each cask, buckets and casks to be painted red and kept in readiness for immediate use. All auditoriums and galleries of said buildings as described in this section shall be provided with aisles as follows:

Where the rows in width of such auditorium and galleries contain six seats or less there shall be one centre aisle three feet wide with three seats or less on either side.

Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one centre aisle four feet wide with four seats or less on either side. Where such rows contain more than eight but less than twelve seats there shall be one four foot centre aisle with six seats or less on either side and a two-foot aisle along each side wall.

Where such rows contain twelve seats or more but less than twenty seats there shall be a four-foot centre aisle with ten seats or less on either side and a three-foot aisle along each side wall.

Where such rows contain twenty seats or more there shall be a four-foot centre aisle and a four-foot aisle along each side wall or at least one additional four-foot aisle for every ten seats above twenty.

All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire-escapes and the words "Exit to Fire-escapes" in large legible illuminated letters shall be posted and kept posted before each fire-escape exit and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

The second section was read as follows:

Section 2 It shall be the duty of the Chief Factory Inspector to enforce the provisions of this act

On the question,

Will the House agree to the section?

Mr. FRANK GRAY. I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section two line one strike out the word "chief".

On the question,

Will the House agree to the amendment?

It was agreed to.

The third section was then read and agreed to as follows:

Section 3 All acts or parts of acts general local or special inconsistent herewith are repealed.

The title was read and agreed to as follows:

An Act providing for the safety of persons from fire or panic in certain buildings other than cities of the first and second classes requiring proper exits fire-extinguishers and other preventives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 587, as follows:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth" which now reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any witness in any case who shall be committed in default of bail to prison by any judge alderman magistrate or justice of the peace to appear and testify in behalf of the Commonwealth shall be paid out of the treasury of the proper county the sum of one dollar and fifty cents for each day or part of a day such witness shall be detained in prison" be and the same is hereby amended so that it shall read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any witness in any case who shall be committed in default of bail to prison by any judge alderman magistrate justice of the peace or coroner to appear and testify in behalf of the Commonwealth shall be paid out of the treasury of the proper county the sum of one dollar and fifty cents for each day or part of a day such witness shall be detained in prison

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 102, entitled:

An Act amending section thirty-three of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing punishment

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same **That section thirty-three** of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which reads as follows

"Section 33 Any public officer upon whom a duty is imposed by this act **who shall negligently or willfully fail to perform such duty or who shall negligently or willfully perform** it in such a way as to hinder the objects of this act **or who shall negligently or willfully violate any of the provisions** thereof shall be guilty of a misdemeanor and upon conviction **shall be sentenced to pay a fine not exceeding** one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court" be and the same is hereby amended so as to read as follows

Section 33 Any election officer or clerk who shall accompany a voter into a voting compartment without the said voter having first made affidavit as provided by law that by reason of physical disability he is unable to mark his ballot or any judge of election who shall accompany or who shall permit any election officer or clerk to accompany a voter into the voting compartment when the affidavit which the voter has made is false to the knowledge of such **judge of election or any judge of election** who shall permit any person to accompany a voter into the voting compartment in violation of law or who shall fail to properly file and return affidavits and other papers required by this act or by law to be filed and returned to the office prescribed by law shall for each such violation be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment for a period not less than six months and not more than two years

Any public officer upon whom a duty is imposed by this act who shall negligently or willfully fail to perform such duty or who shall negligently or willfully perform it in such a way as to hinder the objects of this act or who shall negligently or willfully violate any of the provisions thereof shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeeding one year or both in the discretion of the court

The title was read as follows:

An Act amending section thirty-three of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing punishment for certain offenses committed by judges of election

Mr. JOHN R. JONES. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

In line 7 of the title strike out the words "judges of election" and insert in lieu thereof the words "the election officers and clerks".

On the question,

Will the House agree to the amendment?

It was agreed to.

The bill as amended was then agreed to.

And said bill as amended having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 143, as follows:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one thousand eight hundred ninety-nine which reads as follows

"Section 18 The same person may hold the office of township treasurer and treasurer of the school board but no member of the school board nor township commissioner or township auditor shall hold the office of township treasurer and no township treasurer shall be eligible to succeed himself" is amended to read as follows

Section 18 The same person may hold the office of township treasurer and treasurer of the school board but no member of the school board no township commissioner or township auditor shall hold the office of township treasurer and no township treasurer shall be eligible to succeed himself Provided That where a person is appointed to fill a vacancy which may have occurred in the office of township treasurer of any township of the first class in this Commonwealth by death resignation removal from township or otherwise such person after serving the unexpired term or any part thereof of the person whose place he is appointed to fill may be elected to succeed himself for one term as township treasurer of such township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 276, entitled:

An Act regulating the deposit of county funds.

The first Section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners treasurer and controller of auditors of each county shall constitute a depository board It shall be the duty of the board to designate a bank or trust company of the county as the official depository for county funds The board shall in the month of December in each year cause to be inserted in two newspapers of the county once a week for four successive weeks an advertisement soliciting from incorporated banks or trust companies of the particular county sealed proposals for the payment of interest on county funds The advertisement shall state the time and place when and where the proposals shall be opened and the probable maximum amount of money to be deposited with the depository All proposals shall be in writing and delivered or sent to the office of said treasurer sealed in envelopes Each proposal shall be accompanied by a bond in double the amount of the probable amount of county funds to be deposited in the county depository The bond shall be conditioned for the faithful performance of all the terms and conditions of the contract to be entered into between the successful bidder and said board The bond shall have as surety one surety company authorized to act as surety in this Commonwealth or at least two sureties to be approved by the court of Common Pleas of the proper county On the first Monday of January next following such advertisement the proposals shall be opened in the office of the county treasurer in the presence of a majority of the board The bank or trust company that shall offer the highest rate of interest on the county funds deposited with it shall be designated as the county depository for one year from the said first Monday of January and a contract shall be entered into between said board and the depository provided for the payment of said interest on the funds so deposited unless for any reason the board shall reject any or all bids in which case the board may advertise again for proposals giving fifteen days' notice of the time and place when and where the same shall be opened The bond-

of all unsuccessful bidders shall be returned to the respective bidders The bonds of the successful bidder shall remain in the custody of the controller or auditor

On the question,

Will the House agree to the section?

Mr. NEELEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 1 by inserting after the word "county" in line 5, the words "having less than 1,000,000 inhabitants".

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The second and third sections were read and agreed to as follows:

Section 2 It shall be the duty of the county treasurer to deposit in the county depository all funds other than an amount actually necessary to meet current expenses County funds exceeding one-half of the amount of the bond shall not be deposited in any depository but the bond of the depository may be increased from time to time subject to the terms of the contract of deposit If the depository shall refuse or neglect to furnish such increased bond the board may for the unexpired portion of the year designate another additional depository in the same manner and subject to the same conditions as the original designation The treasurer shall not be held liable for any county money that shall be lost by reason of the failure or insolvency of any bank or trust company designated as county depository

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read and agreed to as follows:

An Act regulating the deposit of county funds

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 245, as follows:

An Act making an appropriation to the State Board of Censors of moving pictures

Whereas By an act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An act regulating the exhibiting or using of moving pictures and stereopticon views providing for and regulating the examination and approval of moving-picture films or reels and stereopticon views and fixing penalties for the violation of this act a State Board of Censors of moving pictures was created to provide for the enforcement of said act and

Whereas Through inadvertence no appropriation was made to provide for the expenses of said Board in its work therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby specifically appropriated to the State Board of Censors of moving pictures to enable it to enforce the act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An act regulating the exhibiting or using of moving-pictures and stereopticon views providing for and regulating the examination and approval of moving-pictures films or reels and stereopticon views and fixing penalties for the violation of this act" The said Board shall organize immediately after the passage of this act but shall not proceed to enforce said act until the first day of April one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 356, as follows:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county of this Commonwealth it shall be the duty of the officers or directors who are charged by law with the relief and maintenance of the poor and indigent of the county or of any of the leser poor districts therein embraced to provide with approval medical care and proper attendance (including the so called Pasteur treatment where prescribed) all indigent persons domiciled within said districts who may be assumed to be in danger of suffering from hydrophobia or rabies by reason of having been bitten by any animal believed to have been suffering from said disease and to order payment of the expenses so incurred out of the fund provided by law for the support and relief of the needy and indigent of such county or lesser poor districts if still prevailing therein

Section 2 All earlier acts providing out of the public funds for the care or persons asumed to be in danger from hydrophobia or rabies are hereby repealed provided that in all cases where induced by earlier acts the officers or directors charged as aforesaid have already incurred the expenses of such care or attendance or both on account of indigent persons domiciled within their respective districts and bitten by any animal then believe to have been suffering as aforesaid their orders for payment of such expenses out of the funds provided as aforesaid if incurred in good faith shal be approved and paid by the public officers upon whem these duties are imposed by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 147, as follows:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the animal known as the Wapiti or Elk shall be classed as a game-animal in this Commonwealth

Section 2 That from and after the passage of this act it shall be unlawful for any person to kill or wound or capture or to attempt to kill or wound or capture any Wapiti or elk found in a wild state in this Commonwealth or to have such Wapiti or Elk or any part thereof in possession before the fifteenth day of November one thousand nine hundred and twenty-one That after the fourteenth day of November one thousand nine hundred and twenty-one unless otherwise provided there shall be annually an open season for Wapiti or Elk in this Commonwealth which open season shall begin at one o'clock ante meridian of the fifteenth day of November and extend to but not include the first day of December of each year during which open season of each year Sundays excepted it shall be lawful for any person in this Commonwealth to kill one wild Wapiti or Elk which in all instances shall be a male Wapiti or Elk with antlers commonly called horns with not less than four points to one antler Provided That the provisions of this act shall not apply to the Game Commission or to any of its duly sworn and commissioned game protectors acting for the State

Section 3 It shall be unlawful at any time within this Commonwealth to kill or capture or wound or to attempt to kill or capture or wound a Wapiti or Elk upon the first day of the week commonly called Sunday or to pursue any Wapiti or Elk with a dog or dogs or to kill or capture or wound or to attempt to kill or capture or wound a Wapiti or Elk in any of the waters of this Commonwealth or to kill or capture or wound or take a Wapiti or Elk in this Commonwealth in any manner except through the use of a gun such as usually raised at arms' length and fired from the shoulder or through the use of a gun that propells more than a single pellet bullet or ball at such Wapiti or Elk through a single discharge or to kill or wound or take or to attempt to kill or wound or take any Wapiti or Elk in this Commonwealth through or by any method other than that known as still hunting Each and every person violating any provision contained in any of the sections of this act shall upon conviction be sentenced to pay a penalty of two hundred dollars for each offense or in lieu thereof shall suffer an imprisonment in the county jail of one day for each dollar of penalty imposed for the first offense And for the second or for any other offense after the first offense shall upon conviction be sentenced to pay a penalty of two hundred dollars and in addition shall suffer an imprisonment of one day in the county jail for each dollar of penalty imposed

Section 4 Whenever because of a violation of any provision of this act a person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to immediately pay said amount together with the costs of prosecution in lawful money of the United States he shall be at once committed to the common jail of the county for a period of one day for each dollar of penalty imposed unless he shall enter into good and sufficient recognizance to pay said penalty and costs within a period of ten days after the date of his said conviction or shall certiorari the proceedings or shall carry the case to a higher court on appeal as provided for in this act For the second or any other offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any provision of this act wherein a defendant suffers imprisonment in lieu of a cash payment of the penalty imposed all traps guns shooting paraphernalia and other appliances used in violation of the law and found or proven to have been either in possession or under control of the defendant at the time or such violation shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be sold under the direction of the Board of Game Commissioners and the money thus secured be applied by them First to the payment of the costs incurred and second the balance be deposited with the State Treasurer for the use of the Com-

monwealth The defendant being entitled to a credit of one day off his imprisonment for each dollar so deposited for the first offense only

Section 5 It shall be unlawful for any person company or corporation or the agent or employee thereof to at any time transport or ship or remove or to cause to be in any manner transported shipped or removed out of this State any Wapiti or Elk or any part thereof killed or taken in a wild state in this Commonwealth or to kill catch take or have in possession or under control any Wapiti or Elk or any part thereof killed or taken in a wild state in this Commonwealth with intent to allow or to aid in the shipment or removal out of this Commonwealth and it shall be unlawful for any person railroad company express company stage driver or any other corporation or person acting in the capacity of a common carrier their officers or employees knowingly to receive for transportation or to transport or remove or to aid or assist in the transportation or removal beyond the limits of this State of any Wapiti or Elk or any part thereof killed or taken in a wild state in this Commonwealth Whoever shall offend against any of the provisions of this section shall be liable to a penalty of two hundred dollars for each and every offense Provided That nothing contained in this act shall be held to impose any penalty for the transportation of any Wapiti or Elk in transit through this State from another State or to the shipment out of this State at any time of Wapiti or Elk legally killed or taken in another State whether the same be in original package or otherwise and no penalty shall attach in any way when any Wapiti or Elk or any part thereof legally killed in this Commonwealth is delivered in good faith to an express company or other common carrier for transportation from one point to another point in this State and actually delivered at the point of destination within this State if necessarily carried out of this State to reach its destination

Section 6 The possession of the dead body of a Wapiti or Elk or any part thereof by any person at any time within this Commonwealth shall be considered prima facie evidence that the same was taken or is held contrary to the provisions of law and shall render such person in whose possession or under whose control the same shall have been found liable to the penalty imposed for the violation of that provision of this act fixing the penalty for the killing of such Wapiti or Elk during the close season

Section 7 It is herewith provided that Wapiti or Elk may be raised in captivity and be disposed or within this State under the regulations and requirements pertaining to the propagation of deer in captivity as provided for by section seven of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" And the person or persons so raising these animals shall be permitted to ship either within or out of this State such Wapiti or Elk raised strictly in captivity within this State under such rules and regulations as may be decided upon by the Game Commissioners of this State

Section 8 Each and every magistrate alderman and justice of the peace of this Commonwealth shall have the power of summary conviction in all matters pertaining to the enforcement of any of said provisions of the act and all actions for violations of any kind of said provisions excepting where the defendant is taken in the act or in a pursuit immediately following said act shall be commenced by affidavit made within one year of the time of the commission of such offense Each and every magistrate alderman and justice of the peace on complaint made before him by the affidavit of any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector deputy game protector or any other officer of this Commonwealth whose duty it is to protect the game and wild birds of this State and to cause such person or persons to be brought before him the magistrate alderman or justice of the peace who shall hear the evidence and determine the guilt or innocence of the person or persons charged If the accused be convicted of such offense he shall be sentenced to pay the penalty prescribed by the section violated together with the costs of suit all penalties collected in cases where the prosecutor is a paid game protector shall be immediately surrendered by the court receiving the same to such prosecutor who in turn shall as soon as may be either deliver or forward such amount to the Secretary of the Board of Game Commissioners who shall deposit the same in the State Treasury for the use of the Commonwealth Where any other than a paid game protector is the prosecutor one-half of any such penalty thus collected shall belong to such prosecutor and shall be paid to him by the court receiving the same the remaining one-half of such penalty shall be forwarded within ten days after said conviction by such court to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which said money was collected It shall be the duty of said Secretary to keep a record of the causes for which said money was collected and deposit the same at least once a month with the State Treasurer for the use of the Commonwealth Any defendant being dissatisfied with the finding of the magistrate alderman or justice of the peace in a trial for the violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provision of this act may at his discretion either before or after the bringing of suit sign an acknowledgment of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the printed receipt which he shall receive therefor and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 9 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act amending section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three as amended by the act of Assembly approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which as amended by Act of Assembly approved the twenty-ninth day of April one thousand nine hundred and three reads as follows

"Section 30 A voter who shall allow his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote or shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or shall falsely declare to a judge of election that by reason of any disability he is unable to mark his ballot and on that account desires assistance in marking it or shall willfully violate any other provision of this act or any person who shall interfere with any voter when inside said enclosed space or when marking his ballot or who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot or any helper who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting or who shall disclose to any one the contents of any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars or to undergo an imprisonment for not more than three months or both at the discretion of the court" be and the same is hereby amended to read as follows

Section 30 Any voter who shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or who without having made the affidavit provided by law that he is physically unable to mark his ballot shall permit another to accompany him into the voting compartment or permit another person to mark his ballot for him or who shall mark his ballot while another is present in the compartment with him or who shall make a false affidavit that by reason of physical disability he is unable to mark his ballot and any person who shall go into the voting compriment with another while voting or be present therein while another is voting or who shall mark the ballot of another except as provided by law or who shall interfere with any voter when inside said enclosed space or when marking his ballot or any helper who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a period of not less than three months and not exceeding one year Any voter who shall allow his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote or shall willfully violate any other provisions of this act for the violation of which no penalty is specifically provided or any person who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot or any helper who shall disclose to any one the contents of any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment for a period not exceeding one year or both in the discretion of the Court

On the question,

Will the House agree to the Section?

Mr. JOHN R. JONES. Mr. Speaker, I offer the following amendment to Section 1:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, line 66, by striking out the word "misdeemanor" and inserting the word "misdemeanor."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title of the bill was read and agreed to as follows:

An Act amending section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three as amended by the Act of Assembly approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 456, entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the bureau therein and making an appropriation therefor.

The preamble, first, second, third, fourth and fifth sections of the bill were read and agreed to as follows:

Whereas For almost one hundred years there has been no official compilation or digest of the laws of this Commonwealth and

Whereas Through all these years each successive session of the General Assembly has added voluminously to the general statute law and

Whereas Owing to ill-considered and hasty legislation the laws of our Commonwealth are in a state of comparative chaos and are a disgrace to a modern civilized state and

Whereas It will be of the highest value to every citizen of this Commonwealth to have our laws simplified co-ordinated classified harmonized and digested under suitable headings therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Legislative Reference Bureau is hereby directed to examine the entire general statute law of this Commonwealth and to ascertain as nearly as may be what laws and parts of laws have been repealed or which have become obsolete and cause to be prepared a compilation of the existing general laws arranged by chapters and sections under suitable topical headings It shall be also the duty of the Bureau to cause to be prepared an additional compilation wherein the existing general laws shall be simplified condensed harmonized clarified and compiled by chapters and sections under suitable topical headings

Section 2 The Bureau is authorized to employ such experts learned in the law or otherwise such clerical and stenographical and other help as the Bureau shall deem necessary in carrying out the provisions of this act The Bureau shall render a report of such work as has been done to the General Assembly at the session of one thousand nine hundred and fifteen

Section 3 The printing and binding deemed necessary by the Director in the proper performance of the duties herein imposed shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon a requisition of the Director of the Bureau

Section 4 The compilation provided for in this act shall be under the special direction of the assistant director of the Legislative Reference Bureau learned in the law who shall receive an addition to his regular salary the sum of one thousand dollars a year for the two years of nineteen hundred thirteen and nineteen hundred fourteen

Section 5 To carry out the purposes of this act the sum of thirty thousand ($30,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Director of the Legislative Reference Bureau

The title of the bill was read as follows:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the bureau therein and making an appropriation therefor.

On the question,

Will the House agree to the title?

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer the following amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by inserting after the word "therein" in line 3 the words "fixing the compensation of the assistant director."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 529, as follows:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of four years beginning June first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred and seventy thousand dollars ($470,000) or so much thereof as may be necessary is hereby specifically appropriated to pay for the deficit incurred in the care treatment and maintenance of the indigent insane in the Commonwealth during the two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

The said appropriation shall be paid on the warrant of the Auditor General on the basis of settlements by that officer and the State Treasurer but no warrant shall be drawn or settlement made until the trustees directors or managers of the several hospitals and asylums for the insane of the Commonwealth shall have made under oath or affirmation to the Auditor General a quarterly report setting forth the actual number of indigent insane persons received and maintained in said hospitals and asylums for the insane respectively during the quarter for which the report is made with the dates of their administration and discharge or death respectively and the actual time during which each of said indigent insane persons was treated maintained and cared for during said quarter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 530, entitled:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice".

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice" which reads as follows

"Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts" is hereby amended to read as follows

Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts No such person shall be so admitted until he or she shall have been admitted to practice as attorney in the Supreme Court of this Commonwealth

On the question,

Will the House agree to the section?

Mr. GLENN. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section by inserting after the word "admitted" in line 17 the words "on and after the first day of July A. D. 1913."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 366, as follows:

An Act authorizing the appointment of a commission to inquire into the subject of creating a public pension for dependent mothers defining its powers and duties and making an appropriation for the expenses therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth is hereby authorized to appoint a commission of five persons one of whom shall represent the State Board of Charities (or the State Department of Charities should such department be created) one a public relief agency one a private charitable society of wide experience in treating dependent mothers and children and two to be selected for their especial fitness for the duties devolving upon said commission to study the question of creating a public fund to be used for the pensioning of dependent mothers which study shall cover the extent of the need for such pensions in Pennsylvania in addition to the present system of public out door relief the laws and experiences of other states on the subject and may other matters that in the opinion of the commission will promote the purpose of this act

Section 2 The Governor shall designate the chairman of said commission the members of which shall serve without compensation except for traveling and other necessary expenses

Section 3 Said commission shall proceed as expeditiously as possible to a study of the subject of public pensions to dependent mothers and make a full report in writing of its findings with such recommendation as it may deem proper to the next meeting of the General Assembly which will convene in January one thousand nine hundred and fifteen

Section 4 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby appropriated for the necessary expenses of said commission which expenses shall be paid on warrant duly signed by the chairman of the Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 130, entitled:

An Act amending section twenty-six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing for secrecy in voting for rendering assistance to voters unable to mark their ballots by reason of physical disability and defining the term physical disability and imposing certain duties upon judges of election.

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which reads as follows

"Section 26 If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot he shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot such preparation being made in the voting compartment" be and the same is hereby amended to read as follows

Section 26 It is the intent of this act that secrecy in voting shall be preserved and no person other than the voter shall be present in the voting compartment while a voter is marking his ballot or shall mark his ballot for him or accompany him into the voting compartment upon any pretext whatever except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by such election officer or clerk as the said voter may select who shall mark his ballot for him in accordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical condition as to make it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean iliteracy or inability to understand the ballot It shall be the duty of the judge of election to decide whether or not such physical disability exists and according to such decision to grant or refuse to grant a voter the right to have assistance. If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be requnired by the judge of election to make affidavit in the following form "I (name of voter) do solemnly swear (or affirm) that I am unable to mark my ballot without assistance because" and after the word "because" shall be left a blank in which shall be written the specific disability which must be a physical disability within the meaning of the act The judge of electon shall reduce said oath to writing and shall together with the inspectors of election certify the same and shall return it together with other papers to such office as is by law prescribed for the return of such other papers The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list

The title of the bill was read as follows:

An Act amending section twenty-six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eighth undred and ninety-three by providing for secrecy in voting for rendering assistance to voters unable to mark their ballots by reason of physical disability and defining the term physical disability and imposing certain duties upon judges of election

On the question,

Will the House agree to the title?

Mr. JOHN R. JONES. Mr. Speaker, I offer the following amendments:

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend the title in line 8 by striking out the word "and"; in line nine of the title strike out the word "Judges" in line 10 of the title strike out the words "of election" and insert in lieu thereof the words "election officers and clerks".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 552 (Senate No. 4) entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 555 (Senate No. 21), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 611 (Senate No. 82) entitled:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 551, (Senate No. 3) entitled:

An Act validating certain election of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand nine hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 588, entitled:

An Act to amend section seven of an act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal pproceedings and pleadings."

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 635, entitled:

An act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred and eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as further amended by an act approved the twelfth day of July one thousand eight hundred and ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings'" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred and niety-five entitled 'A supplement to an act entitled 'An act amending section one of article three of an act entitled "An act for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled an act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 564, entitled:

A joint resolution directing the publication of the pamphlet containing the game fish and forestry laws.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 31, entitled:

An Act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

SENATE MESSAGES.

The Clerk of the Senate being introduced informed that the Senate non-concurred in the amendments made by the House of Representatives to the resolution from the Senate as follows, viz:

TO BROADEN SCOPE OF FIFTIETH ANNIVERSARY OF THE GETTYSBURG COMMISSION.

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commisison being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th, by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd, and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved, (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted from Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

The SPEAKER. The amendment to the resolution in question was the amendment offered by the gentleman from Allegheny, to strike out the words "Now living in," after the words "Civil War" on the fourth line from the bottom on page 2, and inserting in lieu thereof the words "who enlisted from."

The question now is will the House adhere to or recede from its amendment.

Mr. ALLEN. Mr. Speaker, as expressed the other day when the amendment was offered to the resolution, there were certain gentlemen of the House who at that time did not thoroughly understand the purpose. I think perhaps that the same thought has found lodgment in the minds of the Senators. My purpose in amending the resolution at this time in the way in which it was amended was so that all soldiers who had enlisted from the State of Pennsylvania should receive the honors which are sought to be carried with this resolution. It made no difference whether they enlisted in New York companies or regiments, Ohio, Indiana, or any other State, so long as their residence upon their enlistment showed that they came from the great State of Pennsylvania. Now certain of the members of the House felt at the time the amendment was offered—and I appreciate as fully as any one that amendments offered on the spur of the moment frequently miscarry—many of the members felt that the purposes intended by the amendments were not reached by the amendments. They felt that soldiers who had enlisted, for instance, in New York regiments, although they hailed from the State of Pennsylvania, were not covered by the amendment which I had offered. I think that so far as the merits of the case are concerned, there is no question, but that when you say "Enlisted from the State of Pennsylvania" that it carried that full purpose. Now it makes no difference by this resolution as amended in this House, it makes no difference whether that soldier be now living in the far northwestern State of Oregon, or the far northeastern State of Maine, or in the most southern tier of States in the United States; it makes no difference where he hails from so long as his original enlistment shows him to have been from the State of Pennsylvania. There is no objection to the fact whether the company with which he enlisted or re-enlisted came from this great State or any other State. Now I say that the purpose of handing out glory to those who maintained the honor and glory of this great Commonwealth is in better form by handing it to those who enlisted from this State, whether in outside companies, regiments and commands, rather to those who enlisted in foreign states and in foreign regiments and companies, and who since the late unpleasantness have become residents of this State. Many of those who enlisted in their home towns in this great State and served under the provisions of that resolution and covered by that resolution, have since emigrated from their homes hundreds and thousands of miles away. Under the original resolution as drawn "now living" in every one who lives beyond the confines of the State of Pennsylvania, however great his glory, however splendid his record may be, is absolutely set aside and held for

naught by the purpose of the original resolution as it was when drawn, under the words "now living in." But any one who enlisted as from this State, whether in this State or out of this State, and who now lives in the State of Pennsylvania, or beyond the confines of this State, under the amendment offered and adopted by this House, is the recipient of the glories crowned upon him by this amendment which is now not concurred in by the Senate. I feel, gentlemen of the House, that this House, in order to maintain the position and stand which I have endeavored to express briefly at this time, and on the occasion of offering this resolution, ought to stand to the amendment which we adopted, and thrust into the resolution, and ought to refuse to concur in the non-concurrence of the Senate.

I therefore move that the House adheres to its amendments.

Mr. WILTBANK. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HUMES. Mr. Speaker, I think that we will all agree with the gentleman from Allegheny that this resolution should include all of the soldiers who enlisted from the Commonwealth of Pennsylvania, but it strikes me that the error has crept into this resolution by striking from the original resolution, the words, "Now residing in" when we added the words "enlisted from." I believe that both Houses are right in this proposition and that the resolution should include both expressions so as to enable all of the soldiers of the Civil War, now residing in, or enlisted from Pennsylvania, to participate in this anniversary celebration. I think that the members of the Senate in the original resolution did not take in enough territory. I think that the gentleman from Allegheny in offering the amendment has limited the resolution even more than the Senate did in its original resolution, and I believe that this resolution should include all soldiers now residing in, and those enlisting from the Commonwealth of Pennsylvania, in order that all of the men from this State and from other States whom we are now responsible for and who are residents of this great Commonwealth, may have this, probably their last, opportunity to participate in the great anniversary growing out of the great Civil War. This is the last chance probably that we will have in any large degree to do anything for those old soldiers, and I think we ought to avail ourselves of this opportunity to care for all of them, whether they reside in the State of Pennsylvania now, or whether they enlisted from the State of Pennsylvania, to have them participate in this anniversary celebration.

Mr. ALLEN. Mr. Speaker, I quite agree with the gentleman from Crawford in the purposes which it would be very nice to subserve by this resolution, but we are up face to face at this time with this proposition: The resolution has passed the House in the amended form. It has gone to the Senate in that amended form, in which the Senate has refused to concur, and insists upon the original form of the resolution. Now, the proposition which is before us is simply this: Shall we go back to the proposition as originally proposed by the Senate, or shall we stand by the proposition proposed by the House, because of the fact that we are now irretrievably lost? We are past the point of amendment or injecting both propositions, and we have to accept one or the other. Now which is it better to do? Is it better to look after those who since the war have moved in from the outside, having originally done nothing to uphold the honor of this great Commonwealth, but of some other State where perhaps they may be looked after by their legislative bodies; or is it better for us to look after those who enlisted from this State, and whose names should be upon the honor roll of this State? That is the proposition which we are up against now. It is one or the other. Which shall it be? I maintain that we should insist upon our amendment, and refuse to concur in the action of the Senate, and a conference committee should be appointed to work it out and report.

Mr. R. J. BALDWIN. Mr. Speaker, I just merely want to reiterate what the gentleman from Allegheny has said. If we insist upon our position it will result in a conference committee and no doubt the result of that conference committee will bring about what all of us wish.

On the question,

Will the House adhere to its amendments?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to the resolution from the Senate, as follows, viz:

COMMISSION TO INVESTIGATE THE SERVICE IN THE SENATE AND HOUSE OF REPRESENTATIVES.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore, be it

Resolved (if the House of Representatives concur), That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate and five members of the present House of Representatives, two of whom shall be Democrats, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate and House of Representatives and to make report thereof, and, if necessary, to recommend, not later than March 12, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, andthe Chief Clerk of the Senate shall assign one of the regularly elected Clerks to Committees to said Commission as its clerk.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the House adhere to its amendment.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, that the Clerk inform the Senate accordingly.

Mr. McALEER. Mr. Speaker, I ask unanimous consent to call up resolution No. 21 at this time for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent for the consideration of the resolution at this time? The Chair hears no objection and consent is granted.

The resolution was read by the Clerk as follows:

REQUESTING STATEMENT FROM CHARITABLE INSTITUTION.

Resolved, That every institution which received an appropriation of State funds for charitable purposes from the session of one thousand nine hundred and eleven, and which is again applying for an appropriation from this House shall furnish to this body, before March first, a list of all monies paid out for salaries or other remuneration in excess of seventy-five dollars per month or nine hundred dollars per year, giving name of person to whom paid, amount paid and character of services rendered, And be it further

Resolved, That a copy of this report be furnished to each member.

On the question,

Will the House agree to the resolution?

Mr. McALEER. Mr. Speaker, I offer the following amendment.

The amendment was read by the Clerk as follows:

Amend by substituting the words March 15, 1913 for March first, also amend by adding

And Be It Further Resolved That a committee of three be appointed by the speaker which Committee shall be empowered to demand that the information be furnished accompanied by proper affidavit.

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. McALEER. Mr. Speaker, I move the adoption of the resolution.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. JOHN H. YOUNG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and at 12:50 P. M. the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, FEBRUARY 19, 1913. No. 19.

SENATE.

WEDNESDAY, February 19, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McILHENNY. the further reading was dispensed with, and the Journal was approved.

PETITION FAVORING RESOLUTION FOR TRANSPORTATION OF SOLDIERS TO GETTYSBURG.

Mr. CLARK presented petitions of citizens of Erie County in favor of the resolution providng for the transportation of old soldiers to Gettysburg on the Fiftieth Anniversary of the Battle of Gettysburg.

Which was referred to the Committee on Pensions and Gratuities.

PETITION FAVORING WOMAN SUFFRAGE.

Mr. CLARK presented petitions of citizens of Erie County praying for the passage of the bill for the submission of the amendment to the Constitution permitting woman suffrage.

Which was referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. CLARK, from the Committee on Judiciary General, reported as committed, Senate Bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways, and providing a penalty.

Mr. McILHENNY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 213, entitled:

An Act requiring a written demand for a jury trial in actions at law in the several courts of Common Pleas of this Commonwealth by either party thereto, the payment of a jury fee at the time of demand, regulating the procedure of trials at law in which a jury trial is not demanded by either party ,authorizing the several Courts of Common Pleas of this Commonwealth and the Supreme Court to adopt rules for regulating the procedure under this act, and regulating appeals from judgments.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 230, (House Bill No. 11) entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district.

Also from the Committee on Judiciary General, reported with favorable recommendation all the nominations for notaries public made by His Excellency, the Governor of the Commonwealth, at yesterday's session, which were laid upon the table.

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 160, entitled:

An Act repealing part of section one of an act, entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," approved July 9th, 1901.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 233, (House Bill No. 51) entitled:

An Act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventten of an act approved the 26th day of February, 1853, entitled "An act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County, and relating to the collection of taxes in Franklin County."

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEES

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 157, entitled:

An Act to amend an act approved the 3d day of June, 1911, entitled "A further supplement to an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class;' approved the 28th day of April, A. D. 1899, as to townships of the first class; providing for certain duties of the secretary of the board of commissioners; invalidating contracts, hirings, purchases, or orders not provided for by or in excess of appropriations; providing for inspection of the records and documents by taxpayers and the method of making contracts."

Mr. HUFFMAN, from the Committee on Forestry, reported as amended, Senate Bill No. 189, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State Forest Reserves and to improve and maintain the same.

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 63, entitled:

An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia county.

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 100, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds.

Also from the Committee on Agriculture, reported as amended, Senate Bill No. 154, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof, fixing standards for raw and boiled linseed oil, providing penalties for violations thereof, providing for the enforcement of this act and expenses thereof, providing for examination of samples of linseed oil and repealing an act approved the 23d day of April, 1901, entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the 22d day of April, 1905, entitled "An act supplemental to an act entitled 'An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the 23d day of April, A. D. 1901."

Mr. HOKE (for Mr. Jarrett), from the Committee on Judiciary General, reported as committed, Senate Bill No. 347, (House Bill No. 277), entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandis securities or services and providing penalties for the violation thereof.

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported with favorable recommendation the nomination of E. M. Bigelow of Pittsburgh as State Highway Commissioner, with the information that the committee has investigated the report of the Commissioner and is favorably impressed with the same, which nomination was laid upon the tabel.

BILLS INTRODUCED.

Mr. HERBST read in his place and presented to the Chair Senate Bill No. 386, entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class, and fixing the compensation and expenses to be paid by the proper townships.

Which was committed to the Committee on Public Roads and Highways.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 387, entitled:

An Act making an appropriation to the Academy of Natural Sciences of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 388, entitled:

A supplement to an act entitled "An act providing for the selection and purchase or the appropriation from the State forest reserves of a tract of land and the erection thereon of buildings for the Western Penitentiary; making an appropriation therefor; authorizing the removal thereto of the inmates of the said penitentiary; and directing the sale of the site now occupied by the said penitentiary and the buildings and materials thereon," approved the 30th day of March, A. D. 1911, making an additional appropriation for erection construction and equipment.

Which was committed to the Committee on Appropriations.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 389, entitled:

An Act making an appropriation to the trustees of the State Hospital for the Insane for the Southeastern District of Pennsylvania at Norristown Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 390, entitled:

An Act amending section one of an act, entitled "An act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act," approved the 11th day of June, A. D. 1879, requiring the controllers of cities of the first class to furnish to the councils of said cities, on or before the first day of November of each and every year, a detailed statement of the estimated receipts, expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate, on or before the first day of December in each and every year for the year next ensuing.

Which was committed to the Committee on Municipal Affairs.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 391, entitled:

An Act making an appropriation to the Easton Home for Friendless Children, Easton, Northampton county Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 392, entitled:

An Act amending section one of an act, approved the 17th day of April, 1905, entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations, and telegraph, telephone or light or power companies."

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 393, entitled:

An Act to amend an act approved the 24th day of June, A. D., 1885, entitled "An Act relative to costs in suits before aldermen and justices of the peace, and the collection of the same," as amended.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 394, entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania; prohibiting the fishing for, or capture, or killing of, such fish by unnaturalized foreign-born residents; and prescribing penalties for violation of its provisions.

Which was committed to the Committee on Game and Fisheries.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 395, entitled:

An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 396, entitled:

An Act making an appropriation to the Western State Penitentiary.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 397, entitled:

An Act making an appropriation to reimburse the several counties in the Western Penitentiary district for a certain sum of money paid into the State Treasury.

Which was committed to the Committee on Appropriations.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 398, entitled:

An Act making an appropriation to further carry into effect the provisions of an act, approved the 13th day of June, A. D., 1907, entitled "An Act to authorize county commissioners, for the purpose of encouraging agriculture and the holding of county agricultural exhibitions, to pay annually one thousand dollars to the incorporated agricultural association, paying premiums on agricultural exhibits, holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition; and providing for the repayment to the county by the State of the sum so paid."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 399, entitled:

An Act to amend the 40th section of an act approved the 29th day of April, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," so as to provide for the renewal of charters of corporations whose charters have expired by lapse of time from their own limitation, which charters could have been renewed under existing laws prior to such expiration.

Which was committed to the Committee on Corporations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 400, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 401, entitled:

An Act making an appropriation to the Battlefield Commission of the Third Division, Ninth Army Corps, for the purpose of completing the printing, binding and distribution of the said history to the surviving comrades of the Third Division.

Which was committed to the Committee on Appropriations.

Mr. HALL read in his place and presented to the Chair Senate Bill No. 402, entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 403, entitled:

An Act to permit owners of any interest or any contingent or reversionary right in any lands tenements mortgages bonds money rights credits goods chattels and anything of value whatsoever desiring to sell mortgage or to borrow upon assignment thereof to effect life insurance upon his or her life legalizing assignments of such insurance to the lender or purchaser validating such assignments of insurance heretofore made declaring that all persons having any interest in any lands tenements mortgages bonds moneys rights credits goods chattels and anything of value whatsoever dependent upon the life or lives of any person or persons have an insurable interest in those persons upon whose lives such interest is dependent and further declaring that any person or persons who may suffer loss of money or any valuable thing by the death of another person or persons may lawfully take assignments of insurance upon the life or lives of the person or persons whose death would cause such loss.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 404, entitled:

An Act to provide for the filing of accounts by trustees, in the proper court, on the application of any person having a contingent interest in real or personal property included in any trust estate; disqualifying trustees who fail to file accounts upon such application and providing for the appointment of a successor, and further providing that no person shall have a voice in the selection of any successor to a trustee, who has knowingly been a party to or has received any benefit by reason of the negligence or unlawful conduct of such trustee; disqualifying any trustee heretofore appointed by any person who has knowingly been a party to or has received any benefit by reason of the negligence or unlawful conduct of any trustee and providing for the appointment of and the entry of security by a successor.

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 405, entitled:

An Act to amend the third section of an act entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention, approved the 8th day of May, A. D. 1883, so as to fix the number and compensation of the officers of the Committee on Lunacy.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 406, entitled:

An Act to amend the 4th, 5th, 8th and 9th sections of an act, entitled "An act to create a Board of Public Charities," approved the 24th day of April, A. D. 1869, so as to confer additional powers upon the said Board and extend the duties and fix the compensation of the Secretary and General Agent.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 167, entitled:

A Supplement to an act, entitled 'An act for cities of the second class," approved the 7th day of March, A. D. 1901, enlarging the powers of such cities over the public streets and highways therein.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 385 (House Bill No. 443) entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor-General's Department.

BILL RECOMMITTED.

Mr. SENSENICH. Mr. President, I move that Senate Bill No. 22, on third reading, entitled:

An Act to avoid delay of the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

be recommitted to the Committee on Judiciary General.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session from the Committee on Judiciary General.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY,

That the Senate do advise and consent to the nominations thereof.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gyger,	Kline,	Powell,
Beidleman,	Hall,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Herbst,	Magee,	Sheatz,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Sproul,
Daix,	Huffman,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Morgan,	Wasbers,
Fisher,	Judson,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 30, entitled:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of a act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a superedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Judson,	Powell,
Beidleman,	Gyger,	Kline,	Sensenich,
Buckman,	Heacock,	Kurtz,	Sheatz,
Catlin,	Herbst,	Magee,	Snyder,
Clark,	Hilton,	Martin,	Sones,
Cooper,	Hoke,	McIlhenny,	Sproul,
Crow,	Huffman,	McNichol,	Stineman,
Daix,	Hunter,	Miller,	Vare,
DeWitt,	Jarrett,	Mills,	Wasbers,
Endsley,	Jones,	Nulty,	Gerberich, Pres. pro tem
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 31, entitled:

A further supplement to an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day May one thousand nine hundred eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Kurtz,	Sensenich,
Beidleman,	Heacock,	Magee,	Snyder,
Buckman,	Herbst,	Martin,	Sones,
Catlin,	Hilton,	McIlhenny,	Sproul,
Clark,	Hoke,	McNichol,	Stineman,
Cooper,	Homsher,	Miller,	Thompson,
Crow,	Hunter,	Mills,	Vare,
Daix,	Jarrett,	Morgan,	Wasbers,
DeWitt,	Judson,	Nulty,	Gerberich,
Farley,	Kline,	Powell,	Pres. pro tem.
Fisher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 33, entitled:

An Act amending the first section of an act entitled "An act to further define the police power of cities of the third class and boroughs with reference to electric light wires" approved the twenty-eighth day of April one thousand nine hundred three so as to include telegraph and telephone wires and reducing the number of jurors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Kline,	Sheatz,
Beidleman,	Gyger,	Kurtz,	Snyder,
Buckman,	Heacock,	Magee,	Sones,
Catlin,	Herbst,	Martin,	Sproul,
Clark,	Hilton,	McNichol,	Stineman,
Cooper,	Hoke,	Miller,	Thompson,
Crow,	Homsher,	Mills,	Vare,
Daix,	Hunter,	Morgan,	Wasbers,
DeWitt,	Jarrett,	Nulty,	Gerberich,
Farley,	Judson,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Heacock,	Kurtz,	Sheatz,
Beidleman,	Herbst,	Magee,	Snyder,
Buckman,	Hilton,	Martin,	Sones,
Catlin,	Hoke,	McIlhenny,	Sproul,
Clark,	Homsher,	McNichol,	Stineman,
Cooper,	Hunter,	Miller,	Thompson,
Crow,	Jarrett,	Morgan,	Vare,
Daix,	Judson,	Nulty,	Wasbers,
DeWitt,	Kline,	Powell,	Gerberich,
Fisher,	Knapp,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 57, as follows:

An Act to amend section ninth of the act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking the property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvements or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the ninth section of the act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of townships or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvements and repairs providing penalty for injuring or destroying State highways making appropriations to cary out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven which reads

"Where a turnpike or toll-road company or other private corporation shall own or control the whole or any part of a road or route forming all or any portion of a State highway as hereinbefore described and defined it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement to purchase said turnpike or toll-road or such part thereof owned by such company or corporation and if a fair and reasonable price which shall be approved by the Governor for said road or part thereof cannot be agreed upon it shall then be lawful for the State Highway Commissioner to petition the court of quarter sessions of the

county in which the State Highway or any part thereof owned or controlled by said turnpike company or other private corporation is located setting forth that such turnpike or toll-road or part thereof is a State highway within the designation and description of this act and that no agreement as to price or damage can be reached and thereupon said court shall appoint a jury of view consisting of five reputable citizens of the county in which the road or part thereof is located and said jury shall after due notice to the company or corporation and the State Highway Commissioner view and condemn said turnpike toll-road or highway or part thereof as a State highway or part thereof and shall appraise and report the damages which the owner or owners shall be entitled to receive therefor Said report shall be presented for confirmation nisi at the term of said court next succeeding said appraisement and view unless by order of said court the same be continued to a later term and if no exceptions are filed thereto said report shall at the expiration of thirty days after confirmation nisi be confirmed absolutely and an appeal therefrom by the Commonwealth or by the company or corporation shall lie to the court of common pleas of said county within thirty days after confirmation absolute and upon issue framed by the court of common pleas the damages shall then be ascertained as in similar cases subject to an appeal to the Superior or Supreme Courts as the case may be Immediately upon agreement reached or upon completion of any court proceedings and acceptance of the appraisement or verdict by the Commissioner the damages so determined or awarded shall be paid by the Commonwealth together with the expense of the proceedings in condemnation and the said turnpike toll-road or part thereof shall become a State highway or part thereof free from tolls Provided That if the amount of damages as finally awarded shall be deemed excessive by the State Highway Commissioner he may refuse to tccept the appraisement or verdict and may then omit said turnpike or toll-road or part thereof from the aforesaid route of State highway and all court costs and costs of jury proceedings shall thereupon be paid by the State Highway Department and by necessary divergence therefrom he may select and adopt the next best and most suitable and convenient route or road in order to connect up and complete a continuous State highway and thereafter such diverged route or road shall be taken and remain and be as much a part of the State highways of the Commonwealth as though otherwise particularly described in this act And provided further That where any existing turnpikes or toll-roads or parts thereof owned by turnpike companies or private corporations shall be or form any part of any State highway hereinbefore designated described or defined the same are not hereby immediately taken over for improvement or repair but the purchase thereof shall be deferred by the State Highway Commissioner and the same shall remain and be operated and controlled by the owners thereof as heretofore until such time as the work of improvement of all other State highways and parts or portions thereof shall have been completed and provided further If in the judgment of the State Highway Commissioner local or special conditions of any of said turnpikes or toll-roads or any part or parts thereof are such as tend to interfere with or inconvenience travel thereon and shall sooner require the purchase improvement and control thereof by the State then upon the approval of the Governor such turnpike or turnpikes toll-road or toll-roads or part or parts thereof so affected by such local or special conditions shall be taken over in accordance with the provisions of this act" be and the same is hereby amended so as to read as follows

Where a turnpike or toll-road company or other private corporation shall own or control the whole or any part of a road or route forming all or any portion of a State highway as hereinbefore described and defined it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement to purchase said turnpike or toll-road or such part thereof owned by such company or corporation and if a fair and reasonable price which shall be approved by the Governor for said road or part thereof cannot be agreed upon it shall then be lawful for the State Highway Commissioner to petition the court of quarter sessions of the county in which the State highway or any part thereof owned or controlled by said turnpike company or other private corporation is located setting forth that such turnpike or toll-road or part thereof is a State highway within the designation and description of this act and that no agreement as to price or damage can be reached and thereupon said court shall appoint a jury of view consisting of five reputable citizens of the county in which the road or part thereof is located and the said jury having been sworn or affirmed to perform their duties faithfully justly and impartially shall after due notice to the company or corporation and the State Highway Commissioner view and condemn the said turnpike toll-road or highway or part thereof as a State highway or part thereof and shall appraise and report the damages which the owner or owners shall be entitled to receive therefore and for the purpose of appraising the damages as aforesaid the said jury shall first hear evidence on the part of the said owner or owners and afterwards shall hear evidence on the part of the State Highway Commissioner after which evidence shall be heard in rebuttal and in sur-rebuttal as prescribed for trials at law Said report shall be presented for confirmation nisi at the term of said court next succeeding said appraisement and view unless by order of said court the same be continued to a later term and if no exceptions are filed thereto said report shall at the expiration of thirty days after confirmation nisi be confirmed absolutely and an appeal therefrom by the Commonwealth of the company or corporation shall lie to the Court of Common Pleas of said county within thirty days after confirmation absolute and upon issue framed by the Court of Common Pleas the damages shall then be ascertained as in similar cases subject to an appeal to the Superior or Supreme courts as the case may be The said court of quarter sessions may in its discretion appoint a competent stenographer to keep a faithful record of all proceedings before the viewers and to furnish a full copy of his notes to be attached to and form a part of the record And the said stenographer shall be allowed the same compensation as that paid in their resepctive county to court stenographers and each viewer shall be allowed the sum of two dollars and fifty cents for each day necessarily employed which together with the compensation allowed the said stenographer shall be taxed as part of the costs of the proceeding and be paid as hereinafter provided Immediately upon agreement reached or upon completion of any court proceedings and acceptance of the appraisement or verdict by the Commissioner the damages so determined or awarded shall be paid by the Commonwealth together with the costs and expense of the proceedings in condemnation and the said turnpike toll-road or part thereof shall become a State highway or part thereof free from tolls Provided That if the amount of damages as finally awarded shall be deemed excessive by the State Highway Commissioner he may refuse to accept the appraisement or verdict and may then omit said turnpike or toll-road or part thereof from the aforesaid route of State highway and all court costs and costs of jury proceedings shall thereupon be paid by the State Highway Department and by necessary divergence therefrom he may select and adopt the next best and most suitable and conveneient route or road in order to connect up and complete a continuous State highway and thereafter such diverged route or road shall be taken and remain and be as much a part of the State highways of the Commonwealth as though otherwise particularly described in this act Provided further That at any time during the proceedings in condemnation after the filing of the original petition of the State Highway Commissioner the said State Highway Commissioner with the consent and approval of the Governor may after ten days' written otice to the owner or owners of said turnpike toll-road or highway present to the said court of quarter sessions of the proper county a declaration of his intention to immediately enter upon and take the said turnpike toll-road or part thereof and to pay or cause to be paid to the said owner or owners such amount of damages as shall be assessed in the manner provided for by this act and all costs and expenses of the said proceedings which declaration shall contain certificate of the State Highway Commissioner that sufficient funds to pay all possible damages costs and expenses of said proceedings have been appropriated by the Legislature and are available for this specific purpose and upon presentation of said declaration the said court shall mark the same filed of record in said proceedings whereupon the funds in the hands of the State Highway Commissioner or in the State Treasury and specifically appropriated to the use of the State Highway Commissioner shall be pledged and deemed as security for all damages done or suffered or which shall accure by reason of the taking of said turnpike toll road or part thereof and the said turnpike toll-road or part thereof shall immediately become a State Highway or part thereof free from tolls and the same may then be improved and maintained by the State Highway Commissioner in the manner provided by this act and upon completion of the proceedings in condemnation the State Highway Commissioner shall accept the appraisement and verdict and the damages so determined or awarded shall be paid by the Commonwealth together with the costs and expenses and in case the said damages and costs and expenses are not paid within thirty days from final adjudication and judgment thereon the owner or owners of said turnpike toll-road or highway may enforce the payment of the same by writ of mandamus which shall be issued by the Court of Common Pleas of the county in which the seat of government is or may be located and shall be proceeded in as provided by law And provided further That where any existing turnpike or toll-roads or parts thereof owned by turnpike companies or private corporations shall be or form any part of any State highway hereinbefore designated described or defined the same are not hereby immediately taken over for improvement or repair but the purchase thereof shall be deferred by the State Highway Commissioner and the same shall remain and be operated and controlled by the owners thereof as heretofore until such time as the work of improvement of all other State highways and parts or portions thereof shall have been completed And provided further If in the judgment of the State Highway Commissioner local or special conditions of any of said turnpikes or toll-roads or any part or parts thereof are such as tend to interfere with or inconvenience travel thereon and shall sooner require the purchase improvement and control thereof by the State then upon the approval of the Governor such turnpike or turnpikes toll-road or toll-roads or part or parts thereof so affected by such local or special conditions shall be taken over in accordance with the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Fisher,	Judson,	Powell,
Beidleman,	Gyger,	Kline,	Sheatz,
Buckman,	Heacock,	Knapp,	Snyder,
Catlin,	Herbst,	Kurtz,	Sones,
Clark,	Hilton,	Magee,	Sproul,
Cooper,	Hoke,	McNichol,	Stineman,
Crow,	Homsher,	Miller,	Thompson,
Daix,	Jarrett,	Morgan,	Wasbers,
DeWitt,	Jones,	Nulty,	Gerberich,
Farley,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The ACTING PRESIDENT PRO TEMPORE (Mr. W. C. Sproul) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 123, entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred and sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the county of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred and seventy-three entitled "An act relative to the pay of jurors in the county of Bucks"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Farley,	Hunter,	Mills,
Beidleman,	Fisher,	Judson,	Nulty,
Buckman,	Gerberich,	Kline,	Powell,
Catlin,	Gyger,	Martin,	Sheatz,
Cooper,	Hall,	McIlhenny,	Sproul,
Crow,	Heacock,	McNichol,	Stineman,
Daix,	Hoke,	Miller,	Vare,
DeWitt,	Homsher,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 125, entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institutition in the name of two persons

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Fisher,	Hunter,	Mills,
Buckman,	Gerberich,	Jones,	Nulty,
Catlin,	Gyger,	Judson,	Powell,
Cooper,	Heacock,	Kline,	Sheatz,
Crow,	Herbst,	Martin,	Snyder,
Daix,	Hilton,	McNichol,	Sproul,
DeWitt,	Hoke,	Miller,	Stineman,
Farley,			Thompson,

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 227 (House Bill No. 2) entitled:

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (Pamphlet Laws page nine hundred) making an appropriation to pay local registrars of vital statistics in cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to amend the bill by striking out the title and inserting in lieu thereof the following:

"An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June, one thousand nine hundred and eleven, entitled 'An Act amending the twentieth section of an act, approved the first day of May, Anno Domini one thousand nine hundred and five, entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of an act, entitled 'An Act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties," as amended by an act, approved the sixth day of June, Anno Domini one thousand nine hundred and seven, entitled "An Act to amend sections five, nine, fifteen, nineteen, twenty and twenty-five of an act, entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of birth and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties,' which was approved the first day of May, Anno Domini one thousand nine hundred and five; by extending the territory in which burial permits shall be valid; providing for the issuance of burial permits without fees; establishing a method for securing the given names of children; making a uniform date for the returns of local registrars; providing for certain fees in cities of the first and second class to be paid by the counties; and abolishing all other systems of registration of births and deaths," by changing the fees for birth and death certificates."

Also in Section 1, lines 5, 6 and 7, by striking out the words "in the appropriation act of June thirteen one thousand nine hundred and eleven (Pamphlet Laws page nine hundred);" and inserting in lieu thereof the words "arising in carrying out the provisions of an act approved the thirteenth day of June, one thousand nine hundred and eleven, entitled 'An Act amending the twentieth section of an act, approved the first day of May, Anno Domini one thousand nine hundred and five, entitled "An Act to provide for the immediate registration of all birth and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in Section seven of an act, entitled 'An Act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties," as amended by an act, approved the sixth day of June, Anno Domini one thousand nine hundred and seven, entitled "An Act to amend sections five, nine, fifteen, nineteen, twenty and twenty-five of an act, entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits, requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State, as required to be established by the State Board of Health, and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties,' which was approved the first day of May, Anno Domini one thousand nine hundred and five; by extending the territory in which burial permits shall be valid; providing for the issuance of burial permits without fees; establishing a method for securing the given names of children; making a uniform date for the returns of local registrars; providing for certain fees in cities of the first and second class to be paid by the counties; and abolishing all other systems of registration of births and deaths," by changing the fees for birth and death certificates,' this appropriation being made."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 269 (House Bill No. 73), entitled:

An Act making an appropriation to the trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said Hospital

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Fisher,	Martin,	Sheatz,
Buckman,	Gyger,	McIlhenny,	Snyder,
Catlin,	Heacock,	McNichol,	Sproul,
Cooper,	Hoke,	Miller,	Stineman,
Crow,	Homsher,	Mills,	Thompson,
Daix,	Hunter,	Nulty,	Vare,
DeWitt,	Judson,	Powell,	

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 120, as follows:

An Act regulating pay of election officers at all elections hereafter held within this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of judges inspectors and clerks at all elections to be held within this Commonwealth except primary elections for the conduction of the same shall be five dollars each and that at all primary election the said pay shall be two dollars and fifty cents each Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city co-extensive with a county and shall not after or effect in any manner the compensation of return judges as fixed by existing laws

Section 2 All acts or parts of acts inconsistent herewith except as recited in section one are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 2, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 162, entitled:

An Act providing for the joint acquisition by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware river and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 163, entitled:

An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll bridges over the Delaware river and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 279, entitled:

An Act authorizing State Treasurer to endorse over to the Ladies Memorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor-General's Department due to said Ladies Memorial Association

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 19, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William H. Myers, to be Alderman in and for the Second Ward of the City of York, county of York, to serve until the first Monday in January, 1914.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 19, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

S. C. Matchett, Finely Township, March 10, 1913.
Louis L. Banks, Pittsburgh, March 10, 1913.
Andrew Harcum, Pittsburgh, March 10, 1913.
G. H. Oppenheim, Pittsburgh, March 10, 1913.
Wm. H. Thompson, Pittsburgh, March 10, 1913.
Miss Lucy P. Whitney, Pittsburgh, March 10, 1913.

BEAVER COUNTY.

Charles H. Kennedy, New Brighton, March 29, 1913.

BUCKS COUNTY.

William T. Wright, Newtown, March 13, 1913.

CAMBRIA COUNTY.

Blair C. Seeds, Cresson, February 22, 1913.

CARBON COUNTY.

Winfred D. Lewis, Mauch Chunk, March 10, 1913.

CLARION COUNTY.

S. K. Clarke, Clarion, March 3, 1913.

CRAWFORD COUNTY.

Miss Effie M. Peffers, Meadville, March 10, 1913.
Wilber H. King, Bloomfield Township, March 10, 1913.

DAUPHIN COUNTY.

John H. Maloney, Harrisburg, February 22, 1913.
E. Bruce Taylor, Harrisburg, March 10, 1913.

JEFFERSON COUNTY.

J. A. Whiteman, Punxsutawney, February 27, 1913.

LAWRENCE COUNTY.

Hamilton A. Wilkinson, New Castle, March 7, 1913.
S. Y. Douds, Ellwood City, March 10, 1913.

LEHIGH COUNTY.

Raymond W. Lentz, Allentown, March 10, 1913.

LUZERNE COUNTY.

John Kutzki, Nanticoke, February 22, 1913.
J. K. P. Fenner, Ashley, March 10, 1913.
Max Freedman, Luzerne, March 10, 1913.

NORTHAMPTON COUNTY.

Maurice Clemens, Easton, March 10, 1913.
Jas. K. Worman, Bath, March 10, 1913.

PHILADELPHIA COUNTY.

C. Ridgway Briggs, Philadelphia, February 27, 1913.
John J. Carr, Philadelphia, February 27, 1913.
Justus H. Holme, Jr., Philadelphia, March 4, 1913.
Ray W. Kotike, Philadelphia, March 10, 1913.

Andrew B. McGinnis, Philadelphia, March 10, 1913.
Robert K. Kincade, Philadelphia, March 10, 1913.
J. Frederick Burkart, Philadelphia, March 10, 1913.
Linford B. Cassel, Philadelphia, March 16, 1913.

SULLIVAN COUNTY.

Alphonsus Walsh, Dushore, March 10, 1913.

WESTMORELAND COUNTY.

R. H. Bellman, New Kensington, February 27, 1913.
F. B. Folk, Scottdale March 10, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 19, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

CLARION COUNTY.

Charles J. Seitz, Phillipston Township.

LACKAWANNA COUNTY.

Joseph A. Gibbons, Scranton.

PHILADELPHIA COUNTY.

Miss Mary A. Forderer, Philadelphia.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY

That Rule 38, which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations.

Which was agreed upon.

Whereupon,

A motion was made by Mr. McILHENNY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Gerberich,	Kline,	Nulty,
Buckman,	Gyger,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Sheatz,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Sproul,
Daix,	Hunter,	McNichols,	Stineman,
DeWitt,	Jones,	Miller,	Thompson,
Farley,	Judson,	Mills,	Vare,
Fisher,			Wasbers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 407, entitled:

An Act amending sections 11, 12 and 13 of an Act of Assembly, entitled "An act relating to county rates and levies and township rates and levies," approved April 15th, 1834, and amended by an act, entitled "An act amending sections 11, 12 and 13 of an Act of Assembly, entitled 'An act relating to county rates and levies and township rates and levies,' approved April 15th, 1834," approved the 8th day of May, A. D. 1901.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER from the Committee on Judiciary Special, reported as amended, Senate Bill No. 215, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated, to purchase electricity from any corporation, individual partnership, or any persons manufacturing electricity for commercial purposes, and for the use of the inhabitants of said borough, and for said purpose to erect apparatus, and to pass ordinances regulating the same, and making valid the acts of any borough which has heretofore received the sanction of said borough or boroughs, or incurred any indebtedness thereby, in accordance with the provisions of this act.

TIME OF NEXT MEETING.

The Chair cleared his table and laid before the Senate extract from the Journal of the House of Representatives which was twice read as follows and agreed to.

In the House of Representatives, February 19, 1913.

Resolved (if the Senate concur) That when the Senate adjourns this week it shall reconvene on Monday evening, February 24, at nine o'clock, and when the House adjourns this week it shall reconvene the same date at eight o'clock; also when the Senate adjourns next week it shall reconvene not later than Monday evening, March 10, at nine o'clock, and when the House adjourns next week it shall reconvene on Wednesday evening, March 5 at eight o'clock.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON AMENDMENTS TO CONCURRENT RESOLUTION APPOINTING COMMISSION TO INVESTIGATE AS TO THE NECESSITY FOR EFFICIENCY, NUMBER AND SALARIES OF THE OFFICERS, CLERKS AND EMPLOYES OF THE SENATE, HOUSE OF REPRESENTATIVES, AND THE SEVERAL DEPARTMENTS, BOARDS AND COMMISSIONS CONNECTED WITH THE STATE GOVERNMENT RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives insists on the amendments made by the House of Representatives and nonconcurred in by the Senate to the following resolution:

In the Senate, February 21, 1913.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any charges are found necessary there may be authorized during the present session of the Legislature; therefore,

Be it resolved (if the House of Representatives concur) That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate, and five members of the present House of Reperesentatives, one of whom shall be a Democrat, be appointed by the Speaker of the House of Reperesentatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government, and to make report thereof and, if necessary, to recommend not later than April 1, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such a commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom, as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. CROW. Mr. President, I move that the Senate insists on its nonconcurrence in the amendments made by the House of Representatives to the resolution just read and that a committee of conference be appointed to confer with a similar committee of the House, (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said resolution.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Crow, Kurtz and Sones be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON AMENDMENTS TO CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA RETURN WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives informing the Senate that the

House of Representatives insists on the amendments made by the House of Representatives and nonconcurred in by the Senate to the following resolution:

In the Senate, February 4, 1913.

Whereas, Certain acts and resolution passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil war who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore Be it Resolved, (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of the Commonwealth A copy of this resolution when approved to be forwarded to the President of the Commission for consideration and action.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. SHEATZ. Mr. President, I move that the Senate insists on its nonconcurrence in the amendment made by the House of Representatives to the resolution just read and that a committee of conference be appointed to confer with a similar committee of the House, (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said resolution.

Mr. HOKE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Sheatz, Alexander and Jarrett be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 39 (Senate Bill No. 408), entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 454 (Senate Bill No. 409), entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges or such travel

Which was committed to the Committee on Judiciary Special.

BILL SIGNED.

The PRESIDENT PRO TEMPORE announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct the title was publicly read as follows:

House Bill No. 73, entitled:

An Act making an appropriation to the trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital

Whereupon,

The PRESIDENT PRO TEMPORE in the presence of the Senate signed the same.

BILL INTRODUCED.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 410, entitled:

An Act to secure and perpetuate liens upon monuments, mausoleums, markers, grave stones, copings or other ornamental constructions, used in and about cemeteries and grave yards, for the contract price thereof, or the balance due thereon; and for skill, labor, and material furnished thereon or entering therein; providing for the enforcement and collection thereof, and prohibiting the removal of said structures after notice of such lien.

Which was committed to the Committee on Judiciary Special.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:30 o'clock A. M. until 9 o'clock Monday evening, February 24, 1913.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 19th, 1913.

The House met at ten o'clock.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, with this new day, we come to Thee with renewal of our purposes for fidelity, conscientiousness and earnest endeavor in the work which is assigned us. There are great questions submitted to us with every session of this Assembly, questions affecting in many ways the material, intelligence and moral needs of great numbers of people. It is a great dignity and honor that is thrust upon us and a great responsibility to consider these questions in behalf of the people. Let us so regard it. Let us not be careless or indifferent, but let us be serious and thoughtful, earnestly endeavoring above all else to know the truth, for it is only as we know the truth that we shall be made free from all narrowness and free from prejudice and bigotry, and free from any other thing which may in any way hinder an intelligent judgment. Wilt Thou, Our Father, enlighten us with Thy Spirit and quicken us by Thy Grace and so stimulate us that we may in all ways and in all things honor God and serve the people, and Thy name shall have the praise of it for evermore. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Kitts, the further reading was dispensed with and the Journad approved.

BILLS INTRODUCED AND REFERRED.

By Mr. CLAYCOMB. House Bill No. 795.

An Act prohibiting the doing of certain acts by persons who have been disbarred from practising before the courts of any county; and providing a penalty for violation thereof.

Referred to Committee on Judiciary Special.

By Mr. CLAYCOMB. House Bill No. 796.

An Act amending the twentieth section of an act, approved the first day of May, Anno Domini one thousand nine hundred and five, entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of "An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth," approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining a bureau and providing certain penalties," as amended by an act, approved the thirteenth day of June Anno Domini nineteen hundred and eleven, "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five, entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act, entitled "An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth," approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties,' as amended by an act, approved the sixth day of June, Anno Domini one thousand nine hundred and seven, entitled An act to amend sections, five, nine, fifteen, nineteen, twenty and

twenty-five of an act entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in the Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau and providing certain penalties," which was approved the first day of May, Anno Domini one thousand nine hundred and five; by extending the territory in which burial permits shall be valid; providing for the issuance of burial permits without fees; establishing a method for securing the given names of children; making a uniform date for the returns of local registrars; providing for certain fees in cities of the first and second class to be paid by the counties; and abolishing all other systems of registration of births and deaths,' by changing the fees for birth and death certificates."

Referred to Committee on Public Health and Sanitation.

By Mr. J. H. WILSON. House Bill No. 797.

A supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties of townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated towns petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. WHITAKER. House Bill No. 798.

An Act making an appropriation to Downingtown Industrial and Agricultural School.

Referred to Committee on Appropriations.

By Mr. COX. House Bill No. 799.

An Act authorizing persons, copartnerships, associations, and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum; providing for licenses for the same; imposing conditions and regulations, fixing rates of interest and charges; giving to the Court of quarter sessions supervision of the same; regulating procedure and fixing penalties limiting its application; declaring violation of its provisions a misdemeanor and prescribing punishment therefor; repeal of acts inconsistent therewith.

Referred to Committee on Banks and Banking.

By Mr. METZENBACHER. House Bill No. 800.

An Act making an appropriation for the purchase, for the Pennsylvania State Museum, of a collection of Photograph negatives showing the history of the oil industry of this Commonwealth from the earliest discoveries to the present time.

Referred to the Committee on Appropriations.

By Mr. NEWTON. House Bill No. 801.

An Act to establish a uniform system for the assessment of property and the levy and collection of taxes throughout the Commonwealth, creating a State Board of Assessors, and County Assessors, and providing the methods and means for carrying the system into effect.

Referred to Committee on Ways and Means.

By Mr. NORTH. House Bill No. 802.

An Act to repeal an act approved the fourth day of April one thousand nine hundred and seven, entitled 'An act providing for the recovery and collection of municipal claims by lien or by action of assumpsit," with the amendment thereto.

Referred to Committee on Judiciary Special.

By Mr. MOSES. House Bill No. 803.

An Act further amending Section 2 of the Act entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof approved the seventh day of June, Anno Domini, one thousand nine hundred and one, as amended by Section 2 of the Act of May, fourteenth, Anno Domini one thousand nine hundred and nine, authorizig and requiring second and third class cities of this Commonwealth to provide for the appointment and payment of a Plumbing Inspector.

Referred to Committee on Municipal Corporations.

By Mr. NORTH. House Bill No. 804.

An Act making an appropriation for the purpose of adding and assisting cities, boroughs, and other municipalities to pay for the construction of sewage disposal plants, providing the conditions under which the money hereby appropriated shall be disbursed and paid, providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants.

Referred to the Committee on Appropriations.

By Mr. STEELE. House Bill No. 805.

An Act to amend Section one of an Act entitled "An act to safeguard human life and health throughout the Commonwealth by providing regulations for the control of certain communicable diseases and the prevention of infection therefrom, and prescribing penalties for the violation of said regulations," approved the fourteenth day of May, Anno Domini one thousand nine hundred and nine.

Referred to Committee on Public Health and Sanitation.

By Mr. STEELE. House Bill No. 806.

An Act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry, and the conditions under which such licenses may be isseud, and providing penalties for the non-observance of the same.

Referred to Committee on Public Health and Sanitation.

By Mr. GANS. House Bill No. 807.

An Act to amend section ten of an act, entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the twenty-fourth day of May, 1887; providing for the sale of mixed paints, white leads and colors ground in oil, and all lead products and painters' materials used in the arts and industries, without the necessity of labeling the same.

Referred to Committee on Public Health and Sanitation.

By Mr. SHERN. House Bill No. 809.

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty.

Referred to Committee on Appropriations.

By Mr. GANS. House Bill No. 810.

An Act for the better preservation of the records contained in the offices of the Recorder of Deeds of counties of this Commonwealth containing over one million and a half population, providing for the replacement and certification of worn or dilapidated records, and the payment of the cost thereof out of county funds.

Referred to Committee on Judiciary Special.

By Mr. R. J. BALDWIN. House Bill No. 811.

An Act making an appropriation to the Glen Mills Schools in the Eastern District of the Commonwealth of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 812.

An Act making an appropriation to the Glen Mills Schools situate in the eastern district of the Commonwealth to defray the expenses of erecting an additional cottage, a hospital, a school house and refrigerating plant, and the repair and alteration of an old school building into an assembly room.

Referred to the Committee on Appropriations.

By Mr. CONNER. House Bill No. 813.

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants, deodorants, antiseptics and germicides for external use, to regulate the labeling of such preparations to provide for the standardization of such disinfectants, deordants, and an-

tiseptics and germicides, and providing penalties for the violation of this act.

Referred to the Committee on Appropriations.

By Mr. S. B. SCOTT. House Bill No. 814.

An Act to amend an act approved the fourteenth day of April, one thousand nine hundred and three, entitled "An act for the creation and government of a division of the State Library, for the preservation of public records," by establishing the office of supervisor of public records, with general supervision over the care and custody and condition of public records of the several counties, cities and boroughs of this Commonwealth.

Referred to Committee on Library.

By Mr. MOSES. House Bill No. 815.

An Act making an appropriation to the Conemaugh Valley Memorial Hospital of the City of Johnstown.

Referred to Committee on Appropriations.

By Mr. FORSTER. House Bill No. 816.

An Act to provide for the appointment of Janitors in and for the various Courts of Counties having a population of one million and over and for the compensation and payment thereof.

Referred to Committee on Judiciary General.

By Mr. HEMMINGER. House Bill No. 817.

An Act to be known as the Pure Shoe Law requiring that Boots and Shoes made or offered for sale, in certain parts of substitute for leather, be stamped and providing a penalty for failure to stamp, and declaring an emergency.

Referred to the Committee on Manufactures.

By Mr. STEEDLE. House Bill No. 818.

An Act to amend section three of an act approved the sixth day of June, Anno Domini one thousand eight hundred and ninety-three, entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth, defining their powers and duties, and providing for their compensation and discharge," as amended by an act approved the eighth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth, defining their powers and duties and providing for their compensation and discharge,' approved June sixth Anno Domini one thousand eight hundred and ninety-three, by regulating the control of policemen when on duty."

Referred to Committee on Municipal Corporations.

By Mr. ALLEN. House Bill No. 819.

A supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred and one, authorizing cities of the second class, for the purpose of preventing fires, the spread of fire, fire waste and loss of life from fire, to enact ordinances to provide for and regulate the construction, equipment, arrangement, maintenance, inspection, alteration, repair and removal of buildings and premises and appliances, apparatus and conditions in and about them, to provide for the regulation of the manufacture, transportation, storage, sale and use of explosives, gases, inflammables and dangerous chemicals and substances; to prohibit the manufacture of explosives and fireworks, and the transportation, storage, sale and use of nitro-glycerine; to provide methods of enforcing such regulations; to provide for a Bureau or Board for the purpose of fire prevention and protection to life in case of fire and for its organization, members, duties and salaries, and the investigation of fire by it; further providing for the service of said Bureau's order and for an appeal from and review of certain of its orders, for the method of recovering money expended by the cities in remedying certain conditions and the method of obtaining a lien therefor; and providing that the courts of Common Pleas shall have jurisdiction to punish witnesses for disobedience of the orders of the Chief Officer of said Bureau when holding investigations.

Referred to Committee on Municipal Corporations.

By Mr. McCLINTOCK. House Bill No. 820.

An Act prohibiting any person to lead, drive, ride or work, or cause or permit any other person to lead, drive, ride, or work any horse, mare, mule, ox or any other animal, whether belonging to himself or in his possession or control, for more than twelve hours in any twenty-four hour period; Provided, That nothing in this act contained shall be construed to warrant any person's leading, driving, riding or walking any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals; providing a penalty for the violation of this act, and authorizing policemen, constables or agents of duly incorporated societies or associations for the prevention of cruelty to animals, in this Commonwealth, to make arrests, on view or by warrants, of offenders of this act.

Referred to Committee on Agriculture.

By Mr. NEELY. House Bill No. 821.

An Act making an appropriation to the Children's Hospital of Pittsburgh in the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HAGGERTY. House Bill No. 824.

An Act to amend section twelve hundred and seven of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general special, or local, or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini, one thousand nine hundred and eleven.

Referred to Committee on Municipal Corporations.

By Mr. WALNUT. House Bill No. 825.

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status, authorizing them to create subordinate lodges and to pay benefits upon the sickness, disability or death of their members from funds collected by dues and assessments therein, providing for their registration in the office of the Insurance Commissioner, and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner," approved the sixth day of April, A. D., one thousand eight hundred and ninety-three (P. L. page 7) providing that if after the issuance of the original certificate, the member shall become dependant upon an incorporated charitable institution, he shall have the privilege, with the consent of the society, to make such institution his beneficiary.

Referred to the Committee on Insurance.

By Mr. GEISER. House Bill No. 826.

An Act making an appropriation to the Home for Aged and Infirm Women, at Easton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GEISER. House Bill No. 827.

An Act making an appropriation to the Easton Home for Friendless Children, at Easton, Pennsylvania.

Referred to Committee on Appropriations

By Mr. GEISER. House Bill No. 828.

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALSH.. House Bill No. 829.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CONNER. House Bill No. 830.

An Act making an appropriation to the German Hospital, of the City of Philadelphia.

Referred to Committee on Appropriations.

By Mr. MANNION. House Bill No. 831.

An Act making an appropriation to the Carbondale Hospital Association of the City of Carbondale, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LESLIE. House Bill No. 832.

An Act making an appropriation to the Pittsburgh Hospital, Sisters of Charity, of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. NEEL. House Bill No. 833.

An Act making an appropriation to the Mount Pleasant Memorial Hospital, Mount Pleasant, Westmoreland county.

Referred to Committee on Appropriations.

By Mr. GLENN. House Bill No. 834.

An Act defining foreign corporations; authorizing the acquisition and conveyance of real estate, and regulating the manner thereof; and providing for the validating of titles to real estate now held by foreign corporations.

Referred to Committee on Judiciary General.

By Mr. ROTHENBERGER. House Bill No. 835.

An Act relating to the service of notices and summons in landlord and tenant cases.

Referred to Committee on Judiciary General.

By Mr. MATHER. House Bill No. 836.

An Act making an appropriation to the Robert Packer Hospital, of Sayre, Pennsylvania.

Referred to Committee on Appropriations.

BILL RE-REFERRED.

Mr. E. E. JONES asked and obtained leave to return House Bill No. 595, entitled:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the

clerk of court fixing penalties for violations of this act and making an appropriation to carry out its provisions"

Which was referred to the Committee on Public Roads, for the purpose of having the same re-referred to the Committee on Appropriations.

The SPEAKER. This bill is now referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 504, entitled:

An Act fixing the duties and liabilities of employes of aliens with respect to the assessment and collection of taxes against such aliens, and providing for the violation thereof.

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 566, entitled:

An Act giving to all owners or tenants of land, property or material injured by the laying out opening widening vacating extending or grading of roads, streets lanes or alleys or the changing of grades and lines thereof, the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers, the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands, property or material, to assess said damages both direct and consequential or either, if any, and the benefits, if any, in connection therewith, granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report, and providing that this act shall apply to all existing and future proceedings.

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as amended, House Bill No. 613 (Senate Bill No. 106), entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class."

Mr. McALEER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 328, entitled:

An Act giving the right to the Department of Public Safety in cities of the first class to make rules and regulations governing the traffic use and police control of all public highways streets lanes avenues boulevards parkways and alleys providing for public notice of the same and providing also for punishments for the violations thereof with the right of appeal

Mr. COX, from the Committee on Manufactures, reported as committed, House Bill No. 115, entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March, one thousand seven hundred eighty-nine entitled "A supplement to an act entitled 'An act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs.' "

Mr. KITTS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 231, entitled:

An Act to amend section one of a supplement to the act of April third, eighteen hundred and fifty-one, approved the twenty-fifth day of April nineteen hundred and seven entitled "An act regulating boroughs" providing for the election of a borough solicitor, fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation.

Mr. STONE, from the Committee on Judiciary Special, reported as committed, House Bill No. 657, entitled:

An Act to repeal an act entitled "A supplement to the act, entitled 'An act for preventing clandestine marriages,' " approved the fourteenth day of February, Anno Domini one thousand seven hundred thirty.

Mr. RONEY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 644, entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act, making an appropriation therefor and providing certain penalties for the violations of the provisions thereof and repealing all acts and parts of acts incompatable herewith.

Mr. COX, from the Committee on Judiciary Local, reported as committed, House Bill No. 470, entitled:

An Act authorizing the Trustees of the Cottage State Hospital, located at Connellsville, Pennsylvania, to dedicate to public use a certain triangular piece of land which shall be opened a public street immediately adjoining property of the institution.

Mr. STONE, from the Committee on Judiciary Special, reported as committed, House Bill No. 658, entitled:

An Act to repeal an act entitled "An act for the preventing of clandestine marriages."

Mr. SNYDER, from the Committee on Counties and Townships, reported as committed, House Bill No. 574, entitled:

An Act to amend an act approved the third day of June, one thousand nine hundred and eleven, entitled "An act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said township," and repealing the second section of the act.

Mr. BROSIUS, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 435, entitled:

A Joint Resolution providing for the appointment by the Governor of a commission to consider and report upon the advisability of establishing a State system of workhouses to which workhouses persons convicted of misdemeanors and sentenced to imprisonment for not less nor more than certain prescribed periods, shall be committed and if said commission shall consider the same advisable to report plans for the construction establishment and maintenance of such workhouses and the government and regulations of the inmates thereof and making an appropriation to meet the expenses of said commission

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 215, entitled:

A Joint Resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Mr. KEEPORT, from the Committee on Municipal Corporations reported as committed, House Bill No. 582, entitled:

A Supplement to an act, entitled 'A supplement to an act, entitled "An act to provide for the better government of cities of the first class in this Commonwealth," approved the first day of June, one thousand eight hundred and eighty-five; creating a Department of Wharves, Docks and Ferries, for the improvement, regulation, and supervision of the Construtcion, extension alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and habor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation for certain purposes, approved the 8th day of June, A. D. 1907.

Mr. KEEPORT, from the Committee on Municipal Corporations reported as committed, House Bill No. 580, entitled:

An Amendment to an act, entitled "A supplement to an act, entitled "An act to provide for the better government of cities of the first class in this Commonwealth," approved the first day of June, one thousand eight hundred and eighty-five; creating a Department of Wharves, Docks and Ferries (for the improvement, regulation, and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation for certain purposes,) approved the eighth day of June, A. D. 1907, as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June, Anno Domini one thousand nine hundred and seven, entitled 'A supplement to an act, entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June, one thousand eight hundred and eighty-five, creating a Department of Wharves, Docks and Ferries (for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, in cities of the first class; and) providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation, for certain purposes,' by fixing the number of the jury at three," approved the 27th day of April, A. D. 1911

Mr. DICKINSON, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 210, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an Act, entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education ad Licensure as a bureau of the Department of Public Instruction the means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said Act; and providing for revocation and

suspension of licenses given said bureau; and providing penaltes for violation thereof, and repealing all acts or parts of acts inconsistent therewith."

Mr. BIGGER, from the Committee on Judiciary Special, reported as committed House Bill No. 575, entitled:

An Act to prohibit the letting of prison labor by contract, to regulate the employment of prisoners in all State and County prisons and reformatories regulating the disposition of the products of prison labor, and providing penalty for its violation.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as committed, House Bill No. 352, entitled:

An Act to amend sections three and four of an Act, approved the eighth day of June, one thousand eight hundred and ninety-three, entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make last will, and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases.

Mr. GRAMLEY, from the Committee on Fisheries, reported as committed, House Bill No. 547, entitled:

A Joint Resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River, by the McCall's Ferry Power Company at McCall's Ferry, providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution.

Mr. J. A. DUNN, from the Committee on Judiciary Local, reported as committed House Bill No. 221, entitled:

An Act fixing the salary of registers of wills in counties, within which are or may be located any cities of the first class, and providing for the payment of fees or commissions earned by said officers into the county treasury.

Mr. E. G. M. KUHNS, from the Committee on Judiciary Special, reported as committed House Bill No. 624, entitled:

An Act to amend section one of an act approved the third day of May, Anno Domini one thousand nine hundred and nine, entitled "An act authorizing townshipjs of the first class and boroughs of this Commonwealth, to acquire by taking and appropriating under right of eminent domain, and by gift, devise, purchase, lease, and otherwise, private property for the purpose of making, enlarging, extending and maintaining public parks, parkways and playgrounds; requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent; and authorizing the said townships and boroughs to improve, maintain and regulate such parks, parkways and playgrounds; and providing for the manner of securing, ascertaining, determining, awarding and paying compensation and damages, where property is taken, used and appropriated for the said purposes," by changing the limitation of the amount of maney which such township or borough, in the exercice of the authority granted by said act, shall, within any period of three years, obligate itself to pay, without the consent of a majority of the qualified electors.

Mr. E. G. M. KUHNS, from the Committee on Counties and Townships, reported as committed, House Bill No. 531, entitled:

An Act fixing the time of organization of the commissioners of first class townships.

Mr. BLELOCH, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 516, entitled:

An Act to prevent improper interference with jurors, making same a misdemeanor and imposing penalty therefor.

Mr. STRAUSS, from the Committee on Judiciary General reported with a negative recommendation, House Bill No. 670, entitled:

An Act relating to jurors in the various courts, and requiring the county to publish a list of the names of such jurors.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as amended House Bill No. 539, entitled:

An Act establishing in the Department of Health a division to be known as the Division of Child Welfare, and defining its powers and duties and providing a penalty for violation of the orders of the Commissioner of Health.

Mr. REESER, from the Committe on Counties and Townships, reported as committed House Bill No. 619, entitled:

An Act to amend the fourth paragraph of section seven of an act entitled "An act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April, Anno Domini, one thousand eight hundred and ninety-nine.

Mr. MILLER, from the Committee on Judiciary General, reported with a negative recommendation House Bill No. 759, entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are direct by said jury to pay the costs and either or both depart from the jurisdiction before sentence of the court, and providing for the sentencing of either or both in their absence.

Mr. WALTON, from the Committee on Elections, reported as committed, House Bill No. 679, entitled:

An Act to provide for the appointment of registratrs of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth, a method of collecting such taxes, penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith.

Mr. JAMES J. CAMPBELL, from the Committee on Municipal Corporations, reported as committed House Bill No. 209, entitled:

An Act to amend an act approved the seventh day of June, one thousand nine hundred one, entitled, "An act providing for the examination, licensure and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended by an act approved the fourteenth day of May, one thousand nine hundred nine, entitled "An act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy, and seventy-one of an act, entitled 'An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof,' approved the seventh day of June Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third clas, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations, and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof," by extending the provisions of the act to boroughs and to townships of the first class.

Mr. BECKER, from the Committee on Counties and Townships, reported as committed House Bill No. 540, entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment, levy and collection of the costs and expenses thereof.

Mr. NEWBAKER, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 436, entitled:

An Act providing for the sale, distribution and use, for the promotion of biological and medical science, and for the discovery of new methods of treatment in medicine and surgery, of unclaimed animals in the public pounds, and providing penalties for neglect or refusal to comply with the provisions of this Act

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 162, entitled:

An Act to amend an act approved the twenty-fifth day of June, one thousand eight hundred eighty-five, entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," as amended by an act approved the second day of June, one thousand eight hundred and ninety-one, entitled 'An act to amend section nine, of an act approved the twenty-fifth day of June, one thousand eight hundred and eighty-five, entitled 'An act regulating the collection of taxes in the several boroughs and townships of this Comfonwealth,' by providing the time in which tax collectors shall pay over tax and make settlements."

Mr. BARNER, from the Committee on Elections, reported as committed, House Bill No. 461, entitled:

An Act to further amend an act entitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by changing the form of the ballot and regulating the method of marking the same."

Mr. CEISER, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 766, entitled:

An Act providing for the regulating and taking of land by condemnation proceedings to enlarge certain cemeteries now or hereafter incorporated.

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 254, entitled:

An Act to amend an act, entitled "An act to amend an act, entitled 'An act to amend act, entitled 'An act to amend an act, entitled 'An act to amend an act entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have and

hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one, extending the same to companies formed for the purpose of quarrying salte, granite, stone or rocks, or for dressing polishing, working, or manufacturing the same, or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mine springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three,' approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose; construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control, or application of electricity, or the control or use of electrical apparatus for any purpose; and of producing, furnishig and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business," approved the twenty-third day of June, Anno Domini one thousand nine hundred and eleven; extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business, (and to companies incorporated for the purpose of selling, dealing in, or manufacturing lumber.)

Mr. WALNUT, from the Committee on Judiciary Local, reported as committed, House Bill No. 293, entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants, and less than two hundred and fifty thousand inhabitants, and to provide for the payment of the same.

Mr. CONNIFF, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 517, entitled:

An Act to protect the owners of buildings by prohibiting the damaging or destroying of fixtures therein and prohibiting tenants from leaving buildings in such condition that the fixtures may become damaged or destroyed, and providing a penalty for violation hereof.

Mr. DOWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 600, entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation.

Mr. LIGHT, from the Committee on Judiciary General, reported as committed, House Bill No. 671, entitled:

An Act regulating the custody of records of criminals during trial of cases.

Mr. McNICHOL, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 553, (Senate Bill No. 12), entitled:

An Act supplementary to an act entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as herein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine, providing for the denaturing by kerosine of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, House Bill No. 424, entitled:

An Act to regulate the business of making loans where charges are made other than the legal rate of interest; to provide for the licensing of such business; to regulate the assignment of wages when given as security; providing a penalty for the violation thereof; and providing for the repeal of existing laws.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 775, entitled:

An Act to amend an act entitled "An act to amend section one of an act, entitled, 'An act to provide for the better collecion of collateral inheritance taxes,' approved May sixth, Anno Domini one thousand eight hundred and eight-seven, so as to include among the persons taking an estate or any part thereof, to whom the act does not apply, the children of a former husband or wife," approved April twenty-second, Anno Domini one thousand nine hundred and five, defining and making further exemptios from the payment of collateral inheritance tax.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 505, entitled:

An Act to amend an act approved the twenty-sixth day of May, one thousand eight hundred ninety-seven, entitled "An act in relation to officers taking illegal fees, and providing a penalty therefor."

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 758, entitled:

An Act requiring payment by the county of costs of prosecution in certain criminal cases.

Mr. SHOWALTER, from the Committee on Judiciary Special, reported as committed, House Bill No. 602, entitled:

An Act regulating the cold storage of food, and providing penalties for violation of this act.

Mr. H. B. DUNN, from the Committee on Elections, reported as committed, House Bill No. 678, entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors, for the preparation and distribution of lists of taxables by the county commissioners, and for the abolition of the office of assessor of electors for purposes of taxation in such cities.

Mr. H. B. DUNN, from the Committee on Judiciary General, reported as committed, House Bill No. 107, entitled:

An Act establishig a Court for the County of Philadelphia, prescribing its jurisidiction and powers, providing for the service of its writs, processes or warrants by the proper officers of the county of city of Philadelphia, regulating the procedure therein and appeals therefrom, and providing for the expenses thereof.

Mr. MITCHELL, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 14, entitled:

An Act establishing in the Department of Health a bureau to be known as the Bureau of Child Welfare, and regulating the same.

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 680, entitled:

An Act relating to the selection of jurors; making the registration lists and basis of selection in counties or portions of counties in which personal registration of electors is required, and repealing acts or parts of acts inconsistent therewith.

Mr. SPANGLER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 433, entitled:

An Act providing a penalty for escape of prisoners from borough lock-ups.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 589, entitled:

An Act to abolish for the purposes of municipal assessment and taxation of real estate, the distinction between built up rural and farm property

Mr. SPEISER, from the Committee on Municipal Corpoartions, reported as committed, House Bill No. 641, entitled:

An Act to authorize the municipal authorities to limit the charges of water companies in certain cases.

Mr. SPEISER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 362, entitled:

An Act regulating the issue, sale, gift or furnishing of trading stamps, trading coupons, or similar or analogous devices and providing a penalty for violation hereof.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 1 (House Bill No. 808).

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof.

Referred to Committee on Public Roads.

Also Senate Bill No. 103 (House Bill No. 822).

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries, making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

Referred to Committee on Education.

Also Senate Bill No. 146 (House Bill No. 823).

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven, entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes."

Referred to Committee on Public Health and Sanitation.

APPOINTMENTS BY SPEAKER.

The SPEAKER. The Chair desires to announce to the House that upon Resolution No. 21 requesting statement from charitable institutions, introduced by the gentleman from Philadelphia, Mr. McAleer, and adopted yesterday, which required the Chair to appoint a Committee of three members of the House, the Chair appoints the following members: The gentleman from Philadelphia, Mr. McAleer, the gentleman from Allegheny, Mr. Carter, and the gentleman from Venango, Mr. Glenn.

Also upon Resolution No. 10 investigation of persons holding more than one position, introduced by the gentleman from Northumberland, Mr. Geiser and adopted Monday evening, requiring the Chair to appoint a committee of five, two of whom shall be Democrats, the Chair appoints the following members: the gentleman from Northumberland, Mr. Geiser, the gentleman from Philadelphia, Mr. Roney, the gentleman from Lawrence, Mr. Walton, the gentleman from Warren, Mr. DeFrees, and the gentleman from Columbia, Mr. Charles A. Shaffer.

RESOLUTION.

AMENDING RULE NO. 37.

Mr. ALLEN. Mr. Speaker, I desire to offer at this time a resolution from the Committee on Rules.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved, That Rule 37 be amended by adding thereto the following sentence: "Such a bill shall not be printed and placed upon the files on the desks of the members until it has been placed on the calendar," so that said rule shall read as follows:

"The recommendation by a committee that a bill be negatived shall not affect its consideration by the House, but the words "Negative Recommendation" shall be printed conspicuously on a line above the title of the bill, but such bill shall not be placed upon the calendar except by a vote of sixty members; but if such motion be negatived once it shall not be renewed. Such a bill shall not be printed and placed upon the files on the desks of the members until it has been placed on the calendar."

F. C. EHRHART,
Chairman.

On the question,

Will the House agree to the adoption of the resolution?

Mr. ALLEN. Mr. Speaker, I just want to say one word in the way of explanation to the House. The only purpose in this is to cut out some unnecessary printing, and allow some things that are necessary to be finished. Heretofore all bills which have been reported out from a Committee with either an affirmative or a negative recommendation have been placed upon the light calendar, which is unnecessary. All members know, that under the rule, bills which are either negatively or affirmatively reported by the Committee appear on the pink calendar, so the printing of the bill is unnecessary unless by a vote of the House the bill is placed on the calendar notwithstanding the negative report, when it will be necessary to print the bill. It is to cut out the unnecessary printing that this amendment is offered.

The question recurring,

Will the House agree to the adoption of the Resolution?

It was agreed to.

RESOLUTION FIXING TIME LIMIT FOR INTRODUCING BILLS.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire at this time to offer a resolution from the Committee on Rules.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read by the clerk as follows:

Resolved, That March 17, 1913, be and the same is hereby fixed as the last day for the introduction of bills in the House.

F. C. EHRHARDT,
Chairman.

On the question,

Will the House agree to the adoption of the resolution?

Mr. R. J. BALDWIN. Mr. Speaker, I would like to call the attention of the House to the fact that some members of the House are probably in the same position that I am. The law requires that any bill to repeal a law must be advertised for thirty days previous to the introduction of the bill. Probably there are other members in the same situation, and I think that the introduction of bills of that character should not be barred out. I would like to have this resolution amended so as to permit bills of that character to still be introduced. It will not be an increase of legislation, but will wipe out some of the legislation now on the statute books.

Mr. NORTH. With reference to the remark of the gentleman from Delaware County, thirty days are required to advertise a repeal of local law. My understanding of the matter is that it must be thirty days prior to the beginning of the legislature.

Mr. KITTS. Mr. Speaker, I agree with the gentleman from Delaware, for only last week while I was at home some of my constituents called my attention to the special law concerning Erie County which they had taken steps to have repealed, and they had made arrangements for the proper advertisement. I am in favor of amending the resolution so that some exceptions may be made relative to the repealing of special laws.

The SPEAKER. The Chair offers the following amendment to the resolution which will be read by the Clerk.

The Clerk then read the amendment as follows:

Resolved, That March the 17th, 1913, by and the same is hereby fixed as the last day for the introduction of bills in the House, except local bills requiring advertisement.

The amendment was then agreed to.

The resolution as amended was then adopted.

LEAVES OF ABSENCE.

Mr. RONEY asked and obtained leave of absense for Mr. Walsh for the remainder of the week.

The SPEAKER asked and obtained leave of absence for Mr. De Frees for the remainder of the week.

Mr. BLELOCH asked and obtained leave of absence for himself for the remainder of the week.

Mr. J. H. WILSON asked and obtained leave of absence for Mr. Peachey for the remainder of the week.

QUESTION OF PERSONAL PRIVILEGE.

Mr. RUNK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. RUNK. In the Legislative Journal, page 295, House Bill 454, I am recorded as having voted Nay, when I certainly ought to be recorded as having voted Yea.

The SPEAKER. The correction will be noted in the Journal of the House.

RESOLUTION RELATIVE TO ADJOURNMENT.

Mr. HUMES. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Resolved (if the Senate concur), That when the Senate adjourns this week it shall reconvene on Monday evening, February twenty-fourth, at nine o'clock, and when the House adpourns this week it shall reconvene on the same date, at eight o'clock; also, when the Senate adjourns next week it shall reconvene not later than Monday evening, March tenth, at nine o'clock, and when the House adjourns next week it shall reconvene on Wednesday evening, March fifth, at eight o'clock.

On the question,

Will the House agree to the resolution?

Mr. HUMES. Mr. Speaker, and gentlemen of the House, I presume that the purpose of this resolution is apparent to all the members of the House. It is the form which we have taken to request that this House permit us to attend the inauguration of the next President of the United States. It provides for adjournment to Wednesday of the following week instead of to Monday as is the custom of the House. I trust the gentlemen of the House will accord to us this opportunity to be absent from the House without missing any of the entertaining deliberations thereof.

Mr. HORACE B. DUNN. Mr. Speaker, under the resolution this House would only lose two days session, at any rate, during that time. We can work on our committees here. I hope every member of this House, whatever his party, will accede to the resolution offered by the Democrats, and give them a chance to see their President inaugurated on March 4th.

On the question,

Will the House agree to the resolution?

It was unanimously agreed to.

Ordered, that the Clerk transmit the same to the Senate for concurrence.

Mr. BLELOCH. Mr. Speaker, I desire to call up resolution No. 20.

STANDING COMMITTEES SHALL GIVE NOTICE OF TIME AND PLACE OF HEARINGS.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was twice read as follows:

Resolved, That all standing committees shall notify the sponsor or introducers of matters referred to them of the time and place the same will be considered before the respective committees take action thereof.

On the question,

Will the House agree to the resolution?

Mr. R. J BALDWIN. Mr. Speaker, I would like to say that I think, for the purpose of assisting the committees in transacting their business that this resolution should be amended before the same is passed. There is no necessity for the committee calling for the sponsor of a bill if the committee approves of the bill. Under this resolution the bill cannot be sent out without the presence of the sponsor.

Mr. BLELOCH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BLELOCH. Mr. Speaker, I think the gentleman is offering an amendment after he has seconded my motion to adopt the resolution.

The SPEAKER. The gentleman from Delaware was understood by the Chair to second the motion so that the motion may be put before the House.

Mr. R. J. BALDWIN. I will withdraw my second if the gentleman from Philadelphia desires.

The SPEAKER. The motion has been put and the resolution is before the House.

Mr. R. J. BALDWIN. Mr. Speaker, I think the resolution should be amended to read "the same will be considered before the respective committees negative the bill." That certainly would be all the gentlemen desire. I think I would like to interrogate the gentleman from Philadelphia who introduced this resolution.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Bleloch permit himself to be interrogated.

Mr. BLELOCH. Mr. Speaker, yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to ask would it be satisfactory to him to accept this amendment, and if not, for what reason.

Mr. BLELOCH. Mr. Speaker, the action of any committee on any measure is very frequently hastily drawn, and when once that action or the sentiment is expressed with the committee it is hard to secure a reversal of that opinion. Therefore, in my judgment, it is necessary that the sponsor or an advocate of any measure should be heard on this proposition before the committee attempt to take any action whatsoever. Therefore I trust that the gentleman from Delaware will not insist in his introducing his amendment at this time, or at any other time.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment to the resolution.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend the fourth line by striking out the words "Take action thereof" and inserting the words "negative said matter or bill"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to provide for registration of persons employed to advocate or oppose legislative measures and to regulate the method of such advocacy or opposition and providing penalties for the violation thereof.

The first, second and third sections of the bill were read, and agreed to, as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That any person firm corporation or association or any officer or employee of a corporation or association acting for or on behalf of such corporation or association who or which directly or indirectly employ any person or persons firm corporation or association to promote advocate amend or oppose in any manner any matter pending or that might legally come before the General Assembly of the Commonwealth of Pennsylvania or either house thereof or a committee of the General Assembly or either house thereof shall within one week from the date of such employment furnish in a signed statement to the Secretary of the Commonwealth the following information to-wit.

1. If an individual his full name place of residence and place of business.

2. If a firm its correct firm name place of business and the full name and place of residence of each partner.

3. If a corporation or association its full name the location of its principal place of business whether a corporation or voluntary association whether a domestic or foreign corporation and the names and the places of residences of each of its officers.

4. The nature and kind of his their or its business occupation or employment.

5. The full name place of residence and occupation of each person firm corporation or association so employed together with the full period of employment.

6. The exact subject matter pending or that might legally come before the General Assembly or either house thereof or before any committee thereof with respect to which such person firm corporation or association is so employed.

7. When any change modification or addition to such employment or the subject matter of the employment is made the employer shall within one week of such change modification or addition furnish in writing full information regarding the same to the Secretary of the Commonwealth.

The Secretary of the Commonwealth shall immediately enter all such information appropriately indexed so as to show all employers employees and subject matter of such employment in a separate book to be kept for that purpose in the office of the Secretary of the Commonwealth which book at all times shall be open to public inspection. Upon the payment of the fee hereinafter provided for the Secretary of the Commonwealth shall issue to each person or to the representative of any firm corporation or association so employed a certificate showing the name of the person to whom the certificate is issued the name or names of his employers the particular matter in respect to which such person is so employed and the duration of the employment. A new certificate shall be required and issued upon any change modification or addition being made to such employment. Such certificate shall be prima facie evidence during the period of the employment therein recited but not to exceed two years of compliance with this section by the employer and the employee named in said certificate. Provided, That nothing in this section shall apply to a bona fide newspaper journal or magazine or a bona fide news bureau or association which in turn furnishes such information solely to bona fide newspapers journals or magazines in employing correspondents to furnish information or news for publication only.

Section 2. No person who has received or who has been promised or who expects to receive directly or indirectly any compensation therefor shall appear before any committee of the General Assembly or either House thereof or promote advocate oppose or seek to have amended in any manner any matter pending or that might legally come before the General Assembly or either House thereof unless he shall have first received from the Secretary of the Commonwealth a certificate showing that the name of such person has been furnished to the Secretary of the Commonwealth in conformity with the law with respect to the particular matter in hand. Nothing herein contained shall apply to or interfere with the furnishing of information or news to any bona fide newspaper journal or magazine for publication or to any news bureau or association which in turn furnishes the said information or news only to bona fide newspapers journals or magazines for publication. Nothing herein contained shall apply to any person who appears in response to a written invitation from the General Assembly or either House thereof or appears in response to a written invitation from any duly appointed commtitee of such General Assembly or either house thereof.

Section 3. No person firm corporation or association shall be employed with respect to any matter pending or that might legally come before the General Assembly or either House thereof or before a committee of the General Assembly or either House thereof for a compensation dependent in any manner upon the passage defeat or amendment of any such matter or upon any other contingency whatever in connection therewith.

The fourth section of the bill was read as follows:

Section 4 Within thirty days after the final adjournment of any session of the General Assembly every person firm corporation or association that has employed any person firm corporation or association or has paid or expended or promised to pay or expend any money or other thing of value in relation to any matter that was pending or that might legally have come before such session of the General Assembly or either house thereof or a committee of the General Assembly or either house thereof shall file with the Secretary of the Commonwealth an itemized statement verified by the oath of such person or if a firm by a member thereof if a corporation or association by an officer thereof showing in detail all expenses paid incurred or promised directly or indirectly in connection with any matter that was pending or that might legally have come before the General Assembly or either house thereof or a committee of the General Assembly or either house thereof during such previous session with the names of the payees and

the amounts paid to each including all disbursements made incurred or promised to any person firm corporation or association and also specifying the nature of the matter that was pending or that might legally have come before the General Assembly or either house thereof and the interest of the person firm corporation or association therein Every person who receives either individually or as officer agent employe or counsel any money or thing of value to be expended or used by him in relation to any matter pending or that might legally come before the General Assembly or either house thereof or a committee of the General Assembly or either house thereof at any session of the General Assembly shall within thirty days after the final adjournment of such session of the general assembly file with the Secretary of the Commonwealth an itemized statement verified by the oath of such person showing in detail all the money or other thing of value so received or expended by him and all liabilities directly or indirectly incurred by him in connection with such matter Such statement shall contain the full name and address of the person making the same and the names and addresses of each person firm committee corporation or association to whom any money or thing of value was paid or promised whether directly or indirectly the purpose for which the place where and the date when each item of money or other thing of value was paid or promised by such
the disposition to be made thereof

On the question,
Will the House agree to the Section?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk as follows:

Amend Section 4, by striking out the first line, numbered 44, and inserting in lieu thereof the following: "person, and the balance in hand of such amount and"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section of the bill was read as follows:

Section 5 The provisions of this act shall not be construed as affecting professional services in drafting bills preparing arguments thereon or in advising clients and rendering opinions as to the construction and the effect of proposed or pending legislation where such professional services are not otherwise connected with legislative action

On the question,
Will the House agree to the section?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk, as follows:

Amend Section 5, line 2, by inserting after the word "professional" the word "office"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The Sixth Section of the bill was read as follows:

Section 6 Any person who violates any of the provisions of this act whether acting either individually or as an officer agent employe or counsel of a person firm corporation or association rendering opinions as to the construction and the effect of employe agent or counsel of a firm corporation or association who causes or participates in any violating of the provisions of this act shall upon conviction be fined not less than two hundred dollars nor more than five thousand dollars or be imprisoned in the penitentiary for a term of not less than one year nor more than two years or both Any association or corporation which violates or causes or participates in any violation of any of the provisions of this act shall for each offense be fined not less than two hundred dollars nor more than five thousand dollars The prosecution of one or more of the officers or employes of such corporation or association shall not be a bar to the prosecution and conviction of the corporation or association for such offense

On the question,
Will the House agree to the section?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer amendments to this section.

The amendments was read by the Clerk, as follows:

Amend Section 6, line 3, by striking out all after the words "corporation or" and inserting in lieu thereof the following "association or any person whether acting individually or as an officer."

Also amend Section 6, by striking out line 4 thereon

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The Seventh Section of the bill was read and agreed to as follows:

Section 7 In any prosecution under this act the attorney-general or any of his assistants designated by him may appear on behalf of the Commonwealth before any grand jury or petit in any county of the Commonwealth

The Eight Section of the bill was read as follows:

Section 8 The Secretary of the Commonwealth shall charge and collect and be entitled to receive from the employer the sum of two dollars for each certificate necessary under the provisions of this act The Secretary of the Commonwealth shall neither receive nor file any such statement or issue any such certificate unless the fee herein prescribed has been paid

On the question,
Will the House agree to the section?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read by the Clerk as follows:

Amend Section 8, line 3, by striking out the word "two" and inserting in lieu thereof the word "one."

On the question,
Will the House agree to the amendment?
It was agreed to.

The section as amended was then agreed to.

The Ninth Section and title of the bill was read and agreed to as follows:

Section 9 This act is hereby declared to be an emergency act and that its enactment is necessary for the immediate preservation of public safety The necessity therefor lies in the fact that the public welfare and safety requires that the deliberations of the present General Assembly shall be free from intervention and its members in the performance of their duties protected from the solicitations by persons representing interests that are undisclosed and principals who are unknown

An Act to provide for registration of persons employed to advocate or oppose legislative measures and to regulate the method of such advocacy or opposition and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to, as amended,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 551 (Senate No. 3) entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 538, as follows:

An Act to amend section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleading" which now reads as follows

'Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder or alderman where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a Court of Common Pleas Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglarly shall only be bailable by the Supreme Court the Court of Common Pleas or any of the judges thereof or a mayor or recorder of a city" be and the same is hereby amended so that it shall read as folllows

'Section 7. In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor or recorder alderman or magistrate where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth provided That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a Court of Common Pleas except that persons charged with manslaughter where it appears that no weapon was employed or used in the commission of the crime may be admitted to bail with the consent of the district attorney by one or more sufficient sureties to be taken before any judge justice mayor recorder coroner alderman or magistrate where the offence charged has been committed said surety or sureties to be approved by the district attorney Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the Court of Common Pleas or any of the judges thereof or a mayor or recorder of a city or by a magistrate justice or alderman with the approval of the district attorney

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 635, as follows:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine and as further amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled 'An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled "An act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building having less than four stories and used as a lodging house boarding house apartment or tenement house the third story of which shall contain not more than five rooms and a bath room on the third story of which is not to be occupied by more than ten persons and having at least one stairway therefrom and equiped with such wire and chain fire escapes as the Division of Tenement House Inspection shall order and direct shall hereafter be exempt from the provisions of the following acts of Assembly requiring fire towers outside fire escapes that is to say

The act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in case of fire in hotels and other buildings' approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as furthr amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled 'An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" ' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for office not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled "An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled "An act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class'

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 564, as follows:

Joint Resolution directing the publication of the phamphlet containing the game fish and forestry laws.

Whereas, By reason of the great demand by the people of this Commonwealth for the pamphlet containing the Game the Fish and the Forestry laws of this Commonwealth the many proposed changes of the same and additions thereto and that the people of the State be given the opportunity to become acquainted with these laws as quickly as possible after their enactment.

Therefore, Be it resolved (if the Senate concur), That the Secretary of the Board of Game Commissioners of this Commonwealth be and is hereby directed to prepare the data and as soon as possible after the close of this session present the same to the Superintendent of Public Printing who shall at the expense of the State have published in pamphlet form one hundred and fifty thousand (150,000) copies of said laws together with such letter of instruction or explanation by those entrusted with the care of our game our forests and our fish as may seem necessary thirty thousand for the use of the Senate sixty thousand for the use of the House of Representatives two thousand for the use of the Executive four thousand for the use of the Secretary of the Commonwealth two thousand for the use of the Attorney General eight thousand for the use of the Department of Forestry eight thousand for the use of the Department of Fisheries three thousand for the use of the Auditor-General three thousand for the use of the Treasury Department three thousand for the use of the Department of Internal Affairs three thousand for the use of the Department of Roads two thousand for the use of the Department of Mines three thousand for the use of the Department of Agriculture one thousand for the use of the Railroad Commission one thousand for the use of the Insurance Department one thousand for the use of the Department of Health one thousand for the use of the office of the State Fire Marshal and fifteen thousand for the use of the Board of Game Commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 132, as follows:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons. Approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the jail or county prison with the authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine," which reads as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the person now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants shall compose a board to be known by the name and style of Inspectors of the jail or county prison to wit: The judges of the court of quarter sessions the district attorney the sheriff the controller and commissioners of

each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder.

Section 4. That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board.

Section 5. Provided that in all counties to which this act applies where the sheriff is now the acting warden or keeper of the county jail or prison and has his residence therein this act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper.

Section 6. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act be and the same is hereby amended so as to read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than three hundred and twenty-five thousand inhabitants shall compose a board to be known by the name and style of inspectors of the jail or county prison to wit: The judges of the court of quarter sessions the sheriff the controller and the commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder.

Section 4. That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board. Provided, That in all counties in which this act applies where the Sheriff is now acting warden or keeper of the county jail or prison and has his residence therein This act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper.

Section 5. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act.

Section 6. That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed.

On the question,

Shall the bill pass finally?

Mr. DAVIS. Mr. Speaker and Gentlemen of the House, I have been asked by a number of gentlemen to explain this bill. This bill merely changes the population, places Lackawanna County back where she was before the census of 1910, giving our county a prison bill. We are now working under the Sheriff's act, and as this bill affects a few other counties, I wish to state to their Representatives that this bill merely changes the population and increases it to 325,000.

Mr. MANNION. Mr. Speaker, I presume it is only right to stand by my amendment. The former board existing previous to the introduction of this bill by my friend Davis comprised nine members, the three judges, district attorney, three county commissioners, the controller and the sheriff. If the bill should have passed under conditions that existed previous to the approval of the amendment the board would comprise simply four members, the controller, the two Republican members of the board of county commissioners, and the one Democratic member of the board of county commissioners. Now we take it as an injustice to the people of our county to pass a bill on such conditions without accepting the amendments that were offered. Now, as I understand the amendments have been incorporated in the bill I trust it will pass as amended.

And the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Allen,	Fahey,	Letzkus,	Rockwell,
Alworth,	Forster, I. G.,	Light,	Roney,
Arthur,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, G. A.,	Gans,	Malie,	Runk,
Baldwin, R. J.,	Geary,	Mannion,	Sassaman,
Barner,	Geiser,	Mather,	Savacool,
Bayle,	Gibson,	Matt,	Schaeffer, A. C.
Becker,	Glenn,	McAleer,	Schuck,
Benson,	Good,	McAllister,	Scott, J. R. K.,
Bergey,	Goss,	McArdle,	Scott, S. B.,
Berntheizel,	Grabe,	McCaig,	Semmens,
Bigger,	Gramley,	McClintock,	Sheffer, C. A.,
Bittles,	Gransback,	McDermott,	Shaffer, I. E.,
Blair, W. A.,	Gray, Frank,	McKay,	Shern,
Blair, W. F.,	Gray, Joseph,	McNichol,	Sherwood,
Body,	Haggerty,	Mechling,	Showalter,
Brosius,	Heidinger,	Mellott,	Smith, J. W.,
Brown,	Hemminger,	Metzenbacher,	Smith, L.,
Brownlee,	Herman,	Miller,	Snavely,
Burnett,	Hess,	Mitchell,	Snyder,
Caldwell,	Heyburn,	Moore,	Spangler,
Campbell, C.M.,	Hibshman,	Morrow,	Speiser,
Campbell, J.J.	Hobbs,	Moses,	Spillinger,
Carson,	Hoffman,	Moulthrop,	Steedle,
Carter,	Howard, R.,	Musser,	Stein,
Cheeseman,	Irwin, G. C.,	Neel,	Stone,
Claycomb,	Irwin, H. H.,	Newbaker,	Strauss,
Cleary,	Jackson,	Newton,	Swartz,
Cochran,	Jones, E. E.,	North,	Swift,
Collins,	Jones, J. R.,	Pennegar,	Thomas,
Conner,	Kaiser,	Pennock,	Ulerich,
Conniff,	Kaufman,	Perry, S. J.,	Walton,
Conrade,	Keegan,	Peters,	Wettach,
Currier,	Keeport,	Piper,	Whitaker,
Cox,	Kennedy,	Post,	Wildman,
Curry,	Kitts,	Price,	Williams,
Davis,	Klepper,	Ramsey,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Down,	Lanius,	Reeser,	Young, G. K.,
Dunn, H. B.,	Latshaw,	Rex,	Young, J. H.,
Dunn, J. A.,	Lenker,	Rhoads,	Zimmerman,
Ehrhardt,	Leslie,	Riebel,	Alter,
Eichenberger,		Robinson,	Speaker.
Ely,			
Ewing,			

NAYS—2.

Murphy, Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 587, entitled:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth."

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker and Gentlemen of the House, just one brief word of explanation as to this bill. The Act of 1911, providing for the payment by the proper county of persons committed as witnesses to appear at the trial of the case in behalf of the Commonwealth, omitted to include the word "coroner", and it happens that the coroner, in the large majority of cases, is the one who holds the men desired by the Commonwealth as witnesses. I have added to the act of 1911, simply the word "coroner" and I hope the bill will receive the support of the members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Allen,	Ewing,	Latshaw,	Roney,
Alworth,	Fahey,	Lenker,	Rothenberger,
Arthur,	Flynn,	Leslie,	Runk,
Baldwin, G. A.,	Forster, I. G.,	Letzkus,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Savacool,
Barner,	Geary,	Malie,	Schuck,
Bayle,	Geiser,	Mannion,	Scott, J. R. K.,
Becker,	Gibson,	Mather,	Scott, S. B.,
Benninger,	Glenn,	Matt,	Semmens,
Benson,	Good,	McAleer,	Shaffer, C. A.,
Berntheizel,	Goss,	McAllister,	Shaffer, I. E.,
Bigger,	Gramley,	McArdle,	Shern,
Bittles,	Gransback,	McDermott,	Sherwood,
Blair, W. A.,	Gray, Frank,	McKay,	Showalter,
Blair, W. F.,	Gray, Joseph,	McNichol,	Smith, J. W.,
Body,	Haggerty,	Mechling,	Smith, L.,
Brosius,	Heidinger,	Mellott,	Snavely,
Brown,	Hemminger,	Metzenbacher,	Snyder,
Brownlee,	Herman,	Miller,	Spangler,
Burnett,	Hess,	Mitchell,	Speiser,
Caldwell,	Heyburn,	Moore,	Spillinger,
Campbell, C.M.,	Hibshman,	Morrow,	Steedle,
Campbell, J.J.	Hobbs,	Moses,	Steele,
Carson,	Hoffman,	Murphy,	Stein,
Carter,	Howard, J.,	Musser,	Stone,
Cheeseman,	Howard, R.,	Neel,	Strauss,
Claycomb,	Humes,	Newbaker,	Swartz,
Cleary,	Irwin, G. C.,	Newton,	Thomas,
Cochran,	Irwin, H. H.,	North,	Ulerich,
Collins,	Jackson,	O'Neill,	Walnut,
Conner,	Jones, E. E.,	Pennegar,	Walton,
Conniff,	Jones, J. R.,	Pennock,	Whitaker,
Conrade,	Kaiser,	Perry, S. J.,	Whitman,
Cox,	Kaufman,	Piper,	Wildman,
Currier,	Keegan,	Post,	Williams,
Davis,	Keeport,	Ramsey,	Wilson, J. H.,
Dickinson,	Kenna,	Redfield,	Wilson, W. H.,
Donnally,	Kennedy,	Reese,	Wiltbank,
Down,	Klepper,	Reeser,	Young, G. K.,
Dunn, H. B.,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Rhoads,	Zimmerman,
Ehrhardt,	Lanius,	Riebel,	Alter,
Eichenberger,			Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 102, as follows:

An Act amending section thirty-three of an act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing punishment for certain offenses committed by election officers and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-three of an act entiled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which reads as follows

Section 33. Any public officer upon whom a duty is imposed by this act who shall negligently or willfully fail to perform such duty or who shall negligently or willfully perform it in such a way as to hinder the objects of this act or who shall negligently or willfully violate any of the provisions thereof shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court" be and the same is hereby amended so as to read as follows

Section 33 Any election officer or clerk who shall accompany a voter into voting compartment without the said voter having first made affidavit as provided by law that by reason of physical disability he is unable to mark his ballot or any judge of election who shall accompany or who shall permit any election officer or clerk to accompany a voter into the voting compartment when the affidavit which the voter has made is false to the knowledge of such judge of election nor any judge of election who shall permit any person to accompany a voter into the voting compartment in violation of law or who shall fail to properly file and return affidavits and other papers required by this act or by law to be filed and returned to the office prescribed by law shall for each such violation be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment for a period not less than six months and not more than two years

Any public officer upon whom a duty is imposed by this act who shall negligently or willfully fail to perform such duty or who shall negligently or willfully perform it in such a way as to hinder the objects of this act or who shall negligently or willfully violate any of the provisions thereof shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ewing,	Latshaw,	Rex,
Allen,	Fahey,	Lenker,	Rhoads,
Alworth,	Flynn,	Leslie,	Riebel,
Ambler,	Forster, I. G.,	Letzkus,	Richards,
Arthur,	Foster, J. D.,	Lohr,	Robinson,
Baldwin, G. A.,	Frey,	Lowers,	Runk,
Baldwin, R. J.,	Gans,	Malie,	Sassaman,
Barner,	Geary,	Mannion,	Savacool,
Bayle,	Geiser,	Martin,	Schuck,
Becker,	Gibson,	Mather,	Scott, J. R. K.,
Benninger,	Glenn,	Matt,	Scott, S. B.,
Benson,	Good,	McAllister,	Semmens,
Bergey,	Goss,	McClintock,	Shaffer, C. A.,
Berntheizel,	Grabe,	McDermott,	Shaffer, I. E.,
Bigger,	Gramley,	McKay,	Shern,
Bittles,	Gransback,	McNichol,	Showalter,
Blair, W. A.,	Gray, Frank,	Mechling,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Mellott,	Smith, L.,
Body,	Heidinger,	Metzenbacher,	Snavely,
Brosius,	Hemminger,	Miller,	Snyder,
Brownlee,	Herman,	Missimer,	Spangler,
Brown,	Hess,	Mitchell,	Spillinger,
Burnett,		Morrow,	Steedle,
Caldwell,	Hibshman,	Moses,	Steele,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stein,
Campbell, J.J.	Hoffman,	Murphy,	Stone,
Carson,	Howard, J.,	Musser,	Strauss,
Carter,	Humes,	Neel,	Swartz,
Cheeseman,	Isler,	Neely,	Swift,
Claycomb,	Irwin, G. C.,	Newbaker,	Thomas,
Cochran,	Irwin, H. H.,	Newton,	Trach,
Collins,	Jackson,	North,	Ulerich,
Conner,	Jones, J. R.,	O'Neill,	Walnut,
Conrade,	Kaiser,	Pennegar,	Walton,
Cox,	Kaufman,	Pennock,	Watson,
Currier,	Keegan,	Perry, H. L.,	Whitaker,
Curry,	Keeport,	Perry, S. J.,	Whitman,
Davis,	Kenna,	Peters,	Wildman,
Dickinson,	Kennedy,	Piper,	Williams,
Donnally,	Kern,	Price,	Wilson, W. H.,
Down,	Klepper,	Ramsey,	Young, G. K.,
Dunn, H. B.,	Kuhn, H. P.,	Redfield,	Young, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Zimmerman,
Ehrhardt,	Lanius,	Reeser,	Alter,
Eichenberger,			Speaker.
Ely,			

NAYS—4.

Roney,	Rothenberger,	Sherwood,	Speiser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly, and the same being correct, the title was publicly read as follows:

HOUSE BILL NO. 73.

An Act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospiital

Whereupon,

The SPEAKER in the presence of the House signed the same.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 143, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for township of each class

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. I would like to say to the House that there are some doubts as to whether a township treasurer can succeed himself where he is filling the unexpired term. This bill is introduced simply for the purpose of clarifying that proposition, which is indefinite in the old act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Eichenberger,	Letzkus,	Riebel,
Allen,	Ely,	Light,	Rockwell,
Alworth,	[illegible]ng,	Lowers,	Roney,
Arthur,	Fahey,	Malie,	Rothenberger,
Baldwin, G. A.,	Flynn,	Mannion,	Runk,
Baldwin, R. J.,	Forster, I. G.,	Martin,	Sassaman,
Barner,	Foster, J. D.,	Matt,	Savacool,
Bayle,	Frey,	McAleer,	Schaeffer, A. C
Becker,	Geary,	McAllister,	Schuck,
Benninger,	Geiser,	McArdle,	Scott, J. R. K.,
Benson,	Gibson,	McCaig,	Semmens,
Bergey,	Glenn,	McDermott,	Shaffer, C. A.,
Berntheizel,	Good,	McKay,	Shaffer, I. E.,
Bigger,	Goss,	McNichol,	Shern,
Bittles,	Gramley,	Mechling,	Sherwood,
Blair, W. A.,	Gransback,	Mellott,	Showalter,
Blair, W. F.,	Gray, Frank,	Metzenbacher,	Smith, L.,
Body,	Gray, Joseph,	Miller,	Snavely,
Brosius,	Haggerty,	Missimer,	Snyder,
Brown,	Heidinger,	Mitchell,	Spangler,
Brownlee,	Herman,	Moore,	Sreiser,
Burnett,	Hess,	Morrow,	Spillinger,
Caldwell,	Heyburn,	Moses,	Steedle,
Campbell, C.M.,	Hibshman,	Moulthrop,	Steele,
Campbell, J.J.	Hobbs,	Murphy,	Strauss,
Carson,	Hoffman,	Musser,	Swartz,
Carter,	Howard, J.,	Neel,	Swift,
Cheeseman,	Howard, R.,	Newbaker,	Thomas,
Claycomb,	Humes,	Newton,	Trach,
Cleary,	Irwin, G. C.,	North,	Ulerich,
Cochran,	Irwin, H. H.,	O'Neill,	Walnut,
Collins,	Jackson,	Pennock,	Walton,
Conner,	Jones, E. E.,	Perry, H. L.,	Whitaker,
Conniff,	Keegan,	Perry, S. J.,	Whitman,
Conrade,	Keeport,	Peters,	Wildman,
Cox,	Kenna,	Piper,	Williams,
Currier,	Kennedy,	Price,	Wilson, J. H.,
Curry,	Kern,	Ramsey,	Wilson, W. H.,
Davis,	Kitts,	Redfield,	Wiltbank,
Dickinson,	Klepper,	Reese,	Young, G. K.,
Donnally,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Down,	Lanius,	Rex,	Zimmerman,
Dunn, H. B.,	Lenker,		Alter,
Dunn, J. A.,			Speaker.
Ehrhardt,			

NAYS—1.

Hemminger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 276, entitled:

An Act regulating the deposit of county funds.

On the question,

Will the House agree to the bill on third reading?

Mr. WILLIAMS. Mr. Speaker, while I am in sympathy with the purposes of this bill, I am not clear in regard to certain features, and in order that I may be set right I desire to interrogate the gentleman from Venango.

The SPEAKER. Will the gentleman from Venango permit himself to be interrogated?

Mr. WHITMAN. I will.

Mr. WILLIAMS. I would like to ask the gentleman what provision is made for designating the county depositories when two or more banks make the same bid?

Mr. WHITMAN. They have the authority to reject any or all bids.

Mr. WILLIAMS. It is true that they have that authority but suppose that the two banks again would make the same bid?

Mr. WHITMAN. I think they would have the option of designating which bank they would desire.

Mr. WILLIAMS. The bill does not say so. There is another feature that I should like to have explained. Who is to determine the actual amount necessary to meet the current expenses of the county?

Mr. WHITMAN. The county commissioners. They are the men who expend the money.

BILL RECOMMITTED.

Mr. WILLIAMS. I think that the bill is defective in these two features, and with the consent of the gentleman from Venango,—I would not care to do it without his consent,—I move that the bill be referred back to the committee for amendment to cure these two defects.

Mr. WHITMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HESS. I would call the attention of the House to also of the members of the committee to another feature of the bill that I think is defective inasmuch as it weakens the security that the county receives for the county funds. In the last section, I notice that it makes a provision that the county treasurer shall not be held responsible or liable because of any insolvency of any of the banks in which the county funds are deposited. I take it that that would mean that the treasurer, or the treasurer's bond would not be held responsible, or liable. It certainly weakens the security of the county and I think that it should be amended in that particular.

Mr. HORACE B. DUNN. Mr. Speaker, I see no reason why the county treasurer should not be held responsible for funds entrusted to his care.

POINT OF ORDER.

Mr. SHERN. Mr. Speaker, I rise to a point or order.

The SPEAKER. The gentleman will state his point of order.

Mr. SHERN. My point of order is that there is nothing before the House except the motion to recommit.

The SPEAKER. The gentleman's point of order is well taken.

The question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 245, entitled:

An Act making an appropriation to the State Board of Censors of moving pictures.

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, and Gentlemen of the House, I think perhaps I can save a little time by saying just a few words on this bill. At the last session of the Legislature an act was passed creating a board of censors for moving picture films, stereoptican views, etc. and making a provision for the appointment for a chief censor and assistant censor at the wage, as I recall it, of $1500.00 for the chief, and $1200.00 for the assistant censor. Inadvertantly there was no item included in the general appropriation bill for the payment of this, and by omitting that the department was never put in force for the reason that there was no funds out of which to pay them. This appropriation is asked for as suggested in the message of the Governor in order to make this department effective. Some $7,500.00 will carry the department for all two years, and the department will be a revenue maker.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Fahey,	Light,	Rockwell,
Allen,	Flynn,	Lowers,	Roney,
Alworth,	Forster, I. G.	Malie,	Rothenberger,
Ambler,	Foster, J. D.,	Mannion,	Runk,
Arthur,	Gans,	Martin,	Sassaman,
Baldwin, G. A.,	Geary,	Mather,	Savacool,
Baldwin, R. J.,	Geiser,	Matt,	Schaeffer, A. C
Barner,	Gibson,	McAleer,	Schuck,
Bayle,	Glenn,	McAllister,	Scott, J. R. K.,
Becker,	Good,	McArdle,	Scott, S. B.,
Benninger,	Goss,	McCaig,	Semmens,
Benson,	Grabe,	McClintock,	Shaffer, C. A.,
Bergey,	Gramley,	McDermott,	Shaffer, I. E.,
Berntheizel,	Gransback,	McKay,	Shern,
Bigger,	Gray, Frank,	McNichol,	Sherwood,
Bittles,	Gray, Joseph,	Mechling,	Showalter,
Blair, W. A.,	Haggerty,	Mellott,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Metzenbacher,	Smith, L.,
Body,	Hemminger,	Miller,	Snavely,
Brosius,	Hess,	Missimer,	Snyder,
Brownlee,	Heyburn,	Mitchell,	Spangler,
Burnett,	Hibshman,	Moore,	Speiser,
Caldwell,	Hobbs,	Morrow,	Spillinger,
Campbell, C.M.,	Hoffman,	Moses,	Steedle,
Campbell, J.J.	Howard, J.,	Musser,	Steele,
Carson,	Howard, R.,	Neel,	Stone,
Carter,	Humes,	Neely,	Strauss,
Cheeseman,	Irwin, G. C.,	Newbaker,	Swartz,
Claycomb,	Irwin, H. H.,	Newton,	Swift,
Cleary,	Jackson,	North,	Thomas,
Collins,	Jones, E. E.,	O'Neill,	Trach,
Conner,	Jones, J. R.,	Pennegar,	Ulerich,
Conrade,	Kaiser,	Pennock,	Walnut,
Cox,	Keegan,	Perry, H. L.,	Walton,
Currier,	Keeport,	Perry, S. J.,	Watson,
Curry,	Kenna,	Peters,	Wettach,
Davis,	Kennedy,	Piper,	Whitaker,
Dickinson,	Kern,	Post,	Whitman,
Donnally,	Kitts,	Price,	Wildman,
Down,	Klepper,	Ramsey,	Williams,
Dunn, H. B.,	Kuhn, H. P.,	Redfield,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Ehrhardt,	Lanius,	Reeser,	Young, J. H.,
Eichenberger,	Latshaw,	Riebel,	Zimmerman,
Ely,	Lenker,	Robinson,	Alter,
Ewing,	Leslie,	Rodgers,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 356, entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom; repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Fahey,	Letzkus,	Riebel,
Allen,	Flynn,	Light,	Robinson,
Alworth,	Forster, I. G.,	Lowers,	Rockwell,
Ambler,	Foster, J. D.,	Malie,	Roney,
Arthur,	Gans,	Mannion,	Rothenberger,
Baldwin, G. A.,	Geary,	Martin,	Runk,
Baldwin, R. J.,	Geiser,	Mather,	Sassaman,
Barner,	Gibson,	Matt,	Savacool,
Bayle,	Glenn,	McAleer,	Schaeffer, A. C
Becker,	Good,	McAllister,	Schuck,
Benson,	Goss,	McArdle,	Scott, J. R. K.,
Bergey,	Grabe,	McClintock,	Scott, S. B.,
Berntheizel,	Gramley,	McDermott,	Semmens,
Bigger,	Gransback,	McKay,	Shaffer, C. A.,
Bittles,	Gray, Frank,	McNichol,	Shaffer, I. E.,
Blair, W. A.,	Gray, Joseph,	Mechling,	Shern,
Blair, W. F.,	Haggerty,	Mellott,	Sherwood,
Body,	Heidinger,	Metzenbacher,	Showalter,
Brosius,	Hemminger,	Miller,	Smith, J. W.,
Brown,	Herman,	Missimer,	Smith, L.,
Brownlee,	Hess,	Mitchell,	Snyder,
Burnett,	Heyburn,	Moore,	Spangler,
Caldwell,	Hibshman,	Morrow,	Speiser,
Campbell, C.M.,	Hobbs,	Moses,	Spillinger,
Campbell, J.J.	Hoffman,	Moulthrop,	Steedle,
Carson,	Howard, J.,	Murphy,	Steele,
Carter,	Humes,	Musser,	Stone,
Cheeseman,	Irwin, G. C.,	Neel,	Strauss,
Claycomb,	Irwin, H. H.,	Neely,	Swartz,
Cleary,	Jackson,	Newbaker,	Swift,
Cochran,	Jones, E. E.,	Newton,	Thomas,
Collins,	Jones, J. R.,	North,	Trach,
Conner,	Kaiser,	O'Neill,	Ulerich,
Conniff,	Kaufman,	Pennegar,	Walton,
Conrade,	Keegan,	Pennock,	Wettach,
Cox,	Keeport,	Perry, H. L.,	Whitaker,
Currier,	Kenna,	Perry, S. J.,	Whitman,
Curry,	Kern,	Piper,	Wildman,
Davis,	Kitts,	Post,	Williams,
Dickinson,	Klepper,	Price,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
Dunn, H. B.,	Lanius,	Reese,	Young, G. K.,
Dunn, J. A.,	Latshaw,	Reeser,	Young, J. H.,
Ehrhardt,	Lenker,	Rex,	Zimmerman,
Eichenberger,	Leslie,	Rhoads,	Alter,
Ely,			Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 147, entitled:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and perscribing penalties for violation of its several provisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Ewing,	Leslie,	Robinson
Allen,	Fahey,	Letzkus,	Rockwell,
Alworth,	Flynn,	Light,	Roney,
Ambler,	Forster, I. G.,	Lowers,	Rothenberger,
Arthur,	Foster, J. D.,	Malie,	Runk,
Baldwin, G. A.,	Gans,	Mannion,	Sassaman,
Baldwin, R. J.,	Geary,	Martin,	Savacool,
Barner,	Geiser,	Mather,	Schaeffer, A. C
Bayle,	Gibson,	Matt,	Schuck,
Becker,	Glenn,	McAleer,	Scott, J. R. K.,
Benninger,	Good,	McAllister,	Scott, S. B.,
Benson,	Grabe,	McArdle,	Semmens,
Bergey,	Gramley,	McCaig,	Shaffer, C. A.,
Berntheizel,	Gransback,	McDermott,	Shaffer, I. E.,
Bigger,	Gray, Frank,	McKay,	Shern,
Bittles,	Gray, Joseph,	McNichol,	Sherwood,
Blair, W. A.,	Haggerty,	Mechling,	Showalter,
Blair, W. F.,	Heidinger,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Snavely,
Brown,	Hess,	Missimer,	Spangler,
Brownlee,	Heyburn,	Mitchell,	Speiser,
Burnett,	Hibshman,	Morrow,	Spillinger,
Caldwell,	Hoffman,	Moses,	Steedle,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Steele,
Campbell, J.J.	Howard, R.,	Musser,	Stein,
Carson,	Humes,	Neel,	Stone,
Carter,	Irwin, G. C.,	Neely,	Strauss,
Cheeseman,	Irwin, H. H.,	Newbaker,	Swartz,
Claycomb,	Jackson,	Newton,	Swift,
Cleary,	Jones, E. E.,	North,	Thomas,
Cochran,	Jones, J. R.,	O'Neill,	Trach,
Collins,		Pennegar,	Ulerich,

Conner,	Kaiser,	Pennock,	Walnut,
Conniff,	Kaufman,	Perry, H. L.,	Walton,
Conrade,	Keegan,	Perry, S. J.,	Watson,
Cox,	Keeport,	Post,	Wettach,
Currier,	Kenna,	Price,	Whitaker,
Curry,	Kern,	Ramsey,	Whitman,
Davis,	Kitts,	Redfield,	Wildman,
Dickinson,	Klepper,	Reese,	Williams,
Donnally,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rex,	Wiltbank,
Dunn, J. A.,	Lanius,	Rhoads,	Young, G. K.,
Ehrhardt,	Latshaw,	Richards,	Young, J. H.,
Eichenberger,	Lenker,	Riebel,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented to the House extracts from the Journal of the Senate which were laid upon the table.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 98, as follows:

An Act amending section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three as amended by the Act of Assembly approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which as amended by Act of Assembly approved the twenty-ninth day of April one thousand nine hundred and three reads as follows

"Section 30 A voter who shall allow his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote or shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or shall falsely declare to a judge of election that by reason of any disability he is unable to mark his ballot and on that account desires assistance in marking it or shall willfully violate any other provision of this act or any person who shall interfere with any voter when inside said enclosed space or when marking his ballot or who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot or any helper who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting or who shall disclose to any one the contents of any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars or to undergo an imprisonment for not more than three months or both at the discretion of the court" be and the same is hereby amended to read as follows

Section 30 An voter who shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or who without having made the affidavit provided by law that he is physically unable to mark his ballot shall permit another to accompany him into the voting compartment or permit another person to mark his ballot for him or who shall mark his ballot while another is present in the compartment with him or who shall make a false affidavit that by reason of physical disability he is unable to mark his ballot and any person who shall go into the voting compartment with another while voting or be present therein while another is voting or who shall mark the ballot of another except as provided by law or who shall interfere with any voter inside said enclosed space or when marking his ballot or any helper who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo imprisonment for a period of not less than three months and not exceeding one year Any voter who shall allow his ballot to be seen by any person with the apparent intention of letting it be shown how he is about to vote or shall willfully violate any other provision of this act for the violation of which no penalty is specifically provided or any person who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot or any helper who shall disclose to any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment for a period not exceeding one year or both in the discretion of the Court

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like the gentleman who is the sponsor of this bill to explain it to the House.

Mr. JOHN ROBERT JONES. This bill relates to an amendment of section thirty of the act of June 10, 1893, as amended by the act of the twenty-ninth of April, 1903. It provides for the punishment of offenses regarding the voting and assistance in marking ballots. It sets forth the offences on the part of the voter in the violation of any election laws with reference to secrecy in voting. It increases the penalty as was stated by myself on the discussion of the bill last week with relation to the offenses of the election laws. It increases the penalty, and in the judgment of the Legislative Committee and the Committee on Elections, who reported this bill out affirmatively, the offenses and punishments in harmony. In all of these bills there necessarily will be in the minds of the members some difference of opinion as to whether or not the penalties should be for more or fewer months. This bill undertakes to make the punishment fit the offense, and naturally there will be some difficulty as to whether or not the particular offense is sufficiently punished by the penalty described here. It also describes a number of offenses as contained in the original section. I think this will explain without reading the entire bill at this time. Of all the bills relating to election laws introduced by the Republican Legislative Committee and Executive Committee in this House, the members of this House, have shown particular interest in this one, and much interest has been manifested by the members of this House on all bills prepared by them.

Mr. SPEISER. Mr. Speaker and gentlemen, it strikes me that the explanation made by the gentleman from Schuylkill is not quite complete. It is rather unfortunate that this bill comes up at this time before the House, insofar as it relies for one of its important factors on House Bill 130, which is on page 6 of today's calendar and is not yet reached. The gentleman from Schuylkill might have informed the House that the change in this bill from the old law, in its most important factor, is the change of the disability. The amendment as prepared by him reads that "by reason of physical disability." The old act provided that by reason of any disability, and the House is placed in this position, both as to this bill and the bills that have already been passed: that if bill 130 is not passed by this House and this act now under consideration is, we will have any number of arrests throughout the State of Pennsylvania, and we will be called upon to go to the Supreme Court to ge an interpretation of what is meant by "physical disability." Now, remember gentlemen of the House, the old law or act applies to any disability. The act under consideration as amended provides for physical disability. Now, it is true that if bill 130 becomes a law that we will then understand what is meant by physical disability but the act under consideration does not explain what is meant by that term, and it may have to be interpreted by the Courts. We will have a constant grinding and it is a pity that the bill comes up at this time. Bill 130 should undoubtedly come up before the House first.

Mr. SHERN. Mr. Speaker, I would suggest to the gentleman from Schuylkill that he permit the bill to be postponed for further consideration, until after the other bill is reached. If bill 130 is passed then we can call up this bill, but if bill 130 is defeated, then this bill should be dropped.

Mr. JOHN ROBERT JONES. Mr. Speaker, the gentleman from Philadelphia has spoken about the danger he looks forward to with reference to getting into the Supreme Court. The definition of crimes and penalties need not concern him, because if bill 130 should fail of passage these other bills would simply pass and go over to the Senate.

His position is correct with reference to the fact that I overlooked calling attention to the change in the disability. I am perfectly satisfied to have this bill postponed until Bill No. 130 is disposed of, although in order that I may not lose a day I would like to call up 130 out of order, and have Bill No. 98 retain its place if it can be called up again today.

The SPEAKER. A bill may be called up on the same day on which it has been postponed.

BILL POSTPONED.

Mr. JOHN ROBERT JONES. Mr. Speakerfi then I move that further consideration of this bill be postponed for the present.

Mr. SHERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 456, as follows:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the Bureau therein fixing the compensation of the assistant director and making an appropriation therefor.

Whereas, For almost one hundred years there has been no official compilation or digest of the laws of this Commonwealth and

Whereas, Through all these years each successive session of the General Assembly has added voluminously to the general statute law, and

Whereas, Owing to ill-considered and hasty legislation the laws of our Commonwealth are in a state of comparative chaos and are a disgrace to a modern civilized state, and

Whereas, It will be of the highest value to every citizen of this Commonwealth to have our laws simplified coordinated, classified, harmonized and digested under suitable headings therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the Legislative Reference Bureau is hereby directed to examine the entire general statute law of this Commonwealth and to ascertain as nearly as may be what laws and parts of laws have been repealed or which have become obsolete and cause to be prepared a compilation of the existing general laws arranged by chapters and sections under suitable topical headings. It shall be also the duty of the Bureau to cause to be prepared an additional compilation wherein the existing general laws shall be simplified, condensed, harmonized, clarified and compiled by chapters and sections under suitable topical headings.

Section 2. The Bureau is authorized to employ such experts learned in the law or otherwise such clerical and stenographical and other help as the Bureau shall deem necessary in carrying out the provisions of this act. The Bureau shall render a report of such work as has been done to the General Assembly at the session of one thousand nine hundred and fifteen

Section 3. The printing and binding deemed necessary by the Director in the proper performance of the duties herein imposed shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon a requisition of the Director of the Bureau.

Section 4. The compilation provided for in this act shall be under the special direction of the assistant director of the Legislative Reference Bureau learned in the law who shall receive in addition to his regular salary the sum of one thousand dollars a year for the two years of nineteen hundred thirteen and nineteen hundred fourteen.

Section 5. To carry out the purposes of this act the sum of thirty thousand ($30,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Director of the Legislative Reference Bureau.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Adams,	Forster, I. G.,	Lowers,	Robinson,
Allen,	Foster, J. D.,	Malie,	Rockwell,
Alworth,	Gans,	Mannion,	Roney,
Ambler,	Geary,	Mather,	Rothenberger,
Arthur,	Geiser,	Matt,	Runk.
Baldwin, G. A.,	Gibson,	McAleer,	Sassaman,
Baldwin, R. J.,	Glenn,	McAllister,	Savacool,
Bayle,	Good,	McArdle,	Schaeffer, A. C
Becker,	Goss,	McCaig,	Schuck,
Benninger,	Gramley,	McDermott,	Scott, J. R. K.
Benson,	Gransback,	McClintock,	Scott, S. B.,
Bergey,	Gray, Frank,	McKay,	Semmens,
Berntheizel,	Gray, Joseph,	McNichol,	Shaffer, C. A.,
Bigger,	Greevy,	Mechling,	Shaffer, I. E.,
Bittles,	Heidinger,	Mellott,	Shern,
Blair, W. A.,	Hemminger,	Metzenbacher,	Sherwood,
Blair, W. F.,	Herman,	Miller,	Showalter,
Bleloch,	Hess,	Missimer,	Smith, J. W.,
Body,	Heyburn,	Mitchell,	Smith, L.,
Brosius,	Hibshman,	Moore,	Snavely,
Brown,	Hobbs,	Morrow,	Snyder,
Brownlee,	Hoffman,	Moses,	Spangler,
Burnett,	Howard, J.,	Moulthrop,	Speiser,
Caldwell,	Howard, R.,	Murphy,	Spillinger,
Campbell, C.M.,	Humes,	Musser,	Steele,
Campbell, J.J.	Irwin, G. C.,	Neely,	Stein,
Carter,	Irwin, H. H.,	Newbaker,	Stone,
Cheeseman,	Jackson,	Newton,	Strauss,
Claycomb,	Jones, E. E.,	North,	Swartz,
Cleary,	Jones, J. R.,	O'Neill,	Swift,
Cochran,	Kaiser,	Peachey,	Thomas,
Collins,	Kaufman,	Pennegar,	Trach,
Conner,	Keegan,	Pennock,	Ulerich,
Conniff,	Keeport,	Perry, H L.,	Walton,
Conrade,	Kenna,	Perry, S. J.,	Watson,
Cox,	Kennedy,	Peters,	Wettach,
Currier,	Kern,	Piper,	Whitaker,
Curry,	Kitts,	Post,	Whitman,
Dickinson,	Klepper,	Price,	Wildman,
Donnally,	Kuhn, H. P.,	Ramsey,	Williams,
Down,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Dunn, H. B.,	Lanius,	Reese,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Reeser,	Wiktbank,
Ehrhardt,	Letzkus,	Rex,	Young, G. K.,
Eichenberger,	Leslie,	Rhoads,	Young, J. H.,
Ely,	Light,	Riebel,	Zimmerman,
Ewing,			Alter,
Fahey,			Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 529, entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of four years beginning June first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

On the question,

Shall the bill pass finally?

Mr. SAVACOOL. Mr. Speaker, I desire to interrogate the gentleman from Jefferson.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. NORTH. Mr. Speaker, I will.

Mr. SAVACOOL. Mr. Speaker, I desire soome explanation of this bill, as I notice the deficiency is for four years from 1909 to 1913.

Mr. NORTH. Mr. Speaker and gentlemen of the House. the only explanation that I can give is that there was not money enough appropriated two years to cover the deficiency.

Mr. SAVACOOL. Mr. Speaker, as I understand it an appropriation of something over $500,000 has been made in the session of 1911, to cover the deficiency. Is this not a fact?

Mr. NORTH. Mr. Speaker, I know nothing about that particular matter. My attention, and the attention of the Appropriation Committee was called to the fact that there was a deficiency and the matter was under the jurisdiction of the State. It was explained to our Committee that it was necessary to have this amount to meet the deficiency and the departments who have charge of these matters assured me and our Committee that it would require that amount to cover the deficiency, and they suggested that we appropriate at this time sufficient to cover the period designated in the bill.

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Jefferson.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated further.

Mr. NORTH. Certainly, Mr. Speaker.

Mr. HUMES. Mr. Speaker, I would like to know as to whether or not the gentleman can furnish a list of the deficiencies demanded by the respective institutions asking for this money, so that we might know in which institutions the deficiencies have occurred.

Mr. NORTH. Mr. Speaker, at this time I cannot. Possibly we have the data in the Committee room below, but as to that I am not certain.

Mr. HUMES. Mr. Speaker, I would like to inquire of the gentleman as to whether or not in presenting this request to the Appropriation Committee it was presented in an itemized form showing what each institution demanded or required?

Mr. NORTH. Mr. Speaker, I think it was, but I am not certain.

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, it strikes me that it is only fair to this House that it should know which of the institutions are demanding and needing this amount of money, and in the light of the very meager information we have on the subject I would move that this bill be postponed until that information can be secured for us.

Mr. SAVACOOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 530, as follows:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An act relative to the organization of the courts of justice" which reads as follows

"Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts" is hereby amended to read as follows

Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts in the law to practice as attorneys in their respective courts No such person shall be so admitted on and after the first day of July Anno Domini one thousand nine hundred and thirteen until he or she shall have been admitted to practice as attorney in the Supreme Court of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEORGE A. BALDWIN. Mr. Speatker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, line 18, by striking out the word "July" and inserting in lieu thereof the word "October."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 366, entitled:

An Act authorizing the appointment of a Commission to inquire into the subject of creating a public pension for dependent mothers; defining its powers and duties and making an appropriation for the expenses therefor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finaly?

Mr. McCLINTOCK. Mr. Speaker, and Gentlemen of the House, this bill has been presented in lieu of several Mothers' Pension bils in this House, and it seems to be in the mind of the Committee that a Commission should be appointed to take this matter up and investigate during the next two years, and report to the next Legislature. I feel that legislation should be passed at this session. There is no necessity, in my opinion, for going into any investigation in this matter any further than what every member of this House now knows. The present statutes give the judges of the court of Common Pleas in the juvenile court the right to give support to destitute children by placing them in the Neighboring Houses, but it does not give them the right so that they can give any aid for keeping them in their own mother's home. The idea of the Mothers Pension bill was for the purpose of giving county or State aid so that destitute children could be raised in their mother's home instead of being compelled to be sent to some orphans asylum, or to some Neighboring Home. Now, I think that this House can well undertake the passing or defeating of one of these Mothers Pension bills, rather than wait for two years for an investigation by the commission, and probably they would not tell us a whole lot more than we know at the present time. Gentlemen, I would ask that this bill be defeated or postponed for the present until some of the Mothers Pension bills before this House are brought into this House. If this bill is passed you prevent the passage of any Mothers Pension bill at this session.

Mr. STEIN. Mr. Speaker and Gentlemen of the House, I regret that I must take issue with the opinion of my friend from Philadelphia. I want to say by way of introduction that I feel just kindly to legislation of this sort as he does. The bill, as you will observe, merely provides for a commission, I think of not less than five nor more than nine to be appointed by the Governor for the purpose of carefully studying and investigating all the proposed schemes. You gentlemen know we have in the House not less than three and possibly five separate bills of this kind. The gentleman from Philadelphia has one and a very good one; I have the honor to have one, Mr. Peiper has one and Senator Sheatz has one and yesterday I had the pleasure of introducing another, which I think makes five. You can see that with five different bills there must be quite a difference of opinion. Besides when this matter was before the Judiciary General Committee for open hearing there seems to have developed a very grave difference of opinion among the charity workers and many people in the eastern and western ends of the State. Now the Judiciary General Committee, which is in charge of all the bills, has, in its wisdom and after careful consideration and after carefully listening to all the arguments proposed, deemed it wise in their judgment to hold up all these bills, and I may say that judgment was quite proper. I also want to call the attention of the members of the House to the fact that the act of 1907, which my friend referred to, and under which aid of this sort was to be given was considered in an opinion by Judge Kinsey of Philadelphia, in which opinion he stated that he considered legislation of this sort very meritorious but is very sorry that the strict letter of the law will not permit the application of the remedies sought for. I may say, to remedy the short coming of the law as laid down in that act, I have introduced a small amendment to the act of 1907 which amendment which will permit for experimental purposes the enforcement of the act giving aid to any worthy mother while the commission is sitting. The matter is a very important one, and one not to be hastily considered and rushed through. It ought to be carefully considered. It ought to be carefully weighed before we write it upon our statutes. I am satisfied the bill that I have, the bill of my friend McClintock, that of Mr. Piper and that of Senator Sheetz, while they are all well in themselves, are not as carefully drawn as they would be if six months' or a year's time or longer had been devoted in carefully studying and investigating the subject. In other states they are enacting similar legislation. I believe, Indiana has refused to enact while Mississippi has enacted it.

It seems to me it would be the part of wisdom for this House to be thoroughly informed by a commission such as this bill provides for which would actually study and ascertain all the facts; and because it is a matter of great importance it should not be passed over too hastily; and lightly, and I therefore ask the gentleman of the House to vote for this bill in order that a Commission may be provided for and formed which shall report back to the House after mature and careful study.

Mr. R. J. BALDWIN. Mr. Speaker, I heartily agree with both the gentlemen who have spoken on this bill, but I would not want to see this bill pass with the impression that it would prevent any legislation along the line of getting a bill to put in operation what is suggested by the mothers pension fund. To my mind this question does not need any careful investigation. It seems to me it is very plain as to what it means. We have in our county already established through our directors of the poor practically what this bill proposes to do throughout the State. We are doing it now with out county directors of the poor. My opinion is that there will not be a particle of trouble for the members of the committee to act upon the plan and get it into operation as soon as possible, because I am satisfied myself that there is no more laudable purpose than to help the mother to make a good home for

the children, and give them that home training which no institution in the world can give them. I do not believe there is anything at all difficult about getting this into operation if the legislature believes a commission should be appointed to investigated this matter, and it may throw some light upon the subject that will be beneficial to the Legislature of 1915. While I am not at all opposed to it, under no circumstances, in my judgment, should this noble work be delayed, and there is no person I think has suggested that there will be legislation of this character that will be a waste of public money. The directors of the poor handle that proposition in our county. In the State, if there is any department of our government absolutely clear of suspicion of any suggestion that the public money for help of this character has been wasted I have not heard of it from any source, and there is absolutely no danger of passing legislation of this character. I believe it is a matter of vital importance to any person who gives it consideration, and I hope the bill will pass.

Mr. PIPER. Mr. Speaker, and gentlemen of the House, some six months ago there was an agitation for a Mothers Pension in the State of Pennsylvania where it originated. The result of that agitation was the means of having presented to this House of Representatives three different bills in the interest of destitute children in this State. Until last week there appeared to be no great opposition to the Mothers Pension Bill whereby destitute children could be protected. At a public hearing here in this House a number of persons, if I am quoting right, were here representing charitable institutions who felt inclined to believe that the time had come when a commission should be appointed to investigate and find out whether or not the poor destitute children of the State needed any assistance. The only excuse they had was that they had not time to consider the measure that was brought out and that appeared on them so suddenly. After six months of advertising so suddenly and they knowing that they had experimented for a number of years, yet they had been experienced in the line of working with and taking care of destitute children in the state and then they come along to this meeting, and had a public hearing and asked that a commission be appointed by the Governor to investigate the conditions in this state with reference to destitute children. Think of it, after so many years experience taking care of destitute children then they will come here at this time and ask the destitute children of the State to wait two years more until we can get any kind of remuneration from the State. I don't feel inclined to support this bill. I feel rather inclined to be in favor of seeing it defeated. We can get the experience without a commission being appointed. Let us put a bill through giving the destitute children an appropriation from this State for any two fiscal years, we have not received enough experience in this line. Now, if we have not had enough experience directly with mothers pensions then it is time to appoint a commission and try some other remedy to try and help these destitute children. I will ask you gentlemen of the House to vote down this bill today and let the Committee on Judiciary General report out one of the bills that they have in their possession with reference to Mothers pensions. I am not desirous that my bill shall be brought out; it does not make any difference to me which one of those bills are reported to this House, but I do ask the House to vote down this bill today and request that the Committee on Judiciary General bring out and report one of our mothers pension bills and that will give us practical experience.

Mr. R. J. BALDWIN. Mr. Speaker, I hope it is understood that I want to do all I can to advocate the measures following this one, but whether this investigation will be a benefit or not is for the House to decide. It will probably help some and probably give some information to the House and following that it will be of some benefit. It cannot do any harm but it was with the distinct understanding that it shall not in any way be considered as interfering with the passage of a mothers pension bill.

Mr. STEIN. Mr. Speaker and gentleman of the House, I will ask you to pardon me for taking up the time of the House the second time, but there must be a misunderstanding between my colleagues who have just spoken and myself. I also can state as honestly and as conscientiously as any one possibly can, that the passage of this bill shall in no wise interfere in any way with the other worthy bills now in committee, but the gentleman seems to forget that the Judiciary General Committee which is composed of some very reputable lawyers have not, down to the present time, reported those bills out, notwithstanding that I have been doing everything within my honorable means to try to get the bills out. The gentlemen of the Committee, in their wisdom, feel that they ought to be held for the present. I have no complaint to make or find no fault with the Committee. The passage of this bill will simply be an aid or an assistance to the other bills now pending, and if we succeed in getting in all the other bills or getting them passed out from the Committee I shall take pleasure in advocating my own, or the others next week. My friend from Delaware County has declared that in his county they are already doing something of that kind and if they are doing something of that kind the law does not permit, because that very question came up in Philadelphia last week, and Judge Kinzey held that the law of 1903 was not applicable to such cases. The amendment I have will make the act proper and will legalize the practice existing in the county of Delaware, which practice we cannot have in Allegheny or Philadelphia Counties, so it is but fair to pass this bill upon my promise as a gentleman that it shall in no way interfere with all the other bills, and it shall be my pleasure to advocate everyone of them.

BILL POSTPONED.

Mr. PIPER. Mr. Speaker, I move that we postpone further consideration of this bill for the present.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 130, as follows:

An Act amending section twenty-six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by providing for secrecy in voting for rendering assistace to voters unable to mark their ballots by reason of physical disability defining the term physical disability and imposing certain duties upon electon officers and clerks

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty six of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which reads as follows

"Section 2 If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot he shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot such preparation being made in the voting compartment" be and the same is hereby amended to read as follows

Section 26 It is the intent of this act that secrecy in voting shall be preserved and no person other than the voter shall be present in the voting compartment while a voter is marking his ballot or shall mark his ballot for him or accompany him into the voting compartment upon any pretext whatever except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by such election officer or clerk as the said voter may select who shall mark his ballot for him in accordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical condition as to make it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot It shall be the duty of the judge of election to decide whether or not such physical disability exists and according to such decision to grant or refuse to grant a voter the right to have assistance If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form "I (name of voter) do solemnly swear (or affirm) that I am unable to mark my ballot without assistance because" and after the word "because" shall be left a blank in which shall be written the specific disability which must be a physical disability within the meaning of the act The judge of election shall reduce said oath to writing and shall together with the inspectors of election certify the same and shall return it together with other papers to such office as is by law pre-

scribed for the return of such other papers The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list.

On the question,

Will the House agree to the bill on third reading?

Mr. SPEISER. Mr. Speaker, I rather anticipated that the gentleman from Schuylkill (Mr. John Robert Jones), would give us the benefit of his knowledge and advise us in regard to some of its points. I regret that he didn't take the opportunity and I would request at this time that he do so.

Mr. JOHN ROBERT JONES. Mr. Speaker and gentlemen of the House, I want to explain this measure as fully as I am able to. I expected attack to wait upon and I was waiting to see the nature of the attack and get some knowledge of the character of it in order that I might explain this measure as fully as possible. This is what is known as the voters assistance clause. Its history in the last session was one of great interest in this that it came out of Committe with a negative recommendation and then like many measures of a like character was born upon the House before it was throttled. It amends Section 26 of an act approved the 10th day of June 1893. Now, I will ask the attention of the members of the House to the old law. Section 26 in that Act, reads as follows:

"Section 26. If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot he shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot such preparation being made in the voting compartment."

I will now read Section 26, being the proposed amendment as it is embodied here in Bill No. 130, to Section 26 of the other act. It reads as follows, and I wish to read it in full, so there can be no misunderstanding of its terms.

Section 26. It is the intent of this act that secrecy in voting shall be preserved and no person other than the voter shall be present in the voting compartment while a voter is marking his ballot or shall mark his ballot for him or accompany him into the voting compartment upon any pretext whatever except under the following conditions:

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by such election officer or clerk as the said voter may select who shall mark his ballot for him in accordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceedings. The term "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical condition as to make it impossible for him to enter the voting compartment without assistance. The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot. It shall be the duty of the judge of election to decide whether or not such physical disability exists and according to such decision to grant or refuse to grant a voter the right to have assistance. If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form. "I (name of voter) do solemnly swear (or affirm) that I am unable to mark my ballot without assistance because" and after the word "because" shall be left a blank in which shall be written the specific disability which must be a physical disability within the meaning of the act. The judge of election shall reduce said oath to writing and shall together with the inspectors of election certify the same and shall return it together with other papers to such office as is by law prescribed for the return of such other papers. The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list.

Now, then, Mr. Speaker, under the old law as was decided in the Beaver County election report 227, the court declared the voter the sole judge of his own ability and he was not obliged to state its nature. In his declaration that he desired assistance in the preparation of his ballot and that he should not be met and overthrown by any proof in regard to it. I contend that that law should be changed. That it is prolific of much evil by reason of assistance to voters by those who are unscrupulous enough to dispose of their votes and sell them and that has grown into a practice which has deduced great evil. We propose to make the disability a real disability, namely, that the man is unable to mark his ballot with his hands, when he is without hands, blind, or blind to such a degree of blindness that it makes it impossible to distinguish the names upon the ballot; a physical disability, as he cannot go into any compartment apparently without the assistance of some person; such a thing as paralysis, inability to walk. Furthermore inability to understand the ballot is not a physicial disability for the reason that it is possible to prepare for a voter a sample ballot which he can take with him into the booth which is simple and which has been explained to him beforehand, and he can take with him this sample ballot and from it he can mark his real ballot and his vote. It does not disenfranchise any voter to do this, so that if a voter sees he is without any disability, if he is unable to mark his ballot for any reason, on account of being without hands, it is apparent, of course, that he needs assistance, but it limits the assistance to one who is a member of the election board, and properly so, to my mind, for the election board officers, are sworn. They take an oath, and so far as inspectors are concerned the judge can select any one of the election officers of either the minority or majority party. Let me explain this system as it has been carried on and see whether or not the present system is an evil system. I cannot quote figures from other counties, and when I state this, and give figures from one county it is not that I mean any reflection upon the particular town or city in which this assistance was given. I have here what was given to me, a statemtnt of a canvass made in the city of Philadelphia, covering 833 canvassed divisions in the gubernatorial election of 1910, and there were 40,016 voters assisted. Under the old law, which has been declared by the courts to be whosoever wanted assistance, and whether he wanted it or not, or needed it or not, no election officer had the right to refuse it. In a total of 833 canvassed divisions 40,016 voters were assisted. These are statistics prepared by the Committee of Seventy in Philadelphia. I read here the reference to a system that in a certain district they had one hundred and ninety votes, and ninety-three persons were assisted. You see to what extent this has been carried on, and there should be some limitation to this question of assistance. Now, in addition the bill provides that the voter who wants assistance, and comes in and makes his request to the election board from the fact, as I have already said, that he has no hands or no arms, is apparent, and as a matter of course, he receives assistance. Before he does so he must make an affidavit giving the reason for the demand for assistance. That must be certified to by the judge of election and both inspectors, for the reason that possible being without hands it is impossible for him to write, and, therefore, the affidavit could not be signed by him. Now, being certified to by these election officers, the fact that the voter receives assistance is marked or a record made of it, and the name of the person who assisted him, and all this record is returned, and an authorized and complete record is kept of the persons who assisted, and who received assistance. That is the principal involved and these are the contents of this bill. It is simply a question of whether or not you think that the ballot and vote should be secret and should be preserved, and that no man should have assistance who is not entitled to it.

Mr. DAVIS. Mr. Speaker, will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Schuylkill, Mr. John Robert Jones, permit himself to be interrogated.

Mr. JOHN ROBERT JONES. Mr. Speaker, yes, sir.

Mr. DAVIS. Mr. Speaker, I wish to ask the gentleman to explain to this House in the event of this bill passing whether or not it would prevent a voter from voting if he was unable to read.

MR. JOHN ROBERT JONES: Mr. Speaker, I have already explained that illiteracy does not constitute physical disability within the meaning of this section. It does not constitute physical disability under the provisions of this act, nor does it permit a person to call for assistance in the marking of ballots. It is not intended by this act to disfranchise anyone, and if I thought that the measure would so act, I would not advocate its passage. But with the sample ballot, as it is now in existence, a man may take it and have it explained to him. Being in exactly the same form as the regular ballot he can make his mark in accordance with the mark that is made on the sample ballot. If in the elections, the Board of Election should permit a man to ask for assistance for the reason that he has stated that he does not understand the ballot, you are opening the doors to every kind of fraud, and gives the

man an opportunity of asking for assistance when he really understands the ballot, and understands it sufficiently to mark the ballot intelligently. That is the purpose of this proposition to correct that evil.

Mr. SPEISER: Mr. Speaker and gentlemen of the House, I know of no subject on earth that has given so much attention as the question of election laws. The election laws have become so voluminous that men who are well trained in it are at a loss to understand just what is the present election law in Pennsylvania. It seems to have been the mania of certain people in this Commonwealth to continually agitate this question and try to have measures passed and did have measures passed for the purification of the ballot laws. I dare say that the introduction of the bill comes by reason of some such mania, with all due respect to my friend from Schuylkill.

Mr. JOHN ROBERT JONES. I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SPEISER. If the Speaker pleases, I will have to decline at this time. I understand the information he desires to impart is that it was as a result of decision of the Republican Executive Committee, but even a collective body of men can be swayed by the same sentiment. Gentlemen of the House, let me say to you. I doubt very much whether there is an evil existing on this question of assistance in marking ballots. I made that statement in all seriousness. You gentlemen seem to question that seriousness, but I am going to try to convince you of it. I do not know about your districts, but I would not have laughed at that statement had it been made by any other member on the floor of this House, because I know that in the districts where I live, that condition does not bother us, and I deny the statement, Mr. Speaker, that that assistance is called for in the section where I live for any other reason than it is honestly done because the voter is incapaciated for marking the ballot intelligently, and is not called for because of any fraudulent desire on the part of the voter. It is unfortunate if that does not apply in the same respect to other districts, but my quarrel is not with you as individuals but with the proposition that is now before the House and presented in this bill. Statements have been made here by the gentleman from Schuylkill and statistics have been piled up, figures that I cannot comprehend. He speaks of the inspection of 833 divisions in the City of Philadelphia, and I am of the opinion that they made this inspection for the purpose of its political effect. I cannot understand why they inspected that 833 divisions and not the whole city of Philadelphia? The money probably ran out. And what evidence have we as to the truthfulness of these figures? What evidence of the existence of such condition of affairs. If there is a grievance and if by the decisions in Beaver County a change is demanded to be made by the legislative body, why should we go to the other extreme. The changes proposed here are far more dangerous than the present evil itself, if it does exist. Every man on the floor of this House knows that there are quite a number of people who cannot intelligently mark a ballot, and some of them can read and write, too. We all are acquainted with voters in our immediate neighborhood who cannot mark a ballot intelligently for one reason or another. I do not believe that in my neighborhood we have any reason to make the ballot any more pure or to eliminate fraud. I do not believe there is a man in the House to-day who means anything but the best for the elections in the State of Pennsylvania, and this is quite a jump from the present laws to the provisions introduced in this bill. In this bill it is provided that no one can ask for assistance unless physically disabled. To be physically disabled, under this act, one would have to be blind, or so nearly blind that you might as well be, or without arms or legs. It is a pity they didn't remove the other parts of the body and make sure of it. I live in a district in Philadelphia where unfortunately the great proportion of the population consists of those who came from abroad. I, myself, am the progeny, although American born, of foreign parents. If I would sit here to-day and permit this bill to go to a vote without discussion, I would prove a traitor to the entire population of my district. That district is a peaceful district, it is a home loving district, and a district in which the majority of people have been law abiding, the most law abiding people on God's green earth. We have never had any complaint in that section, and it is unfortunate if there should be any complaint in the other wards of Philadelphia. It is unfortunate but never the less it is true that we have just a little less money and just a little bit less education than some of the other districts of the city, but in our attention to our duties as citizens I venture to say that on election day though the weather may be severe and rainy and stormy the people in my district go to the polls and cast their ballot. It may be unfortunate but many of these people need assistance in the matter of marking the ballot, the complex ballot as it is to-day. When a man is given the right of franchise, there should be no act such as this passed to take it away from. There is nothing in the Constitution of the United States which provides that any man to be a citizen of these great States must be literate. If he has the right of franchise, is he not entitled to exercise that right as intelligently and properly as he can. It is no crime that a man cannot read or write. If it were, I am afraid that a great many people of the State of Pennsylvania would be incarcerated, for I have been informed that to-day there are at least three hundred and fifty thousand people in the State of Pennsylvania who are illiterate, who have not had the same opportunity of attending schools and colleges as some of the more fortunate in this State. Now, take the man who has the right to vote but who cannot read and write. The only way that he may know of matters is by discussion of it among his neighbors or in the store or on the corners. Even if he cannot read or write, I venture to say that he knows as much about conditions, probably as those who can, and why should he not have assistance when it comes to the question of marking the ballot. Are we to assume that it is with fraudulent intent that a man should ask for assistance because he cannot read or write. If under the law of a country the man is given a right to vote, and he cannot read or write, although he understands what he wants to do, why should I be kept from going into the booth with him and give him that assistance that is necessary? I would be satisfied with this bill that has been introduced if the sponsor of it will put a provision in the act allowing the election officers to accompany him, and have the right to give him that assistance in the booth. But if you prevent me from going in and helping him mark that ballot, you have taken his vote away. As I understand conditions in Philadelphia, we have some forty thousand people there who would be affected by this proposed change of the election laws. Do you not think that you increase the dangers under this act? I presume this act is only directed against those men who voted fraudulently. If they are in the habit of voting fraudulently, there is no act of the Legislature that will correct that evil, for the reason that they will obtain the end desired in some other way. They will not listen to this law any more than other laws heretofore passed. We have in this State laws which to my mind sufficiently cover the case. We have not been given a single instance of any such grievances as are here complained of. It is true we have a great many people who are not able to mark their ballots intelligently, but who are honest and would be kept away from the polls under the provisions of this act unless they should be blind, armless or legless. And there is nobody of those who are willing to so maim themselves in order that they might vote. I hope that the members of this House will vote down this proposition and allow these people to have assistance that under the circumstances is necessary.

Mr. REESE. Mr. Speaker and gentlemen of the House, I will try to explain some reasons for this bill being introduced. About five years ago his Honor, Judge Brumm, of Schuylkill, undertook to clean up the ballot box stuffers of Schuylkill County, and did it very successfully. We succeeded in landing seventeen in jail and some of them are still there. In this matter of fraudulent voting, I will tell you how it is worked. In our county it is not uncommon for the politicians to buy not a single vote but in bulk of from three to five hundred votes. The ballots are delivered probably on Saturday before the election and are taken to the different saloons and cigar stores and other places and there marked. The price is put up and they must deliver. In order that the promises made may be fulfilled and that they might get the money contracted for, these voters ask for assistance. It is not an uncommon thing to find one man going into the booth with as high as from sixty to seventy voters. In Schuylkill County we have quite a number of illiterate foreigners and it is harder for him to understand the ballot than for any of the rest. Outside of that class the average voter does not require assistance. As I stated, five years ago we undertook and accomplished

the cleaning up of fraudulent voting. We found this condition. The man was handed his ballot and two ballots were placed together when he got his ballot going into the booth. This he received from the election board. When he came out of the booth and placed his ballot in the box he in reality voted three times. In that county in two precincts with a registry list of 1,400 we found some five hundred fraudulent votes. If this act were passed it would give us a clean ballot. In our county before we tried these cases, it became necessary to delay the cases for eight months because we found that the jury wheel had been packed on us, and it was only after months of work and canvassing the county for good men that we were placed in a position to try these two cases. There is no bill that could be passed of more importance than the bill as presented by my colleague from Schuylkill. Gentlemen of the House give us an honest ballot and vote for this bill.

Mr. HUMES. Mr. Speaker and gentlemen of the House, I have been sitting here day after day listening to the gentlemen on the other side of the House tell us how this bill and that bill had its inception in the minds of the Republican Legislative Committee. It has come to the time when I very much dislike to go on the other side of the House because I am overcome with lonsomeness, because there is so many things there that you have borrowed from us. It makes me homesick.

Now, gentlemen this has been a proposition for which the Democratic party of this State has contended for years, and in the platfrom of that party this last season, they declared for just such a law limiting the assistance clause and the absolute incapability, and this bill will carry into effect just the contention of that platfrom. It is indeed gratifying to us to know that the Republican Legislative Committee have accepted and taken over and have joined with us at this time in an effort to secure this great reform which is so much needed, if we are to preserve the sanctity of our election. We are glad that for one session of the legislature at least all parties as parties have agreed upon a program as embodied in this bill, and I cannot comprehend how any person is here as a representative of any of the great parties, whose membership is represented in this House, can at this time, in the face of the avowed purpose of those parties, oppose this bill to which we are all committed; and it strikes me that this bill and that this disability clause should be enacted by this House by a unanimous vote, unless it is the desire and the purpose of the membership to repudiate the parties which they are representing in this hall; and I hope that the vote will be so near unanimous that the ballot box stuffer will have a warning that his day is done in this State.

Mr. FORSTER. Mr. Speaker, and gentlemen of the House, I feel that this subject has been very well covered, and yet I feel that it is due myself and due my constituency, that I put on record the reasons why I propose to take the course I am about to take in voting against this measure. I say, gentlemen, that I have not the same suspicion of the illiterate citizens that our friends seem to have. I do not believe that because a man is unable to read or write he is necessarily amenable to corruption. I do not believe for one moment that the ballot box stuffers, the man who will willfully violate the election laws, the man who is at heart the basest criminal we can conceive of and who is guilty of treason, comes from this class which is going to be directly injured and deprived of their right to vote by this law. The gentleman from Schuylkill has told us about the ballot box stuffers in his county, and has spoken of the method which is employed. I was under the impression that there was a law against the distribution of ballots the day before, and I was also under the impression that there was a penalty imposed upon anyone who would give out the ballots in that way. Under this law is it not just as easy to hand out the ballots the day before and have them marked up? There is no argument in that. No man in this House stands for cleaner elections than I do. I would to God that every man who votes without any sincere motive back of his action would be deprived of his ballot, but are we going to help it by these acts? We are going to take from the men who greatly appreciate it, their franchise. I come from a district in Philadelphia, which is one of the heaviest Italian districts in the city of Philadelphia. It has been my pleasure—and I use that word because I mean it—it has been my honor to know these people, and to get close down in their hearts, and gentlemen I say to you there is not a man in this House, there is not a man in any one of your constituency who appreciates his civic rights like the Italian. He comes here to earn his living and for liberty, and to have a voice in the government. His mind is made up. He determines what he shall do and what he shall not do at election day. I think that the Italian who is amenable to corruption is the exceptional man, and any one who knows him well will agree with me. What is going to be the result of this? Our friends say it is not going to have the effect of disfranchising any one as they will still have the sample ballot. How is the illiterate man or the partially illiterate man, the man who is able to read and write, but is not able to read and write the English language, how is he going to intelligently mark a ballot such as we had in Philadelphia at our last election, where it was necessary to make seventeen marks. We have no illiteracy test in our law, and until we have I am opposed to doing by indirect legislation what should be done by direct legislation. If we want an illiteracy test, then let us put it in the law; if we do not want it, then do not let us beat around the bush and try to deprive these men of their rights.

Mr. JOHN R. K. SCOTT. Mr. Speaker and Gentlemen of the House, this amendment is known as the "prohibition of assistance to voters." The provisions is as follows:

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by the Judge of the Election who shall mark his ballot for him in accordance with his directions", etc. It further prescribed that "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot, or the loss of both hands, or such total inability to use both hands as to incapacitate as to make it impossible for him to enter the voting compartment without assistance. And further it is prescribed that "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot. The responsibility of deciding whether or not the voter is disabled according to the restrictions above enumerated rests with the Election Judge, and upon him is burdened the responsibility. It is offered to this House as legislation after years of agitation for the correction of an evil. It not only prevents the assistance to those not needing such aid, but it goes to the extent of at least limiting assistance to those who need it. Much can be said on both sides of the question of assistance. The uneducated party man undoubtedly has the right to register his vote correctly in favor of the candidates of such party. He has more, namely, the right to repose confidence in the leaders of his party and benefit by their assistance in guiding him to correctly register his party preference. This right on the part of the elector is protected him by the present condition of the law which allows an elector to be accompanied by a party man whom he selects, usually his party division leader, to aid him in the marking of his ballot. But, on the other hand, the voter of sufficient intelligence to comprehend the ballot has no right to solicit or have assistance thrust upon him, either for the purpose of disclosing to his party friends the way he cast his ballot or as a cloak to a fraud. The abuse of the privilege granted by the law to the uninformed elector has brought about the present proposed legislation. The means of assistance is an evil that has cloaked the coersion of the division leader and the fraud of the briber and the bribe-taker. The mind of the public is now aroused to strike down this evil, and in striking it strikes a blow that not only does away wth the fraud but carries with it a hardship to a small proportion of our electors. The temper of the people has been manifest in these last few years by the public demand that fraud in political parties must cease. This proposed legislation is the first real test of this body's intention as to the demand of the people. There can be much complaint that this proposed legislation is drastic and far-reaching. There will be complaints from the political parties that the enactment of this legislation into law will disfranchise the uneducated voter; will prevent him from expressing his voice in governmental affairs and will cause the casting of many useless ballots. But this complaint is of small moment when it is compared with the great good that will be done in the long step toward the prevention of fraud in elections and the giving to the people a free expression by their ballot. The party man who fears that he will lose the prestage of his party

vote by being deprived of the right of assistance proclaims his own weakness. If the voter is intelligent enough to comprehend the ballot, and if of him the party leader complains he is deprived of the right to assist, then he merely complains of being deprived of a subtle, coersive influence by him over his voter and at the same time voices his weakness as a leader. If he complains that his uninformed voter is deprived of the right of assistance, that complaint can be met by giving to the uneducated voter a marked sample ballot from which the voter can mark his official ballot In many cases this may end in the throwing out of the ballot because it has been improperly marked, or it may be an insufficient ballot, not voting for all the candidates, which would give it but part of its full worth. This is a condition that will have to be met by the industrious party division leaders who will soon learn of the voter who has destroyed by his ballot and after a few elections these improperly cast ballots will be reduced to a minimum. But what does it do to offset this drawback as far as the illiterate voter is concerned? It prevents the party leaders from going in with that voter, it prevents him from using coersion, it prevents him from either forcing a bribe or of having a bribe solicited, it does much towards correcting the evil of corrupt party politics.

This is but one of the reforms that the great Republican Party must meet. To my mind, as a party man, instead of this legislation being destructive of party force, it is legislation that will strengthen our party.

My position on the question of this legislation and kindred legislation has not been fully understood. I do not step from my position as a Republican, I do not alter my position as being a party man. As a Republican I urge this reform. In 1906 when the public called out for the enactment of a personal registration law, many in our party thought that we were destroyed by this legislation, but we found that not only did it do away with much fraud that had been a burden upon our shoulders, but was a law that we as a party would fain have removed from the statute books. When in the same year there was enacted the present efficient civil-service laws of the cities of the first class we as a party felt that the patronage upon which our power subsisted was cut off and we would gradually sink into an inefficient, powerless, organization. But we found that the enactment of this law also lifted a great burden from the shoulders of the party. It took away from us the great horde of office-seekers, it relieved us of the great army of office-holders who were but drones when the sum was shining, helpless and useless to us, and s... when battle was upon us became an organized fighting force against us upon whom they had depended for their sustenance. The party city leader found that his real strength came from the support of his ward leader, and his ward leader found his strength rested in the division leader. The division leader found that the great majority of the office-holders who had received the patronage that was supposed to be the strength and sinew of the party was but a helpless, draining burden, useless in peace and a menace in war. The division leader is a division leader because hs is naturally a leader of men. If he gets his position from any other source, then he rests on a weak foundation. He must get his strength from his popularity among his neighbors, neither patronage or fraud will long sustain him in his power. This is the lesson taught us by the laws of 1906. Where would the Republican Party be to-day in the great city of Philadelphia if it were not for the efficiency of this same Civil-Service Act of 1906? What would be the power of the Republican Party if the present reform administration could turn a horde of hungry office-holders and office-seekers upon us?

The same condition confronts us now. We must face the legislation that prevents the division leader from going into the booth and marking his neighbor's ballot. No more, we have now reached the position of the people's demands that me must eliminate from our elections, fraud. If we are content to do this, then there is no question in the advisability of the enactment of this legislation. Is there any question that we should eliminate fraud from our party movements? There is nothing that saps the vitality and undermines the foundation of a party organization as fraud. It will give an artificial growth and a temporary strength, but the growth is but artificial and the strength is but temporary. Fraud is the plague spot of a political army; fraud is the weak point of the battle line that cannot resist attack. It is used by the short-sighted, unscrupulous division, ward or city leader in the time of peace. In the security of no antagonist he can lull himself by its means in a false position of strength; but when the opponent appears, when the eye of the public is upon him, when the light of publicity has been spread around him, his fraud is helpless and he is left in the nakedness of his weak position to sink into defeat. The division leader who on election day wins his election by intruding into the privacy of the voting compartment and forces his personality upon an indulgent voter and directs the marking of his ballot, or the division leader who by the use of money induces the voter to allow him to go into the voting compartment to mark the ballot depends upon a weak staff to be taken from him upon the appearance of an opponent who merely needs to raise his voice of protest then the leader who has not won the confidence of his voters is left helpless. There is no cowardice like the cowardice of the crook.

Why should we hesitate as a great party in a great Republican State to enact this law which will aid us in winning back our people? Why should we in the great State of Pennsylvania cater to a few thousand active party men when we can win the confidence of the vast majority of nearly eight million of her people? Why should we in the City of Philadelphia cater to the party leaders of a little over a thousand election divisions when we can win the confidence of the vast majority of more than a million and a half of people?

Pennsylvania is a Republican State. She has in her mountains and valleys stored away untold wealth of coal and ore. She has in her great breadth of farm lands the crops of many millions. She has her factories with their output of vast wealth, and all the wealth of her soil and all the wealth beneath her surface and the industries that have grown up within her borders are the result of the kindly, nourishing care of the protective policies of the Republican Party. Pennsylvania wants to be a Republican State. Pennsylvania has ever been a Republican State. The people of Pennsylvania have been demanding of her party reforms for the people. A deaf ear has been turned by our party to those demands. We have received our compensation for our indifference. We were defeated last election with the overwhelming majority of one hundred and seventy-five thousand votes. An organized, disciplined political organization was driven in its very stronghold to defeat by an unorganized, almost unnamed party. But this defeat was not the spontaneous uprising of a people following a popular idol as we have been luring ourselves into believing, it was the steady rise of the anger of the people, starting with a mild protest against the actions and the policies of our party leaders and rising from the mild protest to the fury of a storm or anger and crushing down upon us the years of pent feeling bred by the indifference of ourselves to the requests, the protests and later the demands of a people.

In 1908 this State of Pennsylvania gave to the Republican nominee for President a majority over his opponent of nearly three hunderd thousand. The 1909 session of the Legislature ignored the demands of the people for the reforms. At the fall election the people protested, not against the Republican Candidate but against the leaders of the party who had ignored the great loyal army of Republican voters. The result was that the party came to the county line of Philadelphia, defeated, and it was the 91,000 majority of Philadelphia County that saved the ticket. In 1910 the present Governor of Pennsylvania was selected by the leaders of the Republican Party without taking the public into their confidence or conferences. The result was that the Republican candidate for Governor came to the county line of Philadelphia, a defeated candidate, to Market Street of Philadelphia, a defeated candidate, and it was but the majority of the southern section of Philadelphia that gave to our present Governor his thirty thousand majority. The 1911 session of the Legislature was again heedless of the people's demands. The utilities bill was defeated, election reform legislation, this amendment now under discussion, was refused entrance upon the floor of the House. The uprising of the people after that session was not alone confined to the districts outside of Philadelphia where the party had depended for her majority when in distress, but in the borders of that very stronghold of Republicanism the protest of the people be-

came so positive that at the fall election for Mayor the Republican Party was overthrown and ended in the election of the present reform mayor of Philadelphia.

We are now defeated in our state and in our principal city. The Republican Party at its last convention pledged the people the reforms they had so long and persistently demanded. This is one of the first of those pledges. If we fail to keep faith with the people we as a party are destroyed. This session of the Legislature of Pennsylvania will either destroy the Republican Party or will restore her back to her original glory. The following of the foolish, narrow leadership of any of our leaders to defeat is not true Republicanism. Those of us who pride ourselves in our party must take it upon ourselves to refuse to follow the officers of our army, if their course is directed by their own selfiish ends. If we do not listen now during this session to the call of our people who have left the ranks of our party because we were deaf to their demands and who now seek to come again within our lines, we have lost our last chance. Our refusal will end in the selection of a Governor of this Commonwealth of another than the Republican Party, and it will end in the selection of another to wear the toga of the highest legislative hall of the American Legislature for Pennsylvania, who claims other than the Republican as his party.

Gentlemen of the House, we are pledged by our platform to vote for this amendment. The life of our party demands our keeping faith; more than that ,our very political existence requires that we shall be true to our constituents.

Mr. R. J. BALDWIN. Mr. Speaker and gentlemen of the House, I suppose what has happened so many years in the past will probably happen again to-day. The proposition of proper and safe or practical election laws cannot be considered until the House is driven into a sort of political hysteria. To my mind there was nothing about this bill that called for the remarks that have been made here by some of my friends, and especially my friend from Philadelphia, different from any other bill. We can launch out into this question of government and corruption on almost any proposition that comes before the House. I have noticed that those who have preceded me here are what I would call young men. I am speaking of a sort of right that has been obtained by having thirty-five years of practical experience in Pennsylvania politics. I have taken an active part in what we call politics or what we call public affairs, for about thirty-five years. I have not yet, since 1893, seen a proposition offered here from the so-called ballot reformers that has not been adopted by this House. In 1895, and especially in 1893, when the Baker ballot law was presented to this Legislature, these Legislative Halls rang with speeches similar to those that my friend from Philadelphia has just given us an exampel of—what I call political hysteria. There is no necessity for getting wrought up over this matter. What we want to do is to treat it in cold blood, and view it from a political standpoint. So far as the Republicans who stand for Republicism, there is no necessity for any of them to apologize. If there are men who have called themselves Republicans and who have done the things that my friend from Schuylkill speaks of, they do not deserve the name of any political party that I know of now. The complaints that we hear of to-day are the acts of individuals. I have heard from Schuylkill county where the conditions appear to have been dammable. Why is it that they are in evidence in Schuylkill county when they do not exist anywhere else, except possibly in a few parts of the State of Pennsylvania. I do not suppose there are ten members on the floor of this House that will admit that under their observation any great political corruption has existed. I want to say that in the little bailiwick that I come from, in the thirty-five years of working under all the different election laws, conditions have not changed. You can pass all the statutes in Christendom and if you do not put in that election board three honest men, all the statutes that you can place upon the statute books of this State or any other government that has ever existed will not protect the ballot box. To my mind, and I do not want to be hard on anybody, but if there is any community in which such a condition exists as has been mentioned by my friend from Schuylkill county, it is almost preposterous. I cannot understand it. It could not exist in my section of my county for one moment. Why, not one single voting man could get in there that the active men of my district do not know whether he deserves to get in or not. I took part in elections when we had the old vest pocket ticket. You had no trouble at that time to get a man to come to vote. There was no trouble to sit down and talk over the candidates from the top to the bottom of the ticket, and after others had explained to me just what the abilities of the different candidates were, if I did not know them, I would mark my ticket for my candidates at that primary election. In the general election, of course, we generally voted a straight ticket. Under the present primary laws I doubt if there is really one man in twenty who knows anything of the qualifications of the men who appear before him for the various county offices. A man is compelled to ask his friend about them and then he is compelled to go in and vote accordingly. Since 1883 there have been bills upon our statutes trying to correct these evils, and each and every instance as far back as 1895, when I heard my good old friend, John Fow, who was the leader on the Democratic side of the House, in those day, pleading for certain propositions, and he told the House that it was absolutely a question of correction for the future, and annually and semi-annually men have come to this House and have offered a panacea to cure all ills in election; and yet it appears that each House in succession gives out oratory tending to give the public the impression that corruption has grown worse and worse.

And, now Mr. Speaker, here is a bill, simply all that is to it that is involved in the question is whether I should have assistance, provided I am physically able to mark my ballot. Why, my friend from Philadelphia, Mr. John R. K. Scott, and I mention his name, although I know it is not parliamentary, but he is from Philadelphia, and it is a big town or a large village, and he is trying to make us feel that all of the ills that have befallen on his party is to be solved by one proposition. He declares: "don't allow anybody to have assistance who may come in to vote and all the ills and all the corruption of politics will be obviated." Why, gentlemen, that is nonsense. I know as every one of you who have had the same experience I have had, that as fast as you place upon the statute books propositions that are calculated to interfere and thwart the wishes of the office-seeker (and any man who knows how to thwart the efforts of an office seeker, has discovered something that nobody else has yet discovered). They will learn under that act how to get their friends in and will get them in as under any other law, absolutely and without a doubt. What will you do by the adoption of this act? You say that it is proper and right to bar a man who hasn't given public questions any consideration, who probably, as is the case in most instances, don't know a single candidate, then are you going to prevent him from having assistance? Are you going to prevent the man who can't read or write absolutely from voting. If you are in favor of that you want to consider well whether or not you are going to do anything that will be beneficial. I am against this proposition, or I would not have gotten on the floor to talk to others and I am going to vote against this proposition. Back of this great election proposition there is a question that is a problem, which will have to be assumed by a younger generation. When we had the old simpleness of ballot, a simple ballot, there was no trouble to get people to come to the polls and vote. In the thirty-five years that I have taken part in politics, gradually from year to year I find it more difficult to persuade my neighbors to come out and vote. I wish to tell members of the Democratic party and members of the Republican party, or of the Progressive party, as I do in my county, if I meet them on the road I say to them are you going to the election tomorrow, and they will say to me "Well, I don't know that I will, I wouldn't vote for your side any way." Then I say, "that doesn't make any difference, you ought to come down and register your opinion and exercise your right of franchise for which rivers of blood have been shed, and millions of widows and orphans have been made to secure that which you ignore. Tomorrow you will growl about conditions." Then they sometimes say, "I guess I will come down but I don't know exactly how to mark that ballot." I say, just mark up in one corner a single cross, if you wish to vote for your party." "It is a great big sheet of paper", he will say, "and I don't know how to vote on it." I have seen this complicated condition of the election laws and the election blanks and complicated ballot constantly working in the opposite direction from that which is wanted and that which is intended.

We want men to vote, and we want men to have a single ballot and have nothing put in the way of their voting. We cannot do it with the election laws which have been accumulated on our statutes. There is not a man here who has observed conditions who don't know but that what I say is absolutely true, and I am going to give you a concrete illustration of what occurred in my own district. I have a district just as intelligent as any other in this State.

Mr. REESE. Mr. Speaker, will the gentleman from Delaware permit me to interrogate him?

The SPEAKER. Will the gentleman from Delaware permit the gentleman from Schuylkill to interrogate him?

Mr. R. J. BALDWIN. Yes, sir, Mr. Speaker.

Mr. REESE. Mr. Speaker, are not the political conditions in Delaware County so rotten that the jury wheels have stopped?

Mr. R. J. BALDWIN: Mr. Speaker, and gentlemen of the House, perhaps the gentleman would like to draw me into that discussion but I am going to disappoint him if that is his aim. The jury will not have anything to do with the eltction laws. If he would like to discuss that question at some other time, I would very willingly give him the opportunity, but I can answer him in this way, that if the political conditions in his county are one-tenth as bad as he has ilustrated, then they are a hundred times worse than they evere have been in Delaware County. What I would like to see and what every man in this House would like to see is somebody who understands something about this proposition of making election laws, and have him take a hand at the improvement of them. The difficulty has been this that the public mind has been given the impression that a man who takes an active part in public affairs would not honestly endeavor to correct the laws that exist under the present system. If they attempt to say anything, then the reply is, "Why, of course." It appears to the average public mind that he has a selfish motive. Aside from that he is treated and considered as honest and to be trusted. He must say he belongs to a committee of seventy or a committee of seven, or a committee of two, but he must be a committee. That must be the first requisite and he must be somebody that has never had anything to do with the proposition. How contrary that is to practical life? Suppose I would suggest sending for a shoemaker or for five shoemakers to come up and look at a sick horse and I asked them, "Do you know what is the matter with this horse and what can you do for him," and if they knew nothing about a horse, how foolish that would be. Suppose you found me at a blacksmith shop with my watch—and asked the blacksmith to look at it and tell me what is the matter with it. How foolish that would be! Yet it is an absolute fact, and you all know it, that the people who drew up and presented to the legislature these laws for the governing of our elections have not in a single instance shown anything worthy of the subject, although I guess there might be three men i nthe committee of seventy that know how to make an election law that is practical. They get but one particular object in front of them and they don't see the relative effect of it and this is the way the elections laws have been amended in the State of Pennsylvania. I want to say here that netiher the Democratic party nor the Republican Party nor the Progressive Party, nor the Prohibition Party has had much of a hand in making an election law. The election laws have been presented to this Legislature by men with no experience. Somebody comes up and drives the House into political hysteria and every one is afraid to vote on his judgment, because he knows that this is supposed to be a reform in the ballot. He sees that the statement will go out that this fellow stood by the ballot-box stuffers. Every man here knows that it is true. They are impractical election laws. If there ever was a law placed upon the statute books in the State of Pennsylvania I cannot say anything so far as the election laws is concerned except that it is damnable. You know what has been done in this State and yet it was done under the plea of reform legislation. Why, the men that did it had the right heart and the right spirit. I am not critising the spirit. These men were trying to do what they believed to be right, but they were impractical. But the evil grew up and went forward, and if there is any statute now that should be swept off of the statute books of Pennsylvania it is those relating to the election laws. I say that the political bosses in Pennsylvania never did so much trading and bargaining or so much violating of the election laws as was done in the last campaign in the State of Pennsylvania. And you all know it, I want to see an election law that is constructed along practical lines and I want to see men who know something about this subject and take the matter up and frame such a law. I want to see you where you will be in a position to see good work. For the last twenty years the Legislatiure has been wrought up over some question, whether or not you will stand for some proposition relating to an election law but that someone says that you are voting for a bill for ballot-box stuffers. I would stake my life on it that there is not a man here that does not want good government and want practical men to do the job. That's what we want. We want practical men to do the job. We do not want men who are not practical because otherwise it would be botched as it has been botched during the last twenty-five years. It has cost the State since 1890 I thing fully twenty million dollars and to my mind there has not been a practical act come out of all that has been done, because it weakened our election laws every time something has been added.

Mr. HOBBS: Mr. Speaker,

THE SPEAKER: The gentleman from Lackawanna, Mr. Hobbs.

Mr. HOBBS: Mr. Speaker, I don't intend to make a political speech at this time. It is not my purpose to get into this subject. I want to give a very few positive examples which have come to my notice in Lackawanna County. The proposition is of importance and it is not a question as to the Republican Party nor the Democratic Party nor any other political party. It is a question of what was to be for the good of all the people in the Commonwealth of Pennsylvania regardless of any political party. I want to recite, for instance, a case which came to my notice some time ago. In the first place I will state that I live in a smaller town than some of those gentlemen who have spoken and that our town is not as big as the City of Brotherly Love.

Perhaps, I cannot recite so great an example, but this one came to my particular notice. The man was just as capable as any man in this House. He explained that he could not and did not understand the ballot, therefore, he asked for assistance. In another instance, there was a man who was under the influence of drink; he was intoxicated. He was challanged. They said to him "You dare not vote." He said "Yes, I dare vote." There was a dollar ventured that he dare not. The fellow said I will take the bet the money was put up and put in a third party's hands. He went in and proved that he could mark the ballot, as requested by having assistance, and he got his dollar. In other words, it was a matter of bribery paying this man one dollar for his vote. That is the way he delivered his goods to the party he wanted.

In the year 1908 in one precinct in Lackawanna County one man a saloon keeper, belonging to one political party, went to the booth with thirty-five other men, who were, every one of them, under the influence of drink, and he helped them to mark their ballots. They were all of the other political party. Therefore, this man who went into the booth with these men voted thirty-six times. The other men did not vote at all because this man did it for them. What was the result? The result was that the gentleman who belonged to the political party that assisted the others had the consolation of seeing the man elected or counted in for the office of representative; if the thirty-five men had voted for the ticket of the party to which they belonged the candidate of that party could have been elected, and would have served a term in the House of Representatives. I want to say to you gntlemen, and while I am not grieving over the matter, that your humble servant was the victim of that deal.

Mr. GEARY. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Letzkus, Humes, McAleer, Neel, Ulerich, Dickinson, Williams, Fahey, Spangler, Schuck, Ely, Stone, Mather, Hemminger, Ira E. Shaffer, McKay, George A. Baldwin, Swift, Brownlee, Brosius, Whitman, Showalter, Newton and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken,

Whereupon the Speaker requested a verification of the roll upon the completion of which thet vote was announced as follows:

YEAS—144.

Alworth,	Frey,	Light,	[illegible]
Ambler,	Geiser,	Lowers,	Schaeffer, A. C
Baldwin, G. A.,	Gibson,	Mannion,	Schuck,
Barner,	Glenn,	Martin,	Scott, J. R. K.,
Becker,	[illegible]ood,	Mather,	Scott, S. B.,
Benninger,	Goss,	Matt,	Semmens,
Benson,	Grabe,	McAleer,	Shaffer, C. A.,
Bergey,	Gramley,	McAllister,	Shaffer, I. E.,
Bigger,	Gray, Frank,	McClintock,	Showalter,
Bittles,	Haggerty.	McDermott,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McKay,	Smith, L.,
Body,	Hemminger,	Mechling,	Snavely,
Brosius,	Herman,	Mellott,	Snyder,
Brownlee,	Hobbs,	Metzenbacher,	Spangler,
Burnett,	Howard, J.,	Miller,	Spillinger,
Caldwell,	Howard, R.,	Moses,	Steedle,
Campbell, C.M.,	Humes,	Moulthrop,	Steele,
Campbell, J.J.	Irwin, G. C.,	Musser,	Stone,
Carson,	Irwin, H. H.,	Neel,	Strauss,
Cheeseman,	Jackson,	Newbaker,	Swartz,
Claycomb,	Jones, E. E.,	Newton,	Swift,
Cochran,	Jones, J. R.,	North,	Trach,
Collins,	Kaiser,	Pennegar,	Ulerich,
Conner,	Kaufman,	Pennock,	Walnut,
Conniff,	Keegan,	Perry, H. L.,	Walton,
Currier,	Keeport,	Peters,	Watson,
Davis,	Kennedy,	Piper,	Whitaker,
Dickinson,	Kern,	Post,	Whitman,
Donnally,	Klepper,	Price,	Wildman,
Down,	Kuhn, H. P.,	Redfield,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Reeser,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Rex,	Wiltbank,
Ely,	Lenker,	Robinson,	Young, G. K.
Flynn,	Leslie,	Rockwell,	Zimmerman,
Foster, J. D.,		Runk,	Alter,
		Sassaman,	Speaker.

NAYS—51.

Allen,	Ewing,	Letzkus,	Ramsey,
Arthur,	Fahey,	Malie,	Rhoads,
Baldwin, R. J.,	Forster, I. G.,	McArdle,	Riebel,
Berntheizel,	Gans,	McCaig,	Roney,
Blair, W. F.,	Geary,	McNichol,	Rothenberger,
Brown,	Gransback,	Missimer,	Shern,
Carter,	Gray, Joseph,	Mitchell,	Sherwood,
Cleary,	Hess,	Moore,	Speiser,
Conrade,	Heyburn,	Morrow,	Stein,
Cox,	Hibshman,	Murphy,	Thomas,
Curry,	Hoffman,	Neely,	Wettach,
Donahoe,	Kenna,	O'Neill,	Wilson, J. H.,
Eichenberger,	Kitts,	Perry, S. J.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. MITCHELL. Mr. Speaker, so long as we have the present form of ballot in the Commonwealth, a ballot which, when the most intelligent voter must admit is difficult to understand and to vote as he wishes, I feel that it is unjust and practically a disfranchisement to withdraw assistance from those who are illiterate or who honestly cannot understand the ballot. I am aware that there are many voters who in local affairs wish to vote for the man rather than for the party, and this is a tendency which I greet with approval. In municipal elections especially it is the duty of the voter, to my mind, to vote for the man rather that the party and it is my observation and contention that even though a man may be illiterate or unable to understand the ballot he nevertheless may have and usually does have the ability to recognize and appreciate a man and to be a perfectly competent judge of the character, the views and the ability of one who is offering himself as a candidate. An illiterate may be an unusually keen judge of the candidate as a man and still be unable to recognize the name of that candidate in print. Such a voter cannot have assistance under the proposed act as I understand it, yet I contend that such a voter is an intelligent voter. His illiteracy has sharpened his other senses: his infirmity makes him all the more cautious and he is just as competent, and perhaps more so, to pass upon the character and qualifications of a candidate upon the ballot, as is the most educated and cultured voter. If such a voter cannot have pointed out to him the name of a man for whom he wishes to vote, such a voter is really disfranchised and this is an injustice. I want pure elections if possible, but we will not hasten that day by disfranchising the honest voter who cannot read.

Mr. HESS. Mr. Speaker, my reasons for voting No on House Bill No. 130, file folio 503, amending Section 26 of an act approved the tenth day of June, 1893, refusing the right of assistance to a voter except he swear or affirm that he is physically disabled is: that there are among my constituents a considerable number of Germans who cannot read the English language and who would be intimidated and many of them disfranchised by the enforcement of this bill if it becomes a law.

Mr. JOSEPH GRAY. Mr. Speaker, my reasons for voting against Bill No. 130 are that: this bill is un-American, unworthy of the United States and her people. If it is presented or argued for as a Democratic measure, I repudiate it as not Democratic, unpatriotic and inspired by Anti alien bigotry.

Mr. ALLEN. Mr. Speaker, I vote "Nay" on House Bill No. 130, file folio 503, for the following reasons:

1st. I believe the provisions of the existing law are more American than those proposed in this bill.

2nd. This bill will disfranchise thousands of American citizens, both native born and naturalized.

3rd. It places in the hands of the judge of election the power and authority to decide and determine whether or not such physical disability as provided for in the bill exists. This power and authority in the hands of an unfair and unscrupulous judge of election I consider a most dangerous one.

4th. I believe that any lawful voter who has interest sufficient to wish to participate in any election and who "declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot" should be assisted in the form and manner now provided by law, and allowed to vote.

5th. I believe these proposed changes are unfair, unjust and un-American—a backward step—and not in harmony with our constitutional rights and liberties.

SENATE MESSAGES.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives

Resolved (if the Senate concur) that when the Senate adjourns this week it shall reconvene on Monday evening, February twenty-fourth, at nine o'clock and when the House adjourns this week, it shall reconvene on the same date, at eight o'clock; also when the Senate adjourns next week, it shall reconvene not later than Monday evening, March tenth, at nine o'clock, and when the House adjourns next week it shall reconvene on Wednesday evening, March fifth at eight o'clock.

SENATE NON-CONCURS IN AMENDMENT.

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made by the House of Representatives to Senate Resolution as follows:

Whereas, Certain acts and resolutions passed by several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil war who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th, by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted from Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

And has appointed Messrs. Sheatz, Alexander and Jarrett a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

On motion of Mr. Allen.

The House insisted upon its amendments non-concurred in by the Senate.

Ordered, That Messrs. Allen, Wiltbank and Humes be a Committee of Conference to confer with a similar committee of the Senate (already appointed) in relation to the differences existing between the two Houses on said resolution.

And that the Clerk inform the Senate accordingly.

SENATE NON-CONCURS IN AMENDMENT.

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made by the House of Representatives to Senate Resolution as follows:

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the numbr, duties efficiency and salaries of the officers, clerks and employes of the Senate, House of Representatives and the several departments, boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for, also the qualifications, number and salaries of said officers, clerks and employes, so that if any changes are found necessary they may be authorized during the present session of the Legislature; therefore be it

Resolved (if the House of Representatives concur), That a commission consisting of four members of the present Senate, one of whom shall be a Democrat, be appointed by the President pro tempore of the Senate and five members of the present House of Representatives, two of whom shall be Democrats, be appointed by the Speaker of the House of Representatives, to investigate as to the necessity for, efficiency, number and salaries of the officers, clerks and employes of the Senate and House of Representatives and to make report thereof, and, if necessary, to recommend, not later than March 12, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and

The Chief Clerk of the Senate shall assign one of the regularly elected Clerks to committees to said Commissions as its clerk.

And has appointed Messrs. Crow, Kurty and Jones to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

On motion of Mr. John R. K. Scott.

The House insisted upon the amendments non-concurred in by the Senate.

Ordered, That Messrs. Shern, George A. Baldwin and Flynn be a committee of Conference to confer with a similar committee of the Senate (already appointed) in relation to the differences existing between the two Houses on said resolution.

And that the Clerk inform the Senate accordingly.

RESOLUTION.

Mr. STEIN. Mr. Speaker, I ask unanimous consent of the House at this time to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read by the Clerk as follows:

FOR SPECIAL ORDER FOR HOUSE BILL NO. 306.

Whereas House Bill No. 306, File Folio 283, being an act to further regulate the granting of licenses for the sale of liquors, was introduced into this House on February 4, 1913, after at least two years of study and consideration, and

Whereas, the said bill as prepared and introduced was thoroughly considered and unanimously reported by the Law and Order Committee on February 13, 1913, since which time it was regularly printed and prepared as other bills and was duly filed and passed first reading in regular order, and has remained upon the calendar for second reading on the Legislative days of February 18th and February 19th, 1913, and no action has been taken by the sponsor of said bill, or any other person in his behalf, and

Whereas, said bill is one of a series of bills known as "Liquor Bills' which is being held back, as in former sessions, because of inaction, which conduct interferes with the proper consideration of other bills highly necessary to carry into effect all party pledges, and which conduct interferes with and defeats the intentions of this Legislation and the will of the people;

Now, Therefore, Be It Resolved, That said bill be made a special order and placed on the calendar for second reading immediately after the reading of the Journal on Monday, February 24, 1913, unless the same is called up by the sponsor thereof, or some person in his behalf, in the meantime.

On the question,

Will the House give unanimous consent to the adoption of the resolution?

The SPEAKER. The Chair hears objections.

Mr. STEIN. Mr. Speaker, in view of the objection, I desire at this time to withdraw the resolution, and offer a motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was then read by the Clerk as follows:

SPECIAL ORDER FOR HOUSE BILL NO. 306.

It is moved that House Bill number 306 file folio number 283 entitled An act to further regulate the granting of licenses for the sale of vinous, spiritous, malt or brewed liquors or admixture thereof by permitting the electors of any county in this Commonwealth residing outside of the city or borough containing a population of ten thousand or upward and by permitting the electors of any city or borough containing a population of ten thousand or upward to determine by an election whether the granting of licenses for such sale should be prohibited.

Be made a special order and placed upon the calendar for second reading immediately after the reading of the journal on Monday evening, February 24, 1913, unless called up for second reading by the sponsor thereof or some person in his behalf in the meantime.

On the question,

Will the House agree to the adoption of the motion?

POINT OF ORDER.

Mr. ROCKWELL. Mr. Speaker, I do not care to be the technical objector to matters properly before this House for consideration, but every one of you knows, who know anything of parliamentary practice that this motion is a very discourteous, improper and unparliamentary motion to make at this time. This bill, as stated in the original resolution offered a few moments ago has only been on the second reading calendar for two days. It was given to me by a certin society interested in certain legislation, and after having been introduced and reported out of committee, and placed upon the calendar, a constitutional question arises. I did not call this bill up yesterday, nor today, simply for the purpose of giving myself and my associates time to examine into this question, and for certain antagonistic interests now to start in to try to force matters is not only unparliamentary, but discourteous, and the House ought not to stand for it for one instant. I therefore raise this point of order that this motion, being in the nature of a resolution, is out of order.

The SPEAKER. The Chair rules that the motion, being a mere motion, is in order.

Mr. ROCKWELL. In view of the Speaker's ruling on this question, I wish to say this; that I desire to consult with the interests that handed me his bill, and since this consitutional quesion has been raised, I would like to look into the law with them, after which I will call this bill up and see that it takes its regular course. It has only been on this calendar for two days, and the practice of this Legislature has been, from time oimmemorial, as far as I am able to find out, to allow a bill on second reading to rest under the absolute control and custody of the sponsor of the bill and it is considered a matter of great discourtesy for any member to call that bill out of the possession of the sponsor or during his absence. I wish to state that I had expected to call this bill up before this and now do expect to call it up not later than Tuesday morning, but I do object to having it handled in this matter, which is contrary to all practices of the House, and I ask every member of this House with a feeling of fair play to vote the motion down, and let the interests that have this bill in charge have the chance to control it.

Mr. SHERN. Mr. Speaker, and gentlemen of the House, I hope the members will vote this motion down. I have been a member of the House since 1903, with the exception of 1907. I am going to vote against the bill, and vote against all anti-liquor legislation, but I believed that we should be courteous to the members of the House who have bills under consideration. I believe that if you vote for a motion of this kind, that you will make a martyr of a man having in charge this legislation. It really isn't according to parliamentary practice in this House, and I trust that this motion will be voted down, unless the gentleman who made the motion will withdraw it.

Mr. STEIN. Mr. Speaker and gentlemen of the House, I sincerely regret the view the gentlemen have taken on this motion, and the attitude taken by the sponsor. I must say there is no gentleman in the House for whom I entertain a higher regard, no gentleman in whose integrity I have more faith than the gentleman from Tioga, the very able Chairman of the Judiciary General Committee. I must also say that I did not introduce the motion through any disrespect of the gentleman who introduced the bill and who has charge of its progress through the House. I offered the motion in perfectly good faith, because, as has been said by that man of old, I have no way by which to guide my footsteps except through ample experience, and I ask you to remember what has always been the attitude of legislation of this sort and the people who are responsible for its presence in this House. This sort of legislation has never been put through in the ordinary and usual way. It rather savors of the schemes and the connivance of those who are not members of the House, but who take an interest in the legislation. All that I ask of the gentlemen of the House is to have this bill considered on second reading as soon as possible because it is clogging and will continue to clog the different matters of legislation which this House ought to be considering and engaged in. With relation to legislation of this kind, I have a great deal of respect for the people who look upon it as a moral and not a political issue. I ask that this bill be considered in due course, and hope that the members will put this motion through so that we may know when this bill will be up for consideration. Do you gentlemen realize that matters of importance are yet to be considered? The prompt consideration of this bill will enable every member here to better look after the interests of his people. Now, there is nothing insincere in the motion in view of past experience, and in view of the fact that at least two years have been given to the preparation of this bill. It has been on the calendar for two days without having been called up, and if its consideration is fixed at the time suggested in the motion, every gentleman of the House will have proper time to make up his mind. I simply ask for what? I merely ask that this bill take its proper course upon the calendar, and that the friends of the liquor interests, or those opposed to it, may have their proper day in court. I do not want to take snap judgment. There is nothing discourteous intended, and as I said before, I sincerely regret that the gentleman from Tioga should have considered my attitude in such a light. I trust that the members of this House will pass this motion so that we may know definitely just when this issue is going to be decided.

Mr. FLYNN: Mr. Speaker and gentlemen of the House, I wish to deny the statement of the gentleman from Philadelphia that there is anything discourteous in this motion. I, for one, am heartily in favor of the motion. Yesterday, I asked the author of the bill when it would be called up on second reading, and I got no satisfactory reply from him. He has said now that it will possibly be called up on Tuesday next. We have no assurance of that other than it may possibly be Tuesday, and more probably it will not be Tuesday, but at any rate just when he pleases, and in the meantime, as the gentleman from Allegheny has said, there are a great many people who are interested in this legislation. There are a great many whose interests will be adversely affected should this bill become a law. They are so much interested that they have been coming here in large numbers to have final action taken. Are we to have them running down here and back home again without anything definitely as to when this matter is to be brought forward? I say that this is fair notice to the gentleman from Tioga that his bill is to be placed on second reading for Monday night. In the meantime he has the intervening time to prepare for such action. Is there anything unfair or discourteous in that? I deny absolutely that there is anything discourteous in the action proposed by the gentleman from Allegheny. It is fair, it is more than fair, and I tell you that if the other side of this question had the votes in this House to take advantage of those who are opposed to this amendment I am very sure that they would not be as courteous as the gentleman from Allegheny has been with them.

Mr. ROCKWELL. Mr. Speaker, the gentleman from Allegheny evidently did not understand me when he started that I would not agree to call this bill up not later than Tuesday morning, and I am willing to amend this motion that the bill shall be called up at the Tuesday morning session for second reading and for final passage on Wednesday.

Mr. STEIN. Mr. Speaker, do I understand that the gentleman from Tioga says that he will positively call it up on Tuesday morning?

Mr. ROCKWELL. I will call it up tomorrow morning after I have satisfied myself on this constitutional question, or I will give the postive assurance that I will call it up not later than Tuesday.

Mr. STEIN. Mr. Speaker, if the gentleman will set a definite time I will withdraw my motion.

Mr. ROCKWELL. Mr. Speaker, I move to amend the motion so that we fix this bill for special order for Tuesday morning for second reading, and for final passage on Wednesday morning.

Mr. STEIN. I will accept the amendment.

The SPEAKER. The gentleman will please put his amendment in writing so that the Clerk will get it correctly. The gentleman from Tioga has put his motion in writing and it will be read by the Clerk.

The moton was read by the Clerk as follows:

Moved that House Bill 306, file fioli 383, entitled

An Act to further regulate the granting of licenses for the sale of vinous spirituous malt or brewed liquors or any admixture thereof by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of ten thousand or upward and by permitting the electors of any city or borough containing a population of ten thousand or upward to determine by an election whether the granting of licenses for such sale therein shall be prohibited

be made a special order and placed upon the calendar for second reading on Tuesday February 25th at 11:00 A. M. and for third reading and final passage on Wednesday, February 26th 1913 at 11:00 A. M.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the motion as amended?

It was agreed to.

RECONSIDERATION OF VOTE.

Mr. FORSTER. Mr. Speaker, I move to reconsider the vote by which House Bill No. 635, entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in cases fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred and eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as further amended by an act approved the twelfth day of July one thousand eight hundred and ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings' " approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in while or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred and ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled "An act for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled an act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class

file folio 467, was directed to be transcribed for third reading.

The motion was agreed to.

Mr. FORSTER. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

Mr. FORSTER. Mr. Speaker, I offer the following amendment for the purpose of correcting a typographical error.

The amendment was read by the clerk as follows:

Amend Section 1, line 7, by striking out the word "on" and inserting in lieu thereof the word "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the Section as amended?

It was agreed to.

And said bill having been read the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

BILL ON THIRD READING.

Mr. HUMES. Mr. Speaker, I desire at this time to ask unanimous consent to call up House Bill No. 529, file folio, 439, entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of four years begining June first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

This was the bill which was postponed earlier in today's session and I desire to offer an amendment to the title.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by striking out in line 3, the word "four" and insert in lieu thereof the word "two;" also in line 4 by striking out the word "nine" and interesting in lieu therefore the word "eleven."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. ROCKWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 2:30 P. M.) the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

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HOUSE OF REPRESENTATIVES.

THURSDAY, February 20th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Elliott Wright, offered the following prayer:

O God, we thank Thee for Thy great goodness to us in the gift of Thy son, to be our example and Teacher, our Model and Guide, our Saviour and Lord. We thank Thee for the purity of His life for the beauty of His character for the excellence of His teachings and for the perpetuated influence of His ministry and work. We recognize Him as the great inspiration of the Christian ages, whom to reverence and love, to worship and follow is to approve ourselves to God and to grow each day in wisdom and virtue. We thank Thee for the Word, which tells us of Him, for its beautiful simplicity, for the matchless eloquence of its language and thought. May we reverence this word and try to order our lives by its principles and precepts and may we reverence especially the incarnate word, who is the Way and the Truth and the life and whom to know aright is life eternal. We commend us now to Thee and to the kindly keeping of Thy providence and grace, through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Brosius, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. McKAY. House Bill No. 837.

An Act defining and limiting the defense of contributory negligence in all trials where a traveller or his representative shall seek to recover damages for injuries or death occurring at a grade crossing.

Referred to the Committee on Judiciary General.

By Mr. MELLOTT. House Bill No. 838.

An Act to amend the second section of an act approved the third day of June, one thousand nine hundred eleven, entitled "An act to provide for the better protection and presentation of game, game quadrupeds and game birds, and prescribing penalties for violation of its several provisions."

Referred to Committee on Game.

By Mr. HIBSHMAN. House Bill No. 839.

An Act making an appropriation to the agricultural experiment station of the Pennsylvania State College, to maintain sub-stations for the purpost of making experiments in the improvement, culture, curing and preparation of tobacco, and providing for the publication of the report thereof.

Referred to Committee on Appropriations.

By Mr. McKAY. House Bill No. 840.

An Act placing on employers the burden of providing lack of negligence upon proof in trials for injuries to, or death of an employee, that said injury or death was occasioned by an accident during the course of employment.

Referred to Committee on Judiciary General.

By Mr. J. H. WILSON. House Bill No. 841.

An Act to regulate the sale of certain seeds, providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same, providing also for the enforcement of the act and providing penalties for its violation.

Referred to Committee on Agriculture.

By Mr. H. B. DUNN. House Bill No. 842.

An Act making an appropriation to the Pennsylvania Industrial Reformatory at Huntingdon, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JOSEPH GRAY. House Bill No. 843.

An Act making an appropriation to the Johnstown City Hospital of Johnstown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MATT. House Bill No. 844.

An Act to amend paragraph forty-eight of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employees; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees: providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships of counties from any further obligation and expense to improve or maintain the same, and relieving said township or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State aid highways, and kind of meterials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injury or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act." Changing the location of Route Forty-eight of the system of State Highways.

Referred to Committee on Public Roads.

By Mr. FLYNN. (By request). House Bill No. 845.

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County, and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District.

Referred to Committee on Judiciary Local.

By Mr. FLYNN. House Bill No. 846.

An Act making an appropriation to the Elk County General Hospital, of Ridgway, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CONRADE. House Bill No. 847.

An Act providing for the humane destruction of any animal or animals which are injured, disabled, diseased past recovery or unfit for any useful purpose and authorizing any magistrate, alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condi-

tion of the animal or animals charged with being abused and directing policemen, constables and agents of duly incorporated Societies or Associations for the Prevention of Cruelty to Animals to carry out the provisions of this Act.

Referred to Committee on Judiciary Special.

By Mr. DOWN. House Bill No. 848.

A bill making an appropriation to Grove City College, Mercer County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WALTON. House Bill No. 849.

An Act making an appropriation to the New Castle Hospital, at New Castle, Lawrence County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 850.

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time, buildings, machinery, appliances and materials from the old penitentiary in Pittsburg to the new penitentiary in Centre County for the use in the erection and equipment

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 851.

An Act to amend an act providing for the payment of costs and expenses of indigent and dependent children, in conveying them to, and while in the homes in which they may be placed, approved May 31, 1907.

Referred to the Committee on Judiciary General.

By Mr. WHITMAN. House Bill No. 852.

An Act making an appropriation for the Topographic and Geological Survey of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MARTIN. House Bill No. 853.

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employees, and providing a penalty for violation thereof.

Referred to Committee on Labor and Industry.

By Mr. ADAMS. House Bill No. 854.

An Act making an appropriation to the United Charities, of Hazleton, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ULERICH. House Bill No. 855.

A Supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors or any admixture thereof."

Referred to the Committee on Labor and Industry.

By Mr. LOWERS. House Bill No. 856.

An Act making an appropriation to the Columbia Hospital, Wilkinsburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ELY. House Bill No. 857.

An Act to authorize the judges of separate orphans' court at the request of the judges of Common Pleas to hear and determine all issues and other matters in the Court of Common Pleas, courts of oyer and terminer and general jail delivery, and court of quarter sessions of the peace.

Referred to Committee on Judiciary General.

By Mr. KITTS. House Bill No. 858.

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey.

Referred to the Committee on Appropriations.

By Mr. SAMUEL B. SCOTT. House Bill No. 859.

An Act to amend the ninety-first section of an act, entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," approved the thirty-first day of March, one thousand eight hundred and sixty as supplemented by the first section of an act approved the nineteenth day of May, Anno Domini eighteen hundred and eighty-seven, entitled "A supplement to an act, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, one thousand eight hundred and sixty, amending the ninety-first section thereof, defining rape and carnal knowledge of female children, and prescribing the penalty therefor," by increasing the age of consent to twenty-one years and changing the penalty.

Referred to Committee on Judiciary General.

By Mr. WETTACH. House Bill No. 860.

An Act defining paint, regulating the sale of offering for sale thereof, and fixing penalties for violation of this act.

Referred to Committee on Judiciary General.

By Mr. H. P. KUHN. House Bill No. 868.

An Act making an appropriation to the Western Pennsylvania Hospital.

Referred to Committee on Appropriations.

By Mr. HEYBURN. House Bill No. 869.

An Act to amend an act, entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial," approved the third day of April, Anno Domini, one thousand nine hundred and three, so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial, and for the care and maintenance of such children while detained.

Referred to Committee on Judiciary General.

By Mr. HEYBURN. House Bill No. 870.

An Act to amend the First and Second Sections of an act, entitled "An act to provide for the better protection of female insane patients in transit," approved the fourteenth day of April, Anno Domini one thousand eight hundred and ninety-three, so as to extend the provisions thereof to feeble-minded and epileptic persons.

Referred to the Committee on Judiciary General.

By Mr. RAMSEY. House Bill No. 871.

An Act to amend the Second and Third Sections of an act, entitled "An act to provide for the employment of the insane, feeble-minded and epileptic persons confined in institutions, wholly or in part maintained by the State, for the care and treatment of the insane, feeble-minded and epileptic persons; and providing for the distribution of the supplies, manufactured articles, goods and products made in State institutions for the care of the insane, feeble-minded and epileptic persons," approved the Twenty-eighth day of May, Anno Domini one thousand nine hundred and seven, so as to permit of the sale of articles manufactured and produce raised by insane, feeble-minded and epileptic inmates of such institutions for the benefit of such persons.

Referred to Committee on Labor and Industries.

By Mr. HEYBURN. House Bill No. 872.

An Act to further amend the Sixth Section of an act approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled "An act defining the powers of the several Courts of Quarter Sessions of the Peace within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such powers may be exercised," by extending the application of said section to dependent, neglected and incorrigible children.

Referred to Committee on Judiciary General.

By Mr. RAMSEY. House Bill No. 873.

An Act to amend an act, entitled "An act to organize the State Hospital for the insane at Danville, and provide for the government and management of the same," approved the Twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-three, so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution.

Referred to Committee on Judiciary General.

By Mr. KAISER. House Bill No. 874.

An Act making an appropriation to the Visiting Nurse Association, located in North Side, city of Pittsburgh, Allegheny county, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KAISER. House Bill No. 875.

An Act making an appropriation to the Pittsburgh Sunshine Children's Home, located at Pittsburgh, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. KENNEDY. House Bill No. 876.

An Act relating to double assessments of real estate, situate partially in two or more municipalities, or townships, or lying near or adjacent to the dividing line between municipalities or townships, or any two thereof; providing that the payment of taxes in any one of such municipalities or townships shall be a discharge from the payment of taxes for the same year, on the same property, in another municipality or township, and providing a method for having tax liens entered in such cases stricken from the record.

Referred to Committee on Judiciary General.

By Mr. ROCKWELL. House bill No. 877.

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand, in this Commonwealth, and to provide for the taxation and collection of the same.

Referred to Committee on Judiciary General.

By Mr. AMBLER. House Bill No. 878.

An Act to amend an act approved the second day of May, one thousand nine hundred and five, entitled "An Act creating the Department of State Police; providing for the appointment of a Superintendent thereof, together with the officers and men who shall constitute the force; defining their powers and duties, and making an appropriation for the expenses connected therewith," as amended by an act approved the first day of June, one thousand nine hundred and eleven, entitled "An Act to amend sections two and three of an act, entitled 'An Act creating the Department of State Police; providing for the appointment of a Superintendent thereof, together with officers and men who shall con-

stitute the force; defining their powers and duties, and making an appropriation for the expenses connected therewith,' approved the second day of May, Anno Domini one thousand nine hundred and five, by fixing the salaries of the employees of the Department of State Police, also the salaries of the officers and men of the State Police."

Referred to Committee on Law and Order.

By Mr. REDFIELD. House Bill No. 879.

An Act making an appropriation to further carry into effect the provisions of an act, approved the thirteenth day of June, Anno Domini one thousand nine hundred and seven, entitled "An Act to authorize county commissioners, for the purpose of encouraging agriculture and the holding of county agricultural exhibitions, to pay annually one thousand dollars to the incorporated agricultural association, paying premiums on agricultural exhibits, holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition, and providing for the repayment to the county by the State of the sum so paid."

Referred to the Committee on Appropriations.

By Mr. MILLER. House Bill No. 880.

An Act making an appropriation to the Homeopathic State Hospital, for the Insane, at Allentown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DOWN. House Bill No. 881.

An Act to establish as a "State Highway" a certain section of public road in Mercer County, beginning at the intersection of said road with State Highway route number two hundred eight at Sandy Lake passing south through Perrines Corners and along Wolf Creek to a point in Grove City at intersection of State Highway route number seventy-three.

Referred to the Committee on Public Roads.

By Mr. DOWN. House Bill No. 882.

An Act to establish as a "State Highway" a certain section of public road in Mercer County, beginning at the intersection of said road with State Highway Route number eighty-two at Delaware Grove and passing through the borough of Fredonia to a point intersecting State Highway Route number two hundred thirteen.

Referred to the Committee on Public Roads.

By Mr. GEARY. House Bill No. 883.

A Supplement to an act entitled "An Act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one, providing for the creation of a pension fund for municipal employees.

Referred to Committee on Municipal Corporations.

PETITION.

FAVORING LOCAL OPTION.

Mr. HEYBURN presented the petition of citizens of Delaware County, praying for the passage of House Bill No. 306.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST CLUB LICENSE BILL.

Mr. WALTON presented the petition of citizens of Lawrence County, protesting against passage of the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING ADDITIONAL ROAD UNDER SPROUL ACT.

Mr. E. E. JONES presented two petitions of citizens of Susquehanna County, praying for an additional road under the Sproul Act, 1911.

Which was referred to the Committee on Public Roads.

FAVORING BRIDGE ACROSS SUSQUEHANNA RIVER.

Mr. SWARTZ presented the petition of citizens of Snyder County, praying for a bridge across the Susquehanna River between Herndon and Port Treverton.

Which was referred to the Committee on Public Roads.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. FREY, from the Committee on Public Roads, reported as committed, House Bill No. 808, (Senate Bill No. 1), entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor vehicles and the licensing of operators and making an appropriation thereof.

Mr. RAMSEY, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 392, entitled:

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth and the inmates thereof in Boards of Prison Inspectors; providing for the appointment of such Boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for keeping, furnishing and maintaining said jails and prisons by the several counties respectively and prescribing the duties of the Commissioners and treasurers respectively of said counties relative to the payment of such expenses.

Mr. MARTIN, from the Committee on Education, reported as committed, House Bill No. 280, entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

Mr. O'NEILL, from the Committee on Military Affairs, reported as committed, House Bill No. 674, entitled:

An Act to provide for certain improvements to that certain tract of land known as "Paoli Parade Ground" situate in Willistown township, Chester county, and making an appropriation therefor.

Mr. W. H. WILSON, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 53, entitled:

An Act regulating the sale of certain food that shall have been kept in cold storage; providing for inspectors to enforce this act; fixing their salaries payable by the proper county, and fixing penalties for the violations of the provisions thereof.

Mr. GRAMLEY, from the Committee on Education, reported as committed, House Bill No. 466, entitled:

An Act to amend the title, the first section, the second section and the third section of an Act of Assembly, entitled "An Act relating to the settlement and audit of the accounts of all officers, elected or appointed, of boroughs, townships, poor districts and school districts; prescribing the time for such settlement and audits, for the matters to be contained in the report of settlement and audit, for the filing of said report in the office of the clerk of quarter sessions, and for appeals to the court of common pleas and superior and supreme courts," approved the ninth day of June, A. D., one thousand nine hundred and eleven, by repealing so much thereof as applies to school districts.

Mr. REDFIELD, from the Committee on Banks and Banking, reported as committed, House Bill No. 72, entitled:

An Act defining investment companies; providing for the regulation and supervision of such investment companies, and providing penalties for violation of this act.

Mr. WHITMAN, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 9, entitled:

An Act permitting certain baseball games on Sunday between three and six o'clock post meridan.

Mr. MORROW, from the Committee on Labor and Industry, reported as committed, House Bill No. 338, entitled:

An Act regulating the time of payment of wages and earnings, and providing a penalty for violation thereof.

Mr. SEMMENS, from the Committee on Banks and Banking, reported with a negative recommendation, House Bill No. 393, entitled:

An Act prohibiting certain trust companies to act as surety.

Mr. ISLER, from the Committee on Labor and Industry, reported as committed, House Bill No. 438, entitled:

An Act to amend an act approved the seventh day of June, one thousand nine hundred and eleven, entitled "An act requiring foundries to be provided with toilet room and water closet; regulating same; and providing a penalty for violation hereof."

Mr. JACKSON, from the Committee on Education, reported as committed, House Bill No. 655, entitled:

An Act to provide state aid for vocational education.

Mr. MATT, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 515, entitled:

An Act permitting certain baseball games on Sunday between three and six o'clock post meridian.

Mr. BODY, from the Committee on Agriculture, reported as committed, House Bill No. 723, entitled:

An Act to authorize the printing of twenty-five thousand copies Bulletin No. 219 issued by the Department of Agriculture and making an appropriation therefor.

Mr. DONNALLY, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 478, entitled:

An Act providing for the designation of depositories of county funds the securing of the funds deposited therein and the payment of interest thereon.

Mr. DONNALLY, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 87, entitled:

An Act to repeal all acts and parts of acts providing for the taxation of horses, mares, geldings, mules and cattle.

Mr. JAMES J. CAMPBELL, from the Committee on Labor and Industry, reported as committed, House Bill No. 615, entitled:

An Act to regulate advertisements and solicitations for employes reported strikes, lockouts or other labor disputies.

Mr. ZIMMERMAN, from the Committee on Pensions and Gratuities, reported as amended, House Bill No. 60, entitled:

An Act to provide for the pensioning of soldiers, sailors and marines who served in the army and navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five; fixing the rate of said pensions, the manner of obtaining same, and making an appropriation for the payment thereof.

Mr. E. F. PETERS, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 137, entitled:

An Act to repeal all acts and parts of acts providing for the taxation of cattle.

Mr. BERNTHEISEL, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 141, entitled:

An Act to amend clause fourth of section seven of an act, entitled "An act to provide for the classification of the townships of the Commonwealth, with respect to their population into two classes and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April one thousand eight hundred and ninety-nine; by authorizing townships of the first class to prohibit the burial of deceased persons within the township or within partial prescribed limits and to regulate the depths of graves.

Mr. WATSON, from the Committee on Judiciary General, reported as committed, House Bill No. 127, entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five, and the first day of May, Anno Domini one thousand nine hundred and nine, upon the question of increasing the indebtedness of counties, cities, boroughs, townships, school-districts, or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds.

Mr. WHITAKER, from the Committee on Military Affairs, reported as committed, House Bill No. 258, entitled:

An Act to amend an act, entitled "An act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," approved the eighth day of April one thousand eight hundred and sixty-eight, by requiring the Recorder of Deeds to record free of charge the discharges of all honorably discharged soldiers, saliors and marines, resident in this Commonwealth who were enlisted and mustered into the Army, Navy or Marine Corps of the United States.

Mr. WALTON, from the Committee on Military Affairs, reported as committed, House Bill No. 623, entitled:

An Act making an appropriation for the providing and erection of armories throughout the Commonwealth of Pennsylvania for the use of the National Guard of Pennsylvania said State Armory Board also an appropriation for the completion of armories where drill halls or administration buildings only have been erected, also an appropriation for the management and care of armories erected or provided and to be erected or provided for the two fiscal years beginning June first nineteen hundred and thirteen necessary repairs and contingent expenses in maintenance of armories premiums of fire insurance and title insurance advertisement for bids actual traveling expenses of members of State Armory Board clerical expenses of Board and inspection expenses.

Mr. LESLIE, from the Committee on Military Affairs, reported as committed, House Bill No. 640, entitled:

An Act making an appropriation for the support of the National Guard of Pennsylvania and the Naval Force of Pennsylvania for the two fiscal years begining June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen and for the payment of an annual allowance to commissioned officers of the National Guard of Pennsylvania and Naval Force of Pennsylvania; and for the purpose of placing at the disposal of the Governor of the Commonwealth, the sum of five hundred thousand dollars, or so much thereof as may be necessary and making same available to replace or repair armory buildings owned by the Commonwealth of Pennsylvania and occupied by an organization of the National Guard should such armory building be destroyed in whole or in part by fire flood or storm and to pay for service and expenses of the National Guard incident to actual service under orders of the Governor in repelling invasion subduing issurection riot or disorder or to furnish the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States.

Mr. LESLIE, from the Committee on Military Affairs, reported as committed, House Bill No. 538, entitled:

An Act making an appropriation for the purpose of purchasing land for rifle range or land for permanent camping ground for division encamping or land for permanent camping ground for three separate brigade encampments either or all, and providing for the care and preparation of same; said purchase of land to be made under the direction of the State Military Board, the title thereof to be examined and approved by the Attorney General and the purchase approved by the Governor; and fixing the maximum average price per acre of such land as may be purchased; providing that the title to all lands purchased shall be vested in the Commonwealth and land be used for military purposes under the control and direction of the Adjutant General; and providing the method of payment of land purchased.

Mr. H. B. DUNN, from the Committee on Counties and Townships, reported as committed, House Bill No. 682, entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims.

Mr. JOHN ROBERT JONES, from the Committee on Elections, reported as amended, House Bill No. 118, entitled:

An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of certain party officers; the appointment of delegates and alternate delegates to National Party Conventions, a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator, the payment by the several counties and their reimbursement by the State Treasurer of the expenses of the same, including the payment of compensation of watchers herein authorized to be appointed by the Court, the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions, prescribing the time and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State Committee and a Chairman thereof and certify the same to the Secretary of the Commonwealth, and providing penalties for the violations of this act and for the punishment of certain offenses provided for herein.

Mr. GEORGE A. BALDWIN, from the Committee on Counties and Townships, reported as committed, House Bill No. 232, entitled:

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous spirituous malt or brewed liquors or beverages.

Mr. FLYNN, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 783, entitled:

An Act regulating the sale of vinous, spirituous, malt or brewed liquors at wholesale and providing a penalty.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JAMES A. DUNN. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. James A. Dunn.

Mr. JAMES A. DUNN. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. JAMES A. DUNN. There has been a report from the Committee on Law and Order with a negative recommendation of House Bill No. 783.

The SPEAKER. Was that bill presented by the gentleman from Philadelphia?

Mr. JAMES A. DUNN. The resolution passed yesterday, by this House, amended by the gentleman from Delaware, Mr. Richard J. Baldwin, was to the effect that the sponsor of all bills should be notified by the Chairman of the Committee to appear before that committee for a hearing before it reported a bill to the House with a negative recommendation. I see by this morning's paper, that printed an account about this bill, that it was reported to the House with a negative recommendation. That is unfair and I rise to a point of personal privilege on that question. I would like to say further in regard to this case, that I met the Chairman of the Law and Order Committee and I find from him that he didn't think the bill had been reported, but notwithstanding, that it was all in the press throughout the entire State. This bill had been reported to the House,

with the negative recommendation. I made inquiry about the bill and nobody knew anything about it, whether it had been reported, and I think it is unfair. We are not all attorneys and in all fairness to the members of this House and the honesty and fairness that is expected from every man in this House, we ought to have that courtesy shown to us, when a Committee has a bill presented to the House with a negative recommendation, that they give the sponsor of a bill a fair and honest hearing, before they report to this House with a negative recommendation.

The SPEAKER. I would suggest to the gentleman, that when we reach the order of business of "Motions to Recommit," that a motion be made by the gentleman to recommit his bill to the Committee on Law.

Mr. MOULTHROP. Mr. Speaker, I think that the gentleman from Philadelphia is mistaken about the bill being negatived. The bill is in the Committee to the best of my knowledge, and will be given a hearing. He says it is reported in the newspapers. I don't know anything about that, as I didn't get a newspaper in which it has appeared.

The SPEAKER. The bill is on the desk of the Clerk with a negative recommendation. Will the gentleman from Elk (Mr. Flynn) agree to its being recommitted to the Committee on Law and Order?

Mr. FLYNN. Mr. Speaker, I am satisfied to have the bill recommitted. When the bill was reported out yesterday, with a negative recommendation, it was given to me with the understanding that I was to see the author of the bill and tell him that the bill had been reported out negatively. I arrived rather late this morning and just handed the bill up hurriedly and failed to see the author of the bill.

Mr. SPEAKER. Everybody understands that there is no wrong intent on the part of the gentleman from Elk.

BILL RECOMMITTED.

Mr. MOULTHROP. Mr. Speaker, I move this bill be recommitted to the Committee on Law and Order, for further consideration.

Mr. FLYNN. I second the motion.

The motion was agreed to.

BILL RE-REFERRED.

Mr. McALLISTER returned from the Committee on Labor and Industry, House Bill No. 398, entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof.

With recommendation that the same be referred to the Committee on Public Health and Sanitation.

The SPEAKER. This bill is now re-referred to the Committee on Public Health and Sanitation.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 30 (House bill No. 861)

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a superedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

Referred to the Committee on Judiciary General.

Senate Bill No. 31 (House Bill No. 862).

A Further Supplement to an act, entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May one thousand nine hundred and eleven.

Referred to Committee on Judiciary General.

Senate Bill No. 33 (House Bill No. 863).

An Act amending the first section of an act entitled "An Act to further define the police power of cities of the third class and boroughs with reference to electric light wires," approved the twenty-eighth day of April one thousand nine hundred and three, so as to include telegraph and telephone wires and reducing the number of jurors.

Referred to Committee on Municipal Corporations.

Senate Bill No. 55 (House Bill No. 864).

A Joint Resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

Referred to Committee on Judiciary Special.

Senate Bill No. 57 (House Bill No. 865)

An Act to amend section nine of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof Conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid Highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State Highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

Referred to Committee on Public Roads.

Senate Bill No. 123 (House Bill No. 866).

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five, entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks," and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three, entitled "An Act relative to the pay of jurors in the County of Bucks."

Referred to Committee on Judiciary Local.

Senate Bill No. 125 (House Bill No. 867).

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons.

Referred to Committee on Judiciary Special.

LEAVES OF ABSENCES.

Mr. NEEL asked and obtained leave of absence for Mr. Ulerich for the remainder of the week.

Mr. O'NEILL asked and obtained leave of absence for himself from 11 o'clock today for the remainder of the week.

Mr. MATT asked and obtained leave of absence for Mr. Snavely for the remainder of the week.

Mr. ADAM C. SHAEFFER asked and obtained leave of absence for himself for the remainder of the week.

Mr. WHITMAN asked and obtained leave of absence for Mr. Stein for the remainder of the week.

Mr. CARSON asked and obtained leave of absence for Mr. Post for the remainder of the week.

Mr. CARSON asked and obtained leave of absence for himself for the remainder of the week.

Mr. WILLIAMS asked and obtained leave of absence for the remainder of the week.

Mr. ALWORTH asked and obtained leave of absence for himself for the remainder of the week.

Mr. REDFIELD asked and obtained leave of absence for himslf for the remainder of the week.

RESOLUTION.

Mr. HOBBS asked and received unanimous consent to offer the following resolution which was twice read, considered and agreed to.

IN MEMORY OF GEORGE WASHINGTON.

Whereas, The National Holiday established in the memory of the "Father of our County" will occur during the interval of the sessions of the Legislature of this week and the sessions of next week, namely, Saturday, February twenty-second, 1913:

Therefore, Be it Resolved, that we celebrate the day in thought and action in the true spirit for which the day was set apart.

Be it further resolved, That when we return to our official duties for the coming week, we enter into the work with that honesty, energy and patriotism as exemplified by the immortal George Washington throughout his lifetime.

BILL RECOMMITTED.

Mr. RICHARDS. Mr. Speaker, I move you that House Bill No. 409, file folio 445, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president judge of the Court of Common Pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limts of such borough or townshp of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

on page 2 of today's calendar, Bills on Second Reading, be re-committed to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. BIGGER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 529, as follows:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred and seventy thousand dollars ($470,000) or so much thereof as may be necessary is hereby specifically appropriated to pay for the deficit incurred in the care treatment and maintenance of the indigent insane in the Commonwealth during the two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts No such person shall be so admitted on and after the first day of October Anno Domini one thousand nine hundred and thirteen until he or she shall have been admitted to practice as attorney in the Supreme Court of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Mr. NORTH. Mr. Speaker and gentlemen of the House, an explanation is due to the members of the House relative to this bill. It was held up yesterday for the reason that the title and the bill did not correspond. The bill was amended in committee, but as you understand, the title could not be amended there. It was through my neglect that when the bill was called up on second reading, it was not amended at that time.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Allen,	Fahey,	Light,	Roney,
Alworth,	Flynn,	Lowers,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Mannion,	Runk,
Baldwin, R. J.,	Gans,	Martin,	Sassaman,
Barner,	Geary,	Mather,	Savacool,
Bayle,	Geiser,	Matt,	Schaeffer, A. C.
Benninger,	Gibson,	McAllister,	Scott, S. B.,
Benson,	Good,	McClintock,	Semmens,
Bergey,	Goss,	McDermott,	Shaffer, C. A.,
Berntheizel,	Gramley,	McKay,	Shaffer, I. E.,
Bigger,	Gransback,	McNichol,	Shern,
Bittles,	Gray, Frank,	Mechling,	Sherwood,
Blair, W. A.,	Gray, Joseph,	Mellott,	Showalter,
Blair, W. F.,	Haggerty,	Metzenbacher,	Smith, L.,
Body,	Heidinger,	Miller,	Snavely,
Brosius,	Hemminger,	Mitchell,	Snyder,
Brown,	Herman,	Moore,	Spillinger,
Brownlee,	Hibshman,	Moses,	Steedle,
Burnett,	Hobbs,	Moulthrop,	Steele,
Caldwell,	Howard, J.,	Musser,	Stein,
Campbell, C.M.,	Howard, R.,	Neel,	Stone,
Campbell, J.J.	Humes,	Neely,	Strauss,
Carter,	Isler,	Newbaker,	Swartz,
Cheeseman,	Irwin, H. H.,	Newton,	Swift,
Claycomb,	Jackson,	North,	Thomas,
Cleary,	Jones, J. R.,	Pennegar,	Trach,
Collins,	Kaiser,	Pennock,	Walnut,
Conner,	Keegan,	Peters,	Watson,
Conniff,	Keeport,	Piper,	Wettach,
Conrade,	Kitts,	Price,	Whitaker,
Curry,	Klepper,	Ramsey,	Whitman,
Davis,	Kuhn, H. P.,	Redfield,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Reese,	Williams,
Donahoe,	Lanius,	Reeser,	Wilson, J. H.,
Donnally,	Latshaw,	Rex,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Richards,	Wiltbank,
Dunn, J. A.,	Leslie,	Robinson,	Young, J. H.,
Ehrhardt,	Letzkus,	Rockwell,	Zimmerman,
Ely,			Alter,
Ewing,			**Speaker.**

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 530, as follows:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled 'An act relative to the organization of the courts of justice"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled 'An act relative to the organization of the courts of justice" which reads as follows

'Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts" is hereby amended to read as follows

Section 68 The judges of the several courts of record of this Commonwealth shall respectively have power to admit a competent number of persons of an honest disposition and learned in the law to practice as attorneys in their respective courts No such person shall be so admitted on and after the first day of October Anno Domini one thousand nine hundred and thirteen until he or she shall have been admitted to practice as attorney in the Supreme Court of this Commonwealth

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. WHITMAN. Mr. Glenn, the sponsor of this bill, was called home last night and asked that the action on it be postponed until he could be here. I, therefore, move you, Mr. Speaker, that the further consideration of this bill be postponed for the present.

Mr. GANS. Mr. Sepaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire at this time to call up House Bill No. 98, File Folio 493, on page three of today's calendar, Bil on Final Passage Postponed for the Present. This bill is a companion bill to bill No. 130, which was passed yesterday, and had been postponed at the request of several of the members until House Bill No. 130, which covered the voters' assistance act, be up for final consideration by the House. It is absolutely necessary that this bill, and its provisions, should pass in order to complete the provisions as contained in House Bill No. 130.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 98, entitled:

An Act amending Section thirty of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three as amended by the Act of Assembly approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Allen,	Dunn, J. A.,	Lanius,	Robinson,
Alworth,	Ehrhardt,	Latshaw,	Rockwell,
Baldwin, G. A.,	Ely,	Lenker,	Sassaman,
Baldwin, R. J.,	Flynn,	Leslie,	Savacool,
Barner,	Foster, J. D.,	Letzkus,	Schaeffer, A. C
Bayle,	Geary,	Light,	Scott, J. R. K.,
Benninger,	Geiser,	Lowers,	Scott, S. B.,
Benson,	Gibson,	[illegible]n,	Semmens,
Bergey,	Good,	Martin,	Shaffer, C. A.,
Berntheizel,	Goss,	Mather,	Shaffer, I. E.,
Bigger,	Gramley,	Matt,	Showalter,
Bittles,	Gransback,	McAllister,	Smith, J. W.,
Blair, W. A.,	Gray, Frank,	McCaig,	Smith, L.,
Blair, W. F.,	Haggerty,	McClintock,	Snyder,
Body,	Heidinger,	McDermott,	Spillinger,
Brosius,	Hemminger,	McKay,	Steedle,
Brown,	Herman,	Mechling,	Steele,
Brownlee,	Hibshman,	Mellott,	Stein,
Burnett,	Hobbs,	Metzenbacher,	Stone,
Caldwell,	Howard, J.,	Miller,	Strauss,
Campbell, C.M.,	Howard, R.,	Mitchell,	Swift,
Campbell, J.J.	Humes,	Moses,	Thomas,
Carson,	Isler,	Moulthrop,	Trach,
Carter,	Irwin, G. C.,	Neely,	Walnut,
Cheeseman,	Irwin, H. H.,	Newbaker,	Watson,
Claycomb,	Jackson,	Newton,	Wettach,
Cleary,	Jones, J. R.,	North,	Whitaker,
Collins,	Kaiser,	Pennegar,	Whitman,
Conner,	Keegan,	Pennock,	Wildman,
Conniff,	Kenna,	Perry, H. L.,	Williams,
Currier,	Kitts,	Peters,	Wilson, J. H.,
Curry,	Klepper,	Ramsey,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Redfield,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Donnally,		Reeser,	Zimmerman,
Dunn, H. B.,		Richards,	Alter, Speaker.

NAYS—8.

Ewing,	Gans,	Moore,	Rothenberger,
Fahey,	Gray, Joseph,	Roney,	Sherwood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 552 (Senate Bill No. 4), entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I move that the further consideration of this bill be postponed for one week.

Mr. SWIFT. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. R. J. BALDWIN. Did I understand the gentleman from Beaver to say that he desired the consideration of the bill to be postponed for the present.

Mr. GEORGE A. BALDWIN. Yes, sir.

Mr. R. J. BALDWIN. If you will permit me, I will explain this bill since the gentleman desires its postponment. The House knows that in the Eastern end of the State, there is what is known as a quarantine station, at which the medical authorities examine all ships coming into the port of Philadelphia, and every year we provide that institution with a certain sum of money. The last appropriation, when it was made, was divided up into particular items. The result of that was that there was a mistake made in placing in some of the items more money than was necessary and in others not a sufficient amount. This bill calls for four thousand dollars. The institution, or rather the Board, will turn back into the State Treasury, thirty-six hundred dollars of that money, but it will require that amount to pay the salaries of the officials of that institution and the other expenses. This bill really carries only the additional appropriation of four hundred dollars. It is what is known as a deficiency bill, It is simply to correct the mistake that was made by the Appropriation Committee in dividing up the appropriation.

Mr. GEORGE A. BALDWIN. I have no particular objection to the merits of the bill. Here is my point. I understand that the Senate Committee on Elections has given out the ultimatum that no bills of the House are to be considered until March twenty-fifth, or afterwards. If the Senate is going to pursue those dilatory tactics on bills of the House, the question is, what are we going to do about it? There have been a large number of election bills before the House representing the pledges of all parties, and if the Senate Committee on Elections will not consider these bills until March twenty-fifth, we are liable to be here all summer. I think here and now is the time and place to say to the Senate that such tactics will not be tolerated by the members of the House, I would, therefore, have the further consideration of this bill postponed until some understanding can be reached with the Senate in the matter of the taking up of these bills. There are a number of their bills on the calendar and I do not think that we should sit supinely here and allow them to dictate everything that goes on.

Mr. R. J. BALDWIN. I hope that the gentleman will withdraw his objection, There was a mistake made in sending this bill to Senator Sproul, instead of to myself where it should have been sent originally, but it was done with a view of expediting matters. This is a Senate Bill, and go in ahead of my bill. It is merely a deficiency bill,—and yet it isn't a deficiency bill, but it is a bill introduced to correct a mistake of the Appropriation Committee that was inadvertently made four years ago. It relaly properly should have been a House bill. While I did not introduce it, it should have been in my charge.

Mr. GEORGE A. BALDWIN. In view of the statement of the gentleman from Delaware, I will withdraw my motion.

The question recurring,
Will the House agree to the bill on third reading?
It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Allen,	Flynn,	Letzkus,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Light,	Runk,
Baldwin, R. J.,	Frey,	Lowers,	Sassaman,
Barner,	Gans,	Malie,	Savacool,
Bayle,	Geiser,	Mannion,	Schaeffer, A. C
Benninger,	Gibson,	Martin,	Scott, J. R. K.,
Bergey,	Good,	Mather,	Scott, S. B.,
Berntheizel,	Goss,	Matt,	Semmens,
Bigger,	Grabe,	McAllister,	Shaffer, I. E.,
Bittles,	Gramley,	McClintock,	Sherwood,
Blair, W. A.,	Gransback,	McDermott,	Showalter,
Blair, W. F.,	Gray, Frank,	McKay,	Smith, J. W.,
Body,	Gray, Joseph,	Mechling,	Smith, L.,
Brosius,	Haggerty,	Mellott,	Snyder,
Brown,	Heidinger,	Metzenbacher,	Spangler,
Brownlee,	Hemminger,	Miller,	Spillinger,
Burnett,	Hibshman,	Mitchell,	Steedle,
Caldwell,	Hobbs,	Moore,	Steele,
Campbell, C.M.,	Howard, J.,	Morrow,	Stein,
Campbell, J.J.	Howard, R.,	Moses,	Stone,
Carson,	Humes,	Moulthrop,	Strauss,
Carter,	Isler,	Murphy,	Swartz,
Cheeseman,	Irwin, H. H.,	Neel,	Swift,
Claycomb,	Jackson,	Neely,	Thomas,
Cleary,	Jones, J. R.,	Newbaker,	Trach,
Collins,	Kaiser,	Newton,	Walnut,
Conner,	Keegan,	North,	Walton,
Conniff,	Keeport,	Pennegar,	Wettach.
Conrade,	Kenna,	Pennock,	Whitaker,
Currier,	Kennedy,	Peters,	Whitman,
Curry,	Kern,	Price,	Wildman,
Davis,	Kitts,	Ramsey,	Williams,
Dickinson,	Klepper,	Redfield,	Wilson, J. H.,
Donahoe,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Dunn, H. B.,	Lanius,	Rhoads,	Young, G. K.,
Dunn, J. A.,	Latshaw,	Richards,	Young, J. H.,
Ehrhardt,	Lenker,	Rockwell,	Zimmerman,
Ely,	Leslie,	Roney,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 555, (Senate Bill No. 21), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin, Northumberland County, Pennsylvania, for the payment of indebtedness incurred in furnishings, furniture, equipment, repairs and making extraordinary alterations and changes in the buildings of said hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Allen,	Fahey,	Latshaw,	Rothenberger,
Baldwin, G. A.,	Flynn,	Lenker,	Runk,
Baldwin, R. J.,	Foster, J. D.,	Leslie,	Sassaman,
Barner,	Frey,	Letzkus,	Savacool,
Bayle,	Gans,	Light,	Schaeffer, A. C
Becker,	Geiser,	Lowers,	Schuck,
Benninger,	Gibson,	Mannion,	Scott, J. R. K.,
Benson,	Good,	Martin,	Scott, S. B.,
Bergey,	Goss,	Mather,	Semmens,
Berntheizel,	Gramley,	Matt,	Shaffer, C. A.,
Bigger,	Gransback,	McCaig,	Shaffer, I. E.,
Bittles,	Gray, Frank,	McClintock,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. F.,	Haggerty,	McKay,	Smith, L.,
Body,	Heidinger,	Mellott,	Spangler,
Brosius,	Hemminger,	Metzenbacher,	Speiser,
Brown,	Hibshman,	Miller,	Spillinger,
Brownlee,	Hobbs,	Moore,	Steedle,
Burnett,	Howard, J.,	Morrow,	Steele,
Caldwell,	Howard, R.,	Moses,	Stone,
Campbell, C.M.,	Humes,	Moulthrop,	Strauss,
Campbell, J.J.	Isler,	Neel,	Swartz,
Carson,	Irwin, G. C.,	Neely,	Trach,
Carter,	Irwin, H. H.,	Newbaker,	Walnut,
Cheeseman,	Jackson,	Newton,	Walton,
Claycomb,	Jones, E. E.,	North,	Watson,
Cleary,	Jones, J. R.,	Pennegar,	Wettach,
Collins,	Kaiser,	Pennock,	Whitaker,
Conner,	Keegan,	Perry, H. L.,	Whitman,
Conniff,	Keeport,	Peters,	Wildman,
Conrade,	Kenna,	Price,	Williams,
Currier,	Kennedy,	Ramsey,	Wilson, J. H.,
Curry,	Kern,	Redfield,	Wilson, W. H.,
Davis,	Kitts,	Reese,	Wiltbank,
Dickinson,	Klepper,	Reeser,	Young, G. K.
Donahoe,	Kuhn, H. P.,	Richards,	Young, J. H.,
Donnally,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
Dunn, J. A.,	Lanius,	Rockwell,	Alter,
Ehrhardt,		Roney,	Speaker.
Ely,			
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 611 (Senate Bill No. 82), entitled:

An Act providing for the resentencing of convicts who shall have been or shall be sentenced under a law declared to be unconstitutional.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Allen,	Geary,	Mather,	Sassaman,
Baldwin, G. A.,	Geiser,	Matt,	Savacool,
Baldwin, R. J.,	Gibson,	McAllister,	Schaeffer, A. C
Barner,	Good,	McCaig,	Schuck,
Bayle,	Grabe,	McClintock,	Scott, S. B.,
Benninger,	Gramley,	McDermott,	Semmens,
Benson,	Gray, Frank,	McKay,	Shaffer, C. A.,
Bergey,	Gray, Joseph,	Mechling,	Shaffer, I. E.,
Berntheizel,	Haggerty,	Mellott,	Shern,
Bigger,	Heidinger,	Metzenbacher,	Sherwood,
Bittles,	Hemminger,	Missimer,	Showalter,
Blair, W. A.,	Hibshman,	Mitchell,	Smith, J. W.,
Blair, W. F.,	Hobbs,	Moore,	Smith, L.,
Body,	Hoffman,	Moses,	Snyder,
Brosius,	Howard, J.,	Moulthrop,	Spangler,
Burnett,	Howard, R.,	Musser,	Speiser,
Caldwell,	Humes,	Neel,	Spillinger,
Campbell, C.M.,	Irwin, G. C.,	Neely,	Steedle,
Campbell, J.J.	Irwin, H. H.,	Newbaker,	Steele,
Carson,	Jackson,	Newton,	Stein,
Cheeseman,	Jones, J. R.,	North,	Strauss,
Claycomb,	Kaiser,	O'Neill,	Swartz,
Cleary,	Keegan,	Pennegar,	Swift,
Collins,	Keeport,	Pennock,	Thomas,
Conner,	Kenna,	Perry, H. L.,	Trach,
Conniff,	Kennedy,	Perry, S. J.,	Ulerich,
Conrade,	Kern,	Peters,	Walnut,
Currier,	Kitts,	Piper,	Walton,
Curry,	Klepper,	Post,	Watson,
Davis,	Kuhn, H. P.,	Price,	Wettach,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Whitaker,
Donahoe,	Lanius,	Redfield,	Wildman,
Donnally,	Latshaw,	Reese,	Williams,
Dunn, H. B.,	Lenker,	Rhoads,	Wilson, J. H.,
Dunn, J. A.,	Letzkus,	Richards,	Wilson, W. H.,
Ehrhardt,	Light,	Riebel,	Wiltbank,
Eichenberger,	Lowers,	Robinson,	Young, G. K.,
Ely,	Malie,	Rockwell,	Young, J. H.,
Fahey,	Mannion,	Roney,	Zimmerman,
Foster, J. D.,	Martin,	Rothenberger,	Alter,
Frey,		Runk,	Speaker.
Gans,			

NAYS—1.

Miller,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. BIGGER. Mr. President. I desire to call up at this time House Bill No. 86, file folio 185 on page 6 of today's calendar, Bills on Third Reading Postponed for the Present.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 86, entitled:

An Act to amend sections one and two of an act entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April one thousand nine hundred and five

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BIGGER. Yes, sir, Mr. Speaker.

Mr. CHARLES A. SHAFFER. Mr. Speaker, will the trespass notice that you have here with reference to private lanes or private roads affect the agricultural country, farms where they have private lanes?

Mr. BIGGER. Mr. Speaker, it is not the intention that it should.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. BIGGER. Mr. Speaker, yes, sir.

Mr. CHARLES A. SHAFFER. Mr. Speaker, would the gentleman from Allegheny be willing to eliminate from this bill that part or insert words in the bill that it will not affect private roads.

Mr. BIGGER. Mr. Speaker, I would answer the gentleman that this is a bill presented by the State Federation of Labor, and that particular phase of it was submitted to a subcommittee and the subcommittee amended it so that it will not apply to private lanes, and they refuse to eliminate the word "firm," as they believe that the provisions of this amendment would eliminate the farming and agricultural lands.

Mr. LENKER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BIGGER. Yes, sir, Mr. Speaker.

Mr. LENKER. Mr. Speaker, do I understand the gentleman to say that this bill has been prepared by the State Federation of Labor?

Mr. BIGGER. Mr. Speaker, yes, sir.

Mr. PIPER. I arise at this time, Mr. Speaker, and gentlemen of the House, to ask for the earnest support of every member of this House of this bill. This is a bill that should pass. We have had at times men trying to reach public highways, trying to reach their churches, trying to reach their schools, but they were compelled to go a round-about way to get to these public highways, and to their schools and to their churches, owing to the fact that to trespass on certain roads they would have been arrested. The bill has been modified at the suggestion of a number of members of this House, and I believe is now in a form that would be acceptable to all the members of the House if they will read the bill real close. I would ask that each and every member of the House here today give their earnest support to the passage of this bill.

Mr. LANIUS. Mr. Speaker. As a member of that subcommittee I would ask the House at this time to accept tha bill as it appears.

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Allen,	Forster, I. G.,	Lohr,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, R. J.,	Frey,	Malie,	Runk,
Barner,	Gans,	Mannion,	Sassaman,
Benninger,	Geary,	Martin,	Savacool,
Benson,	Geiser,	Mather,	Schaeffer, A. C
Berntheizel,	Gibson,	Matt,	Scott, J. R. K.,
Bigger,	Good,	McAllister,	Scott, S. B.,
Bittles,	Goss,	McClintock,	Semmens,
Blair, W. A.,	Gramley,	McDermott,	Shaffer, I. E.,
Blair, W. F.,	Gray, Frank,	McKay,	Sherwood,
Body,	Gray, Joseph,	Mechling,	Showalter,
Brosius,	Haggerty,	Mellott,	Smith, J. W.,
Brown,	Heidinger,	Metzenbacher,	Smith, L.,
Brownlee,	Hemminger,	Miller,	Snyder,
Burnett,	Herman,	Mitchell,	Spangler,
Caldwell,	Hibshman,	Moore,	Spillinger,
Campbell, C.M.,	Hobbs,	Morrow,	Steedle,
Campbell, J.J.	Hoffman,	Moses,	Steele,
Carter,	Howard, R.,	Moulthrop,	Stein,
Cheeseman,	Humes,	Musser,	Stone,
Claycomb,	Isler,	Neel,	Strauss,
Cleary,	Irwin, G. C.,	Neely,	Swartz,
Cochran,	Irwin, H. H.,	Newbaker,	Swift,
Collins,	Jackson,	Newton,	Thomas,
Conner,	Jones, J. R.,	North,	Trach,
Conniff,	Kaiser,	Pennegar,	Walnut,
Conrade,	Keegan,	Pennock,	Walton,
Currier,	Keeport,	Perry H. L.,	Watson,
Curry,	Kenna,	Peters,	Wettach,
Davis,	Kennedy,	Piper,	Whitaker,
Dickinson,	Kern,	Post,	Whitman,
Donahoe,	Kitts,	Ramsey,	Wildman,
Donnally,	Klepper,	Redfield,	Williams,
Down,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Dunn, H. B.,	Lanius,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Rhoads,	Wiltbank,
Ehrhardt,	Lenker,	Richards,	Young, G. K.,
Ely,	Leslie,	Riebel,	Young, J. H.,
Ewing,	Letzkus,	Robinson,	Zimmerman,
Fahey,		Rockwell,	Alter,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 34, as follows:

An Act providing for the safety of persons from fire or panic in certain buildings other than in cities of the first and second classes requiring proper exits fire-extinguishers and other preventatives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all theatres opera houses or other buildings where stage scenery moving pictures or other apparatus is used other than in cities of the first or second class there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passageways to and from the same shall be unobstructed and properly lighted Neither on or about the stage auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safely guarded All drop-curtains and sky borders shall be of non-combustible substance There shall also be provided for each side of the stage not less than two fire-extinguishers and one cask of not less than forty-two gallons' capacity which shall be kept full of water and two buckets for each cask buckets and casks to be painted red and kept in readiness for immediate use All auditoriums and galleries of said buildings as described in this section shall be provided with aisles as follows Where the rows in width of such auditorium and galleries contain six seats or less there shall be one centre aisle three feet wide with three seats or less on either side

Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one centre aisle four feet wide with four seats or less on either side Where such rows contain more than eight but less than twelve seats there shall be two four foot aisles with six seats or less on either side

Where such rows contain twelve seats or more but less than twenty seats there shall be a four foot centre aisle with ten seats or less on either side and a three foot aisle along each side wall

Where such rows contain twenty seats or more there shall be a four foot centre aisle and a four foot aisle along each side wall or at least one aditional four foot aisle for every ten seats above twenty

All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire-escapes and the words "Exit to Fire-escapes" in large legible illuminated letters shall be posted and kept posted before each fire-escape and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

Section 2 It shall be the duty of the Factory Inspector to enforce the provisions of this act

Section 3 All acts or parts of acts general local or special inconsistent herewith are repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FRANK GRAY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 226, as follows:

An Act to provide for registration of persons employed to advocate or oppose legislative measures and to regulate the method of such advocacy or opposition and providing penalties for the violation thereof

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That any person firm corporation or association or any officer or employee of a corporation or association acting for or on behalf of such corporation or association who or which directly or indirectly employ any person or persons firm corporation or association to pro-

mote advocate amend or oppose in any manner any matter pending or that might legally come before the General Assembly of the Commonwealth of Pennsylvania or either house thereof or a committee of the General Assembly or either house thereof shall within one week from the date of such employment furnish in a signed statement to the Secretary of the Commonwealth the following information to-wit.

1. If an individual his full name place of residence and place of business.

2. If a firm its correct firm name place of business and the full name and place of residence of each partner.

3. If a corporation or association its full name the location of its principal place of business whether a corporation or voluntary association whether a domestic or foreign corporation and the names and the places of residences of each of its officers.

4. The nature and kind of his their or its business occupation or employment.

5. The full name place of residence and occupation of each person firm corporation or association so employed together with the full period of employment.

6. The exact subject matter pending or that might legally come before the General Assembly or either house thereof or before any committee thereof with respect to which such person firm corporation or association is so employed.

7. When any change modification or addition to such employment or the subject matter of the employment is made the employer shall within one week of such change modification or addition furnish in writing full information regarding the same to the Secretary of the Commonwealth.

The Secretary of the Commonwealth shall immediately enter all such information appropriately indexed so as to show all employers employees and subject matter of such employment in a separate book to be kept for that purpose in the office of the Secretary of the Commonwealth which book at all times shall be open to public inspection. Upon the payment of the fee hereinafter provided for the Secretary of the Commonwealth shall issue to each person or to the representative of any firm corporation or association so employed a certificate showing the name of the person to whom the certificate is issued the name or names of his employers the particular matter in respect to which such person is so employed and the duration of the employment. A new certificate shall be required and issued upon any change modification or addition being made to such employment. Such certificate shall be prima facie evidence during the period of the employment therein recited but not to exceed two years of compliance with this section by the employer and the employee named in said certificate. Provided, That nothing in this section shall apply to a bona fide newspaper journal or magazine or a bona fide news bureau or association which in turn furnishes such information solely to bona fide newspapers journals or magazines in employing correspondents to furnish information or news for publication only.

Section 2. No person who has received or who has been promised or who expects to receive directly or indirectly any compensation therefor shall appear before any committee of the General Assembly or either House thereof or promote advocate oppose or seek to have amended in any manner any matter pending or that might legally come before the General Assembly or either House thereof unless he shall have first received from the Secretary of the Commonwealth a certificate showing that the name of such person has been furnished to the Secretary of the Commonwealth in conformity with the law with respect to the particular matter in hand. Nothing herein contained shall apply to or interfere with the furnishing of information or news to any bona fide newspaper journal or magazine for publication or to any news bureau or association which in turn furnishes the said information or news only to bona fide newspapers journals or magazines for publication. Nothing herein contained shall apply to any person who appears in response to a written invitation from the General Assembly or either House thereof or appears in response to a written invitation from any duly appointed commtitee of such General Assembly or either house thereof.

Section 3. No person firm corporation or association shall be employed with respect to any matter pending or that might legally come before the General Assembly or either House thereof or before a committee of the General Assembly or either House thereof for a compensation dependent in any manner upon the passage defeat or amendment of any such matter or upon any other contingency whatever in connection therewith.

Section 4 Within thirty days after the final adjournment of any session of the General Assembly every person firm corporation or association that has employed any person firm corporation or association or has paid or expended or promised to pay or expend any money or other thing of value in relation to any matter that was pending or that might legally have come before such session of the General Assembly or either house thereof or a committee of the General Assembly or either house thereof shall file with the Secretary of the Commonwealth an itemized statement verified by the oath of such person or if a firm by a member thereof if a corporation or association by an officer thereof showing in detail all expenses paid incurred or promised directly or indirectly in connection with any matter that was pending or that might legally have come before the General Assembly or either house thereof or a committee of the General Assembly or either house thereof during such previous session with the names of the payees and the amounts paid to each including all disbursements made incurred or promised to any person firm corporation or association and also specifying the nature of the matter that was pending or that might legally have come before the General Assembly or either house thereof and the interest of the person firm corporation or association therein Every person who receives either individually or as officer agent employe or counsel any money or thing of value to be expended or used by him in relation to any matter pending or that might legally come before the General Assembly or either house thereof or a committee of the General Assembly or either house thereof at any session of the General Assembly shall within thirty days after the final adjournment of such session of the general assembly file with the Secretary of the Commonwealth an itemized statement vertified by the oath of such person showing in detail all the money or other thing of value so received or expended by him and all liabilities directly or indirectly incurred by him in connection with such matter Such statement shall contain the full name and address of the person making the same and the names and addresses of each person firm committee corporation or association to whom any money or thing of value was paid or promised whether directly or indirectly the purpose for which the place where and the date when each item of money or other thing of value was paid or promised by such person and the balance in hand of such accounting person and the disposition to be made thereof

Section 5 The provisions of this act shall not be construed as affecting professional services in drafting bills preparing arguments thereon or in advising clients and rendering opinions as to the construction and the effect of proposed or pending legislation where such professional services are not otherwise connected with legislative action

Section 6 Any person who violates any of the provisions of this act whether acting either individually or as an officer agent employe or counsel of a person firm corporation or association or any person whether acting individually or as an officer employe agent or counsel of a firm corporation or association who causes or participates in any violating of the provisions of this act shall upon conviction be fined not less than two hundred dollars nor more than five thousand dollars or be imprisoned in the penitentiary for a term of not less than one year nor more than two years or both Any association or corporation which violates or causes or participates in any violation of any of the provisions of this act shall for each offense be fined not less than two hundred dollars nor more than five thousand dollars The prosecution of one or more of the officers or employes of such corporation or association shall not be a bar to the prosecution and conviction of the corporation or association for such offense

Section 7 In any prosecution under this act the attorney-general or any of his assistants designated by him may appear on behalf of the Commonwealth before any grand jury or petit in any county of the Commonwealth

Section 8 The Secretary of the Commonwealth shall charge and collect and be entitled to receive from the employer the sum of one dollar for each certificate necessary under the provisions of this act The Secretary of the Commonwealth shall neither receive nor file any such statement or issue any such certificate unless the fee herein prescribed has been paid

Section 9 This act is hereby declared to be an emergency act and that its enactment is necessary for the immediate preservation of public safety The necessity therefor lies in the fact that the public welfare and safety requires that the deliberations of the present General Assembly shall be free from intervention and its members in the performance of their duties protected from the solicitations by persons representing interests that are undisclosed and principals who are unknown

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. G. A. BALDWIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SWIFT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 551, (Senate bill No. 3), entitled:

An Act validating certain election of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand nine hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. R. J. BALDWIN. Mr. Speaker, this bill originates from conditions in Delaware County, and I find a number of members in the House do not fully understand the bill, and there is considerable opposition to it, which I think arises out of this misunderstanding. I therefore move that this bill be recommitted to the Committee on Judiciary General for the purpose of further explanation and examination.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 588, entitled:

An Act to amend section seven of an act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings."

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 1, line 41 by inserting after the second word "with the approval of the district attorney by;" amend line 42 by striking out the words "with the approval of the district attorney."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 635, as follows:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine and as further amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled 'An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled "An act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building having less than four stories and used as a lodging house boarding house apartment or tenement house the third story of which shall contain not more than five rooms and a bath room and the third story of which is not to be occupied by more than ten persons and having at least one stairway therefrom and equiped with such wire and chain fire escapes as the Division of Tenement House Inspection shall order and direct shall hereafter be exempt from the provisions of the following acts of Assembly requiring fire towers outside fire escapes that is to say

The act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in case of fire in hotels and other buildings' approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as furthr amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled 'An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" ' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for office not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled 'An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled "An act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class'

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Allen,	Flynn,	Leslie,	Riebel,
Baldwin, G. A.,	Forster, I. G.,	Letzkus,	Robinson,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Roney,
Barner,	Frey,	Mannion,	Rothenberger,
Benson,	Gans,	Martin,	Runk,
Bergey,	Geary,	Mather,	Sassaman,
Berntheizel,	Geiser,	Matt,	Savacool,
Bigger,	Gibson,	McAllister,	Schaeffer, A. C
Bittles,	Good,	McCaig,	Schuck,
Blair, W. A.,	Goss,	McClintock,	Semmens,
Blair, W. F.,	Grabe,	McDermott,	Shaffer, C. A.,
Body,	Gramley,	McKay,	Shaffer, I. E.,
Brosius,	Gray, Frank,	Mechling,	Sherwood,
Brownlee,	Gray, Joseph,	Mellott,	Showalter,
Burnett,	Haggerty,	Metzenbacher,	Smith, J. W.,
Caldwell,	Heidinger,	Miller,	Snyder,
Campbell, C.M.,	Hemminger,	Mitchell,	Spangler,
Campbell, J.J.	Hibshman,	Moore,	Spillinger,
Carson,	Hobbs,	Morrow,	Steeale,
Carter,	Howard, J.,	Moses,	Steele,
Cheeseman,	Howard, R.,	Moulthrop,	Stein,
Claycomb,	Humes,	Musser,	Stone,
Cleary,	Isler,	Neel,	Strauss,
Cochran,	Irwin, G. C.,	Neely,	Swartz,
Collins,	Irwin, H. H.,	Newbaker,	Swift,
Conner,	Jackson,	Newton,	Thomas,
Conniff,	Kaiser,	North,	Trach,
Conrade,	Klepper,	Pennegar,	Walton,
Currier,	Kenna,	Pennock,	Wettach,
Curry,	Kennedy,	Perry, H. L.,	Whitaker,
Davis,	Kern,	Peters,	Wildman,
Dickinson,	Kitts,	Piper,	Wilson, J. H.,
Donahoe,	Keeport,	Post,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Price,	Wiltbank,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Dunn, J. A.,	Lanius,	Reese,	Young, J. H.,
Ehrhardt,	Latshaw,	Reeser,	Zimmerman,
Ely,	Lenker,	Richards,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—5.

Hemminger,	Jones, J. R.,	Scott, S. B.,	Walnut,
	Watson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 564, entitled:

A joint resolution directing the publication of the pamphlet containing the game, fish and forestry laws.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Allen,	Frey,	Mannion,	Roney,
Baldwin, G. A.,	Gans,	Martin,	Rothenberger,
Baldwin, R. J.,	Geary,	Mather,	Runk,
Barner,	Geiser,	Matt,	Sassaman,
Benninger,	Gibson,	McAllister,	Savacool,
Benson,	Good,	McArdle,	Schaeffer, A. C
Bergey,	Goss,	McCaig,	Schuck,
Berntheizel,	Grabe,	McClintock,	Scott, J. R. K.,
Bigger,	Gramley,	McDermott,	Scott, S. B.,
Bittles,	Gray, Joseph,	McKay,	Semmens,
Blair, W. A.,	Haggerty,	Mechling,	Shaffer, I. E.,
Blair, W. F.,	Heidinger,	Mellott,	Shern,
Body,	Hemminger,	Metzenbacher,	Sherwood,
Brosius,	Herman,	Miller,	Showalter,
Brownlee,	Hibshman,	Mitchell,	Smith, J. W.,
Burnett,	Hobbs,	Moore,	Smith, L.,

Caldwell,	Hoffman,	Morrow,	Snyder,
Campbell, J.J.	Howard, J.,	Moses,	Speiser,
Carson,	Howard, R.,	Moulthrop,	Spillinger,
Carter,	Humes,	Musser,	Steedle,
Claycomb,	Isler,	Neel,	Steele,
Cleary,	Irwin, G. C.,	Neely,	Stein,
Cochran,	Irwin, H. H.,	Newbaker,	Stone,
Conner,	Jackson,	Newton,	Strauss,
Conniff,	Jones, J. R.,	North,	Swartz,
Conrade,	Kaiser,	Peachey,	Swift,
Currier,	Keeport,	Pennegar,	Thomas,
Curry,	Kenna,	Pennock,	Trach,
Davis,	Kennedy,	Perry, H. L.,	Walnut,
Dickinson,	Kern,	Peters,	Walton,
Donahoe,	Kitts,	Piper,	Watson,
Donnally,	Kuhn, H. P.,	Post,	Wettach,
Down,	Kuhns, E.G.M.,	Price,	Whitaker,
Dunn, H. B.,	Lanius,	Ramsey,	Whitman,
Dunn, J. A.,	Lenker,	Redfield,	Wildman,
Ehrhardt,	Leslie,	Reese,	Wilson, J. H.,
Ely,	Letzkus,	Reeser,	Wilson, W. H.,
Ewing,	Light,	Rhoads,	Wiltbank,
Fahey,	Lohr,	Richards,	Young, G. K.,
Flynn,	Lowers,	Riebel,	Young, J. H.,
Forster, I. G.,		Robinson,	Zimmerman,
Foster, J. D.,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS RE-REPORTED.

Mr. JOHN R. K. SCOTT asked and received unanimous consent to re-report from the Committee on Judiciary Special, as amended, House Bill No. 252, entitled:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act.

Also from the same committee as amended, House Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegaes to such a convenion are to be elected.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 504, entitled:

An Act fixing the duties and liabilities of employers of aliens with respect to the assesment and collection of taxes against such aliens and providing for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 566, entitled:

An Act giving to all owners or tenants of land, property or material injured by the laying out, opening, widening, vacating, extending or grading of roads, streets, lanes or alleys or the changing of grades and lines thereof, the construction of bridges and the piers abutments, approaches, embankments, slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers, the right to damages both direct and consequential or either, directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking, using, occupying or injuring lands, property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report, and providing that this act shall apply to all existing and future proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 613 (Senate No. 106), entitled:

An Act to amend an act approved the twenty-third day of May, one thousand eight hundred and eighty-nine, entitled "An Act providing for the incorporation and government of cities of the third class."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 328, entitled:

An Act giving the right to the Department of Public Safety in cities of the first class to make rules and regulations governing the traffic use and police control of all public highways, streets, lanes, avenues, boulevards, parkways and alleys; providing for public notice of the same, and providing also for punishments for the violations thereof with the right of appeal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 115, entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred eighty-nine, entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs.'"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 231, entitled:

An Act to amend section one of a supplement to the act of April third eighteen hundred and fifty-one, approved the twenty-fifth day of April, nineteen hundred and seven, entitled "An Act regulating boroughs," providing for the election of a borough solicitor; fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 657, entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing clandestine marriages,'" approved the fourteenth day of February, Anno Domini one thousand seven hundred thirty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 644, entitled:

An Act to provide for the better protection of the lives, bodies and health of new-born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act, making an appropriation therefor and providing certain penalties for the violations of the provisions thereof, and repealing all acts and parts of acts incompatable herewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 470, entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville, Pennsylvania, to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 658, entitled:

An Act to repeal an act, entitled "An Act for the prevention of clandestine marriages."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 574, entitled:

An Act to amend an act approved the third day of June, one thousand nine hundred and eleven, entitled "An Act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships," and repealing the second section of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 215, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 582, entitled:

A supplement to an act entitled "A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a department of wharves docks and ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement or rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes approved the eighth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 580, entitled:

An amendment to an act entitled "A supplement to an act entitled 'An act in provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a department of wharves docks and ferries (for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition or property by said cities by purchase and by condemnation for certain purposes) approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a department of wharves docks and ferries (for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and) providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of the jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 210, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for recovation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 575, entitled:

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all State and county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 352, entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 547, entitled:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 221, entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 624, entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parksways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 531, entitled:

An Act fixing the time of organization of the commissioners of first class townships

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 539, entitled:

An Act establishing in the Department of Health a division to be known as the Division of Child Welfare and defining its powers and duties and providing a penalty for violation of the orders of the Commissioner of Health

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 619, entitled:

An Act to amend the fourth paragraph of section seven of an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and nineey-nine

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 679, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 209, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the busness or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing housé drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled 'An act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing housq drainage and cesspools and providing penalties and forfeitures for violation thereof;' by extending the provisions of the act to boroughs and to townships of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 540, entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 436, entitled:

An Act providing for the sale distribution and use for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for the neglect or refusal to comply with the provisions of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 162, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 461, entitled:

An Act to further amend an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 254, entitled:

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend act entitled 'An act to amend an act entitled 'An act to amend an act entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishment and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying salt granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operatilon of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrcal apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business (and to companies incorporated for the purpose of selling dealing in or manufacturing lumber)

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 293, entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants, and to provide for the payment of the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 600, entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth, and providing for their compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 671, entitled:

An Act regulating the custody of records of criminals during trial of cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, (Senate bill No. 12), entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale, offering for sale, exposing for sale or having in possession with intent to sell of eggs unfit for food as herein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," approved the eleventh day of March, Anno Domini one thousand nine hundred and nine; providing for the denaturing by kerosine of all eggs unfit for food within the meaning of said act, and providing penalties for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 424, entitled:

An Act to regulate the business of making loans where charges are made other than the legal rate of interest; to provide for the licensing of such business; to regulate the assignment of wages when given as security; providing a penalty for the violation thereof, and providing for the repeal of existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 775, entitled:

An Act to amend an act, entitled "An Act to amend section one of an act, entitled 'An Act to provide for the better collection of collateral inheritance taxes,' approved May sixth, Anno Domini one thousand eight hundred and eighty-seven, so as to include among the persons taking an estate or any part thereof to whom the act does not apply the children of a former husband or wife," approved April twenty-second, Anno Domini one thousand nine hundred and five; defining and making further exemptions from the payment of collateral inheritance tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 505, entitled:

An Act to amend an act approved the twenty-sixth day of May, one thousand eight hundred ninety-seven, entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 758, entitled:

An Act requiring payment by the county of costs of prosecution in certain criminal cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 602, entitled:

An Act regulating the cold storage of food, and providing penalties for violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 678, entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 107, entitled:

An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, processes or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 680, entitled:

An Act relating to the selection of jurors; making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required, and repealing acts or parts of acts inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 589, entitled:

An Act to abolish for the purposes of municipal assessment and taxation of real estate the distinction between built-up rural and farm property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 641, entitled:

An Act to authorize the municipal authorities to limit the charges of water companies in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. JOHN H. YOUNG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:45 A. M.) the House adjourned until Monday, February 24th, 1913, at 8.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, FEBRUARY 24, 1913. No. 21.

SENATE.

MONDAY, February 24, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain. Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McILHENNY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

AGAINST CLUB LICENSES.

Mr. HERBST presented petitions of citizens of Berks County against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which were referred to the Committee on Law and Order.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HERBST presented the petition of the citizens of Berks County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Education.

FAVORING CONSTITUTIONAL AMENDMENT PROHIBITING POLYGAMY.

Mr. McNICHOLS presented petitions of citizens of Lackawanna County, praying for the calling of a convention to propose an amendment to the United States Constitution whereby polygamy and polygamous cohabitation shall be prohibited.

Which were referred to the Committee on Law and Order.

LEAVE OF ABSENCE.

Mr. McNICHOLS asked and obtained leave of absence for the Senator from Armstrong, Mr. Graff, for the balance of the week, on account of illness.

REPORTS FROM COMMITTEES.

Mr. SHEATZ, from the Committee on Pensions and Gratuities, reported as amended, Senate Bill No. 23, entitled:

An Act entitled an act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of apropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one two three four five six seven and eight

Mr. WASBERS, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 316, entitled:

An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Mr. GYGER, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 265, entitled:

An Act to amend section eighteen of the Act of May 1st, 1908, entitled "An act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions."

BILLS INTRODUCED.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 411, entitled:

An Act making an appropriation to the German Protestant Home for Aged at Fair Oaks Allegheny County Pa.

Which was committed to the Committee on Appropriations.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 412, entitled:

An Act making an appropriation to the Warren Emergency Hospital of Warren Pennsylvania.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 413, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Mt. Holly Springs Cumberland County and passing through Hunters Run and Alga to a point on the dividing line between Cumberland and Adams Counties; and thence by way of Mt. Tabo to Bendersville, Adams County.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 414, entitled:

An Act authorizing boroughs to supply and to make contract for supplying electric current outside the limits of said boroughs.

Which was committed to the Committee on Judiciary General.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 415, entitled:

A supplement to an act, entitled "An Act for the government of cities of the second class," approved the 7th day of March, A. D. 1901, providing for the appointment of an attorney-at-law as solicitor for the Department of City Controller in said cities, prescribing his duties and providing for his compensation.

Which was committed to the Committee on Municipal Affairs.

PETITION FAVORING LOCAL OPTION.

Mr. HUNTER. Mr. President, I ask unanimous consent to present a petition at this time and ask it to be read.

The PRESIDENT. Is there objection? The Chair hears none.

The petition was read as follows and referred to the Committee on Law and Order.

Eighth United Presbyterian Church,
Perrysville and Euclid Avenues,
North Side, Pittsburgh, Pennsylvania.
W. I. Wishart, D. D.

To the Senate of the Pennsylvania State Legislature:

At the regular morning worship of the Eighth United Presbyterian Church, North Side, Pittsburgh, Pennsylvania, on February 16th, 1913, at which 316 worshippers were present, the following action was unanimously adopted:

We do heartily endorse the Rockwell bill providing for local option in the State of Pennsylvania, and we most earnestly request the Legislature assembled in Senate and House of Representatives at Harrisburg to enact such bill and make it a law of the State.

W. I. WISHART,
Pastor.

February 16, 1913.
Eighth United Presbyterian Church,
North Side, Pittsburgh, Pennsylvania.

BILLS INTRODUCED.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 416, entitled:

An Act granting to the Delaware and Hudson Company, its successors and assigns, the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February, 1907, and being situated in the Township of Canaan and partly in the Borough of Waymart, in the County of Wayne.

Which was committed to the Committee on Judiciary General.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 417, entitled:

An Act to amend the first section of an act, entitled "An Act to provide efficient and practical means for the prevention, control and eradication of a disease affecting chestnut trees, commonly called the chestnut-tree blight; providing for the destruction of trees so affected; creating a commission to carry out the purpose of this act; fixing penalties for violation of the provisions hereof, and making an appropriation therefor," approved June 14, 1911, Pamphlet Laws page 922.

Which was committed to the Committee on Forestry.

Mr. McNULTY read in his place and presented to the Chair Senate Bill No. 418, entitled:

An Act making an appropriation to the Frankford Hospital, located in Frankford, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. FISHER read in his place and presented to the Chair Senate Bill No. 419, entitled:

An Act to provide a monthly pension to all members of volunteer fire departments in this Commonwealth that have served thirty years and upwards, and making an appropriation therefor.

Which was committed to the Committee on Pensions and Gratuities.

Mr. JUDSON read in his place and presented to the Chair Senate Bill No. 420, entitled:

An Act authorizing companies incorporated under the laws of any other of the United States for any manufacturing business to take and hold real estate necessary and proper for manufacturing purposes.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 421, entitled:

An Act to repeal the act, entitled "An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington," approved the 6th day of April, A. D., 1830; and to repeal the first four sections of the act, entitled "A supplement to an act, entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington,' passed the 6th day of April, A. D. 1830; and also 'An Act to incorporate the Monongahela Manual Labor Academy,' approved the 29th day of March, A. D. 1836; and to repeal the act, entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington, Greene and Fayette, approved April 6th, 1830," approved the 30th day of April, A. D. 1855.

Which was committed to the Committee on Judiciary Special.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 422, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class wherein the title to the water works therein located is in the name of the Commissioner of Water Works, to extend their pipes and improvements beyond the city limits, and supply water to persons, corporations and municipalities within the county, and regulating the supply of water.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 423, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes, to declare which fish are game fish, which fish are food fish, and which are minnows or bait fish, to protect and provide for the maintenance and increase of fish in such lakes, to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act, and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances, and repealing all acts inconsistent herewith.

Which was committed to the Committee on Game and Fisheries.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 424, entitled:

An Act providing for the granting of Teachers' Training School certificates and diplomas and defining the effect thereof.

Which was committed to the Committee on Education.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 425, entitled:

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poor houses, almshouses, county homes, etc., and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 426, entitled:

An Act providing for the reimbursement for loss or damage sustained by the breaking of a dam near Austin, Potter County and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Mr. GYGER read in his place and presented to the Chair Senate Bill No. 427, entitled:

An Act making an appropriation to the Pennsylvania Hospital and Colony Farm, Chester County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 428, entitled:

An Act making an appropriation to the George Junior Republic Association of Western Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 429, entitled:

An Act making an appropriation to carry out the purposes of an act approved the 14th day of June, 1911, entitled "An Act making an appropriation for the erection of a proper fence or coping and pavement to protect a monument erected near Petersburg, Virginia, by the Association of the Survivors of the Forty-eighth Regiment, Pennsylvania Volunteers, to commemorate the Battle of the Crater, and providing for a commission and the expenses thereof, to erect the same."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 430, entitled:

An Act to amend an act approved the 19th day of March, A. D. 1909, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State, and to provide penalties for the violation of this act," as amended by an act approved the 11th day of May, A. D., 1911, entitled "An Act to amend sections nine and ten of an act, entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State, and to provide penalties for the violation of this act, 'approved the 19th day of March, A. D. 1909; by providing a final date for the registration of certain practitioners of osteopathy; by defining what constitutes a reputable school or college of osteopathy within the meaning of this act, and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges, and the right to determine reciprocal relations between States."

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 431, entitled:

An Act vestng the county commissioners control and direction of roads in townships of the second class, vesting in said commissioners all the powers privileges rights and duties of supervisors of such townships, and abolishing the office of supervisors in such townships.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 432, entitled:

An Act making an appropriation to the Benevolent Association's Home for Children, of Pottsville, Schuylkill County, Pennsylvania.

Which was committed to the Committee on Appropriations

Also read in his place and presented to the Chair Senate Bill No. 433, entitled:

An Act establishing a commission of water works in boroughs of this Commonwealth; providing for the appointment of commissioners of water works, prescribing their powers and duties; and providing for the condemnation of real estate within or beyond the territorial limits of said borough.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 434, entitled:

An Act making an appropriation to the Pottsville Hospital, Pottsville, Schuylkill County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 435, entitled:

An Act providing for the establishment of The Pennsylvania Historical Commission, defining its powers and duties and making an appropriaton for its work.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 436, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages.

Which was committed to the Committee on Judiciary General.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 437, entitled:

An Act providing for the erection of a monument to the memory of Colonel Henry Boquet and his soldiers on the Bushy Run Battlefield in Westmoreland County, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 438, entitled:

An Act relating to the dockets of certain justices of the peace and aldermen, requiring the proper county to furnish the same and providing for their preservation by the county commissions when completed.

Which was committed to the Committee on Judiciary General.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 439, entitled:

An Act providing the method of changing polling places.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 440, entitled:

An Act providing for the division of election districts in cities of more than one hundred thousand inhabitants

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 441, entitled:

An Act to amend section 74 of an act entitled "An act relating to the elections of this Commonwealth," approved the 2d day of July 1839, by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 442, entitled:

An Act to amend section 19 of an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offences in regard to such elections," approved the 10th day of June 1903.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 443, entitled:

An Act to amend section 19 of an act entitled "An act to supplement to the act regulating elections in this Commonwealth," approved the 30th day of January A. D. 1874 as amended by section one of an act approved April 28th 1899 as further amended by section one of an act approved May 6th 1909 by providing for the opening of the ballot boxes under certain circumstances.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 444, entitled:

An Act to amend an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the 10th day of June A. D. 1893 by changing the form of the ballot the method of distributing the ballot to the electors the method of voting and the method of counting the votes.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 445, entitled:

An Act defining the method of determining the vote passed by any political party and prescribing the method of making the return of such vote.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 446, entitled:

An Act to amend an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the 10th day of June 1893 by changing the form of ballot the method of obtaining assistance and the method of counting and returning the votes.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 447, entitled:

An Act amending an act approved May 16th 1895 entitled "An act to amend sections 2 and 3 of an act entitled 'A further supplement to the act regulating elections in this Commonwealth,' approved the 29th day of May 1891 changing the time and manner of making the registry of voters and the duties of registry assessors."

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 448, entitled:

An Act to amend an act approved May 29, 1891 amending an act approved January 30 1874 the former being entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth,' approved the 13th day of January A. D. 1874 changing the time and manner of making the registry of voters and the duties of registry assessors," by abolishing the December registry.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 450, entitled:

An Act to amend the title and sections 1 and 2 of an act approved June 25 A. D. 1895 entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act."

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the 16th day of June, A. D. 1891, entitled "An act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides," by enlarging the term of assistant assessors, providing for their election every four years, and changing the power of filing vacancies from the court of quarter sessions to the county commissioners.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 452, entitled:

An Act to amend an act, entitled "An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," approved the 17th day of February, A. D. 1906, by changing the form of the register and by defining the method of proving the payment of tax.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 453, entitled:

An Act to provide for the revision of the registration of voters in cities of the third class, by registrars appointed by the county commissioners; and prescribing penalties for their violation or neglect of duty and for other misconduct.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 454, entitled:

An Act to amend section six of an act, entitled "An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violations of its provisions," approved the 17th day of February, A. D. 1906, as amended by section four of an act approved the 16th day of June, A. D. 1911, by changing the hours of registration.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 455, entitled:

An Act providing for the appointment of deputy tax collectors to sit at the polling places in cities of the first, second and third class upon the days provided for the personal registration of electors in said cities and for the appointment of registrars as such deputy tax collectors.

Which was committed to the Committee on Elections

Also read in his place and presented to the Chair Senate Bill No. 456, entitled:

An Act to amend an act, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offences in regard to such election," approved the 10th day of June, A. .D 1893, by changing the method of pre-empting the use of party names.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 457, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of judge of the Supreme and Superior Courts when such office is to be filled at a municipal election.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration, and for voters voting or attempting to vote, and for election officers permitting, or conspiring to permit, them to vote at a primary by or on any other than their own proper party ticket.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 459, entitled:

An Act, entitled "An act providing a uniform method of electing certain party officers and delegates to State and National conventions and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions," approved the 17th day of February, A. D. 1906, by provding that the signed consent of the candidate shall accompany every petition to place his name upon a primary ballot; providing that no candidate's name shall be printed upon the ballot of more than one party except with the consent of every such party; and providing for the withdrawal of candidates.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 460, entitled:

An Act to amend an act, entitled "An act providing a uniform method of electing certain party officers and delegates to State and National conventions and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions," approved the 17th day of February, A. D. 1906, by providing for separate primaries for each party, conducted by officers selected by the party; permitting parties to determine what candidates they shall nominate thereat; defining the method of ascertaining the vote cast by a party for the purpose of determining its right to nominate by primary; requiring certain expenses incident thereto to be paid by the several parties; providing that the signed consent of the candidates shall accompany every petition to place his name upon a primary ballot; providing that no candidate's name shall be printed upon the ballot of more than one party except with the consent of every such party; and providing for the withdrawal of candidates.

Which was committed to the Committee on Elections.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 461, entitled:

An Act declaring vacant seats of members of borough councils who fail to qualify or who fail to attend two regular meetings of council and empowering councils to declare vacant the seats of such members and empowering councils to fill such vacancies

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 462, entitled:

An Act making an appropriation to the Benevolent Association's Home for Children of Pottsville Schuylkill County

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 463, entitled:

An Act to provide that in every case where a bond has been or shall hereafter be filled in any court of record in this Commonwealth whether under the provisions of any law or the order or decree of any court it shall be lawful for the principal surety of sureties or all of them jointly to present their petition to the said court at any time after the expiration of one year from the time a right of action shall have accrued upon such bond and that after notice to the parties in interest the court may enter an exoneretur upon the said bond unless action be brought within the time specified in this act.

Which was committed to the Committee on Judiciary General.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 464, entitled:

An Act to amend section one of an act entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same," approved the 12th day of May 1911 by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred and fifty thousand.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to present report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporation, reported as committed, Senate Bill No. 322, entitled:

An Act to extend the time for commencing and the time for opening and completing all railroads in this Commonwealth.

BILL INTRODUCED.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 465, entitled:

A joint resolution providing for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in the rotunda of the Capitol building of the flags of Pennsylvania commands in the war for the suppression of the rebellion and the Spanish-American war and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL NO. 21.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 21, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospital

With the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 82.

Also Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional.

With the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 4.

Also Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

With the information that the House has passed the same without amendment.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency,

the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Burket, to be Justice of the Peace in and for the township of Letterkenny, County of Franklin, vice M. W. Elder, deceased, to serve until the first Monday of January 1914.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, February 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation: (

ALLEGHENY COUNTY.

J. W. Cree, Jr., Pittsburgh.
George A. Devoy, Pittsburgh.
Paul C. Lustig, Pittstburgh.
P. J. Bauer, Millvale.
Mrs. Frances V. Finegan, Mt. Oliver.
John T. Trevaskia, Turtle Creek.
J. Hayes Byers, West Deer Twp.

BLAIR COUNTY.

George M. Meyers, Bellwood.

DAUPHIN COUNTY.

Job, J. Conklin, Harrisburg.

INDIANA COUNTY.

Miss Ida C. Murray, Glen Campbell.
R. R. Root, Blairsville.

M'KEAN COUNTY.

C. W. Catlin, Port Allegany.

MERCER COUNTY.

John Kelly, Stoneboro.

NORTHUMBERLAND COUNTY.

John Kopysolanski, Shamokin.

PHILADELPHIA COUNTY.

Rowland Coats, Philadelphia.
Harry E. Oxobfeldt, Philadelphia.

WARREN COUNTY.

Miss Eva C. Masterson, Warren.

WASHINGTON COUNTY.

Robert C. Cassidy, Burgettstown.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years to compute from the dates set opposite their several names respectively:

ALLEGHENY COUNTY.

C. J. Holdship, Pittsburgh, February 27, 1913.
J. M. Holliday, Pittsburgh, February 27, 1913.
Miss May Magee, Pittsburgh, February 27, 1913.
Geo. N. Monro, Jr., Pittsburgh, February 27, 1913.
A. M. Simon, McKeesport, March 3, 1913.
Ernest C. Harper, Coroapolis, March 10, 1913.
Benjamin D. Lewis, Pittsburgh, March 10, 1913.
Frank B. Miller, Pittsburgh, March 10, 1913.
Ignatius H. Roth, Pittsburg, March 10, 1913.
Emil Steinbach, Pittsburgh, March 10, 1913.

ARMSTRONG COUNTY.

Mrs. Laura E. Nelson, Apollo, February 27, 1913.

BUCKS COUNTY.

Gershom M. Howell, Morrisville, March 10, 1913.

CAMBRIA COUNTY.

H. W. Smith, Johnstown, February 27, 1913.

CHESTER COUNTY.

Miss Katie T. O'Brien, West Chester, March 10, 1913.

CUMBERLAND COUNTY.

C. M. Liggett, Carlisle, March 10, 1913.

ERIE COUNTY.

L. E. Torry, Erie, February 25, 1913.

JEFFERSON COUNTY.

Ira Felt, Brockwayville, March 10, 1913.
J. B. Stewart, Brookville, March 10, 1913.

LACKAWANNA COUNTY.

T. Archer Morgan, Scranton, March 10, 1913.

LANCASTER COUNTY.

B. C. Hipple, Marietta, February 27, 1913.
Wm. Mundorff, Conoy Twp., March 3, 1913.

LAWRENCE COUNTY.

Adolph Green, New Castle, Mach 13, 1913.

LEBANON COUNTY.

Milton L. Hartman, Hiedelberg Twp., March 10, 1913.

LUZERNE COUNTY.

Henry C. Johnson, Luzerne, March 10, 1913.
G. W. Reynolds, Wilkes-Barre, March 11, 1913.

MERCER COUNTY

T. G. Petrini, Charon, March 10, 1913.

MONTGOMERY COUNTY.

John Durante, Norristown, March 10, 1913.

NORTHUMBERLAND COUNTY.

C. M. Morganroth, Shamokin, March 10, 1913.

PHILADELPHIA COUNTY.

Geo. E. Griffin, Philadelphia, February 27, 1913.
Harry M. Kurtz, Philadelphia, February 27, 1913.
John B. Rutherford, Philadelphia, February 27, 1913.
B. W. Kraus, Philadelphia, March 3, 1913.
J. Alfred Coxe, Philadelphia, March 5, 1913.
Stillwell F. Corson, Philadelphia, March 10, 1913.
Alan C. Frazier, Philadelphia, March 10, 1913.
Walter Gilbert, Philadelphia, March 10, 1913.
William J. Martin, Philadelphia, March 10, 1913.
Elliott A. Oberrender, Philadelphia, March 10, 1913.
Luigi Pasquale, Philadelphia, March 10, 1913.
Richard F. Powell, Philadelphia, March 10, 1913.
W. Alexander Nebinson, Philadelphia, March 10, 1913.
George Sterner, Philadelphia, March 10, 1913.
Joseph B. Thomas, Philadelphia, March 10, 1913.
Milton Wolf, Philadelphia, March 10, 1913.
Percival S. Woodin, Philadelphia, March 10, 1913.
C. Rodger Melling, Philadelphia, March 14, 1913.
Albert E. Miller, Philadelphia, March 19, 1913.
M. F. Kearney, Jr., Philadelphia, March 26, 1913.
Walter W. Hutzel, Philadelphia, March 29, 1913.

POTTER COUNTY.

Ira E. Easton, Genesee Twp., February 27, 1913.

SUSQUEHANNA COUNTY.

Miss Mary Jagger, Montrose, March 10, 1913.

VENANGO COUNTY.

D. B. Hetzler, Rockland Twp., March 10, 1913.
Miss Mary Jagger, Montrose, March 10, 1913.

WESTMORELAND COUNTY.

J. Q. Truxal, Greensburg, March 10, 1913.
M. H. Mainwaring, New Kensington, March 27, 1913.
Vincenzo Colaianni, Vandergrift Heights, April 13, 1913.
Samuel E. Hunger, Vandergrift, April 13, 1913.

YORK COUNTY.

Henry P. Kocher, Wrightville, March 10, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

W. D. Houghtelin, Oakmont, April 20, 1913.

CARBON COUNTY.

Edward J. Thomas, Lansford, April 13, 1913.

DELAWARE COUNTY.

William J. Hilbert, Darby, March 10, 1913.

FAYETTE COUNTY.

Joseph A. Mason, Connellsville, March 28, 1913.

FRANKLIN COUNTY.

Charles M. Deatrich, Saint Thomas Township, May 7, 1913.

PHILADELPHIA COUNTY.

R. Frost, Philadelphia, March 10, 1913.

WASHINGTON COUNTY.

Hugh A. Rogers, Washington, March 10, 1913.
L. V. Delche, McDonald, March 10, 1913.

JOHN K. TENER.

REPORT OF COMMISSION TO INVESTIGATE THE METHOD OF INFLICTING THE DEATH PENALTY IN THIS AND OTHER STATES AND COUNTRIES.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 19, 1913.

Gentlemen of the Senate and House of Representatives:

I have the honor to transmit herewith for your information Report of the Commission appointed in accordance with the Act of Assembly, approved the 20th day of June, A. D., 1911, to investigate the method of inflicting the death penalty in this and other States and countries.

JOHN K. TENER.

(For report see Appendix).

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 4, entitled:

An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year.

Senate Bill No. 21, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland county, Pennsylvania, for the payment of indebtedness incurred in furnishings, furniture, equipment, repairs and making extraordinary alterations and changes in the buildings of said hospital.

Senate Bill No. 82, entitled:

An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional.

Whereupon,

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the presence of the Senate signed the same.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 227, (House Bill No. 2), as follows:

An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in secion seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths" by changing the fees for birth and death certificates"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand (20,000) dollars be and the same is hereby appropriated for the payment of a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An act to amend sections five nine fifteen nineteen twenty and twety-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths" by changing the fees for birth and death certificates' this appropriation being made to pay local Registrars in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar and to pay for such work as shall be necessary to and including May thirty-first nineteen hundred and thirteen (1913) said appropriations to be paid out under the same conditions as those under which the original appropriation was made

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Knapp,	Nulty,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	McNichols,	Sproul,
DeWitt,	Huffman,	Miller,	Stineman,
Endsley,	Jones,	Mills,	Thompson,
Farley,	Judson,	Moore,	Vare,
Fisher,	Kline,	Morgan,	Washers,
Gerberich,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 120, entitled:

An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MILLS. Mr. President, I ask unanimous consent to amend the bill by inserting after the word "officers" the

words "and clerks," and by striking out the word "all" and inserting in lieu thereof the word "certain."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 2, as follows:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the twenty-first section of an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" which reads as follows:

"Section 21. The revenues derived from the registration of motor-vehicles and from licensing operators thereof unde rthe provisions of this act shall be paid by the State Highway Department to the State Treasurer to be used for the improvement of the roads of this Commonwealth" is amended to read as follows:

Section 21. The revenue derived from the registration of motor-vehicles and from licensing operators thereof under the provisions of this act shall be paid by the State Highway Department into the State Treasury to be used for the purpose of maintenance repair and construction of the State highways described in the act establishing the State Highway Department approved the thirty-first day of May one thousand nine hundred and eleven, and for the payment of the State's share of the maintenance and repair of the State-aid highway heretofore constructed or constructed or improved under the provisions of the said act. Such moneys may be paid out on warrant of the Auditor-General upon requisition of the State Highway Commissioner.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 162, entitled:

An Act providing for the joint acquisition by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware river and making an appropriation therefor

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth sections of the bill were read and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" wherever used in this act shall mean any bridge wherever toll is charged over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey except such bridges as are used exclusively for railroad or railway purposes and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge used in the operation and maintenance of same

Section 2 The Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania is hereby constituted a commission to act in conjunction with a similar commission of the State of New Jersey as a joint commission for the acquisition of the various toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey

Section 3 The acquisition of said toll bridges may be either by purchase or by condemnation proceedings as said joint commission may deem more expedient The one-half of the cost of acquiring said bridges shall be paid by the Commonwealth of Pennsylvania

Section 4 The said joint commission as soon as conveniently may be after the passage of this act shall ascertain or estimate the value of each of such bridges and shall in writing give notice of such valuation to the respective owner or owners thereof Such notice shall contain an offer to purchase such bridge at the respective valuation

Section 5 In the event that the owner or owners of any such bridge refuse or neglect to accept such offer it shall be the duty of said joint commission to determine in which state the said condemnation proceedings may be instituted

Section 6 In the event that said joint commission determine to institute any such condemnation proceedings in the Commonwealth of Pennsylvania application shall be made by the Attorney General or by the owner or owners of any such bridge to the Court of Common Pleas of the county in which the head of such bridge is situated for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three discreet and disinterested freeholders to view such bridge and estimate the value thertof None of said freeholders shall be a resident of the county wherein such application shall be made The said court shall fix a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the property and view the same The said viewers shall cause at least ten days personal notice of the time and place of such first meeting to be given to the Attorney General and to the owner or owners of such bridge if resident within said county If said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither said owner or any of said officers resides within said county or cannot be found therein notice of such first meeting shall be given as said court may direct

Section 7. The said viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for said first meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any persons whose testimony may be pertinent thereto and the production of any such books and papers as said viewers may deem necessary If any person shall refuse to appear and testify before said viewers or refuse to produce such books and papers when thereto required the said court or any judge thereof shall upon application of said viewers or a quorum thereof make such order therein as may be necessary

Section 8 Whenever said viewers shall have ascertained the value of said bridge they shall prepare a full report of their labors Said report shall include a plan showing the location of said bridge Upon the completion of said report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting shall be given to said Board of Commissioners of Public Grounds and Buildings to the Attorney-General and to the owner or owners of said bridge At the time and place mentioned in such notice the said viewers shall meet and shall publicly exhibit said report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in said court.

Section 9. Within thirty days after the filing of said report in said court the Commonwealth of Pennsylvania or any person interested may file exceptions thereto whereupon said court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Section 10 Within thirty days after final action on said report by the court the Commonwealth of Pennsylvania or any person interested may demand a trial by jury or may appeal to the Supreme Court

Section 11. The cost of said condemnation proceedings including the court costs compensation of viewers and the advertising herein required shall be paid by the Commonwealth of Pennsylvania Each of said viewers shall receive a sum not exceeding five dollars ($5.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Section 12. The one-half part of the purchase of said bridge or of the damages awarded under said condemnation proceedings shall be paid by the Treasurer of the Commonwealth of Pennsylvania upon warrants drawn by the Auditor General under such conditions as may be prescribed by said Auditor General

Section 13. As soon as said joint commission and said owners shall have agreed upon the price of any such bridge or as soon as said joint commission shall have determined to acquire any such bridge by condemnation proceedings the said joint commission shall at once take possession of such bridge in the joint names of the Commonwealth of Pennsylvania and the State of New Jersey Toll charges on such bridge shall thereupon cease and such bridge shall thereafter be free to the traveling public under such rules and regulations as may be prescribed by such joint commission or their lawful successors Any railroad or railway now having the use of any such bridge by lease or agreement shall continue to pay to the Commonwealth of Pennsylvania and the State of New Jersey in equal proportions the same rental charges and in the same manner as such charges are now paid to the owner or owners of such bridge.

Until the amount of such purchase price is paid to the owner or owners of such bridge interest shall be paid thereon at the rate of six per centum Interest at the same

rate shall be paid on any award or verdict under condemnation proceedings from the time of taking such bridge until the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme Court if any be taken.

Section 14. Upon the acquisition of any such bridge by the Commonwealth of Pennsylvania and the State of New Jersey the same shall remain in the charge and control of said joint commission or their successors Such bridge shall thereafter be maintained jointly by the Commonwealth of Pennsylvania and the State of New Jersey shall be kept in constant repair and shall be rebuilt when destroyed The one-half of any and all expense connected with such maintenance repair or rebuilding shall be paid by the Commonwealth of Pennsylvania.

Section 15. To carry out the provisions of this act the sum of five hundred thousand dollars ($500,000.00) is hereby specificially appropriated out of any moneys in the Treasury not otherwise appropriated Not more than one hundred thousand dollars ($100,000.00) thereof shall be used in any one year.

The title of the bill was read as follows:

An Act providing for the joint acquisition by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River and making an appropriation therefor

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend the title in line 1, by inserting after the word "acquisition" the words "and maintenance."

Mr. McNICHOLS. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 162, the bill just read, be recommitted to the Committee on Appropriations.

Mr. McNICHOLS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 163, as follows:

An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll bridges over the Delaware River and making an appropriation therefor

Section 1 Be it enacted b ythe Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" wherever used in this act shall mean any bridge wherever toll is charged over the Delaware River between the Commonwealth of Pennsylvania and the State of New York except such bridges as are used exclusively for railroad or railway purposes and shall include the actual bridge the approaches thereto all real and personal property including the franchise belonging to the owner of such bridge used in the operation and maintenance of same

Section 2 The Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania is hereby constituted a commission to act in conjunction with a similar commisson of the State of New York as a joint commission for the acquisition of the various toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York

Section 3 The acquisition of said toll bridges may be either by purchase or by condemnation proceedings as said joint commission may deem more expedient The one-half of the cost of acquiring said bridges shall be paid by the Commonwealth of Pennsylvania

Section 4 The said joint commission as soon as conveniently may be after the passage of this act shall ascertain or estimate the value of each of such bridges and shall in writing give notice of such valuation to the respective owner thereof Such notice shall contain an offer to purchase such bridge at the respective valuation

Section 5 In the event that the owner of any such bridge shall refuse or neglect to accept such offer it shall be the duty of said joint commission to determine in which State the said condemnation proceedings may be instituted

Section 6 In the event that said joint commission determine to institute any such condemnation proceedings in the Commonwealth of Pennsylvania application shall be made by the Attorney General or by the owner of any such bridge to the Court of Common Pleas of the county in which the head of such bridges is situated for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three members of the board of viewers of the county to view such bridge and estimate the value thereof The said court shall fix a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the property and view the same The said viewers shall cause at least ten days' personal notice of the time and place such first meeting to be given to the Attorney General and to the owner of such bridge if resident within said county If said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither said owner nor any of said officers resides within said county or cannot be found theren notice of such first meeting shall be given as said court may direct

Section 7 The said viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for said first meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any person whose testimony may be relevant thereto and the production of any such books and papers as said viewers may deem necessary If any person shall refuse to appear and testify before said viewers or refuse to produce such books and papers when thereto required the said court or any judge thereof shall upon application of said viewers or a quorum thereof make such order therein as may be necessary

Section 8 Whenever said viewers shall have ascertained the value of said bridge they shall prepare a full report of their labors Said report shall include a plan showing the location of said bridge Upon the completion of said report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting shall be given to the said Board of Public Grounds and Buildings to the Attorney General and to the owner of said bridge At the time and place mentioned in such notice the said viewers shall meet and publicly exhibit said report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in said court

Section 9 Within thirty days after the filing of said report in said court the Commonwealth of Pennsylvania or any person interested may file exceptions thereto whereupon said court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Section 10 Within thirty days after final action on said report by the court the Commonwealth of Pennsylvania or any person interested may demand a trial by jury or may appeal to the Supreme Court

Section 11 The cost of said condemnation proceedings including the court costs compensation of viewers and the advertising herein required shall be paid by the Commonwealth of Pennsylvania

Section 12 The one-half part of the purchase price of said bridges or of the damages awarded under said condemnation proceedings shall be paid by the Treasurer of the Commonwealth of Pennsylvania upon warrants drawn by the Auditor General under such conditions as may be prescribed by said Auditor General

Section 13 As soon as said joint commission and said owner shall have agreed upon the price of any such bridge or as soon as said joint commission shall have determined to acquire any such bridge by condemnation proceedings the said joint commission shall at once take possession of such bridge in the joint name of the Commonwealth of Pennsylvania and the State of New York Toll charges on such bridge shall thereupon cease and such bridge shall thereafter be free to the traveling public under such rules and regulations as may be prescribed by said joint commission or their lawful successors Any railroad or railway now having the use of any such bridge by lease or agreement shall continue to pay the Commonwealth of Pennsylvania and the State of New York in equal proportion the same rental charges and in the same manner as such charges are now paid to the owner of such bridge When the purchase price for a bridge has been ascertained by agreement interest shall be paid thereon at the rate of six per centum per annum until such price be paid to the owner Interest at the same rate shall be paid on any award or verdict under condemnation proceedings from the time of taking such bridge until the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme Court if any be taken

Section 14 Upon the acquisition of any such bridge by the Commonwealth of Pennsylvania and the State of New York the same shall remain in the charge and control of said joint commission or their successors Such bridge shall thereafter be maintained jointly by the Commonwealth of Pennsylvania and the State of New York shall be kept in constant repair and shall be rebuilt when destroyed The one half of any and any and all expenses connected with such maintenance repair or rebuilding shall be paid by the Commonwealth of Pennsylvania

Section 15 To carry out the provisions of this act the sum of two hundred thousand dollars ($200,000) is hereby specifically appropriated out of any moneys in the treasurer not otherwise appropriated No more than forty thousand dollars ($40,000) thereof shall be used in any one year

Section 16 This act shall not go into effect until appropriate concurrent legislation for the same purpose be enacted by the State of New York

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 163, the bill just read, be recommitted to the Committee on Appropriations.

Mr. McNICHOLS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 279, as follows:

An Act authorizing the State Treasurer to endorse over to the Ladies' Memorial Association of the City of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the City of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies Memorial Association.

Whereas, The General Assembly of the Commonwealth of Pennsylvania by an act approved June thirteenth one thousand nine hundred and seven provided for the erection of a monument near Petersburg Virginia to commemorate the services of the Pennsylvania soldiers who constituted the Third Division of the Ninth Corps of the Army of the Potomac and authorized the appointment of a Commission to be known as the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac and

Whereas by an act approved April twenty-second one thousand nine hundred and nine said Battlefield Commission was authorized to provide for a suitable permanent fence around a piece of ground purchased as a site for said monument and also to provide for the care of said monument fence and site and

Whereas, Pursuant to the authority vested in it said Battlefield Commission on February seventh one thousand nine hundred and ten entered into an agreement with the Ladies Memorial Association of the City of Petersburg Virginia which contract was approved by and is on file in the Auditor General's Department in which agreement said Battlefield Commission undertook to purchase a one thousand dollar bond of the City of Petersburg the income from which bond should be payable to said Ladies Memorial Association and should be used by it to provide for the care of said monument fence and site and

Whereas, Pursuant to said agreement said Battlefield Commission on the first day of April one thousand nine hundred and ten purchased from the City of Petersburg bond number four of the denomination of one thousand dollars of the City of Petersburg payable forty years after date and known as "S Street Paving Sewer and Water Main Four Per Centum Gold Bond" and caused said bond to be registered in the name of the Commonwealth of Pennsylvania the coupons of the same having been by a misunderstanding detached leaving the interest payable to the Commonwealth of Pennsylvania instead of to the said Ladies Memorial Association now therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the State Treasurer of the Commonwealth of Pennsylvania be and he is hereby authorized and directed to endorse to the Ladies Memorial Association of the City of Petersburg all checks for interest accrued and which will accrue on said bond and said State Treasurer is further directed upon the maturity of said bond to collect the principal amount of said bond and to cover the amount thereof into the State Treasury to be held there until an investment for the same purpose for which said money is now used shall be ordered by the General Assembly of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be laid aside for second reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 63, entitled:

An Act providing for another judge in each of the courts of common pleas of Philadelphia County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 100, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 154, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations therefor providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An act supplemental to an act entitled 'An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 160, entitled:

An Act repealing part of section one of an act entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 167, entitled:

A Supplement to an act entitled "An act for cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one enlarging the powers of such cities over the public streets and highways therein

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 189, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State forest reserves and to improve and maintain the same

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 213, entitled:

An Act requiring a written demand for a jury trial in actions at law in the several courts of Common Pleas of this Commonwealth by either party thereto the payment of a jury fee at the time of demand regulating the procedure of trials at law in which a jury trial is not de manded by either party authorizing the several courts of Common Pleas of this Commonwealth and the Supreme Court to adopt rules for regulating the procedure under this act and regulating appeals from judgments

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 213, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. MILLS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 215, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which he heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 230, (House Bill No. 11), entitled:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 233, (House Bill No. 51) entitled:

An Act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three, entitled "An Act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County and relating to the collection of taxes in Franklin County."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 347, (House Bill No. 277), entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise, securities or services and providing penalties for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 385, (House Bill No. 443, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

EXECUTIVE SESSION.

Mr. McNICHOLS. Mr. President, I move that the Senate do now resolve itself into executive session for the purpose of acting on the nomination of Edward M. Bigelow, as State Highway Commissioner, the nomination having been reported with a favorable recommendation, on Wednesday, Feb. 19, from the Committee on Public Roads and Highways, to which it was referred.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

Whereupon,

A motion was made by Mr. McNICHOLS.

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Kline,	Salus,
Beidleman,	Gerberich,	Knapp,	Sheatz,
Buckman,	Hall,	Kurtz,	Snyder,
Catlin,	Herbst,	Martin,	Sones,
Clark,	Hoke,	McNichol,	Sproul,
Crow,	Homsher,	McNichols,	Stineman,
Daix,	Huffman,	Miller,	Thompson,
DeWitt,	Hunter,	Morgan,	Vare,
Endsley,	Jones,	Nulty,	Wasbers,

NAYS—10.

Gyger,	Jarrett,	McIlhenny,	Powell,
Heacock,	Judson,	Mills,	Sensenich,
Hilton,	Magee,		

Mr. POWELL. Mr. President, I desire to change my vote.

The PRESIDENT. How did the Senator vote?

Mr. POWELL. Mr. President, I voted "no".

The PRESIDENT. How does the Senator desire to vote?

Mr. POWELL. Mr. President, I desire to vote "aye" and with your permission I would like to state that there is a misunderstanding as to what I agreed to do, and so there may be no question as to what it was I desire to vote "aye". I am taking Senator Sproul's word for it.

The PRESIDENT. Is there objection? The Chair hears none. The Senator will be so recorded.

Mr. JARRETT. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be verified.

Whereupon the roll was verified by the Clerk as follows:

YEAS—37.

Alexander,	Farley,	Kline,	Powell,
Beidleman,	Gerberich,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sheatz,
Catlin,	Herbst,	Martin,	Snyder,
Clark,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Sproul,
Daix,	Huffman,	Miller,	Stineman,
DeWitt,	Hunter,	Morgan,	Thompson,
Endsley,	Jones,	Nulty,	Vare,
			Wasbers,

NAYS—9.

Gyger,	Hilton,	Judson,	McIlhenny,
Heacock,	Jarrett,	Magee,	Mills,
			Sensenich,

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE APPOINTS CONFERENCE COMMITTEE.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House insists upon the amendments made by the House of Representatives and non-concurred in by the Senate to the following resolution:

In the Senate, February 21, 1913.

Whereas, There has recently been considerable discussion in the newspapers and elsewhere regarding the number, duties, efficiency and salaries of the officers clerks and employes of the Senate House of Repersentatives and the several department boards and commissions connected with the State government; and

Whereas, It is of the greatest importance that the Senators and Members of the present General Assembly should be informed as to the necessity for also the qualifications number and salaries of said officers clerks and employes so that if any charges are found necessary there may be authorized during the present session of the Legislature; therefore,

Be it resolved (if the House of Representatives concur) That a commission consisting of four members of the present Senate one of whom shall be a democrat be appointed by the President pro tempore of the Senate and five members of the present House of Representatives one of whom shall be a democrat be appointed by the Speaker of the House of Representatives to investigate as to the necessity for efficiency number and salaries of the officers clerks and employes of the Senate House of Representatives and the several departments boards and commissioners connected with the State government and to make report thereof and if necessary to recommend not later than April 1, 1913, to the present General Assembly such a bill or bills as may be requisite to improve the service and remedy any defects existing under the present laws.

Such a commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes and to exercise all the powers belonging to a joint committee of the Legislature. Such commission shall elect from its number a chairman, and shall have power to select not more than one clerk and one stenographer the salaries of whom as well as any other expenses of said commission, shall be provided for in the General Appropriation Bill of 1913.

And has appointed Messrs. Shern, G. A. Baldwin and Flynn as a committee of conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said resolution.

HOUSE APPOINTS CONFERENCE COMMITTEE.

He also presented communication from the House of Representatives informing the Senate that the House insists upon the amendments made by the House of Representatives and non-concurred in by the Senate to the following resolution:

In the Senate, February 4, 1913.

Whereas, Certain acts and resolution passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known.

Therefore Be it Resolved, (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectively and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of the Commonwealth A copy of this resolution when approved to be forwarded to the President of the Commission for consideration and action.

And has appointed Messrs. Allen, Wiltbank and Humes as a committee of conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said resolution.

HOUSE BILLS FOR CONCURRENCE.

He also presented bills of the House of Representatives for concurrence as follows:

House Bill No. 86 (Senate Bill No. 466) entitled:

An Act to amend sections one and two of an act, entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor," approved the fourteenth day of April one thousand nine hundred and five.

Which was committed to the Committee on Judiciary Special.

House Bill No. 98 (Senate Bill No. 467) entitled:

An Act amending section thirty of an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, as amended by the Act of Assembly approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and three, by providing punishment for certain offenses committed in regard to violating the secrecy of voting and in regard to giving or receiving assistance in marking ballots.

Which was committed to the Committee on Elections.

House Bill No. 102 (Senate Bill No. 468) entitled:

An Act amending section thirty-three of an act entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by providing punishment for certain offenses committed by election officers and clerks.

Which was committed to the Committee on Elections.

House Bill No. 130 (Senate Bill No. 469), entitled:

An Act amending section twenty-six of an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by providing for secrecy in voting for rendering assistance to voters unable to mark their ballots by reason of physical disability; defining the term physical disability and imposing certain duties upon election officers and clerks.

Which was committed to the Committee on Elections.

House Bill No. 132 (Senate Bill No. 470) entitled:

An Act to amend an act, entitled "An Act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants each by erecting in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons," approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine.

Which was committed to the Committee on Judiciary Special.

House Bill No. 143 (Senate Bill No. 471) entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classe and to prescribe the form of government for townships of each class.

Which was committed to the Committee on Judiciary Special.

House Bill No. 147 (Senate Bill No. 472) entitled:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions

Which was committed to the Committee on Game and Fisheries.

House Bill No. 245 (Senate Bill No. 473) entitled:

An Act making an appropriation to the State Board of Censors of moving pictures.

Which was committed to the Committee on Appropria tions.

House Bill No. 356 (Senate Bill No. 474), entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 456 (Senate Bill No. 475) entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefore

Which was committed to the Committee on Judiciary Special.

House Bill No. 529 (Senate Bill No. 476) entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

Which was committed to the Committee on Appropriations.

House Bill No. 564 (Senate Bill No. 477) entitled:

A joint resolution directing the publication of the pamphlet containing the game firsh and forestry laws

Which was committed to the Committee on Printing.

House Bill No. 587 (Senate Bill No. 478) entitled:

An Act to amend section one of an act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

Which was committed to the Committee on Judiciary General.

House Bill No. 635 (Senate Bill No. 479) entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred and eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as further amended by an act approved the twelfth day of July one thousand eight hundred and ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings' " approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in while or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred and ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled "An act for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the

safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled an act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary General, reported as committed, Senate Bill No. 59, entitled:

A supplement to an act, entitled "An act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances," approved the second day of June, A. D. 1874; providing for increase of capital stock and amendment of the articles and continuing the term of existing associations and providing for certain additional officers in such associations.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 475, (House Bill No. 456) entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth, fixing the powers and duties of the Bureau therein, fixing the compensation of the Assistant Director and making an appropriation therefor.

BILL ON FIRST READING.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 475 (House Bill No. 456), the bill just reported from committee, be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 475 (House bill No. 456) entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth, fixing the powers and duties of the bureau therein, fixing the compensation of the assistant director and making an appropriation therefor.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 480, entitled:

A joint resolution proposing an amendment to article nine, section nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of twenty-five millions of dollars for the improvement and development of the port of the city and county of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 481, entitled:

An Act to preserve Militia Hill and Fort Hill, the site of the Revolutionary Fort Washington, as a public park, to secure an approach thereto from Philadelphia, to provide for the care and maintenance and to make an appropriation therefor.

Which was committed to the Committee on Appropriations.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:37 o'clock P. M. until eleven o'clock Tuesday morning, February 25, 1913.

HOUSE OF REPRESENTATIVES.

MONDAY, February 24th, 1913.

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Elliott Wright, offered the following prayer:

O God, by Thy kindly providence, we are again in our places, standing face to face with the work which awaits us. We thank Thee for the appeal which this work makes to our minds, our hearts and our consciences; that it stimulates our thinking; that it quickens our energies; that it calls for the endeavor of the best that is in us. May we never forget the altruistic nature of this legislative work—that it is not for ourselves but for that large constituency which we represent; the men and the women and the children of this great Commonwealth. May we cultivate the qualities which will best condition us for effective work. May we have that beautiful unselfishness, that sincere honesty of purpose, that brotherly kindness and charity which will not merely emphasize the dignity of our work but give zest and pleasure and satisfaction to it. May we remember not merely the people but that God who is over the people and have that true attitude towards all the questions submitted to us, and especially the great moral questions, and all this we ask in the name of Him who has taught us to say:

Our Father who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts, as we forgive our debtors; and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of February 20th, 1913.

The Clerk proceeded to read the Journal of the proceedings of February 20th, 1913, when on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BROWNLEE. House Bill No. 884.

An act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Washington county Pennsylvania

Referred to Committee on Appropriations.

By Mr. WHITMAN. House Bill No. 885.

An act making an appropriation to the Oil City Hospital Oil City Pennsylvania

Referred to Committee on Appropriations.

By Mr. EWING. House Bill No. 886.

An act prohibiting trespassing on any railroad railway or any railroad or railway cars in the Commonwealth of Pennsylvania and providing a penalty therefor

Referred to Committee on Railroads.

By Mr. BIGGER. House Bill No. 887.

An act providing for the creation of the Bureau of Public Morals in the Department of Public Safety in cities of the second class defining its purposes and providing for the payment of expenses incurred thereby

Referred to Committee on Municipal Corporations.

By Mr. JACKSON. House Bill No. 888.

An act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

Referred to Committee on Education.

By Mr. BROWNLEE. House Bill No. 889.

An act making an appropriation to the Washington Hospital of Washington Pennsylvania

Referred to Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 890.

An act to establish as a "State Highway" a certain section of public road beginning at Warrior's Mark in Huntingdon county and passing through Halfmoon and Patton townships in Centre county thence to Bellefonte Centre county

Referred to the Committee on Public Roads.

By Mr. NORTH. House Bill No. 891.

An act defining the purposes limitations and uses of State parks authorizing the appointment of a State Park Commission defining its powers and duties and providing for the establishment development and maintenance of State parks under suitable regulations and rules with penalties for the violation thereof and making an appropriation for the purpose herein specified

Referred to Committee on Appropriations.

By Mr. THOMAS. House Bill No. 892.

An act amending the fifth paragraph of Section one Article fifteen of an act entitled "An act for the government of cities of the second class approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an act approved the twentieth day of June Anno Domini one thousand nine hundred and one and amended by an act approved the eleventh day of May Anno Domini one thou-

sand nine hundred and eleven by providing that contracts for the publication of all official advertising shall be with not less than nor more than five daily newspapers

Referred to Committee on Municipal Corporations.

By Mr. FAHEY. House Bill No. 893.

An act making an appropriation to The Academy of Natural Sciences of Philadelphia

Referred to Committee on Appropriations.

By Mr. GLENN. House Bill No. 894.

An act to prohibit the capturing killing or exposing for sale of woodcock within this Commonwealth for a period of six years and providing penalties for the violation of its provisions

Referred to Committee on Game.

By Mr. LESLIE. House Bill No. 895.

An act amending article two of an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven by eliminating the Department of Collector of Delinquent Taxes and by providing for the duties of the Department of City Treasurer

Referred to Committee on Municipal Corporations.

By Mr. NEELY. House Bill No. 896.

An act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of the University the purchase of equipment and the construction of buildings

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 897.

An act to amend Section one of an act entitled "An act to authorize the appointment of a Deputy and one Clerk by the Prothonotary of the Supreme Court of the Eastern District also the appointment of a Deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

Referred to Committee on Judiciary Special.

By Mr. STEIN. House Bill No. 898.

An act repealing acts and parts of acts the act approved the twenty-second day of February Anno Domini one thousand eight hundred and twenty-one entitled "An act to alter and amend the fee bill" in so far as it relates to Sheriff's fees in Allegheny county also the act approved the fifth day of April Anno Domini one thousand eight hundred and sixty-six entitled "An act relative to the service of summons on jurors in Allegheny county and regulating compensation" in so far as it relates to Sheriff's fees also the act approved the second day of April Anno Domini one thousand eight hundred and sixty-eight entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" in so far as it relates to the sheriff's fees in Allegheny county also so much of the fourteenth section of an act approved the sixth day of April Anno Domini one thousand eight hundred seventy-one entitled "An act relating to the fees salaries and duties of certain county officers in Allegheny county" as relates to sheriff's fees also sections one and two of an act approved the third day of April Anno Domini one thousand eight hundred seventy-three entitled "A further supplement to an act entitled 'An act relative to the fees salaries and duties of certain county officers in Allegheny county' approved April sixth Anno Domini one thousand eight hundred and seventy-one relating to the salaries of the sheriff and his deputies and expense of the sheriff's office" also the act approved the first day of April Anno Domini one thousand eight hundred eighty-seven entitled "An act to fix the fees of sheriffs in counties containing over three hundred thousand inhabitants and of those performing duties under them and the manner of collecting and paying the same"

Referred to the Committee on Judiciary General.

By Mr. GEORGE K. YOUNG. House Bill No. 899.

An act to amend an act entitled "An act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violation of its provisions to be a misdemeanor and providing penalties for violation thereof" approved the fifth day of March one thousand nine hundred and six"

Referred to Committee on Municipal Corporations.

By Mr. KENNA. House Bill No. 900.

An act relative to the regulation of plastering in cities of the first and second classes

Referred to Committee on Municipal Corporations

By Mr. RAMSEY. House Bill No. 901.

An act making an appropriation to the Chester Hospital in the city of Chester

Referred to Committee on Appropriations.

By Mr. RAMSEY. House Bill No. 902.

An act authorizing the appointment of a commission for the erection of a monument to John Morton signer of the Declaration of Independence at Chester and making an appropriation therefor

Referred to Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 903.

An act to establish as a "State Highway" a certain section of public road beginning at a point known as "Old Fort" in Potter township Centre county and passing near Linden Hall thence through the village of Oak Hall Centre county thence to the village of Lemont Centre county

Referred to Committee on Public Roads.

By Mr. KERN. House Bill No. 904.

An act fixing the pay of assessors in the several counties

Referred to Committee on Counties and Townships.

By Mr. McCAIG. House Bill No. 905.

An act prohibiting the storage or keeping of motor vehicles for hire profit or reward in certain buildings and imposing a penalty

Referred to Committee on Judiciary Local.

By Mr LETZKUS. House Bill No. 906.

An act making an appropriation to the Providence Mission and Rescue Home

Referred to Committee on Appropriations.

By Mr. J. J. CAMPBELL. House Bill No. 907.

An act making an appropriation to the Philadelphia Home for Infants located at four thousand six hundred and eighteen Westminster avenue Philadelphia

Referred to Committee on Appropriations.

By Mr. KEEPORT. House Bill No. 908.

An act prohibiting the giving or soliciting or receiving of tips and providing a penalty

Referred to Committee on Education.

By Mr. BENSON. House Bill No. 909.

An act to provide for the better protection and preservation of game game quadrupeds and game birds and fixing penalties for the violation of this act

Referred to Committee on Game.

PETITIONS.

FAVORING HUNTERS' LICENSE BILL.

Mr. WALTON presented the petition of Citizens of Lawrence County praying for the passage of the Hunters' Licnese Bill.

Which was referred to the Committee on Game.

PROTESTING AGAINST THE CLUB LICENSE BILL.

Mr. WALTON presented the petition of Citizens of Lawrence County protesting against the passage of the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING REPEAL OF CHESTNUT TREE BLIGHT LAW.

Mr. HEMMINGER presented the petition of Citizens of Somerset County praying for the repeal of the Chestnut Tree Blight Law.

Which was referred to the Committee on Forestry.

FAVORING READING OF THE HOLY BIBLE IN PUBLIC SCHOOLS.

Mr. SHERWOOD presented the petition of Citizens of Philadelphia Favoring the Reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

Mr. PIPER presented the petition of citizens of Philadelphia, Favoring the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

Mr. MOSES presented the petition of Citizens of Cambria County Favoring the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

FAVORING THE ADOPTION OF A STATE FLOWER.

Mr. JACKSON presented the petition of the Atco School, Wayne County, favoring the adoption of the Daisy as a State flower.

Which was referred to the Committee on Education.

FAVORING SUPPRESSION OF PROSTITUTION BY INJUNCTION.

Mr. CALDWELL presented the petition of citizens of Northumberland County favoring the suppression of prostitution by injunction.

Which was referred to the Committee on Law and Order.

FAVORING MINE LEGISLATION.

Mr. NORTH presented the petition of Local Union No. 395, U. M. W., Jefferson County praying for the passage of certain mine legislation before the Legislature.

Which was referred to the Committee on Mines and Mining.

COMMUNICATIONS FROM THE GOVERNOR

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 73

Executive Chamber,
Harrisburg, February 19, 1913

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania

Gentlemen I have the honor to advise you that I have this day approved and signed House bill No. 73 entitled "An act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane to cover deficiency in maintenance and equipment of said hospital"

(Signed) JOHN K. TENER

Also the following:

REPORT OF COMMISSION TO INVESTIGATE METHOD OF INFLICTING DEATH PENALTY.

Executive Chamber
Harrisburg, February 19, 1913

Gentlemen of the Senate and House of Representatives

I have the honor to transmit herewith for your information report of the commission appointed in accordance with the act of Assembly approved the twentieth day of June Anno Domini one thousand nine hundred and eleven to investigate the method of inflicting the death penalty in this and other States and counties

(Signed) JOHN K. TENER.

For report (see Appendix).

REPORTS FROM COMMITTEES.

Mr. NEWTON from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 733, entitled:

An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania

Mr. ULERICH, from the Committee on Education, reported as committed House Bill No. 656, entitled:

An act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania

LEAVES OF ABSENCE.

Mr. RONEY asked and obtained leave of absence for Mr. Forster for tonight.

Mr. KITTS asked and obtained leave of absence for Mr. Bayle for tonight.

Mr. NORTH asked and obtained leave of absence for Mr. Watson until after Thursday of this week by reason of a death in the family.

RESOLUTION PROVIDING FOR IMPROVEMENTS IN THE HALL OF HOUSE.

Mr. FRANK GRAY offered the following resolution which was twice read and laid over under the rules.

Be it resolved That the Superintendent of Public Grounds and Buildings make the following improvements in the Hall of this House namely

Advance the rail and the platform in front of the clerks' desks a sufficient distance to provide for the space allotted to the reporters and stenographers and to use the space thereby gained for the seats and desks of the members now occupying the last row in this House

Remove the rail in the rear of the House and use the space gained by the improvements for the use of the chief page and his assistants

Erect an annunciator in the rear of the House with electric connections with each desk of the members and the desk of the Speaker and be it further

Resolved That no person other than those allowed by the rules of the House be admitted to this Hall except when provided with a card of invitation issued by a member

PRINTING OF RESOLUTIONS.

The SPEAKER. The Chair is pleased to state to the members of the House that arrangements have been made by which resolutions now pending or hereafter to be printed will be printed on paper of the size of bills, and will be put in the House files with a file folio number, and will be referred to by notation on the daily calendar.

RESOLUTION REQUESTING INFORMATION FROM HEADS OF DEPARTMENTS.

Mr. BENSON: Mr. Speaker, I desire to offer a resolution, and ask the unanimous consent of the House to have it considered at this time.

The SPEAKER: The resolution will be read by the Clerk.

The resolution was then read by the Clerk as follows:

Whereas large expenditures for many purposes are being contemplated and in many instances made necessary by unusual conditions and

Whereas it becomes necessary for the members of this body to ascertain as nearly as may be arrived at the entire contemplated expenditures for the next two years in order to keep the appropriations within the revenues now therefore be it

Resolved That the heads of all State Departments who require appropriations to be made are directed to make as near as possible an itemized statement of the needs of their departments and cause the same to be reported to House within ten days for the information of its members be it further

Resolved That the Auditor General is hereby directed to report to the House within ten days from this date a complete statement of the revenues of the State available for the next two years

On the question,

Will the House agree to the adoption of the resolution?

Mr. NORTH: Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

Mr. SASSAMAN: Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BENSON: Mr. Speaker, and gentlemen of the House, I do not wish to take up the time of the House, but I feel that I ought to say a word upon this important resolution. I do not think this resolution should be referred to the Rules Committee. I think this resolution ought to be adopted by this House. Every member of this House is entitled to know just how much money these various departments are asking for. I do not think for a moment that we ought to try to bury this resolution by sending it to the Rules Committee. The people of the State of Pennsylvania are watching this Legislature and I believe that we should adopt this resolution and should not refer it to the Rules Committee, and I would ask every member on the floor of this House to vote the motion of the gentleman down, and on the motion, inasmuch as I consider it important, I call for the yeas and nays.

Mr. NORTH: Mr. Speaker.

The SPEAKER: The gentleman from Jefferson, Mr. North.

Mr. NORTH: I want to say just one word by way of explanation. It is hardly necessary to make an explanation to, I would say, nine-tenths of the members of this House, for this reason, that the information called for in the resolution of the gentleman from McKean, we are getting just as fast as the heads of the departments can do so at the present time. The information he calls for has been placed in the hands of the Chairman of the Appropriations Committee with the exception of two or three departments. I made a personal call on these departments this morning and notified them that their budget must be in our hands in time so that we could make up the general appropriations bill, which will be introduced some day this week—not later than Thursday, and for that reason I think it is unnecessary, and I think it is uncalled for, as I have stated, for the reason that all this information will be published and spread upon the members' desks as early as the rule of the House provides for.

Mr. BENSON: Mr. Speaker.

The SPEAKER: The gentleman from McKean, Mr. Benson.

Mr. BENSON: Mr. Speaker, as a member of the last session I know of no rule whereby departments of this State are supposed to lay upon our desks the requirements of their departments, or the appropriations they are asking for, and I cannot myself understand what objection the gentleman from Jefferson can have against this resolution. I can see no reason why the members of this House should not have the information I am asking for, and I insist upon the yeas and nays upon the amendemnt of the gentleman from Jefferson.

Mr. NORTH: Mr. Speaker.

The SPEAKER: The gentleman from Jefferson, Mr. North.

Mr. NORTH: It is no fault of mine that the gentleman does not know what he is asking for, and as I stated before, if there is any information that he is asking for, it is now in a state of preparation and will be presented. I have no objections and I want the members of the House to understand that I am not opposing the resolution. I am merely making the statement in order to save valuable time for the House.

The question recurring,

Will the House agree to the motion?

A division was called for, eighty-eight voting in the affirmative and sixty-three in the negative.

And the motion was agreed to.

BILL RECOMMITTED.

Mr. KENNEDY: Mr. Speaker, I move that House Bill No. 231, entitled:

An act to amend section one of a supplement to the act of April third eighteen hundred and fifty-one approved the twenty-fifth day of April nineteen hundred and seven entitled "An act regulating boroughs" providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation

File folio 541, on page 13 of today's calendar be recommitted to the Committee on Municipal Corporations for amendment.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 619, entitled:

An act to amend the fourth paragraph of section seven of an act ntitled "An act to provide for the classification of the townships of the ommonwealth with respect to their population into two classes and to rescribe the form of government for townships of each class" approved he twenty-eighth day of April Anno Domini one thousand eight hunred and ninety-nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 679, entitled:

An act to provide for the appointment of registrars of electors to be puty poll tax collectors in cities of the first class of this Commonealth a method of collecting such taxes penalties for violation of its rovisions and to repeal acts or parts of acts inconsistent therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 209, entitled:

An act to amend an act approved the seventh day of June one thouand nine hundred one entitled "An act providing for the examination ensure and registration of persons firms or corporations engaged or gaging in the business or work of plumbing or house drainage and rescribing certain rules regulations and requirements for the construcon of plumbing house drainage and cesspools in cities of the second ass and imposing fines penalties and forfeitures for violation thereof" s amended by an act approved the fourteenth day of May one thouand nine hundred nine entitled "An act amending section one two ght twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixtyne sixty-two sixty-six seventy and seventl-one of an act entitled 'An act roviding for the examination licensure and registration of perons firms or corporations engaged or engaging in the business r work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of lumbing house drainage and cesspools in cities of the econd class and imposing fines penalties and forfeiture for iolation thereof' approved the seventh day of June Anno Domini one housand nine hundred and one extending the provisions of said act to ities of the third class having a system of water-supply and sewerage f this Commonwealth and providing further rules regulations and requirements for the construction or reconstuction of plumbing house rainage and cesspools and providing penalties and forfeitures for violaion thereof" by extending the provisions of the act to boroughs and o townships of the first class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 540, entitled:

An act authorizing townships of the first class to lay sewers in and nder county and State highways and providing for the ascertainment evy and collection of the costs and expenses thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 436, entitled:

An act providing for the sale distribution and use for the promotion f biological and medical science and for the discovery of new methods f treatment in medicine and surgery of unclaimed animals in the pubic pounds and providing penalties for neglect or refusal to comly with the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 162, entitled:

An act to amend an act approved the twenty-fifth day of June one housand eight hundred eighty-five entitled "An act regulating the colection of taxes in the several boroughs and townships of this Comonwealth" as amended by an act approved the second day of June ne thousand eight hundred and ninety-one entitled "An act to amend ction nine of an act approved the twenty-fifth day of June one thouand eight hundred and eighty-five entitled "An act regulating the colection of taxes in the several boroughs and townships of this Comonwealth' by providing the time in which tax collectors shall pay over ex and make settlements"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration f House bill No. 461, entitled:

An act to further amend an act entitled "An act to regulate the nomiation and election of public officers requiring certain expenses cident thereto to be paid by the several counties and punishg certain offenses in regard to such elections" approved the nth day of June Anno Domin one thousand eight hundred nd ninety-three by changing the form of the ballot and regung the method of marking the same"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 254, entitled:

An act to amend an act entitled "An act to amend an act entitled 'An act to amend act entitled 'An act to amend an act entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty one extending the same to companies formed for the purpose of quarrying salte granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the ninteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business (and to companies incorporated for the purpose of selling dealing in or manufacturing lumber)

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 293, entitled:

An act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 600, entitled:

An act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 671, entitled:

An act regulating the custody of records of criminals during trial of cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 553 (Senate No. 12), entitled:

An act supplementary to an act entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosine of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 424, entitled:

An act to regulate the business of making loans where charges are made other than the legal rate of interest to provide for the licensing of such business to regulate the assignment of wages when given as security providing a penalty for the violation thereof and providing for the repeal of existing laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SHOWALTER: Mr. Speaker, there have been three other bills, or possibly four, introduced into this House on the same subject as contained in this bill. These other bills have

been referred to the Committee on Banks and Banking, and in order to have uniformity of action on this bill I move you that this bill, No. 424, be referred to the Committee on Banks and Banking.

Mr. BIGGER: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 775, entitled:

act entitled 'An act to provide for the better collection of collateral inheritance taxes' approved May sixth Anno Domini one thousand sight hundred and eighty-seven so as to include among the persons taking an estate or any part thereof to whom the act does not apply the children of a former husband or wife' " approved April twenty-second Anno Domini one thousand nine hundred and five defining and making further exemptions from the payment of collateral inheritance tax

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 505, entitled:

An act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An act in relation to officers taking illegal fees and providing a penalty therefor"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 758, entitled:

An act requiring payment by the county of costs of prosecution in certain criminal cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 602, entitled:

An act regulating the cold storage of food and providing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. HEIDINGER: Mr. Speaker, there have been a number of bills on this subject introduced to the House. This bill, No. 602, was referred to the Committee on Judiciary Special, and I now ask that it be recommitted to the Committee on Public Health and Sanitation.

Mr. JOHN R. K. SCOTT: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 678, entitled:

An act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 107, entitled:

An act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper offices of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 680, entitled:

An act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required and repealing acts or parts of acts inconsistent therewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 589, entitled:

An act to abolish for the purposes of municipal assessment and taxation of real estate the distinction between built up rural and farm property.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 641, entitled:

An act to authorize the municipal authorities to limit the charges of water companies in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 808 (Senate No. 1), entitled:

An act relating to moneys heretofore received by the Highway Department from fees for registration of motor vehicles and the licensing of operators and making an appropriation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 280, entitled:

An act regulating the reading of the Holy Bible in the public schools of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 674, entitled:

An act to provide for certain improvements to that certain tract of land known as "Paoli Parade Ground" situate in Willistown township Chester county and making an appropriation therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 53, entitled:

An act regulating the sale of certain food that shall have been kept in cold storage providing for inspectors to enforce this act fixing their salaries payable by the proper county and fixing penalties for the violation of the provisions thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 466, entitled:

An act to amend the title the first section the second section and the third section of an act of Assembly entitled "An act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 72, entitled:

An act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 338, entitled:

An act regulating the time of payment of wages and earnings and providing a penalty for violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 438, entitled:

An act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An act requiring foundries to be provided with toilet room and water closet regulating same and providing a penalty for violation thereof"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 655, entitled:

An act to provide state aid for vocational education

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 723, entitled:

An act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred nineteen issued by the Department of Agriculture and making an appropriation therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 615, entitled:

An act to regulate advertisements and solicitations for employees during strikes lockouts or other labor disputes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 60, entitled:

An act to provide for the pensioning of soldiers sailors marines who served in the army and navy of the United States from Pennsylvania in the civil war of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 127, entitled:

An act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing indebtedness of counties cities boroughs townships school-districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 258, entitled:

An act to amend an act entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldies sailors and marines resident in this Commonwealth who were enlisted and mustered into the army navy or marine corps of the United States

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 623, entitled:

An act making an appropriation for the providing and erection of armories throughout the Commonwealth of Pennsylvania for the use of the National Guard of Pennsylvania said armories to be erected managed and cared for under the direction of the State Armory Board also an appropriation for the completion of armories where drill halls or administration buildings only have been erected also an appropriation for the management and care of armories erected or provided and to be erected or provided for the two fiscal years beginning June first nineteen hundred and thirteen necessary repairs and contingent expenses in maintenance of armories premiums of fire insurance and title insurance advertisement for bids actual traveling expenses of members of State Armory Board clerical expenses of board and inspection expenses

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 640, entitled:

An act making an appropriation for the support of the National Guard of Pennsylvania and the Naval Force of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen and for the payment of an annual allowance to commissioned officers of the National Guard of Pennsylvania and Naval Force of Pennsylvania and for the purpose of placing at the disposal of the Governor of the Commonwealth the sum of five hundred thousand dollars or so much thereof as may be necessary and making same available to replace or repair armory buildings owned by the Commonwealth of Pennsylvania and occupied by an organiaztion of the National Guard should such armory buildings be destroyed in whole or in part by fire flood or storm and to pay for service and expenses of the National Guard incident to actual service under orders of the Governor in repelling invasion subduing insurrection riot or disorder or to furnish the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the Pesident of the United States

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 538, entitled:

An act making an appropriation for the purpose of purchasing land for rifle range or land for permanent camping ground for division encampment or land for permanent camping gound for three separate brigade encampments either or all and providing for the care and preparation of same said purchase of land to be made under the direction of the State Military Board the title thereof to be examined and approved by the Attorney General and the purchase approved by the Governor and fixing the maximum average price per acre of such land as may be purchased providing that the title to all lands purchased shall be vested in the Commonwealth and land be used for military purposes under the control and direction of the Adjutant General and providing the method of payment of land purchased

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 682, entitled:

An act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 118, entitled:

An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of certain party officers the appointment of delegates and alternate delegates to national party conventions a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator the payment by the several counties and their reimbursement by the State Treasurer of the expenses of the same including the payment of compensation of watchers herein authorized to be appointed by the court the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions prescribing the time and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State Committee and a chairman thereof and certify the same to the Secretary of the Commonwealth and providing penalties for the violations of this act and for the punishment of certain offenses provided for herein

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. JOHN ROBERT JONES: Mr. Speaker, I move that this bill, No. 118, be recommitted to the Committee on Elections.

Mr. S. B. SCOTT: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 232, entitled:

A joint resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous spirituous malt or brewed liquors or beverages

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 588, as follows:

An act to amend section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" which now reads as follows

"Section 7 In all cases the party accused on oath of affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder or alderman where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail

by the Supreme Court or one of the judges thereof or a president or associate law judge of a court of common pleas Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the court of common pleas or any of the judges thereof or a mayor or recorder of a city" be and the same is hereby amended so that it shall read as follows

"Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder alderman or magistrate where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth provided That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a court of common pleas except that persons charged with manslaughter where it appears that no weapon was employed or used in the commission of the crime may be admitted to bail with the consent of the district attorney by one or more sufficient sureties to be taken before any judge justice mayor recorder coroner alderman or magistrate where the offence charged has been committed said surety or sureties to be approved by the district attorney Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the court of common pleas or any of the judges thereof or with the approval of the District Attorney by a mayor or recorder of a city or by a magistrate justice or alderman

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. RONEY: Mr. Speaker, in view of the fact that the amendment to this bill made to it when it was up for second reading would leave matters in a worse condition than they were before this bill was introduced I would ask that it be recommitted to the Committee on Judiciary General in order that the amendment might be intelligently made, and therefore I move that the vote by which this bill passed third reading be reconsidered.

Mr. W. H. WILSON: Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. RONEY: Mr. Speaker, I move that this bill be now recommitted to the Committee on Judiciary General.

Mr. W. H. WILSON: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk, having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read, as follows:

Senate Bill No. 82:

An act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional

Senate Bill No. 4:

An act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year

Senate Bill No. 21:

An act making an appropriation to the State Hospital for Injured Persons of the Treverton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes to the buildings of said hospital

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 252, as follows:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act

Section 1 Time of Submitting the Question of a Constitutional Convention to the Electors

Section 2 Time of Electing Delegates Number of Delegates

Section 3 Manner of Nominating Delegates

Section 4 Time and Manner of Organization of the Convention Members Ex-Officio

Section 5 Filling Vacancies

Section 6 Power of the Convention

Section 7 Filing and Publication of the Proposed Constitution

Section 8 Time and Manner of Submitting the Constitution to the People

Section 9 Compensation of Members and Officers Appropriation for Expenses

Time of Submitting the Question of a Constitutional Convention to the Electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the first Tuesday after the first Monday in November in the year one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution shall be submitted to the electors of this Commonwealth

Time of Electing Delegates Number of Delegates

Section 2 At the same election delegates to a Constitutional Convention shall be elected

The number of delegates shall be one hundred and sixty-five three delegates to be elected from each of the fifty Senatorial districts of the Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for two district delegates and five delegates-at-large and the candidates highest in vote shall be declared elected

Manner of Nominating Delegates

Section 3 Nominations for delegates to the convention shall in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred qualified electors and shall set forth that the signers thereof are qualified electors of the district in which the candidate resides and from which he desires to be elected and that they will support the candidate whose petition they are signing Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county such petition shall set forth that the signers thereof are qualified electors of the Commonwealth and that they will support the candidate whose petition they are signing

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to sixty days before the date on which such petition must be filed and no signature shall be counted unless it shall have been affixed to such petition and bear date within sixty days prior to the time of filing the same

Petitions shall be filed with the Secretary of the Commonwealth at least thirty days prior to the date of the election at which delegates are to be chosen

The Secretary of the Commonwealth immediately after the last day for the filing of said petitions with him shall forward to the County Commissioners of each county a correct list of the candidates for delegates as contained in such petitions

Time and Manner of Organization of Convention Members. Members Ex Officio

Section 4 If a majority of the electors voting on the aforesaid question shall be in favor of holding a constitutional convention the delegates elected as herein provided shall meet in the hall of the House of Representatives at the State Capitol in the city of Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time and place

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Filling Vacancies

Section 5 In case of vacancies in the membership of the convention occuring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any senatorial district shall be a resident of such senatorial district

Power of the Convention

Section 6 Said convention shall have power to submit to the qualified electors of this Commonwealth for their approval or rejection a new constitution

Filing and Publication of the Proposed Constitution

Section 7 The constitution proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth For the purpose of carrying into effect the provisions of this section the county commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by the voting or registry lists used at the election at which delegates were elected to

said convention together with the post office address of each of said voters

Time and Manner of Submitting the Constitution to the People

Section 8 The Constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The Constitution shall be submitted to the electors in such manner as the Convention shall direct Provided That any sections in the proposed constitution relating to female suffrage the initiative the referendum the recall either of offices or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Compensation of Members and Officers Appropriation for Expenses

Section 9 The entire compensation and allowance to each member and to each member ex officio of the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN R. K. SCOTT: Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CONRADE: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 566, as follows:

An act giving to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and future proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the right to damages both direct and consequential or either is hereby given to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades or lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers

Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their dutiy to assess the aforesaid damages direct and consequential or either if any and the benefits if any in connection therewith and make report thereof as under existing laws

Section 3 That the right of appeal from said report and of trial by jury and the right to file exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws

Section 4 That the provisions of this act shall apply to all existing and future proceedings

Section 5 That all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 613, Senate No. 106, entitled:

An act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class"

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorportion and government of cities of the third class" which as amended by an act approved the fifteenth day of April one thousand nine hundred and seven entitled "An act to amend section one of article one of an act entitled 'An act to amend section one article one of an act entitled 'An act providing for the incorporation and government of cities of the third class' approved May twenty-third Anno Domini one thousand eight hundred and eighty-nine providing for the submission of the question of incorporation of such city of the third class by councils upon the petition of a certain number of the qualified electors of the towns or boroughs embraced within the limits of the proposed city' approved the tenth day of April Anno Domini one thousand nine hundred and five providing for the submission of such question of the incorporation of such city of the third class by the court of quarter sessions of the peace of the county wherein such proposed city is to be located upon the petition of a certain number of the qualified electors of the towns and boroughs embraced within the limits of the proposed city to the qualified electors and the manner of voting thereon" reads as follows

"Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "for a city charter" followed by the words "yes" and "no" with squares of sufficient size to the right of said words "yes" and 'no' as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "yes" and "no" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of the election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" and which as further amended by an act approved the twenty-eighth day of May one thousand nine hundred and seven entitled "An act to further amend section one article one of an act entitled 'An act prviding for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine and which was amended by an act approved the tenth day of April Anno Domini one thousand nine hundred and five prescribing the manner and computing and making return of the same" reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or boroughs or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and the councils or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be may on their own motion or upon the petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice thereof by the publication of said resolution during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall

thereupon cause the said question to be printed at the foot of the official ballot to be used at said general election in the borough or boroughs aforesaid in the following form "Proposed city charter" and below shall be printed on two lines with a square at the right of each the words "For city charter" and "Against city charter" and the electors shall designate with a cross-mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said borough or boroughs to count the votes so cast for and against city charter and make return thereof on blanks to be furnished by the corporate authorities of said borough or boroughs to the clerk of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making returns of votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" is hereby further amended to read as follows

Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be charatered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "For a city charter" followed by the words "Yes" and "No" with squares of sufficient size to the right of said words "Yes" and "No" as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "Yes" and "No" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votts cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 This act shall not affect or impair any act done right vested duty imposed penalty accrued or proceeding commenced before the approval of this act but all acts done and proceedings commenced under the section which is hereby amended are hereby validated

The title was read as follows:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class"

On the question,

Will the House agree to the title?

Mr. REESE: Mr. Speaker, I desire to offer an amendment to this title.

The amendment was read by the Clerk as follows:

Amend by adding to title "validating all acts and proceedings commenced under the section which is amended"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 328, as follows:

An act giving the right to the Department of Public Saftey in cities of the first class to make rules and regulations governing the traffic use and police control of all public highways streets lanes avenues boulevardes parkways and alleys providing for public notice of the same and providing also for punishments for the violations thereof with the right of appeal

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cities of the first class of this Commonwealth the Department of Public Safety shall have the right to make and enforce reasonable rules and regulations governing the traffic use and police control of all public highways or streets lanes avenues boulevards parkways and alleys in said cities of the first class from house line to house line and from end to end thereof said rules and regulations after adoption to be published in pamphlet form annually for public distribution in such numbers as the city councils may provide for by appropriation and notice thereof three times for three consecutive weeks in three newspapers having a daily circulation in cities of the first class said rules and regulations to go into force the Monday following the expiration of the publication in said newspapers

Section 2 Any person violating any of said rules and regulations after their adoption shall be deemed guilty of the offense of disorderly conduct upon the highway street lane avenue boulevard parkway or alley as the case may be and upon conviction thereof before any magistrate justice of the peace or alderman shall be sentenced to pay the coststs of prosecution and to forfei and pay a fine not exceeding ten dollars ($10) and in default of the payment thereof committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days with right of appeal from said conviction as now allowed by the constitution and laws of this Commonwealth The court hearing such appeal shall also pass upon the reasonableness of said rules or regulations for the violation of which the appellant was convicted and it shall be the duty of all magistrates justices of the peace or alderman o pay into the city treasurer for municipal uses all fines or forfeitures collected by virtue of this act each month

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on second reading?

It was not agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No 115, as follows:

An act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine entitled "A supplement to an act entitled 'An act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs' "

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine entitled "A supplement to an act entitled 'An act more effectually to prevent unfair practice in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs' " is repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 657, as follows:

An act to repeal an act entitled "A supplement to the act entitled 'An act for preventing clandestine marriages' " approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "A supplement to the act entitled 'An act for preventing clandestine marriages' " approved the fourteenth day of February Anno Domini one thousand seven hundred thirty is repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 470, as follows:

An Act authorizing the trustees of the Cottage Sate Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land which shall be opened a public street immediately adjoining property of the institution

Whereas The authorities of the borough of Connellsville Pennsylvania propose to open a street immediately adjoining the property of the Cottage State Hospital and

Whereas Said street if located would require the dedication of a small triangular piece of land now belonging to said institution and

Whereas The said borough authorities propose to narrow Murphy avenue to a width of forty feet and restore to the grounds of the insituation the surplus land therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the trustees of

the Cottage State Hospital located at Connellsville Pennsylvania are hereby authorized to dedicate to public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 658, as follows:

An act to repeal an act entitled "An act for the preventing of clandestine marriages"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An act for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eight one thousand seven hundred and one (one Smith's Laws twenty-one) is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 574, as follows:

An act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "An act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships" and repealing the second section of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the next regular election for township officers after the passage of this act or at the time that any township of the first class of this Commonwealth is organized there shall be chosen by the qualified voters of the township one township commissioner from each election district of said township and in townships of the first class of the Commonwealth having or less election districts the number of commissioners of such townships shall be five" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each township of the first class there shall be five commissioners elected at large who shall be elected by the qualified electors of such township at each municipal election and who shall serve for the term of two years from the first Monday of January next succeeding their election

Section 2 The fourth section of said act which reads as follows

"Section 4 That where a vacancy occurs in the office of township commissioner by reason of death resignation or removal from the township or otherwise the court of quarter sessions of the county of which the said township is a part upon the petition of at least ten qualified voters of the district in which the vacancy occurs may appoint a suitable person being a qualified voter of the said township to fill the said vacancy If such petition is not presented to said court within thirty (30) days after such vacancy occurs the board of township commissioners of the said township may appoint a suitable person being a qualified voter of the said township to fill said vacancy In either event the person so appointed shall hold office for the unexpired term of the person whose place he is appointed to fill" is hereby amended to read as follows

Section 4 That where a vacancy occurs in the office of township commissioner by reason of death resignation or removal from the township or otherwise the court of quarter sessions of the county of which the said township is a part upon the petition of at least ten qualified voters of the township may appoint a suitable person being a qualified voter of the said township to fill the said vacancy If such petition is not presented to said court within thirty (30) days after such vacancy occurs the board of township commissioners of the said township may appoint a suitable person being a qualified voter of the said township to fill said vacancy In either event the person so appointed shall hold office for the unexpired term of the person whose place he is appointed to fill

Section 3 The second section of said act is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 215, as follows:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Whereas By a joint resolution approved the fourteenth day of June one thousand nine hundred and eleven a commission was authorized to investigate and report upon a proper and safe construction or buildings within this Commonwealth and to determine the strength and character of materials used therein and

Whereas Said commission was duly appointed and has proceeded upon the performance of the duties imposed by said resolution and

Whereas In said resolution the commission was directed to report on or before the first day of February one thousand nine hundred and thirteen and

Whereas Owing to the magnitude of the undertaking and the great number of details to be considered the commission is unable to make a complete and final report therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the commission authorized by a joint resolution approved the fourteenth day of June one thousand nine hundred and eleven to investigate and report upon a proper and safe construction of buildings within this Commonwealth and to determine the strength and character of materials used therein is hereby authorized to continue its labors as set forth in said resolution and to present its final and complete report on or before the first day of November one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 582, as follows:

A supplement to an act entitled "A supplement to an act entitled "A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins fixing contain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and be condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of January one thousand nine hundred and fourteen no person or persons shall within the limits of a city of the first class maintain any dock or slip extending beyond the bulkhead line for the berthing or accommodation of any vessel not owned by the owner or lessee of such dock or slip or which vessels not owned by such owner or lessee are invited or permitted to enter without first securing a license from the Department of Wharves Docks and Ferries in such city authorizing such owner or lessee to maintain such dock or slip

Section 2 Whenever any person or persons shall desire to maintain such a dock or slip for the berthing tieing up or other accommodation of vessels not owned by him or them within the limits of any city of the first class such person or persons shall make application in writing to the director of said department stating the location of such dock or slip and the length and width thereof The said director shall thereupon make or cause to be made a survey to determine the minimum depth of water in such dock or slip and shall issue a license to the person or persons applying for the same Said license shall in every case specify the maximum draught of any vessel not owned by the owner or lessee of such dock or slip which shall be permitted to enter or use said dock or slip and said maximum draught of vessels shall not in any case exceed the minimum depth of water in said dock or slip as determined by said survey this minimum depth to be measured in all cases from the plane of mean tide or three feet above the mean low water plane established by the United States Government surveys Said license shall be effective for a period of one year from the date of issuance thereof For said survey and the issuance of said license the applicant shall pay the Department of Wharves Docks and Ferries for the use of said city at the time of making application a fee of ten dollars

Section 3 Every owners or lessee of such dock or slip shall upon receipt of said license place and maintain upon the wharf or pier adjoining said dock or slip a conspicuous sign in a place to be approved by said director stating in lettters not less than five inches in height the maximum draught of vessel which may be accommodated in such dock or slip Said sign shall be in form to be approved by the director

Section 4 If any person or persons shall refuse or neglect to comply with the provisions of this act or shall suffer or permit any vessel to enter his or their dock or slip of a draught exceeding the maximum draught specified in such license such person or persons shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay for each and every offence a fine not exceeding five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 580, as follows:

A Supplement an amendment to an act entitled "A supplement to an act entitled "An act to provide for the better government of cities of the first class in his Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and

and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor sctructures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" aproved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the said act which now reads as follows

"Section 10 Whenever any person or persons shall desire to construct extend or alter any wharf or other building in the the nature of a wharf or to erect extend alter or improve any other harbor structure within the limits of said cities such person or persons shall make application to the said director stating in writing the nature and extent of such intended wharf other building aforesaid or harbor structure improvement alteration or addition thereto and file in the office of the director the plans and specifications showing fully the propsed erection construction extension alteration or improvement and produce their deed or deeds or other evidences of title to the property to be so occupied altered or improved whereupon the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the city within which such application is made and by posting such notice upon the premises referred to in such application and if the director upon said hearing shall approve the plans and specifications offered and such application he shall give his assent and issue a license for the erection construction extension alteration or improvement for which application shall have been made and cause the same to be recorded in the office of the said director in a book to be kept by him for that purpose and such license shall not be unreasonably withheld" be amended so as to read as follows

Section 10 Whenever any person or persons shall desire to construct extend alter improve or repair any wharf or other building in the nature of a wharf or other harbor structure situate wihin any city of the first class such person or persons shall make application to the director stating in writing the nature and extent of such proposed structure extension alteration improvement or repair and file in the office of the director the plans and specification showing fully the proposed structure extension alteration improvement or repair and produce his or their deed or deeds or other evidence of title to the premises on which such proposed structure extension alteration improvement or repair is to be erected or made whereupon if such proposed structure extension alteration improvement or repair will encroach upon the water way the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the said city and by posting notice upon the said premises and if the director upon such hearing or without such hearing where such hearing is not required by the provisions hereof shall approve such proposed structure extension alteration improvement or repair and the plans and specifications submitted therefor he shall give his assent to and issue a license or permit for the erection and making thereof and cause the fact of the issue of such license or permit to be recorded in his office in a book to be kept by him for that purpose and such license or permit shal not be unreasonably withheld

Whenever any person or persons shall desire to construct extend alter improve or repair any structure to be erected or already erected on ground supported by bulkheads and to be used or already used for the purposes of loading or unloading passengers or freight on or from vessels or any structure to be physically connected or already physically connected or to be used or already used as appurtenant to any wharf or structure hereinbefore described situte within any city of the first class and for such purpose he or they shall have applied for a permit from the Bureau of Building Inspection in said city the said Bureau of Building Inspection shall notify the director of the Department of Wharves Docks and Ferries of such application and shall thereafter grant the permit applied for only when the application shall have received the approval of the said director which he is hereby empowered to grant

The cities of the first class may by ordinance regulate and determine the license fees for the license and approval required by the provisions of this act

Section 2 That section twelve of the said act which now reads as follows

"Section 12 Whenever the owner or owners or lessee or lessees of any private wharf pier or bulkhead within the limits of said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said directors upon default for thirty days after the service of notice on such owner or owners lessee as lessees to clean or cause said dock or docks to be cleaned and freed from obstructions and to apportion the expenses thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws" be amended ao as to read as follows ,

Section 12 Whenever the owner or owners or lessee or lessees of any wharf pier or bulkhead within the limits or said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said director upon default for thirty days after the service of notice on such owner or owners lessee or lessees to clean or cause said dock or docks to be cleaned and free from obstruction and to apportion the expense thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and isuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws

Section 3 That section fifteen of the said act which now reads as follows

"Section fifteen Whenever the director shall deem it expedient to erect construct extend alter or improve any public wharf or bulkhead in said cities and for the erection construction alteration or improvement of such wharf pier or bulkhead and the securing of sufficient dock-room for the convenient use thereof it shall become necessary to acquire lands leaseholds easements and other property right adjoining such wharf pier or bulkhead for which no price can be agreed upon between the said director and the owner or owners thereof then it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property adjoining such wharf pier or bulkhead so to be erected constructed extended altered or improved as may be required for the erection construction extension alteration or improvement and use of the same and whenever the director shall deem it expedient to acquire any wharf or bulkhead that shall not have been in regular and continuous operation for the purpose of shipping commerce navigation for twelve consecutive months and for which no price can be agreed upon between the director and owner or owners thereof it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property and pending the proceedings hereinafter provided for the bond of such cities shall be deemed and taken as security for all damage done and suffered or which shall occur to the owner or owners of lands and property rights hereinbefore described by reason of taking of the same for the use of said cities for the purpose aforesaid And it shall and may be lawful for the Court of Common Pleas of the proper county on application thereto by petition of the said director or of the owner or owners of said lands and property rights or any of them to appoint a jury for assessing damages consisting of three citizens of the said county and appoint a time not less than twenty or more than thirty days thereafter for said jurors to view said lands or other property rights aforesaid of which time and place of view ten days' notice shall be given by the petitioner to the said jurors and parties interested and the said jurors or a majority of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and having viewed the premises they shall establish and determine the quantity and value of the lands or other property rights aforesaid so taken to be used for the purpose aforesaid and after having made a fair and just computation of the advantages and disadvantages they shall estimate and determine whether any and if any what amount of damage has been or may be suffered and to whom payable and make report thereof to said court and if damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and the amount thereon and the amount of said judment shall be paid by said cities to the persons entitled thereto Each juror shall be entitled to the same pay per day for every day necessarily employed in the performance of the duties herein described as is paid to road jurors in said cities Any party in interest shall have the right to appeal" be amended so as to read as follows

Section 15. Whenever the director of the Department of Wharves Docks and Ferries in cities of the first class shall deem it necessary or advisable to acquire for said cities property of any kind for use as a public wharf pier or bulkhead to be owned by such cities with the necessary dock room or for the extension of or addition to any then existing public wharf pier or bulkhead owned by such cities or the improvement or enlargement of the dock or docks appurtenant thereto the said director shall have the power and he is hereby authorized by himself his deputy engineers surveyors or workmen to make all necessary or proper surveys for the location of such public wharf pier bulkhead or dock or extension enlargement or addition thereto and for that purpose if necessary to enter upon such property The provisions of this act shall apply to property held used or owned either for private or for public purposes including that held used or owned as a public wharf The said director may communicate the result of his said survey togetner with his recommendation in the premises to the councils or to the mayor of such cities or to both

The councils of said cities of the first class shall have the power and they are hereby authorized either in pursuance of such recommendation or otherwise to take condemn and appropriate by ordinance any such property for the uses and purposes hereinabove set forth or any of them Upon the passage and approval of any such ordinance in addition to the advertisement thereof required by law notice of such condemnation appropriation and taking shall be given to the registered owner or owners of such property which notice shall be accompanied by a copy of such ordinance and shall be served by delivering such notice and copy to him or them or by leaving the same upon the premises with the person in charge thereof or by mailing such notice and copy to such owner or owners by registered letter directed to his or their last known place of residence or by posting the same on a conspicuous part of the premises appropriated and condemned If the owner or owners of such property and the said director shall agree upon the price or compensation to be paid for the taking of such property upon payment of the price so agreed upon the said cities may enter upon and take exclusive possession thereof If within three (3) months of the date of giving notice as aforesaid they shall not so agree security for the damages so accruing may be entered by said cities in the manner provided by law in the case of the taking of property in the opening of streets and thereupon the said cities may in like manner enter upon and take exclusive possesion of such property Either party may before or after such entry upon and taking possession thereof present a petition to the court of quarter sessions of the county in which such property may be situated or to any judge thereof in vacation asking for the appointment of a board of view to assess the damages so accruing and the subsequent proceedings thereon shall be the same and with like effect as upon other petitions for the appointment of boards of view for the assessment of damages occasioned by the opening of streets by such cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 210, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

The first, second and third sections of the bill were read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act entitled "An act relating to the right to practice medicine et cetera" approved the third day of June Anno Domini one thousand nine hundred and eleven which title reads as follows

"Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions thererrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" be and the same is hereby amended and made to read as follows

Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an apropriation to carry out the provisions of said act and providing for revocation or suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith

Section 2 That so much of section three of said act which now reads as follows

"Said bureau shall be known by the name and title of 'The Bureau of Medical Education and Licensure of the Department of Public Instruction' of the Commonwealth of Pennsylvania and shall effect its organization immediately after the appointment of its members by the Governor" be and the same is hereby amended so as to read as follows

Said Bureau shall be known by the name and title of 'The Bureau of Medical Education and Licensure of the Department of Public Instruction" of the Commonwealth of Pennsylvania and shall effect its organization immediately after the apointment of its members by the Governor

It shall be the duty of the bureau to enforce all the requirements of this act In case of violation of the provisions of this Act procedure shall be through either the office of the Attorney General of the State of Pennsylvania or by special attorney or both at the discretion of the Bureau

Section 3 That so much of section four of said act which now reads as follows

"Any medical institution chartered by this Commonwealth and empowered to confer the degree in medicine that shall be unanimously adjudged by the bureau as failing to provide the proper facilities as maintaining a lower standard than that required under the provisions of this act said standard being a general preliminary education of not less than a standard four years' high school course or its equivalent and a graded medical and surgical course of four years each of which shall be of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study in different calendar years shall be duly notified of the same in writing signed by the secretary of the bureau" Be and the same is hereby amended so as to read as follows

Any medical institution chartered by this Commonwealth and empowered to confer the degree in medicine that shall be unanimously adjudged by the bureau as failing to provide the proper facilities as maintaining a lower minimum standard than that required under the provisions of this act said minimum standard being in addition to a general preliminary education of not less than a standard four years' high school course or its equivalent not less than one year of college credits in chemistry biology and physics all of which shall have been acquired prior to entering a medical school and a graded medical and surgical course of four years each of which shall be of not less than thirty-two weeks of not less than thirty-five hours of each week of actual work in didactic laboratory and clinical study in different calendar years and also such other standards as may be required by the Bureau of edical Education and Licensure shall be duly notified of the same in writing signed by the secretary of the bureau

The fourth section of the bill was read as follows:

Section 4 That so much of section five of said act which now reads as follows

"Applicants for licensure under the provision of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemporate use of alcohol or narcotic drugs and has had a general education of not less than a standard four years' high school course or its equivalent all of which have been received before admission to the second year of medical study and have attended four graded courses of not less than thirty-two weeks of not less than thirty-five hours each in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the board issuing license to practice in the state in which the college is situated the dean or proper officer of which shall certify that the applicant has successfully passed such of said respective courses" Be and the same is hereby amended so as to read as follows

Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age if of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and phyics all of which have been received before admission to medical study and have attended four graded courses of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the Dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed a year as intern in an approved hospital or a year of post graduate study approved by the Bureau of Medical Education and Licensure To be reputable under the meaning of this act a school or college must in addition conform to all the rules and regulations and requirements of the Bureau of Medical Education and Licensure

On the question,

Will the House agree to the section?

Mr. HEMMINGER. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amend line twenty-six, section four, by striking out "four" and inserting in lieu thereof "five"

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring.

Will the House agree to the section?

It was agreed to.

The fifth, sixth and seventh sections and title were read and agreed to as follows:

Section 5 That section six of said act which now reads as follows

"The Bureau of Medical Education and Licensure shall hold two stated meetings each year at Harrisburg for the transaction of its business and shall hold special meetings at its discretion upon giving due notice thereof

"The examinations conducted by the said bureau shall be written in the English language but may at its discretion be supplemented by oral or practical laboratory or bed side examinations or both Such examinations shall include anatomy physiology chemistry as applied to medicine hygiene and pre-

ventive medicine pathology as applied to medicine bacteriology symptomatology diagnosis surgery gynecology and obstertrics medical jurisprudence and toxicology materia medica and therapeutics the examination in materia medica and therapeutics to be conducted by the members of the bureau of the same school of medicine as the respective applicant

"For students in medical colleges situated within this Commonwealth such examinations shall be held in the institutions of learning at which the students are pursuing their course of studies at any time within thirty days of the proposed graduation of said students due notice having been given the proper authorities of the college or school or the examination may be held in any available laboratory or eleemosynary institution At such examinations only such students snall be examinca as are referred to the bureau by the college or school authorities as being in their judgment properly qualified to undertake the examination for state licensure and the license shall be issued only on presentation to the bureau of proof of graduation Such examinations may be considered as final and shall entitle the student to graduate without further test at the discretion of the college or school Students not admitted admitted fail to pass and all other applicants for registration and lisensure shall in due course after graduation make application to the bureau and take the examinations at one of the two stated yearly examination

"Any applicant who presents satisfactory evidence as to age preliminary education and good moral character and proper cerdentials signed by the Dean of and with the seal of a reputable and legally incorporated school or college of medicine recognized as such by the board issuing license to practice in the State in which the college or school is situated that he or she has completed at least two of the required four graded courses of training in said school of not less than thirty-two weeks of not less than thirty-five hours each week and in two different calendar years may be examined forthwith by the bureau upon the subjects of anatomy physiology chemistry as applied to medicine and hygiene and preventive medicine and it such applicants are respectively shown to be proficient in said subjects they may be exempted from further examinations in said subjects at the final examinations at or after their graduation Such students may also be examined at their school or college in the Commonwealth at the discretion of the bureau In case of failure at any partial examination thus given at the end of the second course in a medical school or college the candidate shall not be again examined in the subjects of anatomy physiology chemistry as applied to medicine and hygiene and preventive medicine or in any one or more of these subjects in which he may have failed until the completion of the required four graded courses in a reputable school or college of medicine but such candidate shall be submitted to the final examination at the completion of the said four years' course provided he or she produces sufficient evidence of continuing good moral character

"In case of failure at any terminal examination the application shall have after the expiration of six months and within two years the privilege of a second examination by the bureau without the payment of an additional fee In case of failure in a second terminal examination the applicant must enter de novo and qualify under the conditions obtaining at the time of this application Applicants for a licensing certificate who have been examined and licensed by State Board of Medical Examiners or State Boards of Health of other States which thorugh reciprocity similary accredit the holder o flicensing certificates from the Bureau of Medical Education and Licensure of this Commonwealth to the full privileges of practice within their respective boundaries shall on a payment of a fee of twenty-five dollars to the said bureau and on filing in the office of the bureau a true and attested copy of the said license certified by the affidavit of the President or Secretary of said State Board of Medical Examiners or Boards of Health issuing the same and showing also that the standard acquirements adopted by said State Board of Medical Examiners or State Boards of Health is equal to that provided for by the provision of this act shall without further examination receive a licensing certificate conferring on the holder thereof all the rights and privileges accorded by this Act Provided however that such applicant has not previously failed at an examination of this Commonwealth

"And further it shall be the duty of said bureau of Medical Education and Licensure at its discretion to examine any person pretending to a knowledge of a minor branch or branches of medicine and surgery for the purpose of establishing regulation and state licensure For this purpose it shall be the duty of the said bureau to establish such oversight of the instruction and teaching of the schools or colleges so pretending if any such obtain as is provided for in this act in the case of medical schools and college and further they shall conduct such limited examinations as are in their judgment necessary for the purpose of determining whether or not the applicant has the proper degree and knowledge of his or her subject and of determining whether in other respects they are worthy of registration and state licensure as provided for in this act For the purpose of conducting such examinations the said bureau shall have the privilege of calling to its aid men or women of established reputation and known ability in the particular pursuit under consideration and who shall be compensated for their services at the rate of ten dollars ($10.00) per day in addition to all incurred expenses Reciprocity and other provisions as provided for in this act and the case of doctors of medicine and surgery may be established at the discretion of the bureau for these limited practitioners

"Upon the requisite degree of knowledge and the moral character of the applicant being established as above provided for and on the payment of a fee of ten dollars ($10.00) the Bureau of Medical Education and Licensure of the Department of Public Instruction shall forthwith issue a State license to the applicant limited to the practice of his or her pursuit in this State this fact being plainly stated across the face of the certificate Such a system of special licensure being once established it shall thereafter be unlawful for any person or persons to practice said system without the said State License and on proof of violation of this provision of this act they shall be liable to all the penalties provided for in section one of this act in the case of doctors of medicine and surgery A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction and shall have the standing before the law of any other license issued by the Bureau of Medical Education and Licensure For the purpose of determining the verity of credentials and applications conducting examinations or discovering fraud or dishonesty the Secretary of the Bureau or in his absence any member thereof shall have the right to administer oaths or any form or obligation required by law" Be and the same is hereby amended so as to read as follows

The Bureau of Medical Education and Licensure shall hold two stated meetings each year at Harrisburg for the transaction of its business and shall hold special meetings at its discretion upon giving due notice thereof

The examinations conducted by the said bureau shall be written in the English language but may at its discretion be by oral or practical laboratory or bedside examinations or both For the purpose of conducting such examinations the bureau shall have the privilege of calling to its aid expert assistants The examinations shall be held at such times and places as shall be designated by the Bureau of Medical Education and Licensure at their discretion Such examinations shall include anatomy physiology chemistry as applied to medicine hygiene and preventive medicine pathology as applied to medicine bacteriology symptomatology diagnosis surgery gynecology and obstetrics medical jurisprudence and texicology practice and materia medica and therapeutics the examination in practice and materia medica and therapeutics to be conducted by the members of the bureau of the same school of medicine as the respective applicant

Any applicant who presents satisfactory evidence as to age preliminary education and good moral character and proper credentials signed by the Dean of and with the seal of a reputable and legally incorporated school or college of medicine recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania that he or she has completed at least two of the required four graded courses of training in said school of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study and in two different calendar years may be examined forthwith by the bureau at its riscretion upon the subjects of descriptive anatomy physiology and chemistry and if such applicants are respectively shown to be proficient in such subjects they may be exempted from further examinations in said subjects at the final examination In case of failure at any partial examinations thus given at the end of the second course in a medical school or college the candidate shall not then be examined in the subjects of descriptive anatomy physiology and chemistry or in any one or more of the subjects in which he may have failed until the completion of the required course of study but such candidate shall be admitted to the final examination given in this State provided he or she produces sufficient evidence of continuing good moral character

In case of failure at any final examination the applicant shall have after the expiration of six months and within two years the privilege of a second examination by the bureau without the payment of an additional fee In case of failure in a second final examination the applicant must enter de novo and only after a year of post graduate study approved by the bureau and qualify under the conditions obtaining at the time of this application Applicants for a licensing certificate who have been examined and licensed by State Boards of Medical Examiners or State Boards of Health of other states which through reciprocity similarly accredit the holders of licensing certificates from the Bureau of Medical Education and Licensure of this Commonwealth to the full privileges of practice within their respective boundaries or applicants with a medical degree from colleges in good standing with the Bureau of Medical Education and Licensure shall on the payment of a fee of fifty dollars to the said bureau and on filing in the office of the bureau a true and attested copy of said license certified by the president or secretary of such State Boards of Medical Examiners or Boards of Health issuing the same or medical degree of approved colleges and showing also that the standard of requirements adopted by said State Board of Medical Examiners or State Boards of Health or Colleges is equal to that provided for by the provisions of this act shall at the discretion of the Bureau of Medical Education and Licensure of the State of Pennsylvania without further examination receive a licensing certificate conferring on the holder thereof all the rights and privileges accorded by this act Provided however That such applicant has not previously failed at an examination of this Commonwealth

And further it shall be the duty of said Bureau of Medical Education and Licensure at its discretion to examine any person pretending to a knowledge of any branch or branches of medicine or surgery for the purpose of establishing regulation and state licensure for this purpose it shall be the duty of said bureau to establish such oversight of the instruction and teaching of the schools or colleges or individuals so pretending if any such obtained as is provided for in this act in the case of medical schools and colleges and further they shall conduct such limited examinations as are in their judgment necessary for the purpose of determining whether or not the applicant has a proper degree and knowledge of his or her subject and of determining whether in other respects as provided for in this act they are worthy of registration and state licensure For the purpose of conducting such examinations the bureau shall have the privilege of calling to its aid men or women of established reputation and known ability in the particular pursuit under consideration and who shall be compensated for their services at the rate of not more than ten dollars per day in addition to all incurred expenses Reciprocity and other provisions as provided for in this act in the case of doctors of medicine and surgery may be established at the discretion of the bureau for these limited practitioners

Upon the requisite degree of knowledge and the moral character of the applicant being established as above provided for and on the payment of a fee of ten dollars ($10.00) the Bureau of Medical Education and Licensure of the Department of Public Instruction shall forthwith issue a state certificate to the applicant limited to the practice of his or her pursuit in this State this fact being plainly stated across the face of the certificate Such a system of special licensure being once established it shall thereafter be unlawful for any person or persons to practice said system in this State without the said State certificate which certificate shall be revocable by the Bureau of Medical Education and Licensure on proof of violation of the rules and regulations of said Bureau and on proof of violation of this provision of this act the holder of said certificate shall be liable to all the penalties provided for in section one of this act in case of doctors of medicine and surgery A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction and shall have the standing before the law of any other license issued by the Bureau of Medical Education and Licensure For the purpose of determining the verity of credentials and applicants conducting examinations or discovering fraud or dishonesty the secretary of the bureau or in his absence any member thereof shall have the right to administer oaths or any form of obligation required by law

Section 6 That so much of section nine of said act which now reads as follows

"All fees that may be received by said bureau from examination or any source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau Medical Education and Licensure at least once in each three months on a proper audit being made thereof by the Auditor General of this Commonwealth" Be and the same is hereby amended so as to read as follows

All fees that may be received by said bureau from examination or any other source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau of Medical Education and Licensure at least once in each six months on a proper audit being made therof by the Auditor General of this Commonwealth excepting such as are derived from protitioners of a branch of medicine and surgery as provided for in section six In which case the fees are to be utilized in conducting the regulations of the particular branch paying the fee of a branch of medicine and surgery as provided for in section six In which case the fees are to be utilized in conducting the regulations of theparticular branch paying the fee and the and the surplus is to be turned over to the State Treasurer as provided above

Section 7 That so much of section eleven of said act which now reads as follows

"For the payment of said salaries and expenses and for other incidental expenses including rent clerical services stenographer and typewriting and any other assistance that may be necessary for carrying into effect the provisions of this act the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June first one thousand nine nundred and eleven" be and the same is hereby amended so as to read as follows

For the payment of said salaries and expenses and for other incidental expenses including rent clerical services stenographer and typewriting and any other assistance that may be necessary for carrying into effect the provisions of this act the sum of fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June first one thousand nine hundred and thirteen

An Act to amend title and section three and four and five and six and nine and eleven of an act entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

And said bill having been read at length the second time

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 575, as follows:

An act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all State and county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the warden superintendent or other officer of any State prison penitentiary or State reformatory in the Commonwealth or any other authority whatsoever shall not make any contact by which the labor or time of any prisoner confined in any State prison penitentiary or State reformatory in the Commonwealth or the product or profit of his work shall be contracted let farmed out given or sold to any person firm association or corporation povided however that the prisoners in the said penal institutions may work for and in behalf of the Commonwealth and any political division thereof and the products of their labor may be disposed of to the Commonwealth or any political division thereof or to any public institution owned or managed or controlled by the Commonwealth or any political division thereof

Section 2 Provided however that none of the products of such prison labor shall be sold or exchanged by the Commonwealth but shall be understood to have been produced for its exclusive use or consumption only or for use or consumption by any public institution or political division of the Commonwealth

Section 3 The officers of the various county prisons and workhouses and reformatories or any other authority whatsoever shall not after the passage of this act make any contract by which the labor or time of any prisoner in any county prison workhouse or reformatory in this Commonwealth or the product or profit of his work shall be contracted let farmed out given or sold to any person firm association or corporation provided however that the prisoners in the county prisons workhouses and reformatories may work for and in behalf of the county in which imprisoned or of any political division thereof and the products of their labor may be disposed of to the Commonwealth or any political division thereof or to any public institution owned or managed or controlled by the Commonwealth or any political division thereof

Section 4 The board of inspectors wardens superintendents and other officials of all State prisons penitentiaries and State reformatories in the Commonwealth may so far as practicable cause all the prisoners in said institutions who are physically capable to be employed at labor for not to exceed eight hours of each day other than Sundays and public holidays but such labor shall be either for the purpose of production of supplies for said institutions or for the Commonwealth or any political division thereof or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes

Section 5 The superintendents wardens managers and officials of the various county prisons workhouses and reformatories in this Commonwealth shall so far as practicable cause all the prisoners in said institutions who are physically capable to be employed at labor for not to exceed eight hours of each day other than Sunday and public holidays but such labor shall be either for the purpose of production of supplies for said institutions or for any public institution owned or managed or controlled by the Commonwealth or any political division thereof or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes

Section 6 Any contract made by any superintendent warden manager agent or official of any prison or reformatory institution in the Commonwealth in violation of or contrary to the provisions of this act shall be null and void It shall be the duty of any such superintendent warden manager agent or official to furnish the district attorney of the county in which the prison or reformatory institution is located upon demand thereof a true copy if in writing and if not the substance of any contract made by such superintendent warden manager agent or official of such prison or reformatory institution relating in any to the system of labor adopted or to the employment of prisoners in any of said prisons or reformatory institutions

Section 7 Any superintendent warden manager or official of any prison or reformatory institution in the Commonwealth violating any part of this act shall be guilty of a misdemeanor and upon conviction thereof be fined not less than one thousand dollars and undergo an imprisonment of not more than three years or both or either at the discretion of the court

Section 8 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 352, as follows:

To amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to testify against each other in certain cases" which provides as follows

"Section 3 Hereafter a married woman may sue and be sued civilly in all respects and in any form of action and with the same effects and results or consequences as an unmarried person but she may not sue her husband except in a proceeding for divorce or in a proceeding to protect or recover her separate property whensoever he may desert or separate himself from her without sufficient cause or may have neglected or refused to support her nor may he sue her except in a proceeding for divorce or in a proceeding to protect or recover his separate property whensoever she may have deserted or separated herself from him without sufficient cause nor may she be arrested or imprisoned for her torts" be and the same is hereby amended so as to read as follows

"Section 3 Hereafter a married woman may sue and be sued civilly in all respects and in any form of action and with the same effect and results and consequences as an unmarried person but she may not sue her husband except in a proceeding for divorce or in a proceeding to protect and recover her separate property nor may he sue her except in a proceeding for divorce or in a proceeding to protect or recover his separate property nor may she be arrested or imprisoned for her torts"

And that section four of the same act which provides as follows

"Section 4 In any proceeding brought by either under the provisions of section three to protect or recover the separate property of either both shall be fully competent witnesses except that neither may testify to confidential communications made by one or the other unless this privilege be waived upon the trial" be and the same is hereby amended to read as follows

"Section 4 In any proceeding brought by either the husband or wife to protect and recover the separate property of either both shall be fully competent witnesses except that neither may testify to confidential communications made by one or the other unless this privilege be waived upon the trial"

Section 2 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 547, entitled:

A joint resolution requiring the construction of an adequate fishway in the dam constructed across the Susquehanna river by the McCall's Ferry Power Company at McCall's Ferry providing haw and when and by whom such fishway shall be construed and providing penalties for failure to comply with the terms of this resolution

The first section of the bill was read as follows:

Whereas The McCall's Ferry Power Company now known as Pennsylvania Water Power Company has heretofore erected a dam across the River Susquehanna at McCall's Ferry and

Whereas In the decree of court authorizing the construction of said dam the construction and maintenance thereof was subject to the making and maintaining by said company of adequate provision for the passage of fish and

Whereas The said company in wanton and flagrant violation and disregard of said decree has hitherto refused and neglected to comply therewith and has willfully refused and neglected to make adequate provision for the passage of fish as aforesaid and

Whereas Inasmuch as said company has acted in flagrant contempt of the laws of this Commonwealth and of said decree the powers and privileges vested in said company should be revoked and the company made to realize that it cannot with impunity act in willful disregard of the rights of the citizens of Pennsylvania therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Fish Commissioner is hereby authorized to examine the dam erected across the Susquehanna River at McCall's Ferry Power Company and to ascertain whether said company has complied with the decree of the court of common pleas of Dauphin County made on to wit the fourteenth day of January one thousand nine hundred and seven as of record at umber four hundred sixty-two Commonwealth docket one thousand nine hundred six and, to ascertain whether adequate provision has been made for the passage of fish If the Fish Commissioner shall ascertain that adequate provision for the passage of fish has not been made he shall in writing notify the said company to begin within one week and complete within one month from the date of such notice the construction of a fish way that will hereafter secure adequate provision for the passage of fish up and down said river If said company shall not after the expiration of one week from service of said notice on any official of the company begin such work and prosecute it continuously to completion within the said limit of time and in accordance with plans heretofore or hereafter prepared by the Fish Commissioner then said Fish Commissioner is hereby authorized to cause said work to be done in accordance with said plans and at the cost of the said company If the work be done by the Fish Commissioner he is hereby authorized to collect in the name of this Commonwealth the cost thereof with a penalty of fifty per centum additional to be collected as debts of like amount are now by law collected The surplus after payment for said work shall be paid into the treasury of this Commonwealth Furthermore if the said company shall not begin said work as aforesaid the Fish Commissioner shall lay the matter before the Attorney General who shall forthwith by quo warranto proceed to have the powers and privileges heretofore vested in said company be revoked

On the question,

Will the House agree to the section?

Mr. SPANGLER: Mr. Speaker, I desire to offer amendments to this section

The amendments were read as follows:

Amend section one line six after the word "company" insert "now the Pennsylvania Water and Power Company."

Also amend section one line sixteen by striking out the words "one month" and inserting the words "six weeks"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

On the question,

Will the House agree to the title?

Mr. SPANGLER: Mr. Speaker, I desire to offer the following amendment to the title:

The amendment was read as follows:

Amend title line three after the word "company" insert "now the Pennsylvania Water and Power Company"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 531, as follows:

An act fixing the time of organization of the commissioners of first class townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners of the several townships of the first class of this Commonwealth shall organize on the first Monday of January one thousand nine hundred and fourteen and biennially thereafter assembling for such purpose at their respective places of meeting at seven thirty o'clock in the afternoon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 539, as follows:

An act establishing in the Department of Health a division to be known as the Division of Child Welfare and defining its powers and duties and providing a penalty for violation of the orders of the Commissioner of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established in the Department of Health a division to be known as the Division of Child Welfare The executive head of this division shall be a superintendent who shall be appointed by the Commissioner of Health and shall receive an annual salary of three thousand ($3,000) dollars the Commissioner of Health shall also appoint for this division one statistical clerk at an annual salary of two thousand ($2,000) dollars one clerk at an annual salary of one thousand five hundred ($1,500) dollars one stenographer at an annual salary of nine hundred ($900) dollars one special agent at an annual salary of one thousand eight hundred ($1,800) dollars and one messenger at an annual salary of nine hundred ($900) dollars and the Commissioner of Health shall be further authorized for the purpose of this division to use when expedient the field force of the other divisions of the department or any part thereof

Section 2 It shall be the duty of the Division of Child Welfare to investigate the health and welfare of the children of this Commonwealth to instruct mothers in the care of infants to investigate and inspect conditions in day nurseriess and boarding homes for infants institutions for foundlings and orphans and institutions caring for feeble minded children to have charge of the medical examination of children for employment certificates and to administer and enforce the laws of this Commonwealth relating to child labor and relating to compensation of mothers for partial support of children at home to investigate infant mrtality accidents and diseases of children support of children dangerous occupations for children and juvenile courts It shall have general charge of such other matters as may be by law assigned to the division or which the Commissioner of Health may designate

Section 3 The superintendent shall report annually in writing to the Commissione rof Health or at such time as the commissioner may designate the report shall contain he results of all the findings of the division and shall also contain such recommendations and such suggestions as the superintendent shall deem advisable for the improvement of the health and physical welfare of the children of this Commonwealth

Section 4 Whenever after investigation it shall appear that the children in day nurseries boarding homes for infants institutions for foundlings and orphans or institutions caring for feeble-minded children are inadequately fed or otherwise cared for the Commissioner of Health shall issue an oder directed to the board superintendent or other person or persons in charge of or esponsible for such institutions directing that the conditions found to be inadequate or deficient shall be remedied and any person or persons responsible for or in charge of any of such institutions who shall fail to comply with such order within thirty (30) days after the receipt of the same shall upon conviction thereof in a summary proceeding before any alderman or justice of the peace of the county wherein such institution is located be sentenced to pay a fine of not less than twenty ($20) dollars or more than one hundred ($100) dollars to be paid to the said county with the costs of prosecution or to be confined in the county jail for a period of not less than ten (10) days or more than thirty (30) days or both at the discretion of the court

Section 5 For the payment of the salaries herein provided for and for the payment of necessary traveling expenses and other necessary expenses incurred by the Department of Health in carrying out the provisions of this act fo the two years beginning June first one thousand nine hundred and thirteen the sum of thirty-five thousand ($35,000) dollars or so much theerof as may be necessary be and the same is hereby appropriated

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. GEARY: Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriation.

It was agreed to.

RECONSIDERATION OF VOTE.

Mr. RONEY: Mr. Speaker.

The SPEAKER: The gentleman from Philadelphia, Mr. Roney.

Mr. RONEY: Mr. Speaker, would it be in order to submit a motion for the re-consideration of a bill which failed on final passage?

The SPEAKER: A motion would be in order at this time.

Mr. RONEY: Mr. Speaker, I desire to offer a motion.

Mr. SPEAKER: The motion will be read by the Clerk.

The Clerk read the motion as follows:

Moved that the vote by which House Bill No. 354, entitled,

An Act for the protection of the public health by prohibiting the use fo finger bowls unless such finger bowls are thoroughly cleansed after each individual use and providing a penalty for violation thereof

which was defeated on third reading, on Monday, February 17th, 1913, be re-considered.

Mr. CHARLES A. SHAFFER: I second the motion.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL ON FINAL PASSAGE.

On the question,

Shall the bill pass finally?

Mr. RICHARDS: Mr. Speaker.

The SPEAKER: The gentleman from Allegheny, Mr. Richards.

Mr. RICHARDS: Mr. Speaker, and Gentlemen of the House, this bill is known better by the name of the "Finger Bowl Bill" than it is by the number of the bill. "Finger Bowl" or some other name is one to convey the idea of a freak bill. This bill has more virtue in it than it would seem on first thought. I know that it should not be necessary for this body to enact into a law a measure compelling the proprietors of the public eating houses to serve the people of this Commonwealth with clean finger-bowls. Experience has taught us that it is necessary to do this at this time. This bill has been given serious consideration by those who are most heartily interested in the preservation of health. All the people of this State, the members of this House know why this bill was given to the honorable gentleman from Franklin, Mr. Runk, to present. It was referred to the Committee on Health and Sanitation and after a very serious consideration by that Committee, it was reported back to this House with an affirmative recommendation and by a unanimous vote of that Committee. In my opinion it is just as necessary for the protection of our health and possibly our lives that we should be served with clean finger-bowls as it is that we should be served with clean cups or forks or spoons, if you please.

I believe, Mr. Speaker, that if the members of this House would give this bill serious consideration, the consideration that it deserves, I feel sure that they would vote to support this motion. I am very much in favor of this bill for this reason:—We will suppose that some person who is unfortunate enough to be afflicted with tuberculosis, if you please, should dip their fingers into a bowl and then cleanse their lip with this water and that water immediately becomes infected with the germs and you and I are liable to be inoculated with these germs and more especially if there is an abrasion of the skin on the fingers or lip. There are other contagious diseases that I might mention that in my opinion is even more serious and as dangerous as tuberculosis, that we are liable to contract by using finger-bowls that have not been properly cleaned and I ask the members of this House to give it the consideration that is due it. It does not carry any appropriation with it. It has been stated by some mmebers of this House that the bill itself does not carry with it the provision for its enactment, but I have learned through that worthy gentleman, Dr. Dixon, that the State Board of Health wishes to get the present law to have the right to make rules governing such cases as this, and they are only too anxious that this shall become a law and they want the opportunity to enforce it so that we may protect some one from the hideous diseases and horrible deaths, perhaps. I ask the members of this House to vote for this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Ewing,	Letzkus,	Richards,
Alworth,	Fahey,	Lohr,	Robinson,
Ambler,	Flynn,	Lowers,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Runk,
Baldwin, R. J.,	Frey,	Mannion,	Sassaman,
Barner,	Gans,	Mather,	Schaeffer, A. C.
Bass,	Geary,	Matt,	Schuck,
Becker,	Geiser,	McAllister,	Semmens,
Benson,	Gibson,	McCaig,	Shaffer, C. A.,
Bigger,	Goss,	McClintock,	Shern,
Bittles,	Gramley,	McKay,	Showalter,
Blair, W. A.,	Gransback,	McNichol,	Smith, L.,
Blair, W. F.,	Gray, Frank,	Mechling,	Snavely,
Body,	Hackett,	Mellott,	Snyder,
Brosius,	Haggerty,	Metzenbacher,	Spillinger,
Brownlee,	Hess,	Missimer,	Steedle,
Burnett,	Heyburn,	Moore,	Steele,
Caldwell,	Hobbs,	Morrow,	Stone,
Campbell, C.M.,	Hoffman,	Moses,	Swartz,
Campbell, J.J.	Howard, J.,	Moulthrop,	Swift,
Carter,	Humes,	Musser,	Thomas,
Cleary,	Isler,	Neel,	Ulerich,
Conner,	Irwin, G. C.,	Newton,	Ulman,
Conniff,	Irwin, H. H.,	North,	Walnut,
Conrade,	Jackson,	O'Neill,	Walsh,
Currier,	Jones, J. R.,	Peachey,	Watson,
Curry,	Kaiser,	Pennegar,	Whitman,
Davis,	Kaufman,	Pennock,	Wildman,
DeFrees,	Keeport,	Perry, S. J.,	Williams,
Dickinson,	Kennedy,	Piper,	Wilson, J. H.,
Donahoe,	Kern,	Price,	Wilson, W. H.,
Donnally,	Kitts,	Ramsey,	Wiltbank,
Down,	Klepper,	Reese,	Young, G. K.
Dunn, H. B.,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Dunn, J. A.,	Latshaw,	Rex,	Zimmerman,
Ehrhardt,	Leslie,	Rhoads,	Alter,
Ely,			Speaker.

NAYS—47.

Arthur,	Good,	Lonker,	Riebel,
Benninger,	Grabe,	Martin,	Rockwell,
Bergey,	Gray, Joseph,	McAleer,	Rothenberger,
Berntheizel,	Heidinger,	McArdle,	Scott, S. B.,
Brown,	Hemminger,	McDermott,	Sherwood,
Carson,	Herman,	Miller,	Smith, J. W.,
Cheeseman,	Hibshman,	Mitchell,	Spangler,
Claycomb,	Howard, R.,	Murphy,	Strauss,
Collins,	Jones, E. E.,	Newbaker,	Trach,
Cox,	Keegan,	Peters,	Walton,
Eichenberger,	Kuhns, E.G.M.,	Post,	Whitaker,
Glenn,	Lanius,	Redfield,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. MATT: Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 9:10 o'clock P. M.) the House adjourned until tomorrow morning at ten o'clock.

ERRATA.

All Bills after House Bill 539, page 377, up to and including House Bill 641, page 379 were not read the first time as therein recorded.

For action on these bills see today's proceedings.

Page 105, bottom of second column, substitute the following for remarks of John Robert Jones.

JOHN ROBERT JONES: Mr. Speaker, in view of the confusion arising from the great number of candidates I desire my name to be withdrawn as a candidate.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, FEBRUARY 25, 1913. No. 22.

SENATE.

TUESDAY, February 25, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by Rev. A. E. Fletcher.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. Herbst, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING PROTECTION OF BIRDS.

Mr. SPROUL presented the petition of citizens of Delaware County praying for the passage of legislation for the better protection of birds.

Which was referred to the Committee on Game and Fisheries.

FAVORING PROHIBITORY AMENDMENT.

Mr. CLARK presented the petition of 150 citizens of Mill Creek Township, Erie County, praying for an amendment to the Constitution, prohibiting the manufacture and sale of vinous, spirituous and malt liquors.

Which was referred to the Committee on Law and Order.

REPORTS FROM COMMITTEES.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 333, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the 14th day of June, A. D., 1911 (Appropriation Acts, page 259) making an appropriation to pay the tuition of students in State Normal Schools.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 370, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years, commencing June 1st, 1911.

Mr. THOMPSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 276, entitled:

An Act to amend an act approved the 4th day of June, 1901, entitled "An act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or matrials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct; telegraph, telephone railway or railroad line; canal mill-race; works for supplying water, heat, light, power, cold air, or any other substance furnished to the public; well for the production of gas, oil or other volatile or mineral substance, or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," as amended.

Mr. JONES, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 46, entitled:

An Act to amend section ten of an act, entitled "An act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions," approved the 1st day of May, A. D. 1909.

Mr. BEIDLEMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 225, (House Bill No. 88), entitled:

An Act to amend the first section of an act, entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties," approved the 27th day of June, 1895, as amended by the act, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said county,' approved June 27th, 1895, so as to make it apply to all counties containing one hundred and fifty thousand inhabitants and authorizing the Governor to fill vacancies," approved the 8th day of May, 1901, by providing for the office of controller in all counties having over one hundred thousand inhabitants.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 232, (House Bill No. 89), entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 281, entitled:

An Act to carry out the mandates of Article 5, Section 22, of the Constitution of the Commonwealth of Pennsylvania, providing for the establishment and creation of a separate Orphans' Court in counties having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 372, entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 350, (House Bill No. 248), entitled:

An Act to amend an act approved the 25th day of June, 1895, entitled "An act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult."

Mr. JUDSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 274, entitled:

An Act amending the third section of an act approved the 31st day of May, 1907, entitled 'An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers; defining their powers and duties, and fixing their compensation; and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly, approved the 28th day of March, A. D. 1895."

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 275, entitled:

An Act to amend an act approved the 26th day of March, 1895, entitled "An Act relative to the Public Grounds and Buildings; defining the powers of the Commissioners; authorizing the Board of Commissioners to carry into effect the provisions of Section twelve, Article three of the Constitution relative to contracts for stationery, supplies, fuel, furniture, furnishings, distribution of documents, repairs, alterations or improvements and other matters needed by the Legislature, the several departments, boards and commissions of the State government and Executive Mansion; authorizing the appointment of a Superintendent and defining his powers, authority and duties, and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same.

Mr. JARRETT, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 22, entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 121, entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the City of Harrisburg, Dauphin county, Pennsylvania, to bring suit or suits against and to recover from

the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin County any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building, at Harrisburg, Dauphin county, Pennsylvania.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 36, entitled:

An Act providing for the appointment and removal of police in townships of the second class and fixing their duties, powers, compensation.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 169, entitled:

An Act relating to findings in proceedings in lunacy.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 229 (House Bill No. 24), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor, of the Commonwealth of Pennsylvania, at last evening's session, which were laid upon the table.

Mr. SONES, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 334 (House Bill No. 236) entitled:

An Act relating the manufacture, sale and offering for sale of mattresses and fixing penalties for violation hereof.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built-up portions of cities and boroughs unless covered wagons or vehicles be used; and providing a penalty for violation thereof, thereof.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 405, entitled:

An Act to amend the third section of an act, entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention," approved the 8th day of May, 1883, so as to fix the number and compensation of the officers of the Committee on Lunacy.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 406, entitled:

An Act to amend the 4th, 5th, 8th and 9th sections of an act, entitled "An Act to create a Board of Public Charities," approved the 24th day of April, A. D., 1869, so as to confer additional powers upon the said Board and extend the duties and fix the compensation of the Secretary and General Agent.

BILLS INTRODUCED.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 482, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of the University, the purchase of equipment, and the construction of buildings.

Which was committed to the Committee on Appropriations.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 483, entitled:

An Act making an appropriation to the York Hospital and Dispensary of York, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 484, entitled:

An Act to amend section thirteen of an act, entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," approved the 25th day of June, 1885.

Which was committed to the Committee on Judiciary Special.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 485, entitled:

An Act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and licensing of operators by the State Highway Department, establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in action for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor-vehicles without the consent of the owners thereof or by any person while intoxicated.

Which was committed to the Committee on Public Roads and Highways.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 486, entitled:

A joint resolution proposing an amendment to Section one of Article eight of the Constitution of Pennsylvania, by fixing certain suffrage qualifications of citizens honorably discharged from the army or navy of the United States of America.

Which was committed to the Committee on Judiciary General.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 487, entitled:

An Act to tax for county, city, borough, township or local purposes property of corporation organized under or enjoying the benefits of the provisions of an act, entitled "An Act to provide for the incorporation and regulation of natural gas companies," approved the 29th day of May, A. D., 1885, and providing for the assessment and taxing thereof.

Which was committed to the Committee on Finance.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 488, entitled:

An Act for the better preservation of the records contained in the office of Recorder of Deeds of counties having a population of over one million five hundred thousand of the Commonwealth of Pennsylvania, providing for the replacement of worn or dilapidated records and the payment of the cost thereof out of the county funds.

Which was committed to the Committee on Judiciary General.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 489, entitled:

An Act making an appropriation to the Bradford Hospital, of the City of Bradford.

Which was committed to the Committee on Appropriations.

REPORT OF COMMISSION TO EXAMINE THE LAWS RELATING TO THE RECORDING OF DEEDS AND MORTGAGES, TRANSFERS OF LANDS AND INSURANCE OF TITLES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from Commission at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE. Mr. President, I present the report of the Commission appointed pursuant to concurrent resolution approved May 11, 1911, to examine the Laws Relating to the Recording of Deeds and Mortgages, Transfers of Title, Insurance of Titles and a Draft of a proposed amendment to the Constitution of the State.

(For Report, see Appendix).

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 120, as follows:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of judges inspectors and clerks at all elections to be held within this Commonwealth except primary elections for the conduction of the same shall be five dollars each and that at all primary election the said pay shall be two dollars and fifty cents each Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city co-extensive with a county and shall not alter or effect in any manner the compensation of return judges as fixed by existing laws.

Section 2. All acts or parts of acts inconsistent herewith except as recited in section one are hereby repealed.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Heacock,	Magee,	Salus,
Beidleman,	Herbst,	Martin,	Sensenich,
Buckman,	Hilton,	McIlhenny,	Sheatz,
Clark,	Hoke,	McNichol,	Snyder,
Crow,	Hunter,	McNichols,	Sones,
Daix,	Jarrett,	Miller,	Sproul,
DeWitt,	Jones,	Mills,	Stineman,
Endsley,	Judson,	Moore,	Thompson,
Farley,	Kline,	Morgan,	Vare,
Fisher,	Knapp,	Nulty,	Wasbers,
Gyger,	Kurtz,	Powell,	Gerberich,
Hall,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FLNAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 2, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An act relating to mortor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Heacock,	Knapp,	Powell,
Beidleman,	Herbst,	Kurtz,	Salus,
Buckman,	Hilton,	Magee,	Sensenich,
Catlin,	Hoke,	Martin,	Sheatz,
Clark,	Homsher,	McIlhenny,	Sones,
Crow,	Hunter,	McNichol,	Sproul,
Daix,	Jarrett,	Miller,	Stineman,
Endsley,	Jones,	Moore,	Vare,
Fisher,	Judson,	Morgan,	Wasbers,
Gyger,	Kline,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—1.

DeWitt,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 23, as follows:

An Act entitled an act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records elegibility penalties and reports as set forth in sections one two three four five six seven and eight

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this bill and its approval by the Governor of the Commonwealth the Chief Executive shall appoint not less than five and not more than seven women residents of said county to act as trustees in whom shall be intrusted the carrying into effect the provisions of this act To provide monthly payment as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes such payment to be made direct to the recipient by the State Treasurer upon warrants drawn by the Auditor General and direct to the recipient by the County Treasurer Such payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 2 The administration of this act shall lie solely in the hands of the trustees appointed by the Governor They shall serve without pay but shall be permitted to charge for traveling expenses in making investigations of cases before a final recommendation as made to the Auditor General and County Treasurer The trustees shall provide a headquarters and appoint an investigator and a stenographer (if necessary) also suitable furnishings stationery and postage but at no time shall the yearly expense be more than three thousand dollars for counties with cities of the first class twenty-four hundred dollars for counties with cities of the second class eighteen hundred dollars for counties with cities of the third class and twelve hundred dollars for counties other than the aforesaid classes with the exception of the first year when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars if necessary for furnishings In order to carry the provisions of this act into effect an appropriation of two hundred thousand dollars from moneys not otherwise appropriated is hereby made proportioned to the counties of the Commonwealth according to their respective population in the Census of one thousand nine hundred and ten by the Auditor General and State Treasurer upon the passage and approval of this bill the State Treasurer shall place the proportionate amount of the entire appropriation to the various counties upon the books of the state treasury to the credit of the trustees one-half of which amount shall be available the first year after approval and the remainder the second year or until another appropriation may become available provided however that no county through their trustees or otherwise shall receive their allotment of the States appropriation unless an equal amount has been provided by the government of such county desiring the benefits under this act

Section 3 The trustees shall in no case recommend payment to any widow or abandoned mother until they are thoroughly satisfied that the recipient is worthy in every way and that in order to keep her children in her own home a monthly payment is necessary but then only upon satisfactory reports from a teacher in the district school stating that the child or children of the recipient of this fund are attending school provided they are of proper age and physically able to do so The combined total maximum payment shall not exceed twelve dollars per month for one child twenty dollars per month for two children twenty-six dollars per month for three children and five dollars per month for each additional child These payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 4 Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act the number of children their full names ages and places of residence shall be provided one copy to be on file in the office of the trustees as a public record one copy to be kept as a record in the juvenile court and in cities where no such court exists the records shall be kept on file in the Orphans Court and one copy to be forwarded with each application for a warrant to the Auditor General and one copy to the county Treasurer The copy to the Auditor General and the County Treasurer shall be sworn to by the Investigator and approved by at least a majority of the trustees

Section 5 No family shall be a beneficiary under this act unless the mother has been a continuous resident of the municipality in which she is applying for the benefits under this act for a period of three years

Section 6 Any person securing or attempting to secure an allowance not entitled thereto shall be declared guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year or both as the court may decide

Section 7 A detailed report of the number of beneficiaries the amount expended the advantages and disadvantages of the system improvements and recommendations shall be made by the trustees to the members of the General Assembly at the beginning of the session of one thousand nine hundred and fifteen

Section 8 All laws or parts of laws inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Heacock,	Magee,	Salus,
Beidleman,	Hilton,	Martin,	Sensenich,
Buckman,	Hoke,	McNichol,	Sheatz,
Clark,	Hunter,	Mills.	Sproul,
Crow,	Jarrett,	Moore,	Stineman,
Daix,	Jones,	Morgan,	Vare,
Endsley,	Kline,	Nulty.	Wasbers,
Gyger,	Knapp,	Powell,	Gerberich,
			Pres. pro tem.

NAYS—10.

Catlin,	Hall,	Judson,	McNichols,
DeWitt,	Herbst,	McIlhenny,	Miller,
Fisher,			Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 279, entitled:

An Act authorizing State Treasurer to endorse over to the Ladies' Memeorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accuring on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the

Auditor-General's Department due to said Ladies' Memorial Association

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Kurtz,	Powell,
Beidleman,	Heacock,	Magee,	Salus,
Buckman,	Herbst,	Martin,	Sensenich,
Catlin,	Hilton,	McIlhenny,	Sheatz,
Clark,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Sproul,
Daix,	Jarrett,	Miller,	Stineman,
DeWitt,	Jones,	Mills,	Thompson,
Endsley,	Judson,	Moore,	Vare,
Farley,	Kline,	Morgan,	Wasbers,
Fisher,	Knapp,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives which were laid upon the table.

REPORT FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 386, entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class, and fixing the compensation and expenses to be paid by the proper townships.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JARRETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator will state his question of personal privilege.

Mr. JARRETT. Mr. President, my question of personal privilege is in relation to the confirmation of Mr. Bigelow last night.

Mr. President, last evening I was recorded as voting against the confirmation of Mr. Bigelow. It was my intention when I came to Harrisburg this week to cast a vote in the affirmative. When I came into the Senate chamber last evening I was accosted by one of the Senators—I was late, however, getting in—and he asked me as to how I was going to vote on the confirmation of Mr. Bigelow. I told him that I thought that I would vote in the affirmative, but I said in all fairness to the men that we have been aligning with here, the men that we have taken this matter up with, and the men that have been the leaders of the opposition of which we were a part, I thought it no more than fair to those men that we should meet them in a committee room or elsewhere and that we should tell them there what our contentions were on this confirmation. I thought it was no more than fair that I should meet those men. I had told them what I was going to do, that I was going to consider it for a week and was going to investigate, and I thought it no more than fair that I should meet them like a man and tell them I was going to vote for Mr. Bigelow. I want it understood that there is not one iota of politics mixed up with me in this. I wanted it understood when I came here to favor Mr. Bigelow that it was because I felt convinced within myself from the investigation that I have made that he has made as good a State officer as we have had. I want to say that my investigation has proved that he is the man that we should have as Commissioner of Highways in this State. I come from a district that is largely insurgent. I was elected on a straight Republican ticket, but I am not down here to further any political ends at all. I am not down here to throw coals on the head of anybody. I am not down here making this statement in order to win political favor; I am not seeking it, do not want it. I have certain measures introduced in this Senate and they are introduced on their merits. There are certain things I will ask and they have merit. If you do not see the merits, if the other Senators do not see the merits in them, they do not need to vote for them, and they can vote against the other things that I ask. From my investigation at the outstart I was convinced that I would not support Mr. Bigelow, and the things that came to me were things that caused me to investigate, such as the letting of contracts. It came to my ears that up in my county on a contract the difference between the highest bidder and the lowest bidder was several thousand dollars and the contract was given to the highest bidder. I have investigated that and found out it was a malicious lie. I have found out the people who told me that were mistaken. I am here to award efficiency. I think Mr. Bigelow and the men under him have been efficient and for that reason I am here to put the stamp of approval on what he has done, and the vote that was cast by me last night was not cast by me as a vote of disapproval of what he has done, but it was a vote that I was standing by my friends until I informed them as to what I intended to do as to this confirmation. I served notice on the friends of Mr. Bigelow last night that if it comes up tonight I will not vote for Mr. Bigelow, but if it comes up tomorrow I will, and tomorrow I will serve notice on my friends that I am going to leave them. And Mr. President, I am conscientious in the stand I have made. As I said before, it is not with political gain in mind that I make these remarks. I make them because I am conscientiously convinced that Mr. Bigelow is the proper man we should have at the head of this department.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 63, as follows:

An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the Governor to appoint to each of the five Courts of Common Pleas of Philadelphia county a competent person learned in the law to be a judge in addition to the judges now composing said courts The five persons so appointed shall hold their offices until the first Monday of January next and shall have the same powers authority and jurisdiction and receive the same compensation as the other judges of the said courts respectively

Section 2 That on the day of the next municipal election and thereafter at such time and times as may be prescribed by the Constitution of this Commonwealth the qualified electors of the county of Philadelphia shall elect five competent persons learned in the law to serve as additional judges of the said courts of common pleas one in each court who shall be commissioned and hold office for the term provided by the Constitution and shall have the same powers authority and jurisdiction and receive the same compensation as the other judges of the said courts respectively

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 100, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors, gaming and the conducting of immoral exhibitions at or near the fair grounds.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That there shall be and is hereby established a State Fair Commission to be composed of the Governor of the State the Secretary of Agriculture and seven other members to be appointed by the Governor Of the members of the State Fair Commission that are appointed by the Governor two shall hold office for two years two shall hold office for three years three shall hold office for four years As vacancies occur they shall be filled by appointees who shall be appointed for a term of four years Provided That when a vacancy occurs before expiration of term of any member the vacancy shall be filled by appointment for the unexpired term.

Section 2. The Board of State Fair Commissioners shall meet annually in Harrisburg on the first Wednesday after the first Monday in January The Board is authorized to elect from its membership a president vice-president and an executive committee whose term of office shall be fixed by the by-laws.

Section 3. The Board of State Fair Commissioners is hereby authorized to hold once each year a State fair The exact time for holding the same shall be fixed by the Board of State Fair Commissioners at the January meeting.

Section 4. The Board of State Fair Commissioners shall provide a permanent location for the State fair have the sole control of the fair and it may make such by-laws rules and regulations in relation to the management of its business as a majority of said board shall from time to time determine not inconsistent with the Constitution and laws of this State or the United States.

Section 5. The Board of State Fair Commissioners shall appoint some person not a member of the board as general manager and fix his compensation The general manager shall hold his office for a term not to exceed four years He shall perform such duties as pertain to such office as shall be required of him by the Board of State Fair Commissioners.

Section 6. The Board of State Fair Commissioners shall appoint some person not a member of the Board as secretary of the State fair and shall also appoint a clerk and a stenographer and fix their compensation The secretary clerk and stenographer shall hold their offices for a term fixed by the board not to exceed four years unless for good reason they shall be sooner removed by the board The secretary shall perform such duties as usually pertain to the office of secretary or shall be required of him by the Board of State Fair Commissioners.

Section 7. The Board of State Fair Commissioners shall appoint some person not a member of the board as treasurer and fix his compensation and prescribe his duties The treasurer shall give bond in such sum and with such sureties as the board shall direct The length of the term he shall hold office shall be fixed by the board but may not exceed four years He shall keep an accurate itemized account of all moneys received by him and paid out and make a report and full settlement with the board annually or oftener if required by the board.

Section 8. The Board of State Fair Commissioners shall after each annual meeting in January make and deliver to the Governor for transmission to the Legislature a report of their acts and doings including an accurate amount of receipts and expenditures.

Section 9 Whatever moneys shall be appropriated for the purposes of a State Fair shall be paid to the Board of State Fair Commissioners and may be expended by them as in the opinion of said board will best advance the interests of agriculture live-stock breeding dairying horticulture manufacture and domestic arts in this State.

Section 10. The Board of State Fair Commissioners may in that name contract and be contracted with may purchase hold or sell property may sue and be sued in all courts or places and this State shall not be liable for any debts or contracts of said board The title of the property real or personal acquired and controlled by the Board of State Fair Commissioners shall be vested in the Commonwealth of Pennsylvania and shall be free from taxes.

The eleventh section of the bill was read as follows:

Section 11 The members of the Board of State Fair Commissioners shall receive no compensation for their services wither directly or indirectly but their actual and necessary traveling and hotel expenses while going to and from and while in attendance upon the regular and special meetings of the board may be paid upon presentation of a specifically itemized bill after approval by the president of the board

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 11, in line 2, by striking out the word "wither" and inserting in lieu thereof the word "whether."

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth, thirteenth, fourteenth and fifteenth sections of the bill were read as follows and agreed to.

Section 12 Whoever shall keep any shop booth tent wagon vessel boat or other place for the sale of intoxicating liquors or expose for sale or sell give away or otherwise dispose of any intoxicating liquors or engage in gaming or conducting any indecent or immoral exhibitions at or within one mile of the place where the State Fair is held shall for each offense be fined not less than twenty-five dollars nor more than five hundred dollars Provided This section shall not affect hotelkeepers distiller or others exercising their calling at their usual places of business

Section 13 Any person violating the provisions of the preceding section may be arrested upon view or upon warrant by any sheriff constable or other officer authorized to make arrests

Section 14 The sum of five hundred thousand dollars is hereby appropriated to the Board of State Fair Commissioners for the period ending May thirty-first one thousand nine hundred and thirteen for meeting expenses in the organization conduct and management of annual exhibitions of the State Fair as provided by this act The funds here appropriated shall be paid by the State Treasurer on a warrant of the Auditor General in the manner now provided by law Specifically itemized vouchers covering every item of expense made under this appropriation shall be filed with the Auditor General

Section 15 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to.

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 116, as follows:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That it shall be unlawful for any person to throw or cause to be thrown any glass or metal or refuse upon any highway of any township or borough.

Section 2. Any person who shall violate the provisions of this act shall upon conviction thereof before any justice of the peace of the proper township or borough be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00).

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 154, entitled:

An Act regulating the storage and sale of linseed oil and compounds and limitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An act supplemental to an act entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

The first, second, third, fourth, fifth, sixth, seventh and eighth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "linseed oil" as used in this act shall mean an oil wholly the product ootained from pure flaxseed and conforming to the following requirements

First Its specific gravity at a temperature of fifteen and five-tenth degrees centigrade shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315) nor greater than nine thousand three hundred and sixty ten-thousandths (.9360)

Second Its acid value shall not exceed six (6)

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187) nor greater than one hundred and ninety-five (195)

Fourth It shall not contain more than one and one-half per centum of unsaponifiable matter

Fifth Its iodine value (Hanus number) shall be not less than one hundred and seventy (170) nor greater than one hundred and ninety (190)

The words "boiled linseed oil" as used in this act shall mean linseed oil as above defined which has been heated to a temperature of at least one hundred and seven degrees centigrade and conforming to the following requirements

First It shall not contain free rosin or rosin oil nor shall it contain rosin as resinates in excess of one per centum

Second It shall not contain more than two per centum of unsaponifiable matter

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185) nor greater than one hundred and ninety-five (195)

Fourth Its iodine value (Hanus number) shall be not less than one hundred and sixty (160) nor greater than one hundred and ninety (190)

Fifth Its specific gravity at a temperature of fifteen and five-tenth degrees centigrade shall be not less than nine thousand three hundred and twenty-five ten thousandths (.9325) nor greater than nine thousand four hundred and fifty ten thousandths (.9450)

Section 2 The word "container" as used in this act shall mean any tank barrel keg can bottle jug or other vessel in

which raw or boiled linseed oil or any compound or imitation thereof shall be stored sold or offered for sale

The word "person" as used in this act shall mean any individual partnership or corporation acting directly or acting indirectly through the agent servant or employe of such person

The word "marked" as used in this act shall mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words may be indicated in or on a container or on any label attached thereto

Section 3 It shall be unlawful for any person to store or sell or offer for sale any of the following commodities in a container having therein or thereon marked the words "linseed oil" or "flaxseed oil" or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flaxseed oil" namely

One Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Two Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Three Any imitation of linseed oil

Section 4 It shall be unlawful for any person to sell of offer for sale any compound or imitation of linseed oil without notifying the purchaser thereof in writing at the time of such sale that the oil so sold is a compound or imitation of linseed oil

Section 5 Any person who shall violate any of the provisions of this act shall upon conviction thereof before any alderman magistrate or justice of the peace of the county wherein the offense shall have been committed be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or in default thereof shall be committed to the jail or the proper county for a period of not less than thirty days nor more than sixty days

Section 6 It shall be the duty of the Secretary of Agriculture to cause the provisions of this act to be enforced All fines recovered in pursuance of this act shall be paid to or to the order of the Secretary of Agriculture and by him paid into the State Treasury

Section 7 Any person refusing to sell any oil to the Secretary of Agriculture or his agent or agents or in any way interfering with the enforcement of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars together with the costs of prosecution

Section 8 Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination The results of such examination shall be reported to such person within fifteen days from the receipt by the Department of such sample The fee for said examination shall be one dollar which shall be paid before such examination shall be made All moneys received from such examination shall be paid into the State Treasury

The ninth section of the bill was read as follows:

Section 9. The Secretary of Agriculture may from time to time cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 9 in line 4, by striking out "forceemnt" and inserting in lieu thereof the word "forcement."

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the sections amended?

It was agreed to.

The tenth, eleventh and twelfth sections of the bill were read as followed and agreed to.

Section 10. This act shall go into effect on the first day of June Anno Domini one thousand nine hundred and thirteen.

Section 11. All necessary expenses incurred in the enforcement of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law.

Section 12. The act approved the twenty-third day of April Anno Domini one thousand nine hundred and one, entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April Anno Domini one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one providing for the payment of expenses for the enforcement of the provisions of said act" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The title of the bill was read as follows:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An act supplemental to an act entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one."

On the question,

Will the Senate agree to the title?

Mr. BEIDLEMAN. Mr. President, I move to amend the title by adding thereto the words 'providing for the payment of expenses for the enforcement of the provisions of said act."

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 157, as follows:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the third day of June one thousand nine hundred and eleven entitled 'A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" which reads as follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" is hereby amended to read as follows

Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over three hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 160, as follows:

An Act repealing part of section one of an act entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one which reads as follows

"Eleventh The plaintiff in any writ of scire facias sur mechanics' claim or in any other writ to charge particular land

with the payment of a statutory lien other than those provided for in clause tenth and excepting also claims for taxes and municipal claims shall file his precipe an affidavit by himself his agent or attorney setting forth that he has caused inquiries to be made in the neighborhood of the property of at least three of those residing upon or nearest thereto whose names and residences are given and the dates of the inquiries stated and that he believes the persons named by him in such affidavit are the real owners of said property whereupon all such persons shall be made parties to the writ which shall be served by the sheriff by adding to the writ and serving as in the case of a summons all persons other than those named in the writ who may be found in possession of said property or any part thereof or if no one be found in possession thereof then by posting a true and attested copy of the writ on the most public part of said property and

(a) By serving as in the case of a summons such of those named in the writ as may be found in the county in which the writ issues and

(b) By serving as in the case of a summons such of those named in the writ as may be found in any other county of the Commonwealth by the sheriff thereof who shall be deputized for that purpose by the sheriff of the county in which the writ issues and

(c) If all those named in the writ cannot be served as provided in clauses (a) and (b) hereof then by mailing a true and attested copy of the writ in a registered letter to such of those named in the writ whose residences are given as without the Commonwealth and by advertising a brief notice of the contents of said writ once a week for four successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That if all those named in the writ have been personally served or if return registry receipts for the copies mailed are returned by the sheriff with the writ the advertisement above provided for may be dispensed with" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 167, entitled:

A Supplement to an act entitled "An act for cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one enlarging the powers of such cities over the public streets and highways therein

The first, second, third and fourth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That in addition to the powers now existing in cities of the second class in this Commonwealth over the public streets and highways therein said cities shall have power to use the streets and highways within said cities to provide comfort houses drinking places and waiting conveniences or for other similar purposes and to more fully accomplish the said purposes shall have the power to erect or permit the erection of structures both above and below the grade or level of such streets for the purposes of providing such convenience comforts and privileges to the general public

Section 2 All of the rights powers and privileges herein conferred upon cities of the second class in Section one hereof shall extend also to the sidewalks in public streets and highways therein

Section 3 That any damages accruing to the adjacent property arising from or by reason of the erection or construction of any such comfort stations shall be ascertained in the same manner as is provided by law for ascertaining damages arising to property sustained by the making of street improvements in cities of the second class in this Commonwealth

Section 4 That all acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows:

A supplement to an act entitled "An act for cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one enlarging the powers of such cities over the public streets and highways therein

On the question,

Will the Senate agree to the title?

Mr. KLINE. Mr. President, I move to amend the title in line 1 by inserting after the word "for" the words "government of."

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 189, as follows:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State Forest Reserves and to improve and maintain the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all public roads now existing located within or bordering upon the forest reserves of this Commonwealth shall be taken over by the State Highway Department from the several counties or townships of the Commonwealth on or before May one one thousand nine hundred and fourteen and when so taken over shall be improved and maintained by the State Highway Department at the expense of the Commonwealth

And said bill having been read at length the second time and agreed to:

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 215, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts or any borough which has heretofore received the sanction of said borough of boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all boroughs that are now incorporated or that may hereafter by incorporated shall have the right to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes for the supply and use of said inhabitants of said boroughs and may introduce the arc or incandescent electric light or any other form or style of electricity that may be deemed most expedient and desirable and said boroughs may enact such ordinances as may be proper and necessary to introduce and supply inhabitants of said boroughs who may desire to use the said electricity in their dwelling houses store-rooms and other places in said boroughs and regulate by ordinances the prices to be charged for the same

On the question,

Will the Senate agree to the section?

Mr. WASBERS. Mr. President, I move to amend the first section in line 5 by striking out the word "by" and inserting in lieu thereof the word "be."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Before any debt shall be contracted or incurred by any borough for the supply of electricity for the purposes mentioned and specified in section one of this act the question of the right to increase the debt of said borough for said purposes shall first be submitted to the qualified voters of said borough in the manner now provided by law for the increase of the indebtedness of municipal incorporations in this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. WASBERS. Mr. President, I move to amend the second section in line 7 by striking out the word "incorporations" and inserting in lieu thereof the word "corporations."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 That the provisions of this act shall apply to all boroughs now incorporated and which may have already submitted the question of the right to increase the debt of said boroughs for the purpose of procuring or erecting electric light plants for the better protection of said bor-

oughs and supplying with electricity for private manufacturing or commercial purposes to its citizens and the same has been approved by said citizens and all bonds heretofore authorized to be issued and all indebtedness heretofore contracted or incurred by said boroughs in the manner now provided by law for the submission of the right to increase the debt of said boroughs for said purposes is hereby made valid and confirmed

The title of the bill was read as follows and agreed to:

An Act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any person manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which he heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 230 (House bill No. 11) entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 233 (House bill No. 51) entitled:

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County and relating to the collection of taxes in Franklin County"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 347 (House bill No. 277) entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever in a newspaper periodical circular form letter or other publication published distributed or circulated in this Commonwealth or in any advertisement in this Commonwealth knowingly makes or disseminates or causes to be made or disseminated any statement or assertion concerning the quantity the quality the value the merit the use the present or former price the cost the reason for the price or the motive or purpose of a sale of any merchandise securities or services or concerning the method or cost of production or manufacture of such merchandise or the possession of rewards prizes or distinctions conferred on account of such merchandise or the manner or source of purchase of such merchandise or securities which is untrue or calculated to mislead shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not more than one thousand dollars or by imprisonment in the county jail not exceeding sixty days or by both such fine and imprisonment

On the question,

Will the Senate agree to the section?

Mr. HUNTER. Mr. President, I move to amend the first section in line 6, by striking out the word "or," after the word "Commonwealth."

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to prohibit the making or dissemination of false or misleading statement or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 385 (House bill No. 443) entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor-General's Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 475, (House Bill No. 456), entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth; fixing the powers and duties of the Bureau therein; fixing the compensation of the Assistant Director, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

A supplement to an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances," approved the second day of June, Anno Domini one thousand eight hundred and seventy-four, providing for increase of capital stock and amendment of the articles and continuing the term of existing associations, and providing for certain additional officers in such associations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 265, entitled:

An Act to amend Section eighteen of the Act of May first, one thousand nine hundred and nine, entitled "An Act to provide for the protection and preservation of game, game-guadrupeds and game birds and song and insectivorous birds and other wild birds, and prescribing penalties for violation of its several provisions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 316, entitled:

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 322, entitled:

An Act to extend the time for commencing and the time for opening and completing all railroads in this Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. SPROUL. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL, from the Committee on Finance, reported as amended, Senate Bill No. 72, entitled:

An Act regulating the making of certain reports and statements to the Auditor-General for purposes of State taxation.

Also from the Committee on Finance, reported as committed, Senate Bill No. 68, entitled:

A joint resolution proposing an amendment to Article nine, Section four, of the Constitution of the Commonwealth

of Pennsylvania, authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth.

Also from the Committee on Finance, reported as committed, Senate Bill No. 69, entitled:

A joint resolution proposing an amendment to Section one of Article nine of the Constitution of Pennsylvania, relating to taxation.

Also from the Committee on Finance, reported as committed, Senate Bill No. 73, entitled:

An Act to amend sections two and three of an act, entitled "An Act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," approved the 2d day of May, 1889, extending the same to other cases of escheat.

Also from the Committee on Finance, reported as committed, Senate Bill No. 75, entitled:

An Act regulating reports for the purposes of taxation by corporations, joint stock associations and limited partnerships, any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth.

Also from the Committee on Finance, reported as committed Senate Bill No. 76, entitled:

An Act providing for the report to the Auditor-General and escheat to the Commonwealth under certain conditions of deposits of money; deposits of money, stocks, bonds, notes, papers and other securities and all other valuables of the same or any other kind for safe keeping; and stock and dividends, and the principal and interest of bonds, notes, certificates and of all and any other kinds of indebtedness of corporations, limited partnerships and partnership associations; and providing for the enforcement of the same.

Also from the Committee on Finance, reported as committed, Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity.

Also from the Committee on Finance, reported as committed, Senate Bill No. 328, entitled:

A Further Supplement to an act approved the 7th day of June, 1879, entitled 'An act to provide revenue by taxation," as variously amended and supplemented.

BILL INTRODUCED.

Mr. MILLER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket, prescribing the use of said cost docket, and providing for the payment to his successor in office, of all costs collected or received by him, and not paid to the parties entitled to the same.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor, being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 25, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Miss Mary B. Swisshelm, Pittsburgh.
John A. Suhoza, Pittsburgh.

PHILADELPHIA COUNTY.

Miss Mary J. McCusker, Philadelphia.
Alphonsus L. Mulhern, Philadelphia.
Lorenzo Bozzelli, Philadelphia.

JOHN K. TENER.

REPORT FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation the nominations received at this morning's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Herbst,	Magee,	Salus,
Beidleman,	Hilton,	Martin,	Sensenich,
Buckman,	Hoke,	McIlhenny,	Sheatz,
Catlin,	Homsher,	McNichol,	Snyder,
Clark,	Huffman,	McNichols,	Sones,
Crow,	Hunter,	Miller,	Sproul,
Daix,	Jarrett,	Mills,	Stineman,
DeWitt,	Jones,	Moore,	Thompson,
Endsley,	Judson,	Morgan,	Vare,
Farley,	Kline,	Nulty,	Washers,
Gyger,	Knapp,	Powell,	Gerberich,
Hall,	Kurtz,		Pres. pro tem.

NAYS 0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. HERBST. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

CONCURRENT RESOLUTION FOR THE APPOINTMENT OF COMMISSION TO REVISE THE CRIMINAL LAWS.

The Chair cleared his table and laid before the Senate communication from the House of Representatives presenting for concurrence resolution as follows:

In the House of Representatives, February 3, 1913.

Be it Resolved (if the Senate concur), That the Governor of the Commonwealth be and is hereby authorized to appoint a Commission to revise the criminal laws of the Commonwealth of Pennsylvania; that said Commission shall be composed of nine members, two of whom shall be members of the present House of Representatives, and two of whom shall be members of the present Senate, of this Commonwealth, and five of whom shall be appointed from the State at large, not more than four members of said Commission to be members of the same political party; that one member of said Commission shall be designated as Chairman by the Governor, and that the members of the Commission appointed from the Senate and House of Representatives shall serve without compensation;

That the expenses of said Commission shall not exceed the sum of thirty thousand dollars, which shall be appropriated in the general appropriation bill, the expenses to include printing and to be paid on warrants, duly signed by the Chairman of the Commission. The said Commission shall be authorized to select one or more attorneys, a secretary and a stenographer, all of whom shall be paid from the said appropriation of thirty thousand dollars;

That said Commission shall make a report of its deliberations to the next Legislature, which will convene on the first Tuesday of January, A. D., 1915.

Resolved further, That said Commission be directed to report a codification of the criminal laws as at present existing, and to report separately the amendments or changes it recommends therein.

Which was referred to the Committee on Judiciary General.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 115, (Senate Bill No. 491), entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March, one thousand seven hundred eighty-nine, entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs.' "

Which was committed to the Committee on Judiciary Special.

House Bill No. 215, (Senate Bill No. 492), entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

Which was committed to the Committee on Judiciary Special.

House Bill No. 352, (Senate Bill No. 493), entitled:

An Act to amend sections three and four of an act approved the eighth day of June, one thousand eight hundred and ninety-three, entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property, to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases," by providing that they may sue each other and testify against each other in certain cases.

Which was committed to the Committee on Judiciary Special.

House Bill No. 354, (Senate Bill No. 494), entitled:

An Act for the protection of the public health by prohibiting the use of finger bowls unless such finger bowls are thoroughly cleansed after each individual use, and providing a penalty for violation thereof.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 470, (Senate Bill No. 495), entitled:

An Act authorizing the trustees of the Cottage State Hospital, located at Connellsville, Pennsylvania, to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution.

Which was committed to the Committee on Judiciary Special.

House Bill No. 547, (Senate Bill No. 496), entitled:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry; providing how and when and by whom such fish ways shall be constructed, and providing penalties for failure to comply with the terms of this resolution.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 580, (Senate Bill No. 497), entitled:

An amendment to an act, entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a department of wharves, docks and ferries (for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class, and providing for the making an enforcement of rules and regulations and fixing certain penalties for violation thereof, and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes), approved the eighth day of June, Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June, Anno Domini one thousand nine hundred and seven, entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a department of wharves, docks, and ferries (for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class and) providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof, and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes,' by fixing the number of the jury at three," approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and eleven.

Which was committed to the Committee on Judiciary General.

House Bill No. 582, (Senate Bill No. 498), entitled:

A supplement to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five creating a department of wharves, docks and ferries for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class, and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof, and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes approved the eighth day of June, Anno Domini one thousand nine hundred and seven.

Which was committed to the Committee on Judiciary General.

COMMUNICATION FAVORING CLUB LICENSE, LOCAL OPTION AND SUBMISSION OF PROHIBITORY AMENDMENT.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Law and Order:

First Methodist Episcopal Church,
New Brighton, Pa.
Frederic A. Gould, Pastor,
810 Eleventh Street.

To the Pennsylvania Senate,
Hon. Lieut. Gov. Reynolds Pres:

At the regular morning services of the First Methodist Episcopal Church, New Brighton, Pa., Feb. 16, 1913, a large congregation representing 775 members, unanimously adopted the following resolution:

Resolved, That we ask the passage of (1) a law forbidding the sale of liquor in clubs; (2) a local law, and (3) the submission to a vote of the people of Pennsylvania, of a prohibitory amendment to the State Constitution.

FREDERIC A. GOULD, Pastor, Ch.

F. S. SOUTHWORTH, Sec.

New Brighton, Pa.
Feb. 16, 1913.

RESIGNATION OF ASSASTANT CUSTODIAN OF THE WASHROOM.

He also laid before the Senate communication which was read as follows:

Philadelphia, Penna.,
February 25, 1913.

Hon. John M. Reynolds, President of the Senate.

My dear Sir:—I hereby tender my resignation as Assistant Custodian of the Wash Room of the Senate to take effect Feb. 28, 1913.

Very respectively yours,
DAVID LARE.

ASSISTANT CUSTODIAN OF THE WASHROOM.

Mr. CROW. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

Resolved, That John J. White, of 1941 South Sixteenth Street, Philadelphia, Pa., be elected as Assistant Custodian of the Washroom vice David Lare, resigned, said election to take effect March 1, 1913.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:13 o'clock P. M. until ten o'clock Wednesday morning, February 26, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 25th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Rev. A. E. Fletcher offered the following prayer:

Almighty God, our Heavenly Father, we worship Thee as the only true and living God, the Giver of every good and perfect gift. We thank Thee for this day, with its privileges and responsibilities. We thank Thee for the gift of life, and for life's unsullied page, on which introductory words for the day have already been written Grant O God, that with a due sense of our individual responsibilities we shall go on to its completion; and, as the evening shadows gather, and Memory shall make her retrospect and review, may there be no accusing conscience, but rather a peaceful sense of satisfaction that under God, with the light we have and out of a clear conception of righteous duty, we did the best we knew for our fellows and our God, to this end command Thy blessing and benediction to rest upon us that by us and through us Thou shalt come into possession of Thine own.

We ask with the forgiveness of sin, in the name of the Lord Christ. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of February 24th, 1913.

The Clerk proceeded to read the Journal of the proceedings of February 24th, 1913, when on motion of Mr. Leslie, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. RONEY. House Bill No. 910.

An Act making it the duty of the Recorders of Deeds of the various Counties of this Commonwealth, to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate is the actual and true consideration therefor; or if not, what is the actual and true consideration; before admitting such deeds or other instruments of conveyance to the records.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 911.

An Act to repeal an act entitled "An act to restrain and regulate the use of billiard tables, pool tables, and bagatelle boards or tables, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing punishments for the violations of the provisions of this act," approved the seventh day of June, one thousand nine hundred and eleven.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 912.

An Act laying a Tax on Anthracite Coal and providing for the Collection and Distribution of the same.

Referred to Committee on Ways and Means.

By Mr. HEMMINGER. House Bill No. 913.

An Act requiring corporations operating railroads to cause certain country and forest fires to be extinguished and fixing the liability of such corporations for damage resulting from such fires.

Referred to the Committee on Railroads.

By Mr. HEMMINGER. House Bill No. 914.

An Act authorizing the appointment of one person as secretary of the various boards of the State authorized to examine applicants and issue licenses to practice the several professions; and regulating the powers and duties and fixing the compensation of said secretary.

Referred to Committee on Judiciary Special.

By Mr. CLAYCOMB. House Bill No. 915.

An Act to provide for the return by the State Treasurer to the several counties from which the same are received, for their own use, one-half of certain taxes received or collected by County Treasurers or other officers and paid into the State Treasury.

Referred to Committee on Ways and Means.

By Mr. JOHN ROBERT JONES. House Bill No. 916.

An Act making an appropriation to the Benevolent Association's Home for Children, of Pottsville, Schuylkill County.

Referred to Committee on Appropriations.

By Mr. R. J. BALDWIN. House Bill No. 917.

An Act to prohibit the killing of foxes by certain methods in Delaware County, and fixing a penalty for violation of this act.

Referred to Committee on Game.

By Mr. CLAYCOMB. House Bill No. 918.

An Act to validate private sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May, one thousand eight hundred and eighty-nine, entitled "An act relating to orphans' court sales," which were not advertised in accordance with said act as amended.

Referred to Committee on Judiciary General.

By Mr. CLAYCOMB. House Bill No. 919.

A joint resolution proposing an Amendment to Section One of Article Nine of the Constitution of Pennsylvania, relating to Taxation.

Referred to Committee on Ways and Means.

By Mr. DOWN. House Bill No. 920.

An Act to prohibit the marriage cohabitation and fornication of white persons with persons of negro blood, and providing penalties for the violation hereof.

Referred to Committee on Judiciary Local.

By Mr. GRABE. House Bill No. 921.

An Act authorizing cities, boroughs, and townships to enact ordinances regulating pipes or tubes used to convey gas.

Referred to Committee on Municipal Corporations.

By Mr. NEWTON. House Bill No. 922.

Providing for the reimbursement for loss or damage sustained by the breaking of a dam near Austin, Potter County and making an appropriation therefore.

Referred to Committee on Appropriations.

ByU Mr. REX. House Bill No. 923.

An Act making an appropriation to the Trustees of the State Hospital for the Insane for the Southeastern District of Pennsylvania, located at Norristown.

Referred to Committee on Appropriations.

By Mr. J. H. WILSON. House Bill No. 924.

Declaring fraudulently declared credit for coal mined a misdemeanor, and prescribing penalties therefor.

Referred to the Committee on Mines and Mining.

By Mr. KITTS. House Bill No. 925.

Making an appropriation to the Hamot Hospital Association of the City of Erie, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MITCHELL. House Bill No. 926.

To classify species of fish in such parts of the boundary lakes, of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes, to declare which fish are game fish, which fish are food fish, and which are minnows or bait fish, to protect and provide for the maintenance and increase of fish in such lakes, to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act; and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances; and repealing all acts inconsistent herewith.

Referred to Committee on Fisheries.

By Mr. KITTS. House Bill No. 927.

Making an appropriation to the Florence Crittenton Home, of Erie.

Referred to Committee on Appropriations.

By Mr. MITCHELL. House Bill No. 928.

Authorizing the Commissioners of Water Works, of any city of the third class, wherein the title to the water-works therein located is in the name of the Commissioners of Water Works, to extend their pipes and improvements beyond the city limits, and supply water to persons, corporations and municipalities within the county, and regulating the supply of water.

Referred to the Committee on Municipal Corporations.

By Mr. E. G. M. KUHNS. House Bill No. 929.

An Act to amend Section five, and to extend the provisions of an act entitled "An Act to further define the duties and powers of the State Livestock Sanitary Board; to prevent the spread of dangerous, contagious or infectious diseases among domestic animals; to require reports to be made of the existence of such diseases; to limit appraisements and payments for animals that it may be necessary to destroy to prevent the spread of disease, to protect milk supplies from contamination; to authorize cooperation with local boards of health; and to prescribe penalties for the violation of the provisions hereof," approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine.

Referred to Committee on Agriculture.

By Mr. E. G. M. KUHNS. House Bill No. 930.

An Act to amend Section one, and to extend the provisions of an act, entitled "An Act to establish the State Stock Sanitary Board of Pennsylvania and to provide for the control and suppression of dangerous infectious diseases of domestic animals," approved the twenty-first day of May, Anno Domini, one thousand eight hundred and ninety-five.

Referred to Committee on Agriculture.

By Mr. REUBEN HOWARD. House Bill No. 931.

A joint resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Hand Book, and of a copy daily of the Legislative Journal during the session of the General Assembly.

Referred to Committee on Printing.

By Mr. HOBBS. House Bill No. 932.

An Act relating to Railroad Tickets.

Referred to Committee on Railroads.

By Mr. BODY. House Bill No. 933.

An Act to repeal an act approved April 10th, 1907, entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method of payment of the same by the several counties of the Commonwealth, which, in turn are to be reimbursed by the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions.

Referred to Committee on Agriculture.

By Mr. A. C. SCHAEFFER. House Bill No. 934.

An Act making all persons holding a mine-foreman certificate under the law relating to the anthracite coal mines

of this Commonwealth, eligible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth.

Referred to Committee on Mines and Mining.

By Mr. MECHLING. House Bill No. 935.

An Act providing for the purchase by the Commonwealth of certain lands owned by the A. Cook Sons Company, at and near Cooksburg, in the Counties of Forest, Clarion and Jefferson, Pennsylvania, for a public park and forest reserve; providing an appropriation for said purchase and providing for the appointment of a commission to take charge of said property and defining the powers and authority of said commission, and the uses to which the property shall be put.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 936.

An Act making an appropriation to the Maternity Hospital, in the City of Philadelphia.

Referred to Committee on Appropriations.

By Mr. WATSON. House Bill No. 937.

An Act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement, boarding and lodging houses; defining its powers and duties and providing certain penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. JAMES A. DUNN. House Bill No. 938.

An Act to amend section eight of an act, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof," approved the thirteenth day of May, one thousand eight hundred and eighty-seven, as amended by section one of an act approved the ninth day of June, one thousand eight hundred and ninety-one.

Referred to the Committee on Law and Order.

By Mr. SAMUEL B. SCOTT. House Bill No. 939.

An Act relating to the real estate of persons presumed to be dead, and providing a method of freeing such estate from all claim or interest of such persons.

Referred to Committee on Judiciary General.

By Mr. STEEDLE. House Bill No. 940.

An Act defining and regulating the occupation of barbering, providing for the licensing of persons engaged in barbering; providing for the regulation of students of barbering and the regulation of barber shops, barber schools and barber colleges, and fixing penalties for violation of this act.

Referred to the Committee on Public Health and Sanitation.

By Mr. WALTON. House Bill No. 941.

An Act making an appropriation to pay for the collection, revising, indexing and proof-reading of the material contained in the pamphlet, known as the Game, Fish and Forestry Laws of this Commonwealth.

Referred to Committee on Appropriations.

By Mr. ROBINSON. House Bill No. 942.

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SPEISER. House Bill No. 943.

An Act to regulate and control all purchases made by and sales made to dealers and vendors in second hand furniture and household goods in any city of this Commonwealth.

Referred to Committee on Judiciary Special.

By Mr. CONNIFF. House Bill No. 944.

A supplement to an act approved the twenty-third day of June, one thousand eight hundred and eighty-five, entitled "An Act relating to marriage licenses; providing for officers herein indicated to issue license for parties to marry," and the amendments thereof, prohibiting the issuing of such licenses in certain cases.

Referred to Committee on Judiciary General.

By Mr. JOSEPH GRAY. House Bill No. 945.

An Act to amend the first and second sections of Article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," approved the ninth day of June, A. D., one thousand nine hundred and eleven, by extending its provisions to all bituminous mines, and to all parts of bituminous mines, in which explosive gas has been generated, or is being generated, or may be generated after the date of the approval of this act.

Referred to the Committee on Mines and Mining.

By Mr. HOFFMAN. House Bill No. 946.

An Act to amend Section five of an act approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine, entitled "An Act relating to motor-vehicles, regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service or process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder.

Referred to the Committee on Public Roads.

By Mr. HEYBURN. House Bill No. 947.

An Act making an appropriation to the Institute for Colored Youth at Cheyney, Delaware County.

Referred to Committee on Appropriations.

By Mr. HEYBURN. House Bill No. 948.

An Act making an appropriation to the Pennsylvania Training School for Feeble-Minded Children, at Elwyn, Delaware County.

Referred to Committee on Appropriations.

By Mr. J. R. K. SCOTT. House Bill No. 949.

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals, as they have over public parks placed in their charge by law.

Referred to Committee on Judiciary Special.

By Mr. J. R. K. SCOTT. House Bill No. 950.

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles.

Referred to Committee on Judiciary Special.

By Mr. J. R. K. SCOTT. House Bill No. 951.

An Act providing that no advertisements required to be published in any newspaper or periodical by any city of the first class or county coterminus with any city of the first class, or any official or official body thereof shall be published in any language other than English, or in any publication published in any language other than English, and repealing all acts inconsistent therewith.

Referred to Committee on Judiciary Special.

By Mr. J. R. K. SCOTT. House Bill No. 952.

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food, or the planting of such vegetables in ground whereon night soil has been used within two years, and providing penalties for the violation thereof.

Referred to the Committee on Judiciary Special.

By Mr. J. R. K. SCOTT. House Bill No. 953.

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses, mules, cows, sheep, goats or swine are kept; and for the collecting, storing and transportation of manure from such animals, providing that no manure shall be collected or stored in any stable, manure pit or other place without a permit, or transported in violation of said rules and regulations; making a violation of the act or of said rules and regulations a misdemeanor, prescribing penalties therefor, and repealing inconsistent acts.

Referred to the Committee on Judiciary Special.

By Mr. J. R. K. SCOTT. House Bill No. 954

An Act to amend an act, entitled "An act regulating the sale of milk and its fluid derivatives in cities of the first class; providing for the licensing of those engaged in that business; and providing penalties for the violation thereof" approved the twenty-seventh day of April, Anno Domini, one thousand nine hundred and nine, so as to provide for an annual license fee for each calendar year, prescribing the fee therefor, and providing for the numbering, recording and posting of such licenses and the application for new annual licenses.

Referred to Committee on Judiciary Special.

By Mr JOHN R. K. SCOTT. House Bill No. 955.

An Act authorizing cities of the first class to make contracts, for lighting, telephone service, removal of garbage, removal of ashes, or for street cleaning, for a period not exceeding five years; providing for annual appropriations for payments for successive years, prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income, in tax levies, and in determining the legality of warrants on the city treasurer; and repealing inconsistent acts.

Referred to the Committee on Judiciary Special.

By Mr. JOHN R. K. SCOTT. House Bill No. 956.

An Act to amend an act, entitled "An act to provide for the licensing and regulating of slaughter houses, shops, wagons and places where meats, poultry, fish, game and shell fish are prepared for use as food, or stored or exposed for sale, in cities of the first class in this Commonwealth; and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven;

so as to provide that licenses shall ge for the calendar year, and that licenses continuing in business shall annually apply for new licenses

Referred to Committee on Judiciary Special.

By Mr. JOHN R. K. SCOTT. House Bill No. 957.

An Act requiring midwives, in cities of the first class, to be licensed, authorizing the adoption and promulgation of rule and regulations therefor, and for the examination of midwives in said cities; for the revocation of such licenses, and for the conduct of the business or profession of midwifery; making the violation of the provisions of the act, or of such rules and regulations, a misdemeanor; prescribing the punishment for such violations, and repealing all laws or parts of laws that are or may be inconsistent therewith.

Referred to Committee on Judiciary Special.

PETITIONS.

FAVORING CHANGE OF STATE HIGHWAY ROUTE NO. 172.

Mr. HAGGERTY presented the petition of citizens of Lackawanna County favoring change of State Highway Route No. 172, between Hamlin and Scranton.

Which was referred to the Committee on Public Roads.

FAVORING LOCAL OPTION.

Mr. SWARTZ presented the petitions of citizens of Snyder County praying for the passage of the Rockwell Local Option Bill.

Which was referred to the Committee on Law and Order.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. JOHN ROBERT JONES presented the petitions of citizens of Schuylkill County favoring the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

Mr. S. B. SCOTT presented the petitions of citizens of Philadelphia favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. LATSHAW presented the petition of citizens of Armstrong County favoring the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

PROTESTING AGAINST LOCAL OPTION.

Mr. ULMAN (By Request) presented the petition of citizens of Lycoming County protesting against Local Option.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST CLUB LICENSE BILL.

Mr. ULMAN (By Request) presented the petition of citizens of Lycoming County protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

BILL RE-REFERRED.

Mr. E. E. JONES returned from the Committee on Public Roads, House Bill No. 782, entitled:

An Act making an appropriation to cary out for the two fiscal years beginning June first one thousand nine hundred and thirteen the provisions of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions"

With the recommendation that the same be re-referred to the Committee on Appropriations.

The SPEAKER. This bill is now re-referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

Mr. HEIDINGER asked and obtained leave of absence for Mr. Bleloch until tomorrow.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 566, entitled:

An Act giving to all owners or tenants of land property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and future proceedings

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MILLER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MORROW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 613 (Senate bill No. 106) entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class" validating all acts and proceedings commenced under the section which is amended

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BENSON. Mr. Speaker.

The SPEAKER. The gentleman from McKean, Mr. Benson.

Mr. BENSON. Mr. Speaker, I don't find the bill on my file and I, therefore, ask that this bill be postponed for the present.

The SPEAKER. The bill not being on the file, it will be postponed for the present, without further action.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 115, entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred eighty-nine entitled "A supplement to an act entitled 'An act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs' "

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Adams,	Eichenberger,	Leslie,	Ramsey,
Alworth,	Ely,	Light,	Redfield,
Arthur,	Ewing,	Lowers,	Reeser,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Rex,
Baldwin, R. J.,	Frey,	Mannion,	Rhoads,
Barner,	Gans,	Martin,	Richards,
Bayle,	Geary,	Mather,	Robinson,
Becker,	Geiser,	Matt,	Roney,
Benson,	Gibson,	McAleer,	Rothenberger,
Berntheizel,	Good,	McAllister,	Runk,
Bigger,	Goss,	McArdle,	Sassaman,
Bittles,	Gramley,	McCaig,	Schuck,
Blair, W. A.,	Gransback,	McDermott,	Semmens,
Blair, W. F.,	Gray, Frank,	McKay,	Shaffer, C. A.,
Body,	Hackett,	Mechling,	Shaffer, I. E.,
Brosius,	Hemminger,	Miller,	Shern,
Brown,	Heyburn,	Mitchell,	Snavely.
Brownlee,	Hibshman,	Moore,	Snyder,
Burnett,	Hoffman,	Morrow,	Steedle,
Caldwell,	Howard, J.,	Moses,	Steele,
Campbell, J.J.	Howard, R.,	Moulthrop,	Stein,
Cheeseman,	Isler,	Murphy,	Stone,
Claycomb,	Irwin, G. C.,	Musser,	Strauss,
Cleary,	Jackson,	Neel,	Swartz,
Cochran,	Keegan,	Neely,	Swift,
Collins,	Keeport,	Newbaker,	Thomas,
Conniff,	Kenna,	North,	Trach,
Conrade,	Kennedy,	O'Neill,	Ulerich,
Cox,	Kitts,	Peachey,	Ulman,
Curry,	Klepper,	Pennegar,	Whitaker,
Davis,	Kuhn, H. P.,	Pennock,	Whitman,
DeFrees,	Kuhns, E.G.M.,	Perry, S. J.,	Wilson, J. H.,
Donnally,	Lenker,	Peters,	Young, J. H.,
Ehrhardt,		Post,	Alter,
		Price,	Speaker.

NAYS—8.

Hobbs,	Lanius,	Smith, L.,	Young, G. K.,
Jones, J. R.,	Scott, S. B.,	Walnut,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 657, entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An act for preventing clandestine marriages'" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. S. B. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, at the last session of the Legislature, a bill referring to divorces passed so quietly and easily that very few members realized until it was fairly ventilated in the newspapers that they had voted for any such bill. Now, here comes a bill on the subject of marriage. There is absolutely nothing in the bill itself to tell you what it means; it simply repeals the section of some old act. It would be a piece of great unwisdom to vote on such an important bill in such a blind way. I notice that the sponsor of the bill is not here. For that reason, I move that further consideration of this bill be postponed.

Mr. RICHARDS. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 470, entitled:

An Act authorizing the trustees of the Cottage State Hospital located in Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Foster, J. D.,	Leslie,	Rhoads,
Arthur,	Frey,	Light,	Richards,
Barner,	Gans,	Lohr,	Robinson,
Bass,	Geary,	Lowers,	Rockwell,
Bayle,	Geiser,	Malie,	Rothenberger,
Becker,	Gibson,	Mannion,	Runk,
Benson,	Good,	Martin,	Sassaman,
Bergey,	Goss,	Mather,	Schaeffer, A. C
Berntheizel,	Grabe,	McAleer,	Schuck,
Bigger,	Gramley,	McAllister,	Scott, S. B.,
Bittles,	Gransback,	McCaig,	Semmens,
Blair, W. A.,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Blair, W. F.,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Body,	Hackett,	McKay,	Shern.
Brosius,	Haggerty,	McNichol,	Sherwood,
Brown,	Heidinger,	Mechling,	Showalter,
Brownlee,	Hemminger,	Mellott,	Smith, J. W.,
Burnett,	Hess,	Metzenbacher,	Smith, L.,
Caldwell,	Heyburn,	Miller,	Snavely,
Campbell, C.M.,	Hibshman,	Mitchell,	Snyder,
Campbell, J.J.	Hobbs,	Morrow,	Spillinger,
Carson,	Hoffman,	Moses,	Steedle,
Carter,	Howard, J.,	Moulthrop,	Steele,
Cheeseman,	Howard, R.,	Murphy,	Stein,
Claycomb,	Humes,	Neel,	Stone,
Cleary,	Isler,	Neely,	Strauss,
Cochran,	Irwin, G. C.,	Newbaker,	Swartz,
Collins,	Jackson,	Newton,	Swift,
Conniff,	Jones, J. R.,	North,	Thomas,
Conrade,	Kaiser,	O'Neill,	Ulerich,
Cox,	Kaufman,	Peachey,	Ulman,
Currier,	Keegan,	Pennegar,	Walnut,
Curry,	Keeport,	Pennock,	Walton,
Davis,	Kenna,	Perry, S. J.,	Wettach,
DeFrees,	Kennedy,	Peters,	Whitaker,
Donahoe,	Kern,	Piper,	Whitman,
Donnally,	Kitts,	Post,	Wildman,
Down,	Klepper,	Price,	Williams,
Dunn, J. A.,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Ehrhardt,	Lanius,	Redfield,	Wiltbank,
Eichenberger,	Latshaw,	Reese,	Young, G. K.,
Ely,	Lenker,	Reeser,	Young, J. H.,
Ewing,		Rex,	Zimmerman,
Flynn,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 658, entitled:

An Act to repeal an act entitled "An Act for the prevention of clandestine marriages."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. S. B SCOTT. Mr. Speaker, for the same reasons given for the postponement of a bill just postponed, I move that further consideration of this bill be postponed for the present.

Mr. BROSIUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 574, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven, entitled "An Act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships," and repealing the second section of the act.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker.

The SPEAKER. The gentleman from Luzerne, Mr. Conniff.

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 215, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Adams,	Ely,	Light,	Richards,
Allen,	Ewing,	Lohr,	Riebel,
Alworth,	Flynn,	Lowers,	Rockwell,
Ambler,	Foster, J. D.,	Malie,	Rothenberger,
Arthur,	Frey,	Mannion,	Runk,
Baldwin, R. J.,	Gans,	Martin,	Sassaman,
Barner,	Geary,	Mather,	Savacool,
Bass,	Good,	Matt,	Schaeffer, A. C
Bayle,	Goss,	McAleer,	Schuck,
Becker,	Gramley,	McAllister,	Semmens,
Benninger,	Gransback,	McArdle,	Shaffer, C. A.,
Benson,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	McDermott,	Shern,
Bigger,	Hackett,	McKay,	Sherwood,
Bittles,	Haggerty,	McNichol,	Showalter,
Blair, W. A.,	Heidinger,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Miller,	Smith, L.,
Body,	Hess,	Missimer,	Snavely,
Brosius,	Heyburn,	Mitchell,	Snyder,
Brown,	Hibshman,	Moore,	Speiser,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Hoffman,	Moses,	Steedle,
Caldwell,	Howard, J.,	Moulthrop,	Steele,
Campbell, C.M.,	Howard, R.,	Murphy,	Stein,
Campbell, J.J.	Humes,	Neel,	Strauss,
Carson,	Isler,	Neely,	Swartz,
Carter,	Irwin, G. C.,	Newbaker,	Swift,
Cheeseman,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Kaiser,	O'Neill,	Ulerich,
Collins,	Kaufman,	Peachey,	Ulman,
Conner,	Keegan,	Pennegar,	Walnut,
Conniff,	Keeport,	Pennock,	Wettach,
Conrade,		Perry, H. L.,	Whitaker,
Cox,			Whitman,

Curry,	Kenna,	Perry, S. J.,	Wildman,
Currier,	Kennedy,	Peters,	Williams,
Davis,	Kern,	Piper,	Wilson, J. H.,
DeFrees,	Kitts,	Post,	Wilson, W. H.,
Donahoe,	Klepper,	Price,	Wiltbank,
Donnally,	Kuhn, H. P.,	Ramsey,	Young, G. K.,
Dunn, H. B.,	Lanius,	Redfield,	Young, J. H.,
Dunn, J. A.,	Latshaw,	Reese,	Zimmerman,
Ehrhardt,	Lenker,	Reeser,	Alter,
Eichenberger,	Leslie,	Rhoads,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 582, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June one thousand eight hundred and eighty-five, creating a department of wharves, docks and ferries for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class, and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes, approved the eighth day of June, Anno Domini one thousand nine hundred and seven.

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Roney.

Mr. RONEY. Mr. Speaker, this bill provides that the department of wharves, docks and ferries in Philadelphia shall insist upon wharf owners having berthing spaces for renting to vessels not owned by themselves. Taking out a license from the said department provides that when said application for license is made, a fee of ten dollars be paid to the said department, which fee shall be applied by the director of wharves, docks and ferries in the making of a survey for the purpose of ascertaining the mean low depth of water in such dock. It so happens in Philadelphia, particularly in the northern section of the city, where because of the scarcity of municipal piers vessel owners are obliged to take what they can get. A schooner drawing eight feet of water will run in at flood tide, to a pier high up the river and when the tide ebbs to find that it is about on dry land. This bill provides that after such survey as to water depth a placard shall be posted at the end of the pier, stating the depth of the water of such dock at low tide and then the vessel owners, knowing the draught of its vessel can see for himself whether he will have adequate dock space on any particular pier.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Flynn,	Light,	Riebel,
Allen,	Foster, J. D.,	Lohr,	Rockwell,
Alworth,	Frey,	Lowers,	Roney,
Ambler,	Gans,	Malie,	Rothenberger,
Arthur,	Geary,	Mannion,	Runk,
Baldwin, G. A.,	Geiser,	Martin,	Sassaman,
Baldwin, R. J.,	Gibson,	Mather,	Savacool,
Barner.	Glenn,	Matt,	Schaeffer, A. C
Bass,	Good,	McAleer,	Schuck,
Bayle,	Goss,	McAllister,	Scott, S. B.,
Benninger,	Grabe,	McArdle,	Semmens,
Benson,	Gramley,	McCaig,	Shaffer, C. A.,
Bergey,	Gransback,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gray, Frank,	McDermott,	Shern,
Bittles,	Gray, Joseph,	McKay,	Sherwood,
Blair, W. A.,	Hackett,	McNichol,	Showalter,
Blair, W. F.,	Haggerty,	Mechling,	Smith, J. W.,
Body,	Heidinger,	Mellott,	Smith, L.,
Brosius,	Hemminger,	Metzenbacher,	Snavely,
Brownlee,	Hess,	Miller,	Snyder,
Burnett,	Heyburn,	Missimer,	Spangler,
Caldwell,	Hibshman,	Mitchell,	Spillinger,
Campbell, J.J.	Hobbs,	Moore,	Steedle,
Carson,	Hoffman,	Morrow,	Steele,
Carter,	Howard, J.,	Moses,	Stein,
Cheeseman,	Howard, R.,	Moulthrop,	Stone,
Claycomb,	Humes,	Murphy,	Strauss,
Cleary,	Isler,	Musser,	Swartz,
Cochran,	Irwin, G. C.,	Neel,	Swift,
Collins,	Jackson,	Neely,	Thomas,
Conner,	Jones, J. R.,	Newbaker,	Trach,
Conniff,	Kaiser,	Newton,	Ulerich,
Conrade,	Kaufman,	North,	Ulman,
Cox,	Keegan,	O'Neill,	Walnut,
Currier,	Keeport,	Peachey,	Walton,
Curry,	Kenna,	Pennegar,	Watson,
Davis,	Kennedy,	Pennock,	Wettach,
DeFrees,	Kern,	Perry, H. L.,	Whitaker,
Dickinson,	Kitts,	Perry, S. J.,	Whitman,
Donahoe,	Klepper,	Price,	Wildman,
Donnally,	Kuhn, H. P.,	Ramsey,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Reese,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Reeser,	Wiltbank,
Eichenberger,	Lenker,	Rex,	Young, G. K.,
Ely,	Leslie,	Rhoads,	Young, J. H.,
Ewing,		Richards,	Zimmerman,
Fahey,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 580, entitled:

An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five creating a department of wharves, docks and ferries (for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes) approved the eighth day of June, Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June, Anno Domini one thousand nine hundred and seven, entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a department of wharves, docks and ferries (for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in cities of the first class and) providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof, and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes,' by fixing the number of the jury at three," approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and eleven.

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, and Gentlemen of the House, this is a bill which is very necessary in order that the department of wharves, docks and ferries in Philadelphia, under the direction of city councils, shall have full power in the development of the water front in Philadelphia. The Act of 1907, which was an amendment to the Act of 1885, known as the Bullitt Bill, had been intended to give sufficient power to the department of wharves, docks and ferries and, of course, under the direction of councils, failed to give such full and complete power as is now shown to be necessary for the proper development of the water front of Philadelphia. It so happens that a small pier unused for years, with one small single railroad track, has been construed to be a railroad terminal and exempt from the Eminent Domain authority of councils. This of course, has strangled developments along the water front.

This bill now provides that such condition obstructing Philadelphia's progress shall no longer be tolerated. As the Chief Executive of Philadelphia well said here before this House a week or two ago, "Philadelphia is about equally distant from the sea as is Hamburg, and Philadelphia should be a city on a par with Hamburg, but how different is our commercial standing?"

I take it, therefore, that in the development of Philadelphia the man from Erie and the man from Allegheny feels an interest akin to my own in the promotion of the interests of Philadelphia. It should appeal to us all because Phila-

delphia's progress is the progress of Pennsylvania. I, therefore, take it that the unanimous vote of this House will be given to this bill in order that the continental seaports of Europe may appear to have a rival in the southeastern corner of this State, in our city of Philadelphia, that is but ninety miles from the sea and that she may have a water front sufficient to ask the shipping interests of the world to her port.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199.

Adams,	Ewing,	Malie,	Roney,
Allen,	Fahey,	Mannion,	Rothenberger,
Alworth,	Flynn,	Martin,	Runk,
Ambler,	Foster, J. D.,	Mather,	Sassaman,
Arthur,	Frey,	Matt,	Savacool,
Baldwin, G. A.,	Gans,	McAleer,	Schaeffer, A. C
Baldwin, R. J.,	Geary,	McAllister,	Schuck,
Barner,	Geiser,	McArdle,	Scott, J. R. K.,
Bass,	Gibson,	McCaig,	Scott, S. B.,
Bayle,	Good,	McClintock,	Semmens,
Becker,	Goss,	McDermott,	Shaffer, C. A.,
Benninger,	Grabe,	McKay,	Shaffer, I. E.,
Benson,	Gramley,	McNichol,	Shern,
Bergey,	Gransback,	Mechling,	Sherwood,
Berntheizel,	Gray, Frank,	Mellott,	Showalter,
Bigger,	Gray, Joseph,	Metzenbacher,	Smith, J. W.,
Bitties,	Hackett,	Miller,	Smith, L.,
Blair, W. A.,	Haggerty,	Missimer,	Snavely,
Blair, W. F.,	Heidinger,	Mitchell,	Snyder,
Body,	Herman,	Moore,	Spangler,
Brosius,	Hess,	Morrow,	Speiser,
Brown,	Hayburn,	Moses,	Spillinger,
Brownlee,	Hibshman,	Moulthrop,	Steedle,
Burnett,	Hobbs,	Murphy,	Steele,
Caldwell,	Hoffman,	Musser,	Stein,
Campbell, C.M.,	Howard, J.,	Neel,	Stone,
Campbell, J.J.	Howard, R.,	Neely,	Strauss,
Carson,	Humes,	Newbaker,	Swartz,
Carter,	Isler,	Newton,	Swift,
Cheeseman,	Irwin, G. C.,	North,	Thomas,
Claycomb,	Irwin, H. H.,	O'Neill,	Trach,
Cleary,	Jackson,	Peachey,	Ulerich,
Cochran,	Jones, J. R.,	Pennegar,	Ulman,
Collins,	Kaiser,	Pennock,	Walnut,
Conner,	Kaufman,	Perry, H. L.,	Walsh,
Conniff,	Keegan,	Perry, S. J.,	Walton,
Conrade,	Keeport,	Peters,	Watson,
Cox,	Kenna,	Piper,	Wettach,
Currier,	Kern,	Post,	Whitaker,
Curry,	Kitts,	Price,	Whitman,
Davis,	Kuhn, H. P.,	Ramsey,	Wildman,
DeFrees,	Kuhns, E.G.M.,	Redfield,	Williams,
Dickinson,	Lanius,	Reese,	Wilson, J. H.,
Donahoe,	Latshaw,	Reeser,	Wilson, W. H.,
Donnally,	Lenker,	Rex,	Wiltbank,
Down,	Leslie,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Light,	Richards,	Young, J. H.,
Dunn, J. A.,	Lohr,	Riebel,	Zimmerman,
Ehrhardt,	Lowers,	Robinson,	Alter,
Eichenberger,		Rockwell,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 210, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. GANS. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. HEMMINGER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 575, entitled:

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all State and county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violation

On the question,

Will the House agree to the bill on third reading?

Mr. CONNIFF. Mr. Speaker, it appears that in section six, line eleven, there is a typographical error. After the word "any" the word "manner" is left out, and I therefore ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Section 6, line 11, after the word "any" insert the word "manner."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing

Agreeably to order,

The House proceeded to the third reading and considera tion of House bill No. 352, entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabiling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask the sponsor of this bill to explain the purpose of it.

Mr. ALWORTH. Mr. Speaker and gentlemen of the House, the purpose of this bill, as amending the act of 1893, is simply to extend the reciprocal rights of husband and wife to sue each other in actions for divorce, or any actions concerning their separate property. It simply extends the reciprocal rights of husband and wife in relation to these two actions, and that is all it does.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185.

Adams,	Flynn,	Light,	Roney,
Alworth,	Foster, J. D.,	Lohr,	Rothenberger,
Ambler,	Gans,	Lowers,	Runk,
Arthur,	Geary,	Malie,	Sassaman,
Baldwin, G. A.,	Geiser,	Mannion,	Savacool,
Baldwin, R. J.,	Gibson,	Martin,	Schaeffer, A. C
Barner,	Glenn,	Mather,	Schuck,
Bass,	Goss,	Matt,	Scott, S. B.,
Bayle,	Grabe,	McAleer,	Semmens,
Becker,	Gramley,	McAllister,	Shaffer, I. E.,
Benson,	Gransback,	McArdle,	Shern,
Bergey,	Gray, Frank,	McCaig,	Sherwood,
Berntheizel,	Gray, Joseph,	McClintock,	Showalter,
Bigger,	Hackett,	McDermott,	Smith, J. W.,
Bitties,	Haggerty,	McKay,	Smith, L.,
Blair, W. A.,	Heidinger,	McNichol,	Snavely,
Blair, W. F.,	Hemminger,	Mechling,	Snyder,
Body,	Herman,	Mellott,	Spangler,
Brosius,	Hess,	Metzenbacher,	Speiser,
Brown,	Hayburn,	Miller,	Spillinger,
Brownlee,	Hibshman,	Missimer,	Steedle,
Burnett,	Hobbs,	Mitchell,	Steele,
Caldwell,	Hoffman,	Moore,	Stein,
Campbell, C.M.,	Howard, J.,	Morrow,	Stone,
Campbell, J.J.	Howard, R.,	Moses,	Strauss,
Carter,	Humes,	Moulthrop,	Swartz,
Cheeseman,	Isler,	Murphy,	Swift
Claycomb,	Irwin, G. C.,	Musser,	Thomas,
Cleary,	Jackson,	Neely,	Trach,
Cochran,	Jones, J. R.,	Newbaker,	Ulerich,
Collins,	Kaiser,	Newton,	Ulman,
Conner,	Kaufman,	North,	Walnut,
Conniff,	Keegan,	O'Neill,	Walsh,
Conrade,	Keeport,	Peachey,	Walton,
Cox,	Kennedy,	Pennegar,	Watson,
Curry,	Kern,	Pennock,	Wettach,
Davis,		Perry, S. J.,	Whitaker,

DeFrees,	Kitts,	Post,	Whitman,
Dickinson,	Klepper,	Price,	Wildman,
Donahoe,	Kuhn, H. P.,	Ramsey,	Williams,
Donnally,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Reeser,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Rex,	Young, G. K.,
Eichenberger,	Lenker,	Rhoads,	Young, J. H.,
Ely,	Leslie,	Richards,	Zimmerman,
Ewing,	Letzkus,	Riebel,	Alter,
Fahey,		Rockwell,	Speaker

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 547, as follows:

A Joint Resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

Whereas The McCall's Ferry Power Company now know as Pennsylvania Water Power Company has heretofore erected a dam across the River Susquehanna at McCall's Ferry and

Whereas In the decree of court authorizing the construction of said dam the construction and maintenance thereof was subject to the making and maintaining by said company of adequate provision for the passage of fish and

Whereas The said company in wanton and flagrant violation and disregard of said decree has hitherto refused and neglected to comply therewith and has willfully refused and neglected to make adequate provision for the passage of fish as aforesaid and

Whereas Inasmuch as said company has acted in flagrant contempt of the laws of this Commonwealth and of said decree the powers and privileges vested in said company should be revoked and the company made to realize that it cannot with impunity act in willful disregard of the rights of the citizens of Pennsylvania therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fish Commissioner is hereby authorized to examine the dam erected across the Susquehanna River at McCall's Ferry by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company and to ascertain whether said Company has complied with the decree of the court of common pleas of Dauphin County made on to wit the fourteenth day of January one thousand nine hundred and seven as of record at number four hundred sixty-two Commonwealth docket one thousand nine hundred six and to ascertain whether adequate provision has been made for the passage of fish If the fish Commissioner shall ascertain that adequate provision for the passage of fish has not been made he shall in writing notify the said company to began within one week and complete within six weeks from the date of such notice the construction of a fish way that will hereafter secure adequate provision for the passage of fish up and down said river If said company shall not after the expiration of one week from service of said notice on any official of the company begin such work and prosecute it continuously to completion within the said limit of time and in accordance with plans heretofore or hereafter prepared by the Fish Commissioner then said Fish Commissioner is hereby authorized to cause said work to be done in accordance with said plans and at the cost of the said company If the work be done by the Fish Commissioner he is hereby authorized to collect in the name of this Commonwealth the cost thereof with a penalty of fifty per centum additional to be collected as debts of like amount are now by law collected The surplus after payment for said work shall be paid into the treasury of this Commonwealth Furthemore if the said company shall not begin said work as aforesaid the Fish Commissioner shall lay the matter before the Attorney General who shall forthwith by quo warranto proceed to have the powers and privileges heretofore vested in said company revoked

On the question,

Will the House agree to the bill on third reading?

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, the purpose of this bill is simply to compel the McCalls Ferry Power Company now the Pennsylvania Water and Power Company at McCalls Ferry to construct an adequate fishway through the McCalls Ferry Dam, an act which the law compels them to do. In 1906 during the time when this dam was in the course of construction, the State of Pennsylvania, through its Attorney-General, filed a bill in equity calling upon this Company to construct an adequate fishway through this great dam, and also to make provisions for the construction of locks in the event that the Susquehanna River should become navigable. In the bill filed by the Attorney-General, the said Attorney-General recites as follows: "That the erection of the dam as aforesaid, in the manner aforesaid, without provision for the passage of fish is in violation of the statutes of the Commonwealth and destructive of a natural food which belongs to the people and which the Commonwealth by many statutes has sought to protect. After the bill was filed, the case came up for hearing before the Court of Dauphin County and the following decree was handed down:

January 14, 1907, the above entitled cause was heard upon bill and answer, was argued by counsel and has been fully considered by the court.

The Commonwealth, by her Attorney General, has submitted the form of decree she desires entered and counsel for defendants have been fully heard theron. The same upon full consideration and argument, commending itself to the court, is adopted and the decree in the said form is now made and ordered to be entered as follows:

"And now, this 14th day of Jan. 1907, the above cause having come on to be heard upon bill and answer and having been argued by counsel, it is ordered and decreed that the right of the defendant, The McCall Ferry Power Company, to continue the construction of a dam now in course of erection on the Susquehanna River and to maintain said dam after the same shall have been constructed, shall be subject to its making and maintaining adequate provision for the passage of fish, and further shall be subject to the condition that said defendant corporation, its successors and assigns, whenever the navigation of said Susquehanna River shall hereafter be improved either under State or Federal requirement in such way and manner as will secure by the additional construction of a proper lock, or locks, a continuous navigation of said River between Columbia nad Havre de Grace, such lock or locks necessary to make said navigation continuous shall be erected without delay by the defendant corporation and its assigns, as its and their own expense, and the physical condition of said lock shall be maintained in good order thereafter.

"It is further ordered and decreed that the McCall Ferry Power Company be and is hereby enjoined from the further maintenance of said dam after such time as, said navigation of said River having been made otherwise continuous, said Company shall fail within a reasonable time to erect and construct, at its expense said lock."

By the Court,
(Signed) George Kunkel, P. J.
(Signed) Thomas H. Capp, P. L. J.

In other words, in 1907, the McCalls Ferry and Power Company were compelled by a decree of the Court of Equity of Dauphin County to construct an adequate fishway so that the fish would pass up and down this river. From the year 1771, when the State of Pennsylvania was a province, the Susquehanna River was declared to be a public highway, and it has been maintained as a public highway in all the statutes from 1771 down to the present day. Now, since 1907, when this decree of the Dauphin County Court sustained that long line of decisions and that long line of cases compelled the direct passage of fish up and down this river, there has not been a single thing done by the McCalls Ferry Power Company except the farcial erection of a fishway, and no fish even if it had the brain of a Daniel Webster or the agility of an acrobat could get up that fishway, and the people of the State of Pennsylvania are sick and tired at the present time of the farce and delay to which this company has submitted the people. We now demand that this company and corporation construct a fishway as decreed by the Court. We now demand that this great corporation no longer defy the people of this State, and construct a fishway in order that the great number of shad that pass up and down the river in the spring of the year, be permitted to pass up and down, and that those shad interests above the McCalls Ferry Dam be reinstated in their rights and it is for that reason that we desire that this resolution should pass in order that the people be not laughed at, in order that the people have their rights, in order that a great corporation cannot take advantage of the poor man or of men who are compelled to earn their living by the sweat of their brows and by the nets in the Susquehanna River, and therefore I consider this is a very important resolution, particularly to the people who reside along the Susquehanna River and who depend upon the Susquehanna shad.

The question recurring,

Will the House agree to the bill on third reading,

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200.

Adams,	Fahey,	Letzkus,	Richards,
Allen,	Flynn,	Light,	Riebel,
Alworth,	Foster, J. D.,	Lohr,	Rockwell,
Ambler,	Frey,	Lowers,	Roney,
Arthur	Gans,	Malie,	Rothenberger,
Baldwin, G. A.,	Geary,	Mannion,	Runk,
Baldwin, R. J.,	Geiser,	Martin,	Sassaman,
Barner,	Gibson,	Mather,	Savacool,

Bass,	Good,	Matt,	Schaeffer, A. C
Bayle,	Goss,	McAleer,	Schuck,
Becker,	Grabe,	McAllister,	Scott, J. R. K.,
Benninger,	Gramley,	McArdle,	Scott, S. B.,
Benson,	Gransback,	McCaig,	Semmens,
Bergey,	Gray, Frank,	McClintock,	Shafer, C. A.,
Berntheizel,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Bigger,	Hackett,	McKay,	Shern,
Blair, W. A.,	Haggerty,	McNichol,	Sherwood,
Blair, W. F.,	Heidinger,	Mechling,	Showalter,
Body,	Hemminger,	Mellott,	Smith, J. W.,
Brosius,	Herman,	Metzenbacher,	Smith, L.,
Brown,	Hess,	Miller,	Snavely,
Brownlee,	Heyburn,	Mitchell,	Snyder,
Burnett,	Hibshman,	Moore,	Spangler.
Caldwell,	Hobbs,	Morrow,	Speiser,
Campbell, C.M.,	Hoffman,	Moses,	Spillinger,
Campbell, J.J.	Howard, J.,	Moulthrop,	Steedle,
Carson,	Howard, R.,	Murphy,	Steele,
Carter,	Humes,	Musser,	Stein,
Cheeseman,	Isler,	Neel,	Stone,
Claycomb,	Jin, G. C.,	Neely,	Strauss,
Cleary,	Irwin, H. H.,	Newbaker,	Swartz,
Cochran,	Jackson,	Newton,	Swift,
Collins,	Jones, J. R.,	North,	Thomas,
Conner,	Kaiser,	O'Neill,	Trach,
Conniff,	Kaufman,	Peachey,	Ulerich,
Conrade,	Keegan,	Pennegar,	Ulman,
Cox,	Keeport,	Pennock,	Walnut,
Currier,	Kenna,	Perry, H. L.,	Walsh,
Curry,	Kennedy,	Perry, S. J.,	Walton,
Davis,	Kern,	Peters,	Wettach,
DeFrees,	Kitts,	Piper,	Whitaker,
Dickinson,	Klepper,	Post,	Whitman,
Donahoe,	Kuhn, H. P.,	Price,	Wildman,
Donnally,	Kuhns, E.G.M.,	Ramsey,	Williams,
Down,	Lanius,	Redfield,	Wilson, J. H.,
Dunn, H. L.,	Latshaw,	Reese,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Reeser,	Wiltbank,
Ehrhardt,	Leslie,	Rex,	Young, J. H.,
Eichenberger,		Rhoads,	Zimmerman,
Ely,			Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

The SPEAKER. The hour of eleven o'clock A. M. having arrived, in pursuance with the special order, the Chair lays before the House House bill No. 306, File Folio 385, Bill on Second Reading, entitled:

An Act to further regulate the granting of licenses for the sale of vinous spirituous malt or brewed liquors or any admixture thereof by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of ten thousand or upward and by permitting the electors of any city or borough containing a population of ten thousand or upward to determine by an election whether the granting of licenses for such sale therein shall be prohibited

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a number of the qualified electors of any county residing outside of any city or borough containing a population of ten thousand or more equaling twenty-five per centum of the number of votes cast therein at the last preceding general election or whenever a number of the qualified electors of any city or borough containing a population of ten thousand or more equaling twenty-five per centum of the number of votes cast therein at the last preceding general election shall present a petition to the court of quarter sessions of the peace of the proper county verified by the affidavits of three of the petitioners praying for the holding of an election to determine whether the granting of licenses for the sale or furnishing of vinous spirituous malt or brewed liquors or any admixture thereof in said county outside of any borough or city containing ten thousand population or more or in said borough or city containing a population of ten thousand or more it shall be the duty of said court of quarter sessions of the peace to order an election to be held in the said county or borough or city in not less than thirty days nor more than forty days from the date of such order which election shall be held by the regular election officers at the usual place or places for holding elections in said county borough or city and the election shall be conducted in all respects as now provided by law and all election officers shall be governed by the directions and subject to the penalties and be compensated as now provided by law for the holding of general elections Notice of such election shall be given by the officers designated and in the manner provided by existing laws relating to county or borough or city elections in so far as same may be applicable and every such notice shall state (first) the question to be voted upon as hereinafter set forth (second) the day and place of holding said elections (third) that the polls shall be open between the hours of seven o'clock ante meridian and seven o'clock post meridian

Section 2 The ballots at any election held under the provisions of this act shall be printed distributed and furnished and in such quantities and of the form as is provided by existing laws relating to general elections Upon such ballots shall be printed the question Shall the granting of license for the sale of intoxicatig liquors be prohibited" followed by the words "Yes" and "No" with a square of sufficient size at the right of each of said words in which to give the elector an opportunity to clearly designate his choice by a cross mark (X) placed in one of the said squares

The third section was read as follows:

Section 3 Each qualified elector receiving a ballot provided for by this act in accordance with existing laws may mark in the appropriate square a cross (x) opposite the answer he desires to give and all votes cast at said election held under the provisions of this act shall be counted and declared and a complete return of the same made to the clerk of the court of quarter sessions of the peace of the proper county in accordance with existing laws relating to county city or borough election returns and the clerk shall certify to said court

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, in section three, line nine, there is a typographical or printer's error. There are two words left out after the word certify. The two words that should be inserted in there, are the words, "the results," and I therefore, offer an amendment to that effect.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section three, line nine by inserting after the word "certify," the words, "the results."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth, fifth and sixth sections were read and agreed to as follows:

Section 4 Whenever it shall appear by the returns aforesaid that a majority of the votes cast at such election are in favor or prohibiting the granting of such licenses in the county in which said election shall have been held outside of boroughs or cities containing a population of ten thousand or more when it shall appear by the returns aforesaid that a majority of the votes cast at such election are in favor of prohibiting the granting of such license in the borough or city containing a population of ten thousand or more in which such election shall have been held it shall thereupon become unlawful for said court of quarter sessions of the peace or other authority to which may hereafter be transferred the power relating to said subject now vested in said court of quarter sessions to issue or grant any license authorizing the sale or furnishing of any vinous spirituous malt or brewed liquors or any admixture thereof in said county outside of cities or boroughs containing a population of ten thousand or upwards or in said borough or city containing a population of ten thousand or more at any time thereafter until at an election held as hereinafter provided a majority of the electors voting thereat shall vote against prohibiting the granting of such licenses therein

Section 5 At any time after three years from the date of an election held under the foregoing provisions of this act another such election may be ordered and held as hereinbefore provided

Section 6 This act shall not be construed to repeal any special or local laws relating to the sale or granting of licenses to sell intoxicating liquors nor shall it be construed to prevent the granting or refusal of a license under existing laws and the same as if this act had not been passed in counties boroughs or cities where the majority of the votes cast at an election held as herein before provided are against prohibiting the granting of license to sell intoxicating liquors

The title was read and agreed to as follows:

An Act to further regulate the granting of licenses for the sale of vinous spirituous malt or brewed liquors or any admixture thereof by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of ten thousand or upward and by permitting the electors of any city or borough containing a population of ten thousand or upward to determine by an election whether the granting of licenses for such sale therein shall be prohibited

On the question,

Will the House agree to the bill on second reading?

Mr. ROCKWELL. Mr. Speaker and Gentlemen of the House, what is this bill? that it seems to demand such extraordinary proceedings as is indicated by the practice we have had on it, and as indicated by the indications here now? It was stated by a member on the floor of this House the other day that this bill was blocking and holding back the legislation of this House. It was stated by another member that they wanted to fix it as a special order for the reason that they want to get rid of it so that their people would not have to come down here so often. I do not know who their people are. The bill is a simple thing in its provisions, if we look at it. Under

the present law, the liquor business in this State is known and treated as an evil, and is so recognized by practically every citizen of this Commonwealth, and a majority of the hotel keepers themselves. There are but few of them but what would rather be in some other business. I remember an instance a few years ago of a application for a wholesale liquor license where a retail dealer was called into the court to testify as to the necessity of this wholesale place. He was asked what his business was, and he said a hotel keeper. He was asked how long he had been engaged in that business, "Too long," he said. Then we have the liquor law—a statute on our books specifying an act to control and regulate the sale of vinous, spirituous malt and brewed liquors, known as the Brooks High License Law. It provides that upon the petition of a certain number of electors of a borough, township or city ward, that the Court of Quarter Sessions shall consider that as a petition for the granting of a license. Then it provides that the citizens of that same district may remonstrate against it, and it then provides that the judge of that Court of Quarter Sessions, taking into due consideration the number and character of the petitioners for, and the remonstrances against such application shall refuse the same whenever in his opinion the license is not necessary for the accommodation of the public and the entertainment of strangers and travelers. It is alleged by both the factions opposed to the liquor business and those in favor of it that this judicial discretion, Some allege that it is abused in one way and some allege that it is abused in another way. This bill is what? It simply provides that in a county, we will say, where a county does not contain any city or borough of over ten thousand people, it simply provides that upon the petition of twenty-five per cent. of the electors of that county that they can have a special election to vote and decide whether licenses shall be granted in that county for the sale of vinous, spirituous, malt and brewed liquors, and it provides the machinery for the people themselves who have to suffer the evils of this business and bear the burden of taxation to take care of its result that they may be heard whether licenses shall be granted or not. I have no fault to find with the liquor dealers. They are in their business by right of law, and many of them are great-hearted, whole-souled fellows, and some of them are perfectly sincere in their belief that this is a proper way to control the business, but there are others that think the other way, and we feel that this proposition is only a fair, just, and reasonable one, to put this matter back to the people where they can say whether licenses shall be granted or not. I remember the other night, on the floor of this House, when the Committee on Law and Order had under consideration the Club License Bill, one of the opponents of that bill spoke very disparagingly of some of the judges of the State of Pennsylvania in their practice of controlling the liquor business, and you will remember, who were present at that argument, that they said they did not want the club to be compelled to apply to the judges of the court of Quarter Sessions, for the reason that they did not, in substance, trust the judges. The judges themselves, gentlemen, do not want this burden put upon them. The majority of them would be very glad to get rid of it, and it seems to me that that is one reason that we ought to take into consideration in our judgment as to whether we ought to vote for this bill or not. I want to say another thing, inasmuch as I have said something about the liquor business. There has been a great deal of criticism of the Anti-Saloon League. Who composes that League? My understanding is, gentlemen, that it is composed of the members of the Christian churches of the State of Pennsylvania and the United States, not all of them,—but they are people who have an honest and sincere purpose in their hearts to benefit their fellowmen. There may be cranks associated with the Anti-Saloon League, but the League as a whole is composed of men who are honestly and sincerely and earnestly endeavoring to do their work, simply to benefit their fellowmen. The other day when this bill was up, I stated something about a question of constitutionality. After a careful examination I believe that the bill is constitutional. The question was whether or not the Legislature had a right to classify the districts or units as so classified. A very fortunate suggestion was made to me by one of the gentlemen from Allegheny right along this very line, and that is this: In the School Code, which we passed in 1911, we did classify districts in this similar manner, not only in a manner similar to the classification in this bill but in a more drastic degree, that cities of one million should be cities of the first class and should not have the right to say who the school directors should be, but that the directors should be appointed by the court. We went on down the line and classified the districts down to communities of five thousand people and declared them to be districts of the fourth class. This School Code has been held by the highest court of the Commonwealth of Pennsylvania, to be constitutional. In 236 Pennsylvania Supreme Court Reports on page 33, the Chief Justice said: "The Act of 1911 establishes school districts based upon classification is recognized under the law of our State. Such classification has been supported when applied to cities, counties and townships, and we can conceive of no reason why it should not be sustained when applied to school districts." I wish to say simply that much as the oponents to this bill may argue that it is unconstitutional, and taking that as a precedent, it seems to me that there can be no question that this bill becomes a law and it were put up to the Court, it would be declared by it to be constitutional. Is the proposition reasonable. It seems to me that it is.

It is simply a question that when a certain number of electors in any district or unit present a petition to the Court of Quarter Sessions, if twenty-five per cent. of them want the matter put to a vote, the Court shall order an election, and if a majority of the electors of that unit vote against the granting of licenses, the court of Quarter Sessions shall be absolutely prohibited from granting licenses in that unit. It is simply going a step in the right direction, referring this question to the people, a step in the line of referendum which is growing and the people are demanding with a louder and louder voice than ever before, and it is simply giving the people the right to say what they want along this line. What effect would it have on the Brooks Law? If the measure be submitted to a special election in the way herein stated, it would have no effect on the Brooks Law in any shape or manner. If the matter is put to a special election so far as this proposition is concerned, then it simply comes up to a selection by the people, and if a majority of the electors in any one unit vote against the granting of licenses, the Court of Quarter Sessions is absolutely prohibited from the granting of licenses in that unit.

There seems to be a difference of opinion among the members as to what the unit shall be but after a conference meeting and going over the matter thoroughly, a majority seems to favor the unit, that is prescribed in the bill we have before us. That is the proper unit, excepting in cities or boroughs of ten thousand people or over. Let me cite a concrete example: The County of Dauphin, for instance. I am informed that the city of Harrisburg is the only city or borough in the County of Dauphin that would come under a second unit. Therefore, the whole County of Dauphin outside of the City of Harrisburg would be one unit and the people, if they thought it wise to have the machinery put in operation and would vote as a unit as a whole in the city and in the county, that would be an entire unit and they would vote the same way. In Lycoming it would be the same way. In the City of Williamsport, there would be two units in that county. There will be arguments made, of course, that the Local Option position is not a good one, in that it does not aid the purpose for which it is intended, but in line of this, I want to call your attention to the condition of the United States as a whole. Only five states in the whole United States but what have a law similar or a prohibitory law along this line, similar to a Local Option Law and probably there are a number of the members of this House who have seen a map of this proposition and those states that are enlisted on that map as "Black States" are the states of Montana, Nevada, Arizona, Pennsylvania and New Jersey. This is reasonable to suppose that all of these States—(forty-two of them) having similar laws like this on their statute books and if it were no good, do you suppose they would keep it there and not repeal it? When we advocated this bill, we didn't expect to bring a millenimum or if it becomes a law, we don't expect that it is going to wipe out all the liquor business. We do hope if this bill becomes a law that it will further regulate and restrain the busi-

ness of dealing in intoxicating liquors. We have laws on our books prohibiting a man killing another human being, but does that prevent murder? We have a statute on our books preventing one man from stealing another man's property but does that prevent stealing? It does not; but it tends to regulate and punish a man if he does not obey the law. We hope if this bill becomes a law and we believe it will, that it will further regulate and restrain the liquor business. I don't believe that it is wise to take up further time in arguing this bill but I do feel that it is a little bit uncourteous the way the gentlemen are opposing this bill and the way they have treated it. The sponser of this bill demands the yeas and nays on second reading.

Mr. STEIN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Stein.

Mr. STEIN. Mr. Speaker and Gentlemen of the House, I have listened with much pleasure and some satisfaction to the very logical argument by my friend from Tioga but I am sorry that I cannot agree with him in his conclusions, on either the law or the political requirements of this bill, I want to say for the information of the House that this bill is almost identical with the same kind of bill for the same purpose that was presented in the session of 1909. At that session the bill was defeated on second reading and was defeated by a very considerable majority. I use the records of the session of 1909 as a precedent for our procedure in the present case. In 1909, this bill was defeated on second reading. I feel that it is proper to the interests concerned that we carry out that precedent and defeat it in the second reading at this session of 1913. I want to say to the gentleman and all the friends who stand back of this bill that this procedure is not at all an act of discourtesy or criticism, so far as their conduct is concerned. It is an act of justice and fair play to all the interests concerned. Now, the gentleman has seen fit to go a little beyond the record, in his argument on this act and the gentleman states that the School Code which was inacted at the last session in 1911, contained a provision directly opposite from this. The gentleman says that his bill is strictly constitutional and says that because in the School Code of 1911 we classified the cities and permitted courts to appoint, instead of the people elect, therefore it is all right in this case. That argument, it seems to me, is certainly not logical and I will remind the gentleman that he is blowing hot and cold in the same draught. In the old session on that bill, it was a matter of legislation for our youths. It was on a matter that deals with every home and every family upon a matter of education that has to do with the future citizens of the land. My friend from Tioga and most all of the gentlemen of the House voted in favor of depriving the people of the State of the right to say who shall administer their school affairs. Yet to-day my friend is here asking that the people vote upon a matter which is not of political concern at all. When it comes to the election of School Directors, our friend says: "let the judges appoint. They are a better seat of power and discretion," but when it is a matter of licensing of liquor dealers, he says, "no, the judges are not of sufficient ability, let the people give us the right to say as to who shall elect and who shall not." I submit to the intelligence and fair judgment of the members of this House, that my friend's position is not at all logical. It is certainly inconsistent. He was very wrong at the last session and he is wrong at this session. My opinion is that he was wrong at both sessions. Now, the gentleman from Tioga says that he sees no harm in this bill. He says, "Why, what is wrong with allowing people of a district to vote on this question?" Gentlemen, there is considerable wrong. The wrong is merely this; not that we who oppose this bill favor drunkenness or crime or desire a violation of the law. I want to show to my good friend from Tioga, that there is no class of men in the whole State, who are more law-abiding, more in favor of the administration of law, than the men who are opposed to this legislation and because of their desire to support law and order, they don't want to see this liquor question be made a disturbing element in every political campaign. The people of the State ought to be engaged and this Legislature ought to be engaged in the consideration of what are truly political measures. God only knows there are many things in this State that need legislative correction and this House ought to be engaged in the solution of one of the greatest problems that confronts us, that is a better and more economic adjustment of the divisions of labor. We ought to be engaged in the enactment of a compensation law, public charities bill, better police regulation and a thousand and one other things for which society is really creating a demand and along which the people of Pennsylvania has a right to expect that we will engage our deliberation. Instead of that, some of the men who are favorable to this bill think that they can divert public attention that comes to this House and use it in the name of decency and morality. They say let us get up a fake election; let us draw these people into the ring of politics because from past experience, we know they are a good target for attack and we know that we can always attack them and there is now way in the land that will raise a voice in protest, for after all who cares for one saloon. He is a good fellow whom they may favor in every campaign, however. I say to you gentlemen of the House that the attitude of the liquor leagues who have absolutely no standing in this House, no more than any other private citizen and they have shown by their entire attitude that this is their little law which has not been introduced for any real sincere or earnest purpose. What would the act do if passed? I don't simply say that in every public center that the people of the town shall also be seperated from the costs of the county. I ask you gentlemen is it fair to divide a county on a purpose of that sort. Counties that contain cities and Commonwealths are founded for the purpose of carrying out the administration of the law and what is the sense of keeping counties in tact for every purpose except when it comes to a regulation in liquor traffic. I ask every gentleman in the House, don't you honestly believe, and when I say honestly, I mean honestly as a fair and impartial man, that taking your own experience in all your own community, don't you think we have a far better system of regulation under the present supervision before a Judge than you would have if you would allow this to become a disturbing element in every election.

Is there any man in this House who can say that in his town there is any saloon located in a residential section where it is not wanted? Is there any man who can say that in his neighborhood a saloon is a menace to the community and he cannot get rid of it by a remonstrance to the court? Why, gentlemen, let us be fair to the men engaged in this business. Let us be fair to the men who pay annually over two million dollars into the State Treasury, to the men who pay annually over ten million dollars into the National Treasury, to the men who pay almost a million dollars more to each of the largest cities of Pennsylvania. If there is a saloon we do not want, the judges will welcome a remonstrance with pleasure; in fact, most of the judges of this State are looking for some excuse to wipe out some undesirable saloons. All you have to do is, not to get up an election to disturb the whole community, but simply go in yourself and with your friends and have the proof and report the facts to the Court and the saloon will be jerked out of existence in five minutes. But my friends say that this is necessary because the people back of the bill claim they are doing society a great favor. They say let us eradicate this evil from our midst. I want to remind the gentlemen favoring this bill, that the ordinary lawful use of liquor is the privilege of every citizen of the land. It is a natural and inherent privilege that no organization, no society and no government can deprive that individual of, so long as he exercises that right with reasonable discretion, and does not offend upon the rights of his fellow men or of the State. Of course, the men opposing this bill do not propose to give any person the right to get drunk. If a man gets drunk, or commits a crime, I will be one of the first men to take the steps necessary to enforce the penalty provided by the law. But because a few rascally fellows and criminals may violate and abuse their privilege is no reason why the high-minded people and great mass of right living people in this State shall be deprived of their natural right to follow their own inclinations. Don't you know that society has no right to deprive us of any natural right except so far as is necessary for the preservation of the Commonwealth. You know that the average citizen has surrendered considerable of his liberty the moment he becomes a citizen of our community. I can find no right

of any government to deprive him of the few remaining privileges such as taking a drink when he wants, so long as he does not offend the rights of the government or his fellow citizens. Just carry this one step further: The opposition says "It is all evil; it is all wrong." It is not inherently wrong to drink. It is only wrong because the Commonwealth says so, and the only time it becomes wrong is when the abuse takes place and the man gets drunk. It is not fair to say that of the eight million people in Pennsylvania there is not ten per cent. who are confirmed drunkards, or even average drunkards. I state to you again, and I say it and challenge contradiction from any man who favors this bill, that of the eight million people in Pennsylvania less than ten per cent. are habitual drunkards. I will go further. I say that less than five per cent., and I will go further, and if I am wrong I challenge contradiction, that less than two per cent. are habitual drunkards, and I believe, if I am right, it is probably less than one-half of one per cent. Now gentlemen what is the result? I repeat that again, that if I am wrong I challenge my friend from Tioga or any of his friends to contradict the statement, and I say that less than one-half of one per cent. of the eight million people of Pennsylvania are habitual drunkards or addicted to the use of liquor in intemperate manner. What have we? You will agree with me and it has been the law of the land and the teaching of philosophers and law makers everywhere that it is better, yea, even the good Book says that 'It is better that ninety-nine guilty men shall escape than that one innocent man shall suffer at the hands of the law." Isn't that logic? Isn't that law? Isn't that religion? It is better that ninety-nine guilty men escape than that one innocent man shall suffer. Now gentlemen bringing that down in its application to the case in hand, what have we? It is better that ninety-nine men be permitted to carry on their natural rights, than that because of one individual or isolated drunkard these ninety-nine men be deprived of their natural right. Besides you are setting a standard for very dangerous legislation. If you want to deprive a community of the use of liquor by elections I will go you one further. In my community there are many men of intelligence and standing, who claims that the use of tobacco, tea and coffee are just as injurious as liquor, and they have the facts and figures to show all the evil effects of these upon the human system, and some of their arguments are true, and as they come with moral force we respect them, but if they attempted to enforce their teachings by law we would meet them with contempt. There are men who with much force claim that the use of meat is brutalizing and that man wsa never intended to capture the lower animals and devour them as one people do another. And then there are the vegetarians and they have much reason and logic on their side and in so far as they attempt to teach us with moral argument and persuasion, we respect them, for their beliefs; but let them attempt to write such a law on the statute books and that every community shall have the right to vote on whether or not a man shall have a vegetable diet and what would you say? There is an honest difference of opinion. Isn't this just exactly the same thing? Ninety-nine out of one hundred are saying that the temperate use of liquor is all right and is not harmful, so long as you do not abuse your privilege. The individual men, who are actuated by agitators whose very job depends on the incomes of this sort of continual agitation, say that the world is going to pieces, that society is disintegrating all because there happens to be one drunk in one hundred, or one in two hundred. Therefore they say we will create an act that will disturb the entire Commonwealth; we will root out all the industries that have millions of dollars invested and give employment to thousand and thousands of men; and I wish you to remember all of the ramifications and all of the details that fit into that industry. These men say that we will disturb the whole State to get at the individual drunkards, possibly one or two hundred. Now gentlemen it seems to me that you certainly are going at the thing from the wrong end. If those high-minded men will devote one-half of the time and effort to the enforcement of the law as it now stands, if they will give their thought and attention to the solving of the far greater and more important problems that are stirring this Commonwealth to-day, I can assure them that they will be doing the Commonwealth a far better service and themselves also than by this continual agitation, which has no business in these legislative halls.

With this explanation, I think that I have taken more time with the subject than it deserves. My friend has said that there are many States that are totally dry, and as one of them, Maine, is usually cited as a State in which this works perfectly. I have here the report of the Commissioner of Internal Revenue for 1912 and no man can doubt it. It is printed by the Government and based upon the statistics and is the official report and, mark you, in the State of Maine, as in all others, we have this in 1912: That 2,465 illicit stills were seized and captured the year just closed, against 488 in the year past. Now, if that law is so operative and so wise and so easy of performance, how does it come that the United States Government discovers 2,400 violators of the law that the State cannot discover? The answer is simply because when you enact a law of this sort, you place a black-mailing club in the hands of the police authorities in every community, and we know, gentlemen, from our experience, that the police authorities have been guilty of blackmailing in all our large centers, and we are not going to give them any other means for further blackmailing or collecting tolls. Now let me show you further: I have here the official tables in each of the States my friends have named. In the State of Maine, usually cited as the paragon of fairness and virtue, we have in the State of Maine—now just thing of it gentlemen—there was licensed by the United States Government last year, 913 liquor dealers. Just think of it, a State that does not permit the selling of liquor, yet the federal government licensed to sell 913 retail, 11 wholesale and 493 dealers in malt and brewed liquors and 63 other dispensaries of liquor. Just think of it. Take that to thought; that means 1,600 licensed dealers. Think of it, 1,600 licensed dealers paying taxes to the Federal Government for the sale of liquor and yet the State statute says that liquor shall not be sold, in that Commonwealth. And what is more, the Federal laws provide the opportunity, and I call the attention of my friend Rockwell to this provision: That in the revised statutes 3,240 he will find that the Internal Revenue collector of every district has a list of every person who sells liquor in the district, who pays his special tax to the Government. That list is open public property and the law makes it mandatory upon the collector to furnish a copy to any person who is interested. If the church people or "God-fearing people" as my friend calls them in this Commonwealth, or the Commonwealth of Maine, will go into the Revenue Collector's office in any State that is dry, Maine or Georgia, they can get an official list of the violators of the law. Why don't they enforce it? Simply because there are some things that you cannot enforce. Because, after all, all laws depend upon the moral approval of the people rather than upon the written information of the statute. What is further, that same Federal act provides that the payment of any such tax shall not in any such way exempt the person, and I call particular attention to this because I have great faith in the ability of my friend from Tioga as a lawyer and great respect for him as a man, although I cannot share the same feeling toward his client. We have a Federal law as follows:

"The payment of any tax, imposed by the internal revenue laws for carrying on any trade or business shall not be held to exempt any person from any penalty on the same within such State, or in any manner to authorize the commencement or continuance of such trade or business contrary to the laws of such State or in a place prohibited by municipal law; nor shall the payment of any such tax be held to prohibit any State from placing a duty or tax on the same trade or business for the State or other purposes."

Don't you see that if you enact such a law you are enacting something that has been shown by years and years of experience and wisdom to be impossible of enforcement and when you get a law upon the statute books and place it in the hands of the police department to enforce and the people don't want it enforced, what have you? You have a repetition of what is now happening in New York City, and you have a repetition of what has recently occurred in San Francisco, Chicago and in all centers of population. You are simply placing the decent people in the hands of corrupt people.

I believe I can best serve my constituents, my own conscience and my own state when I vote in favor of taking away this further black-mailing scheme, taking it out of the hands of the local authorities and allowing it to rest where it is, in the safest and most honorable hands that human laws can be put, in our courts of justice.

And it is for these reasons that I ask every man in the house to vote against this bill so that we may not be disturbed by this ghost any longer.

Mr. S. B. SCOTT. Mr. Speaker, the remarks of the gen-

tleman who has just taken his seat seems to constitute a mere tissue or fibre. There are two main qualities underlying his whole remarks. In the first place, his idea that this subject is not a political one. That is to say, not a subject that is fit and proper for him to continually occupy himself with. This is a struggle which has been going on between society and these other agencies, which threaten the foundations of society. It is unfortunately a continuous struggle and therefore it is one which must continuously occupy the attention of those who represent society in the battle of self-preservation. We are occupied with this subject because we are obeying nature's first and fundamental law, the law of self-protection, and as long as we are confronted with the inroads of such an insidious enemy as the seductive preparation of alcohol is, so long must society, in organized form, through its lawfully elected representatives engaged in that struggle. Therefore we have the question and therefore we will continue to have it, until the question has been solved, and as long as it is important to our constituents it will be important to us, and therefore I think the suggestion that this subject ought to be shelved, gotten away from, hid under a bushel, is a suggestion which in its very nature and essence is absurd; and the only thing is to meet the question fair and square, meet it manfully, register our own conscientious opinions and then wait until the subject presents itself in some new form, requiring new action. So much for that phase of the gentleman's remarks.

The second subject which seems to me to need special attention is the strange confusion of the method of meeting the liquor evil through state-wide prohibition, and the method of local option. Now to my mind these two methods are as far apart as the poles. While it is true that they are both methods for meeting the same evil, they proceed upon radically different principals. Now if you will think for a moment, it is camparatively easy to pass laws absolutely prohibiting the sale and the unauthorized use even of certain well known and recognized poisons. For instance, we have on our statute books laws forbidding the sale of cocaine, prussic acid and other kinds of thoroughly understood and well recognized poisons. Nobody upholds the inherent and inalienable rights of a person to become a cocaine fiend. It is against the law. It is righteously against against the law and there is nobody who would make the law otherwise than it is. Now the difference between absolutely prohibiting the sale of liquor, except on medical prescription and the absolute prohibition of the sale of prussic acid, except upon proper prescription is this: That in the case of liquor, there are thousands and tens of thousands and hundreds of thousands of people who for their own use and for their own pleasure desire that they should be able to obtain liquor, without any specially onerous restrictions. Therefore we have this peculiar situation: We have a state trying to prevent what a large portion of its citizens wish to do. In other words, we have a proposition which from a governmental and political stand point is practically impossible. Government is simply the concrete expression of the will of those who are to be governed, that is, government in a free community; and when we have a very large section of a community who desire to do a thing there is no governmental force resident in the governmental machinery to prevent them from doing it. Now men have this peculiar phychology that they are perfectly willing to pass laws governing the other fellow which they are not willing to submit to themselves. It is a very peculiar psychology, but a very true trait of human nature; therefore in some states, such as Maine, we find that the legislature, urged on by an active section of the people, are perfectly willing to pass absolutely restrictive laws for the other fellow. You have probably heard of the remark attributed to a Maine legislator who said that he was in favor of prohibition but against the enforcement of it. Therefore the theory of local option comes in. It says that there are sections of the community which are seriously and actually desirous that within their own borders the sale of liquor should be prohibited, and in that governmental unit the will of the people is clear, and therefore it can be enforced. In other words we are now dealing with the question of how to enforce the will of the people when there are a great many rebellious subjectsj on that particular subject. It is largely a question of experience, not a question of abstruse and difficult theories of human rights. It is a question of practicality and the experience of the country so far has shown that in a large and heterogeneous state, where you may sometimes get a majority in favor of the prohibition of the sale of liquor, you cannot get such a unamnimity of general opinion that through the political machinery of law enforcement, the grand jury, constables, police and all the other cumbersome machinery of the law can you get a real vigorous and practical enforcement of the law. If, however, you pick out a homogeneous community where the people think alike, where the conditions are the same, then it is possible to get that homogenity of opinion; it is possible to get juries to act according to their oathes, according to the dictates of the law; therefore it does become practical to enforce the law in that particular community. For that reason when those who oppose this law cite the experience of such a state as Maine, it means that they totally fail to apprehand the theory and the philosophy of the local option principle. I look upon the local option principal as simply one phase of the eternal grapple between society and the insidious poisons which are sapping its very base. I look upon it as the most advanced, the most practical the sanest and the most reasonable stage of that particular grapple. I believe in it because I want to see the evil eliminated, and I believe this is a practical and not a theoretical way to do it.

Mr. McALLISTER: Mr. Speaker, there is no gentleman on the floor of the House who is more sincerely concerned in the moral welfare of the people of this State than I. Neither is there a member of this House who is freer to voice his honest opinions and register his vote according to the dictates of his own conscience. I am pledged to no faction, I represent no interests, and am prompted by no motive other than an honest, earnest desire to serve the best interests of all the people according to the understanding which has been given to me. I am opposed to this bill because I believe it impotent to accomplish the end aimed at. If the records of history and human experience teach anything at all it is that we cannot control the appetities of man through statutes of human government. The history and accumulated experience of all efforts directed along the lines contemplated in this bill covering a period of considerably more than half a century clearly and emphatically demonstrate that those cities, and counties and communities which have endeavored to correct the evils of intemperance through prohibitory measures have only succeeded in detracting from the moral status of the community and increasing the consumption of intoxicants. There have been very few exceptions to this rule, so few in fact, as to be merely exceptions. Therefore, in the light of past experience, and I know of no safer guide and monitor for the future than the experience of the past, I convinced that you cannot make a people either moral or temperate through legislation. The morality of a community can only be advanced by moral principles diffused through the community. I would not have any one infer than I am here as an advocate of vice or intemperance, for I am not. I believe in temperance not as a political issue but as a principle. I believe in temperance in all things, temperance in thought and in speech, as well as temperance in food and in drink. But the history of all times and of all people demonstrates the fact that you cannot compel obedience to the demands of temperance through the laws of man. You can by law define and make punishable offences infringing upon the rights and libiterties of others. The laws of the State of Pennsylvania regulating the issuance of licenses and the sale of intoxicating liquors already cover almost every legal precaution against intemperance that is possible under the Federal Constitution except the prohibition of the manufacture, and I do not believe that this extreme measure can be accomplished through legislation from now until the end of time. The specific purpose of this bill now under consideration is to afford the qualified voters of the various counties of the State an opportunity to decide for themselves whether or not it will be legal to issue licenses and to sell intoxicating liquors within their respective counties. The advocates of the measure advance as their reason for this demand that the people in every community shall have the right to decide for themselves all questions affecting the moral and social conditions surrounding them. If so, why not submit to the vote of the people of these communities the question as to whether or not they shall observe the Sabbath Day, or whether or not the people of these counties shall make their own regulations and laws affecting both the manufacture and sale of intoxicating liquors. Surely these are all questions affecting the morality and welfare of the people. Why not

submit them all to the people? Gentlemen, with all your boasting in the superior wisdom and integrity of the people, you know, and we all know, there are many matters which cannot be safely trusted to the vote of any county or community. I am unalterably opposed to the referring of these matters to the vote of the people of any community, and you can publish that fact and carry it back to the people as fast as you can that I am not willing to submit to any community the right to decide questions of law which are deeper and of vastly more importance as affecting the character of the people of this Commonwealth than any statute ever written by man. A few days ago there was presented to this House a bill to legalize and permit the playing of baseball on Sunday. I know many communities where if the opportunity was afforded them to vote upon the question they would elect to play ball on that day, and yet I cannot believe that the people of this Commonwealth as a whole would lend their approval to decide for themselves whether it should be legal to desecrate the day appointed by Almighty God as a day of rest and worship. This bill is objectionable for the reason that it does not in effect and intent apply to all the people of the State alike. No matter what the text of the bill may actually recite and seem to imply the sponsors of this measure know as well as they know anything that the restraint sought for cannot be obtained in more than a quarter or one third of the units desigated in its text. Any law touching the morals of the people to be effective and respected should apply equally and impartially to all people alike. Gentlemen, the liquor question is absolutely and entirely a moral and social one. Morals are bound in principle and principle is a thing you cannot compromise with and one which conforms not to expediency. The man who is sincere and honest about the liquor business is voting for Statewide and nationwide prohibition. The man who is advocating local option, is carrying temperance as a side line for political purposes only. The local option advocate informs us that a man who votes the prohibition ticket is impracticable. Why- Because he says what he means and means what he says and votes that way? It is a matter of principle with him, not politics. A gentlemen who has devoted years of serious thought and effort to the cause of temperance said to me a short time ago that in his opinion a man who advocated local option as a means of promoting temperance and morality was either a hypocrit or a traitor to the cause or else was a moral coward. Gentlemen you can write me down for a fool, a fanatic, or a knave—what you will—but I believe there is but one power that can make this nation a moral and temperate people and that power eminates from Him who passed through the Garden of Gethsemane and who was crucified on Calvary.

Mr. CLAYCOMB. Mr. Speaker and Gentlemen of the House, from time immemorial we have heard much about our boasted rights, and we have always spoken in thunderous tones in denfending them, and in speaking of our duties, sometimes we whisper. The liquor interests according to the gentleman from Allegheny who spoke a little while ago feel that if this bill becomes a law their natural rights will be taken from them. I want to say and quote the fact that is known to the members of this House generally as is found in Crowley V. Chritianson, 137 United States Reports, page 86, as follows: "It is undoubtedly true that it is the right of every citizen of the United States to pursue any lawful trade or business under such restrictions as are imposed upon all persons of the same age, sex and condition." There is no unalienable right for a citizen thus to sell by retail but it is a privilege given to the citizens of the United States so therefore, should the bill become a law, it is not taking away a right which is vested in the voice of the people. He further says, that should this bill become a law, that at every election there would be a disturbance and confusion. God knows and the people of Pennsylvania know that for many years in the State of Pennsylvania that its manner of conducting and operating the Brooks High License Law the liquor traffic has held sway and it has made it, therefore, a disturbing element in every election. The gentleman from Westmoreland says that no law can regulate the appetite and morals of the people. Would he strike from the statute books the law against murder, manslaughter, homicide and embezzlement? There has been no law passed by human agency that cannot be avoided by human agency, but so far as this local option law is concerned, the principle has been carried into effect to the advantage of the people of the State. Go into the State of West Virginia. In 1910 there were 748 convicts in the West Virginia Penitentiary. There are thirty-one dry counties and they are so by reason of local option, and they sent but 106 of those convicts to that penitentiary. There are twelve counties in which there was but one license under the operation of the law. Those twelve counties sent to that penitentiary 184 convicts. The eleven wet counties, so to speak, and wet by reason of the fact that the people said they wanted licenses sent the balance of those convicts to that penitentiary. Fayette County, the smallest county in the State, with but three per cent. of the population, but with more saloons than any other county in the State, sent twenty per cent. or one-fifth of all the convicts to the penitentiary, showing that where liquor reigns uncontrolled we have the criminal, we have the pauper and we have the insane. My good friend from Allegheny County speaks concerning habitual drunkenness or of those addicted to the liquor habit. Now then, I quote from the Massachusetts State Bureau of Statistics the following which is found on pages 406 and 407. "Of the adult paupers in the State of Massachusetts, 75 per cent. are addicted to the use of liquor; 40 per cent. attribute their pauperism to their own intemperate habits." The report on crime contained on pages 408 and 409 is as follows: "Of all the adult criminals 96 per cent. are addicted to the use of liquor. In 84 per cent. of all the criminals, the intemperate habits of the offender led to a condition which induced the crime. Now, Mr. Speaker is the local option law democratic? Is it in accord with the American spirit? Cardinal Gibbons about three years ago said: "I believe that the right of the people to determine by the operation of a local option law whether saloons shall or shall not be closed within their respective communities is in harmony with the American principle of self-government. Where the people do not attempt to close their saloons to decide by a vote to maintain them, I am in favor of high license and rigid restrictions, but not as a substitute for, nor in opposition to, local option." President Taft in a recent speech before Yale College about two years ago said that the legislators of the nation are solving the liquor problem through local option. He said it is working well because it is practical. Mr. Bryan has for the last seven, eight or ten years given the effort of his great life towards establishing the principle of local option. John Mitchell, known and honored throughout this Commonwealth says this: "I have given long and dep consideration to the value of local option as a up-lifting force in the community and I am convinced that it embodies the principle of true liberty." So we have about thirty-one Commonwealths in this Nation that say they want the Local Option Law. I belivce that it was in spirit and in harmony with the idea of self-government, and where it has operated and the conditions have been so controlled, it has operated to the advantage of the community. Now let me say that by reason of the people of Maine being free or practically free from intemperance, that there is more money on deposit in the savings banks per capita than in the other States, five times more than the State of Illinois and seven times more than in Ohio and Pennsylvania. Go where you will, in whatever clime, in whatever portion of this country where the principle of local option—and do we understand what local option is. I say where this principle of the option of the locality has been enforced we find some communities that do not want licenses and they say so. We have others that do want licenses and say so. Let me say that the gentleman who opposes this bill has not yet caught up. He has not seen the Day Star in the Eastern sky in all its splendor. Let me quote this from the Liquor Dealers Journal. In a recent issue it says: "Where the people voluntarily agree that they do not need saloons, there should be none." and further at the Annual Convention of the National Model License League in session in Louisville, Kentucky, adopted a series of resolution. The ninth resolution adopted read as follows: "That the National Model License League reiterates its conviction that the sale of alcoholic beverages can be properly regulated by providing that licenses shall renew themselves every year, until cancelled by a vote of the people, or by a conviction of violation of law." There we have it. The true principle of local option. So, I say,

it is not a new theory, it is a theory as old as the Declaration of Independence where Jefferson wrote that "All men are created free and equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pusuit of happiness." Then he said, "That to secure these rights, Governments have been instituted among men, deriving their just powers from the consent of the governed." It is as old as the government itself and for us to come here again today and oppose this principle that has been permeating the nation at large and upheld as progressive and not political but has been upheld by reason of its effectiveness. then we are turning our eyes against the light. It is a call for militant men at this time and I hope will be responded to by you men. The gentleman from Westmoreland stated that those who now propose to submit the principle of local option to the people must have some ulterior motive other than the common good, and I resent the groundless and false imputation by saying that the manhood of Pennsylvania, and the Anti-Saloon League has no other ulterior movement than the common good. What good will it do the preachers and common people, thus engaged in this fight, if we should have local option and drive out the liquor interests. I ask that the manhood and the democracy of the State of Pennsylvania in the broad general sense of the word give a full vote in the support of this bill.

Mr. WILDMAN. Mr. Speaker and gentlemen of the House, it is neither my intention or desire to make an effort to influence any member of this body, for or against the measure now under consideration, by the few remarks that I am about to make.

As the question before us is of considerable moment, I feel that is a duty which I owe both, to myself and the people whom I have the honor to represent, to give my reasons for assuming the attitude towards it which I do.

I therefore ask your indulgence for a short time for this purpose.

During many years a pernicious system prevailed in this Country, the legalized traffic in human flesh, efforts were made from time to time by both good men and women to bring about the abolition of this great wrong invariably without success.

At last there came a great statesman, a man of large intellect, strong personality and powerful eloquence, one who had been reared in the cradle of poverty, a man of the common people for the common people, he spread the gospel of abolition throughout the land, and by his efforts and appeals to the people the abolition of this evil became a national issue, a new political party was born, and this great statesman became its leader.

When those interested in slavery realized that the movement against this system was assuming formidable proportions they became alarmed, they made a proposal to Lincoln, that the question of slavery be submitted to a vote of the people.

Surely, said they it is but right that the people interested should decide as to whether or not they desire this system to exist amongst them.

His reply to this proposition was: Slavery is a great wrong, it is a national wrong, you can not correct a wrong by a popular vote, it must be eliminated constitutionally, a great war ensued, millions of dollars were expended, and thousands of lives were lost during this great struggle, but right prevailed and the foul blot of slavery was erased from the escutcheon of these United States forever.

So it is with the liquor evil, it is the equal of slavery, one held the body in bondage, the other enslaves both the body and the soul, it is a great wrong, it is a national wrong, and like Lincoln I hold that it cannot be corrected by a popular vote locally. it can only be accomplished by a constitutional amendment prohibiting the manufacture, sale and importation in this country.

Local option is abortisve because it does not correct the evil at which it is aimed.

It is selfish because we eliminate this evil from our own immediate premises, but are willing to permit it to exist and flourish upon those of our neighbors.

It is unfair and unjust because it deprives the people of one section of their property and livelyhood, only to enrich the coffers of those of another.

Prohibition applied locally has, and never will accomplish any good, it is proven a signal failure wherever it exists to-day.

The State of Maine enjoys state-wide prohibition in discussing the liquor question a few days ago with a friend of mine, now a resident of the City of Portland, he made the broad assertion that as much liquor can be secured in that city, both week days and on Sunday as though the law did not exist.

I can assure you gentlemen were you to ask me next Sunday to take one of you to a saloon or hotel for the purpose of getting a drink of liquor. I would not know where to go as the Brook's High License Law is strictly observed in this locality in that particular; under the provisions of this law, the citizens of any particular locality have the same privilege asked for in the measure now under consideration, viz.: the right of remonstrance against license to the courts "see Brooks Law." I feel gentlemen, and I speak for my colleague as well, that in opposihg this measure we violate no pre-election pledges or promises, prior to the Primary election, the Rev. Alford Kelley, Superintendent of the Anti-Saloon League called upon me at my residence for the purpose of exacting from me a promise to support a local option measure in the event of my election, I assured the Rev. Gentleman at that time, that I was as much opposed to the liquor traffic as he was, but that I wanted to see it eradicated in its entirety by a constitutional amendment, that I was opposed to local option on general principals, and gave him the same reasons which I have explained here to-day, notwithstanding the plain and broad statement made to the Rev. Gentleman at that time, he caused the following circular to be distributed amongst our church people and the public at large, prior to the general election, from which I will read an extract:

For Representatives

For members of the House from the city of Harrisburg, the liquor interests named Dr. J. Edward Dickinson and Augustus Wildman. In the Second District they nominated Charles D. Row and B. K. Booser. All of these men have back of them not only the allied liquor forces of the county, but also those forces which always do team work with the liquor interests. No man with any knowledge whatever of these five men and of the forces which are back of them can have any doubt as to whose servants they will be if elected to the Legislature.

I want to say to the Reverend gentleman, if he is in the House, that when he circulated this matter, he knew he was doing something that was unchristian-like, because I had explained my position to the gentleman and stated why I was taking the position I did. Therefore, I oppose this measure.

Mr. SWIFT. Mr. Speaker.

The SPEAKER. The gentleman from Beaver, Mr. Swift.

Mr. SWIFT. Mr. Speaker, this question seems to me is a matter for consideration and it is a question for the people rather than leaving it as the Brooks Law has placed it. I think the experience of the past years has demonstrtaed this fact, that to every thinking rational being, the Courts should never be compelled to decide the question that belongs properly to the people. I claim here that the function of the Court is not to settle such a question as this. There has been no question but that the Court has been compelled to decide upon that as far as it has gone but I question wheher we should put the Court into so questionable a position as this question demands. Is it not true that every Court in this great State of ours is unquestionably today either on one side or with one class or the other? Is it not true that on the one side there is a clamoring of the people against a certain decision and a clamoring of the people for a certain decision and whatever that decision may be the Court rules on the question. I say to you that this Brooks Law forced upon the courts the decision of a question. First, that decision belonged to it; and a question that has placed it in a position where we have lowered the standards of the Court and that is where all the trouble comes from—all the questioning of the Courts —because this act or this law has put this question into its hands to settle when it rightfully belongs to the people. If it does not belong to the people, where does it belong? What does this bill seek? Simply to put it in the hands of the people themselves. I see a marvelous revelation here. I wish that every man in this House would be as progressive, voting upon this question as he was progressive when he was asking for the support of his constituency. This is a day in which we believe in the rights of the people; in the rights of the people to express themselves. This Brooks Law for twenty-eight years has robbed the people of its right. It is a strange thing to me, gentlemen, that we of this State, have lost our franchise upon the question which is most vital to every citizen, to every community in this

State of ours. Why should it be so that this is robbing the people of their rights and why is it not just as honorable and just as respectable for them to settle as any other question? Why is it that a man should be branded a hypocrite or a fool because he stands for home, church, for manhood, for righteousness, for truth, for honor and for God. Mr. Speaker and gentlemen of this House, does not it inhere then this State to the limit of man's possibilities of actions for doing certain things. Why, we hear said upon the floor of this House, that we have no right to ask that this question be committed to the people; but we ask on our side that the question be submitted to the people. The people should not be robbed of their rights. My friends, let me say this: It is a principle recognized by every court and by every state and by every nation that inherent government has the right to limit individuals as to their rights and their privileges. I find here no one objecting to limiting individuals along these lines. Let me illustrate: does a man pay the penalty who has possibly put himself into a peculiar position in which he has delivered milk in which germs exist? If he has delivered that milk in a community and it is discovered, it means not how much money that man has invested in his farm, or in his stock, or in his equipment. The moment it is discovered that the milk he delivers is dealing out death, the State steps in and says "You must stop." He may say, "My life and my success depends upon the delivery and the sale of the milk. My fortune is invested here and I must conduct that business and maintain myself and my family." But Mr. Speaker, if that man has dealt out disease with that article, the State says, "Stop," and he does stop. A placard has been put upon the door of an American citizen, a man who denominates himself an American citizen. It matters not what disease is back of that placard. Usually I have the right to go in and out and no man has the right to rob me of my freedom or my citizenship and my liberties but the community in that event says to that man, what he must do and he must obey. Every school and every church and every Sabbath school and every institution, no matter what it may be, must close or stop business for a time, if they are endangering the health of the public and the man behind the door stands there and he may violate the law and go out, but my friends he is simply a violator of the law then and he may be punished. So, we might continue these illustrations innumberably and I want to make the point that it is not robbing a man of a right. My friends, my rights and liberties cease where your rights and liberties begin, and when any business, I care not what it is or any act imposes wrong upon me or upon my family and upon my home, the State has a right to step in and say to that man, "Thus far shalt thou go and no farther." Now, I repeat again that the community has the right to say this. We settle all other questions in these matters, largely with the voice of the people. The question of improvement, the question of taxation as we settle those by the voice of the people. Shall we be denied the right of the privilege of settling a question of this character? I will repeat again, that is the most vital question to every home and to every community and I want to call attention to the fact that those who oppose this bill seem to think that government exists for the making of money and for the securing of money, and for money interest and manufacturing interests. I want to say to every individual that this State and this nation is engaged in something else than the simple manufacturing business or mking of money. The first and primary question ought to be the making of manhood and the making of character. If we refuse to enact laws that guide the purposes and thought of our youth of our people, we shall be recreant to the trust that has been committed to us. My friends, there is nothing that this country needs so much as it needs more of manhood, more of character, more of honor and we cannot do better than to legislate for the making of the best manhood and womanhood and the purest and noblest manhood and womanhood. We must make pure womanhood and manhood possible and we are never in line with God Almighty until we legislate along the lines of his orders and standards.

Every man here would be recreant to his belief in Jesus Christ or His God, if he refuses to legislate along the lines where our great Creator has said, "Thou shalt and thou shalt not." This is my purpose in this act. Mr. Speaker and gentlemen of the House, to claim as an American that we as a House, shall we remain as we are or shall we return to the old world despotism? Is it American to place into the hands of one man the authority to settle this question in spite of the desire of the community to express that desire. I apprehend by the reading of the Brooks law that Mr. Brooks contemplated that the number and the character of the signers of petitions for or against should be taken into consideration and our friend from Allegheny has questioned that any Judge dared give you the expression of the people. I wish to cite him a fact that occurred in New Florence, Westmoreland County, about a year ago. Ninety-two percent of the voters of New Florence and ninety-four percent of the tax payers petitioned the Court to grant no license. That quiet little town that had been quiet for years and in spite of these petitions and in spite of that great majority, a saloon and a hotel was licensed in New Florence and is there today. That is simply a single instance. Hundreds upon hundreds of instances that are occuring over this state of ours. That is why, my friends, we are compelled to present this Local Option Bill here today. If the Courts of our land, of our State, were to take into consideration the request or petition of the people for or against there would be no reason possible for this act. It is a well satisfied fact or a well known fact that this is not the custom of the courts. It is not valid and therefore, we are compelled to present this question. Now, my friends, I submit this question. Local Option does not interfere with a man's privilege to drink any more than High license or the Brooks Law does. You have a personal right, my friends, to drink, if you so desire and the purpose of the law may not control you but what we are against is the present system. The present condition, the present saloon as it is conducted and carried on in our midst, is what we are objecting to. I say, my friends, that it is the highest function of legislation to protect the community, and I say a community that may be as large as a county, a city or a state, if you please, a community must provide by legislation against the conditions that keep men and children from poverty, sickness and death, rather than creating by license the places where such things are done. No man; no institution should have the right to conduct a business that blights human life, that makes their future hopeless and unpromising. It is a crime my friends, we believe to establish any place anywhere or a business that in any way can make a criminal or a pauper of a single individual.

And so I repeat that we must awaken to our duty as legislators, that we even have a field to look out beyond that to the mental and the moral and the spiritual conditions of the individual. I cannot understand how any man who professes to believe in American principles of popular soveriynty and popular government, I cannot understand—and I speak honestly when I say it—how it is that any man, believing in republicanism or democracy can support the old world despotism and put in the hands of one man more power than the Czar of Russia ever held.

Local option, my friends, is simply, as has been said, the referendum and it would end the saloon where a majority of voters are favorable to its end, and it would leave it where a majority are not, and I ask you in all fairness if this is not republicanism.

Now, permit me for just one moment—there was placed upon our desk a few days ago a declaration made by the Great Lincoln whom we all love and whom we all honor. We were made to think for a little time or believe that this man favored the traffic of liquor, that he was opposed to prohibition. I am sorry that when that individual, whoever he was, made that quotation he did not familiarize himself with the question that Mr. Lincoln was discussing when he made that utterance in reference to prohibition. I want to read you a declaration that great and good man made out in Springfield when standing before his people and discussing this subject. He said: "The liquor traffic is a cancer in society, eating out the vitals and threatening destruction and all attempts to regulate it will not only prove abortive, but will aggravate the evil. There must be no more attempts to regulate the cancer. It must be eradicated; not a root must be left behind, for until this is done, all classes must continue in danger of becoming victims of strong drink."

Then he closes by saying that "It is a crime to make a counterfeit dollar. It is a thousand times worse to make a counterfeit man by this awful traffic and this awful cancer which exists in our State and Nation."

What is this traffic? What does it do? What has it done, I ask you. If I shall answer those I shall be rude. Its course is one of injustice and deceit. Its service is one

of oppression and slavery. Its reign is one of vice and tyranny. There is hardly a sorrow which it has not brought to manhood. There is hardly an affliction to which it has not contributed. There is hardly a crime of which it has not been proven guilty. There is one more thing, but I tremble as I say it: When left unchecked to do its work it makes a tragedy of birth and a monster of human life. I know that I shall be charged with making a mis-statement and having said too strong a thing, but my friends, an experience of mine not long since compels me to say this. In the quiet home of a widow I stood upon one side of the casket. The widowed mother stood upon the other side, looking into the face of her only son for the last time and as she looked upon that cold face for a moment she raised her eyes and looked at me and said: "Can you bring me any word of comfort, Mr. Swift?" And then she turned and looked with her face to Heaven and said: "O God! Why didn't you take him when he was a baby on my bosom, pure, true, beautiful and sweet; but now he is gone, O where, O where."

I tell you, my friends, as long as any business in this world will change the career and wreck and ruin the promise of human life we have a right to make that charge where such is the outcome that birth is a tragedy and that human life is a monster, and that so long as that condition of things shall exist, my friends, there will me reason for the consideration of this question, not only in this legislature, but every legislature in this great State. So long as mothers love their children, so long as fathers commit an unsullied name to their children to hand down to future generations, so long as homes shall exist and love and hope and peace and quiet is sought within it, so long there will be reason to fight this awful traffic, this awful evil that changes the current of childhood, that ruins manhood and destroys homes and governments.

Mr. ALLEN. Mr. Speaker, I think it well that we come back once more to the starting point so that there will be no misunderstanding among the new members in relation to what is termed "taking advantage" in this case, or dealing in unfair methods. Our legislative practice, as all of you know, the old members at least, and all the new ones, I think do know as well, is after the introduction of a bill and its reference to a committe, it is placed on the calendar on first reading as a mere matter of form. On second reading an opportunity is given both by the sponsor of the bill and those who may be opposing the bill in some phase to correct the bill according to their ideas and views. But further than that the question then comes. Will the House agree to the bill on second reading? I feel that when you and I agree to a bill on second reading by a vote of any kind we will agree to that bill on third reading. In other words, if this bill has been placed in the form in which it has been proposed before the House for final action there are opportunities at two points to express our consideration for that bill; and the first one of those points along the highway of that bill's history is, Will the House agree to the bill on second reading? And that is the question before us at this time. Had there been material change, either by the sponsor or any one else in this House at this morning's session, I would feel that you and I and every one of us should stand aside until the bill was reprinted so that we might then determine how the bill stood and determine what its purposes were. There were but two words inserted in the bill by the amendment which was offered, and I believe that every member of the House who read the bill mentally inserted those words as he reads it, knowing that that is what should be certified namely, the results.

We have listened now for almost, or quite two hours, in relation to the merits of this bill, and the thoughts of those members who have given expression and much of what has been said by those who have long ago passed over into the great beyond. I do not know, Mr. Speaker, that because some one has lived and said something and then died that his words are any more hallowed, or more pertinent to the subject at hand or the point at issue, than the living voice of those of to-day. I do not know that because some one, some hundreds of years or so ago, said something that it makes it absolutely true and invulnerable. We are here and I quite agree with much that has been said on both sides in relation to our stand to-day. I quite agree with the gentleman who last spoke that we are here to legislate and I as one of the 207 members of this House that was clothed with power by my constituents am not afraid to legislate upon any or all matters on which we have the power rather than send certain ones of those back to my constituents for their approval or for disapproval. There is no more reason why to-day this question should be returned to the voters of certain districts in this Commonwealth or in the great county of Allegheny than there is that their stamp of approval or disapproval should be placed on any other act that you and I pass this session in this House; not one bit more. This bill is not a constitutional provision of the law. This is a plain law, and already this morning without any hesitancy, without any reference to the people, the real thought of the sentiment of the masses, without any play to the gallery, we have gone on record for or against and now we are here to meet this question, and we are here to express our choice in relation to the proposition which now stares us in the face. We have direct legislation on our statute books, and now we propose by this bill to make a referendum on certain conditions.

I am opposed to this bill. And briefly, Mr. Speaker, will I try to condense my opposition and points of opposition. In the first place, I believe that as an American citizen I have the right to say whether or not my house be wet or my house be dry, and if it be my preference that my house be wet I maintain that it is not within the power of my neighbor to say to me that my house shall be dry; and neither if his is wet do I claim the right to say to him that his shall be dry; or if his be dry I do not drive him to the drink end. It is a personal privilege, and the province of this bill is an infringement upon the personal right of every American citizen, and that is my first objection to the bill. In the next place, on my way up here this morning while going to a conference committee, I had made up from the Auditor General's department just a few figures. I would like to have you bear with me a moment until I give them to you. In 1912 the liquor license receipts in the State of Pennsylvania from breweries alone amounted to $316,536 dollars, the distillers $50,520, the bottlers $51,010, the wholesalers $737,127, the retailers $644,644, in all about one million, eight hundred thousand seven hundred odd dollars a source of revenue to this great State. Now the capital stock taxes of brewing and distilling companies alone in this State amount to $246,229; or altogether from the breweries, distilleries and the capital stock over two million dollars.

Now what does it mean? Is there any one in this House that will say to me that that is a small unit. I can take you Mr. Speaker, to sections in our county, known to many of us, where just beyond the borough limits, and where the street extends on out through the country, the first house that you find beyond the dry borough is what. Is a wet spot. And when you strike that wet spot and stand across the street, if you pletse, and I care not if the population be just as dense beyond in the wet territory and see who is coming over. I will vouchsafe that unless you be experienced in the busines you would not be able to judge which is the dry and which is the wet side, and which are the local optionists that come to that territory and who come from the wet territory. If you had the experience and knew something of the conditions perhaps at the closing hour when you saw some one, or some two or some three, who were slightly under the influence go back to the dry dock to dry out, you might know; because beyond in the wet territory a man was still able to get his in fair quantities, in quantities that would neither cripple or kill, but over in the dry territory when he hied himself home, knowing that the last chance was gone, he does what? He does that which makes this business condemnable, and that thing alone, and that is, he makes a hog out of the man. I take it that whether it be local or general, if as a general proposition it would wipe out the entire tax; if as a local proposition a certain man, and still would not prevent the very thing that is going on. And I quote the gentleman who spoke last, from Beaver county, when he says that local option does not prevent drinking. It does not prevent getting the goods in and if a man has an appetite and the desire, and determination he will get the goods whether he be on wet territory or on dry territory.

Now, another thing right along the line of taxes. Thousands, ten thousand, hundreds of thousand and millions of dollars of money are tied up to-day in the distilleries and breweries of this great Commonwealth. You say that is boose money. I say it is not, and anybody who is conversant with the way bonds are floated this day if he goes down to the homes and safety deposit boxes will be surprised to see how many people who are preaching local option and

even prohibition have in their strong boxes brewery and distillery bonds. And why? Because they have been, are now and perhaps will be for many years to come, safe and profitable; not only bonds but stocks, scattered broad cast. And when you strike at the base, what do you do. Tear out the vitals, stop the manufacture, stop the sale, and your bonds and everything else becomes absolutely worthless, and why? Take this State House as an example, erected for the purpose of accommodating State officers, this hall for legislative work, and one on the other side. Let the State become bankrupt and try to put this house to some other service than that for which it was intended, and what have you You have an elephant on your hands. You have something on your hands on which you could not begin to realize one-half or even one-third of the money that actually went into it, let alone that which was stolen before it got here. No, you could not realize twenty-five per cent. You could not make laundry machinery out of brewery machinery. You could not build a wagon shop out of it. No, you could not use it for any other use than that for which it was intended. Close the door, and your stocks, your bonds, your real property is gone; everything but the ground practically is gone, and gone with it is what? Gone with it is the hundred of men who by honest toil, under a business made legitimate by the highest law making power in this land are eking out their existence, or making a very satisfactory income for their famiiles, and keeping them in good style. You can turn them lose. Yes, there is more to this than sentiment. There are isolated cases that any one could bring up and talk about, and if you had the word picture of perhaps an Ingersol, ah! you might bring tears to every member of this House, from his eyes draw tears. And yet sentiment cannot turn aside the facts; not the facts.

Now one other thing, and to me a most vital thing, suggested in the remarks of the gentleman from Dauphin, Mr. Speaker. It brings into politics, a place last of all that it should enter, the churches of this great Commonwealth. The Church has its province. Its province is to draw into its fold the young men and the young women and to keep them there. That church has not the right, and I insist upon it, the Churches of this Commonwealth or any other Commonwealth have not the right to brand me, simply because I disagree with the right of that church or some proposition or other, to brand me as a thief, or knave, or an unworthy man, when I in my humble way have sufficient ability to represent my constituents fairly and honestly. And further than that, can you show me in this great Commonwealth one single congregation in which every man who belongs to that congregation believes in all that the most ardent of that congregation advocates. Ah! no, no, no. And further than that is the fact that they take upon themselves and assume to enter into politics. You know and I know and every man who is honest with himself, his conscience and his God, knows that congregations have been torn asunder, and has that been either for the dissemination of good or the glorification of man? No, no; far from it. This Legislature has its province and its, duties in this world. The church has its functions to perform. I deny no man the right to speak, to think or to vote as he sees fit, but I do maintain and insist, honestly and candidly believe, and shall ever believe and say that no man has the right to say to me how I shall vote.

Words of praise have been handed to the courts of this Commonwealth in one of the most eloquent arguments of any argument that I have heard made on the floor of this House. It has been said that they were the bulwarks of this great Commonwealth, and I quite agree. It has been said that the statute we are now fighting, that we are proposing to change by this enactment has stood upon the statute books since 1887, or thereabouts. I quite agree. It is well known that there are statutes that have stood upon the books of this great Commonwealth since away in 1700 and odd. They are still standing there, some of them operative this day. And yet there has never, or never has been during my legislative experience save the exception of this one question, there never has yet been offered on the part of those who nominate and designate themselves as Progressives and representatives of the people, there never has been an attempt to put back to the people the question, "Do you want, or do you not want?" But every time that this question comes up in this House, a question that every one of us should be able and willing to meet as a man, every time this question comes up, a by-play is made to the galleries, a by-play is made to the sentimental side of man, a by-play is made for anything that will look well in record, but it is facts that we are to deal with. Today is the time, and now is the hour and moment for you and I to say whether or not we agree to this bill on second reading, and my advice to you, my friends, as representatives of the people of this great Commonwealth, is now to strike the blow and say no.

Mr. JOSEPH GRAY. Mr. Speaker and Gentlemen of the House, I am not going to take up much of your time. I do not owe the Anti-Saloon League anything. It did not help me to be elected. They did not do anything for me so far as I know with the exception of one man. I was informed that the League was non-partisan. I suppose it is, but I learned that the members were not non-partisan. It was published in their journal that I would vote for Local Option, but I got no support, practically none, from them. And for that reason I feel my position here very keenly to-day. I am not in sentiment or in action with these gentlemen. Their sentiments are very much opposed to mine in many cases, and again on the other hand I come from people who are interested, people who have for many years been engaged in this evil business, as some of the gentlemen please to call it. The gentlemen who drew eloquent pictures of the horrors of this evil were right no doubt in instances, and I believe they are as a rule sincere in their convictions, but no doubt they are often times overdrawn, and the gentlemen who appeal to us on the score of unalienable rights and our personal liberties certainly go too far in their arguments. From one who stands here today not as an advocate of anti-saloon measures, I want to say to this House that I am opposed to some of the measures that I have been lead to understand eminates from that source, any measure which proposes to do one thing and yet by the bill seeks to do another. I have no sympathy neither with the bill nor with the men who support it no matter where it comes from. It is easy for a man who has nothing at stake to vote on a measure of this kind. It is easy for a man who has been brought up with this idea of the evils of the liquor traffic who has had it engrained into his soul as it were, to oppose it. It is also easy for the man who is in the business to be in favor of it. As a rule our patriotism does not go beyond that, but I want to say today to this House that while I owe everything that I can think of to the people, I may do an injury to some of my friends who are engaged in this,— I do not mean engaged personally,—they are not many, some of my boyhood friends, but practically all of my acquaintances stand opposed to this measure, and those who are nearer to me than my friends, and I want to say to them that they must learn to respect my word. I have had arguments brought to me that the people who were in favor of this measure were narrow-minded bigots, and that sort of thing, and from my own experience I want to say that to some extent this is true. I have neard men quoting on the floor of this House, I have heard gentlemen quoting Cardinal Gibbons on the floor of this House, and I think it would be a splendid thing for them to look further into his teachings, and not stand on platforms which are a shame and a disgrace to this whole United States. But I see what I think is a duty, Mr. Speaker. I have a conviction that gentlemen who quoted from Mr. Lincoln has sadly destroyed my idea that this is the proper way, and the very words he quoted, if I remember the quotation, really seemed to disprove his own argument, because he said, it did not do to tamper with the liquor question, that it must be eradicated entirely, and I am afraid that is the course that gentlemen have taken who say that local option is a failure. Whether or not it is a failure, I only want to say this that I asked my friends from my own county, and those who have given me any assistance here not to try to attempt to change a man's convictions when he has once formed them. They are sacred to himself. I believe that men should all recognize that, and though I am voting against this bill and expect to vote against their interests, they cannot expect me to vote to give a chance for a great financial loss, for a loss which may be irreparable. I can only say that I have given my word and those men ought to respect it. On this question of unalienable rights and personal privileges, I want to say that some of the gentlemen,—I do not mean on the floor of this House,—but who are op-

posed to this bill, encroach upon my personal rights when they threaten me with what they will do if I vote for this bill. They forget that I have a personal right to vote, and they should not hinder me in that. They forget the personal rights of a man when they will allow any man to maintain a business that will give another man the opportunity to come out and stand in my face and blow his breath in my face, in my nostrils, and talk into my ears, and wave his hands at me, and I am bound by the law to restrain myself when I might have the personal liberty to knock him down, or try to do it. I am restrained from this, and I think it is a pretty good argument for me to be restrained, and I think it is an infringement on the personal liberty of those children and wives,—that wife he has taken to the altar, and there wedded to a man in the holy bonds of matrimony. I think that wife has some personal liberty. It may be that the local option measure is wrong. I am not sure but I investigated it and sometimes I think one way and sometimes another, but whether it is true or not I am going to vote for this bill.

Mr. MATT. Mr. Speaker and gentlemen of the House, we have before us again a bill intended to grant a measure of self-government to our people and I rise to make some observations and to impress upon all of us the importance of this bill and the real necessity for the passage of the same.

In the first place, the traffic to which this bill relates, concerns intimately every man, woman and child of this Commonwealth. The question of strong drink is as old as the days of Noah and continuing through the centuries and increasing as the years come and go, it has spread until it is a nation-wide, indeed a race-wide question. Never before in the history of the race have so many men been employed in deep and profound study of the question from every point of view. The scientific economic, social, political moral and religious investigators come to practically the same conclusions and announce that alcohol stands condemned as a dangerous narcotic, poison, destructive to bodily functions, intellectual powers, and to moral character. It deadens or destroys the moral sense and prevents the ascendency of the wild passions and instincts of the primitive savage to have ascendency in the life.

The use of alcohol is an economic waste destroying man power to earn and produce wealth and drains the wealth of State and Nation to take care of the victims that drink has made. Not a town, city, state or nation, that would not be immensly better off financially without rum than with it. For every dollar the accursed traffic pays to county, state or nation, more than ten must be paid out of the treasury to take care of its product. What business man would think for a moment that that kind of business enterprise is profitable.

From the social standpoint the manufacture and sale of intoxicants for beverage purposes cannot be defended by any reasonable conscientious man. Look around on every side, see the wrecks of men and the wrecks of women, and the puny, sickly, weak children from such parents and crippled in body and mind because of the hereditary weakness caused by the ignorance of father and mother. "O wisdom thou art fled to brutish beasts and men have lost their reason," to continue to plead for this God cursed traffic.

Religiously speaking not one of us but knows that the drunkard cannot enter the kingdom of God and that a curse is pronounced on the man who putteth the bottle to his neighbor's lips. Will ever continue under the curse of Almighty God by keeping on the statute books such laws as permit one man to prey upon his weaker neighbor. Surely it is not because of ignorance and as sure as we have souls to save we ought to meet our obligations and do our duty so that we can free ourselves of the responsibility for the continuance of this God-cursed traffic.

Then too, notice what a prominent place this traffic has in legislative hall. It is here akwats and like Ganquo's ghost it will not down. Unless I misinterpret the temper of the people of my district adjoining legislative districts, and of the entire State, it will continue here until we accord the people their just rights. The Liquor Traffic has us standing except as it is taken care of by legislative enactment. By our license laws we have made lawful a traffic that by the Common Law is outlawed. Even the Books High License Law declares the traffic illegal except carried on under a license issued by the Court.

Knowing that it is because of this legislation that this deadly traffic is continued and that the demoniation of the Liquor Traffic in politics continues the people have become dissatisfied and have already demonstrated in this State that the boss, whose chief support is the legalized Liquor Traffic is doomed to utter extinction. Those men and women are not ignorant fanatics. They are our equals and many times our superiors in intelligence, insight into public questions, and conditions, and in patriotic sentiments. These people are demanding of us not a favor but a right that they claim is theirs. This demand is not that we turn prohibitionists, teototallers or even temperance men, but they do demand that and will never cease demanding nor be satisfied until their demand is granted, and that demand is the right and their privilege, to vote against the license saloon and by a majority vote cast it out.

Now, Gentlemen, I claim as I did in the previous session, that the people have asked for nothing more than that which is their right and they ought to have their request granted freely and without question.

Under our present License Law a Judge or Judges may grant and do grant at the bequest of twelve men, often indeed of the baser sort at that, a License to sell intoxicants in a community where three-fourths of the citizens appease. This power of the Judge is one of the most arbitrary powers granted to any officer of the law. Yet if he violates the moral sense of the community there is no appeal.

Why should such a law exist? Why should any man or company of men have the right to say that such a damnable traffic should be fastened on any community against the community's wish? It is the sale of liquid damnation such a sacred traffic that the people must submit to its existence in their midst? Think of the curse this traffic has been, then ask what good this traffic has ever done. Sit down and draw up a balance sheet and test its good and its bad. Oh! friends, it is the one remaining curse that is still legalized. This world is growing better and ere long this too, must go. Men here remember when liquor was sold absolutely without restriction. Gambling flourished everywhere unmolested. Betting on horse races was open and free. Lotteries and duelling were without restraint. But thank God, in this County at last by law and the growth of a moral sentiment they are things of the past and instead of defending them we are ashamed that all these and human slavery even disgraced our State and national life. In the language of Senator Webb, I want to say "The world is stirred on this question, children now live who will have to explain to their children what a saloon was and why their ancestors tolerated such a deadly evil. But for the money invested in it, it would already be a thing of the past. Toleration of the saloon puts the dollar above the man." Shall we put the dollar above the man by perpetuating a bad and vicious traffic for political reasons or because, of the claim or of those who are financially interested in it? I for one refuse to do it.

Gentlemen, it seems to me we close our eyes to the real facts conditions and issues before us. This bill does not ask us to vote license up or down, it does not ask us to legislate whiskey out or in, it simply asks us to give to the people the right to decide for themselves whether they will permit the traffic or not.

Is thit wrong or unreasonable? Who are the people that demand this right? They are free American citizens who love their country and humanity. What has been the gain of 75 years of public school education if our people are still to ignorant to know what they want to do? Is it not a fact that hundreds of men in any of our districts are just as well educated as we are? They are interested in public questions and concerned for the public good, just as well as are we. We are not arbitrary despots placed above the reach of our people. We are simply the representatives of those who placed us here. On all questions we are doubtless free to vote as we individually think it for the best but when a great public question like this comes before us woe to the man that is untrue to his constituents. I want you that the people of this old Commonwealth are aroused. They have asked a just and reasonable law and their demand at our hands is nothing but what is right. If we heed not this demand be assured our successors will. Once the shackles of the political boss were fast riveted upon us. Where is the boss and his shackles now? Gone let us hope for all time. Shall we in the face of this popular uprising deny by any arbitrary act to grant so reasonable a request as the privilege of self-government on this important question?

It seems to me that every Legislator and every Judge in this Commonwealth ought to advise the passage of a Local Option law. Why? First, this question ought to get out of politics. Second, the judges of our courts ought not to be

embarassed by the granting of licenses to sell whiskey. To many other pressing duties demand his attention.

If the members of this House would throw back to the people of the several counties, by this Local Option Law, the responsibility for the Liquor Traffic it would be a mighty relief to the legislator and would place it where it belongs in the hands of the people. As the law now is every candidate for legislature and for Judge must run the gauntlet of this pressing question. Let us settle it and settle it right and be done with it. It will plague us no more.

The old license laws failed either to regulate or restrain the traffic. The Brooks High License Law has failed just as finely as the old. Every law has failed and is bound to fail, but the nearest approach to justice and right is to grant to the people themselves the determination of this question. There it will stay and there it ought to stay. They who must bear the burdens of the traffic ought to have the right to say whether the traffic shall exist at all.

Friends, it is a great thing to so live, act, and vote that we can look up into the face of our Father above, and feel that we have his approving smile, and it is a good thing to look into the faces of men and women and children and feel that we have done something that will wipe some tears away, drive back poverty and want, and make life more worth living than was it ever. May it be your privilege and mine gentlemen, when this vote is over to have a deep feeling of having done a good act and when facing our Creator, or our fellow-men we may feel that we are not ashamed, to vote for this bill. The people demand it. It is their right. It is their chance of liberty and they are prepared to enjoy it. The time is ripe and fully ripe that a traffic that must depend upon legislation to keep it safe from the public be given into the hands of the public and take its chances with the people. If it is not worthy of life give the people a chance to kill it, that is all that the people ask. More than this they do not want at this time, less than this, they will not take. All over the nation in every State but ours and New Jersey the people have some measure of local control over the granting of licenses. It seems to me the hand writing is on the wall. The traffic has been weighed and found wanting. Now it is our turn. Do you see the hand, can you read the writing? Listen! Thou art weighed in the balance and found wanting, thy place and power is taken and given to another. May we merit approval by voting for this bill.

Mr. GANS. Mr. Speaker.

The SPEAKER. The gentlehan from Philadelphia, Mr. Gans.

Mr. GANS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members:

Messrs. Kenna, Kuhns, Stone, Isler, Steele, Neely, Whitman, Fahey, Bass, Spangler, Frank Gray, Schuck, Kitts, Kern, Donahoe, Sassaman, Rothenberger and others.

On the question,

Shall the main question be put?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

The yeas and nays were required by Mr. Rockwell and Mr. Benson.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—83.

Ambler,	Grabe,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Gramley,	Matt,	Semmens,
Barner,	Gray, Frank.	McClintock,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Bergey,	Hemminger,	Mechling,	Showalter,
Bittles,	Herman,	Mellott,	Smith, L.,
Blair, W. A.,	Hoffman,	Metzenbacher,	Snavely,
Blair, W. F.,	Humes,	Moses,	Snyder,
Bleloch,	Irwin, G. C.,	Moulthrop,	Steele,
Brosius,	Jackson,	Musser,	Stone,
Brownlee,	Jones, E. E.,	Neel,	Swartz,
Campbell, C.M.,	Jones, J. R.,	Newton,	Swift,
Carson,	Kennedy,	Peachey,	Ulerich,
Cheeseman,	Kuhn, H. P.,	Pennock,	Walnut,
Claycomb,	Latshaw,	Perry, H. L.,	Walton,
Currier,	Lenker,	Post,	Whitaker,
DeFrees,	Leslie,	Reeser,	Whitman,
Donnally,	Light,	Rhoads,	Williams,
Down,	Lohr,	Rockwell,	Wilson, J. H.,
Dunn, H. B.,	Lowers,	Runk,	Alter,
Gibson,	Martin,		Speaker.
Glenn,			

NAYS—121.

Adams,	Ely,	Kuhns, E.G.M.,	Richards,
Allen,	Ewing,	Lanius,	Riebel,
Alworth,	Fahey,	Letzkus,	Robinson,
Arthur,	Flynn,		Roney,
Baldwin, R. J.,	Foster, J. D.,	Mannion,	Rothenberger,
Bass,	Frey,	McAleer,	Sassaman,
Bayle,	Gans,	McAllister,	Savacool,
Becker,	Geary,	McArdle,	Schaeffer, A. C
Benninger,	Geiser,	McCaig,	Schuck,
Berntheizel,	Good,	McDermott,	Scott, J. R. K.,
Bigger,	Goss,	McNichol,	Shern,
Body,	Cransback,	Miller,	Sherwood,
Brown,	Hackett,	Missimer,	Smith, J. W.,
Burnett,	Haggerty,	Mitchell,	Spangler,
Caldwell,	Heidinger,	Moore,	Speiser,
Campbell, J.J.	Hess,	Morrow,	Spillinger,
Carter,	Heyburn,	Murphy,	Steedle,
Cleary,	Hibshman,	Neely,	Stein,
Cochran,	Hobbs,	Newbaker,	Strauss,
Collins,	Howard, J.,	North,	Thomas,
Conner,	Isler,	O'Neill,	Trach,
Conniff,	Irwin, H. H.,	Pennegar,	Ulman,
Conrade,	Kaiser,	Perry, S. J.,	Walsh,
Cox,	Kaufman,	Peters,	Wettach,
Curry,	Keegan,	Piper,	Wildman,
Davis,	Keeport,	Price,	Wilson, W. H.,
Dickinson,	Kenna,	Ramsey,	Wiltbank,
Donahoe,	Kern,	Redfield,	Young, G. K.,
Dunn, J. A.,	Kitts,	Reese,	Young, J. H.,
Ehrhardt,	Klepper,	Rex,	Zimmerman,
Eichenberger,			

So the question was determined in the negative.

And the bill was not agreed to.

REASONS FOR VOTE.

Mr. MARTIN. Mr. Speaker, I would like to have my reason recorded. I voted in favor of the bill.

The SPEAKER. The gentleman will file his reasons in writing.

Mr. ROBINSON. Mr. Speaker, I desire to file my reasons for voting.

The SPEAKER. The gentleman can file his reasons in writing.

Mr. ADAMS. Mr. Speaker, I desire to change my vote from Aye to No, having voted under a misapprehension and desire to file my reasons for voting no.

The SPEAKER. The gentleman from Luzerne, Mr. Adams, having voted under a misapprehension, desires to change his vote from Aye to No and files his reason for so voting.

Mr. ADAMS. Mr. Speaker, Having voted under a misapprehension due to having been called by a page from my seat, I desire to have my vote changed to no, this being in harmony with the wishes of the majority of my constituents.

Mr. SCHUCK. Mr. Speaker, I cast my vote against this House Bill No. 306 on second reading because I believe the Local Option plan of regulating the liquor traffic only a makeshift and that it is being so accepted and being supplanted rapidly by other ideas, as evidenced by the various forms of legislation for regulation and restriction now before this House, also by the disposition of the national government to assist the states with one of the forms of legislation.

Mr. SEMMENS. Mr. Speaker and gentlemen. While making my canvas for Representative I emphasized the fact that in my opinion all important matters should be referred to the voters for their decision. I am still of that opinion and as the matter under consideration if of great importance to the whole people, my vote will be in favor of the passage of the bill.

I might add that my constituents have sent me nearly one hundred telegrams, hundreds of letters together with petitions signed by thousands of the voters all urging the passage and enactment into law of the measure under consideration. While on the other hand I have not received a single telegram or letter from any of my constituents protesting against its passage.

I hope the gentlemen of the House will vote for and pass the bill, thereby giving the people an opportunity to decide this important question for themselves.

Mr. HERMAN. Mr. Speaker, notwithstanding that the Anti-Saloon League did every thing in its power to defeat me at the polls in November, I cannot fail to remember that I sought and obtained the support of the electors of my district upon the Democratic platform which contains the referendum—

I therefore desire that I be recorded as voting aye.

Mr. ROBINSON. Mr. Speaker and gentlemen of the House, in fairness to myself, I am filing my reasons why

I voted against the bill. I have been placed in a light by some people who are in favor of this bill, as being unfair and that if I did not support the bill presented by those in favor of Local Option, that I would have betrayed my constituents.

When I was a candidate for the Legislature, I said I would support any local option bill which would give the people of my community the right to determine the question of license or prohibition, my announcement is published in twelve different newspapers in Mercer County.

I object to this bill which is before the House in so much as it discriminates one community against another. I can see no reason why a town of 8,000, 5,000 or 500, so long as it be an incorporate entity should not have the privilege and be as justified in deciding the question of license or prohibition as a town of 10,000 or more. I have given this question much serious thought, I have analyzed both sides of the question and have decided that as long as the liquor business is legalized by the Governemnt of the United States and just so long will it be sold and just so long will it be drank. The above are my reasons for voting in the negative on the Local Option Bill.

Mr. MELLOTT. Mr. Speaker, I file as my reason for voting affirmative on House bill No. 306, File Folio page which is known as the Local Option Bill. Not until this bill had been framed, did I fully determine as to how I would cast my vote, but since it has been so framed as a county unit, to give all the voters whom I have the honor to represent a chance to vote either for or against the granting of license to hotels, I therefore cast my vote for the bill. I believe in free government. I also believe it is both democratic and republican to let the majority rule.

Mr. BERGEY. Mr. Speaker and gentlemen. Convinced of the moral and political righteousness of the principles of the Rockwell Bill, I voted in the affirmative; regardless of my doubt of the sentiment in the Third District of Montgomery County which I have the honor to represent.

Mr. HEIDINGER. Mr. Speaker, That this question of local option is not a moral but an economic one, and unless backed by a sufficient number or sentiment, will be a dead letter, and that a bare majority of the persons voting will not indicate such a sentiment.

That this measure will destroy the efficacy of the present "Brooks" Law, which is a good one and a better regulative measure than local option itself.

That no provision is made (as is done in some other places) for compensation to dealers for loss sustained by their investments made in what was at the time of such investment an entirely legitimate business.

Mr. MARTIN. Mr. Speaker and Members of this House. In casting my vote for this measure, I desire to state my reasons for so doing. I shall support this bill for the very same reasons that I so heartily supported the recent bills, favoring the direct election of U. S. Senators and that of Woman Suffrage.

Both measures to which I have just referred, were deemed of sufficient importance for this House to bestow upon the Common people of this Grand Old Keystone State, their inherited rights, the privilege of exercising a more direct voice in determining the affairs in this State and nation, that so materially affects our future prosperity and welfare as a people. If this House passes favorably upon this Local Option Bill, it does not mean, what many citizens have falsely and malisciously been led to believe, that Local Option will at once be in force.

But it does mean a direct voice of the people, a square deal, for every citizen and qualified elector in this Commonwealth. It simply means that the Common people shall be privileged and rightly so, to decide at the polls, whether or not, our jails and penitentiaries shall continue to be over crowded with inmates, whose incarcerations in the vast majority of cases have been due either directly or indirectly to intemperance. Whether we as a progressive, civilized and christianized people shall continue to be over-taxed and over burdened in order to keep up these institutions which would be largely unnecessary under wholesome environments. It would mean that the people should decide or say whether the old order of instructing our young men and women in the schools of criminality the saloons, shall be continued for the gain of those, who for a few paltry dollars are engaged in the traffic of human souls at the expense of widows and orphans and poor innocent children, or whether a new order of action shall be initiated and introduced and maintained, that of safe-guarding our men and women, and above all our rising generation from the worst traps of vice, immorality and crime. In my mind it would be cowardly, unamerican, uncivil and unfair as well as unpatriotic to refuse to allow the people to pass upon any questions in which so large a proportion of our population is so vitally interested. For ages past, it has been the duty of the strong to care for and protect the weak. There are those, Mr. Speaker, who are absolutely helpless so far as self-control is concerned, and since we are our brother's keeper, it is only reasonable that the people should be permitted to come to his rescue and remove from his immediate presence that "Giant" evil, that has slain more victims than all the wars of Christendom since the dawn of creation. I beg of you, Honorable Gentlemen, in the name of our great State, in the name of humanity and for the sake and future welfare of our sons and daughters and unborn generations, I beg of you, be men; look the issue fair in the face, meet it square and vote for this bill; as for myself, I would rather be defeated in the right than succeed in the wrong.

Mr. FREY. Mr. Speaker, I vote no on the roll call on House Bill No. 306, because I am firmly of the opinion that the passage of the said act would be of no benefit to my constituency or the County of York. It has been and still is my belief that under the present Brooks License Law the people of the different localities now have the same right as would be given under this act with the additional advantage that their vote on the question is open and not a secret ballot. Many people who now sign remonstrances would not vote against the granting of a license, if they could do so secretely. In the County of York, with an honest impartial judiciary I have never known a license to be granted in spite of a larger number of signers to the remonstrance than to the petition for a license. On the other hand, I have known of several instances in which the petitioners for a license were greatly in excess of the remonstrators against the granting of the license and the license was not granted by the Courts because the necessity for the granting of the same had not been shown.

Under present circumstances neither the County of York or any of the units as provided in this bill would vote for "no license" and the result I am convinced would be even more saloons than under present regulations. I would quickly vote for any measure I belived would reduce the number of saloons or in any way eradicate or lessen the present evil but I am convinced that this is not the measure to be of any good so far as my immediate constituency or county is concerned.

Mr. JOHN R. K. SCOTT. Mr. Speaker. My reason for voting upon second reading in the negative on House Bill No. 306, file folio 385, entitled "An Act to further regulate the granting of licenses for the sale of vinous, spirituous, malt or brewed liquors or any admixture thereof by permitting the electors of any county in this Commonwealth residing outside of a city or borough containing a population of ten thousand or upwards and by permitting the electors of any city or borough containing a population of ten thousand or upwards to determine by an election whether the granting of licenses for such sale therein shall be permitted," commonly known as the "Rockwell Local Option Bill," the following:

"It is undoubtedly the fundamental right of the majority to enact laws to govern the all. Local option is right in principle. It is the right of the voters of a locality to pass such laws as will regulate their government. If it is the desire of a community to exclude the sale of liquor, then that is their right. The sale of liquor has been a right permitted by our laws. Under these laws there has grown up a large industry in the manufacture and sale of vinous, spiritous and malt liquors. Many millions of dollars are invested by individuals in this industry. The right to possess property is inherent in an invidiual. The right to own that property free from confiscation without compensation is the inherent right of an individual. This right of the individual is as sacred as is the right of the many to make laws for self-government. To vote for the above bill and enact it into law would have been to aid in depriving of the individual of his property at the command of the many, and this without any compensation to the individual. This would be unfair and but a taking by the many of the

property of the few. This would be without color of right. For this reason my vote was given in the negative."

Mr. HOBBS. Mr. Speaker, the reasons why I voted against Local Option are because of the fact that gaving received many letters and petitions for and against the bill from the people of the district which I represent, and having personal knowledge of the sentiment existing in said district. It is my opinion that a considerable majority of my constituents are offered to the bill and further there is great doubt in my judgment whether the proposed legislation if enacted, would be of any permanent benefit to the cause of temperance.

COMMUNLCATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented the following communication in writing, from His Excellency, the Governor of the Commonwealth, which was read as follows: viz.

REPORT FROM STATE VETERINARIAN.

Hon. George E. Alter, Speaker, and
Members of the House of Representatives:

Gentlemen:—I transmit herewith a report prepared by Dr. C. J. Marshall, State Veterinarian, as requested by a resolution of the House of Representatives, which has necessitated the expenditure of great care and much time of the State Veterinarian from the discharge of his official, executive duties, in its preparation.

I feel that my duty as the Chief Executive of the Commonwealth requires me to respectively state to the House that, by reason of the interference with the discharge of the official duties of the executive department, which compliance with resolutions of a character, of which the one referred to is a fair sample, entails, and by reason, also, of the fact that much of the information called for in such resolution is of a character confidential to the executive department of the government, charged by law with the performance of executive duties, and the disclosure of which is, in the executive judgment, not only a breach of that confidence but incompatible with the proper discharge of those duties and with the public interest, some reasonable limit should be placed thereon.

Respectively,
John K. Tener.

The SPEAKER. The report of the Board being in compliance with a resolution of the House will now be read by the Clerk.

The Clerk proceeded to read the report, whereupon

Mr. SPEISER moved that the further reading of the report be dispensed with.

Mr. McALLISTER, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. HUMES. Mr. Speaker, I move that House Bill No. 461, entitled:

An Act to further amend an act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and publishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same

On page ten of to-day's calendar be recommitted to the Committee on Elections, for the purpose of amendment.

The SPEAKER. The gentleman from Crawford, Mr. Humes asks unanimous consent for the consideration of this motion to recommit at this time. The Chair hears no objections.

The motion was agreed to.

REPORT FROM COMMITTEE ON RULES.

Mr. EHRHART. Mr. Speaker, I desire to offer a report from the Committee on Rules.

The SPEAKER. The report will be read by the Clerk.

The report was read as follows.

The Committee reports that on February 25th, 1913, the House held a session at 8:00 o'clock P. M., in addition to the session at 10:00 A. M. and that the order of business at the evening session shall be Bills on second reading.

Signed,

F. C. EHRDARDT,
SIGMOND J. GANS,
HARRY COCHRAN,
GEORGE W. SASSAMAN,
GEORGE W. ALLEN,
GEORGE A. BALDWIN,
GEORGE E. ALTER.
Committee on Rules.

On the question,

Will the House agree to the Report of the Committee on Rules?

It was agreed to.

COMMITTEE GRANTED LEAVE TO SIT.

Mr. WALNUT. Mr. Speaker, I move that the Committee on Elections be given permission to sit during the session of the House this evening, after 8.00 o'clock.

The motion was agreed to.

ADJOURNMENT.

Mr HOBBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 2.00 o'clock) the House adjourned until this evening at 8.00 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 25th, 1913.

EVENING SESSION.

The House met at 8:00 o'clock.

The SPEAKER (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

Mr. STEEDLE, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Mr. LESLIE, from the Committee on Judiciary Local, reported as committed, House Bill No. 866, (Senate Bill No. 123), entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three entitled "An act to the pay of jurors in the County of Bucks."

Mr. BIGGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 957, entitled:

An Act requiring midwives, in cities of the first class, to be licensed; authorizing the adoption and promulgation of rules and regulations therefor, and for the examination of midwives in said cities; for the revocation of such licenses and for the conduct of the business or profession of midwifery; making the violation of the provisions of the act, or of such rules and regulations; a misdemeanor prescribing the punishment for such violations; and repealing all laws or parts of laws that are or may be inconsistent therewith.

Mr. GANS, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 813, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants, deodorants, antiseptics and germicides for external use, to regulate the labeling of such preparations to provide for the standardication of such disinfectants, deodorants, antiseptics and germicides and providing penalties for the violation of this act.

Mr. WHITMAN, from the Committee on Public Roads, reported as committed, House Bill No. 642, entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships.

Mr. CONRADE, from the Committee on Insurance, reported as committed, House Bill No. 825, entitled:

An Act amending the first paragraph of the first section of the act, entitled "An act defining fraternal beneficial and relief societies and their Status, authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein, providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him, an exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April, A. D. one thousand eight hundred and ninety-three (P. L. p. 7) providing that if after the issuance of the original certificate, the member shall become dependent upon an incorporated charitable institution he shall have the privilege, with the consent of the society, to make such institution his beneficiary.

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 596, entitled:

An Act relative to contracts containing compulsory arbitration provisions entered into in advance of any controversy affecting the question of ultimate liability thereon and attempting to oust the jurisidiction of the courts.

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 735, entitled:

An Act to amend an act entitled "An amendment to an act to authorize incorporated or unincorporated church, cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them, or shall have reverted or become acquired by them" approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five, "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds, and to sell and convey such portions of their land not used or conveyed by them for burial purposes, or which may have been reconveyed to them, or shall have reverted or become acquired by them," providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth, upon petition of the managers, officers and other persons, to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincroporated church, cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein and the sale of the ground.

Mr. STONE, from the Committee on Judiciary Special, reported as committed, House Bill No. 305, entitled:

An Act providing for the return of taxes on seated lands in boroughs, incorporated towns and townships for borough town or township taxes respectively, and providing for the sale of such lands for taxes.

Mr. STONE, from the Committee on Judiciary Special, reported as committed, House Bill No. 197, entitled:

An Act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to to the clerk of the orphans' court, and prescribing the duties of the clerk of orphans' court.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 877, entitled:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same.

Mr. KLEPPER, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 390, entitled:

An Act to enable city, county, poor ward, school, borough and township tax collectors, their executors or administrators, if they are deceased, or either surety or sureties, if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for the collection of the same for a period of two years from the passage of the act.

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed House Bill No. 956, entitled:

An Act to amend an act, entitled "An act to provide for the licensing and regulating of slaughter-houses, shops, wagons and places where meats, poultry, fish, game and shell-fish are prepared for use as food, or stored or exposed for sale, in cities of the first class in this Commonwealth; and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April, Anno Domini one Thousand Nine hundred and seven; so as to provide that licenses shall be for the calendar year, and that licenses continuing in business shall annually apply for new licenses.

Mr. WETTACH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 380, entitled:

An Act to amend an act approved the seventh day of March, one thousand nine hundred one, entitled "An act for the government of cities of the second class," As amended by an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An act amending and supplementing article fourteen of an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, as same was amended and supplemented by an act, aproved the twentieth day of June, Anno Domini one thousand nine hundred and one; by abolishing the present select and common councils; providing a new body to be known as the council, and fixing their terms of office; and providing for the selection of members of council, prescribing the qualifications of members thereof, their powers and duties, and fixing their salaries."

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as amended House Bill No. 512, entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property, money, credit or the extension of credit, and providing penalties for the violation thereof.

Mr. FRANK GRAY, from the Committee on Public Health and Sanitation, reported with negative recommendation House Bill No. 823 (Senate Bill No. 146), entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes."

Mr. METZENBACHER, from the Committee on Ways and Means, reported as committed House Bill No. 483, entitled:

An Act to amend an act approved the thirteenth day of April, one thousand eight hundred and sixty-four, entitled "An act imposing additional Taxes for State purposes, and to abolish the Revenue Board," as amended by an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An act amending section four of an act, entitled "An act imposing additional taxes for State purposes, and to abolish the Revenue Board,' approved the thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four; by requiring the treasurer of each school district and chief officer of each incorporated district to make report, under oath, to the Auditor General of the amount of scrip, bonds or certificates of indebtedness outstanding in their respective districts."

Mr. PRICE, from the Committee on Game, reported as amended House Bill No. 510, entitled:

An Act to provide for the better protection and preservation of game, game-quadrupeds, and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions.

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed House Bill No. 954, entitled:

An Act to amend an act, entitled "An act regulating the sale of milk and its fluid derivatives in cities of the first class; providing for the licensing of those engaged in that business; and providing penalties for the violation thereof;" approved the twenty-seventh day of April, Anno Domini, One thousand nine hundred and nine, so as to provide for an annual license fee for each calendar year, prescribing the fee therefor, and providing for the numbering recording and posting of such licenses, and the application for new annual licenses.

Mr. GEISER, from the Committee on Judiciary General, reported as amended, House Bill No. 918, entitled:

An Act to validate private sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May, one thousand eight hundred and eighty-nine, entitled "An act relating to orphans' court sales," which were not advertised in accordance with said act as amended.

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as amended House Bill No. 745, entitled:

An Act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the Third Class; providing a method therefor, and fixing the minimum number of inhabitants in each ward.

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed House Bill No. 845, entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District.

Mr. RONEY, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 523, entitled:

An Act to amend section one of article eight of an act entitled "An act to provide for the better government of cities of the first class of this Commonwealth," approved the first day of June, A. D. 1885, by providing for he appointment of the city solicitor by the mayor.

Mr. BROSIUS, from the Committee on Judiciary Special, reported as amended House Bill No. 897, entitled:

An Act to amend Section 1 of an act entitled "An act to authorize the appointment of a Deputy and one Clerk by the Prothonotary of the Supereme Court of the Eastern District; also the appointment of a Deputy by the Supreme Court of the Middle District, and fixing their salaries," approved the fourth day of May, one thousand nine hundred and five, by changing the salary.

Mr. SWARTZ, from the Committee on Judiciary Local, reported as committed House Bill No. 290, entitled:

An Act authorizing Robert Stewart, a citizen of Dauphin County, Pennsylvania, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Mr. STEELE, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 384, entitled:

An Act reating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violation of this act.

Mr. WALSH, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 753, entitled:

An Act prescribing what elective or appointive offices, positions or employments of profit shall be incompatible with the office of a member of either branch of councils in cities of the first class in this Commonwealth, and providing a method for its enforcement.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 502, entitled:

An Act to amend section 2 of an act of Assembly approved June 10, 1911, entitled "An act to confer power on the several orphans' courts having jurisdiction thereof, when the balance for distribution in an estate, after the debts are paid, includes stocks, bonds and other securities to make distribution of the same in kind to parties entitled thereto, to authorize subsequent sales thereof and to validate such disributions heretofore made, by striking out the provision thereof requiring the sale and convesion of such securities.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed House Bill No. 951, entitled:

An Act providing that no advertisements required to be published in any newspaper or preiodical by any city of the first class or county coterminus with any city of the first class, or any official or official body thereof shall be published in any language other than English, or in any publication published in any language other than English; and repealing all acts inconsistent therewith.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 156, entitled:

An Act relating to husband and wife, creating a common or community interest in certain property acquired by them during coverture, regulating the control and management thereof, the transfer or incumbrance by act of the parties, its devolution upon the dissolution of marital relation the extent and in what cases the community property shall be liable for the separate obligations of husband and wife, the manner of relieving separate property from the lien of judgments against the other consort, the distribution of community and separate property among separate and community creditors, definition of "coverture" and "marriage" and application of said terms, providing for the registration of separate property, abolishing the estate of tenancy by entireties, restricting the taking against will of either consort and amending article two section one of an act enfiled "An act to amend section one of an act entitled 'An act relating to the descent and distribution of estates of intestates' approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate" approved April first one thousand nine hundred and nine

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 864, (Senate Bill No. 55), entitled:

A joint resolution extending the time for the making of the report of the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 883, entitled:

A supplement to an act entitled "An act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

Mr. REX, from the Committee on Judiciary Special, reported as committed, House Bill No. 503, entitled:

An act prescribing the condition under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the Recorders of Deeds in the Commonwealth of Pennsylvania

Mr. KLEPPER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 943, entitled:

An act to regulate and control all purchases made by and sales made to dealers and vendors in second hand furniture and household goods in any city of this Commonwealth

Mr. WILDMAN, from the Committee on Game, reported as committed, House Bill No. 650, entitled:

An act fixing a close season for quail and providing a penalty for violation of this act

Mr. FRANK GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 850, entitled:

An act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

Mr. MECHLING, from the Committee on Game, reported as committed, House Bill No. 609, (Senate Bill No. 45), entitled:

An act for the better protection of the wild birds known as the Turtle or Mourning Dove the Kill-deer Plover and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions

Mr. W. H. WILSON, from the Committee on Ways and Means, reported with an affirmative recommendation, House Bill No. 3, entitled:

An act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws

Mr. BERNTHEIZEL, from the Committee on Judiciary Special, reported as committed, House Bill No. 952, entitled:

An act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

Mr. CONNIFF, from the Committee on Judiciary Special, reported as committed, House Bill No. 737, entitled:

Providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen but who by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania were required to serve an additional year

Mr. CONNER, from the Committee on Manufactures, reported as committed, House Bill No. 364, entitled:

An act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An act supplemental to an act entitled 'An act to prevent the adulteration of an deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

Mr. MILLER, from the Committee on Judiciary General, reported as amended, House Bill No. 608, (Senate Bill No. 34), entitled:

An act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 173, entitled:

An act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as committed, House Bill No. 768, entitled:

An act to change and fix the terms of Directors of the Poor and Auditors authorized to audit settle and adjust accounts of said Directors of the Poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 501, entitled:

An act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of the defendant from the lien thereof and repealing an act entitled 'Realting to the entry of bail upon an appeal to the supreme court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April one thousand nine hundred and nine

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 787, entitled:

An act to amend an act entitled "An act to amend section one of an act entitled 'An act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due"

Mr. BIGGER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 810, entitled:

An act for the better preservation of the records contained in the offices of the Recorder of Deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, House Bill No. 955, entitled:

An act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in

determining the legality of warranes on the city treasurer and repealing inconsistent acts

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, House Bill No. 949, entitled:

An act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, House Bill No. 950, entitled:

An act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in commitee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 644, as follows:

To provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts parts of acts incompatable herewith

Whereas The lives of many women and children are needlessly sacrificed in child birth and the vision of many new born children is seriously injured or totally destroyed through the ignorance and incompetency of persons engaged in the practice of midwifery and

Whereas An act of Assembly attempting to regulate such matters was approved on the fourteenth day of June Anno Domini one thousand nine hundred and eleven but was defective therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after six months after the date of the passage of this act it shall be unlawful for any person except a duly licensed physician to practice midwifery in this State before receiving a certificate from the Bureau of Medical Education and Licensure of the State of Pennsylvania to do so and having said certificate registered in the office of the Prothonotary of the county in which the holder desires to practice midwifery

Section 2 The Bureau of Medical Education and Licensure shall formulate and issue such rules and regulations from time to time as may be necessary for the proper conduct of the practice of midwifery by midwives Said bureau shall issue certificates to midwives having fulfilled the requirements laid down by the bureau which certificates shall be revocable by the bureau on proof of violation of any of its rules and regulations The said bureau may refuse to grant a certificate to any person addicted to the use of alcohol or narcotic drugs or who may have been guilty of a crime involving moral turpitude

Section 3 Each and every applicant for a certificate to practice midwifery shall pay to the said Bureau of Medical Education and Licensure the sum of ten dollars at the time of making such application

Section 4 All fees that may be received by said bureau from examination or any other source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau of Medical Education and Licensure each six months on a proper audit being made thereof by the Auditor General of this Commonwealth

Section 5 The Secretary of the Bureau of Medical Education and Licensure of the State of Pennsylvania shall receive an annual salary not to exceed three hundred dollars for his service in carrying out the provisions of this act The service of other necessary aids in carrying out the provisions of this act shall receive compensation not to exceed ten dollars per diem and necessary traveling expenses

Section 6 Any person practicing midwifery as a profession or advertising herself as a midwife without first obtaining the certificate aforesaid shall be deemed guilty of a misdemeanor and upon first conviction shall be punished by a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the county jail not less than ten days nor more than sixty days or both fine and imprisonment at the discretion of the court On a second conviction both fine and imprisonment shall be imposed

Section 7 Any person other than a regularly licensed physician who shall attend a woman in child birth for hire or who shall make a practice of attending women in child birth gratuitously or for hire shall be regarded as midwife within the meaning of this act provided that nothing in this section shall be construed to prevent any one licensed under the Medical Act Approved the third day of June Anno Domini one thousand nine hundred and eleven from practicing midwifery nor to prohibit a student of medicine matriculated at and in attendance at a legally incorporated medical school or college recognized and approved by the Bureau of Medical Education and Licensure from practicing obstetrics under the supervision of the faculty of the medical school or college in which he is a duly registered student

Section 8 The sum of fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June one one thousand nine hundred and thirteen to provide for the necessary expenditures in carrying out the provisions of this act All accounts of said bureau shall be audited by the Auditor General of this Commonwealth and when proper warrants for the payment of the same shall be issued drawn upon the State Treasurer

Section 9 All other acts or parts of acts general special or local pertaining to this subject matter covered by this act and inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considerd in committe of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 624, entitled:

An act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

The first Section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damage where property is taken use and appropriated for the said purposes" approved the third day of May Anno Domini one thousand nine hundred and nine which reads as follows namely

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for and the right and power are hereby conferred upon the townships of the first class and boroughs of this Commonwealth to enter upon take use and appropriate by the right of eminent domain and to acquire by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds Provided No appropriation or appropriations by right of eminent domain lease or leases purchase or purchases shall be made by any such township or borough whereby it shall within any period of three years obligate itself to pay in the aggregate more than three thousand dollars without the consent of a majority of the qualified electors obtained at an election as hereinafter provided And provided further That no such municipality shall have power to exercise the right of eminent domain for the appropriation of any land which is not within the territorial limits thereof" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for and the right and power are hereby conferred upon the townships of the first class and boroughs of this Commonwealth to enter upon take use and appropriate by the right of eminent domain and to acquire by gift devise purchase lease and otherwise private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds Provided No appropriation or appropriations by right of eminent domain lease or leases purchase or purchases shall be made by any such township or borough whereby it shall within any period of three years obligate itself to pay in the aggregate any money or moneys in excess of one and one-half mills on the dollar on the valuation assessed on all property offices professions and persons in such township or borough upon which county taxes are rated and levied without the consent of a majority of the qualified electors obtained at an election as hereinafter provided And provided further That no such municipality shall have power to exercise the right of eminent domain for the appropriation of any land which is not within the territorial limits thereof

On the question

Will the House agree to the Section?

Mr. BROWLEE. Mr. Speaker, I desire to offer the folfowing amendment

The amendment was read by the Clerk as follows:

Section 1 Line fifteen strike out the word "use" and insert the word "used"

On the question.

Will the House agree to the amendment?

It was agreed to.

On the question.

Will the House agree to the amendment?

It was agreed to.

The title of the bill was then real and agreed to as follows:

An act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An act authorizig townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds

and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 619, entitled:

An act to amend the fourth paragraph of section seven of an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eigth day of April Anno Domini one thousand eight hundred and ninety-nine

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of section seven of an act of Assembly of this Commonwealth entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Fourth To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals" shall be amended to read as follows

Fourth To make regulations respecting pig pens slaughter houses manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive to prohibit within the township the burial or interment of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of graves to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals To prevent the spread of fires and to secure structural and sanitary safety of the buildings within its limits every township of the first class of the Commonwealth shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins the plans and specifications therefor shall be approved by the township commissioners and to provide for inspection of such construction and repair including the appointment of one or more building inspector to prescribe limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provision of any such ordinance is declared to be a public nuisance and abatable as such

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section 1 by adding to the word "Inspector" in line 35 the letter "s"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title of the bill was then read and agreed to as follows:

An act to amend the fourth paragraph of section seven of an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 679, as follows:

An act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the registration commissioners in cities of the first class of this Commonwealth shall designate one of the registrars appointed by them for each election district in said cities to be a deputy poll tax collector for such district who shall receive poll taxes from persons who have been duly assessed in said district and make proper receipt therefor on any of the registration days provided by law

Section 2 The receiver of taxes or the county treasurer shall prepare blank poll tax receipts bound together in books containing fifty each impressed with the proper seal of the city which said books shall be issued to the said deputy collectors of poll tax from time to time as required and the stub of each receipt together with all unused receipts shall on or before the second day next succeeding each registration day be returned to the receiver of taxes or county treasurer and kept by him as a part of the records of his department for a period of two years

Section 3 The said deputy poll tax collectors shall give bond in form and amount approved by the receiver of taxes or county treasurer and shall for their services receive five per centum of the amount collected by them They shall make a full return of all moneys (less their commissions of five per centum) and blank receipts received by them on or before the second day next succeeding each registration day

Section 4 Any deputy poll tax collector who shall upon request refuse to accept the payment of a tax and to furnish a receipt therefor from an elector upon whom said tax has been properly assessed and who offers the same according to law or who shall accept payment of a tax from and issue a receipt to any person other than the said elector shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 209, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulation and requirements for the construction of plumbing house-drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled "An act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing penalties and forfeitures for violation thereof approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" by extending the provisions of the act to boroughs and to townships of the first class

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled "An act amending sections one two eight twenty-one twenty-five twenty-nine and thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" which as amended reads as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on the work at the business of plumbing or house drainage in cities of the second class and third class having a system of sewerage and water supply of this Commonwealth until a certificate or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities nor until they have registered as such in the office of the department or board or bureau of health of said cities" is further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on or work at the business of plumbing or house drainage in cities of the second and third class and boroughs and townships of the first class having a system of sewerage and water supply of this Commonwealth until a certificate or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities or boroughs or townships of the first class nor until they have registered as such in the office of the department or board or bureau of health of said cities or boroughs or townships of the first class

The second section was read as follows:

Section 2 The second section of said act which as amended reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

"Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign 'registered plumber' bearing the name or names of the person firm or corporation in letters not less than three inches high

"No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or ventpipe or any pipe connected therewith

"Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

"At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

"A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumber firm or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however that such registration shall be restricted and limited to such plumbing and drainage work as he or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" is further amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities or boroughs or townships of the first class, shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities or boroughs or townships of the first class such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The council of said boroughs and the commissioners of said townships are hereby authorized to appoint a board of examiners to consist of a health officer or superintendent of the board of health and two competent plumbers in no wise connected with the government of any such borough or township which shall examine the applicant for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the proper treasury for the use of said cities or boroughs or townships The proper officers of said cities or boroughs or townships are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities or boroughs or townships and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registerd in the office of the board or bureau of health of such cities or boroughs or townships nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or ventpipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each year and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the proper treasury for the use of said cities or boroughs or townships A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city or borough or township of the first class of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city or borough or township of the first class than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have constructed for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued too such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. BERGEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 2, page 6, line 54, by striking out the word "or" and inserting the word "of" also in line 190 strike out the word "constructed" and insert in lieu thereof the word word "contracted"

On the question,

Will the House agree to the amendment?

The amendments were agreed to.

The section as amended was then agreed to.

The third section was read as follows:

Section 3 The fifth section of said act approved the seventh day of June one thousand nine hundred one which reads as follows

"Section 5 Plumbers before commencing the construction of plumbing work in any building in the said cities (except in case of repairs which are here defined to relate to the and water supply pipes and shall not be construed to admit mending of leaks in soil vent or waste pipes faucets valves and water supply pipes and shall not be construed to admit of the replacing of any fixture such as water-closets bath-tubs wash-stands sinks et cerera or the respective traps for such fixtures) shall submit to the board or bureau of health plans and specifications legibly drawn in ink on blanksk to be furnished by said board or bureau Where two or more buildings are located together and on the same street and the plumbing work is identical in each one plan will be sufficient Plans will be approved or rejected within twenty-four hours after their receipt" is hereby amended to read as follows

"Section 5 Plumbers before commencing the construction of plumbing work in any building in the said cities or boroughs or townships of the first class (except in case of repairs which are here defined to relate to the mending of leaks in soil vent or waste-pipes faucets valves and water supply pipes and shall not be constructed to admit of the replacing of any fixture such as water-closets bath-tubs wash-stands sinks et cetera or the respective traps for such fixtures) shall submit to the board or bureau of health plans and specifications legibly drawn in ink on blanks to be furnished by said board or bureau Where two or more buildings are located together and on the same street and the plumbing work is identical in each one plan will be sufficient Plans will be approved or rejected within twenty-four hours after their recepit

On the question,

Will the House agree to the section?

Mr. BERGEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section three page twelve, line twenty-two by striking out the word "constructed" and inserting in lieu thereof the word "construed"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section was read as follows:

Section 4 The sixty-first section of said act which as amended reads as follows

"Section 61 No privy vault or cesspool for sewerage shall hereafter be constructed in any part of the city where a sewer is at acessible which shall be determined by the department or board or bureau of health nor shall it be lawful to continue a privy vault or cesspool on any lot piece or parcel of ground abutting on or contiguous to any public sewer within the city limits The department or board or bureau of health shall have the power to issue notice giving at least three months time to discontinue the use of any cesspool and have it cleaned and filled up No connection for any cesspool or privy vault shall be made with any sewer nor shall any water-closet or house drain empty into a cesspool or privy vault" is hereby further amended as follows

Section 61 No privy vault or cesspool for sewage shall hereafter be constructed in any part of the city or borough or township of the first class where a sewer is at all accessible which shall be determined by the department or board or bureau of health nor shall it be lawful to continue a privy vault or cesspool on any lot piece or parcel of ground abutting on or contiguous to any public sewer within the limits of the city or borough or township. The department or board or bureau of health shall have the power to issue notice giving at least three months time to discontinue the use of any cesspool and have it cleaned and filled up No connection for any cesspool or privy vault shall be made with any sewer nor shall any water-closet or house drain empty into a cesspool or privy vault

On the question,

Will the House agree to the section?

Mr. BERGEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section four, page twelve, line five after the word "at" insert the word "all"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section was then agreed to.

The fifth and sixth sections were then read and agreed to as follows:

Section 5 Section sixty-five of said act which as amended reads as follows

"Section 66 Whenever it shall come to the knowledge of the department or board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinance of the city or is of faulty construction and liable to breed disease or endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board or bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer ventilating shaft connections. He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

"The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings to have such changes made and said nuisance abated by action before a justice of the peace or court of record in which said action the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinances of the city" is hereby further amended to read as follows

Section 66 Whenever it shall come to the knowledge of the department or board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinances of the city or borough or township of the first class or is of faulty construction and liable to breed disease or endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board of bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer and ventilating shaft connections. He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings to have such changes made and said nuisances abated by action before a justice of the peace or court of record in which said action the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinances of the city borough or township

Section 6 Section seventy-one of said act which as amended reads as follows

"Section 71 Any person or persons who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be liable to a fine of not less than ten dollars ($10.00) nor exceeding fifty dollars ($50.00) for each and every day he or they shall engage in or work at said business without first having obtained said certificate or license and any person or persons who shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be liable for every such offense to a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00).

"All fines and penalties imposed by this act shall be re- police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace under the provisions of this act the person or persons so offending may be committed to the jail workhouse or other penal institution of the county in which said city is situated for a period not exceeding thirty days" is hereby amended to be read as follows

Section 71 Any person who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10.00) or more than fifty dollars ($50.00) for each day he shall engage in or

work at said business without first having obtained said certificate or license Any person firm or corporation that shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10.00) or more than one hundred dollars ($100.00)

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any alderman police magistrate or justice of the peace of the proper city borough or township All suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the proper city borough or township Upon recovery thereof all such fines and penalties shall be paid into the treasury of the proper city borough or township in default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace under the provisions of this act the person or persons so offending may be committed to the jail workhouse or other penal institution of the proper county for a period of not exceding thirty days

The title was then read and agreed to as follows:

An Act to amend an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plubing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled "An act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and seferage of this Commonwealth and providing further rules regulations and requirements for the constructio nor reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" by extending the provisions of the act to boroughs and to townships of the first class

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 540, entitled:

An act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act townships of the first class of this Commonwealth shall have power to construct sewers and drains in any county or State highway within the bounds thereof provided that in case of the construction of said sewers upon county highways the consent of the county commissioners of the county wherein said township of the first class is located shall first be obtained and provided that in the case of the construction of sewers upon any State highway the consent of the State Highway Commissioner first be obtained

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one line six after the word "in" insert the words "and under"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 Wherever sewers have been or shall be laid or constructed by any first class township in such highways such township of the first class is hereby authorized to ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders in the manner provided by law for the ascertainment levy and collection thereof where sewers are laid in the highways of said township

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to this section?

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section two line two after the word "in" insert the words "and under"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 436, entitled:

An act providing for the sale distribution and use for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act

The first section was then read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act any or every firm or institution within the Commonwealth engaged in the manufacture of biological products for the treatment of disease and any or every duly incorporated scientific body and any or every duly incorporated medical or veterinary school or college within the Commonwealth shall have the right for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery and for the welfare of humanity to obtain from the public pounds any or all animals which shall remain unclaimed by the owners in said pounds after the time provided by law for the redemption of the same by their owners by paying to the master of the pound or such other official as may be duly authorized by law to receive such moneys the fee or sum of fifty (50) cents for each and every cat so obtained and the fee or sum of one ($1.00) dollar for each and every dog so obtained provided such purchaser shall provide for the transportation of such animal or animals from the public pounds in such manner that said transportation shall not constitute a public nuisance

On the question,

Will the House agree to the section?

Mr. DICKINSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. WILDMAN. Mr. Speaker, I second the motion.

The motion was not agree to.

The question recurring,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one line twelve by inserting before the word "animals" the word "dead"

On the question,

Will the House agree to the amendment?

A division having been called for, ninety voted in the affirmative and twenty-seven in the negative.

And the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. FREY. Mr. Speaker, I desire to offer further amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section one line eighteen by inserting before the word "cat" the word "dead" also amend section one line nineteen by inserting before the word "dog" the word "dead" also in line twenty-one by inserting before the word animal the word "dead"

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

The section as amended was then agred to.

The second section was then read as follows:

Section 2 All public officers agents servants and all officers agents and servants of any and every county city township borough district and other municipality and all officers agents and servants of any society having charge or control over the public pounds of the Commonwealth shall upon payment of the fees aforesaid and without any further fees or reward deliver such living animal or animals and perimt and suffer

said any or every firm or institution within the Commonwealth engaged in the manufacture of biological products for the treatment of disease and any or every duly incorporated medical school or college and any or every duly incorporated veterinary school or college within the Commonwealth who may comply with the provisions of this act to take and remove any and all such living animal or animals to be used within this State for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery and for the welfare of humanity provided that neither the Commonwealth nor any county or municipality or any officer agent or servant thereof shall be at any expense by reason of the delivery or distribution of such animals but all expenses thereof shall be paid by those receiving the animals

On the question,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer amendments to the section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section two line seven by striking out the word "living" and inserting in lieu thereof the word "dead" also in line fourteen by striking out the word "living" and inserting in lieu thereof the word "dead" also in line twenty-one by inserting before the word "animal" the word "dead"

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

The section as amended was then agreed to.

The third and fourth sections were then read and agreed to as follows:

Section 3 That any person having duties enjoined upon him or her by the provisions of this act who shall neglect refuse or omit to perform the same as hereby required shall on conviction thereof be liable to a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars for each offense

Section 4 That all acts or parts of acts inconsistent with this act be and the same are hereby repealed

The title was then read and agreed to as follows:

An act providing for the sale distribution and use for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act

On the question,

Will the House agree to the bill on second reading?

Mr. WILDMAN. Mr. Speaker, I move that the further consideration of this bill be postponed indefinitely.

Mr. NORTH. Mr. Speaker, I second the motion.

The motion was not agreed to.

The question recurring,

Will the House agree to the bill on second reading?

It was not agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eight-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eight-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" by providing the time in which tax collectors shall pay over tax and make settlements

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred ninety-one entitled "An act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements" which as amended reads as follows

"The collector of taxes shall collect the taxes charged in said duplicates and pay over the same to the respective treasurers or authorities entitled thereto after deducting his commisison for the collection thereof which is hereby fixed at two per centum on all taxes paid to him on which an abatement of five per centum is allowed and at five per centum on all taxes afterwards collected Provided That where the total amount of taxes charged on a duplicate is less than one thousand dollars the said collectors shall receive three per centum on all taxes paid to him on which an abatement of five per centum is allowed Provided further That all taxes collected within the sixty days as provided in section eight of this act shall be paid over as aforesaid within fifteen days after the expiration of said sixty days and all taxes thereafter collected during his term of office shall be paid over as aforesaid at regular intervals of one month and a full and complete settlement of all taxes collected shall be made by said tax collector with the respective treasurers or authorities entitled thereto not later than three months after the expiration of his term of office" is hereby amended so as to read

Section 9 The collector of taxes shall collect the taxes charged in said duplicates and pay over the same to the respective treasurers or authorities entitled thereto after deducting his commission for the collection thereof Such commission shall be fixed by agreement between the collector of taxes and the authorities of the respective borough or township and shall not exceed five per centum of the amount collected All taxes collected within the ninety days as provided in this act shall be paid over as aforesaid within fifteen days after the expiration of said ninety days and all taxes thereafter collected during his term of office shall be paid over as aforesaid at regular intervals of one month and a complete settlement of all taxes collected shall be made by the collector of taxes with the respective treasurers or authorities entitled thereto not later than three months after the expiration of his term of office

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the section by striking out in line five on page three all after the word "by" and by adding the letter "s" to the words "borough" and "township" in line six

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred ninety-one entitled "An act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 293, as follows:

An act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all of the judicial districts of this Commonwealth containing more than one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants the tipstaves and court criers of the several courts shall be paid an annual salary not to exceed one thousand dollars per annum The said salary shall be fixed by the judges of the said districts and be paid out of the county treasury monthly

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 600, as follows:

An act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of each county is authorized to employ such number of interpreters and in such languages as the court may deem necessary for the proper transaction of its business Such interpreters may be removed by the court at any time Any interpreter so appointed shall when required to act as interpreter in any court of the county and shall receive out of the county treasury such annual or per diem compensation as the appointing court shall fix Before assuming the duties of the office each interpreter shall take and subscribe the oath prescribed in the Constitution of this Commonwealth

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 671, as follows:

An act regulating the custody of records of criminals during trial of cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the custodian of criminal records who has a record pertaining to any defendant on trial in any criminal court of this Commonwealth shall keep the same in his possession and shall not be allowed to surrender hand over or disclose the same to any Judge Distirct Attorney or Counsel during the trial of the said defendant until such record becomes relevant according to the laws of evidence

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 553, (Senate Bill No. 12), entitled:

An act supplementary to an act entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 758, entitled:

An act requiring payment by the county of costs of prosecution in certain criminal cases

The first and second sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the court shall order that any indictment be quashed or dismissed or that any criminal proceedings be dismissed the said court shall order the payment of costs by the proper county or by the prosecutor as the facts in the case shall in the discretion of the court warrant and thereupon the county or the prosecutor shall be liable for such costs as the court may order

Section 2 All acts or parts of acts inconsistent with this act are repealed

The title was read as follows:

An act requiring payment by the county of costs of prosecution in certain criminal cases

On the question,

Will the House agree to the title?

Mr. WILLIAM F. BLAIR. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by striking out the entire title and inserting the following "An act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain criminal cases and authorizing the court to make orders in relation thereto

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 678, as follows:

An act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the registration commissioners in cities of the first class of this Commonwealth shall designate one of the registrars appointed by them in each election district to assess poll taxes upon all duly qualified electors in such district

Section 2 Upon the first fall registration day and upon the spring registration day in each year it shall be the duty of the registrar so designated to assess the poll tax provided by law in such cities upon all duly qualified electors of such district The application of any person for assessment either in person or by writing shall be prima facie evidence of his qualification The county commissioners shall furnish to the said registrar a blank book marked "List of Taxables" in which he shall copy the names in alphabetical order of the persons so assessed The said list of taxables shall then be returned to the office of the county commissioners who shall make two copies thereof one of which they shall furnish to the office of the receiver of taxes or county treasurer and one to the registrar in each election district designated as a deputy poll tax collector The original shall remain on file in the office of the county commissioners

Section 3 The office of assessor of electors for purposes of taxation in cities of the first class is hereby abolished

Section 4 Any registrar so designated who shall upon request either in person or in writing refuse to assess duly qualified electors for the purpose of taxation or who shall knowingly assess persons not qualified electors shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 680, as follows:

An act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required and repealing acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in the selection of jurors for jury service in any county of this Commonwealth the lists of registered electors duly prepared according to law shall be used as the basis of the selection of jurors in all counties or portions of counties in which under present or future laws electors now are or in future may be required to be personally registered as a condition of the right to vote Provided however that nothing herein contained shall be construed to prevent lists of taxables or other lists now provided by law from being used in those counties or portions of counties in which there is not personal registration of electors as aforesaid

Section 2 All acts or parts of acts general local or special inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 808, Senate No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 280, as follows:

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 280, as follows:

An act regulating the reading of the Holy Bible in the public schools of this Commonwealth

Whereas The rules and regulations governing the reading of the Holy Bible in the public schools of this Commonwealth are not uniform and

Whereas It is in the interest of good moral training of a life of honorable though and of good citizenship that the public school children should have lessons of morality brought to their attention during their school days therefore be it resolved

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at least ten verses from the Holy Bible shall be read or caused to be read without comment at the opening of each and every public school upon each and every school day by the teacher in charge Provided That where any teacher has other teachers under and subject to direction than the teacher exercising this authority shall read he Holy Bible or cause it to be read as herein directed

Section 2 That if any school teacher whose duty it shall be to read the Holy Bible or cause it to be read as directed in this act shall fail or omit so to do said school teacher shall upon charges preferred for such failure or omission and proof of the same before the governing board of the school district be discharged

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 674, as follows:

An act to provide for certain improvements to that certain tract of land known as "Paoli Parade Ground" situate in Willistown township Chester County making an appropriation therefor

Whereas Cromwell Pierce and wife by deed dated December twenty-four eighteen hundred and twenty-two and recorded in Chester County in miscellaneous deed book number two page two hundred and forty-one granted and conveyed to Lieutenant William Darlington and Major Samuel Anderson commanding officers of the Chester and Delaware Battalions of Volunteers all that certain tract or piece of land situate in Willistown township now Malvern borough in the County of Chester (on which is erected the Paoli monument) containing twenty-two acres and one hundred and ten perches of land more or less "In trust as a place of parade forever for the use and benefit of all volunteer corps lawfully organized that have contributed towards the purchase of the same or that may think proper to assemble thereon" And Jehu Griffith and wife by deed dated September twenty eighteen hundred and thirty-two and recorded in Chester County in deed book S seven volume one hundred and sixty-five page three hundred and sixty-six granted and conveyed to Colonel William Harris Lieutenant Colonel Emmor Elton John S. Yocum and David McConkey Majors and field and commanding officers of the First regiment of Chester and Delaware County Volunteer all that certain message and lot or piece of land situate in the township of Willistown aforesaid now Malvern borough (on which is erected a part of the Paoli monument) containing ten acres of land more or less "In trust and to their successors in office forever as a place of parade for the use and benefit of all volunteer corps lawfully organized and may think proper to assemble thereon to perform military duty et cetera" And the said two tracts of land are now called the "Paoli Parade Ground" and upon the same are erected two monuments commemorating the massacre during the Revolutionary War of American soldiers under command of General Anthony Wayne by a portion of the British army on September twenty eighteen hundred and twenty-eight and commonly known as the "Paoli Massacre" and

Whereas August thirty eighteen hundred and ninety-seven the Paoli Memorial Association was duly incorporated under the laws of Pennsylvania by the court of common pleas of Chester county (as appears by the record thereof in said county in corporation book number four page two hundred and thirty-four) for the purpose as set forth in the articles of association "To hold improve and preserve the land and improvements thereon known as the "Paoli Parade Ground" and including the monuments now erected thereon situate in Willistown township (now Malvern borough) Chester county Pennsylvania consisting of about twenty-two acres of land whereon occurred the massacre of American Patriots on September twenty seventeen hundred and seventy-seven and to maintain the said tract of land as a memorial park for all time to come and

Whereas Said court upon said petition did on December thirteen nineteen hundred and four appoint said Paoli Memorial Association trustee of the Paoli Parade Ground and the monuments thereon erected "to take the place of the trustees named in said deeds of trust with full power and authority to carry out the uses and purposes for which the said tracts of land were granted in accordance with the prayer of the petitioner" and

Whereas Said tracts of land and monuments have been for many years and are without adequate protection and the original grants fail of their purpose and the property is deteriorating by reason of the lack of necessary repairs and it is desirable to make the said tracts of land a memorial park and to maintain the same as such

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That said Paoli Memorial Association shall prepare a draft and specifications for the erection of a suitable permanent fence with stone posts for said Paoli Parade Grounds and with two suitable gateways for such gradings as may be necessary to properly locate said fence and gateways for the construction or driveways through said grounds with proper provisions for the disposition of surface drainage for the preservation of the water supply thereon and for the planting of suitable trees and shrubbery and shall advertise for two weeks in two newspapers in the county of Chester for proposals for furnishing materials and doing the work provided for by said draft and specifications and shall let the contract or contracts therefor to the lowest responsible bidder or bidders

Section 2 That the cost of said improvements shall not exceed ten thousand dollars and the sum of ten thousand dollars or so much thereof as may be necessary be and the same is hereby appropriated to the Paoli Memorial Association one-half of which sum thus appropriated is to become available and shall be paid to said Paoli Memorial Association when said draft and specifications together with the contract or contracts in writing executed by responsible contractors with sufficient surety shall be filed in the office of the Auditor General and the remainder of said sum thus appropriated shall be paid to said association that the work has been completed in full compliance with the plans draft and specifications on file in the office of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 53, entitled:

An act regulating the sale of certain food that shall have been kept in cold storage providing for inspectors to enforce this act fixing their salaries payable by the proper county and fixing penalties for the violation of the provisions thereof

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an exaimnation to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid into the Treasury of this Commonwealth the sum of fifty dollars ($50.00) and shall have exhibited the receipt of the State Treasurer therefor to the proper official in the Department of Agriculture A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter in such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same

form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof thre (3) months dressed fowl drawn five (5) months dressed fowl undrawn six (6) months eggs eight (8) months butter eight (8) months and fish nine (9) months

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated care within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided further that nothing in this act shall be construed to prohibit the keeping of fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a suit for penalty or prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any such suit or prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such suit or prosecution immediately upon the commencement of the same stating the nature of the proceeding and the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such suit or prosecution and ssuch citizen shall upon complying with the provisions of this section be entitled to receive one-half (½) of any penalty or fine which may be recovered in such proceeding and paid to the Dairy and Food Commissioner and immediately upon the receipt and covering into the treasury of any such penalty or fine recovered and paid in any proceeding commenced by a citizen as aforesaid the Dairy and Food Commissioner shall pay the one half (½) thereof to the said citizen so commencing the said proceedings and complying with the provisions of this section Such citizen shall also be entitled to cover from the defendant his witness fees and other legal costs as fixed by law in said proceeding

Section 22 That all fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than thirty (30) nor more than ninety (90) days

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

The title was read as follows:

An act regulating the sale of certain food that shall have been kept in cold storage providing for inspectors to enforce this act fixing their salaries payable by the proper county and fixing penalties for the violation of the provisions thereof

On the question,

Will the House agree to the title?

Mr. W. H. Wilson. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by striking out the words "regulating the sale of certain food that shall have been kept in cold storage providing for inspectors to enforce this act fixing their salaries payable by the proper county and" and inserting in lieu thereof the following "for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods" also by adding after the word "thereby" "and providing for the enforcement thereof"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 466, as follows:

An act to amend the title the first section the second section and the third section of an act of Assembly entitled 'An act relating to the settlement and audit of the accounts of all officers elected or appointed or boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it iis hereby enacted by the authority of the same That the title of a certain act of Assembly approved the ninth day of June Anno Domini one thousand nine hundred and eleven reading as follows "An act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" be and the same is hereby amended to read as follows "An act to amend the title the first section the second section and the third section of an act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships and poor districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" by repealing so much thereof as applies to school districts

Section 2 That section one of the said act of Assembly which reads as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers of any borough township poor district or school district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township directors of any poor district or school district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supsrvisors or commissioners roadmasters and treasurer of the townsship of the directors or overseers treasurer of the poor district of the directors and treasurer of the school district and of the tax collectors of each of said the school district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss" shall be amended to read as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers or any borough township or poor district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township or directors of any poor district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supervisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss"

Section 3 That section two of the said act of Assembly which reads as follows "That the auditors of every borough township poor district and school district created or incorporated by any general or special law of this Commonwealth shall file a report or statement of their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year" shall be amended to read as follows "That the auditors of every borough township and poor district created or incorporated by any general or special law of this Commonwealth shall file a report or statement their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall

be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year"

Section 4 That section three of the said act of Assembly which reads as follows

"That it shall be lawful for the borough township poor district or school district or any taxpayer thereof on its behalf or any officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors or the court of common pleas of the proper county within thirty days after such report or settlement shall have been filed in the office of the clerk of the court of quarter sessions whereupon the court may direct an issue to determine the disputed question of fact between the officers accounting and the borough township poor district or school district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accruing thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township poor district or school district than that awarded by the auditors or in case the appellant be an accounting officer or officers he or they shall fail to obtain a final decision more favorable to the officers than that awarded by the auditors" shall be amended to read as follows

That it shall be lawful for the borough township or poor district or any taxpayer thereof on its behalf or an officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors to the court of common pleas of the proper county within thiry days after such report or settlement shall have been filed in the office of the court of quarter sessions whereupon the court may direct an issue to determine the disputed questions of fact between the officers accounting and the borough township or poor district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accuring thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township or poor district than that awarded by the auditors or in case the appellant be an accounting or officers he or they shall fail to obtain a final decision more favorable to the officer or officers than that awarded by the auditors"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 72, as follows:

An Act defining investment company providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Reprtsentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation co-partnership or company and every association (other than state and national banks trust companies real estate mortgage companies dealing exclusively in real estate mortgages building and loan associations and corporations not organized for profit) organized or which shall be hereafter organized in this Commonwealth whether incorporated or unincorporated which shall sell or negotiate for the sale of any securities of any kind whatsoever other than bonds of the United States the Commonwealth of Pennsylvania or of some municipality of the Commonwealth of Pennsylvania and mortgages on real estate located in the Commonwealth of Pennsylvania to any person corporation co-partnership or company in the Commonwealth of Pennsylvania other than those specifically exempted herein shall be known for the purpose of this act as a domestic investment company Every such investement company organized in any other state territory or government shall be known for the purpose of this act as a foreign investment company

Section 2 Before offering or attempting to sell any securities of any kind other than those specifically exempted in section one of this act to any person corporation co-partnership or company or transacting any business whatever in this Commonwealth except that of preparing the documents hereinafter required every such investment company domestic or foreign shall file in the office of the Commissioner of Banking of this Commonwealth together with a filing fee of two dollars and fifty cents ($2.50) the following documents to wit A statement showing in full detail the plan upon which it proposes to transact business A copy of all contracts and other securities which it proposes to make or sell to its contributors A statement which shall show the name and location of the investment company and an itemized account of its actual financial condition and the amount of its property and liabilities and such other information touching its affairs as said Commissioner of Banking may require If such investment company shall be a co-partnership or an unincorporated association it shall also file with the Commissioner of Banking a copy of its articles of co-partnership or association and all other papers pertaining to its organization and if it be a corporation organized under the laws of the Commonwealth of Pennsylvania it shall also file with the Commissioner of Banking a copy of its articles of incorporation constitution and by-laws and all other papers pertaining to its organization If it shall be an investment company organized under the laws of any other state territory or government incorporated or unincorporated it shall also file with the said Commissioner of Banking a copy of the laws of such state teritory or government under which it exists or is incorporated and also a copy of its charter articles of incorporation constitution and by-laws and all amendments thereof which have been made and all other papers pertaining to its organization

Section 3 All of the above-described papers shall be verified by the oath of a member of a co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or unincorporated association All such papers however as are recorded or are on file in any public office shall be further certified to by the officer of whose records they form a part as being correct copies of such records

Section 4 Every foreign investment company shall by a duly executed instrument filed in the office of the Commissioner of Banking constitute and appoint the Commissioner of Banking or his successor its true and lawful attorney upon whom all lawful process in any action rule order or legal proceeding against it may be served and therein shall agree that any lawful process againt it which may be served upon him as its said attorney shall be of the same force and validity as if served on the company and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this Commonwealth The service of such process shall be made by leaving the same in duplicate in the office of the Commissioner of Banking one copy certified by the Commissioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorney shall be deemed valid service upon such company The Commissioner of Banking shall upon process being served upon him as attorney for a foreign investment company forthwith forward one of the duplicate copies of the process served upon him to its secretary or in the case of a company of a foreign country to its resident manager in the United States As a condition of valid and effective service and of the duty of the Commissioner of Banking in the premises the plaintiff in each such process shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Commissioner of Banking shall keep a record of all such processes which shall show the day and hour of service

Section 5. It shall be the duty of the Commissioner of Banking to examine the statements and documents so filed and if said Commission of Banking shall deem it advisable he shall make or have made a detailed examination of such investment company's affairs which examination shall be at the expense of such investment company as hereinafter provided and if he finds that such investment company is solvent that its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract contain and provide for a just and equitable plan for the transaction of business and in his judgment promises a fair return on the securities by it offered for sale the Commissioner of Banking shall issue to such investment company a statement reciting that such company has complied with the provisions of this act that detailed information in regard to the company and its securities is on file in the Commissioner of Banking's office for public inspection that such investment company is permitted to do business in this State and such statement shall also recite in bold type that the Commissioner of Banking in no wise recommends the securities to be offered for sale by such security company But if said Commissioner of Banking finds that such articles of incorporation or association charter constitution and by-laws plan of business or proposed contract contain any provisions that is unjust or inequitable to any class of contributors or if he decides from his examination of its affairs that said investment company is not solvent and does not intend to do a fair and honset business and in his judgment does not promise a fair return on the securities by it offered for sale then he shall notify such investment company in writing of his findings and it shall be unlawful for such company to do any further business in this State until it shall so change its constitution and by-laws articles of incorporation or association its proposed plan of business and proposed contract and its general financial condition in such manner as to satisfy the Commissioner of Banking that it is solvent and its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract provide for a just and equitable plan for the transaction of business and does in his judgment promise a fair return on the securities by it offered for sale provided that all expenses paid or incurred and all fees or charges received or collected for any examination made under the provisions of this section of this act shall be reported in detail by the Commissioner of Banking and a full report and record thereof made in detail.

Section 6. It shall not be lawful for any investment company either as principal or agent to transact any business in form or character similar to that set forth in Section one of this act except as is provided in Section two of this act until it shall have filed the papers and documents above provided for No amendment of the charter articles of incorporation constitution and by-laws of any such investment company shall become operative until a copy of the same has been filed with the Commissioner of Banking as provided in regard to the original filing of charters articles of incorporation constitution and by-laws nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed by Section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by Section two of this act until a written statement

showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the Commissioner of Banking in like manner as provided in regard to the original plan of business and proposed contract and the consent of the Commissioner of Banking obtained as to making such proposed new plan of transacting business and proposed new contract.

Section 7. Any investment company may appoint one or more agents but no agent shall do any business for said investment company in this State until he shall first register with the Commissioner of Banking as agent for such investment company and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar Such registration shall entitle such agent to represent said investment company as its agent until the first day of January following unless said authority is sooner revoked by the Commissioner of Banking and such authority shall be subject to revocation at any time by the Commissioner of Banking for cause appearing to him sufficient.

Section 8 Every investment company domestic or foreign shall file at the close of business on December thirty-first and June thirtieth of each year and at such other times as required by the Commissioner of Banking a statement verified by oath of the co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or an unincorporated association setting forth in such form as may be prescribed by the Commissioner of Banking its financial condition and the amount of its assets and liabilities and furnishing such other information concerning its affairs as said Commissioner of Banking may require Each regular statement of December thirty-first and June thirtieth shall be accompanied by a filing fee of two dollars and fifty cents Any investment company failing to file its reports at the close of business December thirty-first or June thirtieth of each year within ten days of that date or failing to file any other or special report herein required within thirty days after receipt of request or requisition therefor shall forfeit its right to do business in this Commonwealth

Section 9 The general accounts of every investment company domestic or foreign doing business in this State shall be kept by double entry and such company its co-partners or managing officers shall at least once in each month make a trial balance of such accounts which shall be recorded in a book provided for that purpose such trial balances and all other books and accounts of such company shall at all times during busines hours except Sundays and legal holidays be open to the inspection of stockholders and investors in said company or investors in the securities by it offered for sale and to the Commissioner of Banking and his deputies

Section 10 The Commissioner of Banking shall have general supervision and control as provided by this act over any and all investment companies domestic or foreign doing business in this state and all such investment companies shall be subject to examination by the Commissioner of Banking or his duly authorized deputies at any time the Commissioner of Banking may deem it advisable and in the same manner as is now provided for the examination of state banks The powers of the Commissioner of Banking in connection with such examinations shall be the same as is now provided with reference to examination of state banks and such investment company shall pay a fee for each of such examinations shall be the same as is now provided with reference to examination of state banks and such investment company shall pay a fee for each of such examination of not to exceed five dollars for each day or fraction thereof plus the actual traveling and hotel expenses of said Commissioner of Banking or deputy that he is absent from the capitol building for the purpose of making such examination and the failure or refusal of any investment company to pay such fees upon the demand of the Commissioner of Banking or deputy while making such examination shall work a forfeiture of its right to do business in this state

Section 11 Whenever it shall appear to the Commissioner of Banking that the assets of any investment company doing business in this state are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe inequitable or unauthorized manner or is jeopardizing the interest of its stockholders or investors in securities by it offered for sale or whenever any investment company shall fail or refuse to file any papers statements or documents required by this act without giving satisfactory reasons therefor said Commissioner of Banking shall at once communicate such facts to the Attorney-General who shall thereupon apply to the Court of Common Pleas of Dauphin County or to the court of any county in which the principal office of such company is locourts for the appointment of a receiver to take charge of cated or is doing business or to a judge or either of said and wind up the business of such investment company and if such fact or facts be made to appear it shall be sufficient evidence to authorize the appointment of a receiver and the making of such orders and decrees in such cases as equity may require

Section 12 Any person who shall willfully subscribe to or make or cause to be made any false statements or false entry in any book of such investment company or exhibit any false paper with the intention of deceiving any person authorized to examine into the affairs of such investment company or shall make or publish or cause to be made or published any false statement of the financial condition of such investment company or the securities by it offered for sale shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) nor more than ten thousand dollars ($10,000) and undergo an imprisonment by separate and solitary confinement at labor of not less than one year nor more than ten years

Section 13 Any person or agent who shall sell or attempt to sell the securities of any investment company or the securities by such company offered for sale who has not complied with the provisions of this act or any investment company which shall do any business or offer or attempt to do any business except as provided in section two of this act which shall not have complied with the provisions of this act or any agent who shall do or attempt to do any business for any investment company which agent is not at the time duly registered and has fully complied with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenctd to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) or undergo an imprisonment in the county jail of the proper county not exceeding ninety days or both at the discretion of the court

Section 14 All fees herein provided for shall be collected by the Commissioner of Banking and by him shall be turned into the State Treasury

Section 15 Should the courts declare any section of this act unconstitutional or unauthorized by law or in conflict with any other section or provision of this act then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act

Section 16 All acts or parts of acts inconsistent with this act are repealed

Section 17 This act shall take effect and be inforce from and after the first day of January one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 338, entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation thereof

The first, second and third sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semimonthly The first payment shall be made between the first and the fifteenth day of each month for the wages or earnings due up to said first day The second payment shall be made between the fifteenth and the last day of each month for the wages or earnings due up to such fifteenth day.

Section 2. Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dollars ($100).

Section 3. Nothing in this act shall prohibit the weekly payment of wages or earnings.

The fourth section was read as follows:

Section 4. All acts and parts of acts inconsistent with provisions of this act are repealed.

On the question,

Will the House agree to the section?

Mr. GEORGE C. IRVIN. Mr. Speaker, I desire to offer a substitute for section four and wish to offer an amendment.

The amendment was read by the Clerk as follows:

This Act shall go into effect on the first day of July, 1913.

On the question,

Will the House agree to the amendment?

It was agreed to.

Will the House agree to the section as amended?

It was agreed to.

Mr. GEORGE C. IRVIN. Mr. Speaker. I desire to offer the following additional section.

The Clerk read the amendment as follows:

Add as Section five, "all acts and parts of acts inconsistent with provisions of this act are repealed."

On the question,

Will the House agree to this section?

It was agreed to.

The title of the bill was then read and agreed to as follows:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation thereof.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 438, as follows:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven, entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof" which reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm or corporation being the owner or lessee of any foundry for the casting of iron steel brass or other metal wherein ten or more men shall be employed shall cause to be established and maintained in a place conveniently accessible and connected with said foundry in such a manner that access thereto can be had without exposure to the open air a toilet room of suitable size wherein said employes may change their clothes such toilet room shall be provided with wash-bowls sinks or other suitable fixed appliances duly connected and supplied with running hot and cold water There shall also be established and maintained separate from said toilet room a suitable water-closet" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm or corporation being the owner or lessee of any foundry for the casting of iron steel brass or other metal wherein ten or more men shall be employed shall cause to be established and maintained in a place conveniently accessible and connected with said foundry in such a manner that access thereto can be had without exposure to the open air a toilet room of suitable size wherein said employes may change their clothes such toilet room shall be provided with wash-bowls sinks or other suitable fixed appliances duly connected and supplied with running hot and cold water There shall also be established and maintained separate from said toilet room a suitable water-closet It shall be the duty of the factory inspector or his duly authorized agent to enforce the provisions of this act For that purpose the factory inspector or his duly authorized agent may enter at any reasonable time any foundry for the purpose of inspecting the same to ascertain whether the provisions of this act have been complied with.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 723, as follows:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred and nineteen issued by the Department of Agriculture and making an appropriation therefor.

Whereas the number of copies of Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs' published by the Department of Agriculture has proved to be entirely inadequate to meet the demands for same therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is authorized to order the printing of twenty-five thousand (25,000) copies of Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" and it shall be the duty of the Superintendent of Public Printing and Binding to have same printed and delivered to the Department of Agriculture and the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated for the payment of same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 615, as follows:

An Act to regulate advertisements and solicitations for employes during strikes lockouts or other labor disputes.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any employer during the continuance of a strike among his employes or during the continuance of a lockout or other labor trouble among his employes publicly advertises in newspapers or by posters or otherwise for employes or by himself or his agents solicts persons to work for him to fill the place of strikers he shall plainly and explicitly mention in such advertisements or oral or written solicitations that a strike lockout or other labor disturbance exists.

Section 2. If any person firm association or corporation violates any provisions of this act he or the officers of such firm association or corporation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars for such offense or imprisonment of not more than thirty days either or both at the discretion of the court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 60, as follows:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who has served in the army or navy of the United States in the Civil War of one thousand eight hundred and sixty-one to sixty-five and who was enrolled from Pennsylvania and who was honorably discharged therefrom and who was a resident of this State at the date of the commencement of his service and shall be a resident of this State at the time of making application for pension as hereinafter provided shall be entitled to a pension from this State at the rate as hereinafter stated Provided however That such person shall have been honorably discharged from said service

Section 2 The amount to be paid as a pension for each soldier sailor and marine as set forth in section one hereof shall be as follows

To those who served for one year or less five dollars per month

To those who served more than one year and not more than two years six dollars per month

To those who served over two years seven dollars per month

Section 3 It is understood that this act does not include any soldier sailor or marine who was not a resident of this State at the time of entering the service and who has not resided in this State at least one year prior to the time of making application hereunder and also resided in this State at least one year before each pension-paying period

Section 4 All applications for pensions made hereunder shall be made to the Auditor General of the State of Pennsylvania under such reasonable rules and regulations as shall be prescribed by him and the right to such pensions upon such applications shall be determined by the said Auditor General whose decision as to the granting or refusal of said pensions shall be final

Section 5 Pensions granted in pursuance of the act shall commence as of January first one thousand nine hundred and fourteen and shall be payable quarterly thereafter on the first days of April July October and January of each year but such pensions shall only begin at the quarter yearly period after same shall have been granted Provided however That no application shall be received by the Auditor General prior to November first one thousand nine hundred and thirteen and the first payment to be made to carry this act into effect shall be made on the first day of April one thousand nine hundred and fourteen or as soon thereafter as possible and shall be for the quarter ending on the thirty-first day of March one thousand nine hundred and fourteen

Section 6 The necessary blanks and stationery for application and proof for pensions under this act shall be furnished by the Department of Printing and Binding for use of the Auitor General and no charge shall be made by the Auditor General to such applicant for pension for services or fees in the matter of such pension

Section 7 The sum of one million five hundred thousand dollars ($1,500,000) or so much thereof as may be necessary is specifically apropriated for the purpose of paying the pensions created hereby for the five quarterly payments for the two fiscal years beginning June first one thousand nine hundred and thirteen and in addition to the aforesaid appropriation there shall be appropriated for clerical hire postage and incidental expenses commencing the first day of September one thousand nine hundred and thirteen the sum of forty-seven thousand dollars ($47,000) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MATT. Mr. Speaker, I move that this bill be now recommitted to the Committee on Appropriation.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 127, as follows:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the indebtedness of any county city borough township school district or other incorporated district or municipality has been increased pursuant to an election held at any time between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine whereat the assent of the electors of such county city borough township school district or other incorporated district or municipality to the increase of such indebtednes was duly had and obtained where said election was duly and propertly held and the returns thereof made in conformity with the acts of Assembly applicable to the particular class of municipality or incorporated district wherein said election was held saving and excepting only that the tickets voted at said election conform to the provisions of an act of assembly of the Commonwealth of Pennsylvania approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemtpion of the same and to impose penalties for the illegal increase thereof" but did not conform to the requirements of the second section of the act of Assembly of the Commonwealth of Pennsylvania approved the twenty-ninth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws three hundred thirty-eight) entitled 'An act to further amend the ninth and fourteenth sections of the act entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June eighteen hundred and ninety-three as amended by an act approved the ninth day of July one thousand eight hundred and ninety-seven also to amend the twenty-second twenty-seventh twenty-eighth and thirtieth sections of said act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June eighteen hundred and ninety-three by repealing the limit upon the number of times the names of candidates shall appear on the official ballots by specifying the form contents and manner of printing and counting of official ballots and of making return of all votes and of announcing the total vote by directing the manner in which voters may designate their choice of candidates and their votes upon constitutional amendments or other questions submitted for their votes by prescribing the duties of voters election officers police officers constables deputy constables and helpers and prescribing forms of punishment for violations thereof" the said election and said indebtedness are hereby declared to be valid and shall be held and adjudged to be valid and sufficient in law and in all cases of such increase of indebtedness the bonds or other obligations issued to evidence such increase of indebtedness be and the same are hereby declared to be valid and lawful to all intents and purposes Provided however That the provisions of this act shall not apply to any such election nor to any such issue of bonds the validity of which has heretofore been judicially determined and Provided further That nothing herein contained shall validate any bonds which may have been improperly or illegally executed or sold or delivered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 258, as follows:

An Act to amend an act entitled "An act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharge of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the Recorder of Deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the Army Navy or Marine Corps of the United States

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of April Anno Domini one thousand eight hundred and sixty-eight entitled "An act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" which reads as follows

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

"That the Recorders of Deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of commissioned and non-commissioned officers and privates upon application being made to them by the holders of the same for which the Recorder shall be allowed the usual fee for recording and that the recording of the same shall not be subject to the payment of the State tax" be and the same is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

That the recorders of the deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of all honorably discharged commissioned and non-commissioned officers and of all soldiers sailors and marines who were duly enlisted and mustered into the Army Navy or Marine Corps of the United States upon application being made to them by the holders thereof their agents attorneys or legal repersentatives for which the recorder shall be allowed no fee and that the recording of the same shall not be subject to the payment of the usual State tax Provided That the provisions of this act relating to the fees of the recorder and the State tax shall not apply to holders of discharges who are not residents of this Commonwealth at the time of making their applications to the Recorder for placing the same of record

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 623, as follows:

An act making an appropriation for the providing and erection of armories throughout the Commonwealth of Pennsylvania for the use of the National Guard of Pennsylvania said armories to be erected managed and cared for under the direction of the State Armory Board also an appropriation for the completion of armories where drill halls or administration buildings only have been erected also an appropriation for the management and care of armories erected or provided and to be erected and provided for the two fiscal years beginning June first nineteen hundred and thirteen necessary repairs and contingent expenses in maintenance of armories premiums of fire insurance and title insurance advertisement for bids actual traveling expenses of members of State Armory Board clerical expenses of Board and inspection expenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nine hundred and ten thousand dollars or as much thereof as may be necessary be and the same is hereby appropriated for the use of the Armory Board of the State of Pennsylvania for the purpose of providing and erecting armories for the use of the National Guard of Pennsylvania the providing and erecting of such armories to be under the control of the Armory Board of the State of Pennsylvania Provided that the maximum amount to be expended from this appropriation for the providing or erection of an armory for a company of infantry or signal corps company shall be thirty thousand dollars for the providing or erection of an armory for a battery of artillery troop of cavaly or company of engineers shall be fifty thousand dollars which shall be exclusive of any gift or donation made to or for the benefit of any particular armory said appropriation to be apportioned and divided as follows

For a single-company armory to be located at Pittsburgh Pennsylvania for use of Field Company A Signal Corps the sum of thirty thousand dollars

For a single-troop armory to be located at New Castle Pennsylvania for use of Troop F the sum of forty thousand dollars

For an armory or armories to be located at Philadelphia Pennsylvania for use of three troops of cavalry and one company of engineers the sum of two hundred thousand dollars

For a two-company armory to be located at Allentown Pennsylvania for two companies of infantry the sum of fifty thousand dollars

For a single-company armory to be located at Lebanon Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Lancaster Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at West Chester Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a two-company armory to be located at York Pennsylvania for two companies of infantry the sum of fifty thousand dollars

For a single-company armory to be located at Mahanoy City Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Huntingdon Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Carlisle Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Indiana Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Washington Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Greensburg Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Waynesburg Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Lewisburg Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Milton Pennsylvania for a company of infantry the sum of thirty thousand dollars

For a single-company armory to be located at Lock Haven Pennsylvania for a company of infantry the sum of thirty thousand dollars
For a single- company armory to be located at Oil City Pennsylvania for a company of infantry the sum of thirty thousand dollars
For a single-company armory to be located at Kane Pennsylvania for a company of infantry the sum of thirty thousand dollars
For a single-company armory to be located at Erie Pennsylvania for a company of infantry the sum of thirty thousand dollars
For a single-company armory to be located at Kittanning Pennsylvania for a company of infantry the sum of thirty thousand dollars
For a single-company armory to be located at Butler Pennsylvania for a company of infantry the sum of thirty thousand dollars

Provided further that before any plans are approved or bids requested for any armory as stated herein there shall be given or donated to the Commonwealth by the county city town or borough in which such armory is to be erected as provided in this act or by the citizens of said county city town or borough a suitable site for such armory either by legal conveyance of such site to the Commonwealth or the payment to the State Armory Board of the purchase price thereof said armory site to be acceptable in every way as to location and soil tests for building purposes and the title thereof to be approved and insured by a duly incorporated title insurance company and the deed to the Commonwealth to be approved by the Attorney General

Section 2 The sum of three hundred and fifteen thousand dollars or as much thereof as may be necessary is hereby appropriated for the completion of armories as follows

To complete a three-company armory located at Williamsport Pennsylvania the sum of forty thousand dollars (drill hall now erected)

To complete a two-company armory located at Reading Pennsylvania the sum of twenty-five thousand dollars (drill hall now erected)

To complete an armory for a battery of field artillery located at Pittsburgh Pennsylvania the sum of twenty-five thousand dollars (drill hall now erected)

To complete a regimental armory located at Pittsburgh Pennsylvania and occupied by the Eighteenth Infantry the sum of two hundred thousand dollars (administration building now erected)

To complete a troop armory located at Tyrone Pennsylvania the sum of twenty-five thousand dollars (administration building now erected)

Section 3 The sum of one hundred and six thousand eight hundred dollars is hereby specifically appropriated for the purpose of managing and caring for armories heretofore erected and to be erected or provided for the two fiscal years beginning June first nineteen hunded and thirteen and to cover necessary repairs and contingent expenses in maintenance of armories premiums on fire insurance and title insurance advertisement for bids actual traveling expenses of members of the State Armory Board clerical expenses of the Board and expenses of inspection of armories

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED. ..

Mr. WHITAKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriation.

It was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 640, as follows:

An Act making an appropriation for the support of the National Guard of Pennsylvania and the Naval Force of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen and for the payment of an annual allowance to commissioned officers of the National Guard of Pennsylvania and Naval Force of Pennsylvania and for the purpose of placing at the disposal of the Governor of the Commonwealth the sum of five hundred thousand dollars or so much thereof as may be necessary and making same available to replace or repair armory buildings owned by the Commonwealth of Pennsylvania should such armory building be destroyed in whole or in part by fire flood or storm and to pay for service and expenses of the National Guard incident to actual service under orders of the Governor in repelling invasion subduing insurrection riot or disorder or to furnish the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred and seventy thousand dollars be and the same is hereby specifically appropriated for the support of the National Guard of Pennsylvania and Naval Force of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen and for the payment of an annual allowance to commissioned officers of the National Guard of Pennsylvania and Naval Force of Pennsylvania as follows For commissioned officers required to be mounted not exceeding forty dollars per year for commissioned officers not required to be mounted not exceeding thirty dollars per year Provided Such commissioned officer shall have been in commission continuously during the year for which payment is claimed and that he shall have expended during the year for uniforms and equipment for himself a sum equal to or greater than the allowance claimed and in cases where an expenditure greater than the annual allowance is made in any year for which annual allowance is paid such excess may be included in the claim for the succeeding year And provided that before any payment is made to any officer for any year application shall be made for asme upon a blank form to be prepared and furnished by the Adjutant General which blank form shall contain a certificate requiring the claimant to show by properly receipted vouchers that he has aotually expended during the year for uniforms and equipment for himself an amount equal to or greater than the annual allowance claimed which amount may include any balance that may be remaining unpaid and payable from his previous claim And providing further That in cases where a commissioned officer of the National Guard or Naval Force of Pennsylvania shall have served the full term of the commission issued to him or his commission shall have been terminated by due course of law and he shall be elected or appointed as a commissioned officer within sixty days from the expiration or termination of former commission the service of such officer shall be considered continuous so far as it relates to annual allowance herein provided for but unless service is continuous as herein provided balance due on previous claim will not be included and paid in any future claim.

Section 2. For the purpose of placing at the disposal of the Governor of the Commonwealth and making same available to replace or repair armory buildings owned by the Commonwealth of Pennsylvania and occupied by an organization of the National Guard should such armory building be destroyed in whole or in part by fire flood or storm and to pay for transportation pay of officers and enlisted men horse hire subsistence and quartermaster stores and other property and necessary expenses incident to actual service rendered by the National Guard of Pennsylvania under orders of the Governor in repelling invasion subduing insurrection riot or disorder or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States the sum of five hundred thousand dollars or so much thereof as may be necessary for which the Governor is authorized to draw warrant upon the State Treasurer duly approved by the Auditor General as required by law vouchers in detail for such expenditures to be filed with the Auditor General.

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WILTBANK. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 538, as follows:

An Act making an appropriation for the purpose of purchasing land for rifle range or land for permanent camping ground for division encampment or land for permanent camping grounds for three separate brigade encampments either or all and providing for the care and preparation of same said purchase of land to be made under the direction of the State Military Board the title thereof to be examined and aproved by the Attorney General and the purchase approved by the Governor and fixing the maximum average price per acre of such land as may be purchased providing that the title to all lands purchased shall be vested in the Commonwealth and land be used for military purposes under the control and direction of the Adjutant General and providing for the method of payment of land purchased

Whereas By an act of Assembly approved the fifth day of May one thousand nine hundred and eleven (pamphlet Laws one thousand nine hundred and eleven page one hundred and twenty-four) an appropriation of one hundred and ten thousand dollars was made for the purpose of purchasing land for rifle range or land for permanent camping ground for division encampment or land for permanent camping ground for three separate brigade encampments either or all and the care and preparation of the same and

Whereas The sum of one hundred and ten thousand dollars heretofore appropriated for the purchase of land for rifle range or land for permanent camping ground or grounds has not been expended or any part thereof and if not expended prior to June one one thousand nine hundred and thirteen will be no longer available for the purpose indicated therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars or so much thereof as may be necessary is hereby appropriated for the purpose of purchasing land for rifle range or land for permanent camping ground for division encampment or land for permanent camping ground for three separate brigade encampments either or all and the care and preparation of same said purchase of land to be made under the direction and authority of the State Military Board Provided That no such purchase of land shall be completed until the title thereto has been examined and approved by the Attorney General and the purchase approved by the Governor of the Commonwealth And provided further That the maximum price for such land for rifle range or land for permanent camping ground shall not exceed an average of one hundred dollars per acre

Section 2 The land when purchased and the title vested in the Commonwealth shall be used for military purposes and the use of same shall be under the control and direction of the Adjutant General

Section 3 The warrants in payment of land purchased and the care and preparation of same shall be drawn by the Adjutant General upon the State Treasurer and be countersigned by the Auditor General the deeds to said land to be filed with the Auditor General and in addition thereto specifically itemized vouchers duly approved by the State Military Board for all disbursements made from this appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-COMMITTED.

Mr. WHITAKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

It was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 682, as follows:

An Act authorizing the sale for the best price obtainable by the county coommissions in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties of the Commonwealth be and they are hereby authorized to sell at public sale for the best price obtainable all lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims upon which the period for redemption has expired and to execute and deliver to purchasers proper deeds for lands so sold notice of such sale to be given by publication in at least one newspaper of general circulation published at the county seat once a week for three consecutive weeks said notice to designate particularly the tracts to be sold

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act appropriating money to aid and encourage ocational education in the public schools of Pennsylvania

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

RECONSIDERATION OF VOTE.

Mr. NORTH: Mr. Speaker, I ask unanimous consent to reconsider the vote by which House Bill No. 466 entitled:

An Act to amend the title the first section the second section and the third section of an act of Assembly entitled "An act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and Superior and Supreme Courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

On page fourteen of to-day's calendar passed second reading for the purpose of amendment.

The SPEAKER: Will the House give unanimous consent to reconsider the vote on House Bill No. 466 for the purpose of amendment?

It was agreed to.

The Clerk will read the amendments.

The amendments were read as follows:

Amend House Bill No. 466, section two, page three, line twenty-one, strike out first "or" and insert "of."

Also, section four, page four, line, four, strike out "thweerof" insert "thereof."

Also, section four, page four, line five, strike out "of" insert "or."

Also, section four, page four, line seven, strike out "or" insert "to."

The SPEAKER: Does the House give unanimous consent to the insertion of the amendments? The Chair hears no objection and the amendments will be inserted according the directions of the House.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE.

Mr. CURRIER: Mr. Speaker, I ask unanimous consent to reconsider the vote by which House Bill No. 72 entitled:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

on page fourteen of to-day's calendar, passed second reading for the purpose of amendment.

The SPEAKER: Will the House give its unanimous consent to reconsider the vote on House Bill No. 72 for the purpose of amendment.

It was agreed to.

The Clerk will read the amendments.

The amendments were read as follows:

Amend section five, page five, line eighteen, strike out "State" insert "Commonwealth."

Also, section five, page five, lines twenty-three and twenty-four, strike out "s" from "provisions."

Also, section five, page five, line thirty-one, strike out "State" insert "Commonwealth."

Also section eight, page eight, line four, after "oath" insert "of a member."

Section nine, line two, strike out "State" insert "Commonwealth."

Section ten, line four, strike out "State" insert "Commonwealth."

Section ten, line nineteen, strike out "State" insert "Commonwealth."

Section eleven, line three, strike out "State" insert "Commonwealth."

Section eleven, line fourteen, strike out thirds "or" insert "of."

The SPEAKER: Does the House give unanimous consent to the insertion of the amendments? The Chair hears no objection and the amendments will be inserted according to the directions of the House.

And said bill having been read at length the second time and agreed to, as amended

Ordered, To be transcribed for a third reading.

REPORT OF THE COMMISSION TO EXAMINE THE LAWS RELATING TO THE RECORDING OF DEEDS AND MORTGAGES.

The SPEAKER: The Chair lays before the House the report of the Commission to examine the laws relating to the recording of deeds and mortgages, transfer of lands, insurance of titles and a draft of a proposed amendment of the State; made to the legislative sessions of 1913, presented by the gentleman from Philadelphia, Mr. Gans. This report will be noted upon the Journal of the House and printed in the appendix of the Legislative Journal.

ADJOURNMENT.

Mr. KUHN: Mr. Speaker, I move that the House do now adjourn.

The motion was agreed and (at 9:15 P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

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SENATE.

WEDNESDAY, February 26, 1913.

The Senate met at ten o'clock A. M.

The PRESIDENT PRO TEMPORE (D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Herbst, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. MILLER asked and obtained leave of absence for the Senator from Lycoming. Mr. Sones, for today's session.

Mr. MORGAN asked and obtained leave of absence for the Senator from Monroe, Mr. Huffman, for today's session.

REPORTS FROM COMMITTEES.

Mr. KNAPP, from the Committee on Judiciary General, reported as amended, Senate Bill No. 339, (House Bill No. 301), entitled:

An Act to amend an act approved the 7th day of May, 1907, entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof."

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 158, entitled:

An Act to authorize the Board of Commissioners of every township of the first class, to establish lights upon State highways, in such townships.

Mr. BUCKMAN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 461, entitled:

An Act declaring vacant seats of members of borough councils who fail to qualify or who fail to attend to regular meetings of council, and empowering councils to declare vacant the seats of such numbers and empowering councils to fill such vacancies.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 65, entitled:

An Act to amend an act entitled "A further supplement to an act, entitled 'An act to esablish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes," approved the 29th day of March, 1803, and for regualting the rates of pilotage and number of pilots, approved the 11th day of May, 1889, and further providing for the number of pilots and apprentices.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 66, entitled:

A supplement to an act, entitled "An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels and boats, and wharves, piers, bulkheads, docks, slips and basins, and exempting cities of the first class from certain of its provisions; and making an appropriation therefor;" approved the 8th day of June A. D. 1907; giving to the Board of Commissioners of Navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware River and its navigable tributaries, and fixing certain penalties for the violation thereof.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 67, entitled:

An Act to repeal the Act of January 7th, 1864, entitled "A further supplement to an act to establish a Board of Wardens for the Port of Philadelphia and for other purposes, approved March 29th, 1803."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 139, entitled:

An Act providing what effect shall be given to admission to practice in the Supreme Court when the person so admitted applies for admission to practice in the other courts of this Commonwealth.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 140, entitled:

An Act requiring bills and answers in equity to be sworn to, and abolishing the rule that the averments of responsive answer must be overcome by the testimony of two witnesses, or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness, in order to entitle plaintiff to a decree.

Mr. HERBST, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 421, entitled:

An Act to repeal the act, entitled "An act to provide for the erection of a house for the employment and support of the poor in the County of Washington," approved the 6th day of April, A. D. 1830; and to repeal the first four sections of the act, entitled "A supplement to an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the County of Washington,' passed the 6th day of April, A. D. 1830; and also 'An act to incorporate the Monongahela Manual Labour Academy,' " approved the 29th day of March, A. D. 1836; and to repeal the act, entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington, Green and Fayette, approved April 6th, 1830," approved the 30th day of April, A. D. 1855.

Also from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 256, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vingars, prescribing their standards to prevent the aduleration of the same, providing for the enforcement thereof, and punishment for the violation of the same.

Mr. McILHENNY, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 365, entitled:

An Act to regulate the manufacture and sale and to prevent the aduleration and misbranding of disinfectants, deoderants, antiseptics and germicides for external use, to regulate the labeling of such preparations to provide for the standardization of such disinfectants, deoderants, antiseptics and germicides, and providing penalties for the violation of this act.

Mr. HUNTER, from the Committee on Law and Order, reported as amended, Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift, sale or otherwise of cigarettes or cigarette paper to minors, requiring minore to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 493, (House Bill No. 352), entitled:

An Act to amend sections three and four of an act approved the 8th day of June, 1893, entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases," by providing that they may sue each other and tesify against each other in certain cases.

Mr. ALEXANDER, from the Committee on Forestry, reported as committed, Senate Bill No. 190, entitled:

An Act to classify certain surface lands as auxiliary forest reserves, to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom, and to provide for the expenses attendant thereon.

Also from the Committee on Forestry, reported as committed, Senate Bill No. 191, entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection, distribution and use of the taxes collected therefrom.

Also from the Committee on Forestry, reported as committed, Senate Bill No. 192, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes.

Also from the Committee on Forestry, reported as committed, Senate Bill No. 380, (House Bill No. 25), entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recration purposes.

Mr. HOKE, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 210, entitled:

An Act to amend section ten of an act, entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal praparations in the State of Pennsylvania," approved the 24th day of May, 1887; providing for the sale of mixed paints, white leads and colors ground in oil, and all lead products and painters' materials used in the arts and industries, without the necessity of labeling the same.

Mr. HEACOCK, from the Committee on Forestry, reported as committed, Senate Bill No. 477, (House Bill No. 564), entitled:

A Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 409, (House Bill No. 454), entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel.

Mr. ENDSLEY, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 280, entitled:

An Act for the protection of the public health by providing that persons, firms or corporations who are operating or conducting hotels, restaurants, common carriers, and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks, waiters, kitchen help, chamber maids and other house servants, any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes, pots, pans, finger bowls, linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof.

Also from the Committee on Forestry, reported as amended, Senate Bill No. 417, entitled:

An Act to amend the first section of an act, entitled "An act to provide efficient and practical means for the prevention, control, and eradication of a disease affecting chestnut-trees, commonly called the chestnut-tree blight providing for the destruction of trees so affected; creating a commission to carry out the purposes of this act; fixing penalties for violation of the provisions hereof; and making an appropriation therefor," approved June 14, 1911, Pamphlet Laws, page 922.

Mr. KURTZ, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 16, entitled:

An Act to safeguard employees in certain industrial establishments by requiring warning in advance of the putting in motion of machinery, and fixing a penalty for violation hereof.

Mr. BEIDLEMAN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 410, entitled:

An Act to secure and perpetuate liens upon monuments, mausoleums, markers, grave stones, copings or other ornamental construction, used in or about cemeteries and grave yards, for the contract price thereof, or the balance due thereon; and for skill labor and material furnished thereon or entering therein; providing for the enforcement and collection thereof, and prohibiting the removal of said structures after notice of such lien.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 342, (House Bill No. 175), entitled:

An Act providing payment for overtime worked by employes in mercantile establishments and making it unlawful to compel such employes to do extra service by threat of discharge, fixing penalty for violation thereof and designating an official prosecutor.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings, and providing a penalty for violation hereof.

Also from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 430, entitled:

An Act to amend an act approved the 19th day of March, A. D. 1909, entitled "An act to regulate the practice of osteopathy in the State of ennsylvania, to provide for the establishment of a State Board of Osteopathic Examiners, to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State, and to provide penalties for for the violation of this act" as amended by an act approved the 11th day of May, A. D. 1911,' entitled "An act to amend sections nine and ten of an act, entitled 'An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act,' approved the 19th day of March, A. D. 1909; by providing a final date for the registration of certain practitioners of osteopathy; by defining what constitute a reputable school or college of osteopathy within the meaning of this act; and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges, and the right to determine reciprocal relations between States."

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 258, entitled:

An Act relating to sewage disposal systems in cities, boroughs and other municipalities of this Commonwealth, providing for the cost and expense thereof, and making an appropriation for the same.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket, prescribing the use of said cost docket, and providing for the payment to his successor in office, of all costs collected or received by him, and not paid to the parties entitled to the same.

Mr. THOMPSON, from the Comimittee on Public Health and Sanitation, reported as committed, Senate Bill No. 211, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties; providing for the appointment of members of such boards of health by the President Judge of the Court of Common Pleas of the county wherein such borough or township of the first class is located; providing for the election of a secretry and a health officer; providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 124, entitled:

An Act to amend the act approved the 12th day of June, A. D. 1893, entitled "An act relating to sale of the real estate of decedents."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 308, entitled:

An Act authorizing the warden, superintendent or person in charge of any penitentiary, jail, reformatory, workhouse, or other penal institution, to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

BILLS INTRODUCED.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act to amend section 502 of an act approved May 18th, 1911, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenues to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith, so as to avoid the repeal of section one of the Act approved March 24th, 1868, entitled "A further supplement to an act, entitled 'An act to promote to more certain and equal assesment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, relative to assessments on agricultural and farm land, and the suburban portions of said city."

Which was committed to the Committee on Education.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 500, entitled:

An Act to amend section five of an act approved the 23d day of June, 1911, entitled "An act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs, and expenses thereof," so as to empower the court to appoint viewers from the County Board of Viewers for any purpose whatsoever.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 501, entitled:

An Act to amend section five of an act, entitled "An act for the examination annexation of any city, borough, township, or part of a township to a contiguous city, and providing for the indebtednes of the same," approved the 28th day of April, 1903.

Which was committed to the Committee on Judiciary Special.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the 23d day of May, 1874, entitled "An act dividing the cities of this State into three classes, regulating the passage of ordinances, providing for contracts for supplies and work for said cities, authorizing the increase of indebtedness, and the creation of a sinking fund to redeem the same, defining and punishing certain offences in all of said cities, and providing for the incorporation and government of cities of the third clas," by authorizing the councils of cities to provide for minimum rates of wages to be paid, maximum hours of work to be done under contracts with such cities, and validating existing ordinances which so provide.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act to amend an act, entitled "An act relating to corporations and estates held for corporate, religious and charitable uses," approved the 26th day of April, A. D., 1855, as amended by the supplement to said act approved the 2d day of June, A. D., 1887, and further amended by the act approved the 1st day of May, A. D., 1907, by altering the seventh section and by repealing the sixth section thereof.

Which was committed to the Committee on Judiciary Special.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 504, entitled:

An Act providing that a bronze medal be given to each honorably discharged veteran of the Civil War who enlisted in a Pennsylvania organization and who resides in said State and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 505, entitled:

An Act making an appropriation to the trustees of the State Asylum for the Chronic Insane of Pennsylvania, at South Mountain, Wernersville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 506, entitled:

An Act making an appropriation to pay the proportionate share of the Commonwealth for improving, curbing and paving Herr street in the City of Harrisburg in front of the State Arsenal.

Which was committed to the Committee on Appropriations.

Mr .MOORE read in his place and presented to the Chair Senate Bill No. 507, entitled:

An Act to amend sections three and seven of an act, entitled "A supplement to an act, entitled 'An Act for the government of cities of the second class,' approved the 7th day of March, A. D., 1901, providing for the levy, collection and disbursement of taxes and water rent, or rates and conferring certain powers and duties in reference thereto, upon the city treasurer, the board of water assessors, and collector of delinquent taxes; and repealing certain acts relating to certain matters herein provided for," approved May 12, 1911.

Which was committed to the Committee on Municipal Affairs.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 508, entitled:

An Act regulating the number of the crew on engines running on railroads when such engine is not attached to a car or coach and providing a penalty.

Which was committed to the Committee on Judiciary Special.

Mr. DEWITT read in his place and presented to the Chair Senate Bill No. 509, entitled:

An Act making an appropriation to the trustees of the State Hospital at Nanticoke, Luzerne County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 510, entitled:

A supplement to an act approved the 13th day of April, 1867, entitled "An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 511, entitled:

A supplement to an act approved the 13th day of May, 1887, entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors, or any admixtures thereof."

Which was committed to the Committee on Law and Order.

Mr. SENSENICH (for Mr. Graff) read in his place and presented to the Chair Senate Bill No. 512, entitled:

An Act to prohibit coroners, acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms of office and providing a penalty.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 513, entitled:

An Act to apportion the State into Congressional districts.

Which was committed to the Committee on Congressional Apportionment.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 514, entitled:

An Act to amend an act, approved the 3d day of April, 1851, entitled "An Act regulating boroughs," as amended.

Which was committed to the Committee on Judiciary General.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 515, entitled:

An Act making an appropriation to the Western Pennsylvania Institution for the Blind at Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act making an appropriation to the Hoselia Foundling Asylum and Maternity Hospital of the City of Pittsburgh.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building; providing for the conditions under which such building may be erected and for the ownership thereof; providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site; authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land.

Which was committed to the Committee on Municipal Affairs.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 518, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over a hundred and fifty thousand population and less than two hundred and fifty thousand population.

Which was committed to the Committee on Judiciary Special.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 519, entitled:

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 520, entitled:

An Act amending the act approved the 9th day of April, 1862, entitled "An Act to authorize the erection of a poor

house by the Borough of Dunmore, Borough of Scranton, and Township of Providence, in the County of Luzerne," as amended by an act approved the 22d day of April, 1879, entitled "A supplement to an act, entitled 'An Act to authorize the erection of a poor house by the Borough of Dunmore, Borough of Scranton and Township of Providence in the County of Luzerne,' approved April 9th, 1862," by defining the Scranton poor district; providing for the election of the poor board therein; defining the powers and duties of such board and abolishing the present office of poor director.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committe on Municipal Affairs reported as committed, Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat if within the limits of such city to erect a joint county and municipal building; providing for the conditions under which such building may be erected and for the ownership thereof; providing for the selection of a site for said building and authorizing said county and city to make a sale or echange of properties under certain conditions for the purpose of securing such site; authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land.

BILLS INTRODUCED.

Mr. MAGEE, read in his place and presented to the Chair Senate Bill No. 521, entitled:

An Act to amend the second and fifth sections of an act, entitled "A supplement to an act, entitled 'An Act for the government of cities of the second class,' approved the 7th day of March, A. D., 1901; creating and regulating a City Planning Department, giving it jurisdiction, extending it over the city and three miles beyond the city limits, and regulating the laying out of plans of lots within the limits of the city," approved June 10, 1911, relating to report of the City Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commission for approval.

Which was committed to the Committee on Municipal Affairs.

Mr. THOMPSON, read in his place and presented to the Chair Senate Bill No. 522 entitled:

An Act to establish a State Highway a certain section of public road beginning at the east line of Ellwood City in Lawrence County, Wayne Township, thence by way of Wurtemburg and Pleasant Hill to Portersville, in Butler County, intersecting at Route No. 79.

Which was committed to the Committee on Public Roads and Highways.

Mr. KLINE, read in his place and presented to the Chair Senate Bill No. 523, entitled:

A supplement to an act, entitled "An Act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys; and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof, upon the property benefited and the construction of sewers and payment of the damages, costs and expenses thereof including damages to private property resulting therefrom," approved the 16th day of May, A. D., 1891, P. L. 75, by providing that in proceedings to assess damages and benefits arising from improvement under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property; and providing that the report thereof made by the board of viewers shall show the net result only.

Which was committed to the Committee on Municipal Affairs.

Also, read in his place and presented to the Chair Senate Bill No. 524, entitled:

A supplement to an act, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," approved the 20th day of April, A. D., 1874, P. L. 65; limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised.

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEES.

Mr. POWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL, from the Committee on Railroads reported as committed, Senate Bill No. 52, entitled:

An Act amending an act approved the 5th day of May, A. D., 1832, entitled "An Act regulating lateral railroads," extending the length thereof to ten miles, and including lessees of fire-clay and minerals, and changing number of viewers.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs reported as amended, Senate Bill No. 13, entitled:

An Act providing for the incorporation and government of cities of the third class, regulating nomination and election of municipal officers therein, and repealing, consolidating and extending existing laws in relation thereto.

REPORT OF COMMITTEE OF CONFERENCE ON CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

Mr. SHEATZ. Mr. President, I ask unanimous consent to make report from committee of conference at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHEATZ submitted the report of committee of conference on the subject of the differences in relation to the following resolution:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th, by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3rd and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has every known; therefore be it

Resolved (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania or who are now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. In case said soldier, sailor or marine lives beyond the State lines of said State his expenses shall be borne only from and to the State line within said State of Pennsylvania. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

GEORGE W. ALLEN,
J. H. WILTBANK,
E. LOWRY HUMES,
JOHN O. SHEATZ,
BENJ. JARRETT,
JOSEPH ALEXANDER.

Which was laid on the table.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 22, as follows:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Whereas There has been grave complaint on the part of litigants and their counsel and others interested that unwarranted delay exists in the administration of justice and

Whereas A large part of this delay is due to the procrastication of judges in rendering decisions and

Whereas Such delay is not only vexations but very costly to those seeking justice in our courts and

Whereas This Commonwealth has been very generous in compensation judges for the services rendered on the bench therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any question or matter in law or in equity shall be submitted to or argued before any court or judge of record of this Commonwealth it shall be the duty of such court or judge to render a decision on such question or matter within nine months after such submission or argument unless the time be extended in writing signed by all parties in interest or by their respective counsel

Section 2 It shall be unlawful for the Auditor Gerenal to draw a warrant in payment of the salary of any law judge of this Commonwealth unless the said judge shall have certified to the Auditor General that this act has been fully complied with during the time covered by such warrant and that such judge has not at the time of giving such certificates any question or matter under consideration or advisement contrary to the requirements of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Jones,	McNichols,	Sensenich,
Crow,	Judson,	Miller,	Sheatz,
Endsley,	Knapp,	Mills,	Snyder,
Fisher,	Kurtz,	Moore,	Stineman,
Hilton,	Magee,	Morgan,	Vare,
Hunter,	Martin,	Nulty,	Gerberich,
Jarrett,	McNichol,	Powell,	Pres. pro tem.

NAYS—11.

Beidleman,	Daix,	Heacock,	Salus,
Buckman,	DeWitt,	Herbst,	Wasbers,
Clark,	Hall,	Kline,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 46, on third reading, entitled:

An Act to amend Section ten of an act, entitled "An Act to provide for the protection and preservation of game, game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions," approved the first day of May, Anno Domini one thousand nine hundred and nine.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 63, entitled:

An Act providing for another judge in each of the courts of common pleas of Philadelphia County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Kurtz,	Powell,
Beidleman,	Heacock,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Clark,	Homsher,	McNichol,	Sheatz,
Crow,	Hunter,	McNichols,	Snyder,
Daix,	Jarrett,	Miller,	Stineman,
DeWitt,	Jones,	Mills,	Thompson,
Endsley,	Judson,	Moore,	Vare,
Farley,	Kline,	Morgan,	Wasbers,
Fisher,	Knapp,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—1.

Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HERBST. Mr. President, on behalf of Senator Sones, who is very anxious to vote upon this bill, I ask that Senate Bill No. 100, on third reading, entitled:

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

go over in its order. I have the consent of the author of the bill.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Herbst,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Homsher,	McNichol,	Snyder,
Daix,	Hunter,	McNichols,	Stineman,
DeWitt,	Jarrett,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Fisher,	Kline,	Morgan,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and considtration of Senate Bill No. 154, as follows:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one" providing for the payment of expenses for the enforcement of the provisions of said act.

The words "linseed oil" as used in this act shall mean an oil wholly the product obtained from pure flaxseed and conforming to the following requirements.

First. Its specific gravity at a temperature of fifteen and five-tenths degrees centigrate shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315) nor greater than nine thousand three hundred and sixty ten-thousandths (.9360).

Second. Its acid value shall not exceed six (6).

Third. Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187) nor greater than one hundred and ninety-five (195).

Fourth. It shall not contain more than one and one-half per centum of unsaponifiable matter.

Fifth. Its iodine value (Hanus number) shall be not less than one hundred and seventy (170) nor greater than one hundred and ninety (190).

The words "boiled linseed oil" as used in this act shall mean linseed oil as above defined which has been heated to a temperature of at least one hundred and seven degrees centigrade and conforming to the following requirements:

First. It shall not contain free rosin or rosin oil nor shall it contain rosin as resinates in excess of one per centum.

Second. It shall not contain more than two per centum of unsaponifiable matter.

Third. Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185) nor greater than one hundred and ninety-five (195).

Fourth. Its iodine value (Hanus number) shall be not less than one hundred and sixty (160) nor greater than one hundred and ninety (190).

Fifth. Its specific gravity at a temperature of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and twenty-five ten thousandths (.9325) nor greater than nine thousand four hundred and fifty ten thousandths (.9450).

Section 2. The word "container" as used in this act shall mean any tank barrel keg can bottle jug or other vessel in which raw or boiled linseed oil or any compound or imitation thereof shall be stored sold or offered for sale.

The word "person" as used in this act shall mean any individual partnership or corporation acting directly or acting indirectly through the agent servant or employe of such person.

The word "marked" as used in this act shall mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words may be indicated in or on a container or on any label attached thereto.

Section 3. It shall be unlawful for any person to store or sell or offer for sale any of the following commodities in a container having therein or thereon marked the words "linseed oil" or "flaxseed oil" or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flaxseed oil" namely

One. Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act.

Two. Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act.

Three. Any imitation of linseed oil.

Section 4. It shall be unlawful for any person to sell or offer for sale as linseed oil any compound or imitation of linseed oil without notifying the purchaser thereof in writing at the time of such sale that the oil so sold is a compound or imitation of linseed oil.

Section 5. Any person who shall violate any of the provisions of this act shall upon conviction thereof before any alderman magistrate or justice of the peace of the county wherein the offense shall have been committed be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or in default thereof may be committed to the jail of the proper county for a period of not less than thirty days nor more than sixty days.

Section 6. It shall be the duty of the Secretary of Agriculture to cause the provisions of this act to be enforced All fines recovered in pursuance of this act shall be paid to or to the order of the Secretary of Agriculture and by him paid into the State Treasury.

Section 7. Any person refusing to sell any oil to the Secretary of Agriculture or his agent or agents or in any way interfering with the enforcement of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars together with the costs of prosecution.

Section 8. Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination The results of such examination shall be reported to such person within fifteen days from the receipt by the Department of such sample. The fee for said examination shall be one dollar which shall be paid before such examination shall be made All moneys received from such examination shall be paid into the State Treasury.

Section 9. The Secretary of Agriculture may from time to time cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act.

Section 10. This act shall go into effect on the first day of June Anno Domini one thousand nine hundred and thirteen.

Section 11. All necessary expenses incurred in the enforcement of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law.

Section 12. The act approved the twenty-third day of April Anno Domini one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April Anno Domini one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one providing for the payment of expenses for the enforcement of the provisions of said act" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Vare,	Salus,
Clark,	Herbst,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Stineman,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Mills,	Washers,
Farley,	Jones,	Moore,	Gerberich,
Fisher,	Judson,	Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts".

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Vare,	Sensenich,
Clark,	Herbst,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,	Homsher,	McNichol,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Washers,
Fisher,	Judson,	Morgan,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 160, entitled:

An Act repealing part of section one of an act entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Morgan,
Buckman,	Hall,	Knapp,	Nulty,
Clark,	Heacock,	Vare,	Powell,
Crow,	Herbst,	Magee,	Sensenich,
Daix,	Hilton,	Martin,	Sheatz,
DeWitt,	Homsher,	McIlhenny,	Snyder,
Endsley,	Hunter,	McNichol,	Stineman,
Farley,	Jarrett,	McNichols,	Thompson,
Fisher,	Jones,	Miller,	Vare,
		Mills,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 167, entitled:

A Supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one enlarging the powers of such cities over the public streets and highways therein

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Sensenich,
Buckman,	Herbst,	Magee,	Sheatz,
Clark,	Homsher,	Martin,	Snyder,
Crow,	Hunter,	McNichol,	Stineman,
Daix,	Jarrett,	Miller,	Thompson,
DeWitt,	Jones,	Mills,	Vare,
Endsley,	Judson,	Moore,	Wasbers,
Farley,	Kline,	Morgan,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. ALEXANDER. Mr. President, I move that Senate Bill No. 189 on third reading entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State forest reserves and to improve and maintain the same

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. WASBERS. Mr. President, I ask that Senate Bill No. 215, on third reading, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which has heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 230, (House Bill No. 11), entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beidleman,	Fisher,	Judson,	Powell,
Buckman,	Gyger,	Kline,	Sensenich,
Clark,	Heacock,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,	Homsher,	McIlhenny,	Stineman,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—2.

Herbst, Wasbers.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 233, (House Bill No. 51), entitled:

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton County to Warren township in Franklin County and relating to the collection of taxes in Franklin County"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Knapp,	Nulty,
Beidleman,	Hall,	Magee,	Powell,
Buckman,	Heacock,	Martin,	Sensenich,
Clark,	Herbst,	McIlhenny,	Sheatz,
Crow,	Hilton,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Fisher,	Kline,	Morgan,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 347, (House Bill No. 277), as follows:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever in a newspaper periodical circular form letter or other publication published distributed or circulated in this Commonwealth in any advertisement in this Commonwealth knowingly makes or disseminates or causes to be made or disseminated any statement or assertion concerning the quantity the quality the value the merit the use the present or former price the cost the reason for the price or the motive or purpose of a sale of any merchandise securities or services or concerning the method or cost of production or manufacture of such merchandise or the possession of rewards prizes or distinctions conferred on account of such merchandise or the manner or source of purchase of such merchandise or securities which is untrue or calculated to mislead shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not more than one thousand dollars or by imprisonment in the county jail not exceeding sixty days or by both such fine and imprisonment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Hall,	Kline,	Powell,
Beidleman,	Heacock,	Knapp,	Sensenich,
Buckman,	Herbst,	Magee,	Sheatz,
Clark,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Stineman,
Daix,	Homsher,	McNichol,	Thompson,
Endsley,	Hunter,	Miller,	Vare,
Farley,	Jarrett,	Mills,	Wasbers,
Fisher,	Jones,	Morgan,	Gerberich,
Gyger,	Judson,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

MOTION TO RECOMMIT BILL.

Mr. KLINE. Mr. President, according to the rules of all bills carrying appropriations with them, after they have been considered by the respective committees, the rule and precedent of the Appropriation Committee is that they be recommitted as a matter of right by the Chairman of the Appropriation Committee for the consideration of the amounts and whether or not those amounts are correct. the same as any other appropriation bill which comes before the Senate of Pennsylvania for its consideration, and

I therefore move that Senate Bill No. 385 (House Bill No. 443), on third reading, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department

be recommitted to the Committee on Appropriations in view of the premises of my remarks.

Mr. HERBST. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. POWELL. Mr. President, under ordinary circumtances it would be well to send this bill to the Committee on Appropriations for its consideration, but the Chairman of the Committee on Appropriations has had the consideration of substantially this bill in the sessions of 1909 and 1911. In the session of 1911 the Chairman of the Committee on Appropriations was the sponsor for a bill prepared by Auditor-General Sisson, and this bill has been prepared and has the consent and advice of ex-Auditor General Hardenberg, ex-Auditor General Young and the present Auditor General Sisson. It was prepared after a careful examination of the Governor's message with the advice of these three Auditor Generals and after a careful consideration of the report of the Commission on Taxation and Revenue, and it does not differ substantially from the bill recommended by the revenue commission and it is a combination of the bills presented in 1909 by Auditor General Young and in 1911 by Auditor General Sisson. It is true, as the Chairman of the Committee on Appropriations said, that occassionally bills are referred back to the Committee on Appropriations, but in this case there is absolutely no necessity for the rule, because the Chairman of the Committee and the Committee on Appropriations of two session of the Legislature have considered this bill. It has been passed in two sessions and passed with practical unanimity in both sessions. It passed the House by a vote of 144 to 24 and it has been considered for six years. There has been absolutely nothing done in the office of the Auditor General since 1861. Every department of this State government has during that time been either created or reorganized, and if you will turn to Smull's you will find that the law as it is at present provides in the office of the Auditor General for only fourteen clerks; yet in Smull's in the front of the book, it shows that the Auditor General has sixty-four employees in his office. Now these sixty-four employees are carried along upon contingent expenses or paid this way and that way and the other, but they are paid, and this bill is not anything except to put in one class where it may be seen by everybody how many employees are in the Auditor General's office specifically authorized there by law, and show the people where the people's money is going. The office of the Auditor General of this Commonwealth is the office through which every dollar which goes into the State Treasury must pass, and every dollar that goes out of the State Treasury must also pass under the supervision of these clerks. The best paid man in the Auditor General's office to-day gets $3,000, and there are many lawyers in this Commonwealth who get fees three times, five times, ten times that amount for the settlement of a single corporation tax. Now does the State of Pennsylvania want to have a man who gets $3,000 a year settling taxes with a man who gets $30,000 for that particular settlement? If you call that good sense, if you call that economy, then this motion might be justified, but here is a bill which has been considered in two separate sessions of the Legislature and has been passed in two separate sessions, and the only excuse that ever I heard for the bill not being a law was that the corporations said that they would rather settle with a poorly paid man; I beg your pardon, not the corporations, it is always some attorney who says he would rather settle with a poorly paid man. Of course, a man who gets $30,000 in a single fee or $10,000 or $5,000 would rather settle with a man who gets $3,000 a year, who is paid by the great Commonwealth of Pennsylvania to collect its thirty-two or thirty-five million dollars a year of revenue, and paying him $3,000. It is an outrage on the men employed in the Auditor General's office and it should not receive the support of this Senate for one scintilla of a second. I understand the situation exactly and there is no particular animus in this so far as the chairman of the Committee on Appropriations is concerned. It is his duty to make this motion if it is requested by anybody, but this bill is in proper form. It has been considered, as I said before, by three ex-Auditor Generals of this Commonwealth. It has been recommended by a commission appointed by the Senate and House upon which were such able men as Senator Crow, Senator McNichol, Senator Sproul, the Speaker of the House, and the Chairman of the Committee on Appropriations of the House in the last session, and a number of other men, and it substantially conforms to their recommendations, and there is no objection to this bill that can have any ground upon which to stand, and I earnestly ask the members to bring this measure to a vote now. It has been properly considered and I have an appointment this afternoon to go down to the Auditor General's office and sit down with the present Auditor General and prepare a budget for next year, and that is directed by law to be done prior to his time. If this bill passes we will know somewhat where we stand when we go to prepare this budget this afternoon.

Mr. JARRET. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Mr. President, I will.

Mr. JARRETT. Mr. President, was this bill up last session?

Mr. POWELL. Mr. President, not this identical bill, but there was a bill in the last session of the same kind.

Mr. JARRETT. Mr. President, a reorganization of the Auditor General's Department?

Mr. POWELL. Mr. President, yes.

Mr. JARRETT. Mr. President, how did the Senator from Allegheny, Mr. Powell, vote on it?

Mr. POWELL. Mr. President, I voted aye. It was one of those I thought was so plain and necessary that I voted aye. I voted no on a great many salary-raisers.

Mr. JARRETT. Mr. President, it is my recollection that when this measure came up last session I was recorded as voting aye, and I feel to-day that my judgment has not changed at all, and I feel with Senator Powell that the men are not well enough paid and should get what is provided for in the bill, and I stand where I stood last session.

Mr. KLINE. Mr. President, I have grave fears that the members of the Senate of Pennsylvania have a misconception of the object of sending this bill back to committee. In the eloquent remarks of my good colleague from Allegheny county he told us all about the merits of the bill, which I did not raise in the motion, but the merits of this bill have been discussed, as he says, by several legislatures, and they are fully understood, especially by the chairman of the Appropriations Committee of the Senate of Pennsylvania, and I want to say that I also understand the wants and needs and necessities of this great department, and I have also sat upon the tax commission of the Commonwealth of Pennsylvania to devise revenues and presented bills whereby greater revenues can come through this great office of the Auditor General of Pennsylvania. But this is not the issue here at the present time. We already realize the wants and the needs of the people, and we all know that for the appropriations to hospitals and homes and other charitable institutions in the interest of humanity we need all the money we can possibly get. That is not the question, that is not the issue before the Senate of Pennsylvania at the present time. I thought I made myself clear when I said that the merits of this bill have already been discussed. Nobody questions that. We have faith and confidence in the members of the committee that considered this bill before it was reported here and placed upon the Calendar, and if we had not we would discharge the members of that committee from consideration of any bill. But the question here is the amount of money that this bill carries with it, and the excuse that they desire to sit down and form a budget is no excuse whatever because it goes into the general appropriation bill, and if it carries the same amount as it did two years ago, four or six years ago, let them put it in the general appropriation bill, and we can correct this amount any time before the final passage of the general appropriation bill. This is merely my motion, Mr. President and gentlemen of the Senate, to send this bill back to the committee for the consideration of the amounts, according to well established precedent. This was done only a few days ago by the Senator from

Bucks, Mr. Buckman, with the bills for bridges across the Delaware because he knew after they were considered by his committee, the Committee on Public Roads and Highways, it was obligatory to send them to the Committee on Appropriations for the consideration of all amounts, and I sincerely hope my motion will prevail.

Mr. POWELL. Mr. President, if it were true that this was an unbroken precedent of this House I would be the last man to ask to break it, but it strikes me that a few minutes ago we passed a bill for the creation of five new judges in the city of Philadelphia, and the Committee on Appropriations never even appeard to know that the bill was on the Calendar. They did not send that back to the Committee on Appropriations. The first Senate Bill No. 1, carried an appropriation, and it was never in the hands of the Committee on Appropriations, according to the history of the bill.

Mr. KLINE. Mr. President, That is fixed by law, the judge's salary.

Mr. POWELL. Mr. President, the salary is fixed by law and these salaries are fixed here. They go into the general appropriation bill the same as that, but the bill appropriating the money on automobiles and the bills making deficiency appropriations have gone through and been signed by the Governor and they were never in the hands of the Committee on Appropriation and never referred back.

Mr. KLINE. Mr. President, yes, they were.

Mr. POWELL. Mr. President, this Senate Bill No. 1, came from the Committee on Public Roads and Highways and the history shows that it was never before the Committee on Appropriations. The Secretary of the Senate makes up this history. If this were the unbroken precedent I would have no objection whatever, but there is absolutely no necessity for this proposition. This bill went through the House without being referred to the Committee on Appropriations. All the chairman of the Committee on Appropriations of the House wanted to know was the total amount. He saw it was within the appropriation made to this department two years ago and was perfectly satisfied. Why should not my good friend from Allegheny County be satisfied? I vouch for the fact that this bill does not carry as much as was by this same committee appropriated to the Auditor General's Department two years ago, and why then should it be referred to the Committee on Appropriations.

And the question recurring,

Will the Senate agree to the motion?

It was not agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 385, (House Bill No. 443), entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor-General's Department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Heacock,	Martin,	Salus,
Beidleman,	Hilton,	McIlhenny,	Sensenich,
Buckman,	Hoke,	McNichol,	Sheatz,
Clark,	Homsher,	McNichols,	Stineman,
Crow,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Mills,	Wasbers,
Farley,	Jones,	Moore,	Werberich,
Gyger,	Judson,	Nulty,	Pres. pro tem.
Hall,	Magee,	Powell,	

NAYS—2.

DeWitt, Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

MINE INSPECTORS EXAMINING BOARD OF THE BITUMINOUS DISTRICT OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Mine Inspectors Examining Board of the Bituminous District of the Commonwealth of Pennsylvania, for the term of four years:—

A. W. Calloway, Mining Engineer, Indiana, Pa.
Robert Morris, Mining Engineer, Greensburg, Pa.
Harry C. Drum, Miner, Coal Center, Pa.
Robert M. Pollock, Miner, Star Junction, Pa.
C. B. Maxwell, Miner, Morrisdale, Pa.

JOHN K. TENER.

MEMBERS OF STATE BOARD OF UNDERTAKERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. C. A. Baldi, of Philadelphia, to be a member of the State Board of Undertakers, to serve until October 16, 1914.

JOHN K. TENER.

MEMBERS OF STATE BOARD OF UNDERTAKERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the State Board of Undertakers, for the terms of three years, to compute from the dates set after their several names, respectively:—

Charles L. Dykes, Philadelphia, October 16, 1911.
Albert E. Miller, Kingston, October, 16, 1912.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

CLEARFIELD COUNTY.

Geo. S. Beckwith, DuBois.

DELAWARE COUNTY.

Jospeh Hellas, Jr., Darby.

LANCASTER COUNTY.

James Hale Steinman, Lancaster.

LEHIGH COUNTY.

Anton Wolst, Allentown.

PHILADELPHIA COUNTY.

Edward B. Morris, Jr., Philadelphia.
George S. Wolbert, Philadelphia.

NORTHAMPTON COUNTY.

W. Bion Fritchman, Freemansburg, March 3, 1913.

PHILADELPHIA COUNTY.

S. C. Abernethy, Philadelphia, March 3, 1913.
George Koppenhoefer, Jr., Philadelphia, March 10, 1913.
Thomas J. O'Rourke, Philadelphia, March 10, 1913.
Miss Florence E. Thornton, Philadelphia, March 10, 1913.

SCHUYLKILL COUNTY.

John Goyne, Mahanoy City, March 10, 1913.

SOMERSET COUNTY.

Robert E. Ross, Addison Twp., March 10, 1913.

ALLEGHENY COUNTY.

Miss Nettie W. Becker, Pittsburgh, March 10, 1913.

LUZERNE COUNTY.

Joseph J. Baer, Wilkes-Barre, February 27, 1913.
R. B. Alexander, Wilkes-Barre, March 3, 1913.

PHILADELPHIA COUNTY.

William Linton, Philadelphia, March 3, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

R. F. Rossell, Pittsburgh, February 27, 1913.
Charles L. Totten, Pittsburgh, February 27, 1913.
William Augustine Golden, Pittsburgh, March 6, 1913.
Harry E. Holman, Pittsburgh, March 10, 1913.
William R. Johnston, Pittsburgh, March 10, 1913.
Chauncey L. Mark, Pittsburgh, March 10, 1913.
Louis Cella, Jr., Pittsburgh, March 27, 1913.

CLEARFIELD COUNTY.

John Lewis Irwin, Clearfield, March 10, 1913.

COLUMBIA COUNTY.

Miss Adelaide L. Ferris, Bloomsburg, March 10, 1913.

DAUPHIN COUNTY.

William Blanning, Williamstown, February 27, 1913.
Montgomery H. Miller, Harrisburg, April 7, 1913.

LACKAWANNA COUNTY.

Lyman M. Smith, Carbondale, February 27, 1913.

LANCASTER COUNTY.

Ralph V. Alexander, Lancaster, February 27, 1913.
Miss Sue M. Stroh, Manheim, March 3, 1913.

M'KEAN COUNTY.

Chauncey W. Sharpe, Bradford, March 10, 1913.

MIFFLIN COUNTY.

John T. T. Wilson, Union Twp., March 10, 1913.

JOHN K. TENER.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 475, (House Bill No. 456), entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the Bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Hall,	Martin,	Powell,
Beidleman,	Heacock,	McIlhenny,	Sheatz,
Buckman,	Herbst,	McNichol,	Snyder,
Clark,	Hilton,	McNichols,	Stineman,
Crow,	Hoke,	Miller,	Thompson,
DeWitt,	Homsher,	Mills,	Vare,
Farley,	Hunter,	Morgan,	Wasbers.
Fisher,	Judson,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 518, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over 150,000 population and less than 250,000 population.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 2.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 2, entitled:

An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of an act entitled 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaing such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to amend Section five nine fifteen nineteen twenty and twenty-five of an act entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaing such a bureau and providing certain penalties, which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a unform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths" by changing the fees for birth and death certificates."

REPORT OF COMMITTEE OF CONFERENCE ON CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

Mr. SHEATZ. Mr. President, I ask unanimous consent that the Senate do now proceed to the consideration of the report of the committee of conference to consider the differences existing between the two Houses in relation to resolution reported by me at today's session.

The PRESIDENT. Is there objection? The Chair hears none.

The report of the committee of conference was read by the Clerk as follows:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers, said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st, 2nd, 3rd and 4th, by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th, 1863.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July 1st, 2nd, 3d and 4th, upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania or who are now living in Pennsylvania, also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. In case said soldier, sailor or marine lives beyond the State lines of said State his expenses shall be borne only from and to the State line within said State of Pennsylvania. A copy of this resolution, when approved, to be forwarded to the President of the Commission for consideration and action.

GEORGE W. ALLEN,
J. H. WILTBANK,
E. LOWRY HUMES,
JOHN O. SHEATZ,
BENJ. JARRETT,
JOSEPH ALEXANDER.

On the question,

Will the Senate adopt the report of the committee of conference?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 59, entitled:

A supplement to an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances," approved the second day of June, Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the term of existing associations, and providing for certain additional officers in such associations.

The first section of this bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any association formed under the act to which this is a supplement shall have occasion to increase its capital stock or otherwise amend its recorded statement it shall be lawful for such association after due notice required by existing laws by a vote of a majority of its members in number and interest to increase its capital stock or otherwise amend its statement which amended statement shall be recorded as provided by law and such increase in capital may made by subscriptions in cash or property as provided by law or for surplus earnings actually held or invested in property by the association.

On the question,

Will the Senate agree to the section?

Mr. SNYDER. Mr. President, I move to amend section 1, in line 11, by inserting after the word "may", the word "be."

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agred to.

The second and third sections of the bill were read as follows and agreed to:

Section 2. Whenever any association shall increase its capital stock or otherwise amend its statement as provided in the first section of this act it shall be lawful for such association to fix and determine the contemplated duration of said association under such amended statement which shall not exceed the term of twenty years from and after the date of such increase or other amendment.

Section 3. It shall be lawful for any association formed under the act to which this is a supplement to elect of its members a vice-president and assistant secretary and assistant treasurer vested with the same authority respectively as the president secretary and treasurer in the absence of such respective officer.

The title of the bill was read as follows and agreed to:

A supplement to an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances," approved the second day of June, Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the term existing associations and providing for certain additional officers in such associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 265, as follows:

An Act to amend Section eighteen of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous birds and other wild bird and prescribing penalties for violation of its several provisions."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section eighteen of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insetivorous birds and other wild birds and prescribing penalties for violation of its several provisions" that now reads as follows:

"Section 18. It shall be unlawful for any person to shoot at or take or kill or wound or attempt to take or kill or wound any deer in this Commonwealth except from the fifteenth day of November to the first day of December of the same year or to kill in any one season more than one deer which in every instance shall be a male deer with horns visible above the hair or to have a deer so killed or taken or any part thereof in possession excepting during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or any part thereof shall unless the head bearing horns be attached thereto or unless said head bearing horns shall be immediately produced upon demand by any officer of the Commonwealth whose duty it is to protect the game of the State in all instances be prima facie evidence of a violation of the provisions of this act and shall render the person in whose possession or under whose control the same shall be found or who may be proven to own the same liable to a penalty of one hundred dollars for each offense Each and every person violating any provisions of this section shall be sentenced to pay a penalty of one hundred dollars for each offense" so as to make it read as follows:

Section 18. Except as provided for in this act it shall be unlawful for any person in this Commonwealth to at any time take or kill or wound or to attempt to take or kill or wound either a female deer or a fawn deer found in a wild state in this Commonwealth or to take or kill or wound or to attempt to take or kill or wound a deer of any kind found in a wild state in this Commonwealth excepting during that time beginning with the morning of the fifteenth day of November of each year and extending to the beginning of the first day of December next following Sundays excepted which time shall be known as the open season for deer in this Commonwealth and it shall be unlawful for any person to kill more than one deer during the open season of any one year which deer in every instance shall be a male deer with antlers commonly called horns extending for at least two inches above the hair or three inches in length measuring from the skull or to have a deer so killed or taken or any part thereof in possession or under control except during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or of any part thereof shall unless the head bearing antlers or horns of the required length be attached thereto or unless said head bearing such antlers or horns shall be immediately produced upon demand made by any officer of the Commonwealth whose duty it is to protect the game and wild birds of the State in all instances be prima facie evidence that the deer in question has been taken and held contrary to the provisions of this act and shall render the person in whose possession or under whose control the same may be found liable to a penalty of one hundred dollars for each offense Each and every person violating any provisions of this section shall upon conviction be sentenced to pay a penalty of one hundred dollars for each offense.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 316, as follows:

An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act the Board of Game Commissioners of this Commonwealth shall have the power and authority to close for a term of years to the purposes of hunting any of the territory that may to the residents of that territory appear necessary to the protection of game placed or found thereon such territory in no instance to be less than one county in area and in no instance to exceed four contiguous counties in any one tract in this Commonwealth

Section 2 That whenever at least two hundred citizens of any county in this Commonwealth shall through written petition certify to the Board of Game Commissioners that in their opinion an absolutely closed season is necessary to insure the better protection and consequent increase of any or all species of game found in that county in which such citizens may reside and asking that such county be closed to hunting for a period the Board of Game Commissioners shall forward to said petitioners and others a blank form setting forth such questions as they may consider best suited to determine the quantity of game and game conditions in the county in question which said forms with replies to entitle such answers to consideration before said Board of Game Commissioners shall be returned to said board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county to be closed the statement that such petition has been filed with its purpose and the return day for information as fixed by the Board of Game Commissioners and shall file with said board duly certified copies of such notices as published in each newspaper on or before said return day. If the written answers as returned shall fail to satisfy said Board of Game Commissioners that such closed season is necessary or those opposing such action shall demand a hearing before said board then a hearing shall be had upon such date and at

such place within the county to be affected as may be decided upon by the said Board of Game Commissioners the expense of such hearing to be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board of Game Commissioners shall be satisfied such closed season is necessary to insure the better protection of game and its consequent increase they are herewith empowered and directed to declare a closed season not to exceed five years for any kind or for all kinds of game as the investigation may demonstrate is needy in that county or in those several counties not exceeding four in number and adjoining one another that through the separate action of its citizens has been in accord with the requirements of this act

The Board of Game Commissioners to make such closed season effective and binding shall be required to publish annually their decision and action regarding this matter in at least five newspapers if there be that many in each county affected thereby and to have notices of such ruling declaring such county closed to hunting printed upon cloth annually distributed in reasonable numbers throughout the affected territory

Each and every person violating the requirements of such ruling made by the Board of Game Commissions under the requirements of this act shall be liable to a penalty of two hundred dollars for each elk and one hundred dollars for each deer taken killed wounded or had in possession or attempted to be taken killed or wounded or had in possession upon said closed territory and twenty-five dollars for each game bird shot at taken killed wounded or had in possession or attempted to be taken killed or wounded or had in possession upon such closed territory

Section 3 Each and every magistrate justice of the peace and alderman within this Comomnwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions this act except where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magristrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the general appropriation act or by separate apropriation for the payment of bounties Any defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provisions of this act may at his descretion either before or after the bringing of suit sign an acknowledgement of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 322, as follows:

An Act to extend the time for commencing and the time for opening and completing all railroads in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the time for commencing construction of any and all railroads in this Commonwealth heretofore located by any railroad or railways companies incorporated under or in pursuance of any general law of this Commonwealth and the time for opening and completing any or all railroads in this Commonwealth heretofore commenced by any such railroad or railway companies be and the same hereby are extended for the period of five years from and after the time limited for the commencement of the construction or for the opening and completing as the case may be of the same by any general law under or in pursuance or which any such companies respectfully may have been incorporated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 322, the bill just read be recommitted to the Committee on Corporations.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at this morning's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Farley,	Jones,	Morgan,
Beidleman,	Fisher,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Hall,	Knapp,	Sensenich,
Clark,	Heacock,	Kurtz,	Sheatz,
Crow,	Herbst,	Magee,	Snyder,
Dalx,	Hilton,	Martin,	Stineman,
DeWitt,	Homsher,	McIlhenny,	Washers,
Endsley,	Hunter,	Miller,	Gerberich,
		Mills,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 36, entitled:

An Act providing for the appointment and removal of police in townships of the second class and fixing their duties powers compensation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

A Joint Resolution proposing an amendment to Article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to

the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 69, entitled:

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An Act regulating the making of certain reports and statements to the Auditor General for purposes of State taxation

And said bill having been read at length the first time.

Ordered, To be laid aside for a second reading.

BILL RECOMMITTED.

Mr. POWELL. Mr. President, I move that Senate Bill No. 72, the bill just read, be committed to the Committee on Finance. I have been asked by the Chairman of that Committee, who is sponsor for this bill, to have it recommitted for amendment to conform to Act 345 of the Session of 1911. He wishes to amend so that it will be covered by the said Act.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 73, entitled:

An Act to amend sections two and three of an act entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" approved the second day of May one thousand eight hundred eighty-nine extending the same to other cases of escheat

And said bill having been read at length the first time.

Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

An Act regulating reports for the purposes of taxation by corporations joint stock association and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 76, entitled:

An Act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money deposits of money stocks bonds notes papers and other securities and all other valuables of the same or any other kind for safe keeping and stock and dividends and the principal and interest of bonds notes certificates and of all and any other kinds of indebtedness of corporations limited partnerships and partnership associations and providing for the enforcement of the same

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled.

An Act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin county any sum of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 169, entitled:

An Act relating to findings in proceedings in lunacy

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 225 (House Bill No. 88), entitled:

An Act to amend the first section of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of the county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled 'An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said county' approved June twenty-seventh one thousand eight hundred ninety-five so as to make it apply to all counties containing one hundred and fifty thousand inhabitants and authorizing the Governor to fill vacancies' approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand inhabitants

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 229, (House Bill No. 24), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 232, (House Bill No. 89), entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 274, entitled:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 275, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred ninety-five, entitled "An Act relative to the Public Grounds and Buildings defining the powers of the commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve, Article three of the Constitution relative to contracts for stationery supplies, fuel, furniture, furnishings, distribution of documents, repairs, alteration or improvements and other matters needed by the Legislature the several departments, boards and commissions of the State Government and Executive Mansion; authorizing the appointment of a Superintendent and defining his powers authority and duties, and providing for the appointment of subordinate officers required by this act, and fixing the compensation of the same.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 276, entitled:

An Act to amend an act approved the fourth day of June, one thousand nine hundred one, entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road conduit tunnel, mine coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir,

viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, coal, air or any other substance furnished to the public well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto," as amended.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 281, entitled.

An Act to carry out the mandates of Article five, Section twenty-two of the Constitution of the Commonwealth of Pennsylvania providing for the establishment and creation of a separate orphans' court in counties having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 328, entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred seventy-nine, entitled "An Act to provide revenue by taxation," as variously amended and supplemented.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 333, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June, Anno Domini one thousand nine hundred eleven (Appropriation Acts, page two hundred fifty-nine), making an appropriation to pay the tuition of students in State Normal Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 334, (House Bill No. 236), entitled:

An Act regulating the manufacture, sale and offering for sale of mattresses, and fixing penalties for violation hereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 350, (House Bill No. 248), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred ninety-five, entitled "An Act to honor the United States flag as the National Emblem of a free people and to protect it from domestic and foreign insult."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built-up portions of cities and boroughs unless covered wagons or vehicles be used, and providing a penalty for violation thereof.

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 370, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mt. Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 386, entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 405, entitled:

An Act to amend the third section of an act entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May one thousand eight hundred eighty-three so as to fix the number and compensation of the officers of the committee on lunacy

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 406, entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled **"An act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred sixty-nine so as to confer addtional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent**

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 2, entitled:

An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths" by changing the fees for birth and death certificates"

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

BILL INTRODUCED.

Mr. HEACOCK. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEACOCK, at the request of nearly six hundred petitioners, read in his place and presented to the Chair Senate Bill No. 525, entitled:

An Act permitting fishing on Sunday.

Which was committed to the Committee on Game and Fisheries.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL INTRODUCED.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 526, entitled:

An Act providing for an Engineers' Commission, prescribing its duties and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Education, reported as committed, Senate Bill No. 362, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof.

BILL ON THIRD READING.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Bill No. 46, on third reading, entitled:

An Act to amend Section ten of an act, entitled "An Act to provide for the protection and preservation of game, game quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the first day of May, Anno Domini one thousand nine hundred and nine.

which went over in its order this morning.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 46, as follows:

An Act to amend Section 10 of an act, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the first day of May Anno Domini one thousand nine hundred and nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section 10 of an act entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," which reads as follows:

Section 10. It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at, wound or take or kill any wild bird other than a game bird or to have such bird or any part thereof in possession or under control within this Commonwealth or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth any such bird or any part thereof protected by the laws of this Commonwealth or to have in possession or under control or to sell or to offer to sell within this Commonwealth either living or dead any wild birds other than a game-bird that has been brought into this Commonwealth from another State or country that is of a kind found in a wild state in this Commonwealth. Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each bird shot at wounded killed taken or had in possession or sold, offered for sale, transported, shipped or removed or attempted to be transported, shipped or removed out of this Commonwealth or for any part thereof in any manner held for a purpose contrary to the provisions of this act. Provided however, That the blue-jay, the English sparrow, the European starling, the kingfisher, the shrike, the eagle, buzzard, the osprey, sharp-shinned hawk, Cooper's hawk, goshawk, duck hawk, pigeon hawk, the great-horned owl, barred owl, the crane, the heron the bittern, the crow and the raven shall not be protected by any law of this Commonwealth and may be killed at any time and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animal that have been imported for propagating purposes or to prevent at any time the purchase or sale without this State or the shipment out of the State of the living bodies of English Mongolian or Chinese pheasants or of Belgian hare raised in captivity that are shipped from such place of confinement without being first released or set at liberty in the Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild bird or animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported be and the same is hereby amended so as to read as follows:

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at or wound or take or kill any wild bird other than a game-bird or to have such bird or part thereof in possession or to have any part of the plumage or skin thereof in possession or under control for purposes of sale or to offer or expose the same for sale within this Commonwealth or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose such bird or any part of the plumage or skin thereof or to have such bird in possession or under control for sale or to sell or to offer to sell within this Commonwealth either living or dead any wild bird other than a game bird or any part of the plumage or skin thereof of a kind found either in a wild state in this Commonwealth or that may have been brought into this Commonwealth from another State or country and which belong to the same family as those found in a wild state in this Commonwealth

Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each wild bird shot at wounded or killed or taken or had in possession transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or from any part thereof in any manner taken or held for a purpose contrary to any of the provisions of this act such bird being of a kind found in a wild state in this Commonwealth and any person acting either for himself or as the agent or representative of another who shall sell or barter or who shall attempt to sell or barter or who shall have in possession for sale or barter within this Commonwealth or who shall ship or remove or cause to be shipped or removed out of this Commonwealth for sale or barter a wild bird either living or dead or the skin or the plumage or any part of such bird or skin or plumage of a kind belonging to the same family as those birds found in a wild state in this Commonwealth shall be liable to a penalty of twenty dollars for each bird or bird skin or bird plumage or any part thereof sold offered for sale had in possession for sale or in any manner removed out of this Commonwealth for sale contrary to the provisions of this section Provided however That the blue-jay the English sparrow the European starling the kingfisher the buzzard sharp-shinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl the barred owl and the crow shall not protected by any law of this Commonwealth and may be killed at any time and provided further that the owner or operator of a public or private plant in which fish are artificially raised or retained shall have the right to kill any great blue heron night heron or green heron when such birds are caught in the act of destroying their fish and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animals that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the State of live English Mongolian or Chinese pheasants or Belgian hares raised in captivity that are shipped from such place of confinement without being first released or set at liberty in this Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported or the possession of any part of a wild bird legally taken in this Commonwealth or captured elsewhere and legally imported into this Commonwealth from any other State or country for purposes of study or exhibition or for any other purpose out not for sale Provided That no penalty as provided for by this act for the sale of feathers taken from wild birds not found in a wild state in this Commonwealth shall be imposed for either the sale of such feathers within the Commonwealth or for the shipment of such feathers out of the Commonwealth prior to July first one thousand nine hundred and fourteen

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend the title of the bill in the last line by inserting after the word "nine" the words "by extending the list of protected birds and by further regulating the sale of feathers of protected birds."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF VOTE ON SECOND READING.

Mr. JONES. Mr. President, I move to reconsider the vote by which Senate Bill No. 265, entitled:

An Act to amend Section eighteen of the Act of May first, one thousand nine hundred and nine, entitled "An Act to provide for the protection and preservation of game, game quadrupeds and game-birds and song and song insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions."

passed second reading.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Mr. JONES. Mr. President, I move to reconsider the vote by which the title of this bill was agreed to.

Mr. KLINE. Mr. President, I second the motion.

And the question recurring,

Will the Senate agree to the title?

Mr. JONES. Mr. President, I move to amend the title by adding thereto the words "by further regulating the killing of deer."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

On the question,

Will the Senate agree to the bill on second reading as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Mr. VARE. Mr. President, I move that the Senate proceed to the first reading and consideration of Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building; providing for the condition under which such building may be erected and for the ownership thereof, providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site; authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and lands.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building; providing for the condition under which such building may be erected and for the ownership thereof, providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site; authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and lands.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. POWELL. Mr. President, I move that the Senate do now adjourn until March 10, 1913, at 9 o'clock P. M.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:48 o'clock P. M. until 9 o'clock Monday evening, March 10, 1913.

ERRATUM.

In proceedings of Feb. 25, 113, the following communication should have been inserted under the heading NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 25, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

B. Ranky, Homestead, March 1, 1913.
W. F. Berger, Pittsburgh, March 3, 1913.
Luther Mandeville, Pittsburgh, March 10, 1913.

BERKS COUNTY.

George D. Schaeffer, Fleetwood, March 10, 1913.

BRADFORD COUNTY.

H. H. Mercereau, Sayre, March 27, 1913.

BUTLER COUNTY.

C. L. McQuistion, Butler, March 10, 1913.

CLINTON COUNTY.

W. H. Rosser, Mill Hall, March 10, 1913.

DAUPHIN COUNTY.

H. W. Crouse, Harrisburg, March 13, 1913.

ERIE COUNTY.

Monroe Echols, Erie, April 7, 1913.

FAYETTE COUNTY.

Alfonso Basilone, Connellsville, March 10, 1913.
Gaetano Corrado, Connellsville, March 23, 1913.

MERCER COUNTY.

P. J. Bartleson, Sharpsville, March 8, 1913.

MONTGOMERY COUNTY

A. Clarence Emery, Norristown, March 10, 1913.

PHILADELPHIA COUNTY.

J. William Simons, Philadelphia, March 10, 1913.

JOHN K. TENER.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 26th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer.

Oh Thou who art the light of the eyes that see Thee, and the life of the souls that love Thee, and the strength of the hearts that trust Thee, we reverently come to Thee at the beginning of this new day. There is gratitude and thankfulness in our hearts. Thou hast refreshed us with sleep, and Thou hast blessed us with energy and strength for the work of this day. There is renewal of purpose in our hearts by Thy divine prompting, purpose of fidelity, and earnestness and true devotion to the service which shall engage us. There is expectation and hopefulness in our hearts for we are well assured that as Thou hast helped and blessed us hitherto so shall it be to-day. We need this help for we humbly confess before Thee our limitations and weaknesses. We are fallable men, prone of sin, liable to error, easily influenced for evil as for good; swayed even unconsciously by our feelings and impulses, our desires and passions. We need the restraining, the enlightening and quickening of Divine grace, and we earnestly ask these blessings in the name and for the sake of Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. CONNER. House Bill No. 958.

An Act making an appropriation to the German Hospital, of the City of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. WETTACH. House Bill No. 959.

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, situated in the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CONNIFF. House Bill No. 960.

An Act to amend Section one thousand two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. BERNTHEISEL. House Bill No. 961.

An Act to amend the twenty-eighth section of an act, entitled "An Act to consolidate, revise and amend the laws of this Commonwealth, relating to penal proceedings and pleadings," approved the thirty-first day of March, one thousand eight hundred and sixty, Pamphlet Laws, page four hundred thirty-seven, so as to include all acts of embezzlement committed within statutory period.

Referred to Committee on Judiciary Special.

By Mr. REESE. House Bill No. 962.

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons, and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania," approved the eighteenth day of April, one thousand nine hundred and five.

Referred to Committee on Judiciary Local.

By Mr. GRAMLEY. House Bill No. 963.

An Act making an appropriation to Boyd L. Hunter, as compensation for the loss of life and services of his son, Robert C. Hunter, while in the employment of the State Highway Department.

Referred to Committee on Appropriations.

By Mr. J. W. SWARTZ. House Bill No. 964.

An Act authorizing and empowering township supervisors, in townships of the second class, to enter into contract with electric, gas or other light companies, for the purpose of lighting and illuminating the streets, highways and other public places in any village in said township, and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the districts benefitted.

Referred to the Committee on Counties and Townships.

By Mr. LORENZO SMITH. House Bill No. 965.

An Act to prevent any person or persons either as owner, agent, tenant, janitor, superintendent or manager, or as a director, trustee, or as a member of any committee of any organization, incorporated or otherwise, having the charge, care, control or management of any building or part of any building, or the grounds adjacent thereto, from designedly furnishing any elector qualified by law to vote for public officials in this Commonwealth on any of the days that elections for public officials are held in this Commonwealth, between the hours of 6 A. M., and 8 P. M., with any spirituous, vinous or malt liquors; providing for the arrest of any person or persons violating the same, and the seizure of any spirituous, vinous or malt liquors upon the premises where the provisions of this act are being violated, and also providing for the punishment for the violation thereof.

Referred to Committee on Law and Order.

By Mr. KAISER. House Bill No. 966.

An Act making an appropriation to the Woods Run Industrial House, Petrel Street, North Side, Pittsburgh, Allegheny, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 967.

An Act amending Article VI of "An Act for the government of cities of the second class," approved the 7th day of March, Anno Domini one thousand nine hundred and one, as amended by the amendatory act approved the first day of April, Anno Domini one thousand nine hundred and nine, and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class," approved the 11th day of May, Anno Domini one thousand nine hundred and eleven, by providing for the classification of real estate for purpose of taxation into two classes, to wit, the buildings on land and the land exclusive of buildings, and by providing for the assesment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class.

Referred to Committee on Judiciary General.

By Mr. BROWNLEE. House Bill No. 968.

An Act authorizing companies incorporated under the laws of any other of the United States for any manufacturing business to take and hold real estate necessary and proper for manufacturing purposes.

Referred to Committee on Municipal Corporations.

By Mr. GOOD. House Bill No. 969.

An Act relative to commissioners of townships of the first class, and regulating their term and election.

Referred to the Committee on Counties and Townships.

By Mr. GANS. House Bill No. 970.

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the 24th day of May one thousand eight hundred eighty-seven and the amendment to Section 5 thereof adopted by the Legislature and approved the 24th day of March, Anno Domini one thousand nine hundred and five, amending Section 5 of said act as heretofore amended, providing that applicants for license shall have a preliminary general education, and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board.

Referred to the Committee on Public Health and Sanitation.

By Mr. E. G. M. KUHNS. House Bill No. 971.

An Act to amend Section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as to the State Highways of the Commonwealth, providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. HAGGERTY. House Bill No. 972.

An Act authorizing the allowance of Permanent Alimony in Divorce cases and providing for the enforcement of the payment and collection thereof.

Referred to Committee on Judiciary General.

By Mr. FLYNN. House Bill No. 973.

An Act to amend section one of an act approved the sixteenth day of June, A. D. 1891, entitled "An act to authorize the election of assistant assessors, for the purpose of registration of voters, in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides," by enlarging the term of assistant assessors, providing for their election every four years, and changing the power of filling vacancies from the court of quarter sessions in the county commissioners.

Referred to Committee on Elections.

By Mr. FLYNN. House Bill No. 974.

An Act providing for the division of election districts in cities of more than one hundred thousand inhabitants.

Referred to Committee on Elections.

By Mr. FLYNN. House Bill No. 975.

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, one thousand eight hundred and thirty-nine, by providing for the payment of mileage of inspectors of election for delivering the ballot boxes to the justice of the peace after the election.

Referred to Committee on Elections.

By Mr. FLYNN. House Bill No. 976.

An Act amending an act approved May 16, 1895, entitled "An act to amend sections two and three of an act entitled "A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May, one thousand eight hundred and nine-one, changing the time and manner of making the registry of voters and the duties of registry assessors."

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 977.

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 978.

An Act to amend an act approved May 29, 1891, amending an act approved January 30, 1874, the former being entitled "An act to amend sections one, two and three of an act, entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirteenth day of January, Anno Domini one thousand eight hundred and seventy-four, changing the time and manner of making the registry of voters and the duties of registry assessors," by abolishing the December registry."

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 979.

An Act to amend section thirteen of an act entitled "A further supplement to the Act regulating elections in this Commonwealth" approved the thirtieth day of January, Anno Domini one thousand eight hundred and seventy-four, as amended by section one of an act approved April twenty-eighth, one thousand eight hundred and ninety-nine as further amended by section one of an act approved May sixth, one thousand nine hundred and nine, by providing for the opening of the ballot boxes under certain circumstances.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 980.

An Act to amend the title and sections one (1) and two (2) of an act approved June 25, A. D. 1895, entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub, and requiring a sheet setting forth name, amount of tax paid and number of receipt to be sent, twenty days before each election, to the county commissioners for public inspection, and to provide for punishment of tax collectors violating the provisions of this Act."

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 981.

An Act to amend an act entitled "An act providing a uniform method of electing certain party officers and delegates to State and National conventions and of making nominations for certain public offices; providing for the payment of the expenses of the same; making certain violations thereof misdemeanors, and prescribing penalties for the violation of its provisions" approved the seventeenth day of February, Anno Domini one thousand nine hundred and six, by providing that the signed consent of the candidate shall accompany every petition to place his name upon a primary ballot; providing that no candidate's name shall be printed upon the ballot of more than one party except with the consent of every such party; and providing for the withdrawal of candidates.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 982.

An Act providing for the appointment of deputy tax collectors to sit at the polling places in cities of the first, second and third class upon the days provided for the personal registration of electors in said cities and for the appointment of registrars as such deputy tax collectors.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 983.

An Act to amend an act entitled "An act to provire for the personal registration of electors in cities of the first and second classes of this Comonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions" approved the seventeenth day of February, Anno Domini one thousand nine hundred and six, by changing the form of the register and by defining the method of proving the payment of taxes.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 984.

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration, and for voters voting, or attempting to vote, and for election officers premitting, or conspiring to permit, them to vote at a primary by or on any other than their own proper party ticket.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 985.

An Act to provide for the election at Fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a municipal election.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 986.

An Act defining the method of determining the vote cast by any political party and prescribing the method of making the return of such vote.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 987.

An Act to amend section nineteen of an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, one thousand nine hundred and three.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 988.

An Act to provide for the revision of the registration of voters in cities of the third class, by registrars appointed by the county commissioners; and prescribing penalties for their violation or neglect of duty and for other misconduct.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 989.

An Act to amend section six of an act entitled "An act to provide for the personal registration of elections in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violations of its provisions" approved the Seventeenth day of February, Anno Domini one thousand nine hundred and six as amended by section four of an act approved the sixteenth day of June, Anno Domini one thousand nine hundred and eleven, by changing the hours of registration.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 990.

An Act to amend an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by changing the form of the ballot, the method of distributing the ballots to the electors, the method of voting, and the method of counting the votes.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 991.

An Act providing the method of changing polling places.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 992.

An Act to amend an act entitled "An act to regulate the nomination and election of certain public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, one thousand eight hundred and ninety-three, by changing the form of ballot, the method of obtaining assistance and the method of counting and returning the votes.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 993.

An Act to amend an act entitled "An act providing for a uniform method of electing certain party officers and delegates to State and National conventions and of making nominations for certain public offices; providing for the payment of expenses of the same; making certain violations thereof misdemeanors, and prescribing penalties for the violation of its provisions," approved the seventeenth day of February, Anno Domini one thousand nine hundred and six, by providing for separate primaries for each party, conducted by officers selected by the party; permitting parties to determine what candidates they shall nominate thereat; defining the method of ascertaining the vote cast by a party for the purpose of determining its right to nominate by primary; requiring certain expenses incident thereto to be paid by the several parties; providing that the signed consent of the candidate shall accompany every petition to place his name upon a primary ballot; providing that no candidate's name shall be printed upon the ballot of more than one party except with the consent of every such party; and providing for the withdrawal of candidates.

Referred to the Committee on Elections.

By Mr. FLYNN. House Bill No. 994.

An Act to amend an act entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such election," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by changing the method of pre-empting the use of party names.

Referred to the Committee on Elections.

By Mr. WALNUT. House Bill No. 995.

An Act amending the third section of an act entitled "An act regulating the sale, prescription and possession of cocaine, its salts, derivatives, or compounds," &c., approved the eighth day of May, one thousand nine hundred and

nine, providing that a violation thereof shall constitute a felony instead of a misdemeanor and prescribing the penalties therefor.

Referred to Committee on Public Health and Sanitation.

By Mr. WALNUT. House Bill No. 996.

An Act to amend Article VI of an act entitled "An act to provide for the better government of cities of the first class in this Commonwealth," approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, so as to permit the heads of department to each appoint one deputy to sign warrants drawn in accordance with payrolls and salary lists approved by the head of the department; providing for the manner of appointing deputies; and the filing of payrolls and salary lists so approved with the controller.

Referred to Committee on Municipal Corporations.

By Mr. WALNUT. House Bill No. 997.

An Act requiring general hospitals and hospitals the purpose and practice of which is not limited to the treatment of special diseases or to the reception, care and treatment of special classes of people or patients receiving State aid by appropriations for or in aid of the erection, improvement, control, maintenance or support thereof to establish and maintain separate wards therein for the treatment and the reception therein of persons suffering from venereal diseases.

Referred to Committee on Appropriations.

By Mr. WALNUT. House Bill No. 998.

An Act to amend section three of an act approved the eighth day of May, 1909, entitled "An act regulating the sale, prescription, and possession of cocaine, its salts, derivatives, or compounds, alpha or beta eucaine, their salts, derivatives, or compounds; or any substances or preparation containing cocaine, its salts, derivatives, or compounds, or alpha or beta eucaine, their salts, derivatives, or compounds; and prescribing penalties for violation thereof."

Referred to Committee on Public Health and Sanitation.

By Mr. WHITAKER. House Bill No. 999.

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BAYLE. House Bill No. 1000.

An Act making an appropriation for the improvement of the port of Erie, by constructing a modern commercial steamboat landing, or wharf, upon State lands, within the harbor of Erie; authorizing the appointment of a Commission to construct same, and providing for regulating the manner in which said wharf shall be used by the public and kept in repair.

Referred to Committee on Appropriations.

By Mr. W. F. BLAIR. House Bill No. 1001.

An Act making an appropriation to the Waynesburg Hospital of Waynesburg, Greene County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McDERMOTT. House Bill No. 1006.

An Act to establish as a "State Highway" a certain section of public road, beginning in Phillipsburg Borough, thence over route fifty-seven to Point Lookout, thence to a point on the line dividing the counties of Centre and Clearfield, thence by way of Morrisdale and Allport of Kylertown connecting with route two hundred and nineteen.

Referred to Committee on Public Roads.

By Mr. WILLIAMS. House Bill No. 1007.

An Act authorizing the appointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon; and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. DONNALLY. House Bill No. 1008.

An Act providing for the reimbursement of owners of chestnut trees destroyed by "The Commission for the Investigation and Control of the Chestnut Tree Blight Disease in Pennsylvania," and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. STONE. House Bill No. 1009.

An Act to repeal an act, approved the twenty-fifth day of March, Anno Domini, one thousand nine hundred and three, entitled "An act to encourage the repression of tuberculosis of cattle, and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food.

Referred to Committee on Agriculture.

By Mr. STONE. House Bill No. 1010.

An Act relating to domestic animals and poultry; providing methods of improving the quality thereof, and of preventing, controlling and eradicating diseases thereof; imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the sale of tuberculin, mallein and other biological products for use in testing domestic animals; and providing penalties for the violation of this act.

Referred to Committee on Agriculture.

By Mr. CONRADE. House Bill No. 1011.

An Act relating to the satisfaction of mortgages, and providing a penalty.

Referred to Committee on Judiciary Special.

By Mr. SAMUEL B. SCOTT. House Bill No. 1012.

An Act to relieve, in certain cases, farmers from classification and taxation under the provisions of an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An act to provide revenue by imposing mercantile license tax on venders or dealers in goods, wares and merchandise, and providing for the collection of said tax," and under all laws and ordinances respecting hawking, peddling and itinerant vending.

Referred to the Committee on Judiciary General.

By Mr. SPEISER. House Bill No. 1013.

An Act to amend the tenth section of an act entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one; by changing the procedure for reviving and continuing the liens of municipal and tax claims.

Referred to Committee on Judiciary Special.

By Mr. HUMES. House Bill No. 1014.

An Act providing for and regulating the taking of land by condemnation proceedings to enlarge certain cemeteries now or hereafter incorporated.

Referred to Committee on Judiciary General.

By Mr. WILLIAMS. House Bill No. 1015.

An Act creating the State Water Commission of Pennsylvania, declaring its duties, powers, jurisdiction and authority; conferring certain rights and powers and imposing certain duties, restrictions and regulations on persons, municipalties or corporations engaged in the supply, storage or transportation of water or water power, or the development of power generated by the use of water, or therewise using or encroaching upon streams or waters; making violation of certain provisions of this act a misdemeanor and providing penalties therefor and repealing all acts or parts of acts inconsistent herewith.

Referred to Committee on Judiciary General.

By Mr. SAMUEL B. SCOTT. House Bill No. 1016.

An Act authorizing the several Orphans' Courts to empower guardians and trustees of estates of minors to elect in writing to take land in fee which has been ordered to be sold by the provisions of any duly probated will, in lieu of legacies bequeathed or distributable to said minors from the proceeds of such sale and validating certain elections to take land in lieu of legacies heretofore made pursuant to an order of court.

Referred to Committee on Judiciary General.

By Mr. MURPHY. House Bill No. 1017.

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth, by prohibiting the employment of any miner to have charge of, as a miner, more than breast, chamber, or other working-face in any anthracite coal mine, and providing a penalty for the violation thereof.

Referred to Committee on Mines and Mining.

By Mr. GEORGE C. IRWIN. House Bill No. 1018.

An Act regulating the number of the crew on engines running on railroads when such engine is not attached to a car or coach and providing a penalty.

Referred to the Committee on Railroads.

By Mr. MOORE. House Bill No. 1019.

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking, and providing for the conservation and management of such corporations and their business.

Referred to Committee on Banks and Banking.

By Mr. REESER. House Bill No. 1020.

An Act to establish as a "State Highway" a certain section of public road, commencing in Laporte, and running by way of Eagles Mere, Muncy Valley, Beech Glen, North Mountain, to a point on the dividing line between Sullivan and Columbia Counties; thence by way of Lungerville and Divide to Benton; thence over route sixteen into Bloomsburg, Columbia County.

Referred to Committee on Public Roads.

By Mr. FREY. House Bill No. 1021.

An Act to establish in Cities of the third class, a house of detention for delinquent, dependent and neglected Children, and providing for the Management and Maintenance thereof.

Referred to Committee on Judiciary General.

By Mr. ISLER. House Bill No. 1022.

Supplement to an act entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving macadamizing or otherwise improving streets and alleys,

providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom," approved the Sixteenth day of May, A. D. one thousand eight hundred and ninety-one, empowering municipalities to locate streets and alleys, and to include therein streets and alleys, or parts thereof, theretofore opened or used for highway purposes.

Referred to Committee on Municipal Corporations.

By Mr. SAMUEL B. SCOTT. House Bill No. 1023.

An Act enlarging the powers of mutual Savings Fund or Building and Loan Associations; to set aside from the net profits each year a reserve fund to pay contingent losses and providing how it may be invested and validating such funds heretofore accumulated; to permit members to secure repayment of their loans by giving a straight bond and mortgage for a fixed period, not to exceed one-half of the loan; authorizing them to loan money to other like associations under certain conditions; and repealing all other laws inconsistent with this act.

Referred to the Committee on Banks and Banking.

By Mr. SEMMENS. House Bill No. 1024.

An Act to amend sections one and eight of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof."

Referred to the Committee on Banks and Banking.

By Mr. SPEISER. House Bill No. 1025.

An Act to amend section ten of an act approved the eleventh day of June, one thousand eight hundred and seventy-nine, entitled "An act to authorize cities of the first class to levy and fix a tax rate, to fix the time of opening and closing the tax duplicates, to regulate the appropriations and expenditures of said cities, and prescribing penalties for the violation of the provisions of this act," by fixing the first of October in each year as the time on or before which the City Controller shall be required to furnish to Councils the estimate provided for by such act, and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed.

Referred to Committee on Municipal Corporations.

By Mr. PIPER. House Bill No. 1026.

An Act to provide for the licensing of firemen operating steam stationary boiler or boilers in the first and second class cities of Pennsylvania.

Referred to the Committee on Labor and Industry.

By Mr. MANNION. House Bill No. 1027.

An Act to amend section one of an act approved the twenty-ninth day of May one thousand nine hundred and one, entitled "An act relating to anthracite mines, and providing for the care and life and attention of employes injured in and about said mines," requiring the erection of medical rooms in the mines and on the surface.

Referred to the Committee on Mines and Mining.

By Mr. JAMES A. DUNN. House Bill No. 1028.

An Act relating to the disposition of license fees for motor vehicles heretofore and hereafter collected, and making an appropriation.

Referred to the Committee on Public Roads.

By Mr. LOWERS. House Bill No. 1029.

An Act supplementary to an act, entitled "An act regulating the confinement of children under the age of sixteen years, awaiting trial," approved the third day of April, one thousand nine hundred and three; providing for the separation of dependent and neglected children from incorrigible and delinquent children in places of detention of minors in the custody of the Juvenile Courts of the several counties.

Referred to the Committee on Judiciary Local.

By Mr. McALEER. House Bill No. 1030.

An Act providing for the licensing of railway dining cars, club cars and cafe cars upon which liquors are sold, regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act.

Referred to Committee on Law and Order.

By Mr. ROCKWELL. House Bill No. 1031.

An Act to amend section eighteen of the act of May first, one thousand nine hundred and nine, entitled "An act to provide for the protection and preservation of game, game-quadrupeds, and game-birds, and song and insectivorous birds and other wild birds, and prescribing penalties for violation of its several provisions,"

Referred to Committee on Game.

By Mr. ROCKWELL. House Bill No. 1032.

An Act providing for the taxing of traction engines for local purposes; and repealing a certain act relating to the taxation of traction engines.

Referred to Committee on Counties and Townships.

By Mr. CONNIFF. House Bill No. 1033.

An Act requiring the several district attorneys of the Commonwealth to present all criminal cases, returned by justices of the peace, aldermen and magistrates, to the grand jury for consideration and disposition at the term to which they are returned, or at the next subsequent term.

Referred to Committee on Judiciary Special.

By Mr. BERGEY. House Bill No. 1034.

An Act providing for the examination of moving picture machine operators in cities of the second class, the issuing of licenses to those who qualify, fixing the fee to be paid, therefor and stipulating for the age and the identification of a licensed operator.

Referred to Committee on Municipal Corporations.

By Mr. GRABE. House Bill No. 1035.

An Act fixing the minimum monthly salaries of school teachers in the public schools of the State for the minimum school term, and directing that such minimum salaries shall be paid by the State.

Referred to Committee on Education.

By Mr. REESER. House Bill No. 1036.

An Act to amend section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships and counties of authority over same; and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highways Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township and county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, country, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injurying or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. CONNIFF. House Bill No. 1037.

An Act to amend Section one of an act, approved the twenty-fourth day of June one thousand eight hundred and eighty-five, entitled "An Act relative to costs in suits before aldermen and justices of the peace, and the collection of the same," as amended by an act approved the twenty-ninth day of May, one thousand nine hundred and seven, entitled 'An Act to amend Section one of an act entitled 'An Act relative to costs in suits before aldermen and justices of the peace, and the collection of the same,' approved the twenty-fourth day of June, Anno Domini one thousand eight hundred and eighty-five; providing that when an appellant shall enter good and sufficient bail absolute, for the payment of debt, interest, and costs on affirmance of the judgment, in which case the appellant shall not be required to pay the costs before taking such appeal."

Referred to Committee on Judiciary Special.

By Mr. E. E. JONES. House Bill No. 1038.

An Act authorizing the appointment of a Commission to promote the agricultural industries of this Commonwealth, and making an appropriation therefor.

Referred to Committee on Agriculture.

By Mr. WALTON. House Bill No. 1039.

An Act to amend the first and third sections of an act approved the fifteenth day of June, one thousand nine hundred eleven, entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, to-

gether with a tag to be attached thereto showing payment of tax, said tags to be provided by the County Commissioners; imposing certain duties upon constables, tax collectors, and County Commissioners, and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement, and providing penalties for failure to comply with the provisions of this act," by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes.

Referred to the Committee on Counties and Townships.

By Mr. SPEISER. House Bill No. 1040.

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the City Treasurer of Philadelphia for an auctioneer's license and paid by said City Treasurer into the State Treasury.

Referred to Committee on Appropriations.

By Mr. LESLIE. House Bill No. 1041.

An Act prohibitng the taking of greater than the legal rate of interest on loans under two hundred dollars ($200) and providing a penalty for the violations of the provisions thereof.

Referred to the Committee on Bank and Banking.

PETITIONS.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. STEELE presented the petition of citizens of Allegheny County, favoring the reading of the Hoy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. E. E. JONES presented the petition of citizens of Susquehanna County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. HESS presented the petition of citizens of Lancaster County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. RHOADS presented the petition of citizens of Lancaster County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. SPANGLER presented the petition of citizens of York County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. NORTH presented the petition of citizens of Jefferson County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Ths SPEAKER presented several petitions of citizens of Allegheny County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Philadelphia, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. H. B. DUNN presented the petition of citizens of Huntingdon County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. COLLINS presented the petition of citizens of Adams Counnty, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

FAVORING STATE PROHIBITION.

Mr. LOWERS presented the petition of citizens of Allegheny County, favoring State Wide Prohibition.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST CLUB LICENSE BILL.

The SPEAKER presented the petitions of citizens of Schulykill, Westmoreland and Allegheny Counties, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. HESS presented the petition of citizens of Lancaster County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. LOWERS presented the petition of citizens of Allegheny County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. MOSES presented several petitions of citizens of Cambria County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. P. W. SNYDER presented two petitions of citizens of Blair County, protesting against Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. McALLISTER presented the petition of citizens of Westmoreland County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING THE ROCKWELL LOCAL OPTION BILL.

The SPEAKER presented the petition of citizens of Allegheny County, praying for the passage of the Rockwell Local Option Bill.

Which was referred to the Committee on Law and Order.

FAVORING OPTOMETRY BILL.

Mr. WILLIAMS presented the petition of citizens of Tioga County, praying for the passage of the Optometry Bill.

Which was referred to the Committee on Public Health and Sanitation.

PROTESTING AGAINST HUNTER'S LICENSE BILL.

Mr. P. W. SNYDER presented the petition of citizens of Blair County, protesting against the Hunter's License Bill.

Which was referred to the Committee on Game.

Mr. WILLIAMS presented the petition of citizens of Tioga County, protesting against the Hunter's License Bill.

Which was referred to the Committee on Game.

REPORTS FROM COMMITTEE.

Mr. LIGHT, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 463, entitled:

An Act to amend an act approved the thirty-first day of May, one thousand eight hundred ninety-three, entitled "An Act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, check and other negotiable paper on such days," as amended by an act approved the twenty-third day of June, one thousand eight hundred ninety-seven, entitled "An Act to amend an act, entitled 'An Act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days,' approved the thirty-first day of May, Anno Domini one thousand eight hundred ninety-three, further designating the days and half days to be observed as legal holidays," and as further amended by an act approved the sixteenth day of February, one thousand nine hundred eleven, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act designating the days and half days to be observed as legal holidays and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days,'" approved the twenty-third day of June, Anno Domini one thousand eight hundred ninety-seven; further designating the days and half days to be observed as legal holidays."

Mr. ULERICH, from the Committee on Federal Relations, reported as committed, House Bill No. 774, entitled:

An Act to repeal an act approved the fourth day of March, one thousand nine hundred and eleven, entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road, in the County of Adams, leading to the scene of the cavalry fight."

Mr. HAGGERTY, from the Committee on Mines and Mining, reported as committed, House Bill No. 934, entitled:

An Act making all persons holding a mine foreman certificate under the law relating to the anthracite coal mines of this Commonwealth, eligible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth.

Mr. CARSON, from the Committee on Elections, reported as amended, House Bill No. 311, entitled:

An Act prohibiting certain promises or pledges by candidates for election or nomination or by others for such candidate, and the asking, demanding, receiving or transmitting of such promises or pledges and providing a penalty for violation of this act.

Mr. KENNEDY, from the Committee on Game, reported as amended, House Bill No. 218, entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania, requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith, and providing for the disposition of the license fees, fines and penalties received.

Mr. WALNUT, from the Committee on Judiciary General, re-reported as amended, House Bill No. 28, entitled:

An Act to amend an act approved the eighth day of June one thousand nine hundred and ninety-three, entitled "An Act relating to mandamus," as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine, entitled "An Act to amend Section one of the act entitled 'An Act relating to mandamus,' approved the eighth day of June, one thousand eight hundred and ninety-three, enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" and as further amended by an act approved the nineteenth day of March, one thousand nine hundred and three, entitled "An Act amending Section one (1) of an act entitled 'An Act relating to mandamus,' approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three."

Mr. MURPHY, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 341, entitled:

An Act to amend Article nineteen, Section three of an act, entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," approved June ninth, one thousand nine hundred and eleven, Pamphlet Laws seven hundred and fifty-six.

Mr. McDERMOTT, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 234, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners, and providing penalties for the violation of the same.

Mr. MANNION, from the Committee on Mines and Mining, re-reported as committed, House Bill No. 336, entitled:

An Act making it unlawful to use any type of mining machine in the removal of ribs, stumps or pillars in any bituminous coal mine in the State of Pennsylvania.

Mr. GOOD, from the Committee on Mines and Mining, re-reported as committed, House Bill No. 322, entitled:

An Act fixing a basis upon which to calculate the earnings of miners employed in anthracite coal mines, and providing penalties for violations thereof.

LEAVES OF ABSENCE.

Mr. HEIDINGER asked and obtained leave of absence for Mr. Hackett, for the balance of the week.

Mr. POST asked and obtained leave of absence for Mr. Herman, for the balance of the week.

Mr. RHOADS asked and obtained leave of absence for Mr. Hoffman for the balance of the week.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows

Senate Bill No. 2.

An Act to amend an act approved the twenty-seventh day of April, one thousand nine hundred and nine, entitled "An Act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration and the licensing of operators by the State Highway Department; establishing the rights of motor-vehicles upon the public highways with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Referred to the Committee on Public Roads.

Also Senate Bill No. 23.

An Act entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust; amount of appropriations to be paid; form of records, eligiblity, penalties and reports as set forth in Sections one, two, three, four, five, six, seven and eight."

Referred to Committee on Judiciary General.

Also Senate Bill No. 120.

Regulating the pay of election officers at all elections hereafter held within this Commonwealth.

Referred to the Committee on Elections.

Also Senate Bill No. 279.

An Act authorizing State Treasurer to endorse over to the Ladies Memorial Association of the City of Petersburg, Virginia, all checks, drafts or warrants for interest accruing on a bond bought from the City of Petersburg, Virginia, by the Battlefield Commission of the Third Division, Ninth Corps, Army of the Potomas, said interest being by contract made on file in the Auditor-General's Department due to said Ladies Memorial Association.

Referred to Committee on Appropriations.

RESOLUTION RELATIVE TO ADJOURNMENT.

Mr. O'NEILL offered the following resolution, which was twice read:

Resolved (if the Senate concurred), That when the House adjourns this week, it be to meet on Monday, March 10th, 1913, at 8.00 P. M.

The SPEAKER. The House will bear in mind that last week the House and Senate had concurred in a resolution by which when the House adjourns this week it will meet on next Wednesday evening. This resolution if carried and concurred in by the Senate will supersede the former resolution.

On the question,

Will the House agree to the resolution.

Mr. ROCKWELL. Mr. Speaker, what is the plan if we come back here Wednesday night? How long are we to stay on that plan?

The SPEAKER. That is a matter for the House.

Mr. ROCKWELL. Mr. Speaker, it seems to me that if we come back here next week on Wednesday night and use our ordinary practice and adjourn on Thursday, we might as well not come at all.

Mr. ULERICH. Mr. Speaker, I have heard more than a dozen people say that if we had a session next week, they would be away, and why cannot we run over tomorrow and finish up all the work we have and stay at home the next week?

Mr. O'NEILL. Mr. Speaker, the Senate adjourns until the tenth. There are a great many men in this House that it takes probably a day or more to get home and I do not see why we should be in session. And again, our Democratic friends will come back here and they will be like champagne, so effervescent, that they will not want to get down to work.

Mr. S. B. SCOTT. Mr. Speaker, there is no more reason why we should not work the last half of the week than the first half and it would be no more hard work to do this than it is on Monday, Tuesday and Wednesday. Therefore, I think that this resolution should not carry.

Mr. WILTBANK. Mr. Speaker, out of respect for our Democratic friends—and you can go back four years, or eight years or twelve years—from time immemorial they have never objected to adjourning this House for one week. Now they only have an opportunity once in a great while to celebrate at Washington and I think we ought to give these gentlemen a week. If this was a Republican national administration coming in I am sure that our Democratic friends would be only too glad to give us one week, and I think we should accord them the same courtesy and if necessary stay until Saturday night and not come back for the following week.

Mr. ALLEN. At the beginning of the session every one is solicitious as to when the House will finally adjourn. It has been suggested, and for quite some time has appeared in the public press, that a recess be taken after such bills were through as had been gotten through before the House took that recess, giving the Governor an opportunity to sign these bills and not leaving a club in the hands of the Governor to hold over the members heads, and the House could then reconvene for the purpose of overriding such vetoes as it, in its wisdom, might see fit. I suggest that if we adjourn at the close of this week to the time stated in the resolution we have put back the time of final adjournment at least one week. We are at the time of the year when it is very comfortable to be in this room but if we have the same experience that we had two years ago before the close of this session we will be in this room when we will be sweltering. At the last session we adjourned on the twenty-fifth day of May, and I do not know that our pink bill book was any larger than it is now and a great mass of that legislation which has been promised to people of the Commonwealth is still tied up in committees. A resolution was adopted a few days ago with respect to our Democratic friends and such others as might desire to witness the ceremonies in Washington next week and giving them an opportunity to attend that function. That resolution provided that the adjournment be taken until Wednesday of next week. Now we convene, as a rule, on Monday and we are here on Monday, Tuesday, Wednesday and Thurs-

day until noon; in otherwords, three full days. There are some people in this House whose means of getting home and getting here are very fair and reasonable and a few hours will take them home or bring them back. There are others who, unfortunately like myself, are so situated, a long ways from this place, and it is very inconvenient to come here and get back home at every call or demand of those who are in the immediate vicinity. Working as we have been, on an average of three full days per week, I suggest that if we convene on Wednesday night and should stay here on Friday and on Saturday we will have put in an entire week and we will be on the job next Monday to take up the work the following Monday. We will have advanced the work of the session more than one full week. I am heartily opposed to this matter of breaking in week after week when our calendar has been worked up to the point at which it now stands. And remember and mark you this, that so far as the other wing of this legislative body is concerned that very little of their so-called work has shown itself upon their calendar up to this time; and if you will take their files you will see that they look as though they are laboring under an accumulation of stuff,—of what character I know not, but that is in their hands for action. I do hope myself that we will look at this in a reasonable, in a fair and in a business like way and when we can do a week's work next week let us do it and stay here from Wednesday until the close of the week and meet at the usual time. I hope this resolution will go down to defeat.

On the question recurring,

Will the House agree to the resolution.

It was not agreed to.

MOTION TO PLACE BILL ON CALENDAR.

Mr. WILTBANK. Mr. Speaker, I move that House Bill No. 9, entitled:

An Act permitting the playing of baseball on Sunday between the hours of three and six P. M.

Which was negatived by the Committee on Law and Order, be placed upon the calendar, notwithstanding such recommendation.

Mr. McARDLE. Mr. Speaker, I second the motion.

Upon the question,

Will the House agree to the adoption of the motion?

Mr. WILTBANK. The rich man has his golf and croquet or anything he wants to play at his country club, and in Germantown every lot or vacant lot there has a croquet grounds or lawn tennis where they can play on Sunday. There is no place in Pennsylvania for the poor man to enjoy himself legally on Sunday, and this is a poor man's bill. I ask you to put this bill on the calendar where we can then go on record as to whether or not we want it.

The question recurring,

Will the House agree to the adoption of the motion.

The yeas and nays required by Mr. WILTBANK and Mr. Mr. McARDLE.

The SPEAKER. This roll will be verified.

This was done as follows:

YEAS—34.

Allen,	Geary,	McAleer,	Sassaman,
Benninger,	Geiser,	McArdle,	Schaeffer, A. C.
Brown,	Gray, Joseph,	McDermott,	Spillinger,
Campbell, J.J.	Isler,	Missimer,	Steedle,
Carter,	Lanius,	Murphy,	Stein,
Cleary,	Letzkus,	Neely,	Thomas,
Conniff,	Malie,	O'Neill,	Walsh,
Ehrhardt,	Mannion,	Piper,	Wettach,
		Roney,	Wiltbank,

NAYS—138.

Adams,	Dunn, J. A.,	Lenker,	Richards,
Alworth,	Eichenberger,	Leslie,	Rockwell,
Ambler,	Ely,	Light,	Rothenberger,
Arthur,	Ewing,	Lohr,	Runk,
Baldwin, G. A.,	Flynn,	Lowers,	Savacool,
Baldwin, R. J.,	Foster, J. D.,	Martin,	Scott, J. R. K.,
Barner,	Gibson,	Mather,	Scott, S. B.,
Becker,	Glenn,	Matt,	Semmens,
Benson,	Good,	McClintock,	Shaffer, C. A.,
Bergey,	Goss,	McKay,	Shaffer, I. E.,
Berntheizel,	Grabe,	Mechling,	Sherwood,
Bigger,	Gramley,	Mellott,	Showalter,
Bittles,	Gransback,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Gray, Frank,	Miller,	Smith, L.,
Blair, W. F.,	Heidinger,	Mitchell,	Snavely,
Bleloch,	Hemminger,	Moore,	Snyder,
Body,	Heyburn,	Morrow,	Spangler,
Brosius,	Hobbs,	Moses,	Steele,
Brownlee,	Howard, J.,	Moulthrop,	Stone,
Burnett,	Howard, R.,	Musser,	Strauss,
Caldwell,	Irwin, G. C.,	Neel,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	Newbaker,	Swift,
Carson,	Jackson,	Newton,	Trach,
Cheeseman,	Jones, J. R.,	North,	Ulerich,
Claycomb,	Kaiser,	Peachey,	Ulman,
Cochran,	Kaufman,	Pennegar,	Walnut,
Collins,	Keeport,	Pennock,	Walton,
Currier,	Kennedy,	Post,	Whitaker,
Curry,	Kern,	Price,	Whitman,
Davis,	Kitts,	Ramsey,	Wildman,
DeFrees,	Klepper,	Redfield,	Williams,
Dickinson,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Down,	Latshaw,	Rhoads,	Zimmerman,
Dunn, H. B.,			Alter,
			Speaker.

So the question was determined in the negative.

REASONS FOR VOTE.

Mr. PIPER. My reason for voting "aye" is that I believe all bills should be placed on the calendar. I would vote against its passage.

Mr. McALEER. My reason for voting "aye" are for the reason that I propose to make an amendment by adding

Section 2. It shall be unlawful to collect money to take up tickets or to ask that season tickets be displayed or to see or offer for sale score cards, sandwiches or other eatables, or in any way to transact business on or about grounds where such baseball games are played under the provisions of this act.

BILL PLACED ON CALENDAR.

Mr. GANS. Mr. Speaker, I desire to offer a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved by Mr. Gans and that House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the Recorder of Deeds of counties of this Commonwealth containing over one million and a half population, providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds.

be placed on the Calendar notwithstanding the negative recommendation of the Committees.

Mr. J. R. K. SCOTT. Mr. Speaker, I second the motion.

The SPEAKER. Will the House agree to the adoption of the motion?

Mr. JOHN R. K. SCOTT. This bill was negatived by the members of the Judiciary Special Committee. It is a bill that gives the Recorder of Deeds of Philadelphia County the right to have his mutilated records recopied. Under the present law, this is done by petition to the Common Pleas judges, and has been done in that manner for years. Before the committee yesterday, those of us who practice in the Philadelphia Bar, knew the operation of the present law, and returned this bill with a negative recommendation. We were under the impression that what was said by Mr. McNICHOL, the Chairman, that there was no particular interest in this bill, or that the sponsor had no particular interest in this bill. We have learned since that the judges themselves want this responsibility placed upon the legislature. Under these circumstances the committee has no objection to having the bill placed upon the Calendar.

The question recurring,

Will the House agree to the adoption of the motion?

The yeas and nays were required by Mr. GANS and Mr. JOHN R. K. SCOTT.

YEAS—157.

Adams,	Ewing,	McAllister,	Roney,
Allen,	Flynn,	McArdle,	Rothenberger,
Alworth,	Foster, J. D.,	McCaig,	Runk,
Ambler,	Gans,	McClintock,	Sassaman,
Arthur,	Geary,	McDermott,	Schaeffer, A. C.
Barner,	Gibson,	McKay,	Schuck,
Bayle,	Good,	McNichol,	Scott, J. R. K.,
Becker,	Grabe,	Mechling,	Semmens,
Benson,	Gramley,	Mellott,	Shaffer, C. A.,
Bergey,	Gransback,	Metzenbacher,	Shaffer, I. E.,
Berntheizel,	Gray, Frank,	Miller,	Sherwood,
Bigger,	Haggerty,	Missimer,	Showalter,
Blair, W. A.,	Heidinger,	Mitchell,	Smith, J. W.,
Bleloch,	Hemminger,	Moore,	Spangler,
Body,	Hess,	Morrow,	Speiser,
Brosius,	Heyburn,	Moses,	Spillinger,
Brown,	Hobbs,	Moulthrop,	Steedle,
Burnett,	Isler,	Murphy,	Steele,
Caldwell,	Irwin, G. C.,	Musser,	Stein,
Campbell, C.M.,	Irwin, H. H.,	Neel,	Stone,
Campbell, J.J.	Jackson,	Neely,	Strauss,
Carter,	Jones, E. E.,	Newbaker,	Swartz,
Claycomb,	Jones, J. R.,	Newton,	Thomas,
Cleary,		North,	Trach,

Cochran,	Kaiser,	O'Neill,	Ulerich,
Collins,	Kaufman,	Peachey,	Ulman,
Conner,	Keeport,	Pennegar,	Walnut,
Conniff,	Kenna,	Pennock,	Walsh,
Conrade,	Kennedy,	Perry, H. L.,	Walton,
Cox,	Kitts,	Perry, S. J.,	Whitman,
Currier,	Kuhn, H. P.,	Peters,	Wildman,
Curry,	Lenker,	Piper,	Williams,
Davis,	Leslie,	Price,	Wilson, J. H.,
DeFrees,	Light,	Ramsey,	Wilson, W. H.,
Dickinson,	Lohr,	Redfield,	Wiltbank,
Donnally,	Lowers,	Reeser,	Young, G. K.,
Dunn, J. A.,	Malie,	Rex,	Young, J. H.,
Ehrhardt,	Mannion,	Rhoads,	Zimmerman,
Eichenberger,	Martin,	Richards,	Alter,
Ely,	Matt,		Speaker.

NAYS—11.

Baldwin, G. A.,	Lanius.	Post,	Scott, S. B.,
Brownlee,	Latshaw,	Rockwell,	Swift,
Cheeseman,	Letzkus,	Savacool,	

So the question was determined in the affirmative.

SENATE MESSAGE.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

(House Bill No. 2.)

An Act making an appropriation to cover a deficiency in the appropriation act of June thirteen one thousand nine hundred and eleven (Pamphlet Laws page nine hundred) making an appropriation to pay local Registrars of Vital Statistics in Cities of the first and second class fifteen (15) cents for each birth and each death certificate duly returned by them to the State Registrar under the provisions of said act

with information that the Senate had passed the same with amendments, in which the concurrence of the House is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Strike out the entire title and insert in lieu thereof the following:

An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths returns to the Centaal Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for estbalishing and maintaining such a bureau and providing certain penalties' which was aproved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of birth and deaths" by changing the fees for birth and death certificates"

Also in section 1, strike out all after the word "deficiency" in line 5 down to and including the word "hundred" in line 7, and insert in line thereof the following:

Arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all other births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capito of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled "An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registrations of births and deaths" by changing the fees for birth and death certificates' this appropriation being made

On the question,

Will the House concur in the amendments as made by the Senate?

Mr. COX: Mr. Speaker and gentlemen of the House, the amendments as made by the Senate do not change the purpose of this act, but were made merely to correct certain defects in the title and in the bill itself. As I am the sponsor of the bill in the House, I would ask the gentlemen of the House to concur in the amendments as made by the Senate.

The question recurring.

Will the House concur in the amendments as made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Allen,	Foster, J. D.,	Lowers,	Rockwell,
Alworth,	Gans,	Malie,	Roney,
Ambler,	Geary,	Mannion,	Rothenberger,
Arthur,	Geiser,	Martin,	Runk,
Baldwin, R. J.,	Gibson,	Mather,	Sassaman,
Barner,	Glenn,	Matt,	Savacool,
Bayle,	Good,	McAleer,	Schaeffer, A. C.
Becker,	Goss,	McAllister,	Schuck,
Benninger,	Grabe,	McArdle,	Scott, J. R. K.,
Benson,	Gramley,	McCaig,	Scott, S. B.,
Bergey,	Gransback,	McClintock,	Semmens,
Berntheizel,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Bigger,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Blair, W. A.,	Haggerty,	McNichol,	Showalter,
Blair, W. F.,	Heidinger,	Mechling,	Smith, J. W.,
Bleloch,	Hemminger,	Mellott,	Snavely,
Body,	Hess,	Metzenbacher,	Snyder,
Brosius,	Jayburn,	Miller,	Spangler,
Brown,	Hibshman,	Missimer,	Speiser,
Burnett,	Hobbs,	Moore,	Spillinger,
Caldwell,	Howard, R.,	Morrow,	Steedle,
Campbell, C.M.,	Humes,	Moses,	Steele,
Campbell, J.J.	Isler,	Murphy,	Stein,
Carson,	Irwin, G. C.,	Musser,	Stone,
Carter,	Jackson,	Neel,	Strauss,
Cheeseman,	Jones, E. E.,	Neely,	Swartz,
Claycomb,	Jones, J. R.,	Newbaker,	Swift,
Cleary,	Kaiser,	Newton,	Thomas,
Cochran,	Kaufman,	North,	Trach,
Collins,	Keeport,	O'Neill,	Ulerich,
Conner,	Kenna,	Peachey,	Ulman,
Conniff,	Kennedy,	Pennegar,	Walsh,
Conrade,	Kern,	Pennock,	Walton,
Cox,	Kitts,	Perry, H. L.,	Watson,
Currier,	Klepper,	Perry, S. J.,	Wettach,
Curry,	Kuhn, H. P.,	Peters,	Whitaker,
Davis,	Kuhns, E.G.M.,	Piper,	Whitman,
DeFrees,	Lanius,	Post,	Wildman,
Dickinson,	Latshaw,	Price,	Williams,
Donnally,	Lenker,	Ramsey,	Wilson, J. H.,
Down,	Leslie,	Redfield,	Wilson, W. H.,
Dunn, J. A.,		Reeser,	Wiltbank,
Ehrhardt,			Young, G. K.,

Eichenberger,	Letzkus,	Rex,	Young, J. H.,
Ely,	Light,	Rhoads,	Zimmerman,
Ewing,	Lohr,	Richards,	Alter,
Flynn,		Robinson,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL RECOMMITTED.

Mr. ROCKWELL. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL. Mr. Speaker, a few days ago, the House adopted the rule that no bill be negatived without the Committee giving the sponser of the bill previous notice. Before that time, the Judiciary General Committee had adopted a rule that whenever a bill was negatived, the gentleman representing or reporting the bill to the House should give the author notice if he wanted to be heard or desired to have the bill brought back to the Committee for a further hearing. Inadvertently, House Bill No. 766, entitled:

An Act providing for and regulating and taking of land by condemnation proceedings to enlarge certain cemeteries now or hereafter incorporated

was given to a gentleman with a negative recommendation, who failed to notify the sponser of this bill and it was reported with a negative recommendation. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary General for an additional hearing.

The SPEAKER. In order that the gentleman's motion shall be in order, the bill must first be on the calendar, unless there is no objection. Is there any objection to the bill being considered as on the calendar for the purpose of the consideration of this motion? The Chair hears no objection.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL RE-COMMITTED.

Mr. WHITAKER. Mr. Speaker, I move that House Bill No. 674, entitled:

An Act to provide for certain improvements to that certain tract of land known as "Paoli Parade Ground" situate in Willistown township, Chester county, and making an appropriation therefor.

be re-committed to the Committee on Appropriations.

The motion was agreed to.

REPORT OF CONFERENCE COMMITTEE ON CONCURRENT RESOLUTION NO. 14

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to present the report of the Conference Committee on concurrent resolution No. 14, at this time, that it may be printed.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideartion of House Bill No. 254, entitled:

An Act to amend an act, entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one, extending the same to companies formed for the purpose of quarying salte granite stone or rocks or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three, approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement and cement products and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven, extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution or application of electricity or electrical energy or products for any use or purpose construction or plant or part thereof connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose and of producing, furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business," approved the twenty-third day of June, Anno Domini one thousand nine hundred and eleven, extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business (and to companies incorporated for the purpose of selling, dealing in or manufacturing lumber).

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of Section one of the act entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eight one thousand nine hundred and seven extending the same to companies incorporated for the manufacturing buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven as reads as follows:

"It shall and may be lawful for any company incorporated under the laws of any State for the manufacture of any form of iron steel or glass of for the quarrying of slate granite cement rock stone or rocks of any kind for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporated for the purpose of manufacturing supplying and sale of ice of for the manufacture and sale of chemicals or for the manufacture and sale of foodstuffs and eatables cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business to erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided that nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same return to the Auditor General that are now required by law of the corporations of this State" be and the same is hereby amended to read as follows

"It shall and may be lawful for any company incorporated under the laws of any other State for the manufacture of any form of iron steel or glass or for the quarrying of slate granite cement rock stone or rocks of any kind or for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporatd for the purpose of manufacturing supply-

ing and sale of ice or for the manufacture and sale of chemicals or for the manufacture and sale of foodstuffs and eatables cement and cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose contsructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business and for any company incorporated for the purpose of carrying on any kind of manufacturing business and for any company incorporated for the purpose of buying selling dealing in or manufacturing lumber to acquire erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided that nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State"

On the question,

Will the House agree to the section?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amend Section one, line thirty-nine, by inserting after the word "kind" the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

The title was read and agreed to as follows:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three,' approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement and cement products and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven, extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution or application of electricity or electrical energy or products for any use or purpose construction or plant or part thereof connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose and of producing, furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business," approved the twenty-third day of June, Anno Domini one thousand nine hundred and eleven, extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business (and to companies incorporated for the purpose of selling, dealing in or manufacturing lumber).

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 613, Senate No. 16, entitled, as follows:

An act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class" the incorporation and government of cities of the third class," validating all acts and proceedings commenced under the section which is amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorportion and government of cities of the third class" which as amended by an act approved the fifteenth day of April one thousand nine hundred and seven entitled "An act to amend section one of article one of an act entitled 'An act to amend section one article one of an act entitled 'An act providing for the incorporation and government of cities of the third class' approved May twenty-third Anno Domini one thousand eight hundred and eighty-nine providing for the submission of the question of incorporation of such city of the third class by councils upon the petition of a certain number of the qualified electors of the towns or boroughs embraced within the limits of the proposed city' approved the tenth day of April Anno Domini one thousand nine hundred and five providing for the submission of such question of the incorporation of such city of the third class by the court of quarter sessions of the peace of the county wherein such proposed city is to be located upon the petition of a certain number of the qualified electors of the towns and boroughs embraced within the limits of the proposed city to the qualified electors and the manner of voting thereon" reads as follows

"Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "for a city charter" followed by the words "yes" and "no" with squares of sufficient size to the right of said words "yes" and 'no" as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "yes" and "no" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of the election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" and which as further amended by an act approved the twenty-eighth day of May one thousand nine hundred and seven entitled "An act to further amend section one article one of an act entitled 'An act prviding for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine and which was amended by an act approved the tenth day of April Anno Domini one thousand nine hundred and five prescribing the manner and computing and making return of the same" reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or boroughs or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and the councils or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be may on their own motion or upon the petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough

or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice thereof by the publication of said resolution during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at said general election in the borough or boroughs aforesaid in the following form "Proposed city charter" and below shall be printed on two lines with a square at the right of each the words "For city charter" and "Against city charter" and the electors shall designate with a cross-mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said borough or boroughs to count the votes so cast for and against city charter and make return thereof on blanks to be furnished by the corporate authorities of said borough or boroughs to the clerk of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making returns of votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth" is hereby further amended to read as follows

Section 1 Article one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be charatered whenever the majority of the electors of any town or borough or of any two or more contiguous towns or boroughs situated within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and it shall be the duty of the court of quarter sessions of the peace of the county within which such town or borough or such contiguous towns or boroughs shall be situated upon the petition of one hundred or more qualified electors of such town or borough or of such contiguous towns or boroughs to submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof at the next general election and notice thereof shall be given during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs and the county commissioners shall cause to be printed on the official ballots for such general election below the list of candidates the words "For a city charter" followed by the words "Yes" and "No" with squares of sufficient size to the right of said words "Yes" and "No" as required by law and the qualified voters of said towns and boroughs qualified to vote by the Constitution of this State shall at such general election mark in the square opposite the words "Yes" and "No" by a cross mark (X) his answer to the question submitted and it shall be the duty of the inspectors and the judges of election therein to receive such ballots and the marks so made on them shall be counted and a return thereof made to the clerk of the court of quarter sessions of the peace of the proper county and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votts cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the elections to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 This act shall not affect or impair any act done right vested duty imposed penalty accrued or proceeding commenced before the approval of this act but all acts done and proceedings commenced under the section which is hereby amended are hereby validated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Adams,	Foster, J. D.,	Lohr,	Roney,
Allen.	Frey,	Lowers,	Rothenberger,
Alworth,	Gans,	Mannion,	Runk,
Ambler,	Geary,	Martin,	Sassaman,
Arthur,	Geiser,	Mather,	Savacool,
Baldwin, R. J.,	Gibson,	Matt,	Schaeffer, A. C
Barner,	Good,	McAllister,	Schuck,
Bayle,	Goss,	McArdle,	Scott, J. R. K.,
Becker,	Grabe,	McCaig,	Scott, S. B.,
Benninger,	Gramley,	McClintock,	Semmens,
Benson,	Gransback,	McDermott,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McKay,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	Mechling,	Sherwood,
Bigger,	Haggerty.	Mellott,	Showalter,
Bittles,	Heidinger,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Hemminger,	Miller,	Snavely,
Blair, W. F.,	Herman,	Missimer,	Snyder,
Body,	Hess,	Mitchell,	Spangler,
Brosius,	Hoburn,	Moore,	Speiser,
Brown,	Hibshman,	Morrow,	Spillinger,
Brownlee,	Hobbs,	Moses,	Steedle,
Burnett,	Howard, J.,	Moulthrop,	Steele,
Caldwell,	Howard, K.,	Murphy,	Stein,
Campbell, C.M.,	Humes,	Musser,	Stone,
Campbell, J.J.	Isler,	Neel,	Strauss,
Carson,	Irwin, G. C.,	Neely,	Swartz,
Carter,	Irwin, H. H.,	Newbaker,	Swift,
Cheeseman,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, E. E.,	North,	Trach,
Cleary,	Jones, J. R.,	O'Neill,	Ulerich,
Cochran,	Kaiser,	Peachey,	Ulman,
Collins,	Kaufman,	Pennegar,	Walnut,
Conner,	Keegan,	Pennock,	Walsh,
Conniff,	Keeport,	Perry, H. L.,	Walton,
Conrade,	Kenna,	Perry, S. J.,	Watson,
Cox,	Kennedy,	Peters,	Wettach,
Currier,	Kern,	Piper,	Whitaker,
Curry,	Kitts,	Post,	Whitman,
Davis,	Klepper,	Price,	Wildman,
DeFrees,	Kuhn, H. P.,	Ramsey,	Williams,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Donnally,	Lanius,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Rex,	Wiltbank,
Dunn, J. A.,	Leslie,	Rhoads,	Young, G. K.,
Ehrhardt,	Letzkus,	Richards,	Young, J. H.,
Eichenberger,	Light,	Robinson,	Zimmerman,
Ely,		Rockwell,	Alter,
Ewing,			Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. JOHN R. K. SCOTT, asked for and received unanimous consent to call up from page ten of to-day's postponed Calendar, Bills on Third Reading, House Bill No. 252, as follows:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act

Section 1 Time of Submitting the Question of a Constitutional Convention to the Electors

Section 2 Time of Electing Delegates Number of Delegates

Section 3 Manner of Nominating Delegates

Section 4 Time and Manner of Organization of the Convention Members Ex-Officio

Section 5 Filling Vacancies

Section 6 Power of the Convention

Section 7 Filing and Publication of the Proposed Constitution

Section 8 Time and Manner of Submitting the Constitution to the People

Section 9 Compensation of Members and Officers Appropriation for Expenses

Time of Submitting the Question of a Constitutional Convention to the Electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the first Tuesday after the first Monday in November in the year one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution shall be submitted to the electors of this Commonwealth

Time of Electing Delegates Number of Delegates

Section 2 At the same election delegates to a Constitutional Convention shall be elected

The number of delegates shall be one hundred and sixty-five three delegates to be elected from each of the fifty Senatorial districts of the Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for two district delegates and five delegates-at-large and the candidates highest in vote shall be declared elected

Manner of Nominating Delegates

Section 3 Nominations for delegates to the convention shall in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred qualified electors and shall set forth that the signers thereof are qualified electors of the district in which the candidate resides and from which he desires to be elected and that they will support the candidate whose petition they are signing Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county such petition shall set forth that the signers thereof are qualified electors of the Commonwealth and that they will support the candidate whose petition they are signing

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to sixty days before the date on which such petition must be filed and no signature shall be counted unless it shall have been affixed to such petition and bear date within sixty days prior to the time of filing the same

Petitions shall be filed with the Secretary of the Commonwealth at least thirty days prior to the date of the election at which delegates are to be chosen

The Secretary of the Commonwealth immediately after the last day for the filing of said petitions with him shall forward to the County Commissioners of each county a correct list of the candidates for delegates to be voted for in the respective counties as contained in such petitions

Time and Manner of Organization of Convention Members. Members Ex Officio

Section 4 If a majority of the electors voting on the aforesaid question shall be in favor of holding a constitutional convention the delegates elected as herein provided shall meet in the hall of the House of Representatives at the State Capitol in the city of Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time and place

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called "The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Filling Vacancies

Section 5 In case of vacancies in the membership of the convention occuring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any senatorial district shall be a resident of such senatorial district

Power of the Convention

Section 6 Said convention shall have power to submit to the qualified electors of this Commonwealth for their approval or rejection a new constitution

Filing and Publication of the Proposed Constitution

Section 7 The constitution proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth For the purpose of carrying into effect the provisions of this section the county commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by the voting or registry lists used at the election at which delegates were elected to said convention together with the post office address of each of said voters

Time and Manner of Submitting the Constitution to the People

Section 8 The Constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The Constitution shall be submitted to the electors in such manner as the Convention shall direct Provided That any sections in the proposed constitution relating to female suffrage the initiative the referendum the recall either of offices or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Compensation of Members and Officers Appropriation for Expenses

Section 9 The entire compensation and allowance to each member and to each member ex officio of the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to offer the following amendment to section four of this bill.

The Clerk read the amendment, as follows:

Amend Section two, by inserting between the lines three and four the following paragraph:

"The qualifications of the delegates to the constitutional convention shall be the same as our by-law prescribed for Senators in the General Assembly of the Commonwealth."

Also amend Section four by inserting between the words "convention" and the first word "and" in line thirty-six, the following words: "all such delegates as shall have taken the oath at the time of the re-organization of the Convention."

The Speaker. Will the House give unanimous consent to the insertion of the amendments?

The Chair hears no objection and the amendments will be inserted.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be laid over and prepared for final passage.

Mr. JOHN R. K. SCOTT, asked for and received unanimous consent to call up from page ten from to-day's postponed calendar Bills on Third Reading, House Bill No. 253, as follows:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

Section 1 Ballots
Section 2 Election Officers Manner of Conducting Elections
Section 3 Proclamation of the Result of Elections
Section 4 Provision of Supplies
Section 5 Additional Clerks
Section 6 Notice of Elections
Section 7 Payment of Expenses
Section 8 Qualifications of Electors
Section 9 Penalties for Violations of Duty by Election Officers

Ballots

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the question of holding a Constitutional Convention is to be submitted to the electors and at the same election delegates to a Constitutional convention are to be elected the County Commissioner of each county shall prepare a special ballot to be used for such purpose Said ballot shall be of suitable size and substantially in the following form

CONSTITUTIONAL CONVENTION BALLOT

.....District .....Ward City of.....
County of .....State of Pennsylvania
Election held on the .....day of .....191..

SHALL A CONSTITUTIONAL CONVENTION BE CALLED

YES
NO

The voter will if he favors a Constitutional Convention place a cross mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross mark) after the word "No"

DELEGATES TO A CONSTITUTIONAL CONVENTION
DELEGATES-AT-LARGE

(Vote for)

A B
C D
E F
G H

DISTRICT DELEGATES

(Vote for)

I J
K L
M N

The voter will place a cross mark (X) after the names of the candidates for whom he wishes to vote

The name of a political party shall in no case appear on the ballot

The names of candidates shall be arranged in alphabetical order Ballots shall be bound in books of one hundred and shall be delivered to the election officers in the manner in which ballots are delivered at general and municipal elections

Under the names of candidates there shall be as many blank spaces defined by light lines as there are to be delegates elected

The qualifications of delegates to the Constitutional Convention shall be the same as is by law prescribed for Senators in the General Assembly of this Commonwealth

On the back of each ballot shall be printed in prominent type the words "Official Constitutional Convention Ballot" There shall also appear on the back of each ballot the fac simile signatures of the County Commissioners of the county

The County Commissioners shall also furnish separate ballot boxes to receive such ballots properly numbered for each election district

Election Officers Manner of Conducting Elections

Section 2 Any election on the question of holding a Constitutional Convention and any election for delegates to a Constitutional Convention shall be conducted by the regular election boards and shall be governed by the laws regulating the conduct of general and municipal elections in so far as the same are not modified by tht provisions of this act or are not inconsistent with its terms Provided That the result of any such election shall be separately counted returned computed canvassed tabulated and certified by the proper officers

Proclamation of the Result of Elections.

Section 3. The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of any election upon the question of holding a Constitutional Convention or of any election for delegates to a Constitutional Convention shall certify the result of such election to the Governor who shall forthwith issue a proclamation declaring the same.

Provision of Supplies.

Section 4. In addition to the ballots and ballot boxes provided for in this act the County Commissioners shall at any election conducted under this act provide such lists of voters forms, blanks, return sheets, blank books and other supplies as they are by law required to furnish to election officers for use at general or municipal elections. Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the election for which they are supplied.

Notice of Elections.

Section 6. The Secretary of the Commonwealth shall prepare a form of notice of any election to be held under this act including such portions of this act as shall be necessary and proper for the information of voters and election officers at said election outlining their respective rights and duties in relation thereto. The said form so prepared shall be transmitted by the Secretary of the Commonwealth to the sheriffs of the several counties to be observed by them in making proclamation of the holding of said election in their respective jurisdictions.

Payment of Expenses.

Section 7. The County Commissioners shall keep an accurate account of the expense of providing and printing the ballots and supplies necessary for holding any election under this act and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners. As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor-General who if he finds the same corect shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated.

Qualifications of Electors.

Section 8. The qualifications of electors entitled to vote at any election held under this act shall be the same as the qualifications of electors entitled to vote at any general and municipal elections within the election district where such election under this act is held. Each elector shall prove hi squalifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on general and municipal election days.

Penalties for Violations of Duty by Election Officers.

Section 9. Election officers shall be subject to the same pains and penalties for violation or neglect of their duties at any election under this act as they are or hereafter may be subject to for violation or neglect of such duties at general and municipal elections.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. I ask unanimous consent to offer the following amendments to this bill.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 6, line 1, strike out figure "6" and insert "5."
Section 7, line 1, strike out figure "7" and insert "6."
Section 8, line 1, strike out figure "8" and insert "7."
Section 9, line 1, strike out figure "9" and insert "8."

The SPEAKER. Will the House give unanimous consent to the amendments. The Chair hears no objections and the amendments will be inserted.

On the question,

Will the House agree to the bill as amended?

It was agreed to.

Ordered, That the bill be laid over and prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 531, entitled:

An Act fixing the time of organization of the commissioners of first class townships.

BILLS POSTPONED.

Mr. E. G. M. KUHNS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

The motion was agreed to.

Agreeably to order.

BILL ON THIRD READING.

The House proceeded to the third reading and consideration of House Bill No. 644, entitled:

An Act to provide for the better protection of the lives bodies and health of new-born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act, making an appropriation therefor and providing certain penalties for the violations of the provisions thereof and repealing all acts and parts of acts incompatable herewith.

On the question.

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker,

The SPEAKER. The gentleman from Crawford, Mr. Humes.

Mr. HUMES. Mr. Speaker, I would like to interrogate the sponser of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Richards, permit himself to be interrogated?

Mr. RICHARDS. Yes.

Mr. HUMES. Mr. Speaker, I would like to inquire whether there is any necessity for an appropriation of fifty thousand dollars, the amount specified in this bill? When a bill, covering the same institution passed in 1911 it was with an appropriation of five thousand dollars.

Mr. RICHARDS. Mr. Speaker,

The SPEAKER. The gentleman from Allegheny, Mr. Richards.

Mr. RICHARDS. Mr. Speaker, in answer to the gentleman, I wish to state that I agreed last night with a member of the House to ask for the postponement of this bill now but not the gentleman who has just interrogated me, but another gentleman who is now in his seat. I agreed to ask for the postoponement of this bill for the present, in case he intended to make some objections to it, such as the gentleman who has just made objections. It is true there is an appropriation of fifty thousand dollars, or as much thereof as may be necessary for the proper enforcement of this bill. The reports however of the Board of Medical Lisensure must be thoroughly examined by the Auditor General and a report issued to the Auditor General for the payment of the necessary expenses. There are many good qualities in this bill that should be recognized, but there are a number of members in this House, especially those who are fortunate enough to understand the percentage of blindness from which precaution and remedy is required, and I believe that seventy per cent of children born are subject to danger from this source. The many cases of operations necessary are produced by the ignorant manipulations during that period by the woman who act as physician during that period.

If the only objection to my bill is the fifty thousand dollar appropriation and if it is the opinion of members that there should be an amendment to this measure, I would gladly accept an amendment by the gentleman, reducing it to any reasonable amount so that there will be sufficient money to propertly enforce it. This bill was passed two years ago and was signed by the Governor and was then enforced by the Medical Society, which afterwards was voted upon and expenses cared for. The bill must now be enforced by the medical board as bearing on medical education. I would gladly accept an amendment and hope that the merit and the goodness of the bill will not be taken out of it.

Mr. HUMES. Mr. Speaker, I am not offering any objection to any of the meritorious features of this bill but we have seen that at session after session of the Legislature, appropriations have been made for the most worthy charitable institutions of this State and for many other

purposes which when they reached the Governor have been reduced because there was an insufficient amount of State revenue for the purposes for which the appropriation called. When an approriation is made such as is made by this bill, it is taken out of course from the total amount of the revenue to be raised during the period for which the appropriation is made, and the result is that there are other worthy institutions of the State which are deprived of some of the appropriations which they are entitled to, simply because an unnecessarily large appropriation was made for such a bill as this, for some other purpose. When, as the gentleman from Allegheny says, there is no real necessity for so large an appropriation as the provisions of this bill call for. As I understand it, there was no more expenditure involved under this bill than by the bill enacted two years ago, except that the expenditure is made up by a different board than it was at that time. I don't see any reason whatever, why the appropriation at this time should be larger than the appropriation at that time, unless the Committee has discovered that the appropriation was insufficient at that time. I don't desire to assume to fix the amount that his appropriation should carry with it. The Committee should determine that fact and I say that I am opposed and I believe we all should be opposed to any bill that carries with it an oppropriation that is greatly in excess of the amount that will be required to carry into effect the provisions of the bill, in order to carry the other institutions that otherwise are going to suffer in securing appropriations. I will ask the gentleman to amend his bill in order that he should have the amount of money necessary to carry on the character of the work as specified in the bill and in that way save the balance for the use of other purposes for which money will be required during the next two years. If five thousand dollars is sufficient, let us amend it and make it that amount.

Mr. RICHARDS. Mr. Speaker, I don't know that this will require fifty thousand dollars for the proper enforcement of this bill. I don't know that I have taken it into consideration, as I have not taken the monetary end into consideration. I was only thinking, at the time the bill was handed to me, of the good that is done in accomplishing a great many things for the good of the people, who are inmates and in a great many cases of blindness that it might prevent a deformity and many other things that happen at an institution of this kind where a mid-wife is acting as physician. The Medical Societies however, who are very much in favor of its organization are very much in favor of this department. It would practically mean the re-organization of the department and will perhaps cause more expenses than will require more than that in two years hence, but they cannot spend any more than in the opinion of the Auditor General is necessary, the amount he regards as necessary for the maintenance of the work. As regards the amount of money necessary for the maintenance of other charitable institutions I believe, Mr. Speaker, if this bill does become a law and is properly enforced that there will be a great many less people in our charitable institutions than there are now due to this bill. In other words, Mr. Speaker, I believe if this bill is properly enforced that many of our unfortunate poor children who are now in some blind institution would not have been there had there been proper medical attention given to the mothers of those children at the proper time.

There are many other instances, Mr. Speaker, of the unfortunate condition of many of our poor children that can be traced directly to the ignorance of the people attending the mother during that period. I do hope, Mr. Speaker, that the members of this House will vote for this bill on my promise that I will, if it passes this House, use my best efforts to have it amended in the committee of the Senate after consulting those that are most interesed in the financial end of the bill. I do not care so much for that, but I do think that there is too much good in this bill for the members of this House to vote it down when nothing but dollars and cents stand between us and our good judgment, and I promise the members of this House that I will try to have the committee of the Senate, after consulting the physicians of the State if in their judgment ten thousand, or even five thousand is sufficient, I will use my best efforts to have that amendment placed in the bill at that time.

Mr. HUMES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section eight, line 1, by striking out the word "fifty" and inserting the word "ten" in lieu thereof.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? The Chair hears objection.

Mr. KITTS. Mr. Speaker, I move that further action on this bill be postponed for the present.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. STEEDLE. Mr. Speaker and Gentlemen of the House, at the last session of 1911, there was appropriated five thousand dollars for this department. It was then entitled the examining board, but has been altered and is now known as the Medical License Board. This committee has never had an opportunity to treat the question of licensing midwives. It may possibly cost this State five, eight, ten, twenty or twenty-five thousand dollars, possibly more and possibly less. I belive it is only, in all due fairness to the member who introduced this bill and to the medical profession at large, as well as to the people of this great Commonwealth, for the protection of their offspring, and that is my belief, and that you will heartily agree that that is correct. The statistics have proven that seventy per cent. of blindness at child birth is due to improper manipulation of the woman at the period of child labor, and improper care of the child after delivery. There are many instances; and there are good mid-wives who do their business honestly, uprightly, and with all antiseptic precautions. While a few do it under that method there are very, very many who are lax in the performance of their duties according to the antiseptics of obstretrics and hygienic methods in vogue at the birth of the child. Now, I believe, gentlemen of the House, that you should give this bill a chance. This is not a bill to hamper midwives, or a bill to make doctors wealthy. It is only a bill for the protection of your own and my own, if I were married. Therefore, gentlemen, I appeal to your reasonable judgment to give this the benefit of the doubt, and I am sure that the people of this State will alow that amount of money to be appropriated for the purpose involved; and I ask the gentlemen to kindly vote favorably for this bill.

Mr. H. B. DUNN. Mr. Speaker, and Gentlemen of the House, the gentleman who preceded me has referred to the fact, as he alleged, that this bill is not for the purpose of making dollars and cents. I think as far as I am concerned, and I think the members of the House who have examined this bill will come to the conclusion that the doctors and druggists, or other people who got up this bill were looking after the dollars and cents and not after the birth of children.

Section five of the bill says that the secretary of the Bureau of Medical Education and Licensure of the State of Pennsylvania shall receive an annual salary not to exceed three hundred dollars for his services in carrying out the provisions of this act.

It also says that "the service of other necessary aids in carrying out the provisions of this act shall receive compensation not to exceed ten dollars per diem and necessary traveling expenses." That is one of the little snakes of about a dozen in this bill.

Now take up Section 7, Mr. Speaker, and read that. It says: "any person other than a regularly licensed physician who shall attend a woman in child birth for hire or who shall make a practice of attending women in child birth gratuitously or for hire shall be regarded as a mid-wive." It is not necessary for people to expatiate upon what that means. You all understand what that means.

Now then, gentlemen, referring to the last section, be it fifty thousand dollars or five thousand dollars, what is to be done with this money? Who is to get the fifty thousand dollars? Where are the officers named in the bill to get it? There is no officer here to get it. You are not going to give it to the chairman or the members of the committee on Public Health and Sanitation to divide—

Mr. RICHARDS. Mr. Speaker, I object to that language.

The SPEAKER. The gentleman's remarks are clearly not in order.

Mr. H. B. DUNN. Mr. Speaker, I beg the Speaker's pardon and also that of the members of the House.

I want to say to the gentlemen of this House that I believe that there is no necessity whatever for this bill. It is a bill to give somebody some money. It cannot help be otherwise. The bureau spoken of in this bill received fifteen thousand dollars in the bill passed in 1911, and now they want fifty thousand dollars. It is not necessary to speak about what they will do with the money. There are children being born every day and every week in the year now, but what they are after is money to go around the State. Any member who votes for this bill and so gets the amount of money to be appropriated for the hospital or institution in his county cut down had better go to Chicago or St. Louis and not dare come back home.

Mr. RICHARDS. Mr. Speaker, in answer to the gentlemen I will say I am not a physician and the good Lord knows I don't expect to be a midwife, so I cannot participate in this fund. However, Mr. Speaker, I ask unanimons consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 8, line one, by striking out the word "fifty" and inserting the word "fifteen" in lieu thereof.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? It appears there is none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. MATT. Mr. Speaker it does seem to me that carrying an appropriation like this as it does, that this bill should be referred to the Committee on Appropriations. I therefore move you that it be now referred to the Committee on Appropriations.

Mr. MELLOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

It was not agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STEIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of person privilege.

Mr. STEIN. I desire, Mr. Speaker, and Gentlemen of the House, under the provisions rule 39, to introduce the Honorable William A. Magee, Mayor of the City of Pittsburgh, and a member of the Senate session of 1901 and 1903, upon the floor of this House.

The SPEAKER. Any person who is an ex-member of either branch of this Assembly is entitled to be admitted to the floor of the House on the introduction of any member. This rule, however, is subject to this modification: That no person except a member of the present House or the present Senate is entitled to sit in the seats allotted to the members or to talk to members in their seats during the transaction of business. The gentleman will be admitted to the floor of the House subject to this condition.

Mr. STEIN. I thank the Chair for its ruling.

RECESS.

I move you Mr. Speaker and Gentlemen of the House, under the question of personal privilege, that the Honorable William A. Magee, who is now before the House, by reason of the Speaker's kind permission, be permitted to address the House, and for that purpose I move you a recess of fifteen minutes be now declared.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair will be glad to present the gentleman. The recess is now declared.

AFTER RECESS.

The SPEAKER. The time of recess having elapsed the House will be in order.

The next bill on the Calendar is No. 624 and the next one 619, both of which have not yet been received from the printer.

The next bill on the files is No. 679.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 679, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation for its provisions and to repeal acts or parts of acts inconsistent therewith

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. W. H. WILSON. Mr. Speaker, at the request of the sponsor of this bill, I move that the further consideration of the bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The next bills in order on the Calendar, Nos. 209, 540 and 162, have not yet been received from the printer. Bill No. 293 is the next bill on the Calendar that is on the files and will now be taken up.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 293, entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Adams,	Flynn,	Letzkus,	Redfield,
Alworth,	Foster, J. D.,	Lohr,	Reeser,
Ambler,	Frey,	Lowers,	Rex,
Arthur,	Gans,	Malie,	Richards,
Baldwin, G. A.,	Geary,	Mannion,	Rockwell,
Barner,	Geiser,	Martin,	Roney,
Bass,	Good,	Mather,	Runk,
Becker,	Goss,	Matt,	Sassaman,
Benninger,	Gramley,	McAleer,	Schaeffer, A. C.
Bergey,	Gransback,	McAllister,	Scott, S. B.,
Bernthazel,	Gray, Frank,	McArdle,	Semmens,
Bigger,	Gray, Joseph,	McCaig,	Shaffer, C. A.,
Bittles,	Haggerty,	McClintock,	Shaffer, I. E.,
Blair, W. A.,	Heidinger,	McDermott,	Sherwood,
Blair, W. F.,	Hemminger,	McKay,	Showalter,
Brosius,	Hess,	McNichol,	Smith, J. W.,
Brownlee,	Heyburn,	Mechling,	Smith, L.,
Burnett,	Hibshman,	Mellott,	Snavely,
Caldwell,	Hobbs,	Metzenbacher,	Snyder,
Campbell, C.M.,	Howard, R.,	Miller,	Spangler,
Campbell, J.J.	Humes,	Missimer,	Speiser,
Carson,	Isler,	Mitchell,	Spillinger,
Carter,	Irwin, G. C.,	Moore,	Steedle,
Claycomb,	Irwin, H. H.,	Morrow,	Stein,
Cleary,	Jackson,	Moses,	Stone,
Collins,	Jones, E. E.,	Moulthrop,	Strauss,
Conner,	Jones, J. R.,	Murphy,	Swartz,
Conniff,	Kaiser,	Musser,	Swift,
Conrade,	Keegan,	Neel,	Thomas,
Cox,	Keeport,	Neely,	Ulman,
Currier,	Kenna,	Newbaker,	Walnut,
Curry,	Kennedy,	Newton,	Walton,
Davis,	Kern,	North,	Wettach,
DeFrees,	Kitts,	O'Neill,	Whitaker,
Dickinson,	Klepper,	Pennegar,	Wildman,
Donahoe,	Kuhn, H. P.,	Pennock,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Perry, H. L.,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Perry, S. J.,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Peters,	Young, G. K.,
Eichenberger,	Lenker,	Piper,	Young, J. H.,
Ewing,	Leslie,	Price,	Zimmerman,
Fahey,		Ramsey,	Ater,
			Speaker.

NAYS—4.

Body,	Rothenberger,	Post,	Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 600, entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Fahey,	Letzkus,	Rhoads,
Allen,	Flynn,	Lowers,	Richards,
Alworth,	Foster, J. D.,	Malie,	Rockwell,
Ambler,	Frey,	Mannion,	Roney,
Arthur,	Gans,	Martin,	Rothenberger,
Baldwin, G. A.,	Geary,	Mather,	Runk,
Barner,	Geiser,	Matt,	Sassaman,
Bass,	Gibson,	McAleer,	Savacool,
Becker,	Glenn,	McAllister,	Semmens,
Benninger,	Good,	McArdle,	Shaffer, C. A.,
Benson,	Goss,	McCaig,	Shaffer, I. E.,
Bergey,	Grabe,	McClintock,	Sherwood,
Berntheizel,	Gramley,	McDermott,	Showalter,
Bigger,	Gransback,	McNichol,	Smith, J. W.,
Bittles,	Gray, Frank,	Mechling,	Smith, L.,
Body,	Haggerty,	Mellott,	Snyder,
Brosius,	Heidinger,	Metzenbacher,	Spangler,
Brown,	Hemminger,	Miller,	Speiser,
Brownlee,	Hess,	Missimer,	Spillinger,
Caldwell,	Heyburn,	Mitchell,	Steedle,
Campbell, C.M.,	Hibshman,	Moore,	Steele,
Campbell, J.J.	Hobbs,	Morrow,	Stone,
Carson,	Hoffman,	Moses,	Strauss,
Cheeseman,	Howard, R.,	Moulthrop,	Swartz,
Claycomb,	Humes,	Murphy,	Swift,
Cleary,	Irwin, G. C.,	Musser,	Thomas,
Cochran,	Irwin, H. H.,	Neel,	Trach,
Collins,	Jackson,	Neely,	Ulerich,
Conniff,	Kaiser,	Newbaker,	Walnut,
Conrade,	Kaufman,	Newton,	Walsh,
Currier,	Keegan,	North,	Walton,
Curry,	Keeport,	O'Neill,	Wettach,
Davis,	Kenna,	Peachey,	Whitaker,
DeFrees,	Kennedy,	Pennegar,	Wildman,
Dickinson,	Kern,	Perry, H. L.,	Williams
Donahoe,	Kitts,	Perry, S. J.,	Wilson, J. H.,
Donnally,	Klepper,	Piper,	Wilson, W. H.,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Young, G. K.,
Ehrhardt,	Lanius,	Redfield,	Zimmerman,
Eichenberger,	Latshaw,	Reese,	Alter,
Ely,	Lenker,	Reeser,	Speaker.
Ewing,	Leslie,	Rex,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 671, entitled:

An Act regulating the custody of records of criminals during trial of cases

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, and Gentlemen of the House, I would like to call your attention to the provisions of this bill, and unless they are satisfactorily explained, I shall vote against this bill and ask the members of the House to do likewise. It is a very short bill and I will read it to you in order to point out what in my mind are the unsatisfactory features of the bill.

That hereafter the custodian of criminal records who has a record pertaining to any defendant on trial in any criminal court of this Commonwealth shall keep the same in his possession and shall not be allowed to surrender hand over or disclose the same to any Judge District Attorney or Counsel during the trial of the said defendant until such record becomes relevant according to the laws of evidence

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

I would like to have the sponsor of the bill, or any one who is acquainted with it explain just what this bill intends to do. Under its provisions, no prosecuting attorney or judge would have the right to any of the records to any defendant so far as the preparation of that case is concerned, and any attorney knows that such records cannot go into the record in any case until it becomes relevant, and under this bill, in the preparation of his case, the prosecuting attorney could not get a hold of the record of the man who is on trial.

Mr. McALEER. I am not a lawyer. If I were I could probably give you some good reason why you should pass this bill or some good reason why you should defeat it. I was asked to introduce this bill by a Philadelphia lawyer, and the explanation he gave me was that he did not think it proper when a man is placed on trial for a particular offense that he should at the same time be placed on trial for his entire past life. I would suggest that you men who are lawyers and who ought to have some experience and know something about this particular kind of legislation, would take it up and discuss it among yourselves. I simply allowed the bill to get this far to bring it to the attention and the consideration of the House, and I trust that you will give it intelligent consideration and vote for it.

Mr. ALWORTH. Mr. Speaker, and Gentlemen of the House, it seems to me that this bill goes a little too far in the protection of people who are under indictment charged with some sort of crime. All of you who are attorneys know that there is a pretty heavy burden cast upon the district attorney at the present time in the ferreting out of crime and in securing the conviction of the people charged with crime, who are under indictment and who are being tried. You all know very well that the Commonwealth has the burden of proving the defendant guilty beyond a reasonable doubt, and it seems to me that legislation of this kind ought not to be thrown upon the Commonwealth to prevent them from securing convictions where convictions of crime ought to be secured, and I, gentlemen, am opposed to this sort of legislation.

BILL POSTPONED.

Mr. McALEER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. Bill No. 553, (Senate No. 12), entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale, offering for sale, exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," approved the eleventh day of March, Anno Domini one thousand nine hundred and nine, providing for the denaturing by kerosine of all eggs unfit for food within the meaning of said act, and providing penalties for the violation thereof.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STEIN: Mr. Speaker, I intended when this bill was on second reading to offer certain amendments to it. Unfortunately I was unable to get in touch with Senator Jones to agree on what sort of amendment was needed. I would, therefore ,ask that you kindly postpone further consideration of this bill until such time as the Senator and myself can get together and determine upon what is really necessary.

Mr. GANS: Mr. Speaker; I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. Bill No. 678, entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. W. H. WILSON. Mr. Speaker, at the request of the sponsor of this bill, I move that the further consideration of this bill be postponed for the present.

Mr. COX: Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on Third Reading of H. R. Bill No. 680, entitled:

An Act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required and repealing acts or parts of acts inconsistent therewith.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. W. H. WILSON: Mr. Speaker, for the same reason as given on Bill No. 678, I request that the further consideration of this bill be postponed for the present.
Mr. MOORE: Mr. Speaker, I second the motion.
It was agreed to.

SENATE MESSAGES.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid on the desk.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on Third Reading of H. R. Bill No. 589, entitled:

An Act to abolish for the purposes of municipal assessment and taxation of real estate the distinction between built-up rural and farm property.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RONEY: Mr. Speaker, I would ask that the further consideration of this bill be postponed for the present.
Mr. COX: Mr. Speaker, I second the motion.
It was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on Third Reading of H. R. Bill No. 808, (Senate Bill No. 1), entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof.

And said bill having been read at length the third time, considered and agreed to.
On the question.
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 189

Adams,	Foster, J. D.,	Lowers,	Richards,
Allen,	Frey,	Malie,	Riebel,
Alworth,	Gans,	Mannion,	Rockwell,
Ambler,	Geary,	Martin,	Roney,
Arthur,	Geiser,	Mather,	Rothenberger,
Baldwin, G. A.,	Gibson,	Matt,	Runk,
Baldwin, R. J.,	Glenn,	McAleer,	Sassaman,
Barner,	Goss,	McAllister,	Savacool,
Bass,	Grabe,	McArdle,	Schaeffer, A. C
Becker,	Gramley,	McCaig,	Schuck,
Benson,	Gransback,	McClintock,	Semmens,
Bergey,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Berntheizel,	Gray, Joseph,	McKay,	Shaffer, J. E.,
Bigger,	Hackett,	McNichol,	Sherwood,
Bittles,	Haggerty,	Mechling,	Showalter,
Blair, W. A.,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Smith, L.,
Body,	Hess,	Miller,	Snavely,
Brosius,	Heyburn,	Missimer,	Spangler,
Brown,	Hibshman,	Mitchell,	Speiser,
Brownlee,	Hobbs,	Moore,	Spillinger,
Burnett,	Hoffman,	Morrow,	Steedle,
Caldwell,	Howard, R.,	Moses,	Steele,
Campbell, C.M.,	Humes,	Moulthrop,	Stein,
Campbell, J.J.	Isler,	Murphy,	Stone,
Carson,	Irwin, G. C.,	Neel,	Strauss,
Carter,	Irwin, H. H.,	Neely,	Swartz,
Cheeseman,	Jackson,	Newbaker,	Swift,
Claycomb,	Jones, E. E.,	Newton,	Thomas,
Cochran,	Jones, J. R.,	North,	Trach,
Collins,	Kaiser,	O'Neill,	Ulerich,
Conner,	Kaufman,	Peachey,	Ulman,
Conniff,	Keegan,	Pennegar,	Walnut,
Conrade,	Keeport,	Pennock,	Walsh,
Cox,	Kenna,	Perry, H. L.,	Walton,
Currier,	Kennedy,	Perry, S. J.,	Wettach,
Curry,	Kern,	Peters,	Whitaker,
Davis,	Kitts,	Piper,	Whitman,
DeFrees,	Klepper,	Post,	Wildman,
Dickinson,	Kuhn, H. P.,	Price,	Williams,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Donnally,	Lanius,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Reese,	Wiltbank,
Ehrhardt,	Lenker,	Reeser,	Young, G. K.,
Eichenberger,	Leslie,	Rex,	Young, J. H.,
Ely,	Letzkus,	Rhoads,	Zimmerman,
Ewing,	Lohr,		Alter,
Fahey,			Speaker.
Flynn,			

NAYS 0

the majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House had passed the same without amendment.

Agreeably to order,
The House proceeded to the consideration on Third Reading of H. R. Bill No. 280, entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

On the question,
Will the House agree to the bill on third reading?

Mr. STEIN. Mr. Speaker and Gentlemen of the House, I regret that I am compelled to occupy your attention for a few moments in opposition to this bill, and I fully realize that I am doing something extremely unpopular and perhaps undesireable to most of the gentlemen of this House, but I ask you men to hear me patiently for but a few moments, and hear me for my cause, and be silent that you may hear. The bill under consideration as offered by my very good friend Mr. Lowers from Braddock, proposes that ten verses of the Holy Bible shall be read every morning in every public school by the teacher, without comment; that upon the failure of that teacher to so read the bible, it shall be cause for dismissal without further complaint. Now, gentlemen, I ask you first, and I ask you in a spirit of honesty and fairness, and because I want to say it before my friend from Braddock has a chance to reply, that I am second to no man in the House in my reverence for the Bible and its teachings and in my support and respect for the public institutions of our Commonwealth, but I sincerely believe, and I believe with a firm and honest and conscientious conviction that this bill is unAmerican and will create no good, but on the contrary may open the door to a great deal of religious controversy. In the first place, the bill calls for the reading of the Holy Bible, and at the very first inception of the Act, I say to you, whose Bible shall be read? You gentlemen know that the Holy Bible ordinarily means the King James version, or the Reformed version, and that is the only one that is acceptable to the Protestants. The Catholic says that the only true version is the Douay version, and that that is the only version acceptable to him. The Jews says that he will not subscribe to either of these versions, and the atheist, who has just as much political right to his opinion as the religious man, says, "Away with all the versions. I will have my own opinions as to what is contained in the Bible." When you say the Holy Bible, you are not limiting it to any particular one, but you are taking only one version, and that version is according to the religious belief of the teacher who reads the Bible. The Catholic teacher will necessarily read the Bible that is acceptable to her because she believes that it is the only one that reflects her shade of thought and faith. The Protestant teacher will read the reformed version, the Jew will read her version, and the atheist will do the same. Now, my friends, can't you see that this is opening the door to a very dangerous and undesireable and un-American discussion. We believe that church and state should be separate, and the very foundations of our government are erected upon that theory. But my friend from Braddock will reply to that, and I also expect that my friend from Beaver will have some remarks to make on the floor of the House. But I want to say to you that your convictions are no stronger than mine, or the people of my district, and if we want to be true liberty-loving Americans, we have no right to open up a religious discussion in the public schools. My friend will say that this bill merely calls for a reading of the Bible without com-

ment. This you very well know, that the Bible in the hands of a scoffer can be held up to ridicule and contempt, but if read with reverence and respect can be made a great moral teacher. How shall it be read? With insinuation and innuendo and disbelief, as will be the case if it is in the hands of an atheist? Can you expect the Protestant to read the Catholic version with that true reverence and respect that is demanded, or can you expect the Jew and Catholic to read other versions than his own in the proper manner, such as only can be done in the privacy of the home? The father and the mother are the proper persons to properly give the children religious instruction, and this should not be done in the public schools.

You men seem to forget that the public school is supported by the equal taxation of all classes of people. Every citizen of the country is called upon to share in this taxation, and gladly responds to the taxation for school purposes. I ask you men if you should occupy public time with sectarian matters. You must remember that the reading of the Bible is sectarian, according to the views of the teacher reading it. I would like to advance another argument. This question was thoroughly discussed by the framers of the School Code, and very intelligently and honestly and fairly debated. After careful consideration, the framers of the Code decided not to put this question in the bill. And I think that the school code is one of the best pieces of legislation ever enacted by a Legislature of this State, with the exception of a few slight changes which we hope to make at this session, If these men, after carefully considering the matter, left it out of the code, should we not respect their opinions on a matter so sacred to all men, and avoid the religious discussin that would of necessity follow. Last session I was in a hopeless minority, and may be in this session, but I want to ask you to give this matter reverent and careful consideration, and if you men think my arguments are right, notwithstanding the eloquent appeals that may come from the other side, I would ask you gentlemen to agree with me in either having the action on this bill postponed for the present, or vote it down.

Mr. KITTS. Mr. Speaker, and Gentlemen of the House, I had risen in my seat at the time the gentleman from Allegheny began to speak, and he has entirely voiced my sentiments in this matter, and has stolen my thunder. I have had some practical experience in public schools, having started in the lowest grade at school and taught my way into a college preparatory high school before I took up the study of law. It has been an actual matter of experience among teachers that the reading of the Bible in public schools would start a turnoil among the members of the school board and the teachers and the families in a very short time, and I think that if this bill were passed, that it would be one of the most unwise pieces of legislation that was ever written on the statutes of Pennsylvania. I had this experience at the first school to which I was appointed. I went there with a feeling that I was going to fail. I found after a careful investigation that the whole trouble had been brought about by a teacher of a different faith than that of the majority of the children, and the families who had been reading the Holy Bible in the morning exercises. I corrected that mistake, if it may be so-called, and if I may be permitted to say it myself, when the time came for my re-appointment every one of the people signed my petition for re-appointment for no other reason than that that distasteful evil had been corrected. I have talked to the teachers at institute, and normal schools, and they have expressed themselves that if they were compelled to get up before a school in which there is a diversified opinion as to religion and were compelled to read the Holy Bible, they would resign their positions. I do not mean to say for a momenut that I am not in favor of bringing the religious teachings and the teachings of God as prominently before the people as possible, but I do not believe that this matter should be brought into the public schools. As I said before, this is a dangerous piece of legislation and should be voted down.

Mr. LOWERS. I think I can accept the apology of my friend from Allegheny for assailing this measure. His speech as a whole will answer its purpose. I cannot find it in my heart to find fault with him for taking the stand that he does on this measure. I believe many of us, if we were in his district and represented his people, would do likewise. As I said, I believe he has fulfilled his obligations to his people. I have been pleased to note that during the course of discussion upon various propositions before this body that my good friend from Allegheny saw fit to quote this Grand Book of law to sustain his arguments. I congratulate him upon having done so. This act was introduced in the 1911 session, and at that time my friend from Allegheny also registered his objection. This measure passed this body with but fifteen dissenting votes at that time. The bill was then sent to the Senate, and died there in Committee. The Bible itself needs no defense and I have prepared some comments upon the provisions of this act.

The reading of the Bible in the public schools is a prerequisite to the moral educational training of school boys and girls. Education is admitted to be of the very greatest importance under all forms of government, especially when the people govern themselves. It certainly follows that, in order to have the wisest and most advantageous administration of public affairs in the interest of the people, moral instruction must accompany educational teaching.

In teaching morals in the public schools we want the highest standard of morality. Where can it be found? There is no standard so high, so pure and so elevating as that contained in the Holy Bible.

From Mount Sinai to the Sermon on the Mount, from the Ten Commandments to the beatitudes and the golden rule, runs a rich stream of pure, crystal morality. The Holy Bible is replete with the heights of conscientious discharge of spiritual and earthly duty.

There is but one universally accepted Bible, open to all who wish to read it. It is unsectarian. It is the Bible of our early colonial fathers and to which, in their sublime belief and discharge of moral obligation, is ascribed all of their splendid achievements in the cause of civil and religious liberty and good government.

One of the first things the colonial fathers did was to provide schools for teaching the children, with the open Bible therein. The publication of the version of the Holy Scriptures in the year 1611 (King James version) associated it with the early colonies of the English people upon this continent. It became at once the Bible of our American forefathers. Its classic English has given shape to American literature. Its spirit has influenced American ideals in life and laws and government.

The Bible itself is not sectarian. It only becomes so by interpretation. All sectarian religious belief and creeds are gleaned from it, yet it, itself, is free from sectarian bias. Its pages are open to all people and it is known all over the civilized world as "The Christian Bible."

In keeping with that thought and the appreciation of the fact that this great country of ours is compelled to assimulate the people of all other nations; schools should be created for the boy and girl of today, who are the man and woman of tomorrow, to instruct them educationally and morally. The children who come from other shores lack the moral and educational training necessary to become a part of this great country of ours. Those of us who live in a populous district know that in our schools there are at least fifty per cent. of the pupils coming from these homes. What do we find there? We find nothing but filth and squalor and an absolute absence of any moral training. You can appreciate the necessity of giving them not only the educational but also the moral training to enable them to take up their duties of citizenship and those of the home. Therefore I say this is not a sectarian, but a moral measure, and should become a law of this great Commonwealth of ours.

Mr. ULERICH. Mr. Speaker and Gentlemen of the House, I desire to take exception to the statements made by the gentleman from Erie, the school teacher. I have been engaged in the school business in all lines for possibly twenty-seven years. And, during that time, in a county which now has two hundred and thirty-one thousand people, and at the time I was county superintendent, there were nine hundred teachers and about thirty-five thousand pupils, I never heard, to the best of my knowledge, any criticsm of the reading of the Bible in the public schools. I want to say further to the gentlemen who take exceptions to the matter of the reading of the Bible by saying there is a certain faith known as the Roman Catholic Church which is opposed to the reading of the Bible in the public schools, that it has been my observation and my experience that the Roman Catholics are not at all as narrow in their views as some people would have us believe. I have had at least thirty-five or forty Roman Catholic teachers in the public schools, and I have never had the experience of one of those teachers objecting to the reading of the Bible in the public schools, and, therefore, as a teacher, I take exception to the gentleman from

Erie when he states that trouble occurs by reason of the reading of the Bible in the public schools.

Mr. JOSEPH GRAY. Mr. Speaker.

The SPEAKER. The gentleman from Cambria, Mr. Joseph Gray.

Mr. JOSEPH GRAY. Mr. Speaker, contrary to what the gentleman from Westmoreland has said with regard to this vote, I will say that there is trouble that arises from this practice. It may not been in his experience but some of us have had this experience. The gentleman from Allegheny who introduced this bill, after stating that it is not a sectarian bill, immediately says that there is only one actually, generally accepted Bible and he proceeds to tell us what the version of that Bible is. I must say to the gentleman that I don't think he is entirely correct. At least, there is a very large population in this country and in other parts of the world who won't accept that version but as this applies to us, I want to say to the gentleman that I don't agree with his statement. For instance, I might mention some things that is in the version that he refers to that I don't agree with, because they are not in the version that I use. I cannot go any further than to the Lord's Prayer and the "Our Father" as we call it. His version as I understand it is different from ours which is "For Thine is the power and the kingdom and the glory" if I am wrong, the gentleman will correct me, and whoever uses one or the other says that it is correct. This is the belief and parents do not send their children to a school where it is taught because they don't want their children taught in that school because they say , "It is wrong". From our point of view, there are a very large number of errors in the version he mentions. Perhaps, there are some other things in regard to the Bible that I could mention, but if this is the only book or Bible to be used as the moral feature you might as well pass an act that would probably give us as good teaching and demanding that it should be read. For instance, the Korean of the Mohammedans or of the tents of Marcus Aurelius; you might take any of those works and say they shall be read in the public schools if it is only on the ground of morality. But there is something back of this besides that. There is not sufficient reason for this bill to be enacted. We naturally stand on the ground that this is a Christian Nation but do you gentlemen realize that there is only about twenty-three per cent. of the people of Pennsylvania and of the United States who belong to a Christian denomination of any kind? That is including all Christian denominations; all religions of all kinds; only about one-third of the people in Pennsylvania, I don't know exactly about Pennsylvania particularly but I will make it one-half, then I will be sure of being in the right, who believes in the Bible and among those people there may be those whom the gentleman says are non-sectarians. The gentleman says that this is non-sectarian and that the Bible can produce nothing but good and it teaches only good morals by the reading of it. I want to say in answer to the gentleman, that the taking of the Bible and the reading of it has caused an infinite amount of trouble and the man who follows that through will often find himself in chaos. We have that to-day and you gentlemen all know it. I don't see why you who have certain things in your Bible should insist that I should read that Bible when I don't agree with all that is in your Bible or I do not see why my children should be asked to read that Bible, as I have no right to ask you to read the Bible in which I believe. You have no right to cram that down in my throat any more than I have any right to make you swallow something that you don't want and I think that it is only fair that this should be recognized. I think that it is un-American that we impose upon each other in that way. I don't want you gentlemen to think that I am opposed to the Bible but I want you to know and I want you to think that I am opposed to anything in which I have not the same faith and that I want to stand by that and I want to see you do the same thing. Mr. Speaker, and Gentlemen of the House, the gentleman who represents the Jewish views in this matter has given you perfectly sound and logical reasons why this bill should not be enacted, as I view it. I think the gentleman's views are entirely correct. I don't want to force something on him and he don't want to force something on me. He is a tax payer as I am a tax payer, and he has the right to demand something and has a right to demand something for the raising of his children, the same as we have and if we insist on this kind of measure, we are not standing in the line of so-called wide kindness, and breadth, and liberality of American citizenship. That will not be our position if we are going to force each other into something which is not desirable. Finally and ultimately, we cannot get the children into any school who will not ask the teacher questions and some questions will come up and immediately the child will ask questions. What is the teacher going to do? Will she say I don't dare make any comments and the child will say, "That is strange." I think that is one great reason why this bill should be defeated.

Mr. MARTIN. Mr. Speaker, I don't see why the book which stood the criticism of ages should be prevented from being read in a public school. I don't see why the book that has stood the test of ages should be eliminated from the public schools. I don't believe sectarianism should be injected into this question. If you are going along on that line you would eliminate it entirely by and by. I don't believe that the members of this House will agree that the Bible shall not be read in the public schools or that we shall legislate against it. There is not one of these men who discussed this question that has told us that it has done any injury and I want to say to you; there are plenty of homes in this broad land of ours, and I dare say in the State of Pennsylvania where the Bible is never read. Why should not the boys and girls who go to our schools be allowed to hear certain portions of the Bible read? I have been teaching in the public schools of this State for the past twenty-six years, or within a very small portion of twenty-six years, and I have yet to find the first case where any trouble has arisen from the reading of the Bible in the school. If there is any trouble on this score it is where you invite trouble. I have been in schools where there were Jews and Catholics and Protestants and all kinds of foreigners; there was a large foreign element there and there is not one that has ever objected to the reading of the Bible in the schools in the twenty-six years that I have been in the teaching profession. I have not had one pupil who has objected to the reading of the Bible in the public schools. I believe it is right and I believe it is the right thing to do, to read from any book which has language like this: "Train up a child the way it shall go and when he is old, he will not depart from it then; show our sons to be as grown-up plants in their youths and our daughters as the corner stones polished after the similitude of a palace." I take this from the Bible and could you object to a book that has such literature as that in it? Is there one man on the floor of this House that would object to that? I don't think there is one on the floor of this House who would take exceptions to sentiment like that. I intend to support this because I belive that I am right. I want further to say that there was not one opponent in attendance when the Committee passed upon it—there was not one there to object to it. There were others there who agreed to stand up for their rights and I wish you gentlemen of this House to stand by it and pass this bill.

Mr. WILDMAN. Mr. Speaker and Gentlemen of the House. The gentleman from Allegheny has quoted from the great moral teachers and I wish to say that I received my inspiration from the great Teacher himself. He said. "Render unto Ceasar the things that are Ceaser's. To God, those that are God's." The public schools are the Institutions that belong to Ceasar. The Bible tells us to go to the Church. I belive that the proper place for the teaching and reading of the Bible is the church and the Sunday-school but not in public school which is maintained by the popular expense of the people.

Mr. R. J. BALDWIN. Mr. Speaker, I expect to vote against the bill and I want to give you my reasons. In fact, I want to be put on record and my reasons are these: —From what has been said by those who are in favor of the bill, it appears in those communities where it is acceptable and causes no dissension the Bible is now freely read or can be. I know very well and I want just to read you what the framers of the Constitution had in mind. The first line that they put when they framed the constitution of this government, they had in mind the idea to avoid dissension that arose from Church and State being mixed together. The very first line says this, "Congress shall make no law respecting the establishment of religion." I recollect well, when I was a boy that we had

a teacher of a different faith from my own and from that I have my opinions of the effect. My faith is Protestant and it was the talk of the neighborhood, when a teacher of the Roman Catholic faith was appointed, as to whether she was going to read the Catholic Bible or the Bible to which we had been accustomed. The passing of this statute raises in my mind and will raise in the minds of some people in sections of our State religious propositions that will creep into the public schools. It is practically a part of the State. It is just as essentially a proper thing to keep out of the public schools as it is to keep these proposition out of any legislative body. I look upon this kind of legislation as mingling church affairs with affairs of State and I agree exactly with the gentleman to my right upon this point. We are simply going to have consequences that don't need to arise unless we pass a statute of this character which affects our public schools. I can say that there are many sections in which there can be no harm in reading the Bible in the public schools but there are other places where it will not serve the purpose for which it is intended and in some sections there may be quarrels arising that are otherwise absolutely unnecessary.

Mr. RAMSEY. Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. Ramsey.

Mr. RAMSEY. Mr. Speaker, and Gentlemen of the House, I had expected at the beginning of this session that my colleague, the Representative from Delaware County, (Mr. R. J. Baldwin) would get upon the opposite side. I didn't expect however that he would go there upon this question of reading the Bible in the public schools. I too, like my colleague, Mr. Baldwin, prefer to be put upon the record as favoring this legislation. I don't agree with the gentleman when he says that we are not to legislate on religious questions. I don't agree with some of the other gentlemen who have spoken upon this question. The gentleman from Allegheny who has referred to the great amount of time that is taken up in legislating on the School Code of 1911 in which he stated, the framers of that great code worried with this question for a number of days and decided to eliminate it from that code. I don't care when he says that that code is almost perfect. I don't think that that is any more un-American, than it was for the framers of that Code, if you please, to place in that act the power to appoint school directors in one section and elect them in another. That was not un-American and I don't believe that the gentlemen of this House would think so either. This is not a religious question, gentlemen, and I believe that there will be great good come from it. I believe that it is a matter worthy of trial if nothing else. The Legislatures come and go from time to time and enact laws and then come back and repeal them and there have been demands for such legislation as this many times before this session and I hope that the gentlemen, no matter whether he be a Protestant or whether he be a Catholic or whether he be a Jew, will see fit to vote for this bill, that it may become a law and see then if the predicted troubles of the opposition will materialize that have been set before us to-day. I don't believe they will. I trust that we shall all vote and I appeal to you to vote for this measure that we may have the Holy Bible read each day in our public schools.

Mr. GRAMLEY. Mr. Speaker.

The SPEAKER. The gentleman from Centre, Mr. Gramley.

Mr. GRAMLEY. Mr. Speaker, I wish to preface my remarks by saying that if this bill now before us in its present shape is brought to a vote, I shall vote Aye. But I believe that we can pour oil on the troubled waters in districts perhaps, of Pennsylvania, where the majority of the children are of a different faith. There might be some amendment introduced which would adjust the possible differences that might occur. When I was a boy, I was taught to read the Bible. My father and my mother required me to read the Bible but they would have punished me if I had read anything but the King James Version. I was not taught that any of the other versions were wrong and I do not thing that they are wrong. But I believed it in my childhood; I believed in the King James Version, but by that I do not believe now that every other version is wrong. I am frank to say that before I changed my mind, upon that question, I was a pretty big boy. I am to-day reading the King James Version. I wish to give you a little experience of mine. I had the pleasure of being superintendent of the Center County Schools for almost thirteen years. I had two hundred and eighty-seven teachers under my care and possibly of that number, there were two hundred and eighty-five teachers who were advocates of the King James Version. Possibly I had ten teachers of different faiths; teachers who didn't like the King James Version because they were accustomed to some other version and because they were required to teach our version, they did it but did it under protest. I have now in hand one particular school taught by a Methodist girl and that school was made up of sixty-one pupils. Out of that number, possibly from forty-six to forty-seven were of a different faith. They had no faith in the King James Version. This teacher was determined to use the King James Version. The parents of the forty-six pupils simply said to these boys and these girls, to the students who went to that school "Stay outside of the school room in the morning until after the devotional exercises. Don't enter the house until that is over." This teacher in her enthusiasm was determined to compel attendance and she failed ignominusly. Perhaps she was not prudent. Disturbance rose in the community and I was compelled to take action in my official capacity. I scarcely knew how to get out of it. I went into it, however, and fortunately for me I became cognizant of the fact that a publishing house in Chicago published a book costing about thirty-five cents, containing bible extracts, that had nothing that was offensive to a Jew or a Catholic or a Protestant and had the sanction of the Catholic Father, a Jewish Rabbi and a Methodist Preacher. I recommended the book and the teacher accepted that Book, so the difficulty was settled, and everything went along harmoniously. I would suggest that this bill be amended so that the teachers in any community or in any section of any denomination would be all right. I believe that we can settle this difficulty with satisfaction, if we go about it in the right way. If the House should determine to pass this bill as it now stands, I shall vote Aye, but I would prefer to postpone the bill for the present. Therefore, Mr. Speaker, I move that we postpone action for the present on this bill.

Mr. DONAHOE. I second the motion.

The motion was not agreed to.

Mr. SWIFT: Mr. Speaker, I have not very much to say. My friend from Allegheny has called me out and I might be misinterpreted if I did not walk out. I am in favor of this bill simply because of what it contains. I cannot agree with many of the speakers who interpret this bill or this reading as merely an expression of faith or a teaching of a particular faith. It does not imply anything of the sort.

May I read:

"It is in the interest of good moral training of a life of honorable thought and of good citizenship that the public school children should have lessons of morality brought to their attention during their school days. Therefore be it resolved," etc.

Is there a man on this floor Mr. Speaker who will affirm for a moment that the reading of this Book of all books would be against the morals of any boy or girl? This book, and I wish now at this point to refer to that thought that was expressed by my friend from Allegheny, that it is un-American. Why, my friends, the birth of this American nation of ours, its very principles and its very teachings are recognized in the founding of this nation which we call American and which we love. This book lies at the foundation of all moral teaching and nations and peoples and tongues have recognized this, and the people that have recognized this as being the foundation of all morals, have risen to the greatest height, standing without their peers in history. And shall we, at this day and age, conclude that this book is a menace; that it is wrong in principle; that it offends certain individuals with certain ideas? Gentlemen, I wish to call your attention to this one fact and I am done.

Let us remember that we are to teach and to legislate for morals as well as money; that we are here to stand by the principals that this great book of morals teaches, and I wish to say further that we cannot be mistaken if we shall follow the teachings of this great Teacher who was quoted a moment ago, "Render unto Ceasar the things that are Ceasar's and unto God the things that are Gods."

This is God's book, and, if we would fulfill that teaching, we are in duty bound, as believers in God to read this Book wherever and whenever it is our privilege. We shall not be rendering unto God the things that belong to him if we shall dare to say to-day in this House that that book shall not be read in our public schools.

I am in favor of the bill.

Mr. O'NEILL. Mr. Speaker, I move the previous question on this bill, and when I call for it I stand on this floor and acknowledge that I am a Roman Catholic and want to state that we have given our first born to preach the gospel; but I think this thing is getting too deep and we want it voted on. We do not want any animosity in this House, religious or otherwise.

The SPEAKER. Perhaps the House is ready to vote without taking up the time to move the previous question.

(Calls of Question, Question).

The SPEAKER. The roll call will be verified.

This was done as follows:

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Adams,	Gibson,	Mather,	Rockwell,
Ambler.	Glenn,	Matt,	Roney,
Baldwin, G. A.,	Good,	McAleer,	Runk,
Barner,	Goss,	McClintock,	Sassaman,
Bass,	Grabe,	McKay,	Savacool,
Benninger,	Gramley,	McNichol,	Schaeffer, A. C.
Benson,	Gransback,	Mechling,	Scott, J. R. K.,
Bergey,	Gray, Frank.	Mellott,	Scott, S. B.,
Berntheizel,	Heidinger,	Metzenbacher,	Semmens,
Bigger,	Hemminger,	Miller,	Shaffer, C. A.,
Bittles,	Hess,	Missimer,	Shaffer, I. E.,
Blair, W. F.,	Heyburn,	Mitchell,	Sherwood,
Brosius,	Hibshman,	Moore,	Showalter,
Brownlee,	Hobbs,	Morrow,	Smith, J. W.,
Burnett,	Howard, R.,	Moses,	Smith, L.,
Campbell, C.M.,	Isler,	Moulthrop,	Snavely,
Campbell, J.J.	Irwin, G. C.,	Musser,	Snyder,
Carson,	Irwin, H. H.,	Neel,	Spangler,
Carter,	Jackson,	Neely,	Spillinger,
Cheeseman,	Jones, E. E.,	Newton,	Steedle,
Claycomb,	Jones, J. P.,	North,	Steele,
Cochran,	Kaiser,	O'Neill,	Stone,
Conrade,	Kaufman,	Peachey,	Swartz,
Cox,	Keeport,	Pennegar,	Swift,
Currier,	Kennedy,	Pennock,	Trach,
Curry,	Kern,	Perry, H. L.,	Ulerich,
Davis,	Klepper,	Perry, S. J.,	Wettach,
DeFrees,	Kuhn, H. P.,	Peters,	Whitaker,
Dickinson,	Kuhns, E.G.M.,	Piper,	Whitman,
Donnally,	Lanius,	Post,	Williams,
Down,	Latshaw,	Price,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Redfield,	Wiltbank,
Ehrhardt,	Lohr,	Reeser,	Young, J. H.,
Eichenberger,	Lowers,	Rex,	Zimmerman,
Ewing,	Maile,	Rhoads,	Alter,
Frey,	Martin,	Richards,	Speaker.
Gans,			
Geiser,			

NAYS—29.

Alworth,	Donahoe,	Keegan,	Rothenberger,
Baldwin, R. J.,	Ely,	Kenna,	Speiser,
Becker,	Fahey,	Kitts,	Stein,
Body,	Flynn,	Mannion,	Strauss,
Brown,	Geary,	McAllister,	Walnut,
Collins,	Gray, Joseph,	McDermott,	Wildman,
Conner,	Haggerty,	Murphy,	Young, G. K.
Conniff,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. ALWORTH. Mr. Speaker, I am opposed to legislation making it compulsory to read the Bible in our public schools as I do not consider it a proper subject for legislative enactment. The provisions of the bill I consider un-American, puritanical, and impractical as applied to schools composed of children of various religious beliefs. I would oppose legislation forbidding the reading of the Bible in our public schools. I am equally opposed to making it compulsory by legislative enactment.

RECESS.

Mr. ALLEN: Mr. Speaker, I move that the House take a recess until five o'clock this afternoon.

Mr. McNICHOL: Mr. Speaker, I second the motion.

The motion was agreed to.

AFTER RECESS.

The House reconvened at five o'clock P M.

REPORTS FROM COMMITTEES.

Mr. STRAUSS, from the Committee on Judiciary General, re-reported as amended, House Bill No. 243, entitled:

An Act to prevent deception in the sale of paint putty turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof.

Mr. PRICE, from the Committee on Agriculture, reported as committed, House Bill No. 292, entitled:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April, one thousand nine hundred and seven, entiteld "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth, which in turn, are to be reimbursed by the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions," and to reimburse counties for moneys paid under the provisions of such act.

Mr. BAYLE, from the Committee on Counties and Townships, reported as committed, House Bill No. 791, entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court.

Mr. SPANGLER, from the Committee on Judiciary Special, reported as committed, House Bill No. 593, entitled:

An Act relating to contracts of insurance, relief benefit of indemnity in case of injury or death, entered into prior to the injury, between a servant and his master or any person or association acting for or on behalf of such master.

Mr. SNAVELY, from the Committee on Agriculture, reported as committed, House Bill No. 933, entitled:

An Act to repeal an act approved the tenth day of April one thousand nine hundred and seven, entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth, which in turn are to be reimbursed by the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions."

Mr. CONRADE, from the Committee on Labor and Industry, reported as committed, House Bill No. 853, entitled:

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employes, and providing a penalty for violation thereof.

Mr. LOHR, from the Committee on Agriculture, reported with a negative recommendation, House Bill No. 721, entitled:

An Act to conserve cattle and to regulate the cattle industry in this State by prohibiting the slaughter of certain grades of heifer calves and female cattle for a period of two years. Prescribing the duties of the state veterinary and his deputies in reference thereto, and the fees for services rendered in connection with this act, and prescribing penalties for the violation of this act.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as amended, House Bill No. 790, entitled:

An Act to fix the salary of County solicitor, in counties containing a population of more than two hundred and fifty thousand and less than one million, and providing for the payment thereof.

Mr. GEORGE A. BALDWIN, from the Committe on Judiciay General, reported as committed, House Bill No. 401, entitled:

A joint resolution proposing an amendment to section twenty-one of Article three of the Constitution of Pennsylvania.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 404, entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of Accidents to employes and prescribing a penalty for non-compliance therewith.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 402, entitled:

An Act regulating policies of insurance against liability arising under Article II of the Workmen's Compensation Law of 1913.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 403, entitled:

An Act to provide for the Incorporation and Regulation of Employers' Mutual Liability Insurance Associations.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 399, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder.

Mr. PETERS, from the Committee on Fisheries, reported as committed, House Bill No. 157, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford County is located and distribute the money from such sale,

Mr. CONNIFF, from the Committee on Judiciary General, reported as amended, House Bill No. 294, entitled:

An Act to amend an act approved the tenth day of May, one thousand nine hundred nine, entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole."

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 861, (Senate Bill No. 30), entitled:

An Act supplementing and amending sections four six seven nine ten eleven, twelve seventeen and nineteen of an act entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in former keeper's papers prescribing under what ciricumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 862, (Senate Bill No. 31), entitled:

A Further Supplement to an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven.

Mr. J. H. WILSON, from the Committee on Agriculture, reported with a negative recommendation, House Bill No. 820, entitled:

An Act prohibiting any person to lead, drive, ride, or work or cause or permit any other person to lead, drive, ride, or work any horse, mare, mule, ox, or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period; provided, that nothing in this act contained shall be construed to warrant any person's leading, driving, riding, or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals; proving a penalty for the violation of this act, and authorizing policemen, constables, or agents of duly incorporated societies or associations for the prevention of cruelty to animals, in this Commonwealth to make arrests, on view or by warrants, or offenders of this act.

Mr. J. H. WILSON, from the Committee on Agriculture, reported as amended, House Bill No. 841, entitled:

An Act to regulate the sale of certain seeds, providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same, providing also for the enforcement of the act and fixing penalties for its violation.

Mr. McCAIG, from the Committee on Judiciary Local, reported as committed, House Bill No. 794, entitled:

An Act making it unlawful for any person, firm or corporation to use the word consul or Consunate, or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor.

Mr. PERRY, from the Committee on Judiciary Special, reported as committed, House Bill No. 953, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses, mules, cows, sheep, goats or swine are kept; and for the collecting, storing and transporting of manure from such animals; providing that no manure shall be collected or stored in any stable, manure pit or other place without a permit, or transported in violation of said rules and regulations; making a violation of the act or of said rules and regulations a misdemeanor, prescribing penalties therefor, and repealing inconsistent acts.

Mr. ADAMS, from the Committee on Counties and Townships, reported as amended, House Bill No. 276, entitled:

An Act regulating the deposit of county funds.

The SPEAKER. The first bill in order is Bill No. 53, but instead of taking up this bill, we will turn back to the bills on the Third Reading Calendar which were not on the files this morning. The Chair understands that the bills are now on the files. The first bill which was passed over because of not being on the files was the Bill on Final Passage on page four of today's Calendar, Bill No. 575, File Folio 879.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 575, as follows:

An act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all State and county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the warden superintendent or other officer of any State prison penitentiary or State reformatory in the Commonwealth or any other authority whatsoever shall not make any contact by which the labor or time of any prisoner confined in any State prison penitentiary or State reformatory in the Commonwealth or the product or profit of his work shall be contracted let farmed out given or sold to any person firm association or corporation povided however that the prisoners in the said penal institutions may work for and in behalf of the Commonwealth and any political division thereof and the products of their labor may be disposed of to the Commonwealth or any political division thereof or to any public institution owned or managed or controlled by the Commonwealth or any political division thereof

Section 2 Provided however that none of the products of such prison labor shall be sold or exchanged by the Commonwealth but shall be understood to have been produced for its exclusive use or consumption only or for use or consumption by any public institution or political division of the Commonwealth

Section 3 The officers of the various county prisons and workhouses and reformatories or any other authority whatsoever shall not after the passage of this act make any contract by which the labor or time of any prisoner in any county prison workhouse or reformatory in this Commonwealth or the product or profit of his work shall be contracted let farmed out given or sold to any person firm association or corporation provided however that the prisoners in the county prisons workhouses and reformatories may work for and in behalf of the county in which imprisoned or of any political division thereof and the products of their labor may be disposed of to the Commonwealth or any political division thereof or to any public institution owned or managed or controlled by the Commonwealth or any political division thereof

Section 4 The board of inspectors wardens superintendents and other officials of all State prisons penitentiaries and State reformatories in the Commonwealth may so far as practicable cause all the prisoners in said institutions who are physically capable to be employed at labor for not to exceed eight hours of each day other than Sundays and public holidays but such labor shall be either for the purpose of production of supplies for said institutions or for the Commonwealth or any political division thereof or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes

Section 5 The superintendents wardens managers and officials of the various county prisons workhouses and reformatories in this Commonwealth shall so far as practicable cause all the prisoners in said institutions who are physically capable to be employed at labor for not to exceed eight hours of each day other than Sunday and public holidays but such labor shall be either for the purpose of production of supplies for said institutions or for any public institution owned or managed or controlled by the Commonwealth or any political division thereof or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes

Section 6 Any contract made by any superintendent warden manager agent or official of any prison or reformatory institution in the Commonwealth in violation of or contrary to the provisions of this act shall be null and void It shall be the duty of any such superintendent warden manager agent or official to furnish the district attorney of the county in which the prison or reformatory institution is located upon demand thereof a true copy if in writing and if not the substance of any contract made by such superintendent warden manager agent or official of such prison or reformatory institution relating in any to the system of labor adopted or to the employment of prisoners in any of said prisons or reformatory institutions

Section 7 Any superintendent warden manager or official of any prison or reformatory institution in the Commonwealth violating any part of this act shall be guilty of a misdemeanor and upon conviction thereof be fined not less than one thousand dollars and undergo an imprisonment of not more than three years or both or either at the discretion of the court

Section 8 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—154.

Adams,	Foster, J. D.,	Malie,	Sassaman,
Ambler,	Gans,	Martin,	Schaeffer, A. C.
Arthur,	Geary,	Matt,	Schuck,
Baldwin, R. J.,	Geiser,	McAleer,	Scott, J. R. K.,
Barner,	Good,	McAllister,	Scott, S. B.,
Bayle,	Grabe,	McArdle,	Semmens,
Becker,	Gransback,	McClintock,	Shaffer, C. A.,
Benninger,	Gray, Frank,	McKay,	Shaffer, I. E.,
Benson,	Haggerty,	McNichol,	Sherwood,
Bigger,	Heidinger,	Mechling,	Showalter,
Bittles,	Hemminger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hess,	Metzenbacher,	Smith, L.,
Bleloch,	Heyburn,	Miller,	Snavely,
Body,	Hibshman,	Missimer,	Snyder,
Brosius,	Hobbs,	Mitchell,	Spangler,
Brown,	Howard, R.,	Moore,	Spillinger,
Brownlee,	Humes,	Moses,	Steedle,
Burnett,	Isler,	Moulthrop,	Steele,
Caldwell,	Irwin, G. C.,	Musser,	Stein,
Campbell, C.M.,	Irwin, H. H.,	Neel,	Stone,
Campbell, J.J.	Jackson,	Neely,	Swift,
Carson,	Jones, J. R.,	Newbaker,	Thomas,
Carter,	Kaiser,	Newton,	Ulerich,
Cheeseman,	Kaufman,	North,	Ulman,
Claycomb,	Keeport,	O'Neill,	Walnut,
Collins,	Kennedy,	Peachey,	Walsh,
Conniff,	Kern,	Pennegar,	Walton,
Conrade,	Kitts,	Pennock,	Wettach,
Currier,	Klepper,	Perry, H. L.,	Whitaker,
Curry,	Kuhn, H. P.,	Peters,	Wildman,
Davis,	Kuhns, E.G.M.,	Piper,	Williams,
DeFrees,	Lanius,	Ramsey,	Wilson, J. H.,
Dickinson,	Latshaw,	Redfield,	Wilson, W. H.,
Donahoe,	Leslie,	Reese,	Wiltbank,
Donnally,	Letzkus,	Reeser,	Young, G. K.
Dunn, H. B.,	Light,	Rhoads,	Young, J. H.,
Ehrhardt,	Lohr,	Rockwell,	Zimmerman,
Eichenberger,	Lowers,	Rothenberger,	Alter,
Ely,		Runk,	Speaker.
Flynn,			
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 624, as follows:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking an appropriating under right of eminent domain and by gift devise purchase lease and otherwise privoate property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and borough to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitations of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified eelctors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" approved the third day fo May Anno Domini one thousand nine hundred and nine which reads as follows namely

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for and the right and power are hereby conferred upon the townships of the first class and boroughs of this Commonwealth to enter upon take use and appropriate by the right of eminent domain and to acquire by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds Provided No appropriation or appropriations by right of eminent domain lease or leases purchse or purchases shall be made by any such township or borough whereby it shall within any period of three years obligate itself to pay in the aggregate more than three thousand dollars without the consent of a majority of the qualified electors obtained at an election as hereinafter provided And provided further That no such municipality shall have power to exercise the right of eminent domain for the appropriation of any land which is not within the territorial limits thereof" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for and the right and power are hereby conferred upon the townships of the first class and boroughs of this Commonwealth to enter upon take use and appropriate by the right of eminent domain and to acquire by gift devise purchase lease and otherwise private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds Provided No appropriation or appropriations by right of eminent domain lease or leases purchase or purchases shall be made by any such township or borough whereby it shall within any period of three years obligate itself to pay in the aggregate any money or moneys in excess of one and one-half mills on the dollar on the valuation asessed on all property offices professions and persons in such township or borough upon which county taxes are rated and levied without the consent of a majority of the qualified electors obtained at an election as hereinafter provided And provided further That no such municipality shall have power to exercise the right of eminent domain for the appropriation of any land which is not within the territorial limits thereof

On the question,

Will the House agree to the bill on third reading?

Mr. BROWNLEE. Mr. Speaker and Gentlemen of the House, this act amends the act of 1909 by changing the limitations of the amount of money that may be expended by the various townships of the first class, from a gross amount of three thousand dollars to one and one-half mills of the valuation. The Boroughs of this Commonwealth vary in population from 100 to 27,000. They vary in value from less than $100,000 to $15,000.000. The limitation under the old act is ample for the smaller townships, but insufficient for the large boroughs, and we submit that change in limitations to one and one-half mills on the valuation is fair and equitable and in many cases will be a great relief.

The question recurring,

Will the House agree to the bill on third reading?

And said bill having been read at length the third time, considered and agreed to

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—161.

Ambler,	Ewing,	Letzkus,	Rockwell,
Arthur,	Fahey,	Light,	Roney,
Baldwin, G. A.,	Flynn,	Lowers,	Rothenberger,
Baldwin, R. J.,	Forster, I. G.,	Malie,	Runk,
Barner,	Foster, J. D.,	Martin,	Sassaman,
Bass,	Frey,	Mather,	Savacool,
Bayle,	Gans,	Matt,	Schaeffer, A. C.
Benninger,	Geary,	McAleer,	Schuck,
Benson,	Geiser,	McAllister,	Scott, S. B.,
Bergey,	Good,	McArdle,	Semmens,
Bigger,	Goss,	McCaig,	Shaffer, I. E.,
Bittles,	Grabe,	McClintock,	Sherwood,
Blair, W. A.,	Gramley,	McDermott,	Showalter,
Blair, W. F.,	Gransback,	McKay,	Smith, J. W.,
Bleloch,	Gray, Frank,	McNichol,	Smith, L.,
Body,	Haggerty,	Mechling,	Snavely,
Brosius,	Heidinger,	Mellott,	Snyder,
Brown,	Hemminger,	Metzenbacher,	Spangler,
Brownlee,	Hess,	Miller,	Spillinger,
Burnett,	Heyburn,	Missimer,	Steedle,
Caldwell,	Hibshman,	Mitchell,	Steele,
Campbell, C.M.,	Hobbs,	Morrow,	Stein,
Carson,	Howard, R.,	Moses,	Stone,
Carter,	Humes,	Moulthrop,	Strauss,
Cheeseman,	Isler,	Neel,	Swift,
Claycomb,	Irwin, H. H.,	Neely,	Thomas,
Cleary,	Jackson,	Newbaker,	Ulerich,
Cochran,	Jones, J. R.,	Newton,	Ulman,
Collins,	Kaiser,	North,	Walnut,
Conner,	Kaufman,	O'Neill,	Wettach,
Conrade,	Keeport,	Peachey,	Whitaker,
Currier,	Kennedy,	Pennegar,	Whitman,
Curry,	Kern,	Pennock,	Williams,
Davis,	Kitts,	Piper,	Wilson, J. H.,
DeFrees,	Klepper,	Price,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Donnally,			Young, J. H.,

Dunn, H. B.,	Lanius,	Reese,	Zimmerman,
Eichenberger,	Latshaw,	Reeser,	Alter,
Ely,	Leslie,	Rex,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 619, as follows:

An Act to amend the fourth paragraph of Section seven of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of Section seven of an Act of Assembly of this Commonwealth entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows:

"Fourth. To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals" shall be amended to read as follow.:

Fourth. To make regulations respecting pig pens slaughter houses manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive to prohibit within the township the burial or interment of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of graves to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals To prevent the spread of fires and to secure structural and sanitary safety of the buildings within its limits every township of the first class of this Commonwealth shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins the plans and specifications therefor shall be approved by the township commissioners and to provide for inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provision of any such ordinance is declared to be a public nuisance and abatable as such.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. I would like the sponsor of this bill to explain fully the extent of the regulations. In glancing at this bill I find that it is to amend the regulations of townships of the first class, or rather the classification of townships. The fourth section, which is desired to be amended, refers to public nuisances such as sewers and cesspools. And in line twenty of the same section it has reference to the burial or interment of deceased persons within the limits of the townships.

Mr. R. J. BALDWIN. In the County of Delaware, and very likely in a number of other counties in our State, under the first class regulations of townships, there has grown to be very thickly populated communities. In the County of Delaware I had in mind a settlement known now as Wayne Township which practically is a part of Radnor Township, a first-class township, and a portion of that township has grown up and is so thickly populated that the streets are exactly similar to boroughs, and these streets run parrallel with each other, and they contain more inhabitants than two-thirds of the boroughs of our County. This is an actual necessity, legislation that gives to your townships commissioners powers practically the same as those of the borough council. This bill simply provides that powers already conferred by the statutes be extended and include the regulation of cemeteries or graveyards in these thickly populated districts. It also provides regulations to prevent the spread of fire and to secure the safety of the buildings within its limits, and to establish general regulations for the construction of new buildings and the care of old ones. Almost every borough in this State has supplied or instituted regulations looking to the prevention of the building of frame structures in a well built up section where a single fire may wipe out a whole borough. The necessity of that, of course, is apparent to all of you, to look after the construction of the buildings in a good and substantial manner similar to the laws that now regulate boroughs. In substance this bill simply gives a township of the first class the powers to a larger extent than heretofore, and powers which are essential in these communities. Now, my friend from Schuylkill suggests that the power to regulate the burials in the burial places and the depth of the graves is to his mind one that may perhaps be a question to extent to the commissioners of a first class township. I do not know of any instance in the State of Pennsylvania where the powers exactly similar to these that have existed for years and years could be taken off the statute books to-day, because health is one of the first provisions in any community, and it seems to me somebody ought to have the power. Unless you give this power, as provided for in this bill, you will have today in first class townships no power to regulate this matter. I do not think it is a dangerous power and I cannot conceive of the township commissioners of five or seven men who will deliberately do a wrong to the community by requiring that a cemetery shall be closed or that a grave shall be unnecessarily deep. If you can agree with me on that proposition, I cannot see that there should be any opposition to the bill.

Mr. RONEY. Mr. Speaker and Gentlemen of the House, I think this bill as presented to the House at this time in order that a bill in equity that was filed in Delaware County against an institution and a cemetery there by the Court may be at this time may be settled. It so happens in Delaware County that the Archdiocese of Philadelphia purchased a large tract of ground. The township commissioners then filed a bill in equity.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. I will.

Mr. R. J. BALDWIN. My impression is that—although I may be mistaken—is that the gentleman has reference to Yeadon Borough.

Mr. RONEY. I am not talking about that borough.

Mr. R. J. BALDWIN. What township are you talking about?

Mr. RONEY. I do not remember the name of the township, but I read a report of it in the newspaper.

Mr. R. J. BALDWIN. When did you see this in the paper?

Mr. RONEY. About a month ago. Furthermore this bill would prevent the burial of persons, necessarily deceased persons, in a cemetery within the township limits. Now, outside of the county line in Philadelphia in Yeadon Borough there is a very large cemetery. If the township should pass prohibitive legislation against the further interment of deceased persons here, then that valuable tract of land would become of no use or value to those who paid considerable money for it. I, therefore, say that giving legislation option to township commissioners as proposed in this bill would result in a case of confiscatory legislation.

Mr. R. J. BALDWIN. Mr. Speaker, I would say that the gentleman comes from a municipality that has a law exactly similar to this. It exists in the City of Philadelphia. He would not rise in his seat to ask for its repeal. I cannot see why a member who lives in a municipality where he has this power to have these regulations shall deny that regulation to some other municipality for the power does exist in the City of Philadelphia and all our other cities and all the boroughs of the Commonwealth and exists in the first class townships, such as I have spoken of. I don't see why the power should not be extended to boroughs like ours, and why it should not be extended for the bentfit of the citizens of that community. It is a power that is emphasized in the City of Philadelphia and it is proper legislation and nobody is to blame about it. It is a question extending that power to people in that community that they may exercise the same power that the gentleman and his friends have in Philadelphia and have already exercised.

Mr. RONEY. Mr. Speaker, the gentleman from Delaware seems to forget that we have burial grounds in Philadelphia that are being used for burial purposes now. Only yesterday, my colleague Mr. Wilson from Philadelphia, reported out a bill which enabled a tract of land of two squares which are to be eliminated by petition through the court of Quarter Sessions, because the holders of the property nearby that cemetery are selling their land to be used as a city park. The principal purpose for this legislation at this time is that this valuable cemetery tract was unsuited for cemetery purposes and unsanitary and on that account they were prevented from using that particular cemetery as a proper burying place. I ask the House to vote this down.

Mr. R. J. BALDWIN. I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. RONEY. Yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, is it not a fact, as I stated before, that the municipality of the City of Philadelphia has power to close any cemetery now within the city limits.

Mr. RONEY. In the City of Philadelphia, under this right of Eminent Domain it has the right to close certain cemeteries. As in the case of Twenty-first and Lightner Streets, Philadelphia they were powerless to get at it and a bill was prepared and offered to secure what was desired and by petitions to the Court of Quarter Sessions that property was vacated and through the exercise of Eminent Domain only. You cannot do this excepting in this particular case, where the object was to secure a city park.

Mr. R. J. BALDWIN. I would like to say to the House that any person who has traveled the City of Philadelphia knowns that there are a number of burying grounds that have been closed. I am satisfied of that and anybody that knows anything about it, knows that. I would also like to ask the gentleman the question, whether they were closed by legislative action or by action through the courts?

Mr. RONEY. There is a cemetery on Passayunk Road and Washington Avenue, established about 1800. They disposed of the Passayunk Road and Washington Avenue place and secured a place in an outlying district, outside of the city. It added to the valuation of that property and it was too valuable for that purpose and they bought a property in Delaware County, where they are now and will be in the future. There is a cemetery in Philadelphia, in which my family are buried and when my time comes, I expect to be buried there and there is absolutely no power to legislate that that cemetery shall be put out of existence.

Mr. R. J. BALDWIN. There are members representing Philadelphia districts that do know that there are burying grounds in the City of Philadelphia that are closed to burying. I know there are there and I know they were closed and I would like to know from the gentleman, as a lawyer whether the city can close those cemeteries.

Mr. RONEY. When a cemetery has become so populated with dead persons, that it is a menace to the public health and where conditions in a particular cemetery are so changed that the bodies are not buried to a certain depth, the further burying of bodies in that cemetery is prohibited and the cemetery is closed.

Mr. R. J. BALDWIN. Has the gentleman any objection to the passage of this bill, if the clause to which he objects is stricken out?

Mr. RONEY. This bill absolutely prohibits the interment of persons in cemeteries about which that sanitary objection cannot be raised.

Mr. R. J. BALDWIN. Would there be any objection if that clause was stricken out?

Mr. RONEY. I would not have any objection.

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. RONEY. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 209, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulation and requirements for the construction of plumbing house-drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled "An act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing, or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing penalties and forfeitures for violation thereof approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" by extending the provisions of the act to boroughs and to townships of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of June one thousand nine hundred one entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May one thousand nine hundred nine entitled "An act amending sections one two eight twenty-one twenty-five twenty-nine and thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" which as amended reads as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on the work at the business of plumbing or house drainage in cities of the second class and third class having a system of sewerage and water supply of this Commonwealth until a certificate or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities nor until they have registered as such in the office of the department or board or bureau of health of said cities" is further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any persons to carry on or work at the business of plumbing or house drainage in cities of the second and third class and boroughs and townships of the first class having a system of sewerage and water supply of this Commonwealth until a certificate or license to engage in or work at said business shall have been granted said persons by the director of the department of public safety or department or board or bureau of health of such cities or boroughs or townships of the first class nor until they have registered as such in the office of the department or board or bureau of health of said cities or boroughs or townships of the first class

Section 2 The second section of said act which as amended reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules

regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting in said board the sum of five dollars per day for each day or session thus actually employed

"Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign 'registered plumber' bearing the name or names of the person firm or corporation in letters not less than three inches high

"No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or ventpipe or any pipe connected therewith

"Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

"At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

"A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumber firm or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however that such registration shall be restricted and limited to such plumbing and drainage work as he or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" is further amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities or boroughs or townships of the first class, shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities or boroughs or townships of the first class such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The council of said boroughs and the commissioners of said townships are hereby authorized to appoint a board of examiners to consist of a health officer or superintendent of the board of health and two competent plumbers in no wise connected with the government of any such borough or township which shall examine the applicant for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the proper treasury for the use of said cities or boroughs or townships The proper officers of said cities or boroughs or townships are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities or boroughs or townships and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registerd in the office of the board or bureau of health of such cities or boroughs or townships nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or ventpipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health Every person firm corporation or repesentative thereof in registering shall give the full name or names of the person firm or officers names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each year and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the proper treasury for the use of said cities or boroughs or townships A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city or borough or township of the first class of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city or borough or township of the first class than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have constructed for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued too such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

Section 3 The fifth section of said act approved the seventh day of June one thousand nine hundred one which reads as follows

"Section 5 Plumbers before commencing the construction of plumbing work in any building in the said cities (except in case of repairs which are here defined to relate to the and water supply pipes and shall not be construed to admit mending of leaks in soil vent or waste pipes faucets valves and water supply pipes and shall not be construed to admit of the replacing of any fixture such as water-closets bathtubs wash-stands sinks et cerera or the respective traps for such fixtures) shall submit to the board or bureau of health plans and specifications legibly drawn in ink on blanksk to be furnished by said board or bureau Where two or more buildings are located together and on the same street and the plumbing work is identical in each one plan will be sufficient Plans will be approved or rejected within twenty-four hours after their receipt" is hereby amended to read as follows

"Section 5 Plumbers before commencing the construction of plumbing work in any building in the said cities or boroughs or townships of the first class (except in case of repairs which are here defined to relate to the mending of leaks in soil vent or waste-pipes faucets valves and water supply pipes and shall not be constructed to admit of the replacing of any fixture such as water-closets bath-tubs wash-stands sinks et cetera or the respective traps for such fixtures) shall submit to the board or bureau of health plans and specifications legibly drawn in ink on blanks to be furnished by said board or bureau Where two or more buildings are located together and on the same street and the plumbing work is identical in each one plan will be sufficient Plans will be approved or rejected within twenty-four hours after their recepit

Section 4 The sixty-first section of said act which as amended reads as follows

"Section 61 No privy vault or cesspool for sewerage shall hereafter be constructed in any part of the city where a sewer is at acessible which shall be determined by the department or board or bureau of health nor shall it be lawful to continue a privy vault or cesspool on any lot piece or parcel of ground abutting on or contiguous to any public sewer within the city limits The department or board or bureau of health shall have the power to issue notice giving at least three months time to discontinue the use of any cesspool and have it cleaned and filled up No connection for any cesspool or privy vault shall be made with any sewer nor shall any water-closet or house drain empty into a cesspool or privy vault" is hereby further amended as follows

Section 61 No privy vault or cesspool for sewage shall hereafter be constructed in any part of the city or borough or township of the first class where a sewer is at all accessible which shall be determined by the department or board or bureau of health nor shall it be lawful to continue a privy vault or cesspool on any lot piece or parcel of ground abutting on or contiguous to any public sewer within the limits of the city or borough or township. The department or board or bureau of health shall have the power to issue notice giving at least three months time to discontinue the use of any cesspool and have it cleaned and filled up No connection for any cesspool or privy vault shall be made with any sewer nor shall any water-closet or house drain empty into a cesspool or privy vault

Section 5 Section sixty-six of said act which as amended reads as follows

"Section 66 Whenever it shall come to the knowledge of the department or board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinance of the city or is of faulty construction and liable to breed disease or endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board or bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer ventilating shaft connections. He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

"The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings to have such changes made and said nuisance abated by action before a justice of the peace or court of record in which said action the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinances of the city" is hereby further amended to read as follows

Section 66 Whenever it shall come to the knowledge of the department or board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinances of the city or borough or township of the first class or is of faulty construction and liable to breed disease or endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board of bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer and ventilating shaft connections. He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings to have such changes made and said nuisances abated by action before a justice of the peace or court of record in which said action the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinances of the city borough or township

Section 6 Section seventy-one of said act which as amended reads as follows

"Section 71 Any person or persons who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be liable to a fine of not less than ten dollars ($10.00) nor exceeding fifty dollars ($50.00) for each and every day he or they shall engage in or work at said business without first having obtained said certificate or license and any person or persons who shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be liable for every such offense to a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00).

"All fines and penalties imposed by this act shall be recoverable by summary proceedings before any alderman police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace under the provisions of this act the person or persons so offending may be committed to the jail workhouse or other penal institution of the county in which said city is situated for a period not exceeding thirty days" is hereby amended to be read as follows

Section 71 Any person who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10.00) or more than fifty dollars ($50.00) for each day he shall engage in or work at said business without first having obtained said certificate or license Any person firm or corporation that shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10.00) or more than one hundred dollars ($100.00)

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any alderman police magistrate or justice of the peace of the proper city borough or township All suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the proper city borough or township Upon recovery thereof all such fines and penalties shall be paid into the treasury of the proper city borough or township in default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace under the provisions of this act the person or persons so offending may be committed to the jail workhouse or other penal institution of the proper county for a period of not exceding thirty days

On the question,

Will the House agree to the bill on third reading?

The SPEAKER. The gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL. Mr. Speaker, I would like to have a little explanation of this bill from the sponsor of it.

The SPEAKER. The gentleman from Montgomery, Mr. Bergey.

Mr. BERGEY. This bill only extends the present law on boroughs and applies to plumbing.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BERGEY. Yes, sir.

Mr. ROCKWELL. Mr. Speaker, if this bill becomes a law will it not make every plumber in every borough and first class township in this Commonwealth pass a certain examination before he can work as a plumber?

Mr. BERGEY. Everybody in our borough desires such a regulation. It extends the Act of June 7th, 1901.

Mr. ROCKWELL. Is it not a fact that if this act becomes a law that it will make a positive duty of this Commonwealth to require in every borough and first class township of a certain class, if a man wishes to become a plumber to pass a specific examination before he can do any plumbing work.

Mr. BERGEY. Yes, sir.

Mr. ROCKWELL. Mr. Speaker, then it seems to me that the people from the rural districts with a population equal to hundreds of boroughs and first class townships are up against a pretty serious proposition, and I for one cannot support this bill.

Mr. BERGEY. This bill only extends the Act on this subject and prohibits a man from becoming a plumber until he has passed his examination. In fact, a tinner from becoming a plumber. It has also been the practice in a number of municipalities when a plumber gets his work or material condemned they sell these supplies to the boroughs and townships of the first class, thereby bringing about a menace to the health and sanitation of the boroughs, through impractical plumbers and poor plumbing. I feel that the health laws of the State of Pennsylvania are entitled to be extended as we have the right to protection in these matters which we never have under present conditions. We wish this extended the same as in cities of the first and second class, to the boroughs, that they may have the same sanitary advantages which are enjoyed in the larger municipalities.

Mr. SEMMENS. Mr. Speaker, I desire to say that I am opposed to this bill. I come from a borough where we have from five to six plumbers and I don't suppose that any one of them could pass an examination. I take it that we don't need the same kind of plumbers in boroughs as are necessary in larger cities. We have a good many people who do their own plumbing and under the provision of this bill they can not do it.

Mr. McALEER. Mr. Speaker, I heard this bill discussed in Committee and it seems to me that it is a proper bill. It only applies to such boroughs and townships as have a sewerage system. In boroughs or townships, where work could be done in a proper manner. If anybody will be permitted to do such work indefintely, there is no telling what the sanitary effect will be.

Mr. ULERICH. Mr. Speaker, I come from a county where we have eight first class townships. They are just as much rural as a township is that is called a second class township. I don't think that it is absolutely necessary. I know that the people don't want it that way. They do not want that a man must have a license to be a plumber or to do the plumbing in a country house two or three miles away from some other house. It is not necessary at all. I don't think our people want it; they are rural townships although they have a population sufficient to make them first class townships.

Mr. O'NEILL. Mr. Speaker, I think that it is just as necessary that you require an examination for a plumber for plumbing work done in a township, in a city or on a farm and that you have a plumber who knows his business. The gentleman from Montgomery says that there are men who cannot pass an examination who are doing plumbing and if there are they ought to be put out of business. I have been taken up to Berkshire Hills, Massachusetts, to correct plumbing that was done by a tinker, and I say that if a man cannot pass such an examination, he should not be a plumber and that it is just as necessary in a township as it is in a city to have good plumbing. If you pass this bill, you are not hurting anybody, excepting the man that cannot pass it.

On the question,

Will the House agree to the bill on third reading?

A division was taken, seventy-two voting in the affirmative and seventy-seven in the negative.

And the question was determined in the negative.

And the bill was not agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 540, as follows;

An Act authorizing townships of the first class to lay sewers in and under county and State Highways and providing for the ascertainment levy and collection of the costs and expenses thereof.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act townships of the first class of this Commonwealth shall have power to construct sewers and drains in and under any county or State Highway within the bounds thereof provided that in case of the construction of said sewers upon county highways the consent of the county commissioners of the county wherein said township of the first class is located shall first be obtained and provided that in the case of the construction of sewers upon any State Highway the consent of the State Highway Commissioner first be obtained.

Section 2. Whenever sewers have been or shall be laid or constructed by any first class township in and under such highways such township of the first class is hereby authorized to ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders in the manner provided by law for the ascertainment levy and collection thereof where sewers are laid in the highways of said township.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 156

Adams,	Ehrhardt,	Latshaw,	Rothenberger,
Alworth,	Eichenberger,	Lenker,	Runk,
Ambler,	Ely,	Leslie,	Sassaman,
Arthur,	Ewing,	Letzkus,	Savacool,
Baldwin, G. A.,	Flynn,	Lowers,	Schaeffer, A. C
Baldwin, R. J.,	Forster, I. G.,	Malle,	Schuck,
Barner,	Foster, J. D.,	Mannion,	Scott, J. R. K.,
Bass,	Frey,	Mather,	Scott, S. B.,
Bayle,	Gans,	Matt,	Semmens,
Becker,	Geiser,	McAleer,	Shaffer, C. A.,
Benninger,	Gibson,	McAllister,	Shaffer, I. E.,
Benson,	Glenn,	McClintock,	Sherwood,
Bergey,	Goss,	McKay,	Showalter,
Bigger,	Grabe,	McNichol,	Smith, J. W.,
Bittles,	Gramley,	Mellott,	Snavely,
Blair, W. A.,	Gransback,	Metzenbacher,	Snyder,
Blair, W. F.,	Gray, Frank,	Miller,	Spangler,
Bleloch,	Haggerty,	Missimer,	Speiser,
Body,	Heidinger,	Mitchell,	Spillinger,
Brosius,	Hemminger,	Moore,	Steedle,
Brown,	Hess,	Moses,	Steele,
Brownlee,	Heyburn,	Moulthrop,	Stein,
Burnett,	Hibshman,	Neely,	Stone,
Caldwell,	Hobbs,	Newbaker,	Strauss,
Campbell, C.M.,	Howard, R.,	North,	Swift,
Campbell, J.J.	Humes,	O'Neill,	Thomas,
Carson,	Irwin, H. H.,	Peachey,	Trach,
Carter,	Jackson,	Pennegar,	Ulerich,
Cheeseman,	Jones, J. R.,	Pennock,	Ulman,
Claycomb,	Kaiser,	Perry, H. L.,	Walton,
Collins,	Kaufman,	Peters,	Wettach,
Conniff,	Keeport,	Piper,	Whitaker,
Conrade,	Kenna,	Post,	Williams,
Currier,	Kennedy,	Price,	Wilson, J. H.,
Curry,	Kern,	Ramsey,	Wilson, W. H.,
Davis,	Kitts,	Redfield,	Young, G. K.,
Dickinson,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Donahoe,	Kuhns, E.G.M.,	Rhoads,	Zimmerman,
Donnally,		Roney,	Alter,
Dunn, J. A.,			Speaker.

NAYS 1

Morrow,

The majority required by the Consitution having voted in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162; as follows;

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred ninety-one entitled "An Act to amend Section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section nine of the act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred ninety-one entitled "An Act to amend Section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements" which as amended reads as follows:

Section 9 The collector of taxes shall collect the taxes charged in said duplicates and pay over the same to the respective treasurers or authorities entitled thereto after deducting his commission for the collection thereof which is hereby fixed at two per centum on all taxes paid to him on which an abatement of five per centum is allowed and at five per centum on all taxes afterwards collected Provided That where the total amount of taxes charged on a duplicate is less than one thousand dollars the said collectors shall receive three per centum on all taxes paid to him on which an abatement of five per centum is allowed Provided further That all taxes collected within the sixty days as provided in Section eight of this act shall be paid over as aforesaid within fifteen days after the expiration of said sixty days and all taxes thereafter collected during his term of office shall be paid over as aforesaid at regular intervals of one month and a full and complete settlement of all taxes collected shall be made by said tax collector with the respective treasurers or authorities entitled thereto not later than three months after the expiration of his term of office" is hereby amended so as to read:

Section 9. The collector of taxes shall collect the taxes charged in said duplicates and pay over the same to the respective treasurers or authorities entitled thereto after deducting his commission for the collection thereof Such commission shall be fixed by the authorities of the respective boroughs or townships and shall not exceed five per centum of the amount collected All taxes collected within the ninety days as provided in this act shall be paid over as aforesaid within fifteen days after the expiration of said ninety days and all taxes thereafter collected during his term of office shall be paid over as aforesaid at regular intervals of one month and a complete settlement of all taxes collected shall be made by the collector of taxes with the respective treasurers or authorities entitled thereto not later than three months after the expiration of his term of office.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

YEAS 132

Alworth,	Gans,	Malie,	Scott, S. B.,
Ambler,	Geiser,	Martin,	Semmens,
Arthur,	Good,	Mather,	Shaffer, I. E.,
Barner,	Gransback,	McAleer,	Sherwood,
Bass,	Gray, Frank,	McAllister,	Showalter,
Becker,	Haggerty,	McClintock,	Smith, J. W.,
Benninger,	Heidinger,	McDermott,	Smith, L.,
Benson,	Hess,	McKay,	Snavely,
Bigger,	[illegible]urn,	Mechling,	Snyder,
Blair, W. A.,	Hibshman,	Miller,	Spangler,
Blair, W. F.,	Hobbs,	Missimer,	Spillinger,
Body,	Howard, R.,	Morrow,	Steedle,
Brosius,	Humes,	Moses,	Steele,
Burnett,	Isler,	Moulthrop,	Stein,
Caldwell,	Irwin, G. C.,	Musser,	Stone,
Campbell, C.M.,	Irwin, H. H.,	Neel,	Strauss,
Carson,	Jackson,	Neely,	Swartz,
Carter,	Jones, E. E.,	Newbaker,	Swift,
Cheeseman,	Jones, J. R.,	Newton,	Thomas,
Claycomb,	Kaufman,	North,	Ulerich,
Cochran,	Kennedy,	Peachey,	Walsh,
Collins,	Kern,	Pennegar,	Walton,
Conniff,	Kitts,	Pennock,	Wettach,
Conrade,	Klepper,	Perry, H. L.,	Whitaker,
Currier,	Kuhn, H. P.,	Peters,	Whitman,
Curry,	Kuhns, E.G.M.,	Piper,	Wildman,
Dickinson,	Latshaw,	Price,	Williams,
Donnally,	Lenker,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Rockwell,	Wiltbank,
Ehrhardt,	Light,	Rothenberger,	Young, J. H.,
Eichenberger,	Lohr,	Sassaman,	Zimmerman,
Fahey,	Lowers,	Schuck,	Alter,
Flynn,			Speaker.
Foster, J. D.,			

NAYS 7

Baldwin, G. A.,	Hemminger,	Keeport,	Redfield,
Donahoe,	Irwin, H. H.,	Post,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 758, as follows;

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain criminal cases and authorizing the court to make orders in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the court shall order that any indictment be quashed or dismissed or that any criminal proceedings be dismissed the said court shall order the payment of costs by the proper county or by the prosecutor as the facts in the case shall in the discretion of the court warrant and thereupon the county or the prosecutor shall be liable for such costs as the court may order

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 153

Alworth,	Fahey,	Mather,	Runk,
Ambler,	Flynn,	Matt,	Sassaman,
Arthur,	Forster, I. G.,	McAleer,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	McAllister,	Schuck,
Baldwin, R. J.,	Gans,	McCaig,	Scott, S. B.,
Barner,	Geiser,	McClintock,	Semmens,
Bass,	Gibson,	McDermott,	Shaffer, C. A.,
Bayle,	Grabe,	McKay,	Sherwood,
Benninger,	Gransback,	McNichol,	Showalter,
Benson,	Gray, Frank,	Mechling,	Smith, J. W.,
Bergey,	Haggerty,	Mellott,	Smith, L.,
Bigger,	Heidinger,	Metzenbacher,	Snavely,
Bittles,	Hemminger,	Miller,	Spangler,
Blair, W. A.,	Hess,	Mitchell,	Spillinger,
W. F.,	Heyburn,	Moore,	Steedle,
Brosius,	Hibshman,	Moses,	Steele,
Brown,	Hobbs,	Moulthrop,	Stein,
Brownlee,	Howard, R.,	Murphy,	Stone,
Caldwell,	Humes,	Musser,	Strauss,
Campbell, C.M.,	Isler,	Neel,	Swartz,
Campbell, J.J.	Irwin, G. C.,	Neely,	Swift,
Carson,	Irwin, H. H.,	Newbaker,	Thomas,
Carter,	Jackson,	Newton,	Trach,
Cheeseman,	Jones, E. E.,	North,	Ulerich,
Claycomb,	Jones, J. R.,	Peachey,	Ulman,
Cochran,	Keeport,	Pennegar,	Walton,
Collins,	Kennedy,	Pennock,	Wettach,
Conniff,	Kern,	Perry, H. L.,	Whitaker,
Conrade,	Klepper,	Peters,	Whitman,
Currier,	Kuhn, H. P.,	Piper,	Wildman,
Curry,	Kuhns, E.G.M.,	Post,	Williams,
Davis,	Lanius,	Price,	Wilson, J. H.,
DeFrees,	Latshaw,	Ramsey,	Wilson, W. H.,
Dickinson,	Lenker,	Redfield,	Wiltbank,
Donahoe,	Leslie,	Reeser,	Young, G. K.,
Donnally,	Letzkus,	Rhoads,	Young, J. H.,
Dunn, H. B.,	Light,	Rockwell,	Zimmerman,
Ehrhardt,	Lowers,	Roney,	Alter,
Eichenberger,	Martin,	Rothenberger,	Speaker.
Ely,			

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, as follows;

An Act to authorize the municipal authorities to limit the charges of water companies in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where a corporation created for the purpose of supplying the public with water has the exclusive right to supply any particular city borough or township of the first class or any particular designated portion of any city borough or township of the first class or when any such corporation without having such exclusive right is nevertheless the only corporation supplying any particular city borough or township of the first class with water the rates or prices charged for water by such corporation shall be subject to the approval of the municipal authorities of such city borough or township of the first class as the case may be and if in the judgment of said municipal authorities the charges or any of them appear extortionate or excessive it shall be lawful for said municipal authorities by ordinance duly enacted to reduce and limit such charges

Section 2 If any such water company be dissatisfied with a municipal ordinance restricting its charges it may present a petition to the Court of Common Pleas of the county annexing thereto a copy of said ordinance and setting forth the objections of the corporations thereto and thereupon a citation shall issue commanding the municipality to make answer to the petition within thirty days from the date of service

On the filing of the answer the court shall make such order as may seem proper for ascertaining the facts material to the question at issue by reference to master or otherwise and it shall be the duty of the company petitioner to submit for examination all its books papers and records as may be required and also to cause its officers agents and servants to appear and testify as under cross examination The burden shall in all cases be upon the Water Company to show that its charges are not extortionate or excessive after fully advising itself in the premises the court shall enter its decree sustaining modifying or annulling the charges set forth in said ordinance which said decree shall be conclusive as to the reasonableness of the said charges for a period of not less than five years

Section 3 Pending the determination of the appeal the charges as establishel by the water company shall remain in force but if the ordinance be sustained in whole or in part the Company shall refund all excess over the charges as determined by the decree of the court The costs of the appeal shall in all cases be paid by the water company

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 155

Adams,	Ehrhardt,	Lenker,	Roney,
Allen,	Eichenberger,	Leslie,	Rothenberger,
Alworth,	Ely,	Letzkus,	Runk,
Ambler,	Ewing,	Light,	Sassaman,
Arthur,	Fahey,	Lowers,	Schuck,
Baldwin, G. A.,	Flynn,	Martin,	Semmens,
Baldwin, R. J.,	Forster, I. G.,	Mather,	Shaffer, C. A.,
Barner,	Foster, J. D.,	Matt,	Sherwood,
Bass,	Gans,	McAleer,	Smith, J. W.,
Bayle,	Geiser,	McAllister,	Snavely,
Becker,	Good,	McClintock,	Spangler,
Benson,	Goss,	McKay,	Speiser,
Bergey,	Grabe,	McNichol,	Spillinger,
Bigger,	Gransback,	Metzenbacher,	Steedle,
Bittles,	Haggerty,	Miller,	Steele,
Blair, W. A.,	Heidinger,	Missimer,	Stein,
Blair, W. F.,	Hemminger,	Mitchell,	Stone,
Bleloch,	Hess,	Morrow,	Strauss,
Brosius,	Heyburn,	Moses,	Swartz,
Brown,	Hibshman,	Moulthrop,	Swift,
Brownlee,	Hobbs,	Neel,	Thomas,
Burnett,	Howard, R.,	Neely,	Trach,
Caldwell,	Humes,	Newbaker,	Ulerich,
Campbell, C.M.,	Isler,	Newton,	Ulman,
Campbell, J.J.	Irwin, G. C.,	North,	Walton,
Carson,	Irwin, H. H.,	O'Neill,	Wettach,
Carter,			

Cheeseman,	Jackson,	Peachey,	Whitaker,
Claycomb,	Jones, E. E.,	Pennegar,	Whitman,
Collins,	Jones, J. R.,	Pennock,	Wildman,
Conner,	Kaufman,	Perry, H. L.,	Williams,
Connin,	Keeport,	Sers,	Wilson, J. H.,
Conrade.	Kenna,	Piper,	Wilson, W. H.,
Currier,	Kennedy,	Post,	Wiltbank,
Curry,	Kern,	Price,	Young, G. K.,
Davis,	Kitts,	Ramsey,	Young, J. H.,
DeFrees,	Kuhn, H. P.,	Reeser,	Zimmerman,
Dickinson,	Kuhns, E.G.M.,	Rhoads,	Alter,
Donahoe,	Lanius,	Rockwell,	Speaker.
Donnally,	Latshaw,		
Dunn, J. A.,			

NAYS 1

Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 53, as follows:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an examination to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid into the Treasury of this Commonwealth the sum of fifty dollars ($50.00) and shall have exhibited the receipt of the State Treasurer therefor to the proper official in the Department of Agriculture A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom. The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter in such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof thre (3) months dressed fowl drawn five (5) months dressed fowl undrawn six (6) months eggs eight (8) months butter eight (8) months and fish nine (9) months

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated care within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided further that nothing in this act shall be construed to prohibit the keeping of fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a suit for penalty or prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any such suit or prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such suit or prosecution immediately upon the commencement of the same stating the nature of the proceeding and the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such suit or prosecution and ssuch citizen shall upon complying with the provisions of this section be entitled to receive one-half (½) of any penalty or fine which may be recovered in such proceeding and paid to the Dairy and Food Commissioner and immediately upon the receipt and covering into the treasury of any such penalty or fine recovered and paid in any proceeding commenced by a citizen as aforesaid the Dairy and Food Commissioner shall pay the one-half (½) thereof to the said citizen so commencing the said proceedings and complying with the provisions of this section Such citizen shall also be entitled to cover from the defendant his witness fees and other legal costs as fixed by law in said proceeding

Section 22 That all fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy

and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than thirty (30) nor more than ninety (90) days

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

On the question,

Will the House agree to the bill on third reading.

Mr. GANS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 3, line 5, cut out "Fahren" and insert in lieu thereof the word "Fahrenheit."

Section 10, line 13, cut out the word "Commissioner" and insert in lieu thereof the word "Commissioners"

Section 10, line 14, cut out the word "Commissioner" and insert in lieu thereof the word "Commissioner."

Amend Section 11, line 2, by striking out the word "to" before the word the word "keep"

Amend Section 13, line 6, by striking out the word "devise" and inserting the word "device."

Amend Section 15, line 10, by inserting after the figures (1-2) the word "inch."

Amend Section 18, line 6, by striking out letters "ttal" and inserting the word "total."

Section 2, line 26, cut out the word "cover" and insert in lieu thereof the word "recover."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL POSTPONED.

Mr. GANS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 466, as follows;

An Act to amend the title the first section the second section and the third section of an act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of a certain act of Assembly approved the ninth day of June Anno Domini one thousand nine hundred and eleven reading as follows "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" be and the same is hereby amended to read as follows "An Act to amend the title the first section the second section and the third section of an act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships and poor districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" by repealing so much thereof as applies to school districts.

Section 2. That section one of the said act of Assembly which reads as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers of any borough township poor district or school district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township directors of any poor district or school district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supervisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district of the directors and teasurer of the school district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss" shall be amended to read as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers of any borough township or poor district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township surpervisors or commissioners of any township or directors of any poor district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supervisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss."

Section 3. That Section two of the said act of Assembly which reads as follows "That the auditors of every borough township poor district and school district created or incorporated by any general or special law of this Commonwealth shall file a report or statement of their said settlement and audit in the office of the clerk of the court or quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year" shall be amended to read as follows "That the auditors of every borough township and poor district created or incorporated by any general or special law of this Commonwealth shall file a report or statement of their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year."

Section 4 That section three of the said act of Assembly which reads as follows

"That it shall be lawful for the borough township poor district or school district or any taxpayer thereof on its behalf or an officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors to the Court of Common Pleas of the proper county within thirty days after such report or settlement shall have been filed in the office of the clerk of the court of quarter sessions whereupon the court may direct an issue to determine the disputed questions of fact between the officers accounting and the borough township poor district or school district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accruing thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township poor district or school district than that awarded by the auditors or in case the appellant be an accounting officer or officers he or they shall fail to obtain a final decision more favorable to the officers than that awarded by the auditors" shall be amended to read as follows

That it shall be lawful for the borough township or poor district or any taxpayer thereof on its behalf or an officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors to the days after such report or settlement shall have been filed Court of Common Pleas of the proper county within thirty in the office of the clerk of the court of quarter sessions whereupon the court may direct an issue to determine the disputed questions of fact between the officers accounting and the borough township or poor district Provided That no appeal by such tax-payer or officer shall bereceived unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accruing thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township or poor district than that awarded by the auditors or in case the appellant e an accounting officer or officers he or they shall fail to obtain a final decision more favorable to the officer or officers than that awarded by the auditors"

On the question,

Will the House agree to the bill on third reading?

Mr. NORTH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 1, lines 14 and 15, strike out the words "an act to amend the title, the first section the second section and the third section of"

The SPEAKER. Will the House give unanimous consent to insert amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 338, as follows:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation co-partnership or company and every association (other than state and national banks trust companies real estate mortgage companies dealing exclusively in real estate mortgages building and loan associations and corporations not organized for profit) organized or which shall be hereafter organized in this Commonwealth whether incorporated or unincorporated which shall sell or negotiate for the sale of any securities of any kind whatsoever other than bonds of the United States the Commonwealth of Pennsylvania or of some municipality of the Commonwealth of Pennsylvania and mortgages on real estate located in the Commonwealth of Pennsylvania to any person corporation co-partnership of company in the Commonwealth of Pennsylvania other than those specifically exempted herein shall be known for the purpose of this act as a domestic investment company Every such investment company organized in any other state territory or government shall be known for the purpose of this act as a foreign investment company

Section 2 Before offering or attempting to sell any securities of any kind other than those specifically exempted in section one of this act to any person corporation co-partnership or company or transacting any business whatever in this Commonwealth except that of preparing the documents hereinafter required every such investment company domestic or foreign shall file in the office of the Commissioner of Banking of this Commonwealth together with a filing fee of two dollars and fifty cents ($2.50) the following documents to wit A statement showing in full detail the plan upon which it proposes to transact business A copy of all contracts and other securities which it proposes to make or sell to its contributors A statement which shall show the name and location of the investment company and an itemized account of its actual financial conditions and the amount of its property and liabilities and such other information touching its affairs as said Commissioner of Banking may require If such investment company shall be a co-partnership or an unincorporated association it shall also file with the Commissioner of Banking a copy of its articles of co-partnership or association and all other papers pertaining to its organization and if it be a corporation organized under laws of the Commonwealth of Pennsylvania it shall also file with the Commissioner of Banking a copy of its articles of incorporation constitution and by-laws and all other papers pertaining to its organization If it shall be an investment company organized under the laws of any other state territory or gavernment incorporated or unincroporated it shall also file with the said Commissioner of Banking a copy of the laws of such state territory or government under which it exists or is incorporated and also a copy of its charter articles of incorporation constitution and by-laws and all amendments thereof which have been made and all other papers pertaining to its organization

Section 3 All of the above-decribed papers shall be verified by the oath of a member of a co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or unincorporated association All such papers however as are recorded or are on file in any public office shall be further certified to by the officer of whose records they form a part as being correct copies of such records

Section 4 Every foreign investment company shall by a duly executed instrument filed in the office of the Commissioner of Banking constitute and appoint the Commissioner of Banking or his successor its true and lawful attorney upon whom all lawful process in any action rule order or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon him as its said attorney shall be of the same force and validity as if served on the company and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this Commonwealth The service of such process shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commissioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorney shall be deemd valid service upon such company The Commissioner of Banking shall upon proces being served upon him as attorney for a foreign investment company forthwith forward one of the duplicate copies of the process served upon him to its sercetary or in the case of a company of a foreign country to its resident manager in the United States As a condition of valid and effective service and of the duty of the Commissioner of Banking in the premises the plaintiff in each such process shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Commissioner of Banking shall keep a record of all such processes which shall show the day and hour of service

Section 5 It shall be the duty of the Commissioner of Banking to examine the statements and documents so filed and if said Commissioner of Banking shall deem it advisable he shall make or have made a detailed examination of such investement company's affairs which examination shall be at the expense of such investment company as hereinafter provided and if he finds that such investment company is solvent that its articles of incorporation or associations its constitution and by-laws its proposed plan of business and proposed contract contain and provide for a just and equitable plan for the transaction of business and in his judgment promises a fair return on the securities by it offered for sale the Commissioner of Banking shall issue to such investment company a statement reciting that such company has complied with the provisions of this act that detailed information in regard to the company and its securities is on file in the Commissioner of Banking's office for public inspection that such investment company is permitted to do business in this Commonwealth and such statement shall also recite in bold type that the Commissioner of Banking in no wise recommends the securities to be offered for sale by such security company But if said Commissioner of Banking finds that such articles of incorporation or association charter constitution and by-laws plan of business or proposed contract contain any provision that is unjust or inequitable to any class of contributors or if he decides from his examination of its affairs that said investment company is not solvent and does not intend to do a fair and honest business and in his judgment does not promise a fair return on the securities by it offered for sale then he shall notify such investment company in writing of his findings and it shall be unlawful for such company to do any further business in this Commonwealth until it shall so change its constitution and by-laws articles of incorporation or association its proposed plan of business and proposed contract and its general financial condition in such manner as to satisfy the Commissioner of Banking that it is solvent and its articles of incorporation or association its constitution and by-laws its proposed plan of business and and proposed contract provide for a just and equitable plan for the transaction of business and does in his judgment promise a fair return on the securities by it offered for sale provided that all expenses paid or incurred and all fees or charges received or collected for any examination made under the provisions of this section of this act shall be reported in detail by the Commissioner of Banking and a full report and record thereof made in detail

Section 6 It shall not be lawful for any investment company either as a principle or agent to transact any business in form or character similar to that set forth in section one of this act except as is provided in section two of this act until it shall have filed the papers and documents above provided for No amendment of the charter articles of incorporation constitution and by-laws of any such investment company shall become operative until a copy of the same has been filed with the Commissioner of Banking as provided in regard to the original filing of charters articles of incorporation constitution and by-laws nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shal lhave been filed with the Commissioner of Banking in like manner as provided in regard to the original plan of business and proposed contract and the such proposed new plan of transacting business and proposed new contract

Section 7 Any investment company may appoint one or more agents but no such agent shall do any business for said investment company in this State until he shall first register with the Commissioner of Banking as agent for such investment company and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar Such registration shall entitle such agent to represent said investment company as its agent until the first day of January following unless said authority is sooner revoked by the Commissioner of Banking and such authority shall be subject to revocation at any time by the Commissioner of Banking for cause appearing to him sufficient

Section 8 Every investment company domestic or foreign shall file at the close of business on December thirty-first and June thirtieth of each year and at such other times as required by the Comimsisoner of Banking a statement verified by oath of a member of the co-partnership or campany if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or an unincorporated association setting forth in such form as may be prescribed by the Commissioner of Banking its financial condition and the amount of its assets and liabilities and furnishing such other information concerning its affairs as said Comissioner of Banking may require Each regular statement of December thirty-first and June thirtieth shall be accompanied by a filing fee of two dollars and fifty cents Any investment company failing to file its report at the close of business December thirty-first or June thirtieth of each year within ten days of that date or failing to file any other or special report herein required within thirty days after receipt of request or requisition therefor shall forfeit its right to do business in this Commonwealth

Section 9. The general accounts of every investment company domestic or foreign doing business in this Commonwealth shall be kept by double entry and such company its co-partners or managing officers shall at least

once in each month make a trial balance of such accounts which shall be recorded in a book provided for that purpose such trial balances and all other books and accounts of such company shall at all times during business hours except Sundays and legal holidays be open to the inspection of stockholders and investors in said company or investors in the securities by it offered for sale and to the Commissioner of Banking and his deputies.

Section 10. The Commissioner of Banking shall have general supervision and control as provided by this act over any and all investment companies domestic or foreign doing business in this Commonwealth and all such investment companies shall be subject to examination by the Commissioner of Banking or his duly authorized deputies at any time the Commissioner of Banking may deem it advisable and in the same manner as is now provided for the examination of State banks The powers of the Commissioner of Banking in connection with such examinations shall be the same as is now provided with reference to examination of State banks and such investment company shall pay a fee for each of such examination of not to exceed five dollars for each day or fraction thereof plus the actual traveling and hotel expenses of said Commissioner of Banking or deputy that he is absent from the capitol building for the purpose of making such examination and the failure or refusal of any investment company to pay such fees upon the demand of the Commissioner of Banking or deputy while making such examination shall work a forfeiture of its right to do business in this Commonwealth.

Section 11. Whenever it shall appear to the Commissioner of Banking that the assets of any investment company doing business in this Commonwealth are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe inequitable or unauthorized manner or is jeopardizing the interest of its stockholders or investors in securities by it offered for sale or whenever any investment company shall fail or refuse to file any papers statements or documents required by this act without giving satisfactory reasons therefor said Commissioner of Banking shall at once communicate such facts to the Attorney-General who shall thereupon apply to the Court of Common Pleas of Dauphin County or to the court of any county in which the principal office of such company is located or is doing business or to a judge of either of said courts for the appointment of a receiver to take charge of and wind up the business of such investment company and if such fact or facts be made to appear it shall be sufficient evidence to authorize the appointment of a receiver and the making of such orders and decrees in such cases as equity may require.

Section 12. Any person who shall willfully subscribe to or make or cause to be made any false statements or false entry in any book of such investment company or exhibit any false paper with the intention of deceiving any person authorized to examine into the affairs of such investment company or shall make or publish or cause to be made or published any false statement of the financial condition of such investment company or the securities by it offered for sale shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) nor more than ten thousand dollars ($10,000) and undergo an imprisonment by separate and solitary confinement at labor of not less than one year nor more than ten years.

Section 13. Any person or agent who shall sell or attempt to sell the securities of any investment company or the securities by such company offered for sale who has not complied with the provisions of this act or any investment company which shall do any business or offer or attempt to do any business except as provided in Section two of this act which shall not have complied with the provisions of this act or any agent who shall do or attempt to do any business for any investment company which agent is not at the time duly registered and has fully complied with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) or undergo an imprisonment in the county jail of the proper county not exceeding ninety days or both at the discretion of the court.

Section 14 All fees herein provided for shall be collected by the Commissioner of Banking and by him shall be turned into the State Treasury.

Section 15 Should the courts declare any section of this act unconstitutional or unauthorized by law or in conflict with any other section or provision of this act then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act.

Section 16. All acts or parts of acts inconsistent with this act are repealed.

Section 17. This act shall take effect and be in force from and after the first day of January one thousand nine hundred and fourteen.

On the question,

Will the House agree to the bill on third reading?

Mr. CURRIER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 4, line 18, strike out "his" and insert "him" Section 6, strike out the word "two" and insert the word "one"

The SPEAKER. Will the House give unanimous consent to insert amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 338, as follows:

An Act regulating the time of payment of wages and earnings and providing a penalty for violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semi-monthly The first payment shall be made between the first and the fifteenth day of each month for the wages or earnings due up to said first day The second payment shall be made between the fifteenth and the last day of each month for the wages or earnings due up to such fifteenth day

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dollars ($100)

Section 3 Nothing in this act shall prohibit the weekly payment of wages or earnings

Section 4 This act shall go into effect on the first day of July one thousand nine hundred and thirteen

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 168

Adams,	Dunn, J. A.,	Lenker,	Reeser,
Allen,	Ehrhardt,	Leslie,	Rex,
Alworth,	Eichenberger,	Letzkus,	Rhoads,
Arthur,	Ely,	Light,	Rockwell,
Baldwin, G. A.,	Ewing,	Lohr,	Roney,
Baldwin, R. J.,	Fahey,	Lowers,	Rothenberger,
Barner,	Flynn,	Malie,	Runk,
Bass,	Forster, I. G.,	Martin,	Sassaman,
Bayle,	Foster, J. D.,	Mather,	Savacool,
Becker,	Gans,	Matt,	Schaeffer, A. C
Benninger,	Geiser,	McAleer,	Schuck,
Benson,	Glenn,	McAllister,	Scott, J. R. K.,
Bergey,	Good,	McArdle,	Semmens,
Bigger,	Goss,	McCaig,	Shaffer, C. A.,
Bittles,	Grabe,	McClintock,	Sherwood,
Blair, W. A.,	Gransback,	McDermott,	Showalter,
Blair, W. F.,	Gray, Frank,	McKay,	Smith, J. W.,
Bleloch,	Haggerty,	Mechling,	Smith, L.,
Body,	Heidinger,	Mellott,	Snavely,
Brosius,	Hemminger,	Metzenbacher,	Snyder,
Brown,	Herman,	Miller,	Spangler,
Brownlee,	Hess,	Missimer,	Spillinger,
Caldwell,	Heyburn,	Mitchell,	Steedle,
Campbell, C.M.,	Hibshman,	Moore,	Steele,
Campbell, J.J.	Hobbs,	Morrow,	Stone,
Carson,	Howard, R.,	Moses,	Strauss,
Carter,	Humes,	Moulthrop,	Swartz,
Cheeseman,	Isler,	Musser,	Swift,
Claycomb,	Irwin, G. C.,	Neel,	Thomas,
Cochran,	Irwin, H. H.,	Neely,	Trach,
Collins,	Jackson,	Newbaker,	Ulerich,
Conner,	Jones, E. E.,	Newton,	Ulman,
Conniff,	Kaufman,	North,	Walton,
Conrade,	Keeport,	O'Neill,	Whitaker,
Currier,	Kennedy,	Peachey,	Wildman,
Curry,	Kern,	Pennegar,	Williams,
Davis,	Kitts,	Pennock,	Wilson, J. H.,
DeFrees,	Klepper,	Peters,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Piper,	Wiltbank,
Donahoe,	Lanius,	Post,	Young, G. K.,
Donnally,	Latshaw,	Price,	Young, J. H.,
Dunn, H. B.,		Ramsey,	Zimmerman,
			Alter,

Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 438, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An act requiring foundries to be provided with toilet room and water closet regulating same and providing a penaltiy for violation thereof"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS 162

Allen,	Ely,	Mather,	Sassaman,
Alworth,	Ewing,	Matt,	Savacool,
Ambler,	Fahey,	McAleer,	Schaeffer, A. C
Arthur,	Flynn,	McAllister,	Schuck,
Baldwin, G. A.,	Forster, I. G.,	McArdle,	Scott, J. R. K.,
Baldwin, R. J.,	Foster, J. D.,	McCaig,	Semmens,
Barner,	Frey,	McClintock,	Shaffer, C. A.,
Bass,	Geary,	McDermott,	Shaffer, I. E.,
Bayle,	Gibson,	McKay,	Shern,
Becker,	Good,	McNichol,	Showalter,
Benson,	Goss,	Mechling,	Smith, J. W.,
Bergey,	Gramley,	Metzenbacher,	Smith, L.,
Berntheizel,	Gransback,	Miller,	Snavely,
Bittles,	Gray, Frank,	Missimer,	Snyder,
Blair, W. A.,	Heidinger,	Mitchell,	Spangler,
Blair, W. F.,	Herman,	Moore,	Spillinger,
Bleloch,	Heyburn,	Morrow,	Steedle,
Body,	Hibshman,	Moses,	Steele,
Brosius,	Hobbs,	Moulthrop,	Stein,
Brown,	Hoffman,	Murphy,	Stone,
Brownlee,	Humes,	Musser,	Strauss,
Burnett,	Irwin, G. C.,	Neel,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	Neely,	Swift,
Campbell, J.J.	Jackson,	Newbaker,	Thomas,
Carson,	Jones, E. E.,	Newton,	Trach,
Carter,	Kaiser,	North,	Ulman,
Cheeseman,	Kaufman,	Peachey,	Walnut,
Claycomb,	Kenna,	Pennegar,	Walsh,
Cleary,	Kern,	Pennock,	Walton,
Cochran,	Kitts,	Perry, H. L.,	Watson,
Conniff,	Klepper,	Peters,	Whitman,
Conrade,	Kuhn, H. P.,	Piper,	Wildman,
Cox,	Kuhns, E.G.M.,	Post,	Wilson, J. H.,
Curry,	Lanius,	Ramsey,	Wilson, W. H.,
Davis,	Latshaw,	Redfield,	Wiltbank,
DeFrees,	Leslie,	Reese,	Young, G. K.,
Dickinson,	Letzkus,	Reeser,	Young, J. H.,
Donahoe,	Lohr,	Richards,	Zimmerman,
Donnally,	Lowers,	Rothenberger,	Alter,
Down,	Malie,	Runk,	Speaker.
Eichenberger,			

NAYS 1

Ulerich,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 723, entitled:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred nineteen issued by the Department of Agriculture and making an appropriation therefor

On the question

Will the House agree to the bill on third reading?

Mr. PEACHEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

After "19" in the title insert "entitled increasing the winter yield of eggs."

The SPEAKER. Will the House give unanimous consent to insert amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL SIGNED

The Speaker announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly, and the same being correct, the title was publically read as follows: House Bill No. 2,

An Act making an appropriation to cover a definciency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred seven entitled "An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths" by changing the fees for birth and death certificates"

Whereupon,

The SPEAKER in the presence of the House, signed the same

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 11

An Act to provide for an additional law judge of the several courts of the Forty-seven judicial district

Also House Bill No. 51

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton county to Warren township in Franklin county and relating to the collection of taxes in Franklin county"

Also House Bill No. 443.

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Departments

Also House Bill No. 456.

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the Bureau therein fixing the compensation of the assistant director and making an appropriation therefor.

with information that the Senate had passed the same without amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 277.

An Act to prohibit the making or dissemination of false of misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof.

with the information that the Senate had passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendment was read by the Clerk as follows:

In line six, after the word Commonwealth, strike out the word "or."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS 160

Adams,	Ehrhardt,	Leslie,	Roney,
Alworth,	Eichenberger,	Letzkus,	Rothenberger,
Ambler,	Ewing,	Light,	Runk,
Arthur,	Fahey,	Lohr,	Sassaman,
Baldwin, G. A.,	Flynn,	Malie,	Savacool,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Schaeffer, A. C
Barner,	Frey,	Matt,	Scott, J. R. K.,

Bass,	Gans,	McAllister,	Semmens,
Bayle,	Geiser,	McArdle,	Shaffer, C. A.,
Becker,	Good,	McCaig,	Shaffer, I. E.,
Benninger,	Goss,	McClintock,	Shern,
Benson,	Grabe,	McNichol,	Showalter,
Bergey,	Gransback,	Mechling,	Smith, J. W.,
Bigger,	Gray, Frank,	Mellott,	Smith, L.,
Bittles,	Haggerty,	Metzenbacher,	Snavely,
Blair, W. A.,	Heidinger,	Miller,	Snyder,
Blair, W. F.,	Hemminger,	Missimer,	Spangler,
Bleloch,	Hess,	Mitchell,	Speiser,
Body,	Hewburn,	Moore,	Steedle,
Brosius,	Hibshman,	Morrow,	Steele,
Brown,	Hobbs,	Moses,	Stein,
Brownlee,	Howard, R.,	Moulthrop,	Stone,
Burnett,	Humes,	Murphy,	Strauss,
Caldwell,	Isler,	Neel,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	Neely,	Swift,
Campbell, J.J.	Irwin, H. H.,	Newbaker,	Thomas,
Carson,	Jackson,	Newton,	Trach,
Carter,	Jones, E. E.,	North,	Ulerich,
Cheeseman,	Kaiser,	Peachey,	Ulman,
Claycomb,	Keegan,	Pennegar,	Walnut,
Cleary,	Keeport,	Pennock,	Walsh,
Cochran,	Kenna,	Perry, H. L.,	Watson,
Conner,	Kern,	Perry, S. J.,	Wilson, J. H.,
Conniff,	Kitts,	Post,	Wilson, W. H.,
Conrade,	Klepper,	Price,	Wiltbank,
Currier,	Kuhn, H. P.,	Ramsey,	Young, G. K.,
Curry,	Kuhns, E.G.M.,	Redfield,	Young, J. H.,
Davis,	Lanius,	Reese,	Zimmerman,
Dickinson,	Latshaw,	Rex,	Alter,
Donnally,		Richards,	Speaker.
Dunn, H. B.,			

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION AUTHORIZING ADDITIONAL PRINTING

Mr. ROCKWELL asked and received unanimous consent to offer the following resolution which was twice read, considered and agreed to:

Resolved, That the Chief Clerk be authorized to have printed five hundred additional pink copies of House Bills Nos. 128, 183 and 287, each.

RESOLUTION AUTHORIZING ADDITIONAL PRINTING

Mr. WALNUT asked and received unanimous consent to offer the following resolution which was twice read, considered and agreed to:

Resolved, That the Chief Clerk be authorized to have printed 200 additional copies each of House Bills No. 105 and 119.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 615, entitled:

An Act to regulate advertisements and solicitations for employees during strikes, lockouts or other labor disputes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS 168

Adams,	Eichenberger,	Letzkus,	Rockwell,
Alworth,	Ewing,	Light,	Roney,
Arthur,	Fahey,	Lohr,	Rothenberger,
Baldwin, G. A.,	Flynn,	Lowers,	Runk,
Baldwin, R. J.,	Forster, I. G.,	Martin,	Sassaman,
Barner,	Foster, J. D.,	Mather,	Savacool,
Bass,	Frey,	McAleer,	Schuck,
Bayle,	Gans,	McArdle,	Scott, J. R. K.,
Becker,	Geary,	McCaig,	Scott, S. B.,
Benninger,	Geiser,	McClintock,	Semmens,
Benson,	Gibson,	McKay,	Shaffer, C. A.,
Bergey,	Good,	McNichol,	Shaffer, I. E.,
Bigger,	Goss,	Mechling,	Sherwood,
Bittles,	Grabe,	Mellott,	Showalter,
Blair, W. A.,	Gransback,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Gray, Frank,	Miller,	Smith, L.,
Bleloch,	Haggerty,	Missimer,	Snyder,
Body,	Heidinger,	Mitchell,	Spangler,
Brosius,	Hemminger,	Moore,	Speiser,
Brown,	Hess,	Morrow,	Spillinger,
Brownlee,	Hewburn,	Moses,	Steedle,
Burnett,	Hibshman,	Moulthrop,	Steele,
Caldwell,	Hobbs,	Murphy,	Stein,
Campbell, C.M.,	Howard, R.,	Musser,	Stone,
Campbell, J.J.	Humes,	Neel,	Strauss,
Carson,	Isler,	Neely,	Swartz,
Carter,	Irwin, G. C.,	Newbaker,	Swift,
Cheeseman,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Kaufman,	O'Neill,	Ulerich,
Collins,	Keegan,	Peachey,	Ulman,
Conner,	Keeport,	Pennegar,	Walnut,
Conniff,	Kennedy,	Pennock,	Walsh,
Cox,	Kern,	Perry, H. L.,	Walton,
Currier,	Kitts,	Perry, S. J.,	Wettach,
Curry,	Klepper,	Post,	Williams,
Davis,	Kuhn, H. P.,	Price,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dickinson,	Lanius,	Redfield,	Wiltbank,
Donahoe,	Lenker,	Reese,	Young, G. K.,
Donnally,	Leslie,	Reeser,	Zimmerman,
Dunn, H. B.,			Alter,
Dunn, J. A.,			Speaker.
Ehrhardt,			

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GIBSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GIBSON. Mr. Speaker, I was in committee this afternoon and I desire to be recorded as having voted "yes" on House Bill No. 338, the same as I would have done had I been present.

The SPEAKER. The gentleman's remarks will be noted upon the Journal.

GRANTING USE OF HALL OF HOUSE

Mr. R. J. BALDWIN: Mr. Speaker, I move that the Committee on Public Health and Sanitation be granted the use of the Hall of this House tonight for a hearing on the Oleomargarine Law, should they so desire.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. WILTBANK: Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 6:45 o'clock p. m.) the House adjourned until tomorrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

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HOUSE OF REPRESENTATIVES.

THURSDAY, February 27th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Elliott Wright, offered the following prayer:

O God, Thou art the God of power from whom we receive all energy and strength; Thou art the God of wisdom from whom we receive all enlightement and guidance; Thou art the God of compassion and tenderness from whom we receive the gracious pardon of our manifold sins. We recognize Thee as the fountain and source of all blessing and good, and rejoice that though Thou art in Heaven and we upon earth, yet Thou art ever communicating of Thy fulness to us through that blessed and only Mediator between God and man, the Lord Jesus Christ. We humbly pray that for his sake we may receive every blessing that we need this day. And now we pray for the great capitol of our nation so soon to be the center of attraction for the tens of thousands of people throughout this great nation. Wilt Thou preside in the august and impressive ceremonies so soon to be enacted there, and may nothing occur to disturb or mar in any way the satisfaction and pleasure of this occasion. Bless Thy servant who has so honorably filled his responsible position, and who is now retiring; and Thy servant to be inducted into office. Give unto him the wisdom, and grace and strength which he needs. And we pray for all men in high places throughout the land, for all governors of commonwealths, and speakers of assemblies, and magistrates and judges and law-makers, may they all be good and true men. We commend ourselves now to Thee and to the keeping of Thy providence and grace through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Leslie, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. ULERICH. House Bill No. 1042.

An Act to amend Section one thousand one hundred and twenty-five of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. WHITAKER. House Bill No. 1043.

An Act to establish as a "State Highway" a certain section of public road beginning at a point north of Geigertown, in Berks county, and passing through Geigertown to Elverson, Chester county; thence to Morgantown, Berks county.

Referred to the Committee on Public Roads.

By Mr. ISLER. House Bill No. 1044.

An Act to amend Section 2 of an act entitled "An Act to prevent the pasting, painting, branding, stamping or placing of advertisements, notices, signs, cards or posters in certain places, and providing penalties for the violation thereof," approved the 10th day of March, A. D., 1903.

Referred to Committee on Judiciary Local.

By Mr. GOOD. House Bill No. 1045.

An Act making an appropriation to the trustees of the State Hospital, of Nanticoke, Luzerne County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SCHUCK. House Bill No. 1046.

An Act prohibiting newspapers or other publications designating themselves as official mediums for legal advertising or advertising required by law and prohibiting officials, official bodies or courts making it mandatory that legal advertising or advertising required by law be published in any particular newspaper or other publication.

Referred to the Committee on Judiciary General.

By Mr. SCHUCK. House Bill No. 1047.

An Act to amend the fourth section of an act, entitled "An Act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs and expenses thereof," approved the 23rd day of June, Anno Domini, 1911, fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs.

Referred to Committee on Judiciary General.

By Mr. McKAY. House Bill No. 1048.

An Act to preserve the purity of the waters of the State for the protection of the Public Health and property.

Referred to Committee on Public Health and Sanitation.

By Mr. CARSON. House Bill No. 1049.

An Act providing a means of identifying certain persons in this Commonwealth, requiring certain duties of employers and fixing penalties for violation hereof.

Referred to Committee on Labor and Industry.

By Mr. CONNIFF. House Bill No. 1050.

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand, to designate and appoint a solicitor; prescribing the duties of the said solicitor, and fixing his term of office and salary, to be paid by the proper county.

Referred to the Committee on Judiciary Special.

By Mr. HUMES. House Bill No. 1051.

An Act making it a misdemeanor for any officer or employee of any of the departments of the State Government to practice as an Attorney-at-law directly or indirectly, and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act.

Referred to the Committee on Judiciary General.

By Mr. BECKER. House Bill No. 1052.

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth, requiring that not less than two miners be employed and engaged in the robbing of pillars, where the seam of coal has a pitch of twenty-five degrees or more, and fixing a penalty for the violation of this act.

Referred to Committee on Mines and Mining.

By Mr. LOWERS. House Bill No. 1053.

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand, to purchase or condemn land, when adjacent or contiguous to county roads for park purposes or for public comfort stations; providing for the improvement and maintenance thereof; authorizing the adoption of rules relating to the management and control of such property, and providing penalties for the breach thereof; providing the method of taking land for such purposes, and the manner of determining such damages and limiting the amount to be expended for the purpose aforesaid.

Referred to Committee on Counties and Townships.

By Mr. NEELY. House Bill No. 1054.

An Act amending Section twelve of an act entitled "An Act providing when, how, upon what property, and to what

extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances, the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, A. D., one thousand nine hundred and one, by changing the provisions prescribing what property shall be included in tax and municipal claims.

Referred to the Committee on Judiciary Special.

By Mr. WILDMAN. House Bill No. 1055.

An Act compelling owners of horse-drawn vehicles to carry lights on said vehicles at night, and providing penalties for the violation thereof.

Referred to the Committee on Public Roads

By Mr. WILDMAN. House Bill No. 1056.

An Act requiring owners of commercial vehicles, except automobiles in cities of the first, second and third classes, to have each of the said vehicles marked with the name of the owner, and the locality in which said owner resides, and providing a penalty for the violation thereof.

Referred to Committee on Judiciary Local.

By r. WHITMAN. House Bill No. 1057.

An Act supplementary to an act, entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded, to be called The Western Pennsylvania State Institution for the Feeble-Minded, and making an appropriation therefor," approved the third day of June, Anno Domini one thousand eight hundred and ninety-three, amending the title and the ninth, tenth, fourteenth and eighteenth sections of said act, so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and provide for the method of admission to said institution and of discharge therefrom; providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth, and the payment of the costs of all committals thereto by the several counties; authorizing transfers of idiotic, feeble-minded and epileptic persons to and from said institution, and repealing the eleventh, twelfth, thirteenth, fifteenth and sixteenth sections of said act.

Referred to Committee on Appropriations.

By Mr. McALEER. House Bill No. 1058.

An Act to amend an act approved the twenty-seventh day of April, one thousand nine hundred and nine, entitled "An Act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles, regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder."

Referred to the Committee on Public Roads.

By Mr. KERN. House Bill No. 1059.

An Act to establish a Secondary School of Agriculture at Pennsburg, Pennsylvania, and making appropriation for the said school.

Referred to Committee on Appropriations.

By Mr. McARDLE. House Bill No. 1060.

An Act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance and prescribing penalty et cetera.

Referred to Committee on Insurance.

By Mr. KLEPPER. House Bill No. 1061.

An Act to amend the first section of an act, approved the twelfth day of May, Anno Domini one thousand eight hundred and eighty-seven, entitled "An Act regulating the compensation of county auditors within this Commonwealth."

Referred to Committee on Counties and Townships.

By Mr. ULMAN. House Bill No. 1062.

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Montgomery Borough in Lycoming County, and making an appropriation therefor.

Referred to Committee on Public Roads.

By Mr. ULMAN. House Bill No. 1063.

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Duboistown Borough and making an appropriation therefor.

Referred to Committee on Public Roads.

By Mr. KAUFMAN. House Bill No. 1064.

An Act repealing certain section and parts of sections of an act approved the twenty-fifth day of May, one thousand eight hundred and ninety-three, entitled "An Act for the taxation of dogs and the protection of sheep," as the same has been variously amended.

Referred to Committee on Counties and Townships.

By Mr. ALLEN. House Bill No. 1065.

An Act providing for the location, construction, operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie, at or near the Mouth of Indian Creek in the State of Ohio, with all appurtenances necessary or convenient for the purpose, and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania, Ohio and West Virginia, or any of them, and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a Canal Board to have charge of said work; prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement, in the manner provided in this act, of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and Treasurer of this Commonwealth; authorizing the said Canal Board to make certain rules and regulations for the use of said canal, and making violations thereof misdemeanors and providing penalties therefor, and making an appropriation for carrying out certain provisions of this act.

Referred to the Committee on Judiciary Local.

By Mr. ALLEN. House Bill No. 1066.

An Act providing for the creation of a Commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania, to Lake Erie at or near the mouth of Indian Creek in the State of Ohio, and such appurtenances, exclusive of a harbor on Lake Erie, as may be deemed necessary or convenient for the purpose, and to prepare estimates of the cost of constructing, completing and installing the same; defining the powers and duties of such commission, and making an appropriation to defray its expenses.

Referred to Committee on Judiciary Local.

By Mr. ISLER. House Bill No. 1067.

An Act conferring certain powers upon municipalities of this Commonwealth in and on the public wharves within the limits of such municipalities.

Referred to the Committee on Municipal Corporations.

By Mr. ISLER. House Bill No. 1068.

An Act prohibiting persons, partnerships and corporations, operating railroads from allowing certain things to remain on the right of way and fixing penalties for violation hereof.

Referred to the Committee on Railroads.

By Mr. WETTACH. House Bill No. 1069.

An Act to amend an act entitled "An act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registrattion and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder," approved April 27, 1909, increasing the fee to be paid for motor-vehicles and motor-cycles and providing that a portion of such fee should be returned to the municipality, or county from which such motor-vehicle or motor-cycle was registered.

Referred to Commitee on Ways and Means.

By Mr. WETTACH. House Bill No. 1070.

An Act to repeal an act of Assembly approved the twelfth day of July Anno Domini, one thousand eight hundred ninety-seven entitled "An act to amend section one of an act approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, entitled 'An act to amend an act, entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings,' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine, extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction."

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 1071.

An Act amending an act entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pensylvania unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor" and approved the 28th day of April Anno Domini one thousand eight hundred ninety-nine, by extending its provisions so as to embrace the practice of the law of this or any other State, nation country or land, and so as to embrace the practice of the law out of Court as well as before the Courts.

Referred to the Committee on Judiciary Special.

By Mr. LETZKUS. House Bill No. 1072.

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein, for the convenience and comfort of the traveling public.

Referred to the Committee on Municipal Corporations.

By Mr. LETZKUS. House Bill No. 1073.

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings, for municipal purposes other than street improvements, the title to be acquired by the said municipalities shall be the fee simple title thereof.

Referred to the Committee on Judiciary General.

By Mr. NEELY. House Bill No. 1074.

An Act authorizing municipalities to purchase the entire capitol stock and bonds of Bridge Companies owning bridges situated wholly or partly within the limits of such municipalities, and exempting such stock and bonds owned by municipalities, from State taxation.

Referred to the Committee on Municipal Corporations.

By Mr. RICHARDS. House Bill No. 1075.

An Act repealing an act entitled "An act relating to the assessment of damage for the appropriation of land for public use," approved fifteenth day of June A. D. one thousand eight hundred seventy-one.

Referred to Committee on Judiciary General.

By Mr. KAISER. House Bill No. 1076.

An Act amending section one of an act entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof, in accordance therewith," approved June 25, 1895, by dividing cities of the State into four classes with respect to their population; and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided.

Referred to the Committee on Municipal Corporations.

By Mr. KAISER. House Bill No. 1077.

A supplement to an act entitled "An act for the government of cities of the second class," approved the 7th day of March Anno Domini one thousand nine hundred and one, creating and regulating a Forestry Department; defining its jurisdiction; providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board.

Referred to the Committee on Municipal Corporations.

By Mr. WETTACH. House Bill No. 1085.

An Act to amend sections three, four, six and seven, and to repeal section five of an act entitled "An act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound, unhealthful unwholesome and otherwise unfit for human food; defining what shall be regarded as meat and meat food products; authorizing the appointment and compensation of local meat inspectors; authorizing the State Livestock Sanitary Board to enforce the provisions of this act, to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement; and to provide penalties for the violation or preversion thereof; approved the twenty-fifth day of May one thousand nine hundred and seven.

Referred to Committee on Public Health and Sanitation.

By Mr. WETTACH. House Bill No. 1086.

An Act relating to meat and meat food products and providing for the inspection of such food and products and the animals which produced and fixing penalties for violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. BIGGER. House Bill No. 1087.

An Act amending section one of an act entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one; regulating the certification recording advertising and proof of passage of legislative acts of councils; and prescribing the effect of the production thereof when required as evidence," approved the seventh day of June A. D. one thousand nine hundred and eleven; by changing the requirements as to the publication of ordinances and resolutions.

Referred to Committee on Judiciary Special.

By Mr. SAMUEL J. PERRY. House Bill No. 1088.

An Act relative to the arranging of the names of candidates on ballots; prohibiting the receiving and counting of ballots arranged contrary to this act, and providing a penalty for violation hereof.

Referred to Committee on Elections.

By Mr. SHOWALTER. House Bill No. 1089.

An Act regulating pawnbrokers.

Referred to the Committee on Banks and Banking.

By Mr. E. E. JONES (By Request). House Bill No. 1090.

A supplement to an act entitled "An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation opening straightening widening extension and alteration of the same; and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefrom and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a find for the expense thereof; prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement; and authorizing the vacation of any county road" approved the eleventh day of May A. D. nineteen hundred and eleven. P. L. 244, extending the provisions of said act to provide for the location and construction of such public roads and highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to County lines and from one adjoining county into another, and defining the procedure and jurisdiction in such cases.

Referred to the Committee on Public Roads.

By Mr. MALIE. House Bill No. 1091.

An Act making an appropriation to the Lincoln Memorial Hospital and Training School for Nurses of Avary College of the North Side, Pittsburgh, Pa.

Referred to the Committee on Appropriations.

By Mr. MALIE. House Bill No. 1092.

An Act to amend an act approved the second day of May, Anno Domini one thousand nine hundred and one, entitled "An act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five, 'creating and defining the offense of disorderly conduct by persons on public highways roads streets lanes alleys parks squares or commons of the Commonwealth or neat thereto and fixing penalties for committing such offense,'" by changing and enlarging the penalties for committing such offense.

Referred to Committe on Law and Order.

By Mr. SHOWALTER. House Bill No. 1093.

An Act to regulate the business of making small loans of five hundred dollars or less for which no other than a note or contract with or without endorser is taken; and to provide for the licensing of such business; and to regulate the assignment of wages when given as security; and providing a penalty for the violation of the provisions thereof.

Referred to the Committee on Banks and Banking.

By Mr. ALLEN. House Bill No. 1094.

An Act to validate Receiver's Sales of real estate subsequent to the pasage of an act entitled "An act relating to receiver's sales, approved the 11th day of May, Anno Domini 1911, and all cases where notices of said sales have been mailed within the time specified in said act.

Referred to Committee on Judiciary Special.

By Mr. ELY. House Bill No. 1095.

A joint resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. LORENZO SMITH. House Bill No. 1096.

An Act providing for an Annual Occupancy License for all buildings other than dwelings in cities of the first class of this Commonwealth and for limiting the number of employes and occupants of such licensed buildings and empowering the Bureau of Building Inspection attached to and under the supervision and control of the Department of Public Safety, in cities of the first class to direct alterations to be made in any building in said cities when the uses and purposes for which said building is occupied at the time of the passage of this act are to be changed and altered and providing for the punishment for the violation thereof.

Referred to the Committee on Municipal Corporations.

By Mr. ALLEN. House Bill No. 1097.

An Act to amend section two of an act relating to Receiver's Sales approved the 11th day of May A. D. 1911, by providing the method of giving notices of sales under said act and the manner and effect of proving giving of the same

Referred to the Committee on Judiciary Special

By Mr. McNICHOL. House Bill No. 1098.

An Act to apportion the State into Congressional Districts.

Referred to the Committee on Congressional Apportionment.

By Mr. MOULTHROP. House Bill No. 1099.

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in Districts other than that of Philadelphia and Allegheny Counties.

Referred to Committee on Appropriations.

By Mr. STEEDLE. House Bill No. 1100.

An Act extending the police power of municipalities respecting billboards signs and other outdoor advertising and concerning the licensing, regulation and suppression of the same.

Referred to the Committee on Municipal Corporations.

By Mr. STEEDLE. House Bill No. 1101.

An Act providing for including in the taxable value of lands upon which are maintained billboards, signs, or other advertising devices, the increased value of such lands resulting from the use of such premises for advertising.

Referred to the Committee on Judiciary Special.

By Mr. WHITAKER. House Bill No. 1102.

A Further Supplement to an act, entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic, to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic, and making an appropriation therefor," approved the fifteenth day of May, Anno Domini one thousand nine hundred and three, prescribing the purposes of said institution; amending the ninth and thirteenth sections of said act, so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom; providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth, and the payment of the costs of all committals thereto by the several counties; authorizing transfers of idiotic, feeble-minded and epileptic persons to and from said institution, and repealing the eleventh, twelfth, fourteenth and fifteenth sections of said act.

Referred to the Committee on Judiciary Special.

By Mr. CHARLES A. SHAFFER. House Bill No. 1103.

An Act to require electric railway companies operating suburban or intururban railways to provide suitable waiting rooms at terminal points, and to equip all cars with toilets or water closets; and providing a penalty for violation of this act.

Referred to Committee on Electric Railways.

By Mr. SEMMENS. House Bill No. 1104.

An Act making an appropriation to the State Highway Department to be used in deepening, straightening widening and otherwise improving Turtle Creek from the point where it crosses the westerly line of Westmoreland county, westwardly through Allegheny county to the Monongahela River, so as to prevent damages and danger from floods and overflows; and granting to the said State Highway Department the authority to make said improvements.

Referred to Committee on Appropriations.

By Mr. SEMMENS. House Bill No. 1105.

An Act to amend the first section and the second section of an act entitled "An act constituting county commissioners, county controller, and county treasurer, in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants, a board having the power to appoint depositories of county funds; defining the powers of said board, and specifying their duties; describing how the said depositories shall be selected, and repealing certain acts and parts of acts of Assembly inconsistent herewith," approved the first day of April, Anno Domini, one thousand nine hundred and nine, by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits; and also providing for the filling of vacancies arising in any manner in the number of said depositiories.

Referred to the Committee on Banks and Banking.

By Mr. BLELOCH. House Bill No. 1106.

An Act to change and fix the terms of Guardians of the Poor and Auditors authorized to audit, settle and adjust accounts of said guardians of the poor in incorporated poor districts where the number of said guardians and auditors respectively is four and two, and said guardians and auditors are required to be elected in blocks of three, fixing the times when the terms of present guardians and auditors shall expire, their successors be elected, and assume office.

Referred to the Committee on Judiciary Special.

By Mr. ALLEN. House Bill No. 1107.

An Act relating to inns and hotels, regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers.

Referred to the Committee on Judiciary Special.

By Mr. LETZKUS. House Bill No. 1108.

An Act providing for the arrest and conviction of any person found visiting a gambling house, and providing penalty for same.

Referred to Committee on Law and Order.

By Mr. LETZKUS. House Bill No. 1109.

An Act amending section one of an act entitled, "An act empowering cities of this Commonwealth to grade, pave, curb, macadamize and otherwise improve the public streets and alleys, or parts thereof, within their corporate limits without petition of property holders, and providing for the payment of the costs, damages and expenses thereof," approved the twenty-second day of May, A. D. one thousand eight hundred and ninety-five, as amended by act approved the twenty-fifth day of April, A. D. one thousand nine hundred and three; by changing the requirements in respect to publication of ordinances introduced and providing for the grading, paving, curbing, macadamizing or otherwise improving any public street or public alley, or part thereof, where there is no petition of the property owners.

Referred to the Committee on Judiciary Special.

By Mr. JAMES J. CAMPBELL. House Bill No. 1110.

An Act to amend sections two, three and four of an act, entitled "An act authorizing cities of this Commonwealth to purchase, acquire take, use and appropriate private property for the purposes of making, enlarging, extending and maintaining public parks, parkways and playgrounds; authorizing the said cities to purchase, acquire, take, use and appropriate neightboring private property within two hundred feet of the boundary lines of such public parks, parkways, and playgrounds in order to protect the same by resale with restrictions; authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks, parkways and playgrounds; providing for the manner of ascertaining, determining awarding and paying compensation and damages in all cases where property is taken, used and appropriated for the said purposes," approved the eighth day of June, one thousand nine hundred and seven; authorizing cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for the purpose of making, enlarging, extending and maintaining public parks, parkways and playgrounds; authorizing the said cities to purchase, acquire, take, use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks, parkways and playgrounds in order to protect the same; authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks, parkways and playgrounds.

Referred to the Committee on Municipal Corporations.

By Mr. NORTH. House Bill No. 1117.

An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the Public Debt and the Support of the Public Schools for the two years beginning June first one thousand nine hundred and thirteen, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-one, one thousand nine hundred and thirteen.

Referred to the Committee on Appropriations.

PETITIONS

FAVORING READING THE HOLY BIBLE IN PUBLIC SCHOOLS.

Mr. C. A. SHAFFER presented the petition of citizens of Columbia County: praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Columbia County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Schuylkill County, praying for the passage of an act to require the reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Luzerne County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented two petitions of citizens of Perry County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. WALTON presented the petition of citizens of Lawrence County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. SPANGLER presented petition of citizens of York County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. SAMUEL B. SCOTT presented petition of citizens of Philadelphia praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. CLAYCOMB presented the petition of citizens of Blair County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Cumberland County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Philadelphia County praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. W. F. BLAIR presented the petition of citizens of Cambria County, praying for the passage of an act to require reading of Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

Mr. P. W. SNYDER presented the petition of citizens of Blair County, praying for the passage of an act to require the reading of the Bible in schools of Commonwealth.

Which was referred to the Committee on Education.

PROTESTING AGAINST THE CLUB LICENSE BILL

Mr. CLAYCOMB presented three petitions of citizens of Blair County, protesting against the passage of an act to license Clubs.

Which was referred to the Committee on Law and Order.

Mr. P. W. SNYDER presented the petition of citizens of Blair County, protesting against the passage of an act which would grant licenses to Clubs.

Which was referred to the Committee on Law and Order.

Mr. BERNTHEIZEL presented the petition of citizens of Lancaster County, protesting against the passage of an act which would grant licenses to Clubs.

Which was referred to the Committee on Law and Order.

FAVORING DAVIS MINE CAVE BILL

Mr. W. B. GOOD presented the petition of citizens of Luzerne County, praying that the bill known as Davis Mine Cave Bill be reported from the Committee on Mines and Mining.

Which was referred to the Committee on Mines and Mining.

FAVORING HUNTER'S LICENSE LAW

Mr. W. A. BLAIR presented the petition of citizens of Cambria County, praying for the passage of the Hunter's license law, etc.

Which was referred to the Committee on Game.

FAVORING RECOMPENSE TO OWNERS OF CHESTNUT TREES DESTROYED ON ACCOUNT OF BLIGHT

Mr. L. E. DONNALLY presented the petition of citizens of Perry County, praying for the passage of an act to recompense owners of chestnut timbers having to be destroyed on account of blight.

Which was referred to the Committee on Appropriations.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 22, (House Bill No. 1078)

An Act to avoid delay in the administration of justices by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid.

Referred to Committee on Judiciary General.

Also Senate Bill No. 63, (House Bill No. 1079)

An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia County.

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 116, (House Bill No. 1080)

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty.

Referred to Committee on Public Roads.

Also Senate Bill No. 154, (House Bill No. 1081)

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand and nine hundred and one entitled "An act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An act supplemental to an act entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one" providing for the payment of expenses for the enforcement of the provisions of said act.

Referred to the Committee on Judiciary General.

Also Senate Bill No. 157. (House Bill No. 1082)

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts."

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 160. (House Bill No. 1083)

An Act repealing part of section one of an act entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' 'approved July ninth nineteen hundred and one.

Referred to the Committee on Judiciary General.

Also Senate Bill No. 167. (House Bill No. 1084).

A Supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one enlarging the powers of such cities over the public streets and highways therein.

Referred to the Committee on Municipal Corporations.

REPORT FROM COMMITTEE.

Mr. BROSIUS, from the Committee on Forestry, reported as committeed, House Bill No. 558, entitled:

An Act to provide for the Assessment and Taxation of Auxiliary Forest Reserves and the collection, distribution and use of the taxes collected therefrom.

Mr. MOULTHROP, from the Committee on Forestry, reported as committeed, House Bill No. 559, entitled:

An Act providing a fixed charge on Land Classified as Auxiliary Forest Reserves and the Distribution of the fund thus set aside for school and road purposes.

Mr. SWARTZ, from the Committee on Fisheries, reported as committed, House Bill No. 926, entitled:

An Act to classify the species of fish in such parts of the boundary lakes, of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes, to declare which fish are game fish, which fish are food fish, and which are minnows or bait fish, to protect and provide for the maintenance and increase of fish in such lakes, to regulate and provide for the payment of licenses fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act; and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances; and repealing all acts inconsistent herewith.

Mr. PETERS, from the Committee on Forestry, reported as committeed, House Bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves, to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon.

Mr. MOSES, from the Committee on Pensions and Gratuities, reported as amended, House Bill No. 32, entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the Army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payment, creating a commission to have charge of all matters and things appertaining to the same, making an appropriation for the purpose of carrying out the provisions of this act and providing for punishments for the violations thereof.

Mr. DAVIS, from the Committee on Mines and Mining, reported as amended, House Bill No. 638, entitled:

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal, rock, earth or other mineral or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of action as for damages etc. begin to run.

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed House Bill No. 408, entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets, avenues, thoroughfares, courts, alleys, places and public highways within the limits of the several municipal corporations, and authorizing the creation of a Bureau of Mine Inspection and Surface Support by any municipal corporation, and giving such Bureau jurisidiction.

LEAVES OF ABSENCE.

Mr. BAYLE asked and obtained leave of absence for himself until March 10th.

Mr. MARTIN asked and obtained leave of absence for Mr. Cheeseman for the balance of the week.

Mr. EDWARD E. JONES asked and obtained leave of absence for himself for all of next week.

Mr. MATHER asked and obtained leave of absence for himself for the balance of this week.

Mr. W. A. BLAIR asked and obtained leave of absence for Mr. Joseph Gray for the balance of this week.

Mr. JAMES J. CAMPBELL asked and obtained leave of absence for himself for next week.

Mr. GEO. A. BALDWIN asked and obtained leave of absence for Mr. McKay for the balance of this week.

Mr. GEO. W. WILLIAMS asked and obtained leave of absence for himself for the balance of this week.

Mr. ALLEN asked and obtained leave of absence for Mr. Mannion for the balance of the week.

Mr. POST asked and obtained leave of absence for Mr. Brownlee for the balance of the week.

Mr. ELY asked and obtained leave of absence for himself for the balance of the week.

Mr. STEEDLE asked and obtained leave of absence for Mr. Reeser for the balance of the week.

Mr. ALLEN. Mr. Speaker, I will call up, at this time, the report of the Conference Committee on Concurrent Resolution No. 14, on the last page of today's Calendar.

The SPEAKER. The Clerk will read the Report of the Conference Committee on Concurrent Resolution No. 14.

The Report was read as follows:

REPORT OF CONFERENCE COMMITTEE ON CONCURRENT RESOLUTION NO. 14.

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener creating a commission and clothing it with administrative powers said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July first, second, third and fourth by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July fourth, one thousand eight hundred and sixty-three.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July first, second, third and fourth upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania or who are now living in Pennsylvania also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. In case said soldier, sailor or marine lives beyond the State lines of said State his expenses shall be borne only from and to the State line within said State of Pennsylvania.

A copy of this resolution when approved to be forwarded to the President of the Commission for consideration and action.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

GEORGE W. ALLEN,
J. H. WILTBANK,
E. LOWRY HUMES,
JOHN O. SHEATZ,
BENJ. JARRETT,
JOSEPH ALEXANDER.

On the question,

Will the House agree to the report of the Committee on Conference?

Mr. ALLEN. Mr. Speaker, in order that all of the members of the House, especially the new ones, to whom this proceeding is new and in order that you may understand, I will say that this matter now comes upon the acceptance or rejection of the Conference Committee report. No amendment can be made. The original resolution, as you will recall, provided for the transportation, maintenance and entertainment of those now living in Pennsylvania. That was the way the original resolution was messaged to us from the Senate. We amended that by making it "those who enlisted from Pennsylvania" and striking out "all now living in" and sent it back to the Senate and then the Conference Committee embodied both those enlisted from the State of Pennsylvania or those now living in the State of Pennsylvania. The only narrowing of that broad provision as intended by this House being that the transportation is from the State line to Gettysburg and then the entertainment and maintenance, while in Gettysburg and the transportation back from Gettysburg to the State line, being borne by the State.

I trust the resolution will receive the unanimous support of the House.

On the question recurring,

Will the House agree to adopt the report of the Committee on Conference?

It was unanimously agreed to.

SENATE MESSAGE.

SENATE ADOPTS REPORT OF CONFERENCE COMMITTEE ON CONCURRENT RESOLUTION NO. 14.

The Clerk of the Senate being introduced, informed that the Senate had adopted the report of the Committee on Conference on the subjject of the difference existing between the two Houses on Concurrent Resolution No. 14, as follows:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener creating a commission and clothing it with administrative powers said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission.

Whereas, Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July first, second, third and fourth by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July fourth, one thousand eight hundred and sixty-three.

Whereas, The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period.

Whereas, The exercises upon July first, second, third and fourth upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known; therefore be it

Resolved (if the House concur), That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania or who are now living in Pennsylvania also such men who served in Pennsylvania commands known as Emergency Troops, also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth. In case said soldier, sailor or marine lives beyond the State lines of said State his expenses shall be borne only from and to the State line within said State of Pennsylvania.

GEORGE W. ALLEN,
J. H. WILTBANK,
E. LOWRY HUMES,
JOHN O. SHEATZ,
BENJ. JARRETT,
JOSEPH ALEXANDER.

A copy of this resolution when approved to be forwarded to the President of the Commission for consideration and action.

REPORT FROM THE COMMITTEE ON RULES.

Mr. COCHRAN. Mr. Speaker.

The SPEAKER. The gentleman from Fayette, Mr. Cochran.

Mr. COCHRAN. Mr. Speaker, I desire to present a report from the Committee on Rules.

The SPEAKER. The Clerk will read the report from the Committee on Rules.

The report was read as follows:

That beginning with the session on March 5th, 1913, admission at the doors of the House, of persons other than those expressly entitled to the floor, under rule 39, shall be only by card or direction to the door-keeper from a member of the House.

F. C. EHRHARDT,
HARRY COCHRAN,
GEORGE W. SASSAMAN,
GEORGE W. ALLEN,
GEORGE A. BALDWIN.

On the question,

Will the House agree to the adoption of the report?

It was agreed to.

RESOLUTION RELATIVE TO IMPROVEMENTS IN HALL OF THE HOUSE.

Mr. FRANK GRAY. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Frank Gray.

Mr. FRANK GRAY. Mr. Speaker, I desire to call up Resolution No. 22.

The SPEAKER. The Clerk will read the resolution.

The Resolution was read as follows:

Be it Resolved, That the Superintendent of Public Grounds and Buildings make the following improvements in the Hall of this House, namely:

Advance the rail and platform in front of the clerks' desks a sufficient distance to provide room for the space allotted to the reporters and stenographers and to use the space thereby gained for the seats and desks of the members now occupying the last row in the House.

Remove the rail in the rear of the House and use the space gained by the improvements for the use of the chief page and his assistants.

Erect an annunciator in the rear of the House with electric connections with each desk of the members and the desk of the Speaker, and be it further

Resolved, That no person other than those allowed by the rules of House be admitted to this hall except when provided with a card of invitation issued by a member.

On the question,

Will the House agree to the Resolution?

Mr. FRANK GRAY. I move that this resolution be referred to the Committee on Public Grounds.

Mr. COX. I second the motion.

The motion was agreed to.

BILLS RECOMMITTED.

Mr. FRANK GRAY. Mr. Speaker, I move that House Bill No. 34, entitled:

An Act providing for the safety of persons from fire or panic in certain buildings other than in cities of the first and second classes, requiring proper exits, fire-extinguishers and other preventatives of fire, and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries.

on page seven of to-day's postponed Calendar, be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I move that House Bill No. 759, entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court, and providing for the sentencing of either or both in their absence.

which was reported with a negative recommendation, be recommitted to the Committee on Judiciary General.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

NOTICE OF CALLING UP BILLS.

Mr. MARTIN. Mr. Speaker, I desire to give notice that I expect to call up House Bill No. 31, entitled:

To repeal an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," together with the amendments thereof.

on Wednesday evening or on Thursday of next week.

Mr. STEELE. Mr. Speaker, I desire to give notice that I will not call up House Bill No. 232, entitled:

A joint resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous, spirituous malt or brewed liquors or beverages.

on page two of to-day's Calendar, Bills on Second Reading, as I intend to call up this bill next Wednesday evening or Thursday morning.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 107, entitled:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met be and it is hereby enacted by the authority of the same That in the county of Philadelphia there shall be and hereby is created a court of record to be known as the municipal court of Philadelphia it shall consist of a president judge and one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States

The second section of the bill was read as follows:

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors or said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of eight thousand five hundred dollars ($8,500.00) per annum and the associate judges shall receive salaries eight thousand dollars payable by the State in the same manner that the salaries of the judges of the Courts of Common Pleas are paid The term of office of the elected judges of the court shall begin on the first Monday of January following their election

The first judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the municipal election next succeeding at which their successors shall be elected

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the constitution of the State in such case and their successors shall be elected to the full term of ten years

The Governor upon the first appointment of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reason designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amend section two, lines four and five by striking out the words "eight thousand five hundred" ($8,500.00)" and insert "six thousand five hundred dollars ($6,500.00)"

Also, amend section two, line six, by striking out the words, "eight thousand" and insert the words "six thousand"

Also, amend in lines six and seven, by striking out the words "and others"

Also, amend section two lines six, by inserting after the word "salaries" the word "of."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to as follows:

Section 3 The court shall be open at all times for the transaction of business in the county of Philadelphia either at the City Hall or at such other place or places in the said county as may from time to time be designated by the court if it shall be found necessary to hold court at other places for the convenience of suitors or the accommodation of the public

It shall be the duty of the county commissioners or other proper officers of the said county to provide proper accommodations for the holding of the said court at such times and places as the said court may decide and the expenses of the same shall be defrayed out of the treasury of the county of Philadelphia

The fourth section was read as follows:

Section 4 The judges of the said court shall appoint a clerk whose term of office shall be at the pleasure of the judges He shall give his entire time and attention to the performance of the duties of his office which shall be kept open for the transaction of business from nine o'clock ante meridian to five o'clock post meridian of each working day during the year He shall receive a salary of six thousand dollars ($6,000.00) per annum He shall keep proper records of the court under the supervision of the judges and in accordance with rules and regulations from time to time made by them Unless otherwise provided by rules of court the powers duties and liabilities of the said clerk shall be for the Municipal Court the same as those prescribed by law for the prothonotary of the Courts of Common Pleas of the county of Philadelphia The said clerk shall have the power to appoint a deputy clerk and such number of assistant deputy clerks as may be from time to time designated by order of the judges of said court The salary of the chief deputy clerk shall be three thousand dollars ($3 000.00) per annum The salaries of the other clerks shall be fixed by the clerk of the court but shall in no case exceed two thousand dollars ($2,000.00) per annum

The fees to be charged by said clerk shall be the same as the fees charged for similar services by the prothonotary of the Courts of Common Pleas of Philadelphia county

All fees or other sums received by any clerk or employee of said court shall be paid into the treasury of the county of Philadelphia

The president judge of the court may appoint such stenographers tipstaves and officers or clerks as are reasonably necessary the number of the same and their compensation to be determined from time to time by a majority of the judges of the said court to perform the duties usually pertinent to such officers in and about the court rooms or

elsewhere The compensation of the clerk of the court deptuy clerk and asistant deputies and of all other officers and employees of said court shall be paid out of the treasury of the county of Philadelphia upon warrants signed by the president judge of the court or by the clerk of the said court in accordance with general orders of the president judge

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer amendments to this section.

The amendments were read as follows:

Amend section four line six by striking out the words "six thousand" and lines seven by striking out the words "dollars ($6,000.00)" and insert the words "four thousand dollars ($4,000.00)"

Also amend section four line sixteen by striking out the words "three thousand" and in line seventeen by striking out the words "dollars ($3,000.00)" and insert "twenty-five hundred dollars ($2,500.00)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh, eighth and ninth sections were read and agreed to as follows:

Section 5 The said court shall have a common seal upon which shall appear the words "Municipal Court of Philadelphia" and the word "seal" which shall be affixed to all official documents issued under the direction of the said court The seal of the said court shall be in the custody of the clerk or of such other officer and be kept in such place as the court may from time to time order

Section 6 It shall be the duty of the proper officers of the county of Philadelphia to provide such jurors for service in the Municipal Court as may from time to time be requested by order of the president judge or as may be fixed by general order of said president judge Said jurors shall be summoned as provided by law and shall receive the same compensation and be subject to the same duties and liabilities as jurors summoned to serve in the courts of common pleas of said county

Section 7 It shall be the duty of the sheriff of Philadelphia county to serve all writs or processes issuing out of the said court in like manner and for the same fees as similar services are performed for writs or processes issuing from the courts of common pleas

Section 8 The president judge shall have power to oversee and direct the business of the court He shall assign the various judges to the duties to be performed by them He shall at appropriate intervals not less than once a month except in July and August hold meetings of all the judges of said court for the purpose of promoting the speedy administration of the business of the court and for other purposes

The president judge of the court shall designate one member of the court to hold a juvenile court The said judge shall be assigned to said court for a period of one year or longer in the discretion of the president judge

Section 9 The president judge shall appoint a chief probation officer whose salary shall not exceed three thousand dollars ($3,000.00) a year and such additional probation officers as a majority of the judges may determine at salaries not to exceed one thousand five hundred dollars ($1,500.00) a year whose powers and duties shall be similar to those heretofore appointed by the court of quarter sessions of the peace for said county

There shall be no preliminary hearings in any cases affecting dependent delinquent or neglected children under the age of sixteen years as defined by existing laws relating to such proceedings (which laws are hereby made applicable to proceedings in the Municipal Court) but such children shall be brought immediately before the judge of the juvenile court and he shall hear and determine said cases separately from each other at such place and at such hours of the day or night as will in the judgment of the president judge and of th judge of the juvnile court be most conducive to the welfare of such children

The tenth section of the bill was read as follows:

Section 10 The said court hereby created shall have jurisdiction in divorce and in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of six hundred dollars ($600.00) except that in actions for damages for personal injuries it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00) Actions in divorce shall be tried by judges and not by masters Said jurisdiction shall be concurrent with the courts of common pleas and magistrates' courts The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisditcion of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer amendments to this section.

The amendments were read as follows:

Amend Section ten, line two, by striking out the words "in divorce and."

Also amend Section ten, line seven, by striking out all after the word "fifteen hundred" dollars ($1,500.00)" down to and including the word "courts" in line nine.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read and agreed to as follows:

Section 11. The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary forgery kidnapping murder voluntary manslaughter perjury rape robbery treason or misprison of treason or for violation or conspirary to violate the election or registration laws of this Commonwealth or for criminal libel or for embezzlement by any public officer or any offence involving breach of official duties by any public officer.

The jurisdiction of the said municipal court shall be concurrent with the magistrates' courts and courts of quarter session and oyer and terminer except in the following cases in which it shall have jurisdiction which shall be exclusive.

(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children.

(b) In all proceedings concerning dependent delinquent or neglected children as defined by existing laws relating thereto which are hereby made applicable to proceedings in the municipal court.

The judges of the said municipal court shall be justices of the peace and shall have power to hold preliminary hearings and bind prisoners over to appear in court or keep the peace or otherwise as the case may be When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be.

In criminal cases not triable in the municipal court but excepted from its jurisdiction as above provided the jurisdiction of the judges of the municipal court to issue warrants of arrest and to hold offenders for court shall be exclusive of the magistrates.

At least one judge of the municipal court shall be designated each month to act as committing magistrate and his court shall be open at all times for such purposes.

Provided however, That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in the municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable.

The twelfth section was read as follows:

Section 12. All civil actions in said municipal court shall be begun by filing a statement of the plaintiff's claim without the issuance of any formal writ. The said statement shall consist of a concise recital of the facts which the plaintiff claims give rise to his cause of action divided into paragraphs consecutively numbered only one averment of fact so far as possible being included in one paragraph Where any contracts or other writings are material to the validity of the plaintiff's claim he must annex copies of the same in accordance with the practice now obtaining in the courts of common pleas This statement may be filed by the plaintiff or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All statements shall be verified by the affidavit of the plaintiff or his duly authorized agent and shall be signed by the plaintiff or his counsel.

The said clerk shall thereupon issue a summons under the seal of the court requiring defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him In default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course in order to prevent judgment as aforesaid defendant must file within ten days of the service of the summons and statement upon him as aforesaid an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred Provided That if defendant alleges himself to be ignorant as to the facts averred in any paragraph he may so state and place the plaintiff upon proof of the same as if they had been denied All facts which defendant does not deny or aver himself to be ignorant and demand proof as aforesaid shall be deemed to be admitted The answer may be filed by the defendant or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All answers shall be verified by the affidavit of defendant or his duly authorized

agent and shall be signed by defendant or his counsel After defendant has filed an answer the case shall be at issue without any formal pleas unless he sets up new matter in separate numbered paragraphs in addition to those answering plaintiff's averments in which case plaintiff may within five days answer the same in the same manner and all new matter so averred by defendant and not denied by plaintiff or of which he does not declare himself to be ignorant and demand proof shall be deemed to be admitted The case shall then be at issue Plaintiff may move for judgment for want of a sufficient answer for all or a portion of his claim.

Every statement of claim before it shall be received by the clerk shall contain on the back thereof an endorsement signed by plaintiff or his counsel as follows "Jury trial demanded" or "It is agreed that this case be tried by a judge without a jury" If plaintiff demands a jury trial he shall at the time of filing his statement pay to the clerk a jury fee of four dollars Every answer where plaintiff has not demanded a jury trial shall contain on the back thereof a similar endorsement and if defendant demands a jury trial he shall at the time of filing his answer pay to the clerk a jury fee of four dollars If both parties as aforesaid have filed agreements that the case may be tried by a judge without a jury it shall be so tried under such rules of procedure as the court shall prescribe.

When a case is at issue it may be immediately orderd upon the trial list by either party It shall be the duty of the judges of the said court to so arrange their triar list that cases shall be tried as promptly as possible For the purpose of promptly disposing of all motions and rules in connection with its business it shall be the duty of said court to have at least one judge sitting continuously as many hours per day as he may be needed Except as modified by this act or its own rules duly adopted by a majority of the judges the practice and procedure in the Municipal Court shall be the same as the practise and procedure in the courts of common pleas of Philadelphia County.

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer an amendment to this section.

The amendment was read as follows:

Amend section twelve, line twenty-six, by striking out the word "no" and inserting the word "not"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question will the House agree to the section as amended?

It was agreed to.

The thirteenth, fourteenth, fifteenth, sixteenth sections and the title were read and agreed to as follows:

Section 13 All criminal prosecutions begun in the said court shall be commenced by an affidavit describing with reasonable accuracy the character of the offense alleged to have been committed Upon the filing of such affidavit it shall be examined by a judge of the said court and if it charges with reasonable certainty an offense committed within the jurisdiction and punishable by law a warrant shall be issued under the seal of the court for the apprehension of the offender The affidavit shall become a record of the court and shall be duly preserved A record shall also be made of the issuance of the warrant and the name of the officer in whose hands it is placed for service A record shall also be made of the return of said officer after serving or attempting to serve said warrant Each said warrant when issued may be delievered to a police officer of the city of Philadelphia and it is hereby made the duty of such police officer to serve such warrants as promptly as may be and to make immediate return to the said court whether served or not return shall be made at latest within two days after said warrant has been delivered for service and in the event of failure to serve such warrant the police officer shall make such further efforts to apprehend the person accused as may be from time to time requested by any of the judges of the said court In making their return it shall be the duty of said police officer to state as a part thereof what has been done with the prisoner whether released on bail or if in custody where confined A prisoner apprehended upon a warrant issued from the municipal court shall be released on bail only upon the written order of a judge of the said court unless after a hearing on habeas corpus by a judge of a court of record having jurisdiction

It shall be the duty of the president judge of the said court to assign at least one judge to conduct preliminary hearings daily in all cases in which warrants of arrest have been issued under the seal of the said court It shall be the duty of the president judge of said court to assign sufficient judges to the trial of criminal cases so that all cases exclusively triable in the said court in which prosectutions may be begun therein or which may be brought therein for trial by the district attorney shall be tried and disposed of as soon as possible after indictment found

It shall be the duty of the district attorney of said county to prosecute all cases in which prosecutions have been begun in the municipal court or which have been returned to court by magistrates for trial and which are exclusively triable in the municipal court or which the district attorney elects to try in said court

In desertion and non-support cases and in juvenile cases there shall be no preliminary hearings but the person accused or children involved shall be immediately brought before the court for trial

Except as modified by this act or by its own rules duly adopted by a majority of the judges the practice and procedure shall be the same in the municipal court in all matters of which it has jurisidiction as in similar matters prosecuted and determined in courts of oyer and terminer and quarter sessions of the peace of the county of Philadelphia

Section 14 All parties believing themselves to be aggrieved by the decisions of the said municipal court may remove their cases by appeal or writ of error to the Supreme or Superior Court as the case may be in accordance with existing law and in accordance with the practice and procedure in perfecting appeals from existing courts in Philadelphia county

Section 15 Judgment recovered in the said municipal court shall be a lien upon the property of the defendant in the same manner and to the same extent that judgment recovered in the Courts of Common Pleas is a lien All such judgments shall be indexed in the judgment index of the said county and it is hereby made the duty of the proper officers to index said judgments in the same manner that judgments in the Courts of Common Pleas are now or hereafter may be indexed

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the Courts of Common Pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 656, as follows:

An Act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much as may be necessary be appropriated to aid vocational schools or departments when maintained as a part of the public school system as hereinafter named for the two fiscal years commencing on the first Wednesday of July one thousand nine hundred and thirteen

For the support of agriculture schools or departments two years the sum of ninety thousand dollars ($90,000)

For the support of industrial schools or departments two years the sum of ninety thousand dollars ($90,000)

For the support of household art schools or departments two years the sum of thirty-two thousand dollars ($32,000)

For the part payment of the tuition of pupils who attend vocational schools or departments outside of their own district two years the sum of twenty thousand dollars ($20,000)

For the payment of one stenographer and typewriter for the vocational division of the Department of Public Instruction two years the sum of two thousand four hundred dollars ($2,400)

For the payment of contingent expenses of the vocational division of the Department of Public Instruction two years the sum of six thousand dollars ($6,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. C. M. C. CAMPBELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. ALLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president judge of the court of common pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion con-

stitiute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administrating health laws in any borough or township of the first class shall be paid

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within two months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board of health in boroughs shall be appointed by the president of the borough council by and with the consent of the council and in townships of the first clas by the board of township commissioners At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall all be residents of th municipality for which they are appointed and shall serve without compensation provided however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a members of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the borough council or by the board of commissioners of the township of the first class and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurers of the borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occuring at the end of each month cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman.

Section 6. The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

Section 7. Said board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same.

Section 8. The board of health may inspect house drains waste and soil pipes cess-pools water-closets slaughter houses hog pens stables stable-yards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a meanace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided.

Section 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal.

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 11. All expenses incurred by any local board or health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the commissioner of health in accordance with the provisions of Section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid.

Section 12. Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expense has been rendered by him to such borough or township of the first class and demand for payment by him he shall with the approval of the Governor instiutute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law.

Section 13. All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 14. All acts entitled "An Act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred and ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided that all members of boards of health now in existence in borough and townships of the first class shall continue to serve as such until the expiration of their several terms.

The title of the bill was read as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president judge of the court of common pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commissioner of

Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

On the question,

Will the House agree to the title?

Mr. RICHARDS. Mr. Speaker, I desire to offer an amendment to the title.

The amendment was read as follows:

Amend the title by striking out after the word "health" in line four, to the word "providing" in line six.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which he is appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 4 It shall be the duty of said board respectively to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a minor in any coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a miner except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncomplaince or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 322, as follows:

An Act fixing a basis upon which to calculate the earning of miners employed in anthracite coal mines and providing penalties for violations hereof.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person partnership and corporation engaged in the mining of anthracite coal in this Commonwealth shall provide at each respective coal mine standard scales for weighing the coal mined therein and the coal of each miner shall be separately and accurately weighed on said scales before said coal is dumped from the car on which it was loaded by said miner in the mine A separate and accurate account shall be kept by the owner or operator of such mine of the number of tons or fractional parts thereof of coal mined by each

miner as aforesaid and the miners in each mine shall have the right to employ at their own expense and keep at each of said scales a weigh master to inspect said scales and to keep an account of the number of tons or fractional parts thereof of coal mined by each miner The miners at each mine shall be paid at a rate per ton as may be mutually agreed upon between the miners and owners or operators or their representatives for all coal mined Twenty-two hundred and forty pounds shall constitute a ton and the said ton shall be the basis from which to calculate the earnings at all mines.

Section 2. If any such person partnership or corporation shall neglect or refuse to comply with the provisions of this act he or they so neglecting or refusing shall be guilty of a misdemeanor and upon conviction thereof shall for each days' violation of this act be sentenced to pay a fine of one hundred dollars.

Section 3. This act shall not prevent the making of any contract between the owner or operator of any mine and the miners employed therein as to the compensation of such miners.

Section 4. This act shall not go into effect until one hundred and twenty days after its approval by the Governor.

Section 5. All laws or parts of laws inconsistent herewith be and the same are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 644 as follows:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts and parts of acts incompatable herewith

Whereas The lives of many women and children are needlessly sacrificed in child birth and the vision of many new born children is seriously injured or totally destroyed through the ignorance and incompetency of persons engaged in the practice of midwifery and

Whereas An act of Assembly attempting to regulate such matters was approved on the fourteenth day of June Anno Domini one thousand nine hundred and eleven but was defective therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after six months after the date of the passage of this act it shall be unlawful for any person except a duly licensed physician to practice midwifery in this State before receiving a certificate from the Bureau of Medical Education and Licensure of the State of Pennsylvania to do so and having said certificate registered in the office of the Prothonotary of the county in which the holder desires to practice midwifery

Section 2 The Bureau of Medical Education and Licensure shall formulate and issue such rules and regulations from time to time as may be necessary for the proper conduct of the practice of midwifery by midwives Said bureau shall issue certificates to midwives having fulfilled the requirements laid down by the bureau which certificates shall be revocable by the bureau on proof of violation of any of its rules and regulations The said bureau may refuse to grant a certificate to any person addicted to the use of alcohol or narcotic drugs or who may have been guilty of a crime involving moral turpitude

Section 3 Each and every applicant for a certificate to practice midwifery shall pay to the said Bureau of Medical Education and Licensure the sum of ten dollars at the time of making such application

Section 4 All fees that may be received by said bureau from examination or any other source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau of Medical Education and Licensure each six months on a proper audit being made thereof by the Auditor General of this Commonwealth

Section 5 The Secretary of the Bureau of Medical Education and Licensure of the State of Pennsylvania shall receive an annual salary not to exceed three hundred dollars for his service in carrying out the provisions of this act The service of other necessary aids in carrying out the provisions of this act shall receive compensation not to exceed ten dollars per diem and necessary traveling expenses

Section 6 Any person practicing midwifery as a profession or advertising herself as a midwife without first obtaining the certificate aforesaid shall be deemed guilty of a misdemeanor and upon first conviction shall be punished by a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the county jail not less than ten days nor more than sixty days or both fine and imprisonment at the discretion of the court On a second conviction both fine and imprisonment shall be imposed

Section 7 Any person other than a regularly licensed physician who shall attend a woman in child birth for hire or who shall make a practice of attending women in child birth gratuitously or for hire shall be regarded as midwife within the meaning of this act provided that nothing in this section shall be construed to prevent any one licensed under the Medical Act Approved the third day of June Anno Domini one thousand nine hundred and eleven from practicing midwifery nor to prohibit a student of medicine matriculated at and in attendance at a legally incorporated medical school or college recognized and approved by the Bureau of Medical Education and Licensure from practicing obstetrics under the supervision of the faculty of the medical school or college in which he is a duly registered student

Section 8 The sum of fifteen thousand dollars or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June one one thousand nine hundred and thirteen to provide for the necessary expenditures in carrying out the provisions of this act All accounts of said bureau shall be audited by the Auditor General of this Commonwealth and when proper warrants for the payment of the same shall be issued drawn upon the State Treasurer

Section 9 All other acts or parts of acts general special or local pertaining to this subject matter covered by this act and inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS 94

Alworth,	Foster, J. D.,	Letzkus,	Semmens,
Becker,	Frey,	Light,	Sherwood,
Bergey,	Geary,	Martin,	Smith, J. W.,
Berntheizel,	Geiser,	McAllister,	Smith, L.,
Bigger,	Gibson,	McKay,	Snyder,
Blair, W. A.,	Glenn,	McDermott,	Spangler,
Campbell, C.M.,	Goss,	Moore,	Steedle,
Carter,	Gray, Frank,	Moses,	Steele,
Cleary,	Gray, Joseph,	Moulthrop,	Stein,
Cochran,	Haggerty,	Neel,	Strauss,
Conniff,	Hibshman,	Neely,	Swartz,
Conrade,	Hobbs,	Newbaker,	Ulerich,
Cox,	Humes,	North,	Ulman,
Currier,	Isler,	O'Neill,	Walnut,
Curry,	Irwin, H. H.,	Price,	Watson,
Davis,	Jackson,	Ramsey,	Wettach,
DeFrees,	Jones, E. E.,	Reese,	Whitaker,
Dickinson,	Jones, J. R.,	Richards,	Wildman,
Eichenberger,	Kaufman,	Rockwell,	Williams,
Ely,	Keeport,	Roney,	Wilson, W. H.,
Ewing,	Kennedy,	Runk,	Wiltbank,
Fahey,	Kuhn, H. P.,	Schuck,	Young, J. H.,
Flynn,	Leslie,	Scott, J. R. K.,	Alter,
Forster, I. G.,		Scott, S. B.,	Speaker.

NAYS 72

Allen,	Ehrhardt,	Lohr,	Post.
Baldwin, G. A.,	Good,	Lowers,	Redfield,
Barner,	Grabe,	Matt,	Rhoads,
Benninger,	Gramley,	McClintock,	Rothenberger,
Bittles,	Heidinger,	McKay,	Sassaman.
Blair, W. F.,	Hemminger,	Mechling,	Schaeffer, A. C.
Bleloch,	Hess,	Mellott,	Shaffer, C. A.,
Body,	Howard, R.,	Metzenbacher,	Shaffer, I. E.,
Brosius,	Irwin, G. C.,	Miller,	Showalter,
Brown,	Keegan,	Mitchell,	Snavely,
Burnett,	Kern,	Morrow,	Spillinger,
Caldwell,	Kitts,	Murphy,	Stone,
Carson,	Klepper,	Musser,	Swift,
Claycomb,	Kuhns, E.G.M.,	Newton,	Thomas,
Collins,	Lanius,	Peachey,	Trach,
Donahoe,	Latshaw,	Pennegar,	Wilson, J. H.,
Donnally,	Lenker,	Pennock,	Young, G. K.
Down,		Perry, H. L.,	Zimmerman,
Dunn, H. B.,			

Less then the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

The SPEAKER. The next bill on the calendar, House Bill No. 466, has not been received from the printer in time to be placed on file. This is also true of House Bills Nos. 72 and 723.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 253, as follows:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

Section 1. Ballots.
Section 2. Election Officers Manner of Conducting Elections.
Section 3. Proclamation of the Result of Elections.
Section 4. Provision of Supplies.
Section 5. Additional Clerks.
Section 6. Notice of Elections.
Section 7. Payment of Expenses.
Section 8. Qualifications of Electors.
Section 9. Penalties for Violations of Duty by Election Officers Ballots.

Section 1. Be it enacted by the Senate and House of

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the question of holding a Constitutional Convention is to be submitted to the electors and at the same election delegates to a Constitutional Convention are to be elected the County Commissioners of each county shall prepare a special ballot to be used for such purpose Said ballot shall be of suitable size and substantially in the following form:

CONSTITUTIONAL CONVENTION BALLOT.

..... District ..... Ward City of .....
County of ———— State of Pennsylvania.
Election held on the ..... day of ..... 191..

SHALL A CONSTITUTIONAL CONVENTION BE CALLED.

Yes.
No.

The voter will if he favors a Constitution Convention place a cross mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross mark (X) after the word "No."

DELEGATES TO A CONSTITUTIONAL CONVENTION DELEGATES-AT-LARGE.

(Vote for)

DISTRICT DELEGATES.

(Vote for)

The voter will place a cross mark (X) after the names of the candidates for whom he wishes to vote.

The name of a political party shall in no case appear on the ballot.

The names of candidates shall be arranged in alphabetical order Ballots shall be bound in books of one hundred and shall be delivered to the election officers in the manner in which ballots are delivered at general and municipal elections.

Under the names of candidates there shall be as many blank spaces defined by light lines as there are to be delegates elected.

The qualifications of delegates to the Constitutional Convention shall be the same as is by law required for Senators in the General Assembly of this Commonwealth.

On the back of each ballot shall be printed in prominent type the words "Official Constitutional Convention Ballot" There shall also appear on the back of each ballot the fac simile signatures of the County Commissioners of the county.

The County Commissioners shall also furnish separate ballot boxes to receive such ballots properly numbered for each election district.

Election Officers Manner of Conducting Elections.

Section 2. Any election on the question of holding a Constitutional Convention and any election for delegates to a Constitutional Convention shall be conducted by the regular election boards and shall be governed by the laws regulating the conduct of general and municipal elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided That the result of any such election shall be separately counted returned computed canvassed tabulated and certified by the proper officers.

Proclamation of the Result of Elections.

Section 3. The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of any election upon the question of holding a Constitutional Convention or of any election for delegates to a Constitutional Convention shall certify the result of such election to the Governor who shall forthwith issue a proclamation declaring the same.

Provision of Supplies

Section 4. In addition to the ballots and ballot boxes provided for in this act the County Commissioners shall at any election conducted under this act provide such lists of voters forms blanks return sheets blank books and other supplies as they are by law required to furnish to election officers for use at general or municipal elections Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the election for which they are supplied.

Notice of Elections

Section 5. The Secretary of the Commonwealth shall prepare a form of notice of any election to be held under this act including such portions of this act as shall be necessary and proper for the information of voters and election officers at said election outlining their respective rights and duties in relation thereto The said form so prepared shall be transmitted by the Secretary of the Commonwealth to the sheriffs of the several counties to be observed by them in making proclamation of the holding of said election in their respective jurisdictions.

Payment of Expenses

Section 6. The County Commissioners shall keep an accurate account of the expense of providing and printing the ballots and supplies necessary for holding any election under this act and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor-General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated.

Qualifications of Electors

Section 7. The qualifications of electors entitled to vote at any election held under this act shall be the same as the qualifications of electors entitled to vote at any general and municipal elections within the election district where such election under this act is held Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on general and municipal election days.

Penalties for Violations of Duty by Election Officers

Section 8. Election officers shall be subject to the same pains and penalties for violation or neglect of their duties at any election under this act as they are or hereafter may be subject to for violation or neglect of such duties at general and municipal elections.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. CONRADE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 252, as follows:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to mcarry out the provisions of this act

Section 1 Time of submitting the Question of a Constitutional Convention to the Electors

Section 2 Time of Electing Delegates Number of Delegates

Section 3 Manner of Nominating Delegates

Section 4 Time and Manner of Organization of the Convention Members Ex Officio

Section 5 Filling Vacancies

Section 6 Power of the Convention

Section 7 Filing and Publication of the Proposed Constitution

Section 8 Time and Manner of Submitting the Constitution to the Peopel

Section 9 Compensation of Members and Officers Appropriation for Expenses

Time of Submitting the Question of a Constitutional Convention to the Electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the first Tusday after the first Monday in November in the year one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution shall be submitted to the electors of this Commonwealth

Time of Electing Delegates Number of Delegates

Section 2 At the same election delegates to a Constitutional Convention shall be elected

The qualification of delegates to the constitutional conventions shall be the same as are by law prescribed for Senators in the General Assembly of this Commonwealth

The number of delegates shall be one hundred and sixty-five three delegates to be elected from each of the fifty Senatorial districts of the Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for two district delegates and five delegates-at-large and the candidates highest in vote shall be declared elected

Manner of Nominating Delegates

Section 3 Nominations for delegates to the convention shall in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred qualified electors and shall set forth that the signers thereof are qualified electors of the senatorial district in which the candidates resides and from which he desires to be elected and that they will support the candidate whose petition they are signing Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county such petition shall set forth that the signers thereof are qualified electors of the Commonwealth and they will support the candidate whose petition they are signing

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the

petition No petition for nomination shall be circulated prior to sixty days before the date on which such petition must be filed and no signature shall be counted unless it shall have been affixed to such petition and bear date within sixty days prior to the time of filing the same

Petitions shall be filed with the Secretary of the Commonwealth at least thirty days prior to the date of the election at which delegates are to be chosen

The Secretary of the Commonwealth immediately after the last day for the filing of said petitions with him shall forward to the County Commissioners of each county a correct list of the candidates for delegates to be voted for in the respective counties as contained in such petitions

Time and Manner of Organization of the Convention Members Members Ex Officio

Section 4 If a majority of the electors voting on the aforesaid question shall be in favor of holding a constitutional convention the delegates elected as herein provided shall meet in the hall of the House of Representatives at the State Capitol in the city of Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time and place

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention to such delegates as shall not have taken the oath at the time of the organization of the convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Filling Vacanacies

Section 5 In case of vacancies in the membership of the convention occurring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any senatorial district shall be a resident of such senatorial district

Power of the Convention

Section 6 Said convention shall have power to submit to the qualified electors of this Commonwealth for their approval or rejection a new constitution

Filing and Publication of the Proposed Constitution

Section 7 The constitution proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth For the purpose of carrying into effect the provisions of this section the county commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by voting or registry lists used at the election at which delegates were elected to said convention together with the post office address of each of said voters

Time and Manner of Submitting the Constitution to the People

Section 8 The Constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The Constitution shall be submitted to the electors in such manner as the Convention shall direct Provided That any sections in the proposed constitution relating to female suffrage the initiative and referendum the recall either of officers or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Compensation of Members and Officers Appropriation for Expenses

Section 9 The entire compensation and allowance to each member and to each member ex-officio of the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. JOHN R. K. SCOTT. Mr. Speaker—I move that the further consideration of this bill be postponed for the present.

Mr. CONRADE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 127, entitled:

An Act to validate certain elections held between the tenth day of April, Anno Domini one thousand nine hundred five and the first day of May, Anno Domini one thousand nine hundred and nine, upon the question of increasing the indebtedness of counties, cities, boroughs, townships, school-districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constition, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Allen,	[illegible],	Letzkus,	Sassaman,
Alworth,	Fahey,	Light,	Savacool,
Arthur,	Flynn,	Lowers,	Schaeffer, A. G.
Baldwin, G. A.,	Forster, I. G.,	Martin,	Schuck,
Barner,	Foster, J. D.,	Matt,	Scott, J. R. K.,
Bayle,	Frey,	McAllister,	Scott, S. B.,
Becker,	Geiser,	McCaig,	Semmens,
Benninger,	Gibson,	McClintock,	Shaffer, C. A.,
Benson,	Good,	McDermott,	Shaffer, I. E.,
Bergey,	Goss,	McKay,	Sherwood,
Berntheizel,	Gramley,	Mechling,	Showalter,
Bigger,	Gransback,	Mellott,	Smith, J. W.,
Bittles,	Gray, Frank,	Metzenbacher,	Snavely,
Blair, W. A.,	Haggerty,	Miller,	Snyder,
Blair, W. F.,	Heidinger,	Mitchell,	Spangler,
Bleloch,	Hemminger,	Moore,	Speiser,
Body,	Hess,	Morrow,	Spillinger,
Brosius,	Hibshman,	Moses,	Steedle,
Brown,	Hobbs,	Moulthrop,	Steele,
Burnett,	Howard, R.,	Murphy,	Stein,
Caldwell,	Humes,	Neel,	Stone,
Campbell, C.M.,	Isler,	Neely,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Newton,	Swartz,
Carson,	Irwin, H. H.,	North,	Swift,
Carter,	Jackson,	O'Neill,	Thomas,
Claycomb,	Jones, E. E.,	Peachey,	Ulerich,
Cleary,	Jones, J. R.,	Pennegar,	Ulman,
Cochran,	Kaufman,	Pennock,	Walnut,
Collins,	Keegan,	Peters,	Walton,
Conniff,	Keeport,	Piper,	Watson,
Conrade,	Kenna,	Post,	Wettach,
Cox,	Kennedy,	Price,	Whitaker,
Currier,	Kitts,	Ramsey,	Whitman,
Curry,	Klepper,	Redfield,	Wildman,
Dickinson,	Kuhn, H. P.,	Rhoads,	Williams,
Donahoe,	Kuhns, E.G.M.,	Richards,	Wilson, J. H.,
Donnally,	Lanius,	Robinson,	Wilson, W. H.,
Down,	Latshaw,	Rockwell,	Wiltbank,
Dunn, H. B.,	Lenker,	Roney,	Young, G. K.,
Ehrhardt,	Leslie,	Rothenberger,	Young, J. H.,
Eichenberger,		Runk,	Zimmerman,
Ely,			Alter, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 258, entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged

officers and soldiers," approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers, sailors and marines resident in this Commonwealth who were enlisted and mustered into the army, navy or marine corps of the United States.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Allen,	Fahey,	Lohr,	Rothenberger,
Alworth,	Flynn,	Lowers,	Runk,
Arthur,	Forster, I. G.,	Martin,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Matt,	Savacool,
Baldwin, R. J.,	Frey,	McAllister,	Schaeffer, A. C
Barner,	Geiser,	McCaig,	Schuck,
Bayle,	Gibson,	McClintock,	Scott, S. B.,
Becker,	Glenn,	McDermott,	Semmens,
Benninger,	Good,	McKay,	Shaffer, C. A.,
Benson,	Gramley,	McNichol,	Shaffer, I. E.,
Bergey,	Gransback,	Mechling,	Sherwood,
Berntheizel,	Gray, Frank,	Mellott,	Showalter,
Bigger,	Haggerty,	Metzenbacher,	Smith, J. W.,
Bittles,	Heidinger,	Miller,	Snavely,
Blair, W. A.,	Hemminger,	Missimer,	Snyder,
Blair, W. F.,	Hess,	Mitchell,	Spangler,
Bleloch,	Hibshman,	Moore,	Speiser,
Body,	Hobbs,	Morrow,	Spillinger,
Brosius,	Hoffman,	Moses,	Steedle,
Burnett,	Howard, R.,	Moulthrop,	Stein,
Caldwell,	Humes,	Murphy,	Stone,
Campbell, C.M.,	Isler,	Neel,	Strauss,
Campbell, J.J.	Irwin, H. H.,	Neely,	Swartz,
Carson,	Jackson,	Newbaker,	Swift,
Carter,	Jones, E. E.,	Newton,	Thomas,
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Kaiser,	O'Neill,	Walnut,
Collins,	Keegan,	Peachey,	Walsh,
Conniff,	Keeport,	Pennegar,	Walton,
Conrade,	Kenna,	Pennock,	Watson,
Cox,	Kennedy,	Perry, H. L.,	Wettach,
Currier,	Kern,	Peters,	Whitaker,
Curry,	Kitts,	Piper,	Whitman,
Davis,	Klepper,	Post,	Wildman,
DeFrees,	Kuhn, H. P.,	Price,	Williams,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Donnally,	Lanius,	Redfield,	Wilson, W. H.,
Down,	Latshaw,	Reese,	Wiltbank,
Dunn, H. B.,	Lenker,	Reeser,	Young, G. K.,
Ehrhardt,	Leslie,	Rex,	Young, J. H.,
Eichenberger,	Letzkus,	Rhoads,	Zimmerman,
Ely,	Light,	Richards,	Alter,
Ewing,		Rockwell,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STEELE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. STEELE. Mr. Speaker, during the call of the roll on House Bill No. 258, File Folio 783, I was absent from the room. Had I been here, my vote would have been recorded as voting "aye", and I desire that it be so noted on the record.

The SPEAKER. If there is no objection, the Clerks will be directed to make this entry upon the record immediately after the disposition of the bill in question.

BILLS ON THIRD READING.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Allen,	Dunn, H. B.,	Kuhn, H. P.,	Rockwell,
Alworth,	Ehrhardt,	Kuhns, E.G.M.,	Roney,
Ambler,	Eichenberger,	Latshaw,	Rothenberger,
Arthur,	Ely,	Lenker,	Runk,
Baldwin, G. A.,	Ewing,	Leslie,	Sassaman,
Baldwin, R. J.,	Fahey,	Letzkus,	Schuck,
Barner,	Flynn,	Light,	Scott, S. B.,
Bass,	Forster, I. G.,	Lohr,	Semmens,
Bayle,	Foster, J. D.,	Lowers,	Shaffer, I. E.,
Becker,	Geiser,	Martin,	Sherwood,
Benninger,	Glenn,	Mather,	Showalter,
Benson,	Good,	Matt,	Shavely,
Bergey,	Goss,	McAllister,	Spangler,
Berntheizel,	Gramley,	McCaig,	Speiser,
Bigger,	Gray, Frank,	McClintock,	Spilinger,
Bittles,		McDermott,	Steedle,
Blair, W. A.,	Heidinger,	McKay,	Steele,
Blair, W. F.,	Hemminger,	Mechling,	Stein,
Body,	Hess,	Metzenbacher,	Stone,
Brosius,	Hibshman,	Miller,	Strauss,
Brown,	Hobbs,	Mitchell,	Swartz,
Burnett,	Hoffman,	Moore,	Swift,
Caldwell,	Howard, R.,	Morrow,	Thomas,
Campbell, C.M.,	Humes,	Moses,	Trach,
Campbell, J.J.	Isler,	Moulthrop,	Ulerich,
Carson,	Irwin, G. C.,	Neel,	Ulman,
Carter,	Irwin, H. H.,	Neely,	Walnut,
Cheeseman,	Jackson,	Newbaker,	Walsh,
Claycomb,	Jones, E. E.,	Newton,	Walton,
Cleary,	Jones, J. R.,	North,	Watson,
Cochran,	Kaiser,	O'Neill,	Wettach,
Collins,	Kaufman,	Peachey,	Whitaker,
Conniff,	Keegan,	Pennegar,	Wildman,
Conrade,	Keeport,	Pennock,	Williams,
Cox,	Kenna,	Peters,	Wilson, J. H.,
Currier,	Kennedy,	Piper,	Wilson, W. H.,
Curry,	Kern,	Post,	Wiltbank,
Davis,	Kitts,	Ramsey,	Young, G. K.,
DeFrees,	Klepper,	Redfield,	Young, J. H.,
Dickinson,		Rhoads,	Zimmerman,
Donnally,		Richards,	Alter,
Down,			Speaker.

NAYS—2.

Lanius,	Perry, H. L.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, as follows:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of, electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business and to companies incorporated for the purpose of selling dealing in or manufacturing lumber.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of Section one of the act entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State

of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eight one thousand nine hundred and seven extending the same to companies incorporated for the manufacturing buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven as reads as follows:

"It shall and may be lawful for any company incorporated under the laws of any other State for the manufacture of any form of iron steel or glass or for the quarrying of slate granite cement rock stone or rocks of any kind or for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporated for the purpose of manufacturing supplying and sale of ice or for the manufacture and sale of chemicals or for the manufacture and sale of foodstuffs and eatables cement and cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producting furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business to erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided that nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the the same kind of corporation organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State" be and the same is hereby amended to read as follows

"It shall and may be lawful for any company incorporated under the laws of any other State for the manufacture of any form of iron steel or glass or for the quarrying of slate granite cement rock stone or rocks of any kind or for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporated for the purpose of manufacturing supplying and sale of ice or for the manufacture and sale of chemicals or for the manufacture and sale of foodstuffs and eatables cement and cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof conected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business and for any company incorporated for the purpose of carrying on any kind of manufacturing business and for any company incorporated for the purpose of buying selling dealing in or manufacturing lumber to acquire erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided that nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State."

Section 2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE A. BALDWIN. Mr. Speaker, just a work in explanation of this bill. Under the laws of the State at the present time, companies incorporated under the laws of other States are not permitted to hold real estate unles sthey are specifically allowed by specific Act of Assembly. The class of such companies permitted to hold real estate by statute, from time to time, are iron and steel companies and companies for the sale of mineral water; and many other classes of corporation are permitted to hold real estate in this State. Now, all classes of foreign corporations are permitted to do business in the State, simply by registering in the office of the Secretary of the Commonwealth. They are permitted to lease real estate necessary and proper for their purposes. This bill simply authorizes all general manufacturing companies organized or incorporated under the laws of other states and doing business in Pennsylvania, to purchase and to hold real estate necessary for their corporate purposes. It seems to me that there is no reason in the world why companies organized under the laws of other states and permitted to do business in this State, permitted to lease real estate, should not be permitted to hold it in fee simple. The same restrictions are cast around the holdings of real estate by these corporations as is cast around the holdings of real estate by companies organized under the laws of our own State. Manufacturing communities like my own, like the Pittsburgh district, are interested in legislation of this kind, and there is no reason in the world why it should not be passed. It is simply common sense, and I ask you to support the bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Allen,	Eichenberger,	Lanius,	Rockwell,
Alworth,	Ely,	Latshaw,	Roney,
Baldwin, G. A.,	Ewing,	Lenker,	Runk,
Barner,	Fahey,	Letzkus,	Schaeffer, A. C.
Bayle,	Flynn,	Light,	Scott, S. B.,
Becker,	Forster, I. G.,	Lohr,	Semmens,
Benson,	Foster, J. D.,	Lowers,	Shaffer, I. E.,
Bergey,	Frey,	Martin,	Showalter,
Berntheizel,	Geary,	Matt,	Snavely,
Bigger,	Gibson,	McAllister,	Snyder,
Bittles,	Glenn,	McCaig,	Spillinger,
Blair, W. F.,	Goss,	McClintock,	Steedle,
Bleloch,	Grabe,	McDermott,	Steele,
Body,	Gramley,	Mechling,	Strauss,
Brosius,	Gray, Frank,	Mellott,	Swartz,
Burnett,	Haggerty,	Metzenbacher,	Swift,
Caldwell,	Heidinger,	Mitchell,	Thomas,
Campbell, C.M.,	Hess,	Moore,	Trach,
Campbell, J.J.	Hibshman,	Moses,	Ulerich,
Carson,	Hobbs,	Murphy,	Ulman,
Carter,	Hoffman,	Neely,	Walnut,
Claycomb,	Howard, R.,	Newton,	Walton,
Cleary,	Humes,	North,	Watson,
Conniff,	Isler,	O'Neill,	Wettach,
Conrade,	Irwin, H. H.,	Peachey,	Whitaker,
Cox,	Jackson,	Pennegar,	Whitman,
Currier,	Jones, E. E.,	Pennock,	Wildman,
Curry,	Jones, J. R.,	Perry, H. L.,	Williams,
Davis,	Kaufman,	Ramsey,	Wilson, J. H.,
DeFrees,	Kern,	Redfield,	Wilson, W. H.,
Dickinson,	Klepper,	Rhoads,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Richards,	Young, J. H.,
Down,			Zimmerman,
Ehrhardt,			

NAYS—5.

Arthur,	Keegan,	Kuhns, E.G.M.,	Rothenberger,
	Sassaman,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 28, as follows:

An Act to amend an act approved the eighth day of June one thousand nine hundred and ninety-three entitled "An act relating to mandamus" as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June one thousand eight hundred and ninety-three enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" and as further amended by an act approved the ninettenth day of March one thousand nine hundred and three entitled "An act amending section one (1) of an act entitled 'An act relating to mandamus,' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to mandamus" which as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June one thousand eight hundred and ninety-three enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" reads as follows

That the several courts of common pleas shall within their respective counties have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or any township district or place within such county and to all corporations being or having their chief place of business within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writ of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioners of the Sinking Fund the Medical Council of Pennsylvania and the several Boards of Medical Examiners the Board of Undertakers the Board of Dental Examiners and the Board for the Examination of Accountants for the State of Pennsylvania" and which as further amended by the act approved the nineteenth day of March one thousand nine hundred and three entitled "An act amending section one (1) of an act entitled 'An act relating to mandamus' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three' reads as follows

"That the several courts of common pleas within their respective counties shall have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or for any township district or place within the county and to all corporations being or having their chief place of business within such county and to any corporation doing business or having its property in whole or in part within the county Provided The relief act duty matter or thing the performance of which is sought should be given or performed within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writ of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioner of the Sinking Fund" is amended to read as follows

Section 1 That the several courts of common pleas shall within their respective counties have the power to issue writs of mandamus to all officers and magistrates elected or appointed in or for the respective county or in or for any township district or place within such county and to all corporations being or having their chief place of business within such county and the court of common pleas of the county in which the seat of government is or may be located shall have the power and it shall be required to issue the writs of mandamus to the Lieutenant Governor Secretary of the Commonwealth Attorney General Secretary of Internal Affairs Superintendent of Public Instruction State Treasurer Auditor General Insurance Commissioner and Commissioners of the Sinking Fund the Medical Council of Pennsylvania and the several Boards of Medical Examiners the Board of Undertakers the Board of Dental Examiners the Board for the Examination of Accountants for the State of Pennsylvania and the State Board of Examiners for the Registration of Nurses

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas nd nays were taken and were as follows, viz:

YEAS—166.

Allen,	Fahey,	Latshaw,	Rothenberger,
Alworth,	Forster, I. G.,	Lenker,	Runk,
Arthur,	Foster, J. D.,	Leslie,	Sassaman,
Baldwin, G. A.,	Frey,	Letzkus,	Savacool,
Baldwin, R. J.,	Geary,	Light,	Schaeffer, A. C
Barner,	Geiser,	Lohr,	Scott, S. B.,
Becker,	Gibson,	Lowers,	Semmens,
Benninger,	Glenn,	Malie,	Sherwood,
Benson,	Good,	Mannion,	Showalter,
Bergey,	Goss,	Matt,	Smith, J. W.,
Berntheizel,	Grabe,	McAllister,	Snavely,
Bigger,	Gramley,	McCaig,	Snyder,
Bittles,	Gray, Frank,	McClintock,	Spangler,
Blair, W. A.,	Gray, Joseph,	Mechling,	Speiser,
Blair, W. F.,	Hackett,	Mellott,	Spillinger,
Bleloch,	Haggerty,	Metzenbacher,	Steedle,
Brosius,	Herman,	Miller,	Steele,
Brownlee,	Hess,	Mitchell,	Stein,
Burnett,	Heyburn,	Moore,	Stone,
Campbell, C.M.,	Hobbs,	Morrow,	Strauss,
Carson,	Howard, J.,	Moses,	Swartz,
Carter,	Howard, R.,	Moulthrop,	Swift,
Claycomb,	Humes,	Murphy,	Thomas,
Cleary,	Isler,	Musser,	Trach,
Cochran,	Irwin, G. C.,	Neely,	Ulerich,
Collins,	Irwin, H. H.,	Newton,	Ulman,
Conner,	Jackson,	North,	Walnut,
Conniff,	Jones, E. E.,	O'Neill,	Walton,
Conrade,	Jones, J. R.,	Peachey,	Watson,
Cox,	Kaiser,	Pennegar,	Whitaker,
Curry,	Kaufman,	Pennock,	Whitman,
Davis,	Keegan,	Perry, H. L.,	Wildman,
DeFrees,	Keeport,	Peters,	Williams,
Dickinson,	Kennedy,	Price,	Wilson, J. H.,
Donnally,	Kern,	Ramsey,	Wilson, W. H.,
Down,	Kitts,	Redfield,	Young, G. K.,
Ehrhardt,	Klepper,	Reese,	Young, J. H.,
Eichenberger,	Kuhns, E.G.M.,	Rockwell,	Zimmerman,
Ely,	Lanius,	Roney,	Alter,
...ng,			Speaker.

NAYS—2.

Bayle,	Post.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 341, as follows.

An Act to amend Article nineteen Section three of an act entitled "An Act to provide for the Health and Safety of Persons Employed in and About the Bituminous Coal Mines of Pennsylvania and for the Protection and Preservation of Property Connected Therewith" Approved June nine one thousand nine hundred and eleven Pamphlet Laws seven hundred and fifty-six.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three of Article nineteen of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" which reads as follows:

"Section 3. The qualifications of candidates for the office of inspector shall be certified to the Examining Board and shall be as follows:

The candidates shall be citizens of Pennsylvania of temperate habits of good repute as men of personal integrity in good physical condition and shall be between the ages of thirty and fifty years Provided however That any inspector appointed under the provisions of the act of May fifteen one thousand eight hundred and ninety-three or under the provisions of this act shall be eligible for reappointment even if beyond fifty years of age if in good physical condition The candidates shall have a knowledge of the different systems of working coal seams and shall have had at least ten years' practical experience in bituminous mines five years of which immediately preceding their examination shall have been in bituminous coal mines of this Commonwealth and shall also have had practical experience with explosive gas and other dangerous gases found in coal mines and upon examination shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the Examining Board of their capability and fitness for the duties imposed upon inspectors of mines by the provisions of this act is hereby amended to read as follows:

Section 3. The qualifications of candidates for the office of inspector shall be certified to the Examining Board and shall be as follows:

The candidates shall be citizens of Pennsylvania of temperate habits of good repute as men of personal integrity in good physical condition and shall be between the ages of thirty and sixty-five years Provided however That any inspector appointed under the provisions of the act of May fifteenth one thousand eight hundred and ninety-three or under the provisions of this act shall be eligible for

re-appointment even if beyond sixty-five years of age if in good physical condition The candidate shall have a knowledge of the different systems of working coal seams and shall have at least ten years practical experience in bituminous mines five years of which immediately preceding their examination shall have been in bituminous mines in this Commonwealth and shall also have had practical experience with explosive gas and other dangerous gases found in coal mines and upon examination shall give evidence of such theoretical as well as practical knowledge and general intelligence representing mines and mining as will satisfy the examining board of his capability and fitness for the duties imposed upon inspectors of mines by the provisions of this act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McDERMOTT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. KEEGAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 336 entitled

An Act making it unlawful to use any type of mining machine in the removal of ribs stumps or pillars in any bituminous coal mine in the State of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. McDERMOTT. Mr. Speaker and gentlemen of the House, I want to state why I want this bill passed and who wants it passed and whom it effects. I will read from the statistics compiled by the Hon. Joseph A. Holmes, of the United States Department of Mines; We have accidents occurring from falls of slate, roof and coal, 1,321, or a ratio of 48.58 per cent.; from mine cars and locomotives, 438, or 16.11 per cent.; from gas and dust explosions, 362, or 13.31 per cent.; from powder and other explosions, excepting gas and dust, 134, or 4.93 per cent.; electric accidents, 94, or 3.46 per cent.; mine fire accidents, 80, or 2.94 per cent.; all other accidents, 290. Total accidents, 272,-719, or almost one-half of the total number from falls of roof, slate and coal; almost half of which accidents occured in the mines of the United States in 1910.

Now, Mr. Speaker and gentlemen, I come from a mining district, one of the largest coal producing districts in Pennsylvania,—Clearfield County . We have 14,000 miners in that county where the population of the whole county is practically 55,000. We have in the State of Pennsylvania, in the bituminous fields, 175,000 men who are asking for the passage of this bill. Now, then, I will give you the amount of money each man earned in 1911, according to the statistics of the Bureau of Mines of this State. ... the year 1911, the average earning for each miner in the bituminous field was $438, which is a fraction below $1.54 per day, so that you see why we ask for the passage of this Act at this time. When our miners go out in the morning with their dinner pails and bid their families good-bye, we know that a great many of them will never return to their homes or to their families. We all know that we cannot, by passing this law, do away with all the accidents; that would be unreasonable; but we know that we can reduce the number of accidents by making this change, and it will not drive any one operator out of business. Why? Because one-half of the coal produced in the bituminous districts is produced by hand and pick work. Now, then, who would sacrifice our miners' lives for a few dollars. You can readily see how much our miners earned per man in 1911. Is there any fair-minded man in this House who would say that $438 is a good wage? No, there are men in this House who would not go down in the mines for one day for $438, and I do not blame them; I give them credit for not going there. Mr. Speaker and gentlemen, I ask you to pass this bill for this reason. We think that we are entitled to it. From the number of workmen we have in this State and the few laws that have been passed in our favor, we think we are entitled to the passage of this law at this time. These miners, as I said before, go to work to those dangerous places in the mines. They are doing work where the machinery that is in operation makes such a commotion that the working of the roof could not be heard over the working of those machines. That is the principal reason why we ask you to pass this law at this time, because those miners want to earn a respectable living. They go there and are killed and do not have time to say "O Lord, have mercy," and in the eyes of God I think they are martyrs.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—147

Adams,	Down,	Kennedy,	Price,
Allen,	Dunn, H. B.,	Kitts,	Ramsey,
Alworth,	Dunn, J. A.,	Klepper,	Robinson,
Arthur,	Earnhardt,	Kunn, H. P.,	Roney,
Baldwin, G. A.,	Eichenberger,	Kunns, E.G.M.,	Rothenberger,
Baldwin, R. J.,	Fahey,	Lanius,	Runk,
Barner,	Forster, I. G.,	Latshaw,	Sassaman,
Bayle,	Foster, J. D.,	Lenker,	Savacool,
Becker,	Geary,	Letzkus,	Schaeffer, A. C.
Benninger,	Geiser,	Light,	Semmens,
Benson,	Gibson,	Mannion,	Shaffer, C. A.,
Bergey,	Glenn,	Martin,	Shaffer, I. E.,
Berntheizel,	Good,	Matt,	Showalter,
Bigger,	Goss,	McClintock,	Smith, J. W.,
Bittles,	Grabe,	McDermott,	Snavely,
Blair, W. A.,	Gramley,	Mechling,	Snyder,
Blair, W. F.,	Gransback,	Mellott,	Spillinger,
Bleloch,	Gray, Joseph,	Metzenbacher,	Steedle,
Body,	Haggerty,	Miller,	Steele,
Brosius,	Heminger,	Mitchell,	Stein,
Brown,	Hess,	Moore,	Swartz,
Brownlee,	Hibshman,	Morrow,	Swift,
Burnett,	Hobbs,	Moses,	Thomas,
Caldwell,	Howard, R.,	Mouthrop,	Trach,
Campbell, C.M.,	Humes,	Murphy,	Ulman,
Campbell, J. J.,	Isler,	Musser,	Walnut,
Carson,	Irwin, G. C.,	Neely,	Walton,
Cleary,	Irwin, H. H.,	Newbaker,	Watsen,
Cochran	Jackson,	Newton,	Whitaker,
Collins,	Jones, E. E.,	O'Neill,	Whitman,
Conniff	Jones, J. R.,	Peachey,	Wildman,
Currier,	Kaiser,	Pennegar,	Wilson, J. H.,
Davis,	Kaufman,	Pennock,	Wiltbank,
DeFrees,	Keegan,	Perry, H. L.,	Young, G. K.,
Dickinson,	Keeport,	Peters,	Young, J. H.,
Donahoe,	Kenna,	Piper,	Zimmerman,
Donnally,		Post,	Alter,
			Speaker.

NAYS—16

Conrade,	Hemminger,	Rhoads,	Spangler,
Ely,	Lowers,	Schuck,	Stone,
Ewing,	McAllister,	Scott, S. B.,	Ulerich,
Frey,	Neel,	Sherwood,	Wilson, W. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

The Speaker. The Chair would state that the remaining bills on the third reading calendar, Nos. 243 and 276, have not been received from the printer in time to be placed on the file, and the next order of business is bills on first reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 866 (Senate No. 123) entitled

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled "An act relating to the pay of certain officers and of jurors and witnesses in the county of Bucks" and also to repeal an act approved the twenty-seventh day or February one thousand eight hundred seventy-three entitled "An act relative to the pay of jurors in the county of Bucks"

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 957 entitled

An Act requiring midwives in cities of the first class to be licensed authorizing the adoption and promulgation of rules and regulations therefor and for the examination of midwives in said cities for the revocation of such licenses and for the conduct of the business or profession of midwifery making the violation of the provisions of the act or of such rules and regulations a misdemeanor prescribing the punishment for such violations and repealing all laws or parts of laws that are or may be inconsistent therewith

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 813 entitled

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 642 entitled

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 825 entitled

An Act amending the first paragraph of the first section of the act entitled "An act defining fraternal beneficial and relief lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependant upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 596 entitled

An Act relative to contracts containing compulsory arbitration provisions entered into in advance of any controversy affecting the question of ultimate liability thereon and attempting to oust the jurisdiction of the courts

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 735 entitled

An Act to amend an act entitled "An amendtment to act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" providing for and authorizing the several courts of quarter sessions of the several counties of this Commoonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery of burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 305 entitled

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for borough town or township taxes respectively and providing for the sale of such lands for taxes

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 197, entitled:

An Act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of orphans' court

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 877, entitled:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act to amend section one of an act entitled "An act to authorize the appointment of a deputy and one clerk by the prothonotary of the supreme court of the Eastern District also the appointment of a deputy by the supreme court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 290, entitled:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 384, entitled:

An Act relating to practioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 502, entitled:

An Act to amend section two of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made by striking out the provisions thereof requiring the sale and conversion of such securities

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act providing that no advertisements required to be published in any newspaper or periodical by any city of the first class or county coterminus with any city of the first class or any official or official body thereof shall be published in language other than English or in any publication published in any language other than English and repealing all acts inconsistent therewith

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 864, (Senate Bill No. 55), entitled:

A joint resolution extending the time for the making of the report of the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 883, entitled:

A supplement to an act entitled "An act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 503, entitled:

An Act prescribing the condition under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in the Commonwealth of Pennsylvania

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 650, entitled:

An Act fixing a close season for quail and providing a penalty for violation of this act

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 956, entitled:

An Act to amend an act entitled "An act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shellfish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that license continuing in business shall annually apply for new licenses

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 380, entitled:

An Act to amend an act approved the seventh day of March one thousand nine hundred one entitled "An act for the government of cities of the second class" as amended by an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act amending and supplementing article fourteen of an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one as same was amended and supplemented by an act approved the twentieth day of June Anno Domini one thousand nine hundred and one by abolishing the present select and common councils providing a new body to be known as the council and fixing their terms of office and providing for the selection of members of council prescribing the qualifications of members thereof their powers and duties and fixing their salaries"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 512, entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 483, entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An act amending section four of an act entitled "An act imposing additional taxes for State purposes and to abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act to amend an act entitled "An act regulating the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine so as to provide for an annual license fee for each calendar year prescribing the fee therefor and providing for the numbering recording and posting of such licenses and the application for new annual licenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 918, entitled:

An Act to validate sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May one thousand eight hundred and eighty-nine entitled 'An act relating to orphans' court sales" which were not advertised in accordance with said act as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 745, entitled:

An Act authorizing the creation division and consolidation of wards and a reappointment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 609, (Senate Bill No. 45), entitled:

An Act for the better protection of the wild birds known as the Turtle or Mourning Dove the Kill-deer and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 737, entitled:

An Act providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen but who by virtue of an amendment to Article fourteen, Section two of the Constitution of Pennsylvania were required to serve an additional year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof; fixing standards for raw and boiled linseed oil; providing penalties for vio-

lations thereof; providing for the enforcement of this act and expenses thereof; providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one, entitled "An Act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April, one thousand nine hundred and five, entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April, Anno Domini one thousand nine hundred and one."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 608, (Senate Bill No. 34), entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act to validate deeds, mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit, settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year; fixing the time when the terms of such directors and auditors shall expire, their successors be elected and assume office.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of the defendant from the lien thereof and repealing an act entitled "Relating to the entry of bail upon an appeal to the supreme court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment, order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April one thousand nine hundred and nine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 787, entitled:

An Act to amend an act entitled "An Act to amend Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit,' approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and ninety-three, providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for lighting, telephone service, removal of garbage, removal of ashes or for street cleaning for a period not exceeding five years; providing for annual appropriation for payments for successive years; prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 949, entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 950, entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by differet kinds of vehicles.

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 774, entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven, entitled "An act to cede jurisidiction to the United States over the Hana-over Public Road in the County of Adams leading to the scene of the cavalry fight."

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 934, entitled:

An Act making all persons holding a mine foreman certificate under the law relating to the anthracite coal mines of this Commonwealth eligible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 311, entitled:

An Act prohibiting certain promises or pledges by candi dates for election or nomination or by others for such candidate and the asking demanding receiving or transmitting of such promises or pledges and providing a penalty for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

The SPEAKER. The Chair would inform the House that Bill No. 218 has not yet been received from the printer, and cannot be taken up at this time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

The SPEAKER. The Chair would state that none of the other bills on the first reading Calendar have been received from the printed, and therefore cannot be taken up at this time.

BILL RECOMMITTED.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I ask unanimous consent to submit a motion to recommit at this time.

The SPEAKER. The motion wil be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by Mr. George A. Baldwin that House Bill No. 502, file folio 1009, entitled:

An Act to amend section two of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made by striking out the provisions thereof requiring the sale and conversion of such securities

be recommitted to the Committee on Judiciary General.

The SPEAKER. Will the House give its unanimous consent to the consideration of the motion at this time? The Chair hears no objection.

On the question,

Will the House agree to the motion?

Mr. BLELOCH. Mr. Speaker, and Gentlemen of the House, just a word in explanation of this motion. This

bill was reported out of the Judiciary Special Committee with the understanding that it would be recommitted to the Judiciary General Committee, on account of another bill of similar import having already gone to the Committee on Judiciary General. Mr. Heidinger, who was to make the motion to recommit, was not in his seat when we reached the regular order for making motions to recommit, and that accounts for the oversight.

The motion was then agreed to.

The SPEAKER. The Chair will state to the members of the House that the Clerk has been directed to have cards printed for the use of the members in having persons admitted to the Hall. It is not necessary, however, to use any formal cards.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that the House be now adjourned.

The motion was agreed to and (at 11:50 A. M.) the House adjourned until Wednesday, March 5th, at eight o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY AND THURSDAY, MARCH 5 AND 6, 1913. NOS. 25 AND 26

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 5, 1913,

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Elliott Wright, offered the following prayer:

Our God, we are solemnized as we come before Thee. We remember that there is a vacancy in this Assembly, that one of our number has heard God's call coming out of the skies, and has answered to it. In view of this event, we humbly and reverently bow before Thee, the Controller of human life and destiny. Thou dost mark its beginning and Thou dost determine its ending, and we earnestly pray that grace may be given to us to accept God's will and to be brought into harmony with it. We thank Thee for the life of Thy servant, for the work which he wrought, for the record which he made, for the good which he accomplished, and we pray that all this may linger and keep fragrant his memory in the hearts of his fellows and perpetuate his influence. We commend especially unto Thee the circle from which he has been taken. Wilt Thou be the stay in the hearts of those who stood most near to thy servant whilst living, and who are most deeply afflicted in his taking away. "Beauty for ashes, the oil of joy for their mourning, and the garment of praise for the spirit of heaviness." May we all remember the brevity and uncertainty of human life that we may work whilst it is day, because the night soon cometh when no man can work, and so we give ourselves again to Thee that we may have that courage and resolution and energy and fidelity, so that when God's call comes to us we may hear from the lips of the Master the blessed words, well done, good and faithful servant enter Thou into the joy of Thy Lord, and Thy name shall have the praise of it for ever more. Amen.

ANNOUNCEMENT OF THE DEATH OF HONORABLE JOHN H. RIEBEL.

The SPEAKER: It becomes the painful duty of the Chair to announce to this House the death of the Honorable John H. Riebel, of Philadelphia, who served in this House during the session of 1887 and at each succeeding session down to the present.

He was a faithful defender of his Country during the Civil War; a faithful servant of his State during his long service here; a faithful servant of his party, and a faithful and loyal friend. His death will be felt as a personal loss by each member of this House.

RESOLUTION OF RESPECT TO THE MEMORY OF HONORABLE JOHN H. RIEBEL.

The Chair recognizes the gentleman from Philadelphia, Mr. McArdle.

Mr. McARDLE: Mr. Speaker, I offer the following resolution:

The SPEAKER: The resolution will be read by the Clerk.

The resolution was read by the clerk as follows:

In the House of Representatives March 5, 1913

Resolved That this House do now adjourn out of respect to the memory of the late Honorable John H. Riebel, member of this House from the Thirteenth District of Philadelphia and be it further

Resolved That the House meet in special session on Tuesday March eleventh next at eight o'clock post meridian for the purpose of paying tribute to the memory of the said Honorable John H. Riebel

Mr. McARDLE: Mr. Speaker, I move the adoption of the resolution.

Mr. FLYNN: Mr. Speaker, I second the motion.

The motion was adopted by a rising vote.

ADJOURNMENT.

The SPEAKER: In compliance with the resolution just adopted this House stands adjourned until tomorrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES

THURSDAY, March 6th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Who ruleth with equity and declareth righteous judgment, send down upon Thy servants here assembled, the Spirit of concord, integrity and justice, that no false counsels and no evil influences prevail in this Assembly, and that Thy servants, who are also the servants of the people, may be so guided and quickened by Thy help that they may render faithful service this day. And wilt Thou so direct by Thy counsel and so control by Thy spirit that every measure which is devised and every law which is enacted may be for the honor and welfare of this our Commonwealth, and for the prosperity and peace of the whole nation. We ask this in the name of Him Who taught us to say "Our Father, Who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts, as we forgive our debtors. Lead us not into temptation but deliver us from evil, for Thine is the Kingdom and the power and the glory forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of the last two sessions.

The Clerk proceeded to read the Journal of the proceedings of the last two sessions, Thursday, February 27th and Wednesday, March 5th, when on motion of Mr. Moses, the further reading of the Journal was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

Mr. BIGGER. House Bill No. 1111.

Supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March A. D. one thousand nine hundred and one, enabling cities of the scond class to raise additional revenue by subjecting to taxation certain real estate not heretofore taxable as such of railroad companies, street railway companies, canal companies, bridge companies, gas companies, pipe line companies, ferry companies, electric light, heat and power companies, water companies telegraph companies, telephone companies, express companies, and other public service corporations of the same or other kinds.

Referred to the Committee on Municipal Corporations.

Mr. BIGGER. House Bill No. 1112.

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor, by purchase or condemnation proceedings as herein provided, or to acquire by condemnation by lease, by purchase by stock ownership or otherwise, and to maintain and operate street railways electric light plants, gas works and all other public utilities whether the same be wholly or partly within or partly without the limits of the municipality; and to lease the same to corporations or individuals.

Referred to the Committee on Municipal Corporations.

Mr. BIGGER. House Bill No. 1113.

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease, purchase condemnation or otherwise and to maintain and operate underground street

passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh, one thousand nine hundred and one, Pamphlet Laws five hundred and twenty-three, and supplements and amendments thereto.

Referred to Committee on Municipal Corporations.

Mr. DONAHOE. House Bill No. 1114.

An Act to provide for the safety of person employed in and about the anthracite coal mines of this Commonwealth, by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continually while men or boys are in the mine, and fixing a penalty for the violation of this act.

Referred to Committee on Mines and Mining.

Mr. GEORGE C. IRVIN. House Bill No. 1115.

An Act fixing the salaries of county officers their deputies clerks and employed in counties containing a population of less than one hundred fifty thousand and providing that all fees collected by said officers under existing laws shall be paid into the State or county treasury.

Referred to the Committee on Counties and Townships.

Mr. JOHN H. YOUNG. House Bill No. 1116.

An Act authorizing and empowering County Commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants, to turn over to the Board of Managers of juvenile school or farm as heretofore established by the Act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand, inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts, and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof," and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

Referred to the Committee on Counties and Townships.

Mr. ISLER. House Bill No. 1118.

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works, or systems of water works, or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company, by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works.

Referred to the Committee on Municipal Corporations.

Mr. ISLER. House Bill No. 1119.

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases.

Referred to the Committee on Municipal Corporations.

Mr. BIGGER. House Bill No. 1120.

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class."

Referred to Committee on Municipal Corporations.

Mr. NEELY. House Bill No. 1121.

An Act to repeal an act entitled "An Act in relation to the official newspaper advertising of cities of the second class," approved the twenty-first day of May, A. D. one thousand eight hundred and ninety-five.

Referred to Committee on Municipal Corporations.

Mr. NEELY. House Bill No. 1122.

An Act amending section nine of an act entitled "An Act in relation to the laying out, opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages, costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof, including damages to private property resulting therefrom," approved the sixteenth day of May A. D. one thousand eight hundred and ninety-one, as the same was amended by an act approved the twenty-second day of May, A. D. one thousand eight hundred and ninety-five and as the same was again amended by an act approved the nineteenth day of May, A. D. one thousand nine hundred and three; by changing the requirements in respect to the publication of ordinances introduced and providing for the laying out opening widening straightening extending and vacating streets or alleys or parts thereof where there is no petition of the property owners.

Referred to Committee on Municipal Corporations.

Mr. NEELY. House Bill No. 1123.

An Act amending a portion of section one of Article fifteen of an act entitled "An Act for the Government of Cities of the Second class," approved the seventh day of March, A. D. one thousand nine hundred and one so as to change the requirements as to official advertising.

Referred to Committee on Municipal Corporations.

Mr. NEELY. House Bill No. 1124.

An Act amending Section five of an act act entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved June 4, 1901, as the same was amended by an act approved March 19, 1903, by providing that public property only shall be exempt from municipal claims for municipal improvements.

Referred to Committee on Judiciary Special.

Mr. GRABE. House Bill No. 1125.

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Referred to Committee on Public Roads.

By Mr. BENSON. House Bill No. 1126.

An Act to prevent the pollution of the waters of the rivers, streams and lakes of this Commonwealth by requiring manufactures to post upon the premises, in a public and conspicuous place, a permit to discharge refuse, sewage, offal or other matter in said rivers, streams and lakes, and such permit to be signed by the President of the local Board of Health, and providing for penalties for any violation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. FAHEY. House Bill No. 1127.

An Act making an appropriation to the Wills Eye Hospital of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. BERGEY. House Bill No. 1128.

An Act relating to the assesment of real estate for county purposes; providing for an affidavit and return of the amount and value of real estate by taxables; prescribing the form and method of such return, and providing penalties for violation thereof.

Referred to Committee on Counties and Townships.

By Mr. WHITAKER. House Bill No. 1129.

A supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requnring boroughs and incorporated towns to maintain certain State Highways wholy and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the mininmum width of State Highways and State-aid Highways, and kind of materials to be used in the im-

provement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. GRAMLEY. House Bill No. 1130.

An Act to establish as a "State Highway," a certain section of public road beginning at a point on Route Number twenty-seven in the Borough of Centre Hall and passing eastward through the townships of Potter, Gregg and Miles in Centre County; thence over State lands and through the townships of Lewis, West Buffalo and Buffalo in Union County, and conecting with same Route number twenty-seven at a point about one mile east of the Borough of Mifflinburg in said Union County.

Referred to Committee on Public Roads.

By Mr. GRAMLEY. House Bill No. 1131.

An Act to establish as a "State Highway" as certain section of public road beginning near Water Street at the intersection of said road with route number fifty-five, and passing through part of Huntingdon County by the way of Spruce Creek to Colerain; thence by route number fifty-six to Warrior's Mark in Huntingdon County and passing through Halfmoon and Patton Townships in Centre County, thence to Bellefonte, Centre County.

Referred to Committee on Public Roads.

By Mr. BODY. House Bill No. 1132.

A supplement to an act approved the twenty-third day of April, one thousand nine hundred three, entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assesments, and the reassessment between the periods of the triennial assessment, of property and fixing the time for the return thereof," as amended.

Referred to Committee on Counties and Townships.

By Mr. EWING. House Bill No. 1133.

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 1134.

An Act conferring jurisdiction on the several Orphans' Courts of this Commonwealth, over estates held by a feme covert to her sole and separate use, and authorizing said courts, upon cause shown, to give her portions of the corpus of the estate, in addition to the income thereof.

Referred to Committee on Judiciary General.

By Mr. STEIN. House Bill No. 1135.

A supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March, A. D., one thousand nine hundred and one (Pamphlet Laws twenty), enabling cities of the second class to raise additional revenue by subjecting to taxation all real estate owned or possessed by any corporation and not heretofore taxable as such.

Referred to Committee on Municipal Corporations.

By Mr. DICKINSON. House Bill No. 1136.

An Act to provide for the auditing of school finances in school districts of the second and third classes.

Referred to Committee on Education.

By Mr. J. H. YOUNG. House Bill No. 1137.

An Act amending Section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand, and not more than one million two hundred thousand inhabitants, to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts, and conferring the powers and regulating the proceedings for the establishment, maintenance and management thereof," approved the first day of May, one thousand nine hundred and nine, so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools.

Referred to Committee on Counties and Townships.

By Mr. WALTON. House Bill No. 1138.

A joint resolution proposing an amendment to Section one (1) of Article fifteen (XV) of the Constitution of Pennsylvania as to permit and enable the General Assembly to classify counties, cities, boroughs, townships and school districts for the purpose of government legislation, and court proceedings and to provide that all cities may make and adopt their own charters and have the power of local self-government.

Referred to Committee on Judiciary General.

By Mr. FLYNN. House Bill No. 1139.

An Act to amend an act, entitled "An Act relating to corporations and estates held for corporate, religious and charitable uses," approved the twenty-sixth day of April, Anno Domini eighteen hundred and fifty-five, as amended by the supplement to said act, approved the second day of June, Anno Domini eighteen hundred and eighty-seven, and further amended by the act approved the first day of May, Anno Domini nineteen hundred and seven, by altering the seventh section, and by repealing the sixth section thereof.

Referred to Committee on Judiciary Special.

By Mr. WILLIAMS. House Bill No. 1140.

An Act to establish as a "State Highway" a certain section of public road, begining at a point in Mansfield, Tioga County, and passing through Richmond, Rutland and Jackson townships in Tioga County and Wells township in Braford County to the New York State line.

Referred to the Committee on Public Roads.

By Mr. CARTER. House Bill No. 1141.

An Act to fix the compensation and allowance for Members of the General Assembly.

Referred to Committee on Judiciary General.

By Mr. HEIDINGER. House Bill No. 1142.

An Act to protect the public health and safetly by regulating the erection, alteration repair, use, occupancy, maintenance, sanitation and condemnation of dwellings, two-family dwellings, rooming houses and tenements by regulating the use, maintenance and sanitation of the grounds surrounding the same, the adjoining buildings and all vacant land in cities of the first class; providing for their inspection; creating a division of housing and sanitation; providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith.

Referred to Committee on Municipal Corporations.

By Mr. AMBLER. House Bill No. 1143.

An Act to authorize townships of the first class to provide for fire protection.

Referred to Committee on Counties and Townships.

By Mr. AMBLER. House Bill No. 1144.

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein.

Referred to the Committee on Counties and Townships.

By Mr. GIBSON. House Bill No. 1145.

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house, with approval of the court, to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts; authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home.

Referred to Committee on Judiciary Local.

By Mr. MOULTHROP. House Bill No. 1146.

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expenses of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly or in part; requiring the State Highway Commissioners to make maps to be complete record thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commisioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of aplication for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated and incorporated towns, with Commonwealth, governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. MATT. House Bill No. 1147.

An Act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants.

Referred to Committee on Judiciary Local.

By Mr. AMBLER. House Bill No. 1148.

An Act relating to assessments for taxes in townships of the first class in this Commonwealth; fixing the compensation of assessors and assistant asessors in such townships; extending the time within which the said assessors are required to complete their assessments, and make their return thereof; and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

Referred to Committee on Counties and Townships.

By Mr. SASSMAN. House Bill No. 1149.

An Act making an appropriation to the Sister of Charity of Saint Catherin's Orphan Asylum of Reading, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. AMBLER. House Bill No. 1150.

An Act to amend sections one and two of the Act of April twenty-three nineteen hundred and three, (Pamphlet Laws, 292) entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments, and the reassessment between the periods of the triennial assessment of property, and fixing the time for the return thereof," by directing that the County Commissioners shall issue their precepts for the triennial assessments and intermediate reassessments on or before the first Monday of July.

Referred to Committee on Counties and Townships.

By Mr. AMBLER. House Bill No. 1151.

An Act to authorize the township Commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connection cities, boroughs, villages, or place of public resort, and to charge a part of the expense of constructing the same upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township.

Referred to Committee on Counties and Townships.

By Mr. AMBLER. House Bill No. 1152.

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first-class, to provide for the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide by assessment upon the cities, boroughs and townships within the limits thereof.

Referred to Committee on Municipal Corporations.

By Mr. KAUFMAN. House Bill No. 1153.

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians, mid-wives, and others; prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. WETTACH. House Bill No. 1154.

A Supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred one creating a Bureau of Public Utilities in the Department of Public Safety defining the powers and duties thereof and of the offices thereunder prescribing rules; regulations and laws respecting public utilities and authorizing and imposing fines, penalties and punishment for violation thereof.

Referred to Committee on Municipal Corporations.

By Mr. EICHENBERGER. House Bill No. 1155.

An Act making an appropriation to the Stetson Hospital, of Philadelphia Pensylvania.

Referred to Committee on Appropriations.

By Mr. KAISER. House Bill No. 1156.

An Act empowering cities to enact ordinances relating to repairs to streets in cases where the obligation to repeair rests upon some person or corporation other than the municipality, and to impose penalties for violations of such ordinances.

Referred to Committee on Municipal Corporations.

By Mr. NEWTON. House Bill No. 1157.

An Act to establish a uniform system for the assessment of property and the levy and collection of taxes throughout the Commonwealth creating a State Board of Assessors and County Assessors; and providing the methods and means for carrying the system into effect.

Referred to the Committee on Counties and Townships.

By Mr. WALTON. House Bill No. 1158.

An Act amending an act approved the fourteenth day of May, one thousand eight hundred and eighty-nine, entitled "An Act to prove for the incorporation and government of street railway companies in this Commonwealth," as amended, providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted.

Referred to Committee on Municipal Corporations.

By Mr. MATT. House Bill No. 1159.

An Act to amend the seventh section of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors, or any admixture thereof," aprroved May thirteenth Anno Domini, one thousand eight hundred and eighty-seven by making it unlawful to grant license to any applicant when the number remonstrating exceeds the number supporting the application.

Referred to Committee on Law and Order.

By Mr. CLEARY. House Bill No. 1160.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point in Plymouth Borough, Luzerne County, and extending via the Narrows Road, through Larksville and Edwardsville to Kingston, Luzerne County.

Referred to the Committee on Public Roads.

By Mr. HORACE B. DUNN. House Bill No. 1161.

An Act to establish as a "State Highway" a certain section of a public road beginning at McAlevey's Fort, in the township of Jackson, Huntingdon County, at the intersection of said road with State Highway Route number two hundred sixty-one, thence by way of Hickett's Cross Roads along the waters of Standing Stone Creek to the dividing line between Huntingdon and Centre counties, thence on the east side of Long Mountain to a point on Route number twenty-seven, near Centre Hill, thence over Route number twenty-seven into Bellefonte, Centre County.

Referred to the Committee on Public Roads.

By Mr. NORTH: House Bill No. 1162.

An Act requiring individual drinking cups to be furnished on passenger railway cars and providing a penalty for violation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. RICHARDS: House Bill No. 1163.

An Act authorizing and empowering counties to construct, and for this purpose to procure, locations therefor, by purchase of condemnation proceedings as herein provided, or to acquire by condemnation, by lease, by purchase or otherwise, and to maintain and operate, street railways, electric light plants, gas works and all other public utilities, and to lease the same to corporations or individuals.

Referred to the Committee on Counties and Townships.

By Mr. HORACE B. DUNN. House Bill No. 1164.

An Act to establish as a "State Highway" a certain section of the public road beginning at Saltillo at the intersection of said road with State Highway Route number one hundred ninety-two and passing through Huntingdon County, thence by way of Cassville, Calvin Colfax Hawns Bridge crossing the Raystown Branch of the Juniata River, to the Fourth Street Bridge at Huntingdon, in Huntingdon county.

Referred to Committee on Public Roads.

By Mr. AMBLER: House Bill No. 1165.

An Act to establish a system of law relating to the office and duties of Coroners in the Commonwealth of Pennsylvania, together with provisions by which it shall be administered and prescribing penalties for the violation thereof, providing for the compensation of Coroners, their deputies, clerks, physicians, solicitors and other assistants of officers and for the Coroners' jurors and repealing all laws general, special or local, or any parts thereof that may be inconsistent therewith.

Referred to Committee on Judiciary Special.

By Mr. FREY. House Bill No. 1166.

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

Referred to the Committee on Judiciary General.

By Mr. EHRHARDT. House Bill No. 1167.

An Act to authorize the appointment by the County Commissions in Counties having not less than two hundred thousand (2,000,000) nor more than three hundred and twenty-five thousand (325.000) inhabitants a Board of Assessors consisting of not less than six (6) nor more than twelve (12) assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such Counties and providing penalties for violation of this act.

Referred to the Committee on Judiciary Local.

PETITIONS.

PROTESTING AGAINST THE CLUB LICENSE BILL.

Mr. G. A. BALDWIN (By Request) presented the petition of citizens of Beaver County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. SWIFT (By Request) presented the petition of citizens of Beaver County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. G. A. BALDWIN presented the petition of citizens of Beaver County, praying for the passage of bill providing for the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. SWIFT presented the petition of citizens of Beaver County, praying for the passage of bill providing for the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

FAVORING TENURE OF OFFICE BILL.

Mr. ZIMMERMAN presented the petition of teachers of Northumberland County, praying for the passage of the Tenure of Office Bill and Teachers' Retirement Fund Bill.

Which was referred to the Committee on Education.

Mr. MANNION presented the petition of teachers of Lackawanna County, praying for the passage of the Tenure of Office Bill.

Which was referred to the Committee on Education.

PROTESTING AGAINST MISAPPROPRIATION OF STATE MONEY.

Mr. FOSTER presented the petition of Newton Grange No. 1446, of Bucks County, protesting against misappropriation of State money by State Highway Department.

Which was referred to the Committee on Public Roads.

FAVORING INVESTIGATION BY NAVIGATION COMMISSION.

Mr. S. B. SCOTT presented the petition of the Philadelphia Board of Trade, favoring investigation of accidents by Navigation Commissioners.

Which was referred to the Committee on Municipal Corporations.

FAVORING SENATE BILL NO. 46.

Mr. STEIN presented the petition of Hays Post No. 3, G. A. R., Allegheny County, praying for the passage of Senate Bill No. 46 and House Bill No. 266, relating to completion of Pennasylvania Battlefield Memorial.

Which was referred to the Committee on Military.

PROTESTING AGAINST HOUSE BILL NO. 380.

The SPEAKER presented the petitions of the Pittsburgh Civic Commission and Pittsburgh Plan Charter Committee of Allegheny County, protesting against the passage of House Bill No. 380.

Which was referred to the Committee on Municipal Corporations.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF HOUSE BILL NO. 2.

Executive Chamber, Harrisburg, February 28, 1913.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 2, entitled "An Act making an appropriation to cover a deficiency arising in carrying out the provisions of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled 'An act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as requested to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in sections seven of an act entitled 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates."

(Signed) JOHN K. TENER.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WILTBANK. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Wiltbank.

Mr. WILTBANK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WILTBANK. Mr. Speaker, last Wednesday, February 26th, on Bill No. 9, I filed my reasons for voting aye. I find that all the rest are on the record but mine are not. My reasons were filed in the proper time and therefore, I offer a resolution.

RESOLUTION TO INVESTIGATE THE PRINTING AND KEEPING OF THE LEGISLATIVE JOURNAL.

The SPEAKER. The Clerk will read the resolution, presented by the gentleman from Philadelphia, Mr. Wiltbank.

The resolution was read twice as follows:

Resolved, That a committee be appointed by the Speaker of the House of Representatives to investigate the printing and keeping of the Legislative Journal and whether it is advisable to continue the same or not, and the Committee to report within ten days

Mr. WILTBANK. Mr. Speaker, I want to explain myself. We are going to the expense of publishing this Journal. If it is not kept correctly what is the use in us having it at all? I find in several cases that the record is not correct; let us abolish and save this State that expense. We had better do that if it is not going to be correct. My reasons upon this vote were filed; the reasons were passed to the Chief Clerk and passed to the Journal Clerk. Why it is not on the record, I don't know.

The SPEAKER. The resolution will lie over under the rules for printing.

RE-REPORT FROM COMMITTEE.

Mr. JOHN ROBERT JONES, from the Committee on Election, re-reported as amended, House Bill No. 118, entitled:

An Act regulating certain poliitcal parties proivding for and regulating tghe nomination of candidates of such political parties for certain pulbic offices the election of certain party officers the appointment of delegates and alternate delegates to national party conventions a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator the payment by the several counties and their reimbursement by the State Treasurer of the expenses of the same including the payment of compensation of watchers herein authorizezd to be appointed by the court the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions prescribing the time and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State committee and a chairman thereof and certify the same to the Secretary of the Commonwealth and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein

LEAVES OF ABSENCE.

Mr. HESS asked and obtained leave of absence for Mr. Berntheizel for this day.

Mr. HIBSHMAN asked and obtained leave of absence for Mr. Hoffman for the balance of the week.

Mr. SHERN asked and obtained leave of absence for himself for tomorrow.

Mr. HORACE B. DUNN asked and obtained leave of absence for Mr. Peachey for the balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Donahoe for the balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Caldwell for the balance of the week.

The SPEAKER. The Clerk requests an announcement that the General Appropriation Bill has been printed and for the benefit of any member desiring copies of same, that they can be obtained by sending to the room at a certain time.

RELATIVE TO FILLING VACANCIES ON COMMITTEES.

Mr. HESS. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution:

The resolution was twice read as follows:

Whereas the death of the Hon. John H. Reibel has left a number of vacancies on the Committees of this House.

Resolved, That the Speaker of the House be authorized and empowered to make the necessary appointment to fill the vacancies so created.

The SPEAKER. Does the House give unanimous consent?

The SPEAKER. The Chair hears objections. The resolution will lie over under the rules to be printed.

CONGRATULATIONS TO PRESIDENT WILSON.

Mr. GEORGE A. BALDWIN, asked and received unanimous consent to present the following resolution:

Whereas, It is our belief that the people of Pennsylvania are interested in the advancement of Progressive Legislation and in the administration of Government in the interests of the whole people and,

Whereas, Since this House last sat, there has been an entire change of Government in this country and,

Whereas, In his inaugural address President Woodrow Wilson gave voice to Progressive sentiment and pledged his administration to the advancement of Government in the interests of the whole people, be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania hereby extend to President Wilson its congratulations upon the auspicious opening of his administration and bids him God-speed in carrying out the important items which he pledged both directly and by inference in his inaugural address.

Resolved, That this resolution be telegraphed to President Wilson by the Speaker of the House.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I move that this resolution be adopted.

Mr. SWIFT. Mr. Speaker, I second the motion.

On the question, of the adoption of the resolution.

It was unanimously agreed to.

RELATIVE TO PRINTING ADDITIONAL COPIES OF BILLS.

Mr. WALNUT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Walnut.

Mr. WALNUT. Mr. Speaker, I desire to offer a motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was twice read as follows:

Moved by Mr. Walunt that the Chief Clerk be directed to have printed 1,000 additional copies of bills H. R. No. 107, F. E. 1283 and H. R. Pink No. 125.

Mr. WALNUT. Mr. Speaker, I would like to state that there are a number of people in Philadelphia who are interested in both of these bills and they want to get a thousand of each of them for distribution. I move the adoption of the motion.

Mr. SWIFT. Mr. Speaker, I second the motion.

It was agreed to.

GRANTING USE OF HALL OF HOUSE TO DR. ANNA SHAW.

Mr. WILDMAN. Mr. Speaker.

The SPEAKER. The gentleman from Dauphin, Mr. Wildman.

Mr. WILDMAN. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was tiwce read as follows:

Resolved that permission be granted Dr. Anna Shaw, President of the National Women's Suffrage Association, the use of the Hall of the House of Representatives on the afternoon of Monday, March 17th, 1913, for the purpose of delivering a public address.

Mr. WILDMAN. I move the adoption of this resolution.

Mr. SHERN. Mr. Speaker, I second the motion.

It was agreed to.

MOTION TO PLACE BILL ON CALENDAR.

Mr. WALNUT. Mr. Speaker, I desire to present a motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read as follows:

Moved by Mr. Walnut, that Bill No. 753, entitled:

An Act prescribing what elective or appointive offices positions or employments of profit shall be incompatible with the office of a member of either branch of councils in cities of the first class in this Commonwealth and providing a method for its enforcement

be placed upon the Calendar notwithstanding the negative recommendation of the Committee.

On the question,

Will the House agree to the motion?

Mr. WALNUT. Mr. Speaker, I am not able to find the bill on the file.

The SPEAKER. Under the present rules the bills are not placed on the file until it has been placed on the Calendar.

On the question,

Will the House agree to placing this bill (just read) on the Calendar of the House, notwithstanding the negative recommendation of the Committee?

The gentleman from Philadelphia makes a motion.

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WALNUT. Mr. Speaker and Gentlemen of the House. This bill provides that in cities of the first-class Councilmen shall not be permitted to hold positions under the State or County Government. The question is apparently a simple one; it is simply a question of policy in a city of the first class as to what offices a member of a legislative body is entitled to hold. The situation as it exists in Philadelphia is as I will point out to you, Members of Select and of Common Council, holding positions under the county, for which they draw amounts running from twelve hundred dollars a year to six thousand dollars a year. There are also councilmen holding positions under the State as mercantile appraisers and examiners in the State Insurance Department. The list is as follows:

Common Council.

John G. Voight, Jr., second ward, clerk to recorder of deeds, $1,200.

James Ward, seventh ward, clerk, register of wills, $1,200.

George McCudy, tenth ward, real estate deputy sheriff, $6,000.

Dr. Thomas J. Morton, twentieth ward, coroner's physician, $2,500.

George J. Van Houten, twenty-second ward, orphans court tipstaff, $1,500.

Robert S. McElroy, thirtieth ward, executive clerk, sheriff's office, $2,000.

T. Crawford Cook, thirtieth ward, quarter sessions court tipstaff, $2,000.

Select Council.

Charles J. Pommer, first ward, district attorney's detective, $1,700.

William J. Harrington, fourth ward, clerk to register of wills, $2,000.

Thomas J. McGinnis, sixth ward, real estate assessor, $3,000.

William Reuter, twelfth ward, fee clerk quarter sessions court $1,400.

John F. Flaherty, thirteenth ward, clerk of quarter sessions court No. 1, $3,000.

George D'Autrechy, seventeenth ward, clerk, recorder of deeds, $1,500.

Edward Buchholz, nineteenth ward, real estate assessor, $3,000.

William E. Finley, thirty-ninth ward, real estate assessor, $3,000.

Harry C. Ransler, second ward, mercantile appraiser, fees about $6,000.

James B. Sheehan, twelfth ward, mercantile appraiser, fees about $6,000.

Frank J. Gummiskey, twenty-fifth ward, examiner state insurance department salary not known.

You must remember that Philadelphia is peculiar in view of the fact that that city is co-termious with the county. There is no distinction in the mind of an ordinary man on the street between a county officer and a city officer. It is in fact frequently necessary to have the question decided by the courts before we can say whether an officer is under the jurisdiction of the county government or the city government. We have now and have had for a great many years a rule that no councilman shall hold an office of profit under the city at the same time that he holds his office as a member of Council. We have the same rule applying to our Legislators here in Harrisburg. Every man who comes here is compelled to give up any office of profit that he may hold under the State or under the Federal government. Why should not the same reason apply to the holding of State and county offices by Councilmen? You can imagine the position of the members here in voting on the appropriation of funds for the use of any department of this State and who is drawing a salary as an employe of that department. A member that is employed in an office of Philadelphia County and drawing salary for such office, if he is a member of city councils, will be called upon to pass on the appropriation of funds for the expenses just as we are called upon to appropriate annually for the departments of the State of Pennsylvania.

In Philadelphia, the principal duty of Councilmen is the passage of appropriation ordinances. They appropriate a sum equal to that which we here appropriate for the expenses of this Commonwealth. It seems highly improper that those men presumably independent legislators, elected to represent their constituents and to act independently of the administrative departments of the government, should hold positions of profit under the control of and by the grace of the heads of those departments. Without going any further, Gentlemen of the House, the problem should be perfectly clear to you. It merely comes down to the question, can any legislative body be free and entirely clear of the control of any administrative department, so long as they are employees of that administrative department and as long as they hold positions of profit under it. I, therefore, ask you, Gentlemen of the House, in the interests of good government to place this bill upon the Calendar, notwithstanding the negative recommendation of the Committee.

Mr. McALEER. Mr. Speaker, I just wanted to call the attention of the members of the House to the remark made by a former member of Common Council who, in voting for or against a certain member—he happens to be an employee of the Sheriff's office—in voting he said he did not know whether that would be the end of his political career or not, showing clearly that he feared the influence in Council, and at the same time other influences as to whether or not he could retain his position in the particular office that he held.

Mr. S. B. SCOTT. Mr. Speaker, I cannot remember a case previous to this where the chairman of a committee has been compelled to ask the House to put on the Calendar a bill negatived by his own committee. It is not pleasant for me to do it now. I do not like that it should appear publicly that there is any difference of opinion between the members of an otherwise harmonious committee, but when a bill of this great importance was rejected in his committee, it seemed to me right that it should be reported negatively by my committee. I cannot but rise and request that the majority of the House vote upon this bill as a whole.

Mr. SPEISER. Mr. Speaker, I can hardly refrain from saying a word in reply to the remarks made by the gentleman from Philadelphia, Mr. Walnut. I have the honor of being a member of the Committee that passed negatively on this bill. This bill was given a thorough hearing before the committee and not only Mr. Walnut appeared there, but I believe that one of the officials of the county and city government appeared before it. I strongly object, members of the House, to blowing hot and cold upon any measure that is presented before us for consideration, and I dare say that you men will object in turn to any measure presented to us that is simply based on some false theory and for which there seems to be no immediate necessity, desire or want on behalf of anybody except those theoretical statesmen. The gentleman who introduced this bill said before the committee that he wanted it distinctly understood that Mayor Blankenburg, of Philadelphia, who was vitally interested in this measure—and we have proof of that fact by reason of the statement contained in the public press—did not want the committee to misunderstand the fact that he had any grievance or any complaint against any member of council, including those who held positions under the city or county. Now, if there is no complaint, why the measure? Our Councils are a large body. You men know that. There are only fourteen against whom complaints could be made, however, and it is a fact known to every man who comes to Philadelphia County, and I dare say to a great many outside the county, that not one of those men votes on any measure which concerns his personal department. Now, the councilman in Philadelphia is not a paid official, as are the members of the Legislature. We get our salaries and there is no reason in the world why we should get another salary from another source. That is not true in Philadelphia. A man who holds a councilmanic position holds it as a position of honor. Now, Philadelphia, as I stated, has but fourteen of these men. They don't hold positions directly under any city department that are or can be co-terminus with the city. And it makes no difference, because the duties of the county officials are quite different from those of the State officials. The receiver of taxes, the city treasurer or the county commissioners have nothing in common with the mayor and his administrative offices. Never before has this complaint been made in any specific instance and I call any member on the floor of this House to show me why the complaint is made. They do not show you that such and such a councilman has done such and such a thing by reason of holding office. Now, why should we act on the measures which have only existence in the theories or minds of those men who want to produce some particular legislation? Why don't they bring us specific facts and show us that it is a bad policy and that it works dishonestly? Is it wrong for a man to earn his livelihood and still represent his neighbors in the halls of council? You don't pay the man to hold office. He is a man that is elected to his position. His neighbors have confidence in him. He knows their needs and their wants. Why deprive him of his livelihood? The entire measure, gentlemen of the House, is based on false premises. There is no sound logic submitted to this House and no specific complaint under it to show damage done. There is no danger, therefore why do we need a remedy. I would strenously urge, gentlemen of the House, that this bill be defeated by an overwhelming vote, in support of this committee who gave this bill a great deal of attention, as the chairman of the committee has said.

Mr. JAMES A. DUNN. Mr. Speaker, I am heartily in favor with the remarks made by my good friend from Philadelphia. The councilmen of that county, we are aware, were elected by the people. They receive, as the gentleman said, no saalry whatever. Their service is for the good of that particular county, and it seems to me that the mayor of our county is interested in the act before us. It seems inconsistent that reference should be made to this particular county where the councilmen are elected by the people. I wish to read an editorial from one of the evening papers, only last evening, which shows the inconsistency of the mayor of Philadelphia in regard to the elective office, and then in regard to an appointment of an advisory committee for him in that particular city:

"The Evening Times is informed that its list of the mayor's advisory board was in error in that it contained the name of Effingham B. Morris, who has resigned from the mayor's advisory board, and did not contain the name of C. S. W. Packard, who is a member of that board.

"The Evening Times gladly makes the correction, substituting the name of Mr. Packard for the name of Mr. Morris.

"The net result of this charge, however, is not much in favor of the common people. The following are the interests officially represented by C. S. W. Packard, banker, a member of Mayor Blakenburg's advisory board, and the capacity in which Mr. Packard serves these interests:

Farmers' and Mechanics' National Bank, Director.
The Pennsylvania Company, president and director.
Lehigh Coal and Navigation Company, director.
Farmers' and Mechanics' National Bank, Director.
Fourth Street National Bank, director.
Franklin National Bank, director.
Philadelphia Saving Fund Society, manager.
Philadelphia Warehouse Company, director.
Penn Mutual Life Insurance Company, trustee.
Insurance Company of North America, director.
Chesapeake and Delaware Canal Company, director.
Westmoreland Coal Companw, director.

"The average man will have to make liberal use of his imagination to bring himself to the belief that in whatever advice this member of the mayor's advisory board may have to offer the affairs of Big Business and Special Privilege will suffer.

"And there is the outrage of all of the mayor's kitchen cabinet. The men themselves are examples of personal rectitude, but they represent interests and corporations that have exploited the people of this city for years.

"It is silly, an insult to any man's intelligence, to contend that the directors of these expoliting corporations are going to advise Mayor Blakenburg to pursue any policy that will stop the infamous practices of these corporations.

"Wherever the interests of the P. R. T. and the interests of the public conflict, does any one suppose that E. T. Stotesbury, managing director of the P. R. T.; C. S. W. Packard, director of the P. R. T., and John G. Johnson, general counsel of the P. R. T., all profiting by the policies of the P. R. T., and all participants in framing those policies, are going to take the side of the people?"

"The very suggestion of such an attitude proves its impossibility. Why then are these officials of corporations that have conflicting interests with the citizens placed on the mayor's advisory board? As friends of the mayor? Well, then, why haven't they the sense of honor to resign their positions with these corporations, as members of the president's cabinet have the sense of honor and propriety to sever their connections with all such corporations when they accept an advisory position to the government?

"Not only is it a matter of ethics—it is a matter of integrity which is recognized by legal statutes in our national government and in most of our commonwealths, that a man cannot serve two masters.

"Therefore, it is written that when a man accepts a position advising the public he must divorce himself from all private entangling alliances whose interests might conflict with the public's interests.

"There could be no end to scandal if the legal adviser of the president were at the same time the general counsel for two or three great interstate corporations. It would be the immediate subject for a congressional investigation—if not impeachment proceedings-if it were a known fact that the president urged the passage of a series of bills affecting railroads that had been drafted by the general counsel of two or three railroads and then had been submitted to these railroads for their inspection and approval prior to their introduction into congress.

"Nobody can deny that. Then why is it not wrong in a city administration to do the same thing—a city administration that legislates for nearly 2,000,000 people.

"All The Evening Times asks of Mayor Blankenburg is that he be consistent."

And this point I want to bring out:

"He raises a vigorous protest about members of councils holding positions on the payrolls of the county and the state upon the ground that this dual responsibility renders them biased and unable to act for the best interests of the city.

"The mayor bases his argument upon the ground that the county administration, upon whose payroll city councilmen are placed, is controlled by the old organization, the gang, which is antagonistic to his administration, which is ostensibly a reform administration.

"He pushes his argument to a logical conclusion by claiming that the councilmen on the county payroll will be loyal to their source of income, their financial welfare, their own selfish interests, in preference to being loyal to the public's interests.

"Therefore, The Evening Times asks the mayor to apply the same rule to his advisory board all of whom are high and directing officials in corporations that daily come in conflict with the public's interests.

"If councilmen will subordinate the public weal for a salary of a few hundred dollars they get from the gang, as the mayor insists, what may we expect of men who profit millions from corporations that exploit the people?"

I offer you as a concluding argument, why should we not recall this act and put it on the Calendar?

Mr. WALNUT. Mr. Speaker, there have been things injected into this discussion about men that do not properly belong here, with reference to Mayor Blankenburg and with reference to other gentlemen in Philadelphia. There is only one question before the House and that is the proposition as to whether or not this is a proper rule of government. Is it proper in our theory of government for a legislator to hold an administrative position? They are doing it in Philadelphia. We cannot do it here in Harrisburg. Is this rule, as applied here, right, or is the rule right as applied there? That is the only question before this House. Is our Constitution wrong or is this bill right? I would ask you to decide that point, should a legislator hold an administrative position?

Mr. SPEISER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALNUT. Yes sir, Mr. Speaker.

Mr. SPEISER. Mr. Speaker, I desire to ask the gentleman whether it is not a fact that not one member of council who holds any other office in the county has ever voted on any measure pertaining to his department.

Mr. WALNUT. I do not know; I do not consider that that is a relevant matter.

Mr. SPEISER. I would further like to ask the gentleman whether it is not a fact that he has seen in the public press that it is customary in council that a member never votes on any appropriation matter or any ordinance directly concerning his department. Has not that statement been made public and is it not made time and time again by the public press?

Mr. WALNUT. If we admit any such agreement between members of council holding city or county offices, I do not see that it makes their position any more secure. It is merely an admission upon their part that their positions are conflicting.

Mr. FORSTER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALNUT. Yes, sir, Mr. Speaker.

Mr. FORSTER. Can you point out any specific case where any member of council has been in any way improperly interested in the interests of any department with which he is connected?

Mr. WALNUT. Mr. SPEAKER, I can point out inconsistency as I have already referred to it, between a member passing upon an appropriation who holds a position of profit under any department of the county of Philadelphia or the State of Pennsylvania, due to the fact that by reason of his holding that position—public offices unfortunately being political offices in this State—that he is subject to political dictation of the man that employs him.

Mr. FORSTER. Mr. Speaker, I insist upon an answer to my question. Has there been any one instance where there has been any accusation of any improper influence brought to bear on a councilman in the interest of the department in which he was employed?

Mr. WALNUT. Mr. Speaker, I do not consider that a specific answer is necessary in order to establish a principle. I am not aware of any particular instance as the gentleman has asked me, in which improper influence has been brought to bear upon a councilman to support an appropriation for his own department. I would assume that the influence, if such existed, would not be manifest or of a public nature that would bring that home to those on the outside. I believe that such influences —and every member in the House will agree with me—are not of that nature. They don't have to be public. They don't have to be manifest. They exist by reason of the position the man occupies in the department.

Mr. McALEER. Mr. Speaker and gentlemen of the House, some of the gentlemen of the House opposed to the putting this bill on the calendar seem to want specific instances. I will specify for their benefit that I was a member of common council for two years. During that time the present agreement between the city and the Philadelphia Rapid Transit Company was put into effect, and some of the members on the floor of the House told me personally during conversation, men who hold city or county offices, told me that they considered it to be a rotten measure, but what could they do?

Now go down to another specific instance: Your receiver of taxes forced a gentleman living in the forty-second ward, Major Brasier, to resign from council, or the alternative was given that he give up his position as Collector of Taxes in one of the sub-stations. Now, I don't care to prolong this agony, if you choose to call it such. There are plenty of specific instances and I think the principal reason for the opposition to this Act is to keep those specific instances at work, so as to hold all the influences they can in line for measures proposed by the powers that be.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were taken and were as follows:

YEAS—112.

Alworth,	Glenn,	Lowers,	Rockwell,
Baldwin, G. A.,	Good,	Martin,	Savacool,
Baldwin, R. J.,	Goss,	Mather,	Schuck,
Barner,	Grabe,	Matt,	Scott, J. R. K.,
Benninger,	Gramley,	McAleer,	Scott, S. B.,
Benson,	Gray, Frank,	McClintock,	Semmens,
Bergey,	Haggerty,	McKay,	Shaffer, I. E.,
Bigger,	Heidinger,	Mellott,	Showalter,
Bittles,	Hemminger,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Herman,	Miller,	Smith, L.,
Bleloch,	Hess,	Mitchell,	Snavely,
Brownlee,	Heyburn,	Moses,	Snyder,
Burnett,	Hobbs,	Musser,	Spillinger,
Campbell, C.M.,	Howard, J.,	Neel,	Steele,
Carson,	Howard, R.,	Newbaker,	Stone,
Cheeseman,	Humes,	Newton,	Strauss,
Claycomb,	Jones, J. R.,	Pennegar,	Swift,
Cochran,	Kaufman,	Pennock,	Trach,
Currier,	Keegan,	Perry, H. L.,	Ulerich,
DeFrees,	Kern,	Post,	Walnut,
Dickinson,	Kitts,	Price,	Watson,
Donnally,	Kuhn, H. P.,	Ramsey,	Wildman,
Down,	Lanius,	Redfield,	Williams,
Dunn, H. B.,	Latshaw,	Rex,	Wilson, J. H.,
Ehrhardt,	Lenker,	Rhoads,	Young, G. K.,
Ely,	Leslie,	Richards,	Young, J. H.,
Flynn,	Light,	Robinson,	Zimmerman,
Geiser,	Lohr,		Alter,
Gibson,			Speaker.

NAYS—68.

Adams,	Ewing,	Mannion,	Roney,
Allen,	Fahey,	McArdle,	Rothenberger,
Arthur,	Forster, I. G.,	McCaig,	Sassaman,
Bass,	Foster, J. D.,	McDermott,	Schaeffer, A. C.
Becker,	Gans,	McNichol,	Shern,
Body,	Geary,	Mechling,	Speiser,
Brosius,	Gray, Joseph,	Missimer,	Steedle,
Brown,	Hackett,	Moore,	Stein,
Carter,	Isler,	Morrow,	Swartz,
Cleary,	Irwin, H. H.,	Murphy,	Thomas,
Collins,	Jackson,	North,	Walsh,
Conner,	Kaiser,	O'Neill,	Walton,
Conniff,	Keeport,	Perry, S. J.,	Wettach,
Cox,	Klepper,	Peters,	Whitaker,
Curry,	Kuhns, E.G.M.,	Reese,	Whitman,
Davis,	Letzkus,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Malie,		Wiltbank,
Eichenberger,			

More than the number required by the rule having voted in the affirmative the motion is adopted and the bill will be placed on the calendar.

MOTION TO RECONSIDER VOTE.

Mr. W. H. WILSON. Mr. Speaker, I offer the following motion:

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

W. H. Wilson and Robert Frey who voted in the majority move to reconsider the vote by which House Bill 328, File Folio 535, was defeated on second reading.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker, and gentleman of the House, this bill that was offered by the gentleman from Philadelphia, (Mr. Lorenzo Smith) is known as the traffic bill. It is a bill that has been offered to this House by the Director of Public Safety of Philadelphia. It gives him power greater than the powers given him by councils to regulate traffic in the congested sections of the City. You men know that many of the streets of Philadelphia are extremely congested at certain hours of the day, for instance, down at the wharves early in the morning and about noon other streets, such as Broad Street and at different hours of the day and evening in the center of the City. There are restrictions upon the police power because of lack of legislation. This legislation has been offered by Director Potter. When the bill came up for second reading it was defeated without a roll call. It was merely voted down because there is some considerable opposition to the bill. That opposition arises from some of the associations in Philadelphia, and men who have not fully investigated the legislation. Now the director, while he is opposed in his politics to many of us, is impressed with the importance of this legislation and he merely desires to have this bill fully argued before the House and have it passed upon on its merits. If the teamsters in the City of Philadelphia have a proper protest, why he does not desire to force the bill over their reasonable protest; but if they haven't a reasonable protest, then he does not want the provisions of this bill, which he considers proper for the welfare of the whole public, to be defeated. Now if you gentlemen will reconsider the vote by which this bill was defeated, immediately after that I will move, with the consent of the sponsor with whom I have consulted to recommit this bill back to the Committee on Municipal Corporations. The Chairman of that Committee is Mr. Samuel B. Scott, of Philadelphia, and the membership of the Committee is composed, to a very great extent, of gentlemen from Philadelphia, many of whom are opposed to this legislation. After the bill has been sent back to the committee, the Director of Public Safety can be notified and the teamsters Associations can be notified and they can come before the Committee and thresh this thing out. If the Director is right, we ought to support him; and if the Teamsters Associations are right, we ought to support them. For us to merely take this piece of legislation and howl it down in the House is not a fair proposition and while I am here asking for the reconsideration of this vote on second reading I want it understood that in taking this position I am not pledging myself to support this legislation; but I do feel myself called upon as gentlemen, even opponents of this legislation, should feel themselves called upon, to give this legislation proper consideration, and then after having given the matter proper consideration, give an intelligent vote on it. Mr. Speaker, and gentlemen of the House, I do not feel that it speaks well for any member of the Philadelphia delegation to oppose this motion, which is offered here by the gentlemen from Philadelphia, (Mr. William H. Wilson), who is really an opponent to this bill. I take it that the rest of the delegation should not allow the stigma of unfair and dishonest consideration to obtain on this bill. If it has merits,—and a gentleman holding a high position in Philadelphia believes it has—it should be considered by the Legislature and there is certainly no reason why we should not give it that consideration. With the promise of the sponsor, that, immediately after reconsideration of the vote by which this bill was defeated on second reading, without arguing on the merits of the bill, a motion to recommit the bill will be made, when that promise is made by the sponsor of the bill, gentlemen, there should be no reason and it does not befit any member of this House to oppose this vote upon reconsideration, when as I said the sponsor through myself makes the promise to the House that immediately there will be a motion made to send this bill back to the Municipal Corporation Committee where its merits can be threshed out.

Mr. McNICHOL. Mr. Speaker and Gentlemen of the House, Mr. Scott has not told you that the Committee to which this bill was referred reported it out of committee with an affirmative recommendation, and that the House rejected it upon the floor of the House on second reading. In answer to the gentleman from Philadelphia who has preceded me, it has been customary to follow his lead. If you remember only a few short days ago we were told that we followed a lead that lead into false paths, and you are now asked to follow his lead into the light by putting this bill back on the Calendar. Gentlemen of the House, this bill, if you read it, shows that it would give extraordinary administrative powers to the director of public safety, who is now regulating traffic in Philadelphia, whose book of rules I hold now in my hand. My friend from Philadelphia has said that if the teamsters of Philadelphia had a reasonable protest against this bill that their protest would be given due consideration and regulations made that would be suitable to them. I want to say that the teamsters of Philadelphia went to Mr. Potter and asked for reasonable regulations in order that they might reasonably carry on their business, and it was refused. They have been working under these regulations issued by the Department of Public Safety on February 15, 1913, the same regulations which were in force during the time of his predecessor. But he is not contented with the power that is delegated to him by Council, but he comes to this Legislative Hall and wants administrative and legislative powers that would compel him and compel you to walk down which ever side of the streets of Philadelphia that he wanted. Why, you gentlemen know that in delegating that power to him, such as is asked for in this bill, you override Councils. If he wants regulations in Philadelphia governing traffic, and is unable to go to Council and get them, why should he want this body to put him above Councils and make him Czar and ruler of all he surveys. I ask you, are we going to take up our time by rejecting measures and reconsidering them at the whim of any man who probably wants to stand on the right side of the Director of Public Safety of Philadelphia.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. McNICHOLS. Not at this time. Now, gentlemen of the House, I ask you men whether we are to be called upon at any and all times to reconsider decisions rendered, and whether our time is to be taken up by rejecting measures and then putting them back on the Calendar, notwithstanding the promise that has been made that this bill will immediately be sent back to the committee. We have passed judgment on it after the committee had reported it out with an affirmative recommendation. And I want to say, gentlemen, that if you will look at the circular issued by the Federation of Labor, you will find that they are against it. If you gentlemen were familiar with the streets of Philadelphia, I could tell you how it is carried on under these present rules. Now, take a wagon that would be loaded at Fifth and Minor streets. The cars run South on Fifth street. If the man wanted to get to Chestnut street, and mind you he has a loaded wagon at Fifth and Minor, hardly half a square from Chestnut street, he would have to go north on Fifth street, west on Market, south on Sixth, and east on Chestnut, because of the regulations now existing in the Department of Public Safety. What more does he want? Whereas if teamsters would be given reasonable permission, they could go south on Fifth street, and would only have half a square to drive, while now, you see, he has four squares. What more drastic legislation does he want? Here is his book of regulations, issued by the Department of Public Safety of Philadelphia on February 15, 1913. These regulations are now in effect. There regulations are practically the same that were put in effect by his predecessor, Harry Clay, and I ask the gen-

tlemen of the House to stand by their original decision in this matter and vote down this motion.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichol, permit himself to be interrogated?

Mr. McNICHOL. I will.

Mr. JOHN R. K. SCOTT. I desire to ask the gentleman whether there is any law now giving the Director of the Department of Public Safety power to enforce any regulations of his department under the book of rules he now holds in his hand?

Mr. McNICHOL. There are ordinances of Council, Mr. Speaker and Gentlemen of the House, and my friend from Philadelphia knows that full well.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask that the gentleman merely answer my question?

The SPEAKER. The manner of answering the question is entirely with the gentleman from Philadelphia, Mr. McNichol.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I withdraw my request, and desire to ask the gentleman whether there is any authority given by law, to enable the municipal officers to enforce any such ordinances passed by Councils?

Mr. McNICHOL. I think I answer my friend best by saying that he repeatedly has seen teamsters fined ten dollars and costs, or thirty days imprisonment for failure to obey these regulations.

Mr. JOHN R. K. SCOTT. I desire to ask the gentleman whether there is any law which authorizes such proceedings?

Mr. McNICHOL. If there is not a law of that character, I cannot understand why such a distinguished attorney as my friend from Philadelphia would submit to his clients being fined for a breach of the ordinances.

Mr. JOHN R. K. SCOTT. If that is an answer to my question, Mr. Speaker, I wish to say that never was a single client of mine submitted to such an indignity, nor would I have allowed it. I desire to further interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichols, permit himself to be interrogated?

Mr. McNichol. I will.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would ask the gentleman whether he himself is not a member of the Committee on Municipal Corporations?

Mr. McNICHOL. I am.

Mr. JOHN R. K. SCOTT. I would like to ask the gentleman whether or not when this bill was before that committee, he was present?

Mr. McNICHOL. I was not.

Mr. JOHN R. K. SCOTT. I desire to ask the gentleman whether or not any of the sponsors, or advocates, of this bill appeared before the committee to argue on its merits or demerits?

Mr. McNICHOL. It was not necessary. When this bill——

Mr. JOHN R. K. SCOTT. I ask the gentleman whether or not they appeared?

Mr. McNICHOL. I ask the right to answer the question. It wasn't necessary for the sponsor to be present, as the committee reported this bill out with an affirmative recommendation.

Mr. JOHN R. K. SCOTT. I desire to ask the gentlefrom from Philadelphia whether the advocates for the bill and the opponents to the bill were present before the committee at any time to argue its merits or demerits?

Mr. McNICHOL. I have answered by saying that I was not present. I believe I am right in supposing that it was not necessary by reason of the fact that this bill was reported out with an affirmative recommendation.

Mr. JOHN R. K. SCOTT. I desire to ask the gentleman whether or not the merits or demerits of this bill were argued by himself, or any one else, on the floor of this House when the bill was defeated?

Mr. McNICHOL. That is information that is a matter of record in this House. The House did not require any argument, but simply blew the bill out.

Mr. JOHN R. K. SCOTT: Mr. Speaker and gentlemen of the House, the facetious remarks made by the gentlemen from Philadelphia, Mr. McNichol, in opposing this motion, and regarding my position on the floor of this House at this Legislature, and other Legislatures, is in no way surprising to me. Mr. Speaker, the gentleman from Philadelphia will learn in the future that he pays a severe penalty for his facetiousness, for his apparent blindness, which is indeed but his blindness, when he takes the attitude on legislation that he takes here to-day, when he attempts to stifle honest argument, when he attempts to supress the request of any class of the community which comes forward to ask for legislation, and he is but bringing to himself the protest of even those who join with him. When, Mr. Speaker and gentlemen of the House, the gentleman from Philadelphia opposes the proper and honest consideration of legislation before the House, he but voices the weakness of his position. When he opposes this bill going back to the Committee on Municipal Corporations, where its merits and demerits can be argued, he has no proper premises upon which to stand. He attempts here to reject the propositions by merely pointing to me and saying that I now lead them into by-ways that are dark, that I have, in the past, led them into by-ways that were bright, bright to him, while in his youthful experience as a legislator, but which, if he should continue to follow, will lead on into real darkness. Mr. Speaker and gentlemen of the House, he cannot escape the proper and fair consideration of this question by holding in his hand a pamphlet of rules and saying that there has been a protest in Philadelphia against this legislation. He cannot escape the fairness of the motion that has been offered to this House by merely saying that the consideration was not necessary because the bill was "blown out."

Mr. SPEAKER, the merits of this motiton have more to them than the mere consideration of this bill. You men who pride yourselves upon being strong party men, you men who pride yourselves upon being strong organization men, are here now facing a proposition that you must look square in the eyes, whether coming her representing various sections of the Commonwealth you can ignore any portion of the citizenship when it requests consideration of their legislation. When Director Porter sends this legislation here, he merely asks for a fair consideration of it. How can you men listen to the illogical words of the gentleman from Philadelphia when he gives no reasons in opposing this motion where the sponsor of this bill says, "I am satisfied to have this bill sent back to the Committee," which Committee is dominated by the gentleman from Philadelphia and his friends. We have, Mr. Speaker, and gentleman of the House, the fair proposition of the sponsor of this bill who says "I will send this bill back to your Committee; and I will bring my people before it to show the merits of it; you can bring the opponents of the bill to show its demerits, and then let that Committee decide whether the bill comes back on this floor again for second reading, or goes down to defeat in that Committee." Where is there any fairness on the part of the gentleman from Philadelphia who opposes this motion? What can you thing of it except this, Mr. Speaker and gentlemen of the House, that possibly the words from the mouth of the gentleman from Philadelphia that I have led them into by-ways that are dark, means a thrust over this bill at myself. Possibly it is a thrust from some of those whom I call my close political friends, and who do not believe in the stand I have taken. Well, Mr. Speaker, if that is their purpose, then I do not consider it requires an answer. If they do not agree with the position I have taken on the floor of the House, during the present Session, they will soon agee. I predict that the advice that I have given on this floor as the policy of the party, will be listened to by them. They will look back over the past Sessions of the House when my friend from Philadelphia and myself have stood on the floor and fought with temporary success carrying this House with us, and see left behind us the wrecks of defeat at the next election. Now, Mr. Speaker and gentlemen of the House, this bill should not be defeated merely because the gentleman from Philadelphia does not now agree with my views. He will agree with me before this Session is over, and those who come from Philadelphia, and who now stand in their blindness, will see. It will be demanded that they be fair not only in a small piece of legislation, such as this is, but fair in all legislation, else the thinking public will abandon them and seek other parties.

This is too small a piece of legislation for us to take up so much of the time of the House. I apoligize to the

House for the taking up of its time. I felt taunted by the thoughtless words of the gentleman from Philadelphia, and I hope you men will not place yourselves on record as stifling a hearing of any one either protesting against or advancing legislation that is before this House.

Mr. McNICHOL: Mr. Speaker and getlemen of the House, I am in a quandary whether Mr. Scott is threatening me with punishment for the position I have taken. He has already passed sentence that I am to be driven into darkness, because I have had the audacity to beard the lion in its den. He says that I am a young man. He means in experience, although in years I am older than he, and he cannot understand why I should do it. Now, Mr. Speaker and gentlemen of the House, I want to say that there is not a man on the floor of this House that has more personal respect nor more personal feeling for the gentleman from Philadelphia than I. But I want to say that I have the courage of my convictions, and am willing to place myself on record, and I do not want the opportunity of going into the committee room, as has been suggested by the gentleman from Philadelphit, to stifle legislation in that committee room. He has told you that my friends are in the majority so far as that committee is concerned. He has intimated that I could do in that committee what I am trying to do here. Now I submit that the fair way to do is to meet the issues fairly and squarely on the floor of the House. I am doing that, and if I am to be punished for so doing at any time, believe me, I am man enough to meet that punishment.

Gentlemen of the House, my friends have said that there is no protest against the passage of this measure, except the protest brought by me. I want to call attention to the fact that the United Federation of Labor has seen fit to protest against it and it shows the voice of legislation that they are bound together and that voice should be heard by this House through the channels of the Federation of Labor in justice to this protest and that there should not be greater power than already exists. There should be no power that your Director of Public Safety wants in our city but he can get from Councils and there is where he should get it. I submit that your Director of Public Safety who is only an appointive officer should not be above the body that is elected by the city. I protest honestly; in my protest there is no politics. It is simply voicing the sentiment that exists against pernicious legislation and I ask the gentlemen of the House to vote it down.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. John R. K. Scott.

The SPEAKER. Will the gentleman from Philadelphia, Mr. John R. K. Scott, permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Philadelphia if he has stated that the purpose of this motion for resurrecting this bill was that the same may be referred to the Committee for a hearing.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is my thought; that this bill should be resurrected for the purpose of sending it to the Committee on Municipal Corporations for a full consideration of the bill by that Committee and then that it be referred to the House with its finding and with what amendments may be added.

Mr. ALLEN. I desire to further interrogate the gentleman. I desire to ask whether, if any hearing should be given and the report of the Committee thereon should be an affirmative recommendation of the bill, would it be a bill with a negative recommendation.

Mr. JOHN R. K. SCOTT. I consider that under parliamentary practice that it would be necessary for the Committee to report out this bill with amendments. Unless it was the desire to have the bill come out practically negatived all the objectionable features would have to be removed.

Mr. ALLEN. I desire to say just a word in relation to this matter. This bill was reported out from the Committee with an affirmative recommendation. It came before this House for the consideration of the House on second reading. On second reading the House, in its wisdom, declined to pass the bill. The bill then became dead and has gone to its burying ground where it lies peaceably and is at rest. As there is now an appeal to resurrect this bill to again have it come before the Committee to be again reported by the Committee to this House and then this House would stand just where it stood a few days ago, face to face with this same proposition. Having passed upon this proposition and, it seemed at least, understandingly—and I would not otherwise stand upon the floor of this House and suggest that the members had unknowingly done that which they did not intend to do—having done all this understandingly, as it has been done by the members of the House, I submit that the gentlemen themselves should at least be satisfied with that action, and should leave this bill sleep in peace in its resting place and vote down this motion for reconsideration.

Mr. McALEER. Mr. Speaker, we have heard a great deal from our legal friends this morning on the one question before us and on which I guess they are very slightly informed—that is the question of transporting goods about the city of Philadelphia by team. Now, when they tell you on one side about the Teamsters Association of Philadelphia, it sounds very big, but there are thousands and thousands of private teams in Philadelphia which must travel over the congested section of our city. That is, they will probably want to go down Sixth street or up Third or out Fifth which are very narrow and with the car tracks between it is possible for only one wagon to get along the street and when there is congestion teams are usually lined up on both sides of these narrow streets. I have four teams traveling about the streets of Philadelphia and very frequently when I send a team into this congested district when it gets down to Second street, in the central portion of the city, on a trip in which I expect it back in an honr, it sometimes will take that teamster four to five hours before he returns. This condition is caused by the same men who compose this Teamsters Association. Their drivers are generally provided with heavy teams which can stand all kinds of knocking around and they drive any where on these streets regardless of traffic regulations, and as you possibly know, the average driver is sometimes a little stubborn and will not move quickly or get out of somebody's way as readily as he might and the police are powerless to do anything. In a block of four or five minutes there may be from fifty to one hundred teams held up and a man is not permitted to drive against the direction of the traffic and he is unable to help himself. There is more danger with wheels being knocked off or something of that sort than when people are going contrary to traffic regulations. There is no trouble when a man drives with the traffic but when he turns around without room enough and a fellow takes a wheel off, then there is a blockade that holds up everybody for some time. As far as the labor people are concerned, they are fearful that if this bill passes the Director of Public Safety can order everybody out of any block if there is a strike; people may be picketing a factory. Speaking to you as a man who has four teams and who is contending with this traffic proposition all the time, although not a member of the Teamsters Association, I ask you to put this bill back on the Calendar so that the Committee may re-hear it.

Mr. LORENZO SMITH. Mr. Speaker, from the information I can gleam I wish to state that two years ago this House passed a bill allowing cities of the second class this identical legislation. Everybody knows that an ordinance of Council, as far as team traffic is concerned is a hilarious farce in Philadelphia. You can fine them but you cannot collect the fines. There must be something back of that to empower the Director of Public Safety to compel them to pay the fine. This bill puts the law into the hands of the Director to collect the fine and that is about all there is to it. Identically the same measure has been passed by the last Legislature effecting cities of the second class and why do you desire to make a distinction between cities of the first class and cities of the second class? I think it nothing more than fairness to all concerned that both parties should be heard in Committee. If we had had any notification that the bill was coming up for consideration before there would have been people there at that time.

Mr. S. B. SCOTT. Mr. Speaker, when this bill first came before the Committee it seemed to be one on which the gentlemen agreed to report with an affirmative recommendation with the object of the bill reaching second reading with practically no endorsement in the House. When a bill is defeated before it reaches second reading it does not give the sponsor an opportunity to defend it and he frequently is not prepared to discuss it until it comes in on final debate. As

Chairman of the Committee, I feel that this Committee would like to have another opportunity in Committee on this bill and therefore I ask for its return.

The SPEAKER. The question is on the adoption of the motion to reconsider the vote by which this bill was defeated on second reading.

Will the House agree to the motion?

The yeas and nays were required by Mr. JOHN R. K. SCOTT and Mr. S. B. SCOTT and were as follows:

YEAS—76.

Alworth,	Fahey,	Kuhn, H. P.,	Rex,
Ambler,	Forster, I. G.,	Latshaw,	Robinson,
Baldwin, G. A.,	Frey,	Lohr,	Rockwell,
Barner,	Geiser,	Martin,	Schuck,
Bass,	Gibson,	Mather,	Scott, J. R. K.,
Benson,	Glenn,	McAleer,	Scott, S. B.,
Bergey,	Goss,	McClintock,	Shaffer, I. E.,
Bigger,	Gramley,	McDermott,	Smith, J. W.,
Bittles,	Gray, Frank,	McKay,	Smith, L.,
Blair, W. A.,	Heidinger,	Mitchell,	Snavely,
Blair, W. F.,	Hemminger,	Moses,	Snyder,
Bleloch,	Hobbs,	Musser,	Spangler,
Brownlee,	Howard, J.,	Neely,	Swift,
Burnett,	Humes,	Newton,	Ulerich,
Carson,	Jackson,	Pennegar,	Walnut,
Cheeseman,	Jones, J. R.,	Pennock,	Watson,
Claycomb,	Kaufman,	Post,	Williams,
DeFrees,	Kennedy,	Redfield,	Wilson, W. H.,
Down,		Reeser,	Wiltbank,
Dunn, H. B.,			

NAYS—107.

Adams,	Foster, J. D.,	Light,	Runk,
Allen,	Gans,	Lowers,	Sassaman,
Arthur,	Geary,	Malie,	Savacool,
Baldwin, R. J.,	Good,	Mannion,	Schaeffer, A. C
Becker,	Gray, Joseph,	Matt,	Semmens,
Benninger,	Hackett,	McAllister,	Shern,
Brosius,	Haggerty,	McArdle,	Speiser,
Brown,	Hess,	McCaig,	Spillinger,
Campbell, C.M.,	Heyburn,	McNichol,	Spangler,
Carter,	Hibshman,	Mechling,	Steele,
Cleary,	Hoffman,	Mellott,	Stone,
Collins,	Howard, R.,	Miller,	Strauss,
Conner,	Isler,	Missimer,	Swartz,
Conniff,	Irwin, G. C.,	Moore,	Thomas,
Conrade,	Irwin, H. H.,	Morrow,	Trach,
Cox,	Kaiser,	Moulthrop,	Ulman,
Currier,	Keegan,	Murphy,	Walsh,
Curry,	Keeport,	Newbaker,	Walton,
Davis,	Kern,	North,	Wettach,
Dickinson,	Kitts,	O'Neill,	Whitaker,
Donnally,	Klepper,	Perry, S. J.,	Wildman,
Dunn, J. A.,	Kuhns, E.G.M.,	Peters,	Wilson, J. H.,
Ehrhardt,	Lanius,	Price,	Young, G. K.,
Eichenberger,	Lenker,	Ramsey,	Young, J. H.,
Ely,	Leslie,	Roney,	Zimmerman,
Ewing,	Letzkus,	Rothenberger,	Alter,
Flynn,			Speaker.

So the question was determined in the negative and the motion was not agreed to.

BILL RE-COMMITTED.

Mr. MALIE. Mr. Speaker, I move that House Bill No. 380, entitled:

An Act to amend an act approved the seventh day of March one thousand nine hundred one entitled "An Act for the government of cities of the second class" as amended by an act approved the thirty-first day of May one thousand nine hundred an eleven entitled "An Act amending and supplementing article fourteen of an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one as same was amened and supplemented by an act approved the twentieth day of June Anno Domini one thousand nine hundred and one by abolishing the present select and common councils providing a new body to be known as the council and fixing their terms of office and providing for the selection of members of council prescribing the qualifications of members thereof their powers and duties and fixing their salaries"

on page five of to-day's Calendar, be re-committed to the Committee on Municipal Corporations for further hearing.

Mr. ALWORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

NOTICE OF CALLING UP BILL.

Mr. MARTIN. Mr. Speaker, I had confidentially expected to call up House Bill No. 31, entitled:

An Act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine enttiled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof

as promised at the last session but a number of members have asked me not to call it up until next Monday.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 775, entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the better collection of collateral inheritance taxes' approved May sixth Anno Domini one thousand eight hundred and eighty-seven so as to include among the persons taking an estate or any part thereof to whom the act does not apply the children of a former husband or wife' " approved April twenty-second Anno Domini one thousand nine hundred and five defining and making further exemptions from the payment of collateral inheritance tax

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the better collection of collateral inheritance taxes' approved May sixth Anno Domini one thousand eight hundred and eighty-seven so as to include among the persons taking an estate or any part thereof to which the act does not apply the children of a former husband or wife" approved April twenty-second Anno Domini one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this State whether the person or persons dying seized thereof be domiciled within or out of this State and all such estates situated in another state territory or county when the person or persons dying seized thereof shall have their domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this State or any part of such estate or estates or interest therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to any person or persons or to bodies corporate or public in trust or otherwise other than to or for the use of father or mother husband wife children and lineal descendants born in lawful wedlock children of a former husband or wife or the wife or widow of the son of the person dying seized or possessed thereof shall be and they are hereby made subject to a tax of five dollars on every hundred dollars of the clear value of such estate or estates and at and after the same rate for any less amount to be paid to the use of the Commonwealth and all owners of such estates and all executors and administrators and their sureties shall only be discharged from liability for the amount of such taxes or duties the settlement of which they may be charged with by having paid the same over for the use aforesaid as hereinafter directed Provided That no estate which may be valued at a less sum than two hundred and fifty dollars shall be subject to the duty or tax" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this State whether the person or persons dying seized thereof be domiciled within or out of this State and all such estates situated in another state territory or county when the person or persons dying seized thereof shall have their domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this State or any part of such estate or estates or interest therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to any person or persons or to bodies corporate or politic in trust or otherwise other than to or for the use of father or mother husband wife children and lineal descendants born in lawful wedlock step-children step-granchildren step-parents step-grandparents or the wife or widow of the son of the person dying seized possessed thereof shall be and they are hereby made subject to a tax of five dollars on every hundred dollars of the clear value of such estate or or estates and at and after the same rate for any less amount to be paid to the use of the Commonwealth and all owners of such estates and all executors and administrators and their sureties only be discharged from liability for the amount of such taxes or duties the settlement of which they may be charged with by having paid the same over for the use aforesaid as hereinafter directed Provided That no estate which may be valued at a less sum than two hundred and fifty dollars shall be subject to the duty or tax

On the question,

Will the House agree to the section?

Mr. WATSON. Mr. Speaker, I desire to offer amendments to the first section.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend Section 1, lines 4 and 5; strike out the words "An Act to amend Section one of an act entitled."

Section 1, lines 7, 8, 9, 10 and 11; strike out the following: "so as to include among the persons taking an estate or any part thereof to which the act does not apply the children of a former husband or wife" approved April twenty-second Anno Domini one thousand nine hundred and five."

Section 1, line 11; insert before the word "reads" the words "as amended."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend an act entitled "An Act to amend Section one of an act entitled 'An Act to provide for the better collection of collateral inheritance taxes,' approved May sixth, Anno Domini one thousand eight hundred and eighty-seven so as to include among the persons taking an estate or any part thereof to whom the act does not apply the children of a former husband or wife,'" approved April twenty-second, Anno Domini one thousand nine hundred and five; defining and making further exemptions from the payment of collateral inheritance tax.

On the question,

Will the House agree to the title?

Mr. WATSON. Mr. Speaker, I desire to offer the following amendment to the title:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Title, strike out title and insert in lieu thereof the following: "An Act to amend an act entitled 'An Act to provide for the better collection of colateral inheritance taxes,' approved May sixth, one thousand eight hundred and eighty-seven, as amended."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 505, as follows:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor" which reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any officer whether while in office or after his term shall have expired shall carge or demand any fee for any service or services other than the fee provided by law such officers shall forfeit and pay to the party injured fifty dollars to be recovered as debts of the same amount are recoverable" is hereby amended to read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any officer while in office shall charge or demand any fee for any service other than the fee provided by law and shall after ten days' notice in writing refuse to pay the overcharge to the person entitled thereto such officer shall forfeit and pay to the party injured fifty dollars ($50.00) to be recovered as debts of like amount are now by law recoverable.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 655, entitled:

An Act to provide State aid for vocational education

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

1 "Vocational Education" shall mean any education the controlling purpose of which is to fit for profitable employment

2 "Industrial education" shall mean that form of vocational education which fits for the trades crafts and manufacturing pursuits including the occupation of girls and women carried on in workshops

3 "Agricultural education" shall mean that form of education which fits for the occupations connected with the tillage of the soil the care of domestic animals forestry and other wage-earning or productive work on the farm

4 "Household arts education" shall mean that form of vocational education which fits for occupations connected with the household

5 "Industrial agricultural or household arts school or department" or "vocational school or department" shall mean a distinctive organization of courses pupils teachers and management approved by the State Board of Education designed to give either industrial agricultural or household arts education as herein defined

6 "Evening class" in an industrial agricultural school or department shall mean a class giving such training as can be taken by persons already employed during the working day and which in order to be called vocational must in its instructions deal with the subject-matter of the day employment and be so carried on as to relate to the day employment

7 "Evening class" in a household arts school or department shall mean a class giving training in home-making to girls or women over fourteen years of age however they may be employed or engaged during the day

8 "Part time or continuation class" in an additional agricultural or household arts school or department shall mean a vocational class for persons giving a part of their working time to profitable employment and receiving in the part-time school or department instruction complementary to the practical work carried on in such employment To give "a part of their working time" such persons must give part of each day week or longer period to such part-time class during the period in which it is in session

9 "Household arts school or department" shall mean a vocational school designed to develop on a vocational basis the capacity for household work such as cooking household service and other occupations in the household

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 1, line 13, after "of" insert "vocational."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

State Administration and Supervision

Section 2 1 The State Board of Education is hereby authorized and directed to investigate and to aid in the introduction of industrial agricultural and household arts education initiate and superintend the establishment and maintenance of schools and departments for the aforesaid forms of aducation and to supervise and approve such schools or departments as hereinafter provided The State Board of Education shall make a report annually to the Governor and Legislature describing the condition and progress of industrial agricultural and household arts education during the year and making such recommendations as the board may deem advisable

2 The State Superintendent of Public Instruction shall be the executive officer of the State Board of Education for the administration of this act He shall as provided in Article ten section one thousand and nine of the School Laws of Pennsylvania of one thousand nine hundred and eleven appoint from time to time such expert assistants as may be necessary in industrial household arts or agricultural education and all clerical and other help necessary in carrying out the provisions of this act

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 2, line 17. After "eleven" insert "entitled, An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to, as follows:

Types of School

Section 3. In order that instruction in the principles and the practice of arts may go on together industrial, agricultural and household arts schools or departments may offer instruction in day part-time and evening classes Attendance upon such day evening or part-time classes shall be restricted to those over

The fourth section was read as follows:

Local Administration and Control

Section 4. Any school district may through its board of school directors to be known as the local board of trustees for vocational education establish and maintain industrial agricultural and household arts schools or departments.

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 4, lines 3 and 4, strike out "to be known as the local board of trustees for vocational education."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 Two or more districts of the first second third or fourth class may as provided in Article eighteen Sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the School Laws of Pennsylvania of one thousand nine hundred and eleven through a joint school committee to be known as the joint board of trustees for vocational education establish and maintain industrial agricultural or household arts schools or departments to be known as joint vocational schools or departments.

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 5, lines 1 and 2. Strike out "of the first, second, third and fourth class."

Section 5, line 5. After "eleven" insert "entitled, An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6. Local and joint boards of trustees for vocational education administering to approved industrial agricultural or household arts schools or departments may under a plan to be proved by the State Board of Education appoint an advisory committee composed of members representing local trades industries and occupations It shall be the duty of such a committee to counsel with and advise the local or joint board of trustees and other school officials having the management and supervision of such schools.

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 6. Line 1. After "local" insert "boards."

Section 6, line 1. After "joint" strike out "boards of trustees for vocational education," and insert instead thereof "school committees."

Section 6, line 4. Strike out "proved" and insert "approved."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Non-Resident Pupils

Section 7. 1. Any resident of any school district in Pennsylvania which does not maintain an approved industrial agricultural or household arts school or department offering the type of training which he desires may make application for admission to such school or department maintained by another school district or districts The State Board of Education whose decision shall be final may approve or disapprove such application In making such decision the State Board of Education shall take into consideration the opportunities for free vocational training in the community in which the applicant resides the financial status of the community the age sex perparation aptitude and previous record of the applicant and all other revelant circumstances.

2. The school district in which the person resides who has been admitted as above provided to an approved industrial agricultural or household arts school or department maintained by another school district shall pay a tuition fee determined after the same manner provided for the high schools in Article seventeen Section one thousand seven hundred and eleven of the School Laws of Pennsylvania for one thousand nine hundred and eleven and the Commowealth shall reimburse such school districts as provided for in this act If any school district neglects or refuses to pay for such tuition it shall be liable therefor in an action of contract to the school district or school districts maintaining the school which the pupil with the approval of the board attended.

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 7, line 5, after "application" insert 'to the school board of any other district."

Section 7, lines 6 and 7, strike out "Another school district or districts" and insert instead thereof "said board. In case said board refuses him admission he may apply to the State Board of Education for admission to such schoool or department."

Section 7, line 22, after "eleven" insert "entitled an Act to establish a public school system in the Commonwealth of Pennnsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth, ninth and tenth sections were read and agreed to as follows:

Reimbursement

Section 8 Industrial agricultural and household arts schools or departments shall so long as they are approved by the State Board of Education as to organization control location equipment courses of study qualifications of teachers methods of instructions conditions of admission employment of pupils and expenditures of money constitute approved local or joint vocational schools School districts maintaining such approved local or joint vocational schools or departments shall receive reimbursement as herein after provided

Section 9 1 The Commonwealth in order to aid in the maintenance of approved local or joint industrial household arts and agricultural schools or departments shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining such schools or departments an amount equal to two-thirds the sum which has been expended during the previous school year by such a school district or districts for instruction in practical subjects and in such related technical and academic subjects as may be necessary to complete well rounded courses of training Provided no one school district shall receive more than five thousand dollars in any one school year

2 School districts that have paid claims for tuition in approved local or joint vocational schools or departments shall be reimbursed by the Commonwealth as provided in this act to the extent of one-half the sum expended by such school districts in payment of such claims

Section 10 On or before the first Wednesday of January of any year in which the regular sessions of the Legislature is held the State Board of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of

school districts maintaining approved vocational schools or departments under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such a statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

The eleventh section was read as follows:

Section 11 On or before the first day of July of each year the school authorities of each district shall present to the State Board of Education a statement of the amount expended during the school year previous to such first day of July for instruction in approved local or joint industrial household arts or agricultural schools or departments as herein provided On the basis of such a statement the State Board of Education shall by requisition upon the State Treasurer pay such school districts and joint school districts such reimbursement for the previous school year as is provided for in this act

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 11. Line 1. After "the" strike out "first" and insert instead thereof "tenth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth section was read as follows:

Section 12 On or before the first day of July of each year the school authorities of each school district shall present to the Board of Education a statement of the amount expended previous to such first day of July in payment of claims for tuition in approved industrial household arts or agricultural schools or departments for which such districts should receive reimburements as provided in this act On the basis of such a sworn statement the State Board of Education shall by requisition upon the State Treasurer pay such school districts such reimbursement for the previous school year as is provided for in this act

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 12. Line 1. After "the" strike out "first" and insert instead thereof "tenth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read and agreed to as follows:

Acts and Parts of Acts Repealed

Section 13 All acts and parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to provide State aid for Vocational Education

On the question,

Will the House agree to the title?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Strike out the entire title and insert the following: "An Act defining vocational education, providing for the establishment and regulation of vocational schools, and providing for State aid in the maintenance thereof."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STEIN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. STEIN. I ask Dr. Steele, the gentleman from Allegheny to call up House Bill No. 232, file folio 843, entitled:

A joint resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous spirituous malt or brewed liquors or beverages

in accordance with his promise of last week.

Mr. STEELE. Mr. Speaker and gentlemen of the House, as sponsor of this bill, last Wednesday morning I gave my promise that I would call this bill up not later than last night or this morning. However, I did not know that our friend from Philadelphia was going to die the following day. I had intended to bring this bill up last night, but, on account of the fact that so many of the members are away to-day with the Appropriation Committee, I ask the unanimous consent of the House to postpone this bill until Monday night. I made my promise and I meant to keep it but I believe in all fairness, and I think the fairness of the members of this House will cause them to agree to let me place this bill on the calendar next Monday night.

Mr. STEIN. Mr. Speaker, notwithstanding the statement of the gentleman from Allegheny, I call up this bill.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committe of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled:

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous spiritous malt or brewed liquors or beverages

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following is proposed as amendment to the Constitution of this Commonwealth in accordance with the provisions of the eighteenth article thereof

ARTICLE XIX

Manufacture or Sale of Liquor

Section 1 The manufacture or sale or barter or exchange of intoxicating liquors or beverages whether spirituous vinous or malt or brewed are hereby forever prohibited in the Commonwealth of Pennsylvania except alcohol for medical scientific or mechanical purposes and wine for sacramental purposes the sale of which alcohol and wine for the purposes aforesaid shall be regulated by law

On the question,

Will the House agree to the section?

Mr. STEELE. Mr. Speaker, I want to appeal to the fairness of the gentlemen of the House, although our friend from Allegheny is here in the interests of the liquor people. I believe the liquor people come from Pittsburgh in quantities of from one to ten every time this session meets. I want to say to you that there is no other class of men that follow this legislation as closely as the liquor people. There is no other class of men who get on the train in the city of Pittsburgh and follow this legislation every day for some interest that is detrimental to the citizens of the State of Pennsylvania as they do. Therefore, I ask you gentlemen to let me put this bill on the calendar next Monday night. In detriment to what my friend from Allegheny will say, that these men are paying expenses to come down here and fight this bill, there is no other class of men that come down and fight bills that are right. Why should they come down here and dictate to the members of this Legislature how they should vote on this question? We have voted on legislation here that is not nearly as important as this is and I say that I have got a perfect right to ask that we postpone this until next Monday night. I ask that the members will let me bring this bill up Monday night, and if I am well and living I will be here to argue this question pro and con. At the present time, about twelve or fifteen members of the Appropriation Committee have seen fit to go to the eastern part of the State. Eight or ten of those men are in favor of this bill and I think I have the right to ask for a postponement of this bill in order that they may be here to vote.

HOUSE BILL NO. 232 MADE A SPECIAL ORDER.

The SPEAKER. Does the gentleman from Allegheny move that the bill be made a special order on next Monday evening?

Mr. STEELE. I move you, Mr. Speaker, that the consideration of this bill on second reading be made a special order on next Monday evening at nine o'clock.

Mr. MATT. I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEIN. Mr. Speaker and Gentlemen of the House, I regret very much that I am compelled to take up the time of this House on any explanation of my personal conduct in this matter or any other matter coming properly to the attention of the House; but, gentlemen, I want to make this rather personal statement of facts, and if the facts that I state are not correct I ask my good friend, Dr. Steele, to contradict or deny what I say, and if he does not, you gentlemen can take it for granted that what I say is absolutely correct. The Doctor stated last week,—and I refer to what he stated on page 515 of the Journal,—he gave notice that he would not call up the bill on the night of its regular order, but said that "I intend to call up this bill next Wednesday evening or Thursday morning." Now, on Tuesday of this week, I called up the Doctor at his home and, after the usual courtesies and greetings, asked the Doctor that, as a personal favor he would not allow the bill to come up until next week, explaining to him that, in view of Mr. Riebel's untimely and unfortunate death, it was quite likely that there would be no business Wednesday night, and that for the sake of only one day, I and my colleagues did not care to come to Harrisburg, being detained at home in our necessary businesses and callings. I asked the Doctor as a favor to let it lie over until at least Thursday morning. The Doctor said, "I could not do that, because I gave notice to Mr. Ulerich and others and I intend to carry out my promise," and I said, "I will take it upon myself to notify Mr. Ulerich, whose office is not far away—in the Frick Building." The Doctor said, "I notified a dozen others and it is not fair to them." I said, "In view of that statement, I won't ask for a postponement, and however inconvenient it is to me and my colleagues, we will be there to meet you on the day of the calling as we have agreed." Last night the Doctor did not see fit to call up this amendment and this morning the Doctor sees fit to ask for further postponement. Now, since this has been made a matter of fairness and a matter of personal comparison of character, I ask you gentlemen to say that a gentleman's promise openly made and thoroughly understood shall not be abrogated and set aside because of some mistake or some hitch in the proceedings or arrangements. I ask you gentlemen, as a matter of precedent, that the sponsor of this bill shall keep good faith with the members of this House and the other citizens of the Commonwealth. I have nothing to say on the merits of the proposition—not a word to say either for or against the bill—but I do ask you gentlemen, as responsible, fair and reasonable members of this House, that this matter be put to a vote now, as has been agreed upon and has been thoroughly understood by the Doctor and others interested in this measure. I therefore ask you gentlemen to vote against the motion for further postporement and ask for a roll call now upon this bill.

Mr. ULERICH. Mr. Speaker and Gentlemen of this House, it doesn't matter, it seems to me, about our attitude upon this question. It is not the proposition before us. Somehow or other, it seems that whenever a liquor measure comes up, or an anti-liquor measure, then we must settle that matter on the second reading. No other matter is treated in that way. Only this morning, my friend from Dauphin here, Mr. Martin, asked that a bill which he had said he would call up just the same as the gentleman from Allegheny, Mr. Steele, either last night or today, be further postponed. Not a word was said, but just as soon as an anti-liquor measure comes up, we have several fellows who seem to think that that proposition must be dealt with right on the moment. Now, gentlemen of the House, I think it is fair to Dr. Steele, of Allegheny, to put this over till Monday night, and I am sure that the gentlemen on the opposition side will come back here just as well as they have done this time. There are quite a number of gentlemen who have gone away with the Appropriation Committee that want to be recorded on this proposition. It is not fair to them to bring this proposition up now and ask for a vote on it. My colleague is away and wants to be recorded and I know several others that want to be recorded and it is right that they should be recorded on this proposition. The folks at home do not know that they are away and they will probably think that they tried to dodge the proposition, and it is not right to put them in that phase of the matter. It is not right at all, and I ask the gentlemen of this House to vote in favor of putting this proposition off until the following Monday night and let us vote on it then.

Mr. ROCKWELL. Mr. Speaker and Gentlemen of the House, it seems to me that the motion to postpone is only fair. In glancing over this House, as nearly as I can estimate, there are forty or fifty vacant seats here, and I am in favor of putting this bill over until next Monday night, and then every member, as far as possible, will be here, and the matter can be fully discussed and acted upon.

Mr. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Stein.

The SPEAKER. Will the gentleman from Allegheny, permit himself to be interrogated?

Mr. STEIN. With pleasure, Mr. Speaker.

Mr. WILLIAMS. I would like to ask the gentleman from Allegheny if he expects to be here next Monday night.

Mr. STEIN. I expect to be here; if the Lord is willing, I shall be here.

Mr. WILLIAMS. Mr. Speaker, then it is not going to inconvenience Mr. Stein to put this bill over until next Monday night. I cannot see any argument for it. It does seem to me that the motion of Mr. Steele should prevail and that this bill go over until next Monday night, as long as it does not inconvenience Mr. Stein.

Mr. STEIN. Mr. Speaker, in reply to the gentlemen, I would say that the Lord seems to be taking toll in this House. However, if living I will be here.

Mr. ALLEN. Mr. Speaker, I had hoped that I might keep from saying anything in relation to this bill in its position before us at this time. As the members of the House know some consideration has been shown to all the members in relation to their preference in conducting the course of their bills through this House. It is also known by members of the House who have been here heretofore that matters relating to liquor legislation have always been of some importance to the House, both in holding back legislation which was pending and in creating great excitement around these legislative halls. Anticipating all that, it was suggested and on the gentleman's own motion of Thursday, the 27th, that this bill would be called up either at the session last night or the session of this morning. Out of consideration for the sentiments, patriotic and otherwise, of our Democratic friends, we saw fit at the conclusion of last week's session to adjourn until Wednesday of this week. Many of the members at that time being desirous of going over until Monday of next week. Many of them made their arrangements to stay at home this week, thinking that no business would be done, or little business of importance. Some of those members who had made such arrangements, and who feel just as responsible to their constituents as any other member upon the floor of this House, owing to the fact that there was more than a quorum here at last night's session, and owing to the fact that the statement had been made that this bill would be called up either last night or this morning, and anticipating and relying upon that statement, and anticipating that this bill would be called up they came here to record themeselves in that matter The suggestion has been made that the Appropriation Committee has been caled away. There are members upon the floor of this House now that have allowed that sub-committee of the Appropriation Committee to go away this day to make one of its most important investigations without their accompanying it, for the sole reason that they may go upon record at this time. It has certainly not come to the pass in this House that some Committee can call from the floor of the House members to go and view a committee's work and disorganize the work of this House. In the first place it is contrary to every precedent in this House; it is contrary to the rules. Committees are not entitled to sit when this House is in session. The duty of the members of this House is to be here, and be here to transact business, and that is why you and I and every one of us are here to-day, because we have sworn to that

duty. Now, Mr. Speaker, there is no reason, why this should be so, and I most strenously object at this time that this bill be further delayed. If the statement of the gentleman on the floor of this House that a bill will be called up at a certain time is not to be taken as a true statement or promise, then such statement should not be made. If it had been necessary last week no doubt this bill like the local option bill which was acted upon last week would have been assigned to the special Calendar, but the statement of the member having been made that this bill would be called up at this time the members are here to record themselves in accordance with that statement, and I suggest, Mr. Speaker, that this action be continued and that the bill be called up and acted upon at this time and no further delay made in the matter.

Mr. STEELE. Mr. Speaker, the gentleman who just preceded me intimates that I am breaking faith with the members of this House by asking for this postponement. I am not breaking faith by asking to postpone this bill. If they say that I shall go on with my promise, I intend to do that. Last night there was no session here in this House, that is we met and adjourned in about five or ten minutes. I had no opportunity to bring this bill up. I do not want to postpone it for any reason whatever. I wish all the members to be here to vote on this bill as it is so important. There is nothing that I have against, or enmity that I feel against any of the liquor bills. It is purely and simply a matter of fairness, and I wish the members to be fair with me. If this bill is postponed there will be no injury done to anybody by its being on the Calendar. It does no injury by being there and keeping certain people traveling back and forth. I tell you, gentlemen, it is the interests back of the bill and who are opposed to this bill who are going back and forth every week spending their money opposing the bill.

Mr. SHERN. Mr. Speaker, I think every member in this House knows where I stand on liquor legislation. I announced it a few weeks ago when my colleague from Allegheny wanted to call up Mr. Rockwell's bill on local option. It does seem to me that we are absolutely departing from every rule of courtesy and fairness in this House. I am under no allegiance to any liquor interests, but as I feel the love of liberty is why I voted consistently against all legislation looking toward the abolition of the liquor interests, but in all due fairness, in all sincerity to the gentleman from Allegheny, he is entitled to have this bill put upon the postponed Calendar, not only in the interests of fairness and courtesy, but because they are away by leave of absence or otherwise and who are not here to record their vote. Because of the fact that they are absent it will go back to their constituents that they are either afraid or trying to dodge this vote on this State wide prohibition, and I sincerely ask the members of this House to put this bill upon the postponed Calendar, so that on next Monday evening or any other time, when the full House is present, that every man can be recorded as voting, or at least that he make a special day for the consideration of the bill.

Mr. O'NEIL. Mr. Speaker, I am not connected, or do not expect to be connected with anything in the liquor business. I may use it, that is my business, but I am sick and disgusted with these liquor bills and I think they ought to be brought out and acted upon and finished.

Mr. LANIUS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steele.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEELE. Yes, sir, Mr. Speaker.

Mr. LANIUS. What assurance has this House that the bill will be postponed until next Monday evening at nine o'clock.

Mr. STEELE. Mr. Speaker, I will make a motion that the bill be brought up next Monday night at nine o'clock.

On the question recurring?

To make this bill a special order next Monday evening at nine o'clock.

The SPEAKER declared the "Ayes" seem to have it.

Whereupon a division was called for, 105 members, more than a majority of the whole House, having voted in the affirmative, the motion was adopted.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 866, Senate No. 123, entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred and sixty-five, entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the county of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred and seventy-three entitled "An Act relative to the pay of jurors in the county of Bucks."

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act requiring midwives in cities of the first class to be licensed; authorizing the adoption and promulgation of rules and regulations therefor and for the examination of midwives in said cities for the revocation of such licenses and for the conduct of the business or profession of midwifery; making the violation of the provisions of the act or of such rules and regulations a misdemeanor prescribing the punishment for such violations and repealing all laws or parts of laws that are or may be inconsistent therewith.

The First Section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of September one thousand nine hundred and thirteen it shall be unlawful for any person or persons in any city of the first class to practice the business or profession of midwifery for hire or reward except under license to be obtained from the Department of Public Health and Charities in such cities or to continue the practice thereof after any such license shall have been revoked by said department unless it shall be reinstated upon appeal or to practice said business or profession otherwise than in accordance with the rules and regulations to be by such Department made adopted and promulgated The authority to grant such licenses to provide for the examination of applicants therefor and to revoke the same for cause is hereby conferred upon the Director of the said Department in said cities A fee of one ($1) dollar shall be paid into the city treasury for each license issued under this act by the person to whom such license shall be granted

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 813, as follows:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all disinfectants deodorants antiseptics and germicides for external use manufactured or sold in the State of Pennsylvania shall bear a label showing the phenol co-efficient or relative germicidal strength of such preparations as compared with pure phenol in determining the relative germicidal value of disinfectants deodorants antiseptics and germicides the application of "Hygienic Laboratory Phenol Co-efficient" Method of the United States Public Health Service shall be employed and deodorants disinfectants and antiseptics having no germicidal strength must be plainly labeled and sold as such and such preparations as have no germicidal strength shall not be labeled "disinfectants" or sold as such.

Section 2. Any and all disinfectants deodorants antiseptics and germicides for external use shall be considered as misbranded if the directions on the label or package or in any printed matter accompanying and referring to same recommends a higher dilution than that warranted by the "Hygienic Laboratory Phenol Co-efficient" pos-

sessed by said particular disinfectant according to the standard established by the United States Public Health Service.

Section 3. All specifications for the purchase of disinfectants and general disinfecting work done under the authority of the government of this State or any political sub-division of the State or any municipality therein shall be based on the comparative cost per hundred units of efficiency of the disinfectant offered as compared with one hundred units of pure phenol and the products shall be purchased which shows the lowest cost per hundred units of co-efficiency compared with one hundred units of pure phenol when tested according to the "Hygienic Laboratory Phenol Co-efficient" method employed by the United States Public Health Service and all such products shall be readily soluble in water.

Section 4. The labeled phenol co-efficiency of disinfectants deodorants antiseptics and germicides shall be the co-efficiency as determined by the Hygienic Laboratory of the United States Public Health Service Whenever any violations of this act are reported to the State Pharmaceutical Board of Pennsylvania it shall be their duty to forthwith innitiate and follow up prosecutions therefore.

Section 5. Any person firm or corporation which shall misbrand any disinfectant deodorant antiseptic or germicide for external use within the meaning of this act in this State or shall sell or offer the same for sale in this State shall be adjudged guilty of misdemeanor and upon conviction by the proper court in this State shall be fined in a sum not exceeding fifty dollars for each offense.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 825, as follows:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninty-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first paragraph of section one of an act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninty-three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any corporation society or voluntary association now or hereafter formed or organized and carried on for the sole benefit of its members and their beneficiaries and not for profit to have and create subordinate lodges with ritualistic form of work and a representative form of government and to issue certificates of membership make provision for the payment of benefits in case of sickness disability or death of its members subject to their compliance with its constitution and laws in which the fund from which the payment of such benefits shall be made and the expenses of such association shall be defrayed and shall be derived from assessments or dues collected from its members and in which the payment of death benefits shall be to families heirs blood relatives affianced husband or affianced wife of or to persons dependent upon the member" be and the same is hereby amended to read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any corporation society or voluntary association now or hereafter formed or organized and carried on for the sole benefit of its members and their beneficiaries and not for profit to have and create subordinate lodges with ritualistic form of work and a representative form of government and to issue certificates of membership make provision for the payment of benefits in case of sickness disability or death of its members subject to their compliance with its constitution and laws in which the fund from which the payment of such benefits shall be made and the expenses of such association shall be defrayed and shall be derived from assessments or dues collected from its members and in which the payment of death benefits shall be to families heirs bloood relatives affianced husband or affianced wife of or to persons dependent upon the member provided that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend an act entitled "An amendment to an act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyed by them for burial purposes or which may have ben reconveyed to them or shall have reverted or become acquired by them" providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An amendment to an act to authorize associations or unincorporated churches cemeteries or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or which shall have reverted or become acquired by them" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five which reads as follows

"That whenever any incorporated or unincorporated church cemetery or burial association owns ground located wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof and the consequent increasing number of interments as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location therof or if by reason of the opening of streets roads or public passages around or through the same a portion of their property has become angular and partially surrounded by improvements making it necessary or advisable to circumscribe the area and remove the dead to other parts thereof or if by reason of the proximity of adjacent property the further interment of the dead may in the interest of public health be prohibited in any part or parts of the grounds belonging to any church cemetery or burial association aforesaid it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable ground in the vicinity of such extent and area as they shall deem expedient for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and to provide for the re-interment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from the said lots the dead to such new locations or other part of the grounds appropriated or selected for their interment upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in single graves and the relatives of the deceased or the holders of the lots in which the interments are made cannot after diligent search by the said board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to other places of interment in the grounds of the said church cemetery or burial association in which the bodies are interred if the expense of such removals enclosures and improvements be borne by the said church cemetery or burial association and upon the said removals being made the ground from which the bodies so removed shall revert to and become the property of the church cemetery or burial association making such removal and be taken and considered as if the same had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the said managing officials may in their discretion assign to the said owners other parts of their grounds equal in value to the said lots the owners of which cannot be found or the said managing officials may set apart or hold in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the said owners and shall hold and securely keep the said sum so set apart for the benefit of said owners to be paid to them whenever they shall call for the same thereupon as soon as lots equal in value have been set

apart or marked on the books of the said church cemetery or burial association as having been assigned to the said owners who cannot be found or as soon as the said managing officials shall set apart the sum above mentioned for the benefit of said owners then and in that case the lots originally held by said owners shall revert to and become the property of the church cemetery or burial association in whose grounds the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever And such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their lands not used or conveyed by them for burial purposes or which shall have been reconveyed to them or shall have reverted or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever" be and the same is hereby amended so as to read

Section 1 That whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or if by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements or if by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in any part or parts of the ground belonging to any incorporated or unincorporated church cemetery or burial association aforesaid or from other causes any burial ground belonging to or in charge of any incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extensions and general progressive interest of any city township or borough it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable grounds in the vicinity of such city township or borough of such extent and area as they shall deem expedient or to purchase lots or sections in other property regulated burial ground or cemetery in the vicinity of such city township or borough for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and provide for the reinterment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from said lots the dead to such new locations upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in lots in such cemetery or cemeteries and the owners of the lots in which the interments are made cannot after diligent search by the board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to lots in such grounds so purchased by said incorporated or unincorporated church cemetery or burial association or to lots or sections in other properly regulated burial grounds or cemetery in the vicinity of such city township or borough and interred therein the expense of such removal and interment enclosures and improvements to be borne by such incorporated or unincorporated church cemetery or burial association and upon such removal being made the ground from which the bodies are to removed shall be deemed and considered vacated for burial purpose and rerevert to and become the property of such incorporated or unincorporated church cemetery or burial association making such removal and be taken and considered the same as if said lot or lots had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the managing officials may in their discretion assign to said owner parts of the ground so purchased equal in value to the said lots the owners of which cannot be found or assign to such owners lots of equal value in other properly regulated burial ground or cemetery in the vicinity of such city township or borough or the said managing officials may set apart or held in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the owner and shall hold and securely keep the said sum so set apart for the benefit of the said owners and pay to them whenever they may call for same and thereupon whenever lots of equal value shall have been set apart on the books of said incorporated or unincorporated church cemetery or burial association as having been assigned to said owners who cannot be found in the new and more suitable ground so purchased or in a properly regulated burial ground or cemetery in the vicinity of such city borough or township or as soon as the said managing officials shall set apart a sum equal to the price paid for said lots the owners of which cannot be found for the benefit of said owners then and in that case the lots heretofore held by said owners shall revert to and become the property of said incorporated or unincorporated church cemetery or burial association in whose ground the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever and such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their land not used or conveyed by them for burial purposes or which shall have been reconveyed to them or which have reverted to or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever

On the question,

Will the House agree to the section?

Mr. W. H. WILSON. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section one, line 71 by inserting before the word "thereupon" the word "and."

Amend section one, line 142, by striking out the word "to" and inserting the word "so."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section of the bill was then read as follows:

Section 2 Whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or is by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements and by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in the ground belonging to any such church cemetery or burial association aforesaid or from other causes any burial ground belonging to or in charge of any such incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extension and general progressive interest of any city township or borough then and in such case the courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association setting forth that by reason of the growth of said city township or borough it has been necessary to change the location thereof or that by reason of the proximity of adjacent property the interment of the dead in said cemetery or burial ground in the interest of public health has been prohibited or from other causes said burial ground has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred therein interfere with and hinder the improvements extensions and general progressive interests of any such city township or borough and the public good and after three weeks' advertisement of hearing in open court for the purpose the said court is hereby vested and empowered with full power and authority after a full hearing of the parties therein proofs and allegations to authorize and direct the removal of the remains of all the dead from such cemetery or burial ground to such other suitable ground as said managers trustees or officers may have procured in the vicinity of such city township or borough for the reinterment of the bodies or to such lots or sections in a properly regulated burial ground or cemetery in the vicinity of such city borough or township and to order and decree that the ground of such cemetery be forever vacated for burial purposes

On the question,

Will the House agree to the section?

Mr. W. H. WILSON. Mr. Speaker, I desire to offer the following amendments:

The amendment was read by the Clerk as follows:

Amend section 2, line 7 by striking out the word "is" and inserting the word "if."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section of the bill was then read as follows:

Section 3 After the removal of the bodies as provided for in section two the said court of Quarter Sessions may upon petition of the said managers trustees or other officers referred to in said section and upon being satisfied that the order of the court has been duly complied with authorize and empower the said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association to sell said burial ground at public or private sale either as a whole or divided into lots as they may most deem advisable and most likely to realize the most money and to make execute and deliver to the purchaser or purchasers a deed or deeds therefor which deed or deeds shall vest in said purchaser or purchasers a perfect and indefeasible fee simple title free and clear from all claims or interests of said incorporated or unincorporated church cemetery or burial association and of all owner or owners of lot or lots in said burial ground the proceeds thereof being substituted in all respects for said ground

On the question,

Will the House agree to the section?

Mr. W. W. WILSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 3, line 10, by striking out the word "most" before the word "deem" and inserting the word "most" after the word "deem."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section and the title of the bill were then read and agreed to as follows:

Section 4 The proceeds of such sale or sales shall be applied and distributed by said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association as follows (1) to the payment of the expenses of removing said bodies and the monuments or tombstones erected or maintained in such cemetery including the purchase of new grounds or new lots in a properly regulated burial ground or cemetery in the vicinity of such city township or borough (2) to the compensation or payment to lot owners in said burial ground in which no bodies have been interred and (3) the residue after defraying all necessary expenses incident to the removal of said bodies and intering the same in a careful manner to be held in trust for lot owners who cannot be found after diligent search and for such other uses objects and purposes as said incorporated or unincorporated church cemetery or burial association may order direct and appoint

An Act to amend an act entitled "An amendment to act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery of burial association and to provixde for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for borough town or township taxes respectively and providing for the sale of such lands for taxes

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That return of taxes assessed by the authorities of any county borough incorporated town or township against seated lands in such borough town or township shall be made in the same manner and at the same time that return is now made for unpaid county taxes on unseated lands and whenever any such taxes against said lands in such borough town or township shall not be paid within two years after the date of the assessment thereof and whenever personal property cannot be found thereon sufficient to pay such taxes such seated lands in boroughs towns or townships shall be sold by the proper county treasurer at the time and in the same manner and under the same conditions and with the same effect as unseated lands are now sold by such treasurer for unpaid county taxes

On the question,

Will the House agree to the section?

Mr. BROSIUS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 1, by inserting the words "county" in fourth line after the word "any" and before the word "borough"

Also amend same section by inserting the following words, to wit: "wherever personal property cannot be found thereon sufficient to pay such taxes" in sixth line after the word "made" and before the word "in"

Also amend said section in line eleven by striking out the words "and whenever personal property cannot be found thereon sufficient to pay such taxes" after the word "thereof" and before the word "such"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section of the bill was then read as follows:

Section 2 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the section?

Mr. BROSIUS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section (2) by inserting the word "hereby" in line two after the word "are" and before the word "repealed"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was then read as follows:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for borough town or township taxes respectively and providing for the sale of such lands for taxes

On the question,

Will the House agree to the title?

Mr. BROSIUS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title by inserting the word "County" in second line after the word "for" and before the word "borough"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 197, as follows:

An Act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no license to marry shall be issued except upon written and verified application Such application shall contain a statement of the full Christian name and surname color occupation birthplace residence and ages of the parties whether the marriage contemplated is the first second or other marriage and that neither of the contracting parties is afflicted with a transmissible disease together with the full Christian name and surname residence color occpation and birthplace of their parents including the maiden name of the mother together with such other facts as may be necessary to determine whether any legal impediment to the proposed marriage exists Such application shall be recorded by the clerk together with the license and certificate of marriage in a book provided for that purpose which book shall be a public record

Section 2 Applications for license to marry shall be uniform throughout the State and it is hereby made the duty of the State Department of Health to furnish a form thereof to the several clerks at once upon the approval of this act Provided That said State Department of Health may revise said forms so furnished from time to time as may be advisable

Section 3 No license to marry shall be issued where either of the contracting parties is an imbecile epileptic of unsound mind or under guardianship as a person of unsound mind nor to any male person who is or has been within five years an inmate of any county asylum or home for indigent persons unless it satisfactorily appears that the cause of such condition has been removed and that such male applicant is physically able to support a family or if at the time or making application either of the contracting parties is under the influence of an intoxicating liquor or narcotic drug and no license shall be valid for a longer period than sixty days from the date of issue

Section 4 In those cases when the right to a license is not made to appear the clerk shall refuse to issue the same At once upon such refusal he shall certify the proceeding to the proper court without formality or expense to the applicants who shall be notified by him of such action Such application shall thereupon be at the earliest practicable time heard by the judge of said court without a jury in court or in chambers during the term or in vacation as the case may be and his finding that a license ought to issue or ought not to issue shall be final and the clerk shall act in accordance therewith the true intent of this section being to secure for the applicants a hearing by said judge without affirmative action by said applicants and to give notice to them of such hearing in time and place without delay or expense

Section 5 If persons resident of this State with intent to evade the provisions of section one and section three of this act go into another State and there have their marriage solemnized with the intention of afterward returning and residing in this State and do so return and reside in this State such marriage shall be void and illegal under the laws of this State Provided This section shall not apply to persons who in good faith become or are citizens of any other State

Section 6 All acts or parts of acts conflicting with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 877, entitled:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same.

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be received by the sheriffs of this Commonwealth in all the counties which according to the United States decennial census taken last before the beginning of the term of the said sheriff which contained a population of less than one hundred and fifty thousand inhabitants shall be as follows:

For receiving making endorsements thereon docketing and making returns thereof to each writ rule process decree order bill in equity citation statement or notice isuued out of any court one dollar.

For service personally or by copy each writ of scire facias replevin foreign attachment attachment attachment execution injunction mandamus quo warranto partition inquisition or other writ each bill in equity summons rule process decree citation subpoena in divorce statement of claim series of interrogatories proclamation one dollar for the first service and twenty-five cents for every other party or defendant served and twenty-five cents for each copy served or posted in addition to mileage or for serving the same by publication in one or more newspapers when required by law or order of court two dollars and seventy-five cents in each case in addition to the printer's bill

For each service of a subpoena fifty cents for the first name and fifteen cents for each additional name together with mileage.

For executing landlord's warrants writs of levari facias fieri facias venditioni eponas venire facias habeas corpus retorno habendo and replevin one dollar and mileage on each writ in addition to the following For each levy on personal property one dollar and mileage for levying on land each writ one dollar and mileage for advertising personal property to public sale two dollars and seventy-five cents and mileage for advertising real estate to public sale by publication in newspapers two dollars and seventy-five cents each case in addition to the printer's bill for advertising real estate to public sale by handbills one dollar for each case and mileage for summoning and swearing jury and making returns to inquisitions held on said writs four dollars in addition to the jury fees and fee for serving notices and mileage where the inquisition is held on the premises for crying any sale of personal property one dollar and when the same continues longer than three hours three dollars per day for crying sale of land one dollar in each case for clerk hire at said sales when necessary two dollars per day for watchman taking charge of personal property levied when necessary two dollars per day also reasonable expenses for insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense for delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and no commission in such cases to be taken.

For executing writs of habere facias liberari facias dower possession or any necessary process requiring the delivery of posession of real estate or the ejectment or dispossessing of any person or persons of their effects two dollars and mileage and reasonable costs for help when absolutely necessary.

For executing writs of partition inquisition appraisement of real estate or similar writs issued out of any court the following costs for receiving docketing and making returns thereto one dollar for each service fifty cents and mileage for each copy served twenty-five cents for advertising notice two dollars and seventy-five cents in addition to the printer's bill for holding inquisitions four dollars per day and mileage in addition to the jury fees and expenses for executing writs three dollars in addition to artist's or surveyor's fee.

For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For each arrest one dollar and mileage for transportation of each prisoner three cents per mile in addition to necessary help and expenses.

For paying out money made or received on any writ process order or sentence of court two cents on every dollar awarded and applied on any judgment mortgage encumbrance or other claim Provided That the amount does not exceed five hundred dollars in which case one-half cent on every dollar in excess of this amount awarded and applied or paid as aforesaid said commission to be allowed whether the money is paid with or without sale If paid without sale no commission shall be allowed for more than is paid over or received by the creditor.

For levying or paying out fines three cents per dollar to be paid by the party receiving the fine.

For advertising general or special election two dollars and seventy-five cents and mileage in addition to printer's bill to be paid by the county.

For each commitment in any criminal matter including charge of disorderly conduct fifty cents.

For discharging prisoners in any criminal or civil case fifty cents each.

For executing bail-piece one dollar.

For executing death warrant twenty-five dollars in addition to all necessary expenses the same to be paid by the county.

For drawing juries in each general or special term or session of court three dollars in addition to one dollar for executing each venire and for summoning each juror to attend court thirty cents without mileage the same to be paid by the county.

For fee on indictment on every capital case three dollars in every other criminal case one dollar and twenty-five cents the same to be paid by the county.

For appraisement of personal property by virtue of any act of Assembly four dollars for each appraisement this to include fees of apraisers if they are not employed over one day.

For making and acknowledging deeds three dollars to be paid by the purchaser and to include fee of prothonotary for acknowledging the deed but not to including fee for recording.

For traveling expenses or mileage in serving or executing any of the writs rules orders decrees processes or performing any of the duties or services herein specified and intended to be done or authorized by law the sheriff shall be entitled to receive and have taxed as costs six cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order process or service performed Provided that he shall not receive more than one mileage where the plaintiff and the defendant or plaintiffs and defendants in two or more contemporaneous writs to processes are the same Provided further For conveying prisoners to the penitentiary house of correction or reformatories or any insane person to an asylum he shall receive the sum of three dollars per day for each day necessarily spent with mileage of six cents per mile circular for each miles necessarily traveled and for each assistant allowed by the court two dollars and fifty cents per day with same mileage to be paid by the county.

For services performed in his capacity as conservator of the peace or police officer in suppressing riots and insurrections and where discharging the duties requiring the summoning of a posse comitatus or special deputy sheriffs the said sheriff shall receive a per diem compensation of three dollars per day together with mileage and necessary expenses including subsistence for himself and those under him the same to be paid by the county.

For all services performed by the sheriff but more properly belonging to the jurisdiction of a constable he shall receive the same fees as a constable is entitled to according to law.

For serving any rule process decree or order of court not hereinbefore specificially for the sheriff shall receive one dollar and mileage.

For the execution of any matter directed to the sheriff or authorized by law or rule of court for services not herein provided for the sheriff shall receive the same fees as for similar services herein provided for.

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, Idesir e to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 1, page 5, line 118 by striking out the word "to" and inserting the word "of."

Page 6, line 137, after the word "specifically" insert the word "provided."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second, third, and fourth sections and title of the bill was then read and agreed to as follows:

Section 2 All sheriff's costs and fees shall be due and payable when the services are performed and it shall be lawful for him to demand and receive from the party instituting the proceedings or any party liable for the costs thereof all unpaid sheriff's fee and costs on the same before he shall be obliged by law to make return thereof and in case he does not chose to collect his fees in that manner he shall file with each return he makes a correct itemized list of his costs on or before the return day thereof which costs shall be taxed by the clerk of the court or prothonotary

Section 3 The several sheriffs in this Commonwealth affected by this act shall be and are hereby required to make fair and correct tables of their respective fees according to this act and to publish and keep a copy of the same in their respective offices in some conspicuous place for the inspection of all persons who have business in said offices and it shall be the duty of every sheriff their deputy or agent if a demand for that purpose shall be made at the time of or immediately after receiving any of their fees or any written security therefor to deliver an itemized statement or bill of particulars specifying the several items contained

therein and the amount thereof and to give the party paying such fees a receipt in full therefor or to indorse on such written security when taken that the same was given for fees and to sign the endorsement so made

Section 4 All acts or parts of acts in force at the date of the passage of this act inconsistent with the provisions are hereby repealed Provided The provisions of this act shall not apply to any sheriff holding office at the time of the approval of this act Provided further that the provisions of this act shall not be construed to repeal any local or special laws

An Act to regulate and establish the fees to be charged by sehriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same

And said bill having been read at length the second time and agreed to, as amended.

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 897, as follows:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothontary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fourth day of May Anno Domini one thousand nine hundred and five which provides as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the prothonotary of the Supreme Court of the Eastern District is hereby authorized and empowered to appoint a person who shall be deputy prothonotary to perform all the duties of the said prothontary when he shall be absent or unable to attend to the same by reason of sickness whose salary shall be two thousand dollars per annum That the said prothonotary is also authorized and empowered to appoint one clerk whose salary shall be eight hundred dollars per annum" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the prothonotary of the Supreme Court of the Eastern District is hereby authorized and empowered to appoint a person who shall be the deputy prothonotary to perform all the duties of the said prothontary when he shall be absent or unable to attend to the same by reason of sicknes whose salary shall be three thousand dollars per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 290, as follows:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the Court of Common Pleas of Dauphin county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the General Assembly of the Commonwealth of Pennsylvania by virtue of the power vested in it by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit either at law or equity in the Courts of Common Pleas of Dauphin county against the said Commonwealth of Pennsylvania to recover any sum or sums of money that may be legally or justly due the said Robert Stewart by the said Commonwealth of Pennsylvania Said suit or suits to be subject to the same rules of pleading evidence and appeal as other suits brought in said court are subject

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act providing that no advertisements required to be published in any newspaper or periodical by any city of the first class or county co-terminus with any city of the first class or any official or official body thereof shall be published in any language other than English or in any publication published in any language other than English and repealing all acts inconsistent therewith

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no advertisements now or hereafter required by law or ordinance or any local rule or regulation to be published in any newspaper or periodical by any city of the first class or any official of any such city or county or any department bureau board commission or other official body thereof shall be published in any language other than the English language or in any publication published in other than the English language

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 864, (Senate Bill No. 55), entitled:

A Joint Resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 883, as follows:

A Supplement to an act entitled "An act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers now vested in cities of the second class of this Commonwealth they may and are hereby authorized to create a pension or benefit fund for the aged retiring or disabled employees of such cities and for this purpose are authorized to create such a fund by deducting from the salaries of municipal employees certain fixed amounts or by annual appropriations therefor by way of increase in the salaries of said employees or by both methods and are further authorized to provide such terms and conditions for the purpose of determining the eligibility of members and the amount of pension or benefit to be received as may in their discretion be proper

Section 2 That any act or part of act conflicting with the provisions of this act be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 503, entitled:

An Act prescribing the condition under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in the Commonwealth of Pennsylvania

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all agreements and contracts in writing for the barter and sale or exchange of lands tenements or herditaments situate in the Commonwealth of Pennsylvania may be recorded in the office of the recorder of deeds in and for the county where the subject of the agreement is situate provided such edged in accordance with existing laws as to the acknowledgement of deeds by the owner or owners of the said-lands tenements or hereditaments in person or by an attorney duly constituted and empowered by letter of attorney duly executed and acknowledged in accordance with existing statutes and recorded in the office of the recorder of deeds for the said county And provided further That where any such agreement or contract shall contain a stipulation that the said agreement or contract shall not be placed of record the same shall not be entitled to be admitted to record under the provisions hereof or any other act of Assembly of this Commonwealth

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was then read as follows:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in the Commonwealth of Pennsylvania

On the question,

Will the House agree to the title?

Mr. BLELOCH. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title by inserting after the second word "in" in the third line the words "various counties of"

On the question.

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 650, as follows:

An Act fixing a closed season for quail and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to kill wound or capture any quail during a period of five years beginning the first day of November one thousand nine hundred and thirteen

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than ten dollars for each fowl killed wounded or captured or in default of payment of the fine to undergo an imprisonment in the jail of the county of one day for each dollar of the fine and costs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 956, as follows:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that licenses continuing in business shall annually apply for new licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four (4) of an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven which reads as follows

Section 4 Licenses when issued shall be valid for not more than one year shall not be transferable either as to the person or place and may be revoked at any time by the board of health for failure to comply with the rules and regulations established by the board of health

It shall be the duty of every licensee to post and keep posted a printed copy of this act and of the license granted under said license is granted for use of any building or part of it in the place for which the license is granted and where the building said posting shall be in the principal and most public room of said building A fee of one dollar ($1.00) shall be paid to the Bureau of Health for said license" be and the same is hereby amended so as to read as follows

"Section 4 Licenses when issued shall be valid for one calendar year or fractional part thereof next ensuing from the date of issue shall not be transferable either as to the person or place and may be revoked at any time by the board of health for failure to comply with the rules and regulations established by the board of health

It shall be the duty of every license to post and keep posted a printed copy of this act and of license granted under it in the place for which the license is granted and where the said license is granted for the use of any building or part of building said posting shall be in the pricipal or most public room of the said building or part of building A fee of one dollar ($1.00) shall be paid to the Bureau of Health for said license

All licenses who intend to continue in such licensed business after the expiration of their current license shall apply in writing to the Bureau of Health between the first day of October and the thirty-first day of December of each year for a new license for the ensuing year

And said bill having been read at length the second time, and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 512, entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person knowingly to make or cause to be made directly or indirectly or through any agency whatsoever any false statement in writing with intent that it shall be relied upon respecting the financial condition or means or present ability to pay of himself or of any other person firm or corporation in whom he is interested or for whom he is acting for the purpose of procuring in any form whatsoever either to himself or to the person firm or corporation in whom he is interested or for whom he is acting either the delivery of property the payment of cash the making of a loan or credit the extension of credit the discount of sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of negotiable instrument for the benefit of either himself or of any such person firm or corporation

On the question,

Will the House agree to the section?

Mr. COX. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 1 line 14 by striking out the last word "of" and inserting in lieu thereof the word "or" so that the line will read "of a loan or credit the extension of credit the discount or"

Amend section 1 line 17 by inserting the word "any" after the word "of" so that the line will read "of any negotiable instrument for the benefit of either himself or of"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section of the bill was then read and agreed to as follows:

Section 2 It shall be unlawful for any person who knowing that a false statement in writing has been made respecting the financial condition or means or present ability to pay of himself or any person firm or corporation in whom he is interested or for whom he is acting to procure or receive upon the faith of such false statement for the benefit either of himself or of any person firm or corporation in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument

The third section of the bill was then read as follows:

Section 3 It shall be unlawful for any person who knowing that a statement in writing has been made respecting the financial condition or means or present ability to pay of himself or of any person firm or corporation in whom he is interested or for whom he is acting to represent subsequently in writing that such statement therefore made if again made would still be true when in fact such statement if then made would be false and to procure upon the strength thereof for the benefit of himself or of any person firm or corporation in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument

On the question,

Will the House agree to the section?

Mr. COX. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section 3 line 6 by striking out the word "therefore" and inserting in lieu thereof the word "theretofore" so that the line will read "in writing that such statement theretofore made if"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth and fifth sections and title of the bill was then read and agreed to as follows:

Section 4 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 5 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 483, as follows:

An Act to amend an act approved the thirteenth day of April one thousand eight hundred and sixty-four entiled An Act imposing additional taxes for State purposes and to abolish the revenue board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An act amending section four of an act entitled 'An Act imposing additional taxes for State purpose and to abolish the revenue board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the revenue board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purposes and to abolish the revenue board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts" which as amended reads as follows

"Section 4 That the treasurer of each school district county and city the burgess or other chief officer of each incorporated district or borough of this Commonwealth within ninety days after the passage of this act shall make return under oath or affirmation to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding by said county city incorporated district school district borough or incorporation as the same existed on the first day of January one thousand eight hundred and sixty-four and of each succeeding year thereafter together with the rates of interest thereon at each of those periods under the penalty of five thousand dollars the amount to be settled by the Auditor General and the amount thereof sued for and collected as debts due by defaulting public officers are collected Provided That on the receipt of said returns the Auditor General shall proceed to settle the accounts of each county city incorporated district school district and borough with the Commonwealth fix the State tax due and unpaid and transmit notice of the amount by mail to officers making said returns and that if the amount so found due shall not be paid within sixty days the Attorney General shall sue and collect the same with interest from the date of such settlement and hereafter it shall be the duty o the treasurer of every county city borough school district and incorporated district in this Commonwealth to deduct the said State tax on payment of any interest or diidend on debts due by the county city borough school district or incorporated district and pay the same over to the State Treasurer within thirty days after the said interest or dividend has fallen due" is hereby further amended to read as follows

Section 4 That the treasurer of each school district county and city the burgess or other chief officer of each incorporated district or borough of this Commonwealth within ninety days after the passage of this act shall make return under oath or affirmation to the Auditor General of the amount of scrip bonds or certificates of indebtedness outsanding by said county city incorporated district school district borough or incorporation as the same existed on the first day of January one thousand eight hundred and sixty-four and of each succeeding year thereafter together with the rates of interest thereon at each of those periods under the penalty of five thousand dollars the amount to be settled by the Auditor General and the amount thereof sued for and collected as debts due by defaulting public officers are collected Provided That on the receipt of said returns the Auditor General shall proceed to settle the accounts of each county city incorporated district school district and borough with the Commonwealth fix the State tax due and unpaid and transmit notice of the amount by mail to officers making said returns and that if the amount so found due shall not be paid within sixty days the Attorney General shall sue and collect the same with interest from the date of such settlement and hereafter it shall be the duty of the treasurer of every county city borough school district and incorporated district in this Commonwealth to deduct the said State tax on payment of any interest or dividend on debts due by the county city borough school district or incorporated district and pay the same over to the State Treasurer within thirty days after the said interest or dividend has fallen due The State Treasurer shall within thirty days after the receipt of said State tax return seventy-five per centum thereof to the treasurer of the respective county city borough school district or incorporated district for the use thereof

And said bill having been read at length the second time, and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 510, entitled:

An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds in Pennsylvania, and prescribing penalties for violation of its several provisions.

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the open season for the grey the black and fox squirrel also the open season for the grey rabbit and the hare also the open season for the wild turkey and for the ruffed grouse and for the Hungarian partridge and for the woodcock and for the English or Chinese ringneck pheasant shall be from the fifteenth day of October of each year to the thirtieth day of November of the same year both days inclusive Provided That either game quadrupeds or game-birds raised strictly in captivity and killed within such place of confinement without being released in the Commonwealth at large may be killed at any time and may be sold within the Commonwealth at any time under the rules and regulations regarding the marking and tagging of game as now fixed by law relating to game raised in captivity.

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 1 by striking out in line 6 the following words: "the grey rabbit and the hare, also the open season for," and insert in line 12 after the word inclusive the following words "and the open season for the grey rabbit and the hare shall be from the first day of November to the thirty-first day of December of each year, inclusive."

On the question,

Will the House agree to the amendments?

They were agreed to

The section as amended was then agreed to.

The second section of the bill was then read and agreed to as follows:

Section 2. Except as provided by the laws of this Commonwealth relating to the taking of quadrupeds and birds for scientific purposes Each and every person taking or killing or wounding or attempting to take or kill or wound any quadruped or bird named in Section one of this act except during the time fixed by such section as the open season for such killing shall upon conviction be liable to a penalty of ten dollars for each squirrel or rabbit taken killed or wounded or attempted to be killed taken or wounded contrary to the provisions of this act Provided That the penalty for taking a squirrel or a rabbit in any manner excepting through the use of a gun is hereby fixed at ten dollars instead of fifty dollars as is now provided by law.

Each and every person either taking or wounding or killing or attempting to take or wound or kill any game-bird named in Section one of this act except during that time fixed as the open season for such bird shall be liable upon conviction to pay a penalty of twenty-five dollars for each bird taken wounded or killed or attempted to be taken wounded or killed or in default thereof to suffer an imprisonment in the common jail of the county for a period of one day for each dollar of penalty imposed for the first offence and for the second offence or for any other offence after the first offence shall in addition to the penalty imposed for the first offence undergo an imprisonment of one day for each dollar of penalty imposed.

The third section of the bill was read as follows:

Section 3. All acts or parts of acts inconsistent with this act or any of its provisions are hereby repealed.

On the question,

Will the House agree to the section?

Mr. GOSS. Mr. Speaker, I desire to offer the following amendments:

Amend Section 3, House Bill No. 510, by substituting the following in place of the present Section 3:

"Provided that all violations of any provision of this act shall be enforced and all penalties collected be applied in the same manner as is now provided for by Section 31 of the Act of May 1, 1909, entitled 'An Act to provide for the protection and preservation of game, game quadrupeds, game-birds and song and song insectivorous and other wild birds, and providing penalties for violations of its several provisions.

Amend House Bill No. 510, present Section 3, by striking out the figure "3" and inserting the figure "4" in lieu thereof.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title of the bill was then read and agreed to as follows:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act to amend an act entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class; providing for the licensing of those engaged in that business and providing penalties for the violation thereof" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine so as to provide for an annual license fee for each calendar year, prescribing the fee therefor and providing for the numbering recording and posting of such licenses and the application for new annual licenses.

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that busines sand providing for the violation thereof" approved the tweny-seventh day of April Anno Domini one thousand nine hundred and nine which reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons or corporations dealing in milk or any of its fluid derivatives in any city of the first class shall hereafter pay into the Bureau of Health the sum of five dollars ($5.00) which shall thereupon entitled said dealer to a license authorizing him to deal in milk and its fluid derivatives in said city of the first class said licenses to be issued by the Bureau of Health of said city upon the payment of the aforesaid sum Each dealer so licensed shall be given a number a record of which shall be kept in the Bureau of Health and said license shall be conspicuously displayed in the dealer's chief place of business Provided however That all persons or corporations who shall sell milk and its fluid derivatives in any city of the first class but whose chief place of business shall be outside of such place city shall place the number of said license in a conspicuous place on all vehicles used by them for the sale of milk" be and the same is hereby amended so as to read as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons co-partnerships or corporations dealing in milk or any of its fluid derivatives in any city of the first class shall annually procure from the Bureau of Health in said city a license to be issued by it authorizing such persons or corporations to deal in milk and its fluid derivatives in said city of the first class.

The annual fee for such license shall be one dollar ($1.00) payable to the Bureau of Health.

They shall be good for one calendar year or fractional part thereof following the date of issue.

They shall be numbered consecutively and a record of their issue shall be kept by the Bureau of Health.

They shall not be transferable from one person to another.

Every licensee shall post and keep posted conspicuously in his chief place of business in said city the license granted him under this act Provided however That any licensee dealing in milk or its fluid derivatives in any city of the first class without maintaining in good faith an established place of business in such city shall place the number of said license in a conspicuous place on all vehicles used by him in handling milk or its fluid derivatives in said city.

All licensees who intend to continue dealing in milk or its fluid derivatives in any city of the first class after the expiration of a current license therefor shall apply in writing to the Bureau of Health between the first day of October and the thirty-first day of December of each year for a new license for the ensuing year Provided however that all licenses granted prior to the passage of this act shall be valid for five years from the dates of their issue respectively unless sooner lawfully revoked.

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 918, as follows:

An Act to validate private sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An Act relating to orphans' court sales" which were not advertised in accordance with said act as amended Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all private sales of real estate of decedents heretofore made by virtue of decree of the orphans' court in pursuance of the act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An Act relating to orphans' court sales" which were not advertised in accordance with the provisions of said act as amended are hereby declared to be valid and effectual to vest in the purchasers thereof the title of such decedents in the real estate so owned to be sold Provided That adequate security conditioned for the faithful application of the purchase money shall have been given by such executors or administrators as the case may be in accordance with such decree Provided however that this act shall not effect any litigation now pending in any court of this Commonwealth under the act hereby amended

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 745, entitled:

An Act authorizing the creation division and consolidation of wards and a reappointment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wards in cities of the third class may be divided consolidated new wards created of all the wards therein reappointed by a commission of three to be appointed by the president judge of any court of common pleas of any county in which said city or cities are located Upon application being made to said president judge for the appointment of said commission by the petition of at least one hundred qualified electors of the ward wards or city affected of by the councils thereof praying for the division of a ward the creation of a new ward or wards out of two or more wards or out of parts of two or more wards or of new territory annexed for the consolidation of wards or for the reapportionment of all wards of said city the said president judge may appoint a commission consisting of three electors of said city freeholders therein for the purpose of considering and carrying out the prayer of the petitioner or petitioners and it shall be the duty of said commission to make a draft of the ward wards or city to be divided consolidated apportioned or reapportioned into wards showing the divisions thereof or of the new ward or wards proposed to be created as the case may be and such commission shall make a report by a majority of its members to the said president judge of said court of common pleas together with their recommendation concerning the same Provided however That no ward shall be divided under this act which shall contain a population of less than three thousand inhabitants according to the last decennial United States census nor shall any such city have less than three wards nor more than fourteen wards nor more than there are members of councils elected in each respective city as provided by law

On the question,

Will the House agree to the section?

Mr. WHITAKER. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Strike out the word "of" after the word "created" in line 5, Section 1 and insert the word "or."

Strike out the word "of" the first word in line 11 and insert in lieu thereof the word "or."

Strike out all words in italics in line 27, beginning with "shall" and including "which" in same line.

After the word "Ward" in line 26, insert "Provided for in said report."

Strike out all of Section 1 after the word "census" in line 29.

On the quetsion,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second, third and fourth sections and title of the bill were then read and agreed to as follows:

Section 2 If the said commission or a majority of the members thereof shall make a report recommending such division creation consolidation apportionment or reapportionment and attach to said report a draft or map of the ward or wards to be divided created consolidated or apportioned showing the divisions thereof or of the new ward or wards proposed to be created and case of reapportionment of all the wards of said city showing said apportionment or reapportionment and said report is approved and confirmed finally by said president judge it shall be the duty of the councils to prepare an ordiance for carrying said report so approved and confirmed into effect which ordinance when introduced into councils shall be published in the newspaper or newspapers having the contract for the city advertising once a week for two successive weeks before the final consideration and passage thereof

Section 3 In case the said report is carried into effect by the passing of an ordinance as provided in the foregoing section all councilmen aldermen constables and other elective officers affected by said report and said ordinance shall continue in office and perform their respective duties until the expiration of the terms for which they were severally elected and their successors shall be elected under the provisions of the law regulating the election of said officers in cities of the third class

Section 4 Proceedings under this act may be instituted at any time after the passage of this act but afterward not oftener than once after taking of each decennial United States census

An Act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 845, as follows:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

Whereas The Board of Inspectors of the Western Penitentiary under authority of law have purchased a farm of about four thousand acres in Centre County in connection with the new Western Penitentiary and

Whereas It is proper and economical to farm said land and thereby decrease the cost to the several counties of the maintenance of convicts therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Inspectors of the said Western Penitentiary are hereby authorized to purchase such farming implements and stock as may be necessary from time to time forthe purpose of farming the tract of land connected with the said Western Penitentiary in Centre County and charge the cost of the same to the several counties in the Western Penitentiary District in porportion to the number of convicts from each county in the said Western Penitentiary District

Section 2 That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed in so far as the same effect this act

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 850, as follows:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburg to the new penitentiary in Centre County for use in the erection and equipment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Inspectors of the Western Penitentiary of Pennsylvania are hereby authorized from time to time to remove from the Western Penitentiary of Pennsylvania at Pittsburgh to the New Western Penitentiary in Centre County any buildings machinery apparatus and material that they may consider proper and economical for use in the erection and equipment of said new penitentiary

Section 2 That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed in so far as the same affect this act

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 609, (Senate Bill No. 45), entitled:

An Act for the better protection of the wild birds known as the turtle or mourning dove the kill-deer plover and the bird commonly called the black-bird in Pennsylvania and prescribing penalties for violation of its provisions

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 3, as follows:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the year one thousand nine hundred and thirteen and annually thereafter the entire net amount of tax based on the return of personal property subject to taxation for State purposes required to be made to and accepted by the State Board of Revenue Commissioners annually by county commissioners and the board of revision of taxes in cities co-extensive with counties or other counties having such boards of reveision that is collected and paid into the State Treasury by a county or city co-extensive with the county shall be returned by the State Treasurer to such county or city co-extensive with the county for its own use except that the State Treasurer shall retain five per centum of the amount collected for the use of the State Provided That in consideration of the return to the counties and cities co-extensive with counties of the taxes as aforesaid no claim shall be made upon or allowed by the Commonwealth for abatements tax collectors' commissions uncollectible taxes or any other expenses whatsoever in connection with said tax

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to use night soil as a fertilizer or otherwise on any ground on which vegetables of a variety or varities which are eaten uncooked for human food are being grown or to plant any such vegetables in any ground on which night soil has been used within two years from the date of such planting

Provided however that the term "night soil" for the purposes of this act shall be construed to include only human excrement and the contents of privy wells and that any such night soil which shall have been treated by any process approved by the Commissioner of Health of the State Department of Health to remove its objectionable features shall not be within the prohibition of this act

On the question,

Will the House agree to the section?

BILL RE-COMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary Special, being a similar bill to those already re-committed.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 608, (Senate Bill No. 34), entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Whenever all the law judges of any judicial district shall be absent from the district or incapacitated in any way from performing the duties of their office any law judge of an adjoining district may on application made to him in his proper district entertain any motion or petition and may make any order or issue any rule or decree in like manner and with the same effect as if such judge had been duly commissioned in the district from which the application shall be made Except in matters exparte twelve hours notice of the time and place wherein and where such application is to be made shall be served upon the opposite party or the counsel therefor At the time of making such application a copy of such notice together with an affidavit of the time of service thereof shall be presented with the application

Section 2 Each such order rule or decree shall bear the name of the judge making or issuing the same shall note the fact that he is specially presiding and shall give the number of his proper judicial district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed mortgage or other instrument of writing of and concerning any land tenements hereditaments or any estate right title or interest therein required by law to be acknowledged which purports to have been acknowledged by husband and wife before any judge justice of the peace alderman notary public commissioner of deeds or other person authorized by law within this State or within any other of the United States or without the United States to take acknowledgments of deeds et cetera shall be deemed held or adjudged invalid or defective or insufficient in law or awarded or prejudiced by reason of informality or omission in setting for the particulars of the acknowledgment made before such person as aforesaid in the certificate thereof where the acknowledgment bears date prior to the fourth day of April in the year of our Lord one thousand nine hundred and one but all and every such deed mortgage or other instrument or writing where the acknowledgment thereof bears such prior date and purports to have been made by husband and wife as aforesaid of the record of such deed mortgage or other istrument of writing duly made in the proper office for recording of deeds in this Commonwealth shall be as good valid and effectual in law for transferring passing and conveying the estate right title and interest of such husband and wife of in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars of such acknowledgement mentioned in the act entitled "An Act for the better confirmation of the estate of persons holding or claiming under the feme convert and for establishing a mode by which husband and wife may hereafter convey their estates" passed the twenty-fourth day of February one thousand seven hundred and seventy were particularly set forth in the certificate thereof and the record of such deed mortgage or other instrument of writing made in the proper county as aforesaid or exemplifications of such record duly certified shall be legal evidence in all cases in which the original would be competent evidence This act shall not apply to suits now pending and undetermined

On the question,

Will the House agree to the section?

Mr. HEIDINGER: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section one by striking out the word "awarded" in line thirteen and inserting in lieu thereof the word "avoided;" also in line nineteen strike out the word "or" after the word "instrument" and insert in lieu thereof the word "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

Section 2. All acts or parts of acts inconsistent with this act are hereby repealed.

The title was read and agreed to as follows:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 768, as follows:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms of office of all directors of the poor and auditors authorized to audit settle and adjust accounts of said directors in incorporated poor districts where the number of said directors is fixed at eight and are required to be elected in blocks of four each year shall be four years and the terms of the auditors authorized to audit settle and adjust their accounts shall be fixed at two years and that four of such directors shall be elected at the municipal election in each odd numbered year hereafter and said auditors shall be elected at the municipal election in each odd numbered year hereafter and said directors and auditors so elected hereafter shall assume their office on the first Monday of January following their election.

Section 2. In all said incorporated poor districts referred to in the first section herein there shall at the municipal election held in the fall of the year one thousand nine hundred and thirteen be elected eight such directors as above mentioned four of whom shall hold office for two years and four for four years to be regularly nominated and elected for such terms having reference to the locality from which they come in accordance with the provisions of the charter of such institution and at each succeeding regular municipal election held in the odd numbered years there shall be elected four such directors for a term of four years and such number of auditors as already provided for shall at each said regular municipal election be elected for a term of two years each and in all other respects the election of said poor directors and auditors shall be in accordance with the charter of said incorporated poor districts together with any amendments thereof.

Section 3 All acts or parts of acts general special or local in conflict with this act are hereby repealed.

And said bill having been read at length the second time and agreed to:

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 501, entitled:

An Act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of defendant from the lien thereof and repealing an act entitled "Relating to the entry of bail upon an appeal to the Supreme or Superior Court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April one thousand nine hundred and nine.

The first section was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a judgment shall have been entered of record against any person firm or corporation and such person firm or corporation shall be seized in fee of two or more parcels of real estate it shall and may be lawful for the defendant or defendants therein to file in the same proceedings his her or their petition verified by affidavit setting forth that the judgment had been obtained that they were seized of more than one parcel of real estate of a value considerably in excess of the amount of the judgment and praying that the judgment be restricted to certain parcels thereof with an accurate description showing the location by metes and bounds with the actual value the assessed value thereof and encumbrances against the same The court if satisfied that the prima facia the defendant's interest in the property offered as security is at least double the amount of the judgment entered it shall grant a rule on the plaintiff to show cause

why the judgment described in the petition of the defendant should not have its lien restricted to the real estate therein specifically described which rule shall be made returnable to the first day thereafter which the rules of that court provide for the hearing of arguments or motions and made absolute if the allegations of the petition are sustained Any question of law or fact raised by the petition and answer should one be filed shall be heard by the court before whom the proceedings are sustained in accordance with the equity rules of practice and procedure If the rule is made absolute by the court it shall enter a decree restricting the judgment mentioned to the real estate described in the petition and decreeing that all the remaining real estate of the defendant or defendants shall be relieved from the lien of said judgment.

On the question,

Will the House agree to the section?

Mr. BLELOCH: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 1, line 27, by striking out the word "sustained" and inserting in lieu thereof the word "instituted."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections were then read and agreed to as follows:

Section 2. That an act entitled "Relating to the entry of bail upon an appeal to the Supreme or Superior Court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April Anno Domini one thousand nine hundred and nine (Pamphlet Laws one hundred and three) be and the same is hereby repealed.

Section 3. Any and all acts or parts of acts inconsistent herewith are hereby repealed.

The title was read and agreed to as follows:

An Act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of the defendant from the lien thereof and repealing an act entitled "Relating to the entry of bail upon an appeal to the Supreme court from an order, judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment, order or decree pending the appeal and re-entry of judgment if judgment be affirmed," approved the twenty-second day of April, one thousand nine hundred and nine.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 787, as follows:

An Act to amend an act entitled "An Act to amend Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit,' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due."

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled "An Act to amend Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgment for the amount so admitted to be due" which now reads as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three which reads as follows:

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' be amended to read as follows:

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in other cases" be and the same is hereby amended so that it shall read as follows:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three which reads as follows:

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' be amended to read as follows:

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in such cases.

"In case of the failure or refusal of the director or chief officer of the department of the city solicitor to make and file such affidavit the plaintiff may by proper petition to the court take depositions to establish if possible the fact as to whether or not any amount is due by the defendant to the plaintiff and if it appears from such depositions that any amount is due by defendant to plaintiff the court may thereupon enter judgment for the amount so admitted or thus shown to be due plaintiff by defendant."

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 955, as follows:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the first class are hereby authorized and empowered to make contracts for the lighting by any method or methods of illumination of the city streets squares parks and buildings for telephone service for city and public offices for the removal of garbage for the removal of ashes or for street cleaning for any period not exceeding five years

Section 2 The period for which any such contract is to run shall be plainly stated in the advertisement for bids and shall be given the same publicity as is required of other terms of the contract

Section 3 Such contracts shall not be executed or become binding on any city of the first class unless the councils of said city shall have first made an appropriation properly applicable thereto and sufficient to cover the payment for the first year under said contract

Section 4 The councils of any city or the first class which has entered into such a contract for more than one year shall thereafter appropriate annually the amount due thereunder each year respectively

Section 5 In all statements or estimates of the current liabilities and current income of any city of the first class which has entered into such a contract for more than one year required by law to be made by the controller or any other official or official body of such city for the then current or any succeeding year in all tax levies required by law to be based on such statements or estimates and in determining the legality of warrants on the city treasurer it shall not be necessary to include the amount payable under such contract or the amount receivable thereunder by the city if such contract yields a profit to the city except the amounts then actually due by or to the city and the amounts payable or receivable for the year or other period covered by such statement estimate tax levy or warrant

In all such statements or estimates including amounts payable or receivable under such contracts there shall be an explanatory note stating what amounts payable and what amounts receivable under such contracts are included in the statement or estimate and for what period or periods

Section 6 All acts or parts of acts so far as inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 949, as follows:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners of public parks in cities of the first class shall have all the powers and control over parks parkways and other grounds now or hereafter committed to their care and management by the councils of said cities or by individuals which they now have or may hereafter acquire over public parks placed in their charge by any general or special law of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 950, as follows:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That commissioners of public parks in cities of the first class may from time to time by appropriate rules and regulations designate what roads and drives in the parks under their charge may be used by different kinds of vehicles

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 934, as follows:

An Act making all persons holding a mine-foreman certificate under the law relating to the anthracite coal mines of this Commonwealth eligible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all persons holding or who may hereafter be granted a certificate entitling him to hold the office of mine-foreman under the laws of this Commonwealth relating to anthracite coal mines shall be eligible as a candidate for the office of mine inspector in the anthracite inspection districts of this Commonwealth by filing his said certificate with the county commissioners of the proper county in the same manner as the certificates granted by the Mine Inspectors' Examining Board of the Anthracite Inspection Districts are now filed by law The full intent of this act to be to grant to holders of mine-foreman certificates under the laws relating to the anthracite coal mines of this State the same right of being eligible for office having their names placed upon the official ballot and securing the election to and the holding of said office of mine inspector as is now possessed by those who have successfully passed the examination before the Board of Examiners to examine candidates for mine inspectors in the anthracite coal districts

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 311, as follows:

An Act prohibiting certain promises or pledges by candidates for election or nomination or by others for such candidate and the asking demanding receiving or transmitting of such promises or pledges and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person being a candidate for election or nomination to any public office or for any person on behalf of such candidate to give or offer to give directly or indirectly any promise or pledge securing or suggesting or promising or pledging the appointment of any person to an office or position subordinate to the office which such candidate is seeking to obtain

Section 2 It shall be unlawful for any person to ask or demand from any person any promise or pledge prohibited in the first section of this act or to have in his possession or to transmit to another any paper or other writing containing any such promise or pledge

Section 3 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and to undergo an imprisonment in the jail of the proper county for a period not exceeding one year and shall in addition thereto be incapable of holding any office of honor trust or profit in this Commonwealth during a period of five years from such conviction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 810, as follows:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the recorder of deeds of all counties containing over one million and a half population of this Commonwealth whenever in his opinion it shall become necessary to have copied or transcribed in a fair reasonable manner any books of record in his office which may be certified by him to be dilapidated fading injured or jeopardized from other cause the work to be done by the transcribing clerks of his office and the cost of such copy or transcription shall be certified by the recorder of deeds and be paid out of the county funds upon orders drawn by the commissioners on the treasurer on the proper county

Section 2 When said copy shall have been completed it shall be the duty of the recorder of deeds of the proper county to which such book belongs to certify at the end of the same that it is a true and correct copy of the original and to affix the seal of his office thereto and thereupon the said book shall have the same force and effect in law and in equity as the original record would have had

Section 3 The original record so transcribed or copied shall not be destroyed but shall be preserved by the recorder of deeds with a certificate annexed thereto by him that it has been replaced with a copy under this statute

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The SPEAKER. This completes the Calendar of bills on second reading. We have a total of nine bills on final passage and third reading. This would enable the House to work for an hour or so this evening, if it is the pleasure of the House.

RECESS.

Mr. S. B. SCOTT. Mr. Speaker, I move that this House do now take a recess until 8:00 o'clock this evening.

The motion was agreed to, and (at 1:00 o'clock P. M.) the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read as follows:

House Bill No. 11,

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

House Bill No. 51.

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand

eight hundred fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton county to Warren township in Franklin county and relating to the collection of taxes in Franklin county"

House Bill No. 277.

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

House Bill No. 443.

An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department

House Bill No. 456.

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the Bureau therein fixing the compensation of the assistant director and making an appropriation therefor

Whereupon,

The Speaker, in the prsence of the House, signed the same.

Mr. S. B. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, I ask leave to present a supplemental report of the Committee on Committtees.

The SPEAKER. The report will be read by the Clerk for information.

The report was read as follows:

SUPPLEMENT REPORT OF THE COMMITTEE ON COMMITTEES.

The Committee upon Committees recommends that the vacancy in the chairmanship of the Committee upon Electric Railways caused by the decease of Hon. John H. Riebel be filled by the election of Hon. Richard Curry.

That the vacancy upon the Committee on Electric Railways be filled by the election of Hon. Sigmund Gans.

That the vacancy upon the Committee on Law and Order be filled by the election of Hon. Thomas F. McNichol.

That the vacancy upon the Committee on Municipal Corporations be filled by the election of Hon Daniel J. Shern.

That the vacancy upon the Committee on Corporations be filled by the election of Hon. Frederick U. O'Neill.

That the vacancy upon the Committee on Retrenchment and Reform be filled by the election of Hon. John R. K. Scott.

(Signed)

SAMUEL B. SCOTT,
JOHN ROBERT JONES,
WILLIAM H. WILSON,
GEORGE W. ALLEN,
F. H. ROCKWELL,
EDWARD R. BENSON

Mr. S. B. SCOTT. Mr. Speaker, I move the adoption of this report. The Committee having considered that the vacancy having been caused by the decease of a member from Philadelphia, the vacancies ought to be filled as far as possible by members from that locality.

Mr. ALLEN. Mr. Speaker, I second the motion.

The SPEAKER: Will the House agree to the motion?

The motion was agreed to, and the report was unanimously adopted.

REPORTS FROM COMMITTEES.

Mr. BLELOCH, from the Committe on Judiciary Special, reported as committed House Bill No. 1079, (Senate Bill No. 63), entitled:

An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia County.

Mr. McALEER, from the Committee on Municipal Corporations, reported as committed House Bill No. 701, entitled:

An Act establishing a Commission of water works in boroughs of this Commonwealth; providing for the appointment of commissioners of waters works, prescribing their powers and duties; and providing condemnation of real estate within or beyond the territorial limits of said borough.

Mr. ALLEN, from the Committee on Appropriations, reported as committed House Bill No. 1005, (Senate Bill No. 279), entitled:

An Act authorizing the State Treasurer to endorse over to the Ladies Memorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies Memorial Association .

Mr. ALWORTH, from the Committee on Judiciary Special, reported as committed House Bill No. 1006, entitled:

An Act to change and fix the terms of Guardians of the Poor and Auditors authorized to audit, settle and adjust accounts of said guardians of the poor in incorporated poor districts where the number of said guardians and auditors respectively is four and two, and said guardians and auditors are required to be elected in blocks of three, fixing the times when the terms of present guardians and auditors shall expire, their successors be elected, and assume office.

Mr. HESS, from the Committee on Municipal Coroprations, reported with a negative recommendation House Bill No. 326, entitled:

An Act to amend section one of an act approved the fourth day of April one thousand nine hundred and five entitled "An act to provide for the better protection of life and property, by the examination and licensing of engineers having charge of steam-boilers, steam-engines, and appliances connected therewith, in cities of the second class of this Commonwealth, and providing penalties for violation."

Mr. J. A. DUNN, from the Committee on Judiciary General, reported as committed House Bill No. 519, entitled:

An Act to change and fix the terms of Managers of the Poor and Auditors authorized to audit settle and adjust accounts of said Managers of the Poor in incorporated poor districts where the number of said Managers and Auditors respectively is nine, and said Managers and Auditors are required to be elected in blocks of three, fixing the times when the terms of present Managers and Auditors shall expire, their successors be elected, and assume office.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as committed House Bill No. 465, entitled:

An Act requiring a license for conducting certain kinds of business; regulating such licensing and fixing a penalty for violation of this act.

Mr. MANNION, from the Committee on Mines and Mining, reported as committed House Bill No. 388, entitled:

An Act entitled An Act authorizing and empowering all cities and boroughs within this Commonwealth, to regulate by ordinance or By-laws, the Mining and Removing of all Coal and other minerals beneath the surface of the land within their corporate limits.

Mr. MANNION, from the Committee on Mines and Mining, reported as committed, House Bill No. 945, entitled:

An Act to amend the first and second sections of article twenty-eight of an act entitled, "An act to proide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected threwith," approved the ninth day of June, A. D. one thousand nine hundred and eleven, by extending its provisions to all bituminous mines, in which explosive gas has been generated, or is being genarated, or may be generated after the date of the approval of this act.

Mr. KLEPPER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 803, entitled:

An Act further amending section 2 of the act entitled "An Act providing for the examination, licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof" approved the seventh day of June, Anno Domini, one thousand nine hundred and one, as amended by section 2 of the Act of May, fourteenth, Anno Domini, one thousand nine hundred and nine, authorizing and requiring second and third class cities of this Commonwealth to provide for the appointment and payment of a Plumbing Inspector.

Mr. BIGGER, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 140, entitled:

An Act providing that no borough shall hereafter be incorporated out of any township of the first class and that no part of any such township shall be annexed to any city, borough or other township, excepting as herein provided.

Mr. WILLIAM F. BLAIR, from the Committee on Appropriations, reported as committed, House Bill No. 1099, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June, Anno Domini one thousand nine hundred and eleven, making an appropriation for the salaries of eight Orphans' Court Judges in districts other that Philadelphia and Allegheny Counties.

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as committed, House Bill No. 719, entitled:

An Act empowerig cities and boroughs to erect, construct, maintain and operate telephone, police and fire alarm systems, and to furnish said service to partnerships, corporations or individuals and to connect with other telephone companies.

Mr. STONE, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 499, entitled:

An Act to amend section two of an act approved the fourth day of June, Anno Domini, one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or materials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct; telegraph, telephone, railway, or railroad line; canal, mill-race; wroks for supplying water heat, light power cold air, or any other substance furnished to the public; well for the production of gas, oil or other volatile or mineral substance; or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing consolidating and extending existing laws in relation thereto" by providing for a lien for improvement done to land including sodding, planting of trees or shrubbery of any kind and landscape gardening.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 772, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred twenty-seven, entitled "A Supplement to the act entitled 'An Act limiting the time during which judgments shall be a lien on real estate and suits may be brought against the sureties of public officers,'" and amended by an act approved the first day of June, one thousand eight hundred eighty-seven, entitled "An Act to amend a supplement to an act entitled 'An Act limiting the time during which judgments shall be a lien on real estate and suits may be brought against surities of public officers,' approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and twenty-seven."

Mr. McKAY, from the Committee on Mines and Mining, reported as committed, House Bill No. 1017, entitled:

An Act to protect the lives and limbs of persons employed in the Anthracite coal mines of this Commonwealth, by prohibiting the employment of any miner to have charge of, as a miner, more than one breast, chamber, or other working-face in any anthracite coal mine, and providing a penalty for violation thereof.

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed House Bill No. 464, entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," approved the third day of May, Anno Domini, one thousand nine hundred and nine, by limiting the application of the act to tenement houses, apartments and flats, to those occupied by ten or more persons.

Mr. THOMAS, from the Commitee on Mines and Mining, reported as committed, House Bill No. 570, entitled:

An Act requiring any individual, firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car, to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars, providing that said record shall be the final basis in computing the miners' earnings per car, without any deductions for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal, providing further that said record shall be open for the inspection of all miners, and providing penalties for failure to comply with the provisions of this act.

Mr. NEWTON, from the Committee on Counties and Townships, reported as committed, House Bill No. 1032, entitled:

An Act providing for the taxing of traction engines for local purposes; and repealing a certain act relating to the taxation of traction engines.

Mr. REX, from the Committee on Judiciary Special, reported as committed, House Bill No. 102, entitled:

A Further Supplement to an act, entitled "An Act to provide for the selection of a site and erection of a State Institution for the Feeble-Minded and Epileptic, to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic, and making an appropriation therefor," approved the fifteenth day of May, Anno Domini one thousand nine hundred and three, prescribing the purposes of said institution; amending the Ninth and Thirteenth Sections of said act, so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge thereform; providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth, and the costs of all commmittals thereto by the several counties; authorizing transfers of idiotic, feeble-minded and epileptic persons to and from said institution, and repealing the Eleventh, Twelfth, Fourteenth and Fifteenth sections of said act.

Mr. KUHN, from the Committee on Agriculture, reported as committed, House Bill No. 1009, entitled:

An Act to repeal an act, approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and three, entitled "An Act to encourage the repression of tuberculosis of cattle, and to provide for the disposiion of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

Mr. MILLER, from the Committee on Judiciary General reported as committed, House Bill No. 711, entitled:

An Act relating to the management of penitentiaries, jails, prisons, houses of correction, workhouses, house of refuge and reformatories.

Mr. BERGEY, from the Committee on Municipal Corporations reported as committed, House Bill No. 887, entitled:

An Act providing for the creation of the Bureau of Public Morals in the Department of Public Safety cities of the second class, defining its purposes and providing for the payment of expenses incurred thereby.

Mr. DONNALLY, from the Committee on Counties and Townships reported as committed, House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors, in townships of the second class, to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township, and to provide for the collecton of funds for that purpose by levying a tax upon owners of property in the district benefited.

Mr. STRAUSS, from the Committee on Judiciary General reported as committed, House Bill No. 508, entitled:

An Act regulating the business of making certain loans, or buying or receiving assignments of wages or salaries, and providing penalties for violation of the provisions hereof.

Mr. FORSTER, from the Committee on Judiciary General, reported as committed, House Bill No. 834, entitled:

An Act defining foreign corporations; authorizing the acquisition and conveyance of real estate, and regulating the manner thereof; and providing for the validating of titles to real estate now held by foreign corporations.

Mr. GOSS, from the Committee on Game, reports as committed, House Bill No. 917, entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penatly for violation of this act.

Mr. LANIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several Clerks of the courts of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the Peace of this Commonwealth in counties having a population of over one million.

Mr. MISSIMER, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 146, entitled:

An Act to amend the tenth section of an act entitled "A Supplement to the law relating to defaulting public officers," approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county.

Mr. GEISER, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 1046, entitled:

An Act prohibiting newspapers or other publications designating themselves as official mediums for legal advertising or advertising required by law and prohibiting officials, official bodies or courts making it mandatory that legal advertising or advertising required by law be puolished in any particular newspaper or other publication.

Mr. CONNIFF, from the Committee on Judiciary General, reported as amended, House Bill No. 751, entitled:

An Act to provide for the appointment of Janitors in and for the various Courts of Counties having a population of one million and over and for the compensation and payment thereof.

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 1051, entitled:

An Act making it a misdemeanor for any officer or employe of any of the departments of the State Government to practice as an Attorney-at-law directly or indirectly, and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act.

Mr. JOHN ROBERT JONES, from the Committee on Judiciary General, reported as committed, House Bill No. 859, entitled:

An Act to amend the ninety-first section of an act entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth," approved the thirty-first day of March, one

thousand eight hundred and sixty as supplement by the first section of an act approved the nineteenth day of May, Anno Domini eighteen hundred and eighty-seven entitled "A Supplement to an act, entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March one thousand eight hundred and sixty, amending the ninety-first section thereof, defining rape and carnal knowledge of female children, and prescribing the penalty therefor," by increasing the age of consent to twenty-one years and changing the penalty.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 218, entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 292, entitled:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the distruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing methods for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions and to reimburse counties for moneys paid under the provisions of such act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 791, entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 593, entitled:

An Act relating to contracts of insurance relief benefit of indemnity in case of injury or death entered into prior to the injury between a servant and his master or any person or association acting for or on behalf of such master

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to repeal an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Comonwealth which in turn are to reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act to promote the safety of the traveling public upon railroads by limiing the hours of service of certain employes and providing a penalty for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 790, entitled:

An Act to fix the salary of county solicitor in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 401, entitled:

A joint resolution proposing an amendment to section twenty-one of article three of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 404, entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employes and prescribing a penalty for non-compliance therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 402, entitled:

An Act regulating policies of insurance against liability arising under article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 403, entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Insurance Association

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 399, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 157, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford County, is located and distribute the money from such sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 294, entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine, entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences, the appointment of probation and parole officers and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 861, (Senate Bill No. 30), entitled:

An Act supplementing and amending Sections four, six, seven, nine ten, eleven, twelve, seventeen and nineteen of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May, one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases, providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars, changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff, changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases; prescribing the practice therein and providing that such

execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 862, (Senate Bill No. 31), entitled:

A further supplement to an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May, one thousand nine hundred and eleven.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act to regulate the sale of certain seeds; providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same; providing also for the enforcement of the act, and fixing penalties for its violation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 794, entitled:

An Act making it unlawful for any person, firm or corporation to use the word consul or Consunate or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 953, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses, mules, cows, sheep, goats or swine are kept and for the collecting, storing and transporting of manure from such animals, providing that no manure shall be collected or stored in any stable, manure pit or other place without a permit or transported in violation of said rules and regulations; making a violation of the act or of said rules and regulations a misdemeanor; prescribing penalties therefor and repealing inconsistent acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection, distribution and use of the taxes collected therefrom.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 559, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 926, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish, which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes; to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances, and repealing all acts inconsistent herewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves; to prescribe the terms and conditions for their continuance in said classifications or their withdrawal therefrom and to provide for the expenses attendant thereon.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September, one thousand eight hundred and sixty-two, or June, one thousand eight hundred and sixty-three, for the purpose of repelling invasions of the said State by the army of the Confederate States of America, and providing methods whereby such annual payments can be obtained; fixing the amount of said annual payments; creating a commission to have charge of all matters and things appertaining to the same; making an appropriation for the purpose of carrying out the provision of this act and providing for punishments for the violations thereof.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act to provide for the health and safety of persons and the protection and preservation of property where the coal, rock, earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed, and fixing the time when limitation of actions for damages, etc. begin to run.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 408, entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets, avenues, thoroughfares, courts, alleys, places and public highways within the limits of the several municipal corporations, and authorizing the creation of a Bureau of Mine Inspection and Surface Support by any municipal corporation and giving such Bureau jurisdiction.

And said bill having been read at length the first time.

Ordered to be laid aside for second reading.

BILLS RE-COMMITTED.

Mr. WILLIAMS. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, for the purpose of granting a hearing to interested parties, I move you that House Bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves; to prescribe the terms and conditions for their continuance in said classifications or their withdrawal therefrom, and to provide for the expenses attendant thereon.

Also House Bill No. 558, entitled:

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection, distribution and use of the taxes collected therefrom.

Also House Bill No. 559, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes.

from page sixteen of to-day's Calendar be re-committed to the Committee on Forestry.

The motion was agreed to.

Mr. HUMES. Mr. Speaker, I move that House Bill No. 1.., entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford County, is located and distribute the money from such sale.

from page sixteen of to-day's Calendar, be re-committed to the Committee on Fisheries.

On the question,

Will the House agree to the motion?

Mr. HUMES. Mr. Speaker, the sub-committee assured me that this bill would have a hearing before the bill was acted upon and the first knowledge I had of any action being

taken, was when I discovered it on the Calendar. I have talked with two members of the sub-committee since and they advise me that they had no knowledge of any action taken by the sub-committee. I assume it was reported out of the Committee as an over-sight and I ask that it be referred back in order that I may have an opportunity to present our side of the case. I, therefore, move that this Bill be referred to the Committee on Fisheries.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 466, as follows:

An act to amend the title the first section the second section and the third section of an act of Assembly entitled 'An act relating to the settlement and audit of the accounts of all officers elected or appointed or boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of a certain act of Assembly approved the ninth day of June Anno Domini one thousand nine hundred and eleven reading as follows "An act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" be and the same is hereby amend to read as follows "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships and poor districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" by repealing so much thereof as applies to school districts

Section 2 That section one of the said act of Assembly which reads as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers of any borough township poor district or school district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township directors of any poor district or school district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supsrvisors or commissioners road-masters and treasurer of the township of the directors or overseers treasurer of the poor district of the directors and treasurer of the school district and of the tax collectors of each of said the school district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss" shall be amended to read as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers or any borough township or poor district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township or directors of any poor district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supervisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss"

Section 3 That section two of the said act of Assembly which reads as follows "That the auditors of every borough township poor district and school district created or incorporated by any general or special law of this Commonwealth shall file a report or statement of their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year" shall be amended to read as follows "That the auditors of every borough township and poor district created or incorporated by any general or special law of this Commonwealth shall file a report or statement their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year"

Section 4 That section three of the said act of Assembly which reads as follows

"That it shall be lawful for the borough township poor district or school district or any taxpayer thereof on its behalf or any officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors or the court of common pleas of the proper county within thirty days after such report or settlement shall have been filed in the office of the clerk of the court of quarter sessions whereupon the court may direct an issue to determine the disputed question of fact between the officers accounting and the borough township poor district or school district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accruing thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township poor district or school district than that awarded by the auditors or in case the appellant be an accounting officer or officers he or they shall fail to obtain a final decision more favorable to the officers than that awarded by the auditors" shall be amended to read as follows

That it shall be lawful for the borough township or poor district or any taxpayer thereof on its behalf or an officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors to the court of common pleas of the proper county within thiry days after such report or settlement shall have been filed in the office of the court of quarter sessions whereupon the court may direct an issue to determine the disputed questions of fact between the officers accounting and the borough township or poor district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accuring thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township or poor district than that awarded by the auditors or in case the appellant be an accounting or officers he or they shall fail to obtain a final decision more favorable to the officer or officers than that awarded by the auditors"

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, after conferring with the sponsor for this bill, he agreed with me and was willing that I make a motion to postpone further consideration of this bill for the present. I therefore move that further consideration of this bill be postponed for the present.

Mr. KITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 72, as follows:

An Act defining investment companies providing for the regulation and supervision of such inevtsment companies and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation co-partnership or company and every association (other than state and national banks trust companies real estate mortgage companies dealing exclusively in real estate mortgages building and loan associations and corporations not organized for profit) organized or which shall be hereafter organized in this Commonwealth whether incorporated or unincorporated which shall sell or negotiate for the sale of any securities of any kind whatsoever other than bonds of the United States the Commonwealth of Pennsylvania or of some municipality of the Commonwealth of Pennsylvania and mortgages on real estate located in the Commonwealth of Pennsylvania to any person corporation co-partnership or company in the Commonwealth of Pennsylvania other than those specifically exempted herein shall be known for the purpose of this act as a domestic investment company Every such investment company organized in any other state territory or government shall be known for the purpose of this act as a foreign investment company

Section 2 Before offering or attempting to sell any securities of any kind other than those specifically exempted in section one of this act to any person corporation co-partnership or company or transacting any business whatever in this Commonwealth except that of preparing the documents hereinafter required every such investment company domestic or foreign shall file in the office of the Commissioner of Banking of this Commonwealth together with a filing fee of two dollars and fifty cent ($2.50) the following documents to wit A statement showing in full detail the plan upon which it proposes to transact business A copy of all contracts and other securities which it proposes to make or sell to its contributors A statement which shall show the name and location of the investment company and an itemized account of its actual financial condition and the amount of its property and liabilities and such other information touching its affairs as said Commissioners of Banking may require If such investment company shall be a co-partnership or an unincorporated association it shall also file with the Commissioner of Banking a copy of its articles of co-partnership or association and all other papers pertaining to its organization and if it be a corporation organized under the laws of the Commonwealth of Pennsylvania it shall also file

with the Commissioner of Banking a copy of its articles of incorporation constitution and by-laws and all other papers pertaining to its organization If it shall be an investment company organized under the laws of any other state territory or government incorporated or unincorporated it shall also file with the said Commissioner of Banking a copy of the laws of such state territory or government under which it exists or is incorporated and also a copy of its charter articles of incorporation constitution and by-laws and all amendments thereof which have been made and all other papers pertaining to its organization

Section 3 All of the above-described papers shall be verified by the oath of a member of a co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or unincorporated association All such papers however as are recorded or are on file in any public office shall be further certified to by the officer of whose records they form a part as being correct copies of such records

Section 4 Every foreign investment company shall by a duly executed instrument filed in the office of the Commissioner of Banking constitute and appoint the Commissioner of Banking or his successor its true and lawful attorney upon whom all lawful process in any action rule order or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon him as its said attorney shall be of the same force and validity as if served on the company and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this Commonwealth The service of such process shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commisioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorny shall be deemed valid service upon such company The Commissioner of Banking shall upon process being served upon him as attorney for a foreign inevtment company forthwith forward one of the duplicate copies of the process served upon him as attorney for a foreign investment company forthe ign country to its resident manager in the United States As a condition of valid and effective service and of the duty of the Commissioner of Banking in the premises the plaintiff in each such process shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Commissioner of Banking shall keep a record of all such processes which shall show the day and hour of service

Section 5 It shall be the duty of the Commissioner of Banking to examine the statements and documents so filed and if said Commissioner of Banking shall deem it advisable he shall make or have a detailed examination of such investment company's affairs which examination shall be at the expense of such investment company as hereinafter provided and if he finds that such investment company is solvent that its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract contain and provide for a just and equitable plan for the transaction of business and in his judgment promises a fair return on the securities by it offered for sale the Commissioner of Banking shall issue to such investment company a statement reciting that such company has complied with the provisions of this act that detailed information in regard to the company and its securities is on file in the Commissioner of Banking's office for public inspection that such investment company is permitted to do business in this Commonwealth and such statement shall also recite in bold type that the Commissioner of Banking in no wise recommends the securities to be offered for sale by such security company But if said Commissioner of Banking finds that such articles of incorporation or association charter constitution and by-laws plan of business or proposed contract contain any provision that is unjust or inequitable to any class of contributors or if he decides from his examination of its affairs that said investment company is not solvent and does not intend to do a fair and honest business and in his judgment does not promise a fair return on the securities by it offered for sale then he shall notify such investment company in writing of his findings and it shall be unlawful for such company to do any further business in this Commonwealth until it shall so change its constitution and by-laws articles of incorporation or association its proposed plan of business and proposed contract and its general financial condition in such manner as to satisfy the Commissioner of Banking that if it is solvent and its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract provide for a just and equitable plan for the transaction of business and does in his judgment promise a fair return on the securities by it offered for sale provided that all expenses paid or incurred and all fees or charges received or collected for any examination made under the provisions of this section of this act shall be reported in detail by the Commissioner of Banking and a full report and record thereof made in detail

Section 6 It shall not be lawful for any investment company either as principal or agent to transact any business in form or character similar to that set forth in section one of this act except as is provided in section two of this act until it shall have filed the papers and documents above provided for No amendment of the charter articles of incorporation constitution and by-laws of any such investment company shall become operative until a copy of the same has been filed with the Commissioner of Banking as provided in regard to the original filing of charters articles of incorporation constitution and by-laws nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the Commissioner of Banking in like manner as provided in regard to the original plan of business and proposed contract and the such proposed new plan of transacting business and proposed new contract

Section 7. Any investment company may appoint one or more agents but no such agent shall do any business for said investment company in this State until he shall first register with the Commissioner of Banking as agent for such investment company and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar Such registration shall entitled such agent to represent said investment company as its agent until the first day of January following unless said authority is sooner revoked by the Commissioner of Banking and such authority shall be subject to revocation at any time by the Commissioner of Banking for cause appearing to him sufficient.

Section 8. Every investment company domestic or foreign shall file at the close of business on December thirty-first and June thirtieth of each year and at such other times as required by the Commissioner of Banking a statement verified by oath of a member of the co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or an unincorporated association setting forth in such form as may be prescribed by the Commissioner of Banking its financial condition and the amount of its assets and liabilities and furnishing such other information concerning its affairs as said Commissioner of Banking may require Each regular statement of December thirty-first and June thirtieth shall be accompanied by a filing fee of two dollars and fifty cents Any investment compuny failing to file its report at the close of business December thirty-first or June thirtieth of each year within ten days of that date or failing to file any other or special report herein required within thirty days after receipt of request or requisition therefor shall forfeit its right to do business in this Commonwealth.

Section 9. The general accounts of every investment company domestic or foreign doing business in this Commonwealth shall be kept by double entry and such company its co-partners or managing officers shall at least once in each month make a trial balance of such accounts which shall be recorded in a book provided for that purpose such trial balances and all other books and accounts of such company shall at all times during business hours except Sundays and legal holidays be open to the inspection of stockholders and investors in said company or investors in the securities by it offered for sale and to the Commissioner of Banking and his deputies.

Section 10 The Commissioner of Banking shall have general supervision and control as provided by this act over any and all investment companies domestic or foreign doing business in this Commonwealth and all such investment companies shall be subject to examination by the Commissioner of Banking or his duly authorized deputies at any time the Commissioner of Banking may deem it advisable and in the same manner as is now provided for the examination of State banks The powers of the Commissioner of Banking in connection with such examinations shall be the same as is now provided with reference to examination of State banks and such investment company shall pay a fee for each of such examination of not to exceed five dollars for each day or fraction thereof plus the actual traveling and hotel expenses of said Commissioner of Banking or deputy that he is absent from the capitol building for the purpose of making such examination and the failure or refusal of any investment company to pay such fees upon the demand of the Commissioner of Banking or deputy while making such examination shall work a forfeiture of its rights to do business in this Commonwealth.

Section 11 Whenever it shall appear to the Commissioner of Banking that the assets of any investment company doing business in this Commonwealth are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe inequitable or unauthorized manner or is jeopardizing the interest of its stockholders or investors in securities by it offered for sale or whenever any investment company shall fail or refuse to file any papers statements or documents required by this act without giving satisfactory reasons therefor said Commissioner of Banking shall at once communicate such facts to the Attorney-General who shall thereupon apply to the Court of Common Pleas of Dauphin County or to the court of any county in which the principal office of such company is located or is doing business or to a judge of either of said courts for the appointment of a receiver to take charge of and wind up the business of such investment company and if such fact or facts be made to appear it shall be sufficient evidence to authorize the appointment of a receiver and the making of such orders and decrees in such cases as equity may require.

Section 12 Any person who shall willfully subscribe to or make or cause to be made any false statements or false entry in any book of such investment company or exhibit any false paper with the intention of deceiving any person authorized to examine into the affairs of such investment company or shall make or publish or cause to be made or published any false statement of the financial condition of such investment company or the securities by it offered for sale shall be deemed guilty of a felony and upon conviction thereof shal lbe sentenced to pay a fine of not less than two hundred dollars ($200) nor more than ten thousand dollars ($10,000) and undergo an imprisonment by separate and solitary confinement at labor of not less than one year nor more than ten years.

Section 13 Any person or agent who shall sell or attempt to sell the securities of any investment company or the securities by such company offered for sale who has not complied with the provisions of this act or any investment company which shall do any business or offer or attempt to do any business except as provided in Section one of this act which shall not have complied with the provisions of this act or any agent who shall do or attempt to do any business for any investment company which agent is not at the time duly registered and has fully complied with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($,000) or undergo an imprisonment in the county jail of the proper county not exceeding ninety days or both at the discretion of the court.

Section 14 All fees herein provided for shall be collected by the Commissioner of Banking and by him shall be turned into the State Treasury.

Section 15. Should the courts declare any section of this act unconstitutional or unauthorized by law or in conflict with any other section or provision of this act then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act.

Section 16 All acts or parts of acts inconsistent with this act are repealed.

Section 17. This act shall take effect and be in force from and after the first day of January one thousand nine hundred and fourteen.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. CURRIER. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 723, as follows:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

Whereas, The number of copies of Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" published by the Department of Agriculture has proved to be entirely inadequate to meet the demands for same therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is authorized to order the printing of twenty-five thousand (25,000) copies of Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs' and it shall be the duty of the Superintendent of Public Printing and Binding to have same printed and delivered to the Department of Agriculture and the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifially appropriated for the payment of same

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—155.

Adams,	Eichenberger,	Latshaw,	Runk,
Allen,	Ely,	Lenker,	Sassaman,
Alworth,	Ewing,	Leslie,	Savacool,
Baldwin, G. A.,	Forster, L. G.,	Letzkus,	Schaeffer, A. C
Baldwin, R. J.,	Foster, J. D.,	Light,	Schuck,
Barner,	Gans,	Lowers,	Scott, J. R. K.,
Becker,	Gibson,	Mannion,	Scott, S. B.,
Benninger,	Glenn,	Martin,	Semmens,
Benson,	Good,	Mather,	Shaffer, I. E.,
Bergey,	Goss,	Matt,	Showalter,
Bigger,	Grabe,	McAleer,	Smith, J. W.,
Bittles,	Gramley,	McAllister,	Smith, L.,
Blair, W. A.,	Gransback,	McArdle,	Snavely,
Blair, W. F.,	Gray, Frank.	McCaig,	Snyder,
Bletoch,	Haggerty	McDermott,	Spangler,
Brosius,	Heidinger,	McKay,	Speiser,
Brown,	Hemminger,	Metzenbacher,	Spillinger,
Brownlee,	Hess,	Miller,	Steedle,
Burnett,	Heyburn,	Morrow,	Steele,
Carson,	Hibshman,	Musser,	Stone,
Carter,	Hobbs,	Neely,	Strauss,
Cheeseman,	Howard, R.,	Newbaker,	Swartz,
Claycomb,	Humes,	Newton,	Swift,
Cleary,	Isler,	O'Neill,	Thomas,
Cochran,	Irwin, G. C.,	Pennegar,	Trach,
Collins,	Irwin, H. H.,	Pennock,	Ulerich,
Conner,	Jackson,	Perry, S. J.,	Ulman,
Conniff,	Jones, J. P.,	Peters,	Walnut,
Cox,	Keegan,	Piper,	Watson,
Currier,	Keeport,	Post,	Whitaker,
Curry,	Kennedy,	Price,	Wildman,
Davis,	Kern,	Ramsey,	Williams,
DeFrees,	Kitts,	Reeser,	Wilson, J. H.,
Dickinson,	Klepper,	Rex,	Wilson, W. H.,
Donnally,	Kuhn, H. P.,	Robinson,	Wiltbank,
Down,	Kuhns, E.G.M.,	Rockwell,	Young, G. K.,
Dunn, H. B.,	Lanius,	Roney,	Young, J. H.,
Dunn, J. A.,		Rothenberger,	Zimmerman,
Ehrhardt,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 243, as follows:

An Act to prevent deception in the sale of paint putty turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall knowingly sell or expose for sale within this Commonwealth any paint putty turpentine or linseed oil or any substitutes therefor marked in any manner so as to tend to deceive the purchaser as to its nature or composition or which is not labeled as hereinafter provided

Section 2 The term "paint" as used in this act shall include oxide of zinc red lead and white lead dry or in any kind of oil or any compound intended for the same use colors ground in oil paste or semi-paste paint and liquid or mixed paint ready for use For the purpose of this act white lead shall mean both the corroded and sublimed product and when the term "white lead" is used on a label to describe either product such term shall be qualified by the addition of the word "corroded" or "sublimed" as the case may be

Section 3 The label required by this act shall clearly and distinctly state the name and residence of the manufacturer of the paint or of the distributor thereof or of the party for whom the same is manufactured and show the name and with a substantial accuracy the percentage of each ingredient both solid and liquid contained therein as the same would be disclosed by an ordinary chemical analysis thereof it being the intention of this act to furnish the consumer with such information only concerning the composition of such paint as he could obtain by submitting the same to a chemical analysis Said label shall be printed in plain legible type and so far as possible common English words shall be used instead of technical terms

Section 4 The label on all liquid or mixed paint shall show the next measure of the contents of the container and on all paste and semi-paste paint sold by weight the net weight of the contents of the package or if sold by measure the net measure of such contents

Section 5 The provisions of this act shall not apply to any articles hereinbefore described which are in this State in the hands of the jobbers and dealers at the time this act takes effect

Section 6 The having in possession by any person firm or corporation dealing therein of any of the articles hereinbefore described and improperly marked or not correctly labeled as provided in this act shall be considered prima facie evidence that the same are kept by such person firm or corporaton in violation of the provisions of this act

Section 7 The Secretary of Agriculture of the Commonwealth is hereby charged with the enforcement of the provisions of this act

Section 8 The Secretary of Agriculture and his assistants experts chemists and agents shall have access to all places of busines stores and buildings used for the sale of paint putty turpentine linseed oil or any substitutes therefor and shall have power and authority to open any package can jar tub or other receptacle containing articles subject to the provisions of this act which may there be sold or kept for sale but nothing herein contained shall require a disclosure by any manufacturer or other person of any formula or trade secret except in so far as the same may be indicated by a chemical analysis of the product thereof

Section 9 Any violater of any of the provisions of this act or any person assisting or taking part in the violation of any of said provisions shall be guilty of a misdemeanor and upon convction thereof shall be punished for each offense by a fine of not less than twenty-five dollars nor more than one hundred dollars or by an imprisonment not exceeding sixty days or by both such fine and imprisonment at the discretion of the court

Section 10 This act shall take effect and be in force from and after the first day of September Anno Domini one thousand nine hundred and thirteen

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL. Mr. Speaker, and Gentlemen of the House, I don't know but that I ought to say a few words in explanation of this bill before it goes to a vote. I have had so many inquiries just as to what the purpose of the bill is

that I think it well to explain it at this time. There has been a great deal of complaint among the users of paint about the quality thereof and about not getting what they thought they were getting and of many paint products being adulterated. In order to correct all this this bill was introduced two years ago and after a public hearing was reported out of Committee and passed the House almost unanimously and in the latter end of the session failed in the Senate. It was again introduced in this section and after a fair public hearing by all partfes who were notified the bill was unanimously reported out of Committee again and it is now before you for your consideration. The main object is to compel the manufacturers of paint to put upon their packages just what their packages contain. Some of the manufacturers claim that it would be a hardship to them from various points of view, but it simply asks them to put upon the packages of paint just what you and I might learn by taking a sample of their paint to a chemist to have it analyzed. It does not ask them as they explained it and as the Committee looked upon it, to disclose any trade secret. It seems that it is only a fair proposition that when the public goes into the market to buy quanitities of paint they should know what they were getting and to have that labeled on the package. Take for instance, the following examination made and in a statement before one of the Committees in the Second Session of the Sixty-first Congress which I will read:

CALENDAR NO. 510.

SIXTY-FIRST CONGRESS, SECOND SESSION.

UNITED STATES SENATE.

Claim on Label.	Analysis.	Percentage.	Profit.
White lead in oil, ...	Pure white lead in linseed oil, ...		$2.9
White lead ground in linseed oil, ...	White lead, ...	2	226.8
	Zinc White (Western)	32	
	Barium sulphate, ...	65	
	Calcium sulphate, ...	1	
	In linseed oil.		
Snow white lead ground in pure linseed oil, ...	White lead, ...	9	293.4
	Zinc lead, ...	11	
	Barium sulphate, ...	80	
	In linseed oil.		
White lead ground in prepared linseed oil, ...	White lead, ...	1	318.4
	Zinc white, ...	14	
	Barium sulphate, ...	75	
	Calcium sulphate, ...	10	
	In linseed oil.		
White lead warranted ground in refined linseed oil, ...	White lead, ...	1	446.4
	Zinc lead, ...	6	
	Barium sulphate, ...	93	
	In linseed oil.		
White lead ground in pure linseed oil, ...	White lead, ...	1	226.5
	Zinc white, ...	20	
	Barium sulphate, ...	79	
	In linseed oil.		
White lead in oil, ...	Pure white lead, ...		68.5
	In linseed oil.		
White lead ground in refined linseed oil, ...	White lead, ...	28	109.6
	Leaded Zinc, ...	39	
	Barium sulphate, ...	28	
	Calcium sulphate, ...	5	
	In linseed oil.		
White lead ground in pure linseed oil, ...	Zinc white, ...	20	279.7
	Barium sulphate, ...	80	
	In linseed oil.		
Pure white lead warranted superior to any in the market, made of the best and purest materials, ...	Zinc white, ...	7.7	468.4
	Silica, ...	7.7	
	Whiting, ...	6.0	
	Barium sulphate, ...	80.0	
	In linseed oil.		
White lead, ...	Zinc white, ...	36.0	209.1
	Silica, ...	5.0	
	Barium sulphate, ...	59.0	
	In linseed oil.		
Pure white lead in oil, ...	Zinc white (Western)	13.0	165.1
	Calcium sulphate, ...	5.0	
	Whiting, ...	2.0	
	Barium sulphate, ...	80.0	
	In linseed oil.		

Thus those samples were taken on the open market and the public were defrauded in that way. We could do nothing else but put this bill out and put it up to you members to vote for it. It seems to me that there should be no question but that it should be enacted into a law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—141.

Adams,	Ewing,	Lenker,	Rockwell,
Alworth,	Forster, I. G.,	Leslie,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Lętzkus,	Sassaman,
Baldwin, R. J.,	Geary,	Lohr,	Savacool,
Barner,	Geiser,	Lowers,	Schaeffer, A. C
Becker,	Gibson,	Martin,	Schuck,
Benninger,	Glenn,	Mather,	Scott, J. R. K.,
Benson,	Good,	Matt,	Scott, S. B.,
Bergey,	Goss,	McAleer,	Semmens,
Bigger,	Grabe,	McAllister,	Shaffer, I. E.,
Bittles,	Gramley,	McClintock,	Showalter,
Blair, W. A.,	Gray, Frank,	McDermott,	Smith, J. W.,
Blair, W. F.,	Gray, Joseph,	McKay,	Smith, L.,
Bleloch,	Haggerty,	Mechling,	Snavely,
Brosius,	Heidinger,	Mellott,	Snyder,
Brown,	Hemminger,	Metzenbacher,	Spangler,
Brownlee,	Hibshman,	Mitchell,	Spillinger,
Burnett,	Hobbs,	Morrow,	Steede,
Carson,	Howard, R.,	Murphy,	Steele,
Carter,	Humes,	Musser,	Stone,
Cheeseman,	Isler,	Neely,	Strauss,
Claycomb,	Irwin, G. C.,	Newbaker,	Swartz,
Cleary,	Irwin, H. H.,	Newton,	Swift,
Cochran,	Jackson,	O'Neill,	Thomas,
Collins,	Jones, J. R.,	Pennegar,	Trach,
Conner,	Kaiser,	Pennock,	Ulerich,
Conniff,	Kaufman,	Perry, S. J.,	Ulman,
Currier,	Keegan,	Peters,	Walnut,
Curry,	Keeport,	Post,	Watson,
Davis,	Kennedy,	Price,	Wildman,
DeFrees,	Kern,	Redfield,	Williams,
Dickinson,	Klepper,	Reesel,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Rex,	Young, J. H.,
Down,	Lanius,	Robinson,	Zimmerman,
Dunn, H. B.,	Latshaw,		Alter,
Ehrhardt,			Speaker.
Ely,			

NAYS—16.

Allen,	Heyburn,	McCalg,	Speiser,
Arthur	Kuhns, E.G.M.,	Moore,	Whitaker.
Cox,	Light,	Ramsey,	Wilson, W. H.,
Eichenberger,	Malie,	Roney,	Wiltbank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 276, as follows:

An Act regulating the deposit of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners treasurer and controller or auditors of each county having less than one million inhabitants shall constitute a depository board It shall be the duty of the board to designate a bank or trust company of the county as the official depository for county funds The board shall in the month of December in each year cause to be inserted in two newspapers of the county once a week for four successive weeks an advertisement soliciting from incorporated banks or trust companies of the particular county sealed proposals for the payment of interest on county funds The advertisement shall state the time and place when and where the proposals shall be opened and the probable maximum amount of money to be deposited with the depository All proposels shall be in writing and delivered or sent to the office of said treasurer sealed in envelopes Each proposal shall be accompanied by a bond in double the amount of the probable amount of county funds to be deposited in the county depository The bond shall be conditioned for the faithful performance of all the terms and conditions of the contract to be entered into between the successful bidder and said board The bond shall have as surety one surety company authorized to act as surety in this Commonwealth or at least two

sureties to be approved by the Court of Common Pleas of the proper county On the first Monday of January next following such advertisement the proposals shall be opened in the office of the county treasurer in the presence of a majority of the board The bank or trust company that shall offer the highest rate of interest on the county funds deposited with it shall be designated as the county depository for one year from the said first Monday of January and a contract shall be entered into between said board and the depository providing for the payment of said interest on the funds so deposited unless for any reason the board shall reject any or all bids in which case the board may advertise again for proposals giving fifteen days' notice of the time and place and where the same shall be opened If two or more banks or trust companies offer the same rate of interest the board shall select the depository The bonds of all unsuccessful bidders shall be returned to the respective bidders The bonds of the sucessful bidder shall remain in the custody of the controller or auditor

Section 2 It shall be the duty of the county treasurer to deposit in the county depository all funds other than an amount actually necesary to meet current expenses This amount to be determined by the county commissioners and the county treasurer shall be notified of the same on the day when the depository is selected County funds exceeding one-half of the amount of the bond shall not be deposited in any depository but the bond of the depository may be increased from time to time subject to the terms of the contract of deposit If the depository shall refuse or neglect to furnish such increased bond the board may for the unexpired portion of the year designate additional depository in the same manner and subject to the same conditions as the original designation The treasurer shall not be held liable for any county money that shall be lost by reason of the failure or insolency of any bank or trust company designated as county depository

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. NEWTON. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration be postponed for the present.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 107, as follows:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met be and it is hereby enacted by the authority of the same That in the county of Philadephia there shall be and hereby is created a court of record to be known as the municipal court of Philadelphia it shall consist of a president judge and one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors of said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of six thousand five hundred dollars ($6,500) per annum and the associate judges shall receive salaries of six thousand dollars payable by the State in the same manner that the salaries of the judges of the Courts of Common Pleas are paid The term of office of the elected judges of the court shall begin on the first Monday of January following their election

The first judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the municipal election next succeeding at which their successors shall be elected

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the constitution of the State in such case and their successors shall be elected to the full term of ten years

The Governor upon the first appointment of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reason designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office

Section 3 The court shall be open at all times for the transaction of business in the county of Philadelphia either at the City Hall or at such other place or places in the said county as may from time to time be designated by the court if it shall be found necessary to hold court at other places for the convenience of suitors or the accommodation of the public

It shall be the duty of the county commissioners or other proper officers of the said county to provide proper accommodations for the holding of the said court at such times and places as the said court may decide and the expenses of the same shall be defrayed out of the treasury of the county of Philadelphia

Section 4 The judges of the said court shall appoint a clerk whose term of office shall be at the pleasure of the judges He shall give his entire time and attention to the performance of the duties of his office which shall be kept open for the transaction of business from nine o'clock ante meridian to five o'clock post meridian of each working day during the year He shall receive a salary of four thousand dollars ($4,000) per annum He shall keep proper records of the court under the supervision of the judges and in accordance with rules and regulations from time to time made by them Unless otherwise provided by rules of court the powers duties and liabilities of the said clerk shall be for the Municipal Court the same as those prescribed by law for the prothonotary of the Courts of Common Pleas of the county of Philadelphia The said clerk shall have the power to appoint a deputy clerk and such number of assistant deputy clerks as may be from time to time designated by order of the judges of said court The salary of the chief deputy clerk shall be twenty-five hundred ($2,500) per annum The salaries of the other clerks shall be fixed by the clerk of the court but shall in no case exceed two thousand dollars ($2,000.00) per annum

The fees to be charged by said clerk shall be the same as the fees charged for similar services by the prothonotary of the Courts of Common Pleas of Philadelphia county

All fees or other sums received by any clerk or employee of said court shall be paid into the treasury of the county of Philadelphia

The president judge of the court may appoint such stenographers tipstaves and officers or clerks as are reasonably necessary the number of the same and their compensation to be determined from time to time by a majority of the judges of the said court to perform the duties usually pertinent to such officers in and about the court rooms or elsewhere The compensation of the clerk of the court deptuy clerk and asistant deputies and of all other officers and employees of said court shall be paid out of the treasury of the county of Philadelphia upon warrants signed by the president judge of the court or by the clerk of the said court in accordance with general orders of the president judge

Section 5 The said court shall have a common seal upon which shall appear the words "Municipal Court of Philadelphia" and the word "seal" which shall be affixed to all official documents issued under the direction of the said court The seal of the said court shall be in the custody of the clerk or of such other officer and be kept in such place as the court may from time to time order

Section 6 It shall be the duty of the proper officers of the county of Philadelphia to provide such jurors for service in the Municipal Court as may from time to time be requested by order of the president judge or as may be fixed by general order of said president judge Said jurors shall be summoned as provided by law and shall receive the same compensation and be subject to the same duties and liabilities as jurors summoned to serve in the courts of common pleas of said county

Section 7 It shall be the duty of the sheriff of Philadelphia county to serve all writs or processes issuing out of the said court in like manner and for the same fees as similar services are performed for writs or processes issuing from the courts of common pleas

Section 8 The president judge shall have power to oversee and direct the business of the court He shall assign the various judges to the duties to be performed by them He shall at appropriate intervals not less than once a month except in July and August hold meetings of all the judges of said court for the purpose of promoting the speedy administration of the business of the court and for other purposes

The president judge of the court shall designate one member of the court to hold a juvenile court The said judge shall be assigned to said court for a period of one year or longer in the discretion of the president judge

Section 9 The president judge shall appoint a chief probation officer whose salary shall not exceed three thousand dollars ($3,000.00) a year and such additional probation officers as a majority of the judges may determine at salaries not to exceed one thousand five hundred dollars ($1,500.00) a year whose powers and duties shall be similar to those heretofore appointed by the court of quarter sessions of the peace for said county

There shall be no preliminary hearings in any cases affecting dependent delinquent or neglected children under the age of sixteen years as defined by existing laws relating to such proceedings (which laws are hereby made applicable to proceedings in the Municipal Court) but such children shall be brought immediately before the judge of the juvenile court and he shall hear and determine said cases separately from each other at such place and at such hours of the day or night as will in the judgment of the president judge and of th judge of the juvnile court be most conducive to the welfare of such children

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of six hundred dollars ($600.00) except that in actions for damages for personal injuries it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

Section 11. The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary forgery kidnapping murder voluntary manslaughter perjury rape robbery treason or misprison of treason or for violation or conspirary to violate the election or registration laws of this Commonwealth or for criminal libel or for embezzlement by any public officer or any offence involving breach of official duties by any public officer.

The jurisdiction of the said municipal court shall be concurrent with the magistrates' courts and courts of quarter session and oyer and terminer except in the following cases in which it shall have jurisdiction which shall be exclusive.

(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children.

(b) In all proceedings concerning dependent delinquent or neglected children as defined by existing laws relating thereto which are hereby made applicable to proceedings in the municipal court.

The judges of the said municipal court shall be justices of the peace and shall have power to hold preliminary hearings and bind prisoners over to appear in court or, keep the peace or otherwise as the case may be When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be.

In criminal cases not triable in the municipal court but excepted from its jurisdiction as above provided the jurisdiction of the judges of the municipal court to issue warrants of arrest and to hold offenders for court shall be exclusive of the magistrates.

At least one judge of the municipal court shall be designated each month to act as committing magistrate and his court shall be open at all times for such purposes.

Provided however, That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in the municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable.

Section 12. All civil actions in said municipal court shall be begun by filing a statement of the plaintiff's claim without the issuance of any formal writ. The said statement shall consist of a concise recital of the facts which the plaintiff claims give rise to his cause of action diveded into paragraphs consecutively numbered only one averment of fact so far as possible being included in one paragraph Where any contracts or other writings are material to the validity of the plaintiff's claim he must annex copies of the same in accordance with the practice now obtaining in the courts of common pleas This statement may be filed by the plaintiff or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All statements shall be verified by the affidavit of the plaintiff or his duly authorized agent and shall be signed by the plaintiff or his counsel.

The said clerk shall thereupon issue a summons under the seal of the court requiring defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him In default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course in order to prevent judgment as aforesaid defendant must file within ten days of the service of the summons and statement upon him as aforesaid an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred Provided That if defendant alleges himself to be ignorant as to the facts averred in any paragraph he may so state and place the plaintiff upon proof of the same as if they had been denied All facts which defendant does not deny or aver himself to be ignorant and demand proof as aforesaid shall be deemed to be admitted The answer may be filed by the defendant or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All answers shall be verified by the affidavit of defendant or his duly authorized agent and shall be signed by defendant or his counsel After defendant has filed an answer the case shall be at issue without any formal pleas unless he sets up new matter in separate numbered paragraphs in addition to those answering plaintiff's averments in which case plaintiff may within five days answer the same in the same manner and all new matter so averred by defendant and not denied by plaintiff or of which he does not declare himself to be ignorant and demand proof shall be deemed to be admitted The case shall then be at issue Plaintiff may move for judgment for want of a sufficient answer for all or a portion of his claim.

Every statement of claim before it shall be received by the clerk shall contain on the back thereof an endorsement signed by plaintiff or his counsel as follows "Jury trial demanded" or "It is agreed that this case be tried by a judge without a jury" If plaintiff demands a jury trial he shall at the time of filing his statement pay to the clerk a jury fee of four dollars Every answer where plaintiff has not demanded a jury trial shall contain on the back thereof a similar endorsement and if defendant demands a jury trial he shall at the time of filing his answer pay to the clerk a jury fee of four dollars If both parties as aforesaid have filed agreements that the case may be tried by a judge without a jury it shall be so tried under such rules of procedure as the court shall prescribe.

When a case is at issue it may be immediately orderd upon the trial list by either party It shall be the duty of the judges of the said court to so arrange their triar list that cases shall be tried as promptly as possible For the purpose of promptly disposing of all motions and rules in connection with its business it shall be the duty of said court to have at least one judge sitting continuously as many hours per day as he may be needed Except as modified by this act or its own rules duly adopted by a majority of the judges the practice and procedure in the Municipal Court shall be the same as the practise and procedure in the courts of common pleas of Philadelphia County.

Section 13 All criminal prosecutions begun in the said court shall be commenced by an affidavit describing with reasonable accuracy the character of the offense alleged to have been committed Upon the filing of such affidavit it shall be examined by a judge of the said court and if it charges with reasonable certainty an offense committed within the jurisdiction and punishable by law a warrant shall be issued under the seal of the court for the apprehension of the offender The affidavit shall become a record of the court and shall be duly preserved A record shall also be made of the issuance of the warrant and the name of the officer in whose hands it is placed for service A record shall also be made of the return of said officer after serving or attempting to serve said warrant Each said warrant when issued may be delievered to a police officer of the city of Philadelphia and it is hereby made the duty of such police officer to serve such warrants as promptly as may be and to make immediate return to the said court whether served or not return shall be made at latest within two days after said warrant has been delivered for service and in the event of failure to serve such warrant the police officer shall make such further efforts to apprehend the person accused as may be from time to time requested by any of the judges of the said court In making their return it shall be the duty of said police officer to state as a part thereof what has been done with the prisoner whether released on bail or if in custody where confined A prisoner apprehended upon a warrant issued from the municipal court shall be released on bail only upon the written order of a judge of the said court unless after a hearing on habeas corpus by a judge of a court of record having jurisdiction

It shall be the duty of the president judge of the said court to assign at least one judge to conduct preliminary hearings daily in all cases in which warrants of arrest have been issued under the seal of the said court It shall be the duty of the president judge of said court to assign sufficient judges to the trial of criminal cases so that all cases exclusively triable in the said court in which prosecutions may be begun therein or which may be brought therein for trial by the district attorney shall be tried and disposed of as soon as possible after indictment found

It shall be the duty of the district attorney of said county to prosecute all cases in which prosecutions have been begun in the municipal court or which have been returned to court by magistrates for trial and which are exclusively triable in the municipal court or which the district attorney elects to try in said court

In desertion and non-support cases and in juvenile cases there shall be no preliminary hearings but the person accused or children involved shall be immediately brought before the court for trial

Except as modified by this act or by its own rules duly adopted by a majority of the judges the practice and procedure shall be the same in the municipal court in all matters of which it has jurisidiction as in similar matters prosecuted and determined in courts of oyer and terminer and quarter sessions of the peace of the county of Philadelphia

Section 14 All parties believing themselves to be aggrieved by the decisions of the said municipal court may remove their cases by appeal or writ of error to the Supreme or Superior Court as the case may be in accordance with existing law and in accordance with the practice and procedure in perfecting appeals from existing courts in Philadelphia county

Section 15 Judgment recovered in the said municipal court shall be a lien upon the property of the defendant in the same manner and to the same extent that judgment recovered in the Courts of Common Pleas is a lien All such judgments shall be indexed in the judgment index of the said county and it is hereby made the duty of the proper officers to index said judgments in the same manner that judgments in the Courts of Common Pleas are now or hereafter may be indexed

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the Courts of Common Pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 409, as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class wnen conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within two months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board of health in boroughs shall be appointed by the president of the borough council by and with the consent of the council and in townships of the first clas by the board of township commissioners At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall all be residents of th municipality for which they are appointed and shall serve without compensation provided however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a members of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the borough council or by the board of commissioners of the township of the first class and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurers of the borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occuring at the end of each month cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman.

Section 6. The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

Section 7. Said board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same.

Section 8. The board of health may inspect house drains waste and soil pipes cess-pools water-closets slaughter houses hog pens stables stable-yards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a meanace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided.

Section 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal.

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 11. All expenses incurred by any local board or health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the commissioner of health in accordance with the provisions of Section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid.

Section 12. Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expense has been rendered by him to such borough or township of the first class and demand for payment by him he shall with the approval of the Governor instiutute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law.

Section 13. All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 14. All acts entitled "An Act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred and ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided that all boards of health now in existence in borough and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified

On the question,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section two, lines five, six and seven, by striking out the words "judge of the court of common pleas of the county in which the borough or township of the first class is located," and by inserting in lieu thereof the words "of the borough councils or by the chairman of the board of commissioners of such township."

Amend section three, line eight, by inserting after the word "board" the words 'and ratified by the borough council or by the board of commissioners of the township of the first class,

Amend "title" by inserting after the word "health" the following words "shall be appointed by the Borough Councils or by the Chairman of the board of Commissioners of such townships.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which he is appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said board respectively to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a minor in any coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a miner except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncomplaince or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BLAIR. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. DAVIS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING

Mr. ALLEN. Mr. Speaker, I desire to call up House Bill No. 658, File Foli No. 553, on page 13 of today's Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 658, entitled:

An Act to repeal an act entitled "An Act for the preventing of clandestine marriages."

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend House Bill No., 658, File Folio 553 Title by adding after the word "marriages" the words "passed at the session of the General Assembly ending October twenty-eight one thousand nine hundred and one (our Smith's Laws twenty-one)."

Amend House Bill No., 658, File Folio 553, Section 1, line 4, by inserting in the word "clandestine" between the letters "n" and "e" the letter "d" so that the word may be clandestine."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 322, entitled:

An Act fixing a basis upon which to calculate the earnings of miners employed in anthracite coal mines and providing penalties for violations hereof

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Geary,	Martin,	Rothenberger,
Allen,	Geiser,	Mather,	Runk,
Alworth,	Gibson,	Matt,	Sassaman,
Arthur,	Good,	McAleer,	Savacool,
Baldwin, G. A.,	Goss,	McAllister,	Schaeffer, A. C
Baldwin, R. J.,	Grabe,	McCaig,	Schuck,
Barner,	Gramley,	McClintock,	Scott, J. R. K.,
Becker,	Gray, Frank,	McDermott,	Scott, S. B.,
Benninger,	Haggerty,	McKay,	Semmens,
Benson,	Heidinger,	Mechling,	Shaffer, I. E.,
Bergey,	Hemminger,	Mellott,	Showalter,
Bigger,	Herman,	Metzenbacher,	Smith, J. W.,
Bittles,	Hibshman,	Miller,	Smith, L.,
Bleloch,	Hobbs,	Missimer,	Snavely,
Brosius,	Howard, R.,	Mitchell,	Snyder,
Brown,	Humes,	Moore,	Spangler,
Brownlee,	Isler,	Morrow,	Speiser,
Burnett,	Irwin, G. C.,	Murphy,	Spillinger,
Carson,	Irwin, H. H.,	Musser,	Steedle,
Carter,	Jackson,	Neely,	Steele,
Cheeseman,	Jones, J. R.,	Newbaker,	Strauss,
Claycomb,	Kaiser,	Newton,	Swartz,
Cleary,	Keeport,	O'Neill,	Swift,
Cochran,	Kern,	Peachey,	Thomas,
Collins,	Kitts,	Pennegar,	Trach,
Conner,	Klepper,	Pennock,	Ulerich,
Conniff,	Kuhn, H. P.,	Perry, S. J.,	Ulman,
Davis,	Kuhns, E.G.M.,	Peters,	Watson,
DeFrees,	Lanius,	Piper,	Wettach,
Dickinson,	Latshaw,	Post,	Wildman,
Donnally,	Lenker,	Price,	Williams,
Down,	Leslie,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Letzkus,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Light,	Reeser,	Wiltbank,
Ehrhardt,	Lohr,	Rex,	Young, G. K.,
Ely,	Lowers,	Robinson,	Young, J. H.,
Ewing,	Mannion,	Rockwell,	Zimmerman,
Forster, I. G.,		Roney,	Alter,
Foster, J. D.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. LETZKUS. Mr. Speaker, I move that the House be now adjourned.

The motion was agreed to and (at 8:55 o'clock P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., FRIDAY, MARCH 7, 1913. No. 27.

HOUSE OF REPRESENTATIVES

Friday, March 7th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou art the hope of the ends of the earth. We pray not merely for ourselves, therefore, but for all classes and conditions of men in all lands and nations. And as the reins of government are in Thy hands, and the welfare of the people is so largely dependent upon wise and efficient government, we pray that Thou wouldst direct by Thy counsel and prosper with Thy blessing all those to whom is entrusted authority and power. And we pray especially at this time for Thy servant, the President of the United States, so lately inducted into this high office, to whom as yet its responsibilities and duties, its perplexties and problems are unfamiliar and strange. Wilt Thou be to him all Thou hast promised to be, guardian, guide, helper and friend. May the people remember him in their prayers, and be patient and forbearing, and stand by him with their confidence and trust. We pray for the people of this great Commonwealth whom we represent, for the rich, that they might use their riches for the glory of God and the welfare of man; for the poor that their distress may be alleviated, and that they may be kept from dispair; for the toilers, that they may have an adequate share in the fruit of their labors and the supreme satisfaction of work well wrought; for the suffering and distressed, that they may have the pity of God and the administration and the comforting of their neighbors and friends. And we commend ourselves to Thee, asking that Thou wouldst keep us and bless us according to our need, for the Savior's sake. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Snyder the further reading of the Journal was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED TO COMMITTEES.

By Mr. McNICHOL. House Bill No. 1168.

An Act to proide for the payment of costs and charges on writs of Execution or Attachments and fixing the liability of Sheriff in the execution therof.

Referred to Committee on Judiciary Special.

By Mr. LOHR. House Bill No. 1169.

An Act to provide for the government of Townships

Referred to Committee on Counties and Townships.

By Mr. LOHR. House Bill No. 1170.

An Act to establish as a "State Highway" a certain section of public road from Jennerstown in Somerset county to Johnstown in Cambria county, beginning in Jennerstown and running by way of Glessner, Conner, Thomas Mills, and Sulphur Springs, to Island Park, thence over route number fifty-two to Johnstown.

Referred to Committee on Public Roads.

By Mr. JOHN H. YOUNG. House Hill No. 1171.

An Act making an appropriation to the Orphan Asylum of the Holy Family, located at Emsworth, Allegheny County, Pennsylania.

Referred to Committee on Appropriations.

By Mr. JOHN H. YOUNG. House Bill No. 1172.

An Act making an appropriation to the Salvation Army Rescue and Maternity Home at Bellevue in the County of Alegheny.

Referred to Committee on Appropriations.

By Mr. HORACE B. DUNN. House Bill No. 1173.

An Act to establish as a 'State Highway" a certain section of public road begninning at the Reformatory Cross Roads in Smithfield, on the west side of the Juniata River, in Huntingdon County, at a point on State Highway Route number fifty-five; thence up along the west side of the Juniata River to Neffs Bridges, over the Frankstown Branch of the Juniata River and the Little Juniata River to Petersburg; thence up Shavers Creek, following the waters of Shavers Creek, by way of Wilsontown, Neffs Mils, Stulls Bridge, Charter Oak to the dividing line between the counties of Huntingdon and Centre; thence to a point on State Highway Route number fifty-six at Pine Grove Mills; thence over State Highway Routes number fifty-six and twenty-seven into Bellefonte, Centre County.

Referred to Committee on Public Roads.

By Mr. McALEER. House Bill No. 1174.

An Act fiving the time within which indictments for any crime or misdemeanor (murder or voluntary manslaughter excepted) shall be brought or exhibited, and repealing all acts or pants of acts inconsistent with the provisions thereof.

Referred to Committee on Judiciary Special.

By Mr. COX. House Bill No. 1175.

An Act authorizing the purchase or procuring of work, labor, materials or commodities to the value of one thousand dollars at any one time, by cities of the first class, without public advertisement for bids, and in certain cases, without entering into written contracts therefor.

Referred to Committee on Municipal Corporations.

By Mr. HOBBS. House Bill No. 1176.

An Act to amend an act approved the fourth day of April, one thousand eight hudnred sixty-eight, entitled "An act authorizing the erection of a poor house by the townships of North Abington, South and Newton, in the county of Luzerne," by enabling the boroughs of Clark Summit, Dalton, Glenburn and La Plume and the township of West Abington each to elect a poor director of the Lake View poor district.

Referred to Committee on Judiciary Local.

By Mr. BENSON. House Bill No. 1177.

An Act making an appropriation to the Commonwealth Humane Society of Bradford.

Referred to Committee on Appropriations.

By Mr. SNYDER. House Bill No. 1178.

An Act to amend the eighth section of an act, approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, entitled "An Act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations, in the State of Pennsylvania.

Referred to Committee on Public Health and Sanitation.

By Mr. CLAYCOMB. House Bill No. 1179.

An Act to prohibit the sale by solicitation of vinous, spirituous, malt or brewed liquors or any admixture thereof to a consumer or consumers, unless the person, company or corporation selling the same has a license so to do from the Court of Quarter Sessions of the County in which said consumer resides or is located.

Referred to Committe on Law and Order.

By Mr. ALWORTH. House Bill No. 1180.

An Act relating to the recording of deeds mortgages and other instruments providing that the same shall take effect from the time of record regulating the duties of the Recorder and repealing inconsistent acts.

Referred to the Committee on Judiciary Special.

By Mr. KAUFMAN. House Bill No. 1181.

An Act regulating the sale of vinous, spirituous, malt or brewed liquors; and providing penalties for the violation of this act.

Referred to Committee on Law and Order.

By Mr. STONE. House Bill No. 1182.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collection such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for the transportation of certain pupils at the expense of the proper school district.

Referred to Committee on Education.

By Mr. ALWORTH. House Bill No. 1183.

An Act providing for the public safety; prohibiting the mining and removal of coal under public streets and thoroughfares in any municipality within this Commonwealth, in such manner as to endanger the surface support; providing for the erection of artificial support when the coal is removed; providing a method for the enforcement of the provisions hereof.

Referred to the Committee on Municipal Corporations.

By Mr. ALWORTH. House Bill. No. 1184.

An Act to amend an act approved the sixteenth day of May, one thousand eight hundred and ninety-one, entitled "An Act in relation to the laying out ,opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Comomnwealth, the grading, paving, macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, cost and expenses thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses therefrom including damages to private property resulting therefrom," as amended.

Referred to the Committee on Municipal Corporations.

By Mr. DONNALLY. House Bill No. 1185.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point in Landisburg borough, Perry County, and extending via Bridgeport, Lebo, Oak Grove and Waggoners Gap, thence through Caprivi to Carlisle, in Cumberland County.

Referred to the Committee on Public Roads.

By Mr. MOULTROP. House Bill No. 1186.

An Act to make the real estate of any pauper liable for the expense of his support, maintenance and burial, and providing a method for the collection of such claims.

Referred to the Committee on Judiciary General.

By Mr. SPILLINGER. House Bill No. 1187.

An Act authorizing each city of the first class to establish a Municipal Pension Fund for employes of said city and regulating the payment of such pensions.

Referred to the Committee on Municipal Corporations.

By Mr. C. M. C. Campbell. House Bill No. 1188.

An Act proiding for the erection of a monument on the Grand Army of the Republic lot in Mount Vernon Cemetery, located in Elizabeth township, Allegheny County, Pennsylvania, to the memory of the soldiers of the Civil War, of Elizabeth township, Allegheny County; providing for a commission to carry the same into effect, and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. WILDMAN. House Bill No. 1189.

An Act to prohibit the use of the over-check on horses, and providing a penalty for the violation thereof.

Referred to Committee on Agriculture.

By Mr. WILDMAN. House Bill No. 1190.

An Act relating to the payment of bonus on the incorporation, merger or consolidation of banks and trust companies.

Referred to Committee on Banks and Banking.

By Mr. GEISER. House Bill No. 1191.

An Act to amend sections five hundred forty and five hundred forty-one of an act approvel the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collection such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. HAGGERTY. House Bill No. 1192.

An Act to amend section twelve hundred and seven of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May, one thousand nine hundred and eleven.

Referred to Committee on Education.

By Mr. HAGGERTY. House Bill No. 1193.

An Act to amend section two thousand six hundred and twenty-three of an at approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

Referred to the Committee on Education.

Mr. HAGGERTY. House Bill No. 1194.

An Act entitled "An Act providing for the Election of a Borough Controller in all Boroughs of this Commonwealth, having a population of fifteen thousand or over, and prescribing the qualifications, powers and duties thereof and abolishing the office of Borough Auditors in said Boroughs.

Referred to the Committe on Municipal Corporations.

Mr. SWIFT. House Bill No. 1195.

An Act to further regulate and restrain the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof, by forbidding such sale between certain designated hours of the day and on certain holidays, and prohibiting the use of certain devices intended to increase sales.

Referred to Committee on Law and Order.

Mr. J. H. DUNN. House Bill No. 1196.

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

Mr. LIGHT. House Bill No. 1197.

An Act to prohibit the use of firearms of any description upon lands set apart to hospital, or sanatorium, or park, or resort uses, whereon human beings congregate in the open, in quest of health, recreation, or pleasure, in this Commonwealth and providing penalties for violation of its several provisions.

Referred to the Committee on Law and Order.

Mr. SAMUEL J. PERRY. House Bill No. 1198.

A Supplement to an act approved the seventeenth day of February, one thousand nine hundred and six, entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violations of its provisions" providing for fees of witnesses subpoenaed in hearings before the Comimsisoners, and directing how they shall be paid.

Referred to the Committee on Elections.

Mr DOWN. House Bill No. 1199.

An Act to prohibit the clerk of Orphans' Court from issuing a marriage license to persons of Caucasian and Ethiopian descent who desire to intermarry.

Referred to Committee on Judiciary Local.

Mr. DOWN. House Bill No. 1200.

An Act to establish as a "State Highway" a certain section of public road beginning at a point on Route number two hundred eight, near Ray Millton, and running thence westerly to a further point on said Route number two hundred eight, near the Borough of Jackson Centre.

Referred to Committee on Public Roads.

Mr. DOWN. House Bill No. 1201.

An Act to amend the third section of an act approved the twenty-third day of June, one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," as amended.

Referred to Committee on Judiciary Local.

Mr. SPEISER. House Bill No. 1202.

An Act making it a misdemeanor for the keeper, owner, proprietor or any person in charge of any storage or warehouse ,second-hand store or junk shop, for failure to provide and keep books showing entries of receipt or acceptance of goods by purchase ,exchange or otherwise; said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police, and providing a penalty for the violation thereof.

Referred to Committee on Judiciary Special.

Mr. SPEISER. House Bill No. 1203.

An Act making it a misdemeanor for the keeper, owner, proprietor or any person in charge of any storage or warehouse, pawn shop, second-hand store or junk shop to conceal from any constable or sheriff, entrusted with the execution of any writ, the whereabouts of goods and chattels in their possession belonging to another; defining what shall be evidence of such concealment and providing a penalty therefor.

Referred to the Committee on Judiciary Special.

Mr. KUHN. House Bill No. 1204.

An Act making an appropriation to the Gatlin Institute of Pittsburgh.

Referred to the Committee on Appropriations.

Mr. W. F. BLAIR. House Bill No. 1205.

An Act to establish as a "State Highway" a public road, beginning at Washington in Washington County, and running over route one hundred thirteen to Laboratory and thence by way of Hart's Mills and Amity to a point on the dividing line between Greene and Washington Counties thence by way of Ruff's Creek into Waynesburg, Greene County.

Referred to the Committee on Public Roads

Mr. GEORGE A. BALDWIN. House Bill No. 1206.

An Act making an appropriation to the Passavant Memorial Homes for the care of Epilieptics, at Rochester, Beaver County, Pennsylvania.

Referred to Committee on Appropriations.

Mr. McCLINTOCK. House Bill No. 1207.

An Act making an appropriation to the Philadelphia Home for Incurables.

Referred to Committee on Appropriations.

By Mr. GANS (By Request). House Bill No. 1208.

Relatives to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefor; imposing certain duties upon the seller and the buyer upon the seller or pledgor and the buyer and pledges; making their violation a misdemeanor and providing penalties therefor.

Referred to the Committee on Judiciary Special.

By Mr. FORSTER. House Bill No. 1209.

An Act authorizing the appointment of a Commission to examine into the Apartment Lodging Furnish Room Boarding and Tenement Houses question in cities of the First Class and making an appropriation for the expenses of said Commission.

Referred to the Committee on Municipal Corporations.

By Mr. FORSTER. House Bill No. 1210.

An Act to amend an act entitled "An Act to enable local registrars of vital statistics and their deputies to administer the oath or affirmation of undertakers" approved the seventh day of May Anno Domini one thousand nine hudnred and seven, so that it shall not apply to cities of the first and second class.

Referred to Committee on Public Health and Sanitation.

By Mr. WATSON. House Bill No. 1211.

An Act extending the jurisdiction of the courts in actions wherein a corporation is or shall be a party.

Referred to Committee on Judiciary General.

By Mr. WATSON. House Bill No. 1212.

An Act making an appropriation to the Indiana Hospital of Indiana, Indiana County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WATSON. House Bill No. 1213.

An Act to establish as a "State Highway" a certain section of public road commencing in the Borough of Indiana thence over the old Indiana and Ebensburg Pike by way of Nolo to Stungstown connecting with route numbered fifty-four and thence over route fifty-four to the Borough of Ebensburg.

Referred to Committee on Public Roads.

By Mr. LOWERS. House Bill No. 1214.

An Act prescribing the number of Directors of the Poor in counties which have provided for the erection of a home for the destitute and insane, and fixing the term of service of such directors at six years.

Referred to Committee on Counties and Townships.

By Mr. KLEPPER. House Bill No. 1215.

An Act to enable city county poor ward school borough and township tax collectors, their executors or administrators, if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their term or offic, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Referred to the Committee on Judiciary Special.

By Mr. MALIE. House Bill No. 1216.

An Act to amend section 29 of an act approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to regulate the sale of intoxicating liquors," by increasing the penalty.

Referred to the Committee on Law and Order.

By Mr. MALIE. House Bill No. 1217.

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municipal corporation providing the method of ascertaining and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations, empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said leases.

Referred to Committee on Municipal Corporations.

By Mr. W. H. WILSON. House Bill No. 1218.

An Act to amend the Ninth Section of an act entitled "An Act for the establishment and government of a State Naval Militia' approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three; by repealing the provision that the Divisions in each Battalion in the Naval Force shall be considered the equivalents of Companies of the National Guard; and by providing that the Divisions of the Naval Force shall be considered the equivalents of Field Batteries in the National Guard and shall receive the same allowances as Field Batteries for armory rent for rifle practice for clothing and equipment; and making said allowance also available for subsistence and additional general military purposes:—by also providing that the alowance to be received by Battalions in the Naval Force for armory rent for rifle practice for clothing and equipment; shall be available for subsistence and additional general military purposes.

Referred to the Committee on Military Affairs.

By Mr. LENKER. House Bill No. 1219.

An Act to amend section seven of an act, approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one, two, three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine, entitled 'An Act to amend sections one, two three and seven of an act, approved the third day of May Anno Domini one thousand nine hundred and five entitled, 'An Act to provide for the health and safety of prsons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith,' approved June eight Anno Domini one thousand nine hundred and one, (Phamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera); increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin County and providing for certain redistricting of inspectors granting to the qualified electors of Sullivan Susquehanna and Wayne Counties the right to participate in the election of mine inspectors of the second inspections district'; so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district; providing for the appointment of a board of examiners for said district, and for the examination and election of an inspector therefor, and for the appointment of an inspector therefor, until such time as an inspector should be duly elected," by providing for aditional inspectors therein.

Referred to the Committee on Mines and Mining

By Mr. WILTBANK. House Bill No. 1220.

An Act requiring the stamping of checks when presented for payment but where there shall be no funds or not sufficient funds to pay same and providing a penalty

Referred to the Committee on Banks and Banking.

By Mr. W. A. BLAIR. House Bill No. 1221.

An Act to repeal an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies

Referred to Committee on Judiciary General.

By Mr. W. B. DUNN. House Bill No. 1222.

An Act to amend the first section of an act approved the eleventh day of May, Anno Domini one thousand eight hundred and eighty-nine, entitled "A Further Supplement to an act, entitled "An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes,' approved March twenty-ninth one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots" as amended by an act approved the thirtieth day of March Anno Domini one thousand eight hundred and ninety-nine, entitled "An act to amend the first section of an act approved the eleventh day of May one thousand eight hundred and eighty-one entitled 'A further supplement to an act, entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for the other purposes,' approved March twenty-ninth one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots,' " by fixing the rates of pilotage.

Referred to Committee on Insurance.

REPORTS FROM COMMITTEES.

Mr. GIBSON, from the Committee on Agriculture, reported as amended, House Bill No. 1010, entitled:

An Act relating to domestic animals and poultry; providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof; imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals; and providing penalties for the violation of this act.

Mr. LENKER, from the Committee on Mines and Mining, reported as committed, House Bill No. 1052, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Com-

monwealth requiring that not less than two miners be employed and engaged in the robbing of pillars where the seam of coal has a pitch of twenty-five degrees or more, and fixing a penalty for the violation of this act.

Mr. HORACE B. DUNN, from the Committee on Counties and Townships, re-reported as amended, House Bill No. 82, entitled:

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act.

Mr. WALNUT, from the Committee on Elections, reported as amended, House Bill No. 111, entitled:

An Act amending section 23 of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, A. D. 1893, as amended by the Act of Assembly approved the sixteenth day of April A. D. 1903, by providing for the appointment of watchers by the Court, defining their power and duties providing for the payment of their compensation by the several counties making the refusal of any election officer to permit such watcher to perform his duties a misdemeanor and prescribing the penalty therefor, providing for the rejection of all or part of the votes in certain cases where such watchers are driven from the polls and providing for the punishment of persons driving away said watchers from the polls.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for the several members of the Appropriation Committee who have gone to Centre County.

Mr. BLELOCH asked and obtained leave of absence for Mr. Savacool for the week.

Mr. SWIFT asked and obtained leave of absence for Mr. George A. Baldwin for the balance of the week.

Mr. CARSON asked and obtained leave of absence for Mr. Post for balance of the week.

Mr. MATT asked and obtained leave of absence for Mr. Charles A. Schaffer for the balance of the week.

RESOLUTIONS.

Mr. GEORGE K. YOUNG offered the following resolution, which was twice read and laid over under the rule:

A CONCURRENT RESOLUTION.

Providing for the appointment of a joint committee of the Senate and House of Representatives to investigate the manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania, and issuing infantile and industrial policies upon which the premium is payable either weekly or monthly, transact their business within this Commonwealth, with full power and authority to administer oaths and compel the attendance of persons and the production of books and papers, to issue all necessary process, to employ counsel and other necessary officers and employees, and to report its findings and recommendations.

Whereas, The manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania, and issuing infantile and industrial policies upon which the premium is payable either weekly or monthly shall transact their business within this Commonwealth and safeguard the interests of their policy-holders is not provided for or regulated by statute; and,

Whereas, The companies engaged in those particular branches of life insurance depend mainly upon the poor classes for their support; and,

Whereas, The business in infantile and industrial life insurance has grown to such proportions that the manner in which the same is transacted within this Commonwealth, should be investigated so that, if necessary, the manner of conducting such business and the safeguarding of the interests of such policy-holders may be regulated by statute; therefore be it,

Resolved, (if the Senate concur), That the President pro tempore of the Senate, shall appoint three Senators and the Speaker of the House of Representatives shall appoint three of its members and six shall appoint a citizen of Pennsylvania with a competent knowledge of life insurance, who shall constitute a joint committee, whose duty it shall be to investigate the manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania, and issuing infatile and industrial policies upon which the premium is payable either weekly or monthly, transact their business within the Commonwealth of Pennsylvania and make report of its findings to the next Legislature, and, if necessary, recommend such bill or bills as in its judgment may be necessary and requisite to regulate and prescribe the manner in which life insurance companies issuing infantile and industrial policies shall transact their business within the Commonwealth of Pennsylvania and safeguard the interests of their policy-holders. Said committee shall have power to elect its own chairman, to sit after the adjournment of the Legislature, to administer oaths and compel the attendance of persons and the production of books and papers, to issue all necessary process, to employ legal counsel and such other offices and employees as may be needed to enable it to properly perform its duties; but its expenditures shall be limited to the amount provided therefor in the general appropriation bill to be passed at this session of the Legislature, and shall be paid out of the State Treasury upon vouchers signed by the chairman of said committee.

Said committee shall make a full report, in writing, to the Governor of the Commonwealth, of its findings, with such recommendations and draft of such bill or bils as in its judgment may be necessary, three months prior to the meeting of the General Assembly in the Session of one thousand nine hundred and fifteen.

DISAPPROVAL OF POLICE REGULATIONS IN WASHINGTON, D. C.

Mr. BERGEY offered the following resolution, which was twice read and laid over under the rules:

Whereas, On Monday, March 3rd in Washington, D. C., many women and citizens of this Commonwealth participated in a parade representing the suffrage cause conducted by women of the United States, and

Whereas, The police authorities ignored the appeals of the women and the dictates of common decency, and produced in the streets of the Nation's Capitol scenes of shameful disorder and lawlessness, and

Whereas, Women of character of this Commonwealth were scandalously insulted in the streets of the National Capitol, and therefore be it,

Resolved, That the members of the House of Representatives of Pennsylvania hereby, voice their disapproval of the police regulations of the National Capitol which permitted the women of this Commonwealth and nation to be insulted and therefore be it further

Resolved, That it is the opinion of the House of Representatives of this Commonwealth that the officials responsible for the outrage committed upon the women and citizens of this Commonwealth should be duly punished for their gross neglect to provide efficient police protection which every citizen is duly entitled upon the streets of the National Capitol.

The SPEAKER. The first order of business is Bills on First Reading, but as these bills have not yet been received from the printer we will have to pass over that order.

The next order of business is Bills on Final Passage, but it appears that the Bills on Final Passage have not been placed on all of the members files. We will therefore pass over that order of business also.

The next order of business is Bills on Third Reading.

The first bill on the third reading Calendar, No. 775, has not yet been placed on all of the members files, and therefore will be passed over for the present.

The first bill for consideration will be bill No. 505.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 505, entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Adams,	Dunn, J. A.,	Light,	Schaeffer, A. C
Allen,	Ehrhardt,	Lohr,	Schuck,
Alworth,	Forster, I. G.,	Lowers,	Scott, J. R. K.,
Baldwin, R. J.,	Foster, J. D.,	[illegible]n,	Semmens,
Barner,	Geary,	Mather,	Shaffer, I. E.,
Becker,	Geiser,	Matt,	Showalter,
Benninger,	Glenn,	McCaig,	Smith, J. W.,
Benson,	Good,	McDermott,	Smith, L.,
Bergey,	Goss,	McKay,	Snavely,
Bigger,	Grabe,	Mechling,	Snyder,
Bittles,	Gramley,	Mellott,	Spangler,
Blair, W. A.,	Gray, Frank,	Metzenbacher,	Speiser,
Blair, W. F.,	Hemminger,	Miller,	Spillinger,
Brosius,	Hibshman,	Mitchell,	Steedle,
Brown,	Hobbs,	Morrow,	Steele,
Brownlee,	Howard, R.,	Murphy,	Stone,
Carson,	Humes,	Musser,	Strauss,
Carter,	Isler,	Neely,	Swartz,
Cheeseman,	Irwin, H. H.,	Newbaker,	Swift,
Claycomb,	Jackson,	Newton,	Thomas,
Cleary,	Kaiser,	Pennegar,	Trach,
Cochran,	Kaufman,	Pennock,	Ulerich,
Collins,	Keeport,	Piper,	Ulman,
Conner,	Kennedy,	Price,	Walnut,
Conniff,	Kern,	Ramsey,	Watson,
Cox,	Kitts,	Redfield,	Wildman,
Currier,	Klepper,	Reeser,	Williams,
Davis,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Robinson,	Wilson, W. H.,
Dickinson,	Lanius,	Rockwell,	Wiltbank,
Donnally,	Latshaw,	Rothenberger,	Young, G. K.
Down,	Leslie,	Runk,	Young, J. H.,
Dunn, H. B.,		Sassaman,	Zimmerman,
			Alter,
			Speaker.

NAYS—9.

Berntheizel,	Hess,	Lenker,	McAleer,
Bleloch,	Jones, J. R.,	Martin,	McAllister,
			O'Neill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The next bill, No. 655, is not on all the members files and will be passed over for the present.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 866, (Senate Bill No. 123), entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three entitled "An Act relative to the pay of jurors in the County of Bucks"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constition, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Adams,	Foster, J. D.,	Letzkus,	Sassaman,
Allen,	Geary,	Light,	Schaeffer, A. C
Alworth,	Geiser,	Lohr,	Schuck,
Arthur,	Gibson,	Lowers,	Scott, J. R. K.,
Baldwin, R. J.,	Glenn,	Mannion,	Scott, S. B.,
Barner,	Good,	Martin,	Semmens,
Benninger,	Goss,	Mather,	Shaffer, I. E.,
Benson,	Grabe,	Matt,	Showalter,
Bergey,	Gramley,	McAleer,	Smith, J. W.,
Berntheizel,	Gray, Frank,	McAllister,	Smith, L.,
Bigger,	Gray, Joseph,	McCaig,	Snavely,
Bittles,	Haggerty,	McClintock,	Snyder,
Blair, W. A.,	Heidinger,	McDermott,	Spangler,
Blair, W. F.,	Hemminger,	McKay,	Speiser,
Bleloch,	Hibshman,	Mechling,	Spillinger,
Brosius,	Hobbs,	Mellott,	Steedle,
Brown,	Howard, R.,	Metzenbacher,	Steele,
Brownlee,	Humes,	Miller,	Stone,
Carson,	Isler,	Morrow,	Strauss,
Carter,	Irwin, H. H.,	Murphy,	Swartz
Claycomb,	Jackson,	Musser,	Swift,
Cleary,	Jones, J. R.,	Neely,	Thomas,
Cochran,	Kaiser,	Newbaker,	Trach,
Conner,	Kaufman,	Newton,	Ulerich,
Conniff,	Keeport,	O'Neill,	Ulman,
Cox,	Kennedy,	Pennegar,	Walnut,
Currier,	Kern,	Pennock,	Watson,
Davis,	Kitts,	Price,	Wildman,
DeFrees,	Klepper,	Ramsey,	Williams,
Dickinson,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Down,	Lanius,	Rex,	Wiltbank,
Dunn, H. B.,	Latshaw,	Robinson,	Young, G. K.
Dunn, J. A.,	Lenker,	Rockwell,	Young, J. H.,
Ehrhardt,	Leslie,	Roney,	Zimmerman,
Ely,		Rothenberger,	Alter,
Forster, I. G.,		Runk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 813, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Adams,	Dunn, J. A.,	Leslie,	Rothenberger,
Allen,	Ehrhardt,	Letzkus,	Runk,
Alworth,	Ely,	Light,	Sassaman,
Arthur,	Forster, I. G.,	Lohr,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Scott, J. R. K.,
Barner,	Geary,	Mannion,	Scott, S. B.,
Becker,	Gibson,	Martin,	Semmens,
Benninger,	Good,	Mather,	Shaffer, I. E.,
Benson,	Goss,	Matt,	Smith, J. W.,
Bergey,	Grabe,	McAleer,	Smith, L.,
Berntheizel,	Gramley,	McAllister,	Snavely,
Bigger,	Gray, Frank,	McArdle,	Snyder,
Bittles,	Gray, Joseph,	McCaig,	Spangler,
Blair, W. A.,	Heidinger,	McClintock,	Speiser,
Bleloch,	Hemminger,	McDermott,	Spillinger,
Brosius,	Hess,	McKay,	Steedle,
Brown,	Hibshman,	Mechling,	Steele,
Brownlee,	Hobbs,	Mellott,	Stone,
Burnett,	Hoffman,	Metzenbacher,	Strauss,
Carson,	Howard, R.,	Miller,	Swartz,
Carter,	Humes,	Mitchell,	Swift,
Cheeseman,	Isler,	Moore,	Thomas,
Claycomb,	Irwin, G. C.,	Morrow,	Trach,
Cleary,	Jackson,	Murphy,	Ulerich,
Cochran,	Irwin, H. H.,	Newbaker,	Ulman,
Collins,	Jones, J. R.,	Newton,	Walnut,
Conner,	Kaiser,	O'Neill,	Watson,
Conniff,	Kaufman,	Pennegar,	Whitman,
Cox,	Kennedy,	Pennock,	Wildman,
Currier,	Kern,	Piper,	Williams,
Curry,	Kitts,	Price,	Wilson, J. H.,
Davis,	Klepper,	Ramsey,	Wilson, W. H.,
DeFrees,	Kuhn, H. P.,	Redfield,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Donnally,	Lanius,	Robinson,	Young, J. H.,
Down,	Lenker,	Rockwell,	Zimmerman,
Dunn, H. B.,		Roney,	Alter,
Geiser,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 825, entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

BILL RECOMMITTED.

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The next bills in order on the Calendar, Nos. 735 and 305, have not yet been placed on all the files and will be passed for the present.

BILLS ON THIRD READING.

Mr. WALTER A. BLAIR. Mr. Speaker, I desire to call up, for the purpose of amendment, House Bill No. 234, file folio 1123, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same.

on page 17 of today's Calendar, Bills on Third Reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 234, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners, and providing penalties for the violation of the same.

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER A. BLAIR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 1, line 11, after word "the" insert the word "bituminous."

Amend Section 6, line two, after the word "any" insert the word "bituminous."

Amend Section 2, line 2, after the word "of" 'insert the word 'bitmuinous."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

RECONSIDERATION OF VOTE.

Mr. REX. Mr. Speaker, I offer the following motion.

The motion was read by the Clerk as follows:

Moved by John Rex that the vote by which House Bill No. 209; file folio 623, was defeated on second reading, be reconsidered.

Mr. O'NEILL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BERGEY. Mr. Speaker, I want to have this bill recommitted for the purpose of amendment.

On the question recurring,

The SPEAKER declared the Chair in doubt.

Whereupon a rising vote was taken and seventy having voted in the affirmative and thirty-five in the negative, the question was determined in the affirmative.

BILL RECOMMITTED.

Mr. BERGEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. MILLER. Mr. Speaker, I desire to call up, for the purpose of amendment, House Bill No. 566, file folio 531, entitled:

An Act giving to all owners or tenants of land property or material injured by the laying out, opening, widening, vacating, extending or grading of roads, streets, lanes or alleys or the changing of grades and lines thereof, the construction of bridges and the piers abutments, approaches, embankments, slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers, the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assesing damages or benefits for taking, using, occupying or injuring lands, property or material, to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and future proceedings.

on page 15 of todays Canendar, Bills on Third Reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 566, entitled:

An Act giving to all owners or tenants of land property or material injured by the laying out, opening, widening, vacating, extending or grading of roads, streets, lanes or alleys or the changing of grades and lines thereof, the construction of bridges and the piers abutments, approaches, embankments, slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers, the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assesing damages or benefits for taking, using, occupying or injuring lands, property or material, to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and future proceedings.

On the question,

Will the House agree to the bill on third reading?

Mr MILLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 2, in line five (5) strike out "the aforesaid damages" in insert in lieu thereof "damages provided for in Section 1 of this act."

Insert between Sections 3 and 4: "Section 4. That after disposal of exceptions or verdict and final judgment any interested party or parties may have an appeal to the Superior or Supreme court, as in other cases.

Change figure 4 in Section 4 to 5.

Change figure 5 in Section 5 to 6.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 197, entitled:

An Act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of orphans' court.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ALLEN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KENNEDY. Mr. Speaker, I second the motion.

It was agreed to.

The SPEAKER. The next bill on the Calendar is House Bill No. 877, File Folio 1365. As this bill is not upon the files, it will be passed for the present.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 897, entitled:

An Act to amend Section one of an act entitled "An Act to authorize the apopintment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District, and fixing their salaries," approved the fourth day of May, Anno Domini one thousand nine hundred and five, by changing the salary.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RONEY. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. SPEISER. Mr. Speaker, I second the motion.

It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 290, entitled:

An Act authorizing Robert Stewart, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILDMAN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. DICKINSON. Mr. Speaker, I second the motion.

It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 864, (Senate Bill No. 55), entitled:

A joint resolution extending the time for the making of the report of the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Adams,	Forster, I. G.,	Mannion,	Sassaman,
Allen,	Foster, J. D.,	Martin,	Schuck,
Arthur,	Geiser,	Mather,	Scott, J. R. K.,
Baldwin, R. J.,	Gibson,	Matt,	Scott, S. B.,
Barner,	Glenn,	McAllister,	Semmens,
Becker,	Good,	McCaig,	Shaffer, I. E.,
Benson,	Goss,	McClintock,	Showalter,
Bergey,	Grabe,	McDermott,	Smith, J. W.,
Berntheizel,	Gramley,	McKay,	Smith, L.,
Bigger,	Gray, Frank,	Mechling,	Snavely,
Bittles,	Gray, Joseph,	Mellott,	Snyder,
Blair, W. F.,	Haggerty,	Metzenbacher,	Spangler,
Bleloch,	Heidinger,	Miller,	Speiser,
Brosius,	Hobbs,	Mitchell,	Spillinger,
Brown,	Howard, R.,	Moore,	Steedle,
Brownlee,	Humes,	Morrow,	Stone,
Burnett,	Isler,	Murphy,	Strauss,
Carson,	Jackson,	Musser,	Swartz,
Carter,	Jones, J. R.,	Neely,	Swift,
Cheeseman,	Kaiser,	Newbaker,	Thomas,
Claycomb,	Keeport,	Newton,	Trach,
Cleary,	Kennedy,	O'Neill,	Ulerich,
Cochran,	Kern,	Pennegar,	Ulman,
Collins,	Kitts,	Pennock,	Walnut,
Conner,	Klepper,	Piper,	Watson,
Conniff,	Kuhn, H. P.,	Price,	Wildman,
Cox,	Kuhns, E.G.M.,	Ramsey,	Williams,
Currier,	Lanius,	Redfield,	Wilson, J. H.,
Davis,	Lenker,	Reeser,	Wilson, W. H.,
Dickinson,	Leslie,	Rex,	Wiltbank,
Donnally,	Letzkus,	Robinson,	Young, G. K.,
Down,	Light,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Lohr,	Roney,	Zimmerman,
Dunn, J. A.,	Lowers,	Rothenberger,	Alter,
Ehrhardt,		Runk.	Speaker.
Ely,			

NAYS—1.

Hemminger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. RONEY. Mr. Speaker, the hour is now eleven o'clock, and I call for the orders of the day.

Mr. S. B. SCOTT. Mr. Speaker, I move that Rule Fifty-four be suspended for the day.

Mr. WALNUT. Mr. Speaker, I second the motion.

The SPEAKER. Does the gentleman from Philadelphia insist upon his call for the orders of the day?

Mr. RONEY. I do, Mr. Speaker.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALLEN. My point of order is this, Mr. Speaker, that the vote upon this bill had been taken, but no announcement of the vote had been made.

Mr. R. J. BALDWIN. Mr. Speaker, the orders of the day take precedent over all other proceedings.

The SPEAKER. The Chair rules that the vote had been announced.

If the gentleman from Philadelphia insists upon his call for the orders of the day, the Chair is powerless to do otherwise than adjourn the House.

Mr. ROCKWELL. Mr. Speaker, as I remember the condition we were in, the Chair was just announcing that this bill would be sent to the Senate for concurrence, and the words were not out of the Speaker's mouth.

Mr. ALLEN. The Speaker had announced the result of the vote, but had not declared the bill passed.

Mr. ROCKWELL. Mr. Speaker, I believe the point of order raised by the gentleman from Allegheny is well taken for the reason that no other business can be taken up during the progress of discussion or action of any bill.

Mr. R. J. BALDWIN. Mr. Speaker, it is well known that the orders of the day take precedent over all other business.

Mr. RONEY. Mr. Speaker, I waited practically as I thought until the bill upon which the vote was being taken at a minute to eleven, had been disposed of, and then I called for the orders of the day at eleven o'clock. It was my idea to call for the orders because the sponsors of the bills did not appear anxious for action on them on account of the slim attendance here to-day, and were having them postponed. It was for the reason that we are unable to proceed rapidly with our legislative business that I called for the orders of the day. It was precisely to the minute, and I have never seen a roll call and an announcement timed so nicely as to-day.

The SPEAKER. The Chair was about to suggest to the House that in view of the small attendance, it might be well to consent to the taking up of the second reading Calendar, disposing of it, and then to adjourn.

Mr. RONEY. Mr. Speaker, that is entirely your pleasure, and I will withdraw my call for the orders of the day.

The Chair asked and received the unanimous consent of the House to suspend the further consideration of the Third Reading Calendar, and to take up the bills on the Second Reading Calendar.

BILLS ON SECOND READING.

The SPEAKER. House Bill No. 118, File Folio 1409, is not upon the files and will be passed for the present.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 292, as follows:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" and to reimburse counties for moneys paid under the provisions of such act

Whereas By the provisions of an act of Assembly approved the tenth day of April one thousand nine hundred and seven entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" counties paying bounties on certain noxious animals were to be reimbursed by the Commonwealth through moneys specifically appropriated for that purpose and

Whereas There were so many noxious animals killed and bounties claimed and paid under the provisions of said act that the appropriation aforesaid was insufficient to reimburse the counties paying said bounties and

Whereas It is proper that the work of exterminating such noxious animals be carried on persistently throughout this Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated for the following purposes

To carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred seven entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" the sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary said moneys to be paid under the same terms and conditions as are prescribed in said act

To reimburse counties that have made payment of bounties under the provisions of said act the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary such moneys to be paid under the same terms and conditions as are prescribed in said act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS RE-COMMITTED.

Mr. PRICE. Mr. Speaker, I move that House Bill No. 292, entitled:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and to provide penalties for violation of its several provisions and to reimburse counties for moneys paid under the provisions of such act

which has just passed the House on second reading, be recommitted to the Committee on Appropriations.

Mr. LETZKUS. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 853, as follows:

An Act to promote the safetty of the traveling public upon railroads by limiting the hours of service of certain employees and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad to permit or cause to be permitted any employee whose duty is that of a gateman or watchman at any public or private crossing where such gateman or watchman is stationed to remain on duty for a longer period than eight (8) consecutive hours provided however by reason of sickness or accident said gateman or watchman may remain on duty for a longer period than eight (8) consecutive hours provided further that no gateman or watchman shall be permitted to remain on consecutie duty for a longer period than sixteen consecutive hours in any one day

Section 2 The violations of the provisions of this act shall constitute a misdemeanor Any railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad that shall be guilty thereof shall upon conviction be sentenced to pay a fine of not more than fifty ($50) dollars for the first offense For the second and each succeeding offense the railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad violating the act shall upon conviction be sentenced to pay a fine of not less than fifty ($50) dollars nor more than one hundred ($100) dollars Each day's retention of any gateman or watchman in violation of this act shall constitute a separate violation of this act

Section 3 This act shall take effect and be in force thirty (30) days after executive approval

Section 4 It shall be the duty of the State Railroad Commission or in the event of said State Railroad Commision being abolished the Public Service Commission or any other commission being established to perform the duties of the said State Railroad Commission to enforce the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 861, (Senate No. 30), entitled:

An Act to fix the salary of county solicitor in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties containing a population of more than two hundred and fifty thousand and less than one million as computed by the last preceding United States census the annual salary of the county solicitor shall be tweney-seven hundred dollars payable out of the county treasury

Section 2 All acts or parts of acts supplied hereby or inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 294, as follows:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sixth section of an act approved the tenth day of May one thousand nine hundred nine entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole" which reads as follows

"Section 6 Whenever any person convicted in any court of this Commonwealth of any crime shall be sentenced to imprisonment in either the Eastern or Western Penitentiary the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term stating in such sentence the minimum and maximum limits thereof fixing as the minimum time of such imprisonment the term now or hereafter prescribed as the minimum imprisonment for the punishment of such offense but if there be no minimum time so prescribed the court shall determine the same but it shall not exceed one-fourth of the maximum time and the maximum limit shall be the maximum time now or hereafter prescribed as a penalty for such offense Provided however That when a person shall have twice before been convicted sentenced and imprisoned in a penitentiary for a term of not less than one year for any crime committed in this State or elsewhere within the limits of the United States the court shall sentence said person to a maximum of thirty days And provided further That no person sentenced for an indeterminate term shall be entitled to any benefits under the act entitled 'An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails in this State and regulations governning the same' approved the eleventh day of May Anno Domini one thousand nine hundred and one" is hereby amended to read as follows

Section 6 Whenever any person convicted in any court of this Commonwealth of any crime shall be sentenced to imprisonment in either the Eastern or Western Penitentiary the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term stating in such sentence the minimum and maximum limits thereof fixing as the minimum time of such imprisonment the term now or hereafter prescribed as the minimum imprisonment for the punishment of such offense but if there be no minimum time so prescribed the court shall determine the same but it shall not exceed one-fourth of the maximum time and the maximum limit shall be the maximum time now or hereafter prescribed as a penalty for such offense Provided however That when a person shall have twice before been convicted sentenced and imprisoned in a penitentiary for a term of not less than one year for any crime committed in this State or elsewhere within the limits of the United States the court shall sentence said person to a maximum of thirty years Provided however that the mention or reciting of any former conviction sentence or imprisonment as aforesaid shall not be printed or written upon any indictment under which a defendant is being tried but it shall be lawful for the court before sentence is passed upon motion of the Commonwealth's attorney to hear evidence tending to establish the fact of any two former convictions sentences or imprisonments as aforesaid and provided further that if the defendant file an affidavit denying such former convictions sentences and imprisonments as aforesaid he shall be entitled to a jury trial thereon as in other criminal cases with the same right of challenge as accorded to him in the case whereof he stands convicted And provided further That no person sentenced for an indeterminate term shall be entitled to any benefits under the act entitled "An Act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries work-houses and county jails in this State and regulations governing the same" approved the eleventh day of May Anno Domini one thousand nine hundred and one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 861, (Senate No. 30), entitled:

An Act supplementing and amending Sections four, six, seven, nine, ten, eleven, twelve, seventeen and nineteen of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May, one thousand nine hundred and eleven, by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauporis; prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases; prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects

by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 862, (Senate No. 31), entitled:

A further supplement to an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 841, as follows:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall sell offer or expose for sale any of the following named seeds within the State of Pennsylvania containing any of the seeds of Dodder or Canada Thistle in excess of one (1) seed in three thousand (3,000) and which do not conform to the following standards of purity

For medium red clover mammoth red clover crimson clover alfalfa and timothy grass seed ninety-eight per centum (98 per centum) pure.

For alsike clover ninety-five per centum German millet and Hungarian millet ninety-nine per centum (99 per centum) pure

For perennial rye grass and white clover ninety per centum (90 per centum) pure

For red top grass solid or hulled eighty-five per centum (85 per centum) pure

For Canadian blue grass ninety per centum (90 per centum) pure

For orchard grass Kentucky blue grass and red top grass unhulled ninety per centum (90 per centum) pure

Section 2 It shall be the duty of the Secretary of Agriculture to receive a sample or samples of seeds from any grower seedsman person firm or corporation who shall send such sample to the department for examination and said secretary shall have sample or samples of seeds examined and analyzed in conformity with the provisions of this act and the standards fixed by the regulation provided for herein Said examination and analysis shall be made and reports submitted showing the condition of the same with respect to the percentage of purity and freedom from Doder and Canada Thistle to the sender within fifteen days after the sample is received A fee of twenty-five cents shall be paid for each examination and analysis when the sample is submitted and all moneys so received shall be covered monthly into the State Treasury by the Secretary of Agriculture For the purpose of this act the sample of seed shall consist of not more than four ounces or less than two ounces of the seed to be examined The sample submitted shall have affixed thereto distinctly printed or plainly written in English a statement certifying the name of the seed and the full name and address of the grower or seedman or person or firm or corporation submitting sample for examination and report

Section 3 Any person acting for himself or as agent for another or any member or superintendent or agent of any firm or corporation who violates the provisions of section one of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than twenty-five dollars or more than fifty dollars for each offence. It shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and for this purpose he is hereby authorized and empowered by himself or his duly qualified agent or agents to collect samples of the seeds named in section one of this act and to have them examined by a competent expert who shall report to said Secretary of Agriculture and also to the persons firms or corporations from whom such samples were taken the condition of the same with respect to purity and freedom from weed seeds and the report made to the Secretary of Agriculture shall contain the names and post office addresses of the persons firms or corporations from whom the samples were taken which reports may be published from time to time for the information of the public by the Secretary of Agriculture if in his judgment such publcation is desirable. The said Secretary of Agriculture or his agents duly authorized by him shall for the purpose of carrying out the provisions of this act have full access ingress and egress to and from all places of business barns buildings vehicles cars and vessels in which such seeds may be stored or in which they may be held for transportation or sale within this State and shall have power to open any packages containing such seeds and take therefrom samples of the same upon tendering to the owner or owners or his or their agents the value of such samples Provided That the owner or owners of such seeds shall be given the opportunity to be present and witness the taking of such samples

Section 4 Any one interfering with the person charged with the enforcement of this act or any of his duly authorized agents when in the discharge of the duties herein enjoined or refusing such persons the privilege of entering any room building or other place where the seeds herein named are kept for sale for seeding purposes within this State shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars together with the costs of prosecution

Section 5 The provisions of this act shall not apply to seeds as defined in this act marked "not clean" and shipped to some market or seed merchant to be cleaned and graded before being offered or exposed for sale or to seeds being held in storage for the purpose of being cleaned and graded

Section 6 All fines and costs imposed and recovered under the provisions of this act shall be paid to the Secretary of Agriculture or his agents and by him immediately covered into the State Treasury and all necessary costs and expenses arising under the provisions of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law Provided That the amount so expended shall not exceed thirty-five hundred dollars in any one year

Section 7 City magistrates and justices of the peace throughout this Commonwealth shall have jurisdiction to hear and determinate actions arising from violations of the provisions of this act and to hold for court or impose the penalties prescribed subject to appeal as the laws shall direct

Section 8 This act shall take effect and be in force on and after the first day of August one thousand nine hundred and thirteen

Section 9 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 794, as follows:

An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is herby enacted by the authority of the same That from and after the passage of this act any person firm or corporation in the Commonwealth of Pennsylvania who for exhibition display for advertisement purposes shall use the word Consul or Consulate or any derivative or equivalent thereof in any language or the coat of arms of any foreign nation or any simulation thereof for like purposes shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment for not more than one year either or both in the discretion of the court provided the provision of this act shall not apply to a consular official of a foreign nation or country duly accredited to any city in the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 953, as follows:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be colected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is herby enacted by the authority of the same That the board of health in cities of the first class is hereby authorized and empowered to make all reasonable rules and regulations for the sanitary keeping of all stables and other places where horses mules cows sheep goats or swine or any of them are kept within such cities and for the collecting storing and transporting of manure from such animals.

Section 2. No manure from such animals or any of them shall be collected or stored in any stable stall manure pit wharf or other place in any such city without a permit from the bureau of health of such city or contrary to the term of said permit or contrary to said rules and regulations nor shall any such manure be transported through any such city or any part thereof except in accordance with said rules and regulations.

Section 3. The rules and regulations adopted by said board of health in any such city as aforesaid shall be promulgated by advertising three times each in two newspapers published in said city notice that such rules and regulations have been adopted and where copies thereof may be had Such rules and regulations shall be printed and shall be furnished free upon aplication by the bureau of health.

Section 4. Such permits be issued free upon application by the bureau of health to those who have complied with said rules and regulations.

The persons firms or corporations to whom they are granted shall post them conspicuously within the premises to which they refer so as to be readily visible.

Section 5. The term "manure" for the purpose of this act shall be construed to mean the dung or offal of any of aforesaid animals and the straw and other refuse dirt and waste ordinarily mixed with it.

Section 6. Any violation of the provisions of this act or of any of the rules and regulations hereby authorized shall constitute a misdemeanor punishable on summary conviction before a magistrate by a fine of not less than two dollars or more than ten dollars or imprisonment in default of fine of not less than one day or more than five days subject to appeal as in other cases of summary conviction.

Section 7. All acts or parts of acts inconsistent herewith are hereby repealed.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 926, as follows:

An Act to classify the species or fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in such part or parts of lakes of more than five thousand acres lying between this and any other State or foreign country as this Commonwealth has jurisdiction over and in any water or on any peninsula or on any bay adjacent to or connected with such lake the following named species of fish are hereby made specifically within the provisions of this act to wit All species or varieties of black or yellow bass rock bass calico bass or strawberry bass crappie muscallonge and grass pike which for the purpose of this act are hereby classified and hereinafter designated as game fish and minnows and killifish which shall hereinafter be designated as minnows or bait fish and all other species of fish shall be called food fish.

Section 2. That it shall be unlawful to fish for or capture any game fish in any waters within the jurisdiction of this Commonwealth described in the first section of this act in any manner or with any device or appliance or by any means whatsoever except a rod and line having not more than three hooks or with a hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling line with spoon hooks attached or for food fish with any device not specifically permitted in this act Any person violating any provision of this section shall on conviction thereof be subject to a penalty of twenty-five dollars or in default of payment undergo imprisonment in the county jail for a period of one day for each dollar of fine unpaid except when otherwise provided and any device appliance or boats used in violation of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 3. That it shall be unlawful to fish for any kind of fish in any bay or in any waters on any peninsula described in the first section of this act with nets or devices or means of any kind except a rod and line having not more than three hooks or with a hand-line having not more than three hooks attached or with a trolling-line with spoon hooks attached at any time of the year Provided That nothing in this section shall be so construed as to prohibit the use of minnow-nets for angling or scientific purposes or to prohibit the Department of Fisheries from catching fish at any time of the year with nets for the purpose of stocking the waters or for taking spawn or from removing by means of nets by contract or otherwise any fish which it may deem injurious to other game or food fishes Any person violating any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars or in default of payment be imprisoned in the county jail for a period of thirty days and all nets devices appliances or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 4. That it shall be unlawful for any person to catch and kill in any waters within the jurisdiction of this Commonwealth described in the first section of this act or have in possession the same being killed more than twenty-five rock bass crappie strawberry or calico bass or more than twelve of any species of black bass grass pike or muscallonge and provided further That it shall be unlawful for any person to catch take or have in possession the same being killed any game fish from the first day of November to the twentieth day of May next ensuing both days inclusive Any person violating any of the provisions of this section shall on conviction be subject to a penalty of five dollars for each and every fish so unlawfully caught killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid.

Section 5. That it shall be unlawful for any person to put or place in any waters described in the first section of this act over which this Commonwealth has jurisdiction any electricity or any explosive or poisonous substances whatsoever or any drug or any poison bait for the purpose of catching taking killing or injuring fish or to allow any dead fish fish offal contents of tannery vats planing mill shavings dye-stuff coal or gas tar coal oil saw-dust tan bark cocculus indicus (otherwise known as fish berries) lime vitrol or any of the compounds thereof refuse from gas-houses oil-tanks pipes or vessels or any deleterious destructive or poisonous substances of any kind or character to be turned into or allowed to run flow wash or be emptied into any of the waters aforesaid In case of the pollution of waters by any substances known to be injurious to fishes or fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish. Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be subject to a fine of one hundred dollars.

Section 6 That it shall be unlawful to fish in any waters described in the first section of this act and over which this Commonwealth has jurisdiction with dynamite nitro glycerine torpedoes electricity quick-lime or any kind of explosives or poisonous substances or to place such substances in any waters except for engineering purposes when written permission has been given therefor by the proper National State city or county official or officials Any person violating any of the provisions of this section shall on conviction be subject to a fine of one hundred dollars or imprisonment of six months in the county jail

Section 7 That in all cases of arrest made for the violation of any of the sections of this act the possession of the fishes prohibited by such section or the possession of a net nets or other device at or near a place where the use of fish net nets or device is prohibited by such section shal be prima facie evidence of the violation of such section or sections

Section 8 Any person or persons catching or selling game or food fish or minor food fish from the waters of any part of any lake described in the first section of this act for the purpose of making compost or other fertilizing mixture or who makes use of fish for such purpose without the consent in writing of the Department of Fisheries shall on conviction be subject to a penalty of one hundred dollars or an imprisonment of three months in the county jail or both at the discretion of the magistrate or court before whom conviction was had

Section 9 That no net of any description shall be set fastened drawn or used within two miles of the entrance of any bay described in the first section of this act nor within one-fourth mile from shore nor shall any gill-net be set within three quarters of a mile of any other portion of the shore of the part of any lake over which this Commonwealth has jurisdiction described in the first section of this act nor shall any other net or nets other than gill-nets and nets fastened to and supported by poles driven in the ground be set fastened or drawn or used within seventeen miles from such entrance to any bay described in the first section of this act measured in a direct line nor within half a mile from the entrance of any stream Any person violating any of the provisions of this section shall on conviction be subject to a penalty of one hundred dollars or in default of payment be imprisoned in the county jail for a period of three months

Section 10 That it shall be unlawful for any person or persons company or corporation operating nets or devices of whatever description or character in the waters of any part of any lake described in this act to capture and kill any sturgeon under three feet in length or to have in possession the carcassess or flesh of any sturgeon of less than three feet in length Any sturgeon of less than three feet in length which may be captured must be returned forthwith to the waters with care and least possible injury Any person or persons violating or any member of a partnership or officer of a corporation that consents to or permits the violation of any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars for each sturgeon illegally captured killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

Section 11 That it shall be unlawful to fish in any part of the waters described in this act over which this Commonwealth has jurisdiction with any gill-net having a mesh of less than three inches stretched mesh fishing measure and more than thirty meshes deep and all gill-nets used in fishing for trout shall have meshes at least five and one-half (5½) inches in size stretched mesh fishing measure or with any pound-net with the net at the back side of the crib having a mesh of less than two and one-half (2½) inches stretched mesh fishing measure and the net of the balance of the crib having a mesh of not less than two and one-half (2½) inches streched mesh fishing measure Any person or persons fishing at any time of the year with gill-nets or

pound-nets having meshes of less size than herein described shall on conviction be subject to a fine of one hundred ($100) dollars or in default of payment each person convicted shall be confined in the county jail for a period of three months and all boats nets and other appliances used together with any fish caught shall be forfeited to the Department of Fisheries Provided further That the provisions in regard to size of meshes in pound-nets shall not become effective until the year Anno Domini one thousand nine hundred fourteen

Section 12 That it shall be unlawful for any person persons company or corporation to operate for the purpose of catching fish any boat boats net nets or any device whatsoever except a rod and line having not more than three hooks or hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a troling-line with spoon-hooks attached in any part of any lakes described in this act over which this Commonwealth has jurisdiction without having first paid into the hands of the Department of Fisheries the following amounts as license fees to wit For each row or sail-boat in fishing with gill-nets five dollars for each boat of any other kind under ten tons gross burden so used ten dolalrs for each boat of any kind of from ten to twenty tons gross burden so used fifteen dollars for each boat of any kind over twenty tons gross burden so used twenty dollars for each pound-net ten dollars for any other form of net or device not less than one dollar nor more than five dollars as the Department of Fisheries may determine and in addition to the license fees above set forth the operators of each boat so licensed shall permit a man designated by the Commissioner of Fisheries to accompany such boat at any time when it is engaged in fishing under and by virtue of such license for the purpose of securing for the Department of Fisheries from the fish so caught so much of their spawn as the Department may desire to secure and any person operating or employing others to operate or any member of a partnership or officer of a corporation that employes or consents to the employment of any person to operate any boat net or nets device or devices without having procured from the Department of Fisheries a license as provided in this section authorizing him them or it so to do shall on conviction be subject to a penalty of fifty dollars or in default of payment be imprisoned in the county jail or a period of one day for each dollar of fine unpaid and all fish and nets shall be forfeited to the Department of Fisheries

Section 13. That it shall be unlawful for any person or persons save the owner or owners thereof or their lawful representatives to remove or take fish from any device which has been duly licensed and operated according to the provisions of this act Any person or persons violating thereof of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars for each fish so unlawfully taken provided the total amount of fine shall not exceed one hundred dollars for taking at any one time and in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in taking the fish unlawfully shall be forfeited to the Department of Fisheries.

Section 14 That whenever any person persons or company or corporation shall apply to the Department of Fisheries for a license to operate any boat boats net or nets or other device in any waters in which may be used legally under the provisions of this act the Department of Fisheries shall upon receiving the fees provided in the twelfth section of this act issue such license duly signed by the Commissioner of Fisheries which license shall hold good from the time it is issued until the close of the calendar year in which it is issued and shall be carried by the operator or operators of said boat boats net nets device or devices while they are being used Provided That no license shall be issued to a resident of any State or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania Said license must be shown on demand by any fish warden constable deputy sheriff Fish Commissioner or any authorized representative of the Department of Fisheries Any person having such license in his possession and refusing to show it on demand shall be subject to a penalty of five dollars or be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and provided further That any person persons or corporations operating any boat net nets device or devices under a license issued by the Department of Fisheries who shall fail to comply in every way with the provisions of this act shall have his license revoked by said Department of Fisheries.

Section 15. That it shall be unlawful for all nets except gill-nets and pound-nets to be set fixed or fastened without having attached thereto a buoy of at least eighteen inches in diameter bearing a metallic tag on which the owners name and address which buoy must be plainly visible and above water at all times Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be liable to a penalty of twenty-five dollars and the confiscation of the net or nets and further provided That any net so required to be buoyed which is found in the water without buoy as above provided and the owner cannot be located shall be confiscated to the Department of Fisheries.

Section 16. That all moneys collected as license fees and fines under the provisions of this act shall be paid as received into the State Treasury for the use of the Commonwealth accompanied by an itemized statement thereof a copy of which shall be filed in the office of the Auditor General and a duplicate thereof when receipted by the Auditor General and the State Treasurer shall constitute a settlement between the Commissioner of Fisheries and the Auditor General and the State Treasurer as to the aforesaid license fees and fines.

Section 17. That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any provision of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or person who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charges of such violation of the law or any of the provisions thereof and the magistrate shall forhwith hear and determine the charge as provided in this act And in case any Fish Commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs in the first instance without however relieving any defendant or defendants sentenced to pay same Such arrests may be also made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall be forthwith be paid over by him to the Commissioner of Fisheries All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the money received therefor be paid into the general fund of the State Treasury All illegal devices not preserved for exhibiton purposes to be destroyed.

Section 18. That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint being made before him by the affidavit of one or more persons charging any person with having violated any of the provisions of this act is hereby required and authorized to issue his warrant under his hand and seal directed to a constable police officer or warden requiring such person or persons to be arrested and brought before such justice of the peace alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted such justice of the peace alderman or magistrate shall sentence the person or persons so convicted severally to pay the fine or fines penalty or penalties provided in this act for such violation or violations together with the costs of suit and such fines and penalties shall be appropriated as provided in Section sixteen of this act.

Section 19. That the following acts and parts of acts intended to be supplied by this act be and the same are hereby repealed.

"An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which are game fish which are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and to provide penalties and punishments for any violation of any of the provisions of this act and to repeal all acts inconsistent herewith" approved the twenty-second day of April Anno Domini one thousand nine hundred and five.

And in addition to the above all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 32, as follows:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the Army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payment creating a commission to have charge of all matters and things appertaining to the same making an appropriation for the purpose of carrying out the provisions of this act and providing for punishments for the violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth of Pennsylvania for the purpose of carrying out the provisions of this act shall with the approval of the Senate of the State of Pennsylvania nominate and appoint three honorably discharged soldiers who are now citizens of Pennsylvania and who as citizens of Pennsylvania volunteered to render military duty on behalf of the State under the calls of the Governor or the State of Pennsylvania made September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three to repel invasions of the said State by the Army of

the Confederate States of America as a commission for the purpose of making rules and regulations to carry out the provisions of this act provided that these appointments shall be made thirty days after the approval of this act and provided further that the benefits to be derived by any one under the provisions of this act shall not commence until the first day of September one thousand nine hundred and thirteen being understood that the interum is to be utilized by the said commission in organizing and examining applications made under the provisions of this act

Section 2 That said commission shall receive one thousand dollars per annum each and shall elect from their own number a president and a secretary and shall have the power to appoint one chief clerk at the salary of one thousand two hundred dollars per annum two clerks at a salary of seven hundred and fifty dollars each per annum one messenger at a salary of six hundred dollars per annum two stenographers and typewriters at a salary of seven hundred and fifty dollars each per annum That the offices of the said commission shall be in the city of Harrisburg in such places as may be provided for them by the Board of Public Grounds and Buildings and where all permanent records shall be kept and they shall have power to make requisition upon the proper State Officials for supplies including printing stationery and furniture and such other paraphernalia as may be necessary for the performance of their duties All printing and binding necessary for the work of the commission shall be done by the State Printer upon an order of the Superintendent of Public Printing and Binding when a requisition is made upon him by the secretary of the commission That the said commission shall meet at least once a month in their headquarters or elsewhere in the State as they may deem fit and proper to take into consideration all matters and things that may appear before them and for the expenses of the said commission there shall be appropriated the sum of twenty thousand dollars or so much thereof as may be necessary for the two fiscal years commencing June first one thousand nine hundred and thirteen and the said commission shall on or before the third Wednesday of January of each year present to the Legislature under oath a detailed report of all their transactions of the preceding year All monies for expenses wages and salaries paid out under the provisions of this act shall be paid on the warrant of the Auditor General on a settlement made by the with the State Treasurer upon a requisition approved and certified to by a majority of the said commission

Section 3 The said commission created by this act shall have full power to make and prescribe rules and regulations for obtaining any of the benefits of this act or any other rules and regulations as may be deemed necessary to carry out its provisions

Section 4 Every person who while a citizen of the State of Pensnylvaina and who during the time he is a beneficiary under the provisions of this act is a citizen of the State of Pennsylvania and who did volunteer for the defense of the State of Pennsylvania under the calls of the Governor of said States made either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three to repeal invasions of the State of Pennsylvania by the Army of the Confederate States of America shall on and after the first day of December one thousand nine hundred and thirteen receive the sum of seven dollars and fifty cents per month to be paid by the State of Pennsylvania quarterly on the first day of March June September and December on a warrant of the Auditor General drawn on the State Treasurer upon a requisition approved and certified to by a majority of the Commission created by this act and after a settlement made and for the purpose of obtaining benefits of this act every applicant shall file his petition upon a blank to be furnished by the commission named in this act setting forth all of the facts that may be required of him under any rule or regulation that may be adopted by the said commission and embodied in the blank to be filled in by the applicant and for the verity of which there shall be an affidavit of the applicant attached

On filing of said petition or application it shall be the duty of the commission to inquire into and investigate at their next monthly meeting or any other meeting they may hold for that purpose the facts set forth therein and if proven to be true and for that purpose they shall have the right to administer oaths and affirmations they shall place the name of the applicant in the book or books to be kept for that purpose in which shall be set forth in addition thereto his age his residence the date of his enlistment time which he served date of his discharge and the number or name of the regiment in which he served or any other military organization created under the above calls of the said Governor

The commission if approving said application shall issue a certificate to the said party which said certificates shall be consecutively numbered in which shall appear such facts as may be determined by the said commission in adopting any rule or regulation upon the subject

That no enlisted person who was enrolled in the services of the United States who is receiving or shall hereafter receive a pension from the United States Government shall be entitled to the annuity under this act

Section 5 If it shall appear to the commission aforesaid either at the time the application is being made or after the same shall have been granted that the person named therein is mentally and physically unable of taking care of himself the said commission shall after investigation finding the fact to be true appoint some suitable person to be his guardian and who for the faithful performance of his duty shall file a bond with the said commission in the sum of one hundred dollars said bond to be approved by the said commission on the filing of the bond the said person so appointed guardian shall have the right to receive such sum or sums of money as may be due the said beneficiary

Section 6 That after the placing of the name of the applicant upon the books of the commission with his residence attached all warrants for the payments of any sum or sum due said applicant under the provisions of this act shall be mailed to the residence therein stated said warrants to be accompanied by a blank receipt acknowledging that said warrant has been received and if such letter is returned because of the failure to find the party to whom it is directed said warrant shall be held by the said commission for one year from its date and if not called for or demanded in that time the same shall be marked cancelled and returned to the office of the Auditor General and the name of the beneficiary be taken from the list kept by the Comissioners That the sums paid out under the provisions of this act shall apply solely for the benefit of the persons for whom it is intended and shall not be subject to the trustee process except as hereinbefore provided by guardianship Any person who shall swear falsely to any fact material to the claim of an applicant shall be deemed guilty of perjury and on conviction thereof shall be subject to the penalties provided by law for the commission of such an offense

Section 7 For the purpose of paying the benefits provided by this act for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of eight hundred and ten thousand dollars is hereby appropriated or so much thereof as may be necessary from such sum or sums as may not otherwise have been heretofore appropriated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 638, entitled:

An Act to provide for the health and safety of persons and the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages etc. begin to run

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person general manager superintendent or person in charge of the work of any person or persons or firm or association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath any property with this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof

The second section was read as follows:

Section 2 Where the coal rock earth or other minerals or materials beneath any property except unceded lands and lands the surface of which in unsettled unoccupied and unimproved within this Commonwealth has been removed to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof thereby endangering the health security and safety of persons and the preservation of the property which would be occasioned by reason of the subsidence of the surface of said property it shall be the duty of the person lessee firm association or corporation operating the mine from which such coal rock earth or other minerals or materials were removed to have within six months from and after the approval of this act sufficient adequate and permanent artificial support erected and constructed under said property to protect the surface of said property against subsidence Provided however That where the person lessee firm association or corporation which caused the coal to be removed has died gone into liquidation or is for any other cause no longer engaged in the business of mining then in such case the proper municipal authorities may take such measures as may be necessary to prevent a subsidence of the surface

On the question,

Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend Section two, line two, strike out "unceded" and insert in lieu thereof the word "unseated."

Section two, line three, strike out "in" and insert in lieu thereof the word "is."

Section two, line fifteen, after the word to, strike out the word "have" and insert in lieu thereof the following "erect and construct."

Section two, line seventeen, strike out the following "erected and constructed."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question?

Will the House agree to the section as amended?
It was agreed to.

The third section of the bill was read as follows:

Section 3 Any person lessee owner general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act or failing to comply with its provisions be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a penalty of one thousand dollars or undergo imprisonment in the county jail for a period not exceeding ninety days or both for each and every offense to be recovered summarily by any magistrate or court having jurisdiction and which penalty when recovered shall be paid into the treasury of the respective municipal corporations in which said offense was committed All actions for violations hereof or failure to comply therewith shall be instiuted by the Bureau of Mine Inspection and Surface Support where such bureau is created or where such bureau is not in existence by the legally constituted municipal authorities of such municipality in the name of the Commonwealth to the use of the proper municipal corporation wherein such offense occurred

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend Section three, line four, after the word "provisions," insert the word "shall."

Section three line five, after the word "thereof," insert the following "before any alderman, magistrate or justice of the peace within the proper municipality shall."

Section three, line eight, after "each," strikt out "and every;" also after "offense," strike out, "to be recovered summarily by any."

Section three, strike out line nine.

Section three, line ten, strike out "recovered."

Section three, line ten, insert before the word "shall" the words "such fine."

Section three, line eleven, change corporations to corporation and strike out the word "All."

Section three strike out lines twelve, thirteen and fourteen.

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth section of the bill was read and agreed to as follows:

Section 4 In all actions against persons firms associations or corporations for damages sustained by reason of injury done to life or property caused by the subsidence of the surface of lands overlying any coal mining or other underground operations within this Commonwealth The limitation of actions both in law and equity shall not begin to run against any suit or actions for recovery until such subsidence and injury has actually occurred

The title was read as follows:

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages et cetera begin to run

On the question,
Will the House agree to the title?

Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows.

Amend title: insert the following "and providing a penalty for violation thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 408, entitled.

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of Mine Inspection and Surface Support by any municipal corporation and giving such Bureau jurisdiction

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That every municipal corporation within this Commonwealth made by ordinance create a Bureau of Mine Inspection and Surface Support which in cities of the first and second class shall be attached to the Department of Public Works and under the supervision and control of the Director of said Department

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 1, line 4, strike out "made" and insert in lieu thereof "may."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section of the bill was read as follows:

Section 2 Said Bureau shall consist of one practical mining engineer to be appointed by the Chief Executive of said municipal corporations with the consent of Councils and such other assistants clerks and employes as may be provided for by Councils and shall be paid such compensation as Councils may provide

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 2, line 2, strike out "said" and insert in lieu thereof "such."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agreed to the section as amended?
It was agreed to.

The third section was read and agreed to as follows:

Section 3. The members of the Bureau of Mine Inspection and Surface Support shall have the right and power to enter inspect examine and survey any mine or colliery within the limits of the municipality at all reasonable times either by day or night but not so as to impede or obstruct the workings of the mine or colliery and shall have power to take such other persons as may be necessary for the purpose of making such examination or survey and the owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination survey and exit.

The fourth section of the bill was read as follows:

Section 4. The owner operator or superintendent of every coal mine or colliery shall within three months after the passage and approval of an ordinance by any municipal corporation in this Commonwealth creating a Bureau of Mine Inspection and Surface Support authorized by this act make or cause to be made and furnished to the Bureau of Mine Inspection and Surface Support an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in each and every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the Bureau of Mine Inspection and Surface Support The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings.

On the question,
Will the House agree to this section?

Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend Section 4, line 10, strike out the words "each and."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section of the bill was read as follows:

Section 5. The said owner operator or superintendent shall as often as once in every three months place or cause to be placed on the said Bureau of Mine Inspection and Surface Support map or plan of said coal mine or colliery the plan of the extensions made in said coal mine or colliery within the limits of said municipal corporation during the preceding three months which said extension shall be placed on the Bureau of Mine Inspection and Surface Support map and returned within thirty days from the date of the last survey.

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The Clerk will read the amendment.

The amendment was read as follows:

Amend Section 5: Strike out entire section, and insert in lieu thereof the following: "Section 5. Every mine owner, operator or superintendent shall place, or cause to be placed, upon the map of the bureau of mine inspection and surface support of each municipality, at least once in every three months, the plan of all extensions made in any mine within the limits of such municipality, during the three months preceding, except those made immediately within thirty days from the time of placing such extensions upon said map."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The sixth section of the bill was read as follows:

Section 6 It shall be unlawful for any person firm association or corporation to dig mine remove or carry away the coal rock or other minerals or materials forming the natural support of the surface beneath the streets avenues thoroughfares courts alleys places and public highways of any municipal corporation within this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof to maintain uphold and preserve the stability of the said surface of said streets avenues thoroughfares courts alleys placed and public highways

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The Clerk will read the amendments.

The amendments were read as follows:

Section 6, line 11: Strike out the word "said."
Section 6, line 12. Change the word "placed" to read "places."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh section of the bill was read as follows:

Section 7 Any person general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act shall subject such person so offending to a penalty not exceeding one thousand dollars or imprisonment in the county jail for a period not exceeding ninety days or both for each and every offence to be recovered summarily before any magistrate or court having jurisdiction which penalty when recovered shall be paid into the treasury of municipal corporations All actions for penalties shall be in the name and for the use of such municipal corporations

On the question,
Will the House agree to the section?

Mr. DAVIS. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The Clerk will read the amendments.

The amendments were read as follows:

Section 7, line 1: Insert before the word "general" the words "being the."
Section 7, line 3: Insert after the word "shall" the following "be guilty of a misdemeanor, and upon conviction thereof before any alderman, magistrate or justice of the peace within such municipality, shall be sentenced to pay a fine."
Section 7, lines 3 and 4: Strike out the following: "subject such person so offending to a penalty."
Section 7, line 5: Insert after "or" the words "to undergo."
Section 7, line 6: Strike out "and every."
Section 7, lines 7 and 8: Strike out the following: "to be recovered summarily before any magistrate or court having jurisdiction which penalty when recovered."
Section 7, line 8: Insert before "shall" the words "Each such fine."
Section 7, line 9: Insert before the word "municipal" the words "the proper."
Section 7, line 9: Change "corporations" to "corporation."
Section 7, lines 9, 10 and 11: Strike out the following: "All actions for penalties shall be in the name and for the use of such municipal corporations."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section of the bill was read and agreed to as follows:

Section 8. The councils of the municipal corporations of this Commonwealth are hereby authorized to enact such ordinances as may be necessary for the proper enforcement of the provisions of this act.

The title was read as follows:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of mine inspection and surface support by any municipal corporation and giving such Bureau jurisdiction.

On the question,
Will the House agree to the title?

Mr. DAVIS. The Speaker. I desire to offer an amendment to the title.

The SPEAKER. The Clerk will read the amendment.

The amendment was read as follows:

Amend title: Add at the end thereof: "and providing a penalty for violation thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 11.30 A. M.) the House adjourned until Monday, March 10th, at 8 o'clock P. M.

CORRECTION OF ADDRESS BY MR. J. B. MARTIN ON THE READING OF THE BIBLE IN OUR PUBLIC SCHOOLS AS RECORDED IN HOUSE JOURNAL OF WEDNESDAY, FEBRUARY 26th, 1913, PAGE 491.

Mr. MARTIN. Mr. Speaker and Members of this House: I don't understand why the book that has withstood the criticisms of the ages should be prevented from being read in our public schools. I see back of this movement an attempt to entirely eliminate from our schools the book that has stood the test so long. I don't believe that sectarianism should be injected into this question. If the Bible is read in our schools without comment as provided in this bill, there can be absolutely no sectarianism. I don't believe that the members of this House will agree that the

Bible shall not be read in the public schools of this Commonwealth or that we shall in any way legislate against it.

Not one of these men who discussed this question has told us that it has done any harm, and I want to say to you, there are plenty of homes in this broad land of ours, and I dare say in the State of Pennsylvania, where the Bible is never read. Why then, Mr. Speaker, should not the boys and girls who come to our schools be allowed to hear certain portions of the Bible read daily? I have taught in the public schools of this State for practically twenty-six consecutive terms, and I have yet to find the first case where any trouble has arisen from the reading of the Bible in the school. If there is any trouble along this particular line it is where trouble is invited. I have taught where there were Jews, Catholics, and Protestants and different foreign element and not one parent or pupil has ever complained or objected to the reading of the Bible in the schools, in the twenty-six years which I have spent in the teaching profession. P personally believe that the Bible should be read uniformly in our schools, because it is right; because of its teachings along the lines of morality, which are of the utmost importance. "Train up a child in the way it shall go and when he is old, he will not depart from it; then shall our sons be as grown up plants in their youth, and our daughters as corner-stones polished after the similitude of a palace." This quotation is from the Bible, and who would object to such beautiful gems of literature to be read in our schools? Is there one man on the floor of this House who could object to such language or sentiment as therein expressed.

No fair minded person can object to such teachings in our public schools. I intend to support this bill, because it is the right thing to do. I want further to say that not one of the opponents who forced a hearing on this bill appeared before the Committee, that passed upon it. There were many others there in support of this bill, who stood nobly for the right, and I appeal to you gentlemen of this House to stand by the bill, pass it and thereby vote for the continuation of the Bible in the schools of our great Commonwealth.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MARCH 10, 1913. No. 28.

SENATE

MONDAY, March 10, 1913.

The Senate met at nine o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN THE PUBLIC SCHOOLS.

Mr. WASBERS presented the petition of the citizens of York county praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HERBST presented three petitions of the citizens of Berks county praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. MOORE presented eleven petitions of the citizens of Allegheny county praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. CLARK presented the petition of the citizens of Erie county praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

The Chair laid before the Senate two petitions from the citizens of Schuylkill county, two petitions from the citizens of Philadelphia county, petition from the citizens of Allegheny county, petition from the citizens of Carbon county and petition from the citizens of Columbia county, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented the petitions of citizens of Monroe and Wayne counties, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING THE PURCHASE OF FOREST LANDS.

The Chair laid before the Senate petition from the Philadelphia Natural History Society praying for the purchase of forest land belonging to the Cook Estate.

Which was referred to the Committee on Forestry.

LEAVE OF ABSENCE.

Mr. VARE asked and obtained leave of absence for the Senator from Delaware, Mr. Sproul, for the balance of the week on account of illness.

REPORT OF THE COMMISSION ON THE SEGREGATION, CARE AND TREATMENT OF THE FEEBLE-MINDED AND EPILEPTIC.

The Chair cleared his table and laid before the Senate report of the Commission on the Segregation, Care and Treatment of the Feeble-Minded and Epileptic Persons in the Commonwealth of Pennsylvania, made to the Legislature pursuant to a joint resolution of June 14, 1911.

(For report see Appendix.)

REPORT OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA.

He also laid before the Senate communication, which was read as follows:

THE WESTERN SAVING FUND SOCIETY
OF PHILADELPHIA
Tenth and Walnut Streets
Philadelphia January 30 1913

Honorable John M. Reynolds
Lieutenant-Governor and President of the Senate
Harrisburg Penna

Dear Sir

On behalf and by direction of the auditors duly appointed by th President Judges of the Courts of Common Pleas of this County t audit and settle the accounts of the Western Saving Fund Society o Philadelphia for the year 1912 I have the honor to hand you herewith their report which has been prepared and which is forwarded in con formity with the charter of this Society

I remain

Yours truly
WM. K. RAMBORGER
Treasurer and Secretary

(For report see Appendix.)

COMMUNICATIONS FROM THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

APPROVAL OF SENATE BILL NO. 82.

February 28 1913

To the Honorable the Senate of the Commonwealth of Pennsylvania

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No 82 entitled "An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional"

JOHN K. TENER

APPROVAL OF SENATE BILL NO. 21.

February 28 1913

To the Honorable the Senate of the Commonwealth of Pennsylvania

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 21 entitled "An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for the payment of indebtedness incurred in furnishings furniture equipment repairs and making extraordinary alterations and changes in the buildings of said hospitals"

JOHN K. TENER

APPROVAL OF SENATE BILL NO. 4.

February 28 1913

To the Honorable the Senate of the Commonwealth of Pennsylvania

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 4 entitled "An Act making an appropriation to the State Quarantine Board to cover maintenance for the last quarter of the current fiscal year"

JOHN K. TENER

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

The Clerk of the House of Representatives being introduced informed the Senate that the House has adopted the report of the committee of conference on resolution as follows:

Whereas, Certain acts and resolutions passed by the several General Assemblies and approved by their Excellencies Governors Stuart and Tener, creating a commission and clothing it with administrative powers said commission being known as The Fiftieth Anniversary of the Battle of Gettysburg Commission

Whereas Limitations have been placed upon the former soldiers of the Civil War who should be invited as guests of the Commonwealth of Pennsylvania during July 1st 2nd 3rd and 4th by including only those who participated in the Battle of Gettysburg and who enlisted and served therein prior to July 4th 1863

Whereas The National Government will provide sanitary tenting quarters and rations for the old soldiers of the Civil War who will be present during the aforesaid period

Whereas The exercises upon July 1st 2nd 3rd and 4th upon the Battlefield of Gettysburg will probably be the most impressive ceremony the world has ever known therefore be it

Resolved (if the House concur) That the Commission of the Fiftieth Anniversary of the Battle of Gettysburg be respectfully and earnestly requested to broaden the scope of the provisions made for the attendance as guests of the Commonwealth of Pennsylvania upon that historical occasion so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania or who are now living in Pennsylvania also such men who served in Pennsylvania commands known as Emergency Troops also all soldiers who served in the Confederate Army now living in Pennsylvania as citizens of this Commonwealth In case said soldier sailor or marine lives beyond the State lines of said State his expenses shall be borne only from and to the State line within said State of Pennsylvania A copy of this resolution when approved to be forwarded to the President of the Commission for consideration and action

GEORGE W. ALLEN,
J. H. WILTBANK,
E. LOWRY HUMES,
JOHN O. SHEATZ,
BENJ. JARRETT,
JOSEPH ALEXANDER.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House bill No. 28 (Senate bill No. 527) entitled:

An Act to amend an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An act relating to mandamus" as amended by the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled 'An act to amend section one of the act entitled 'An act relating to mandamus' approved the eighth day of June one thousand eight hundred and ninety-three enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus" and as further amended by an act approved the nineteenth day of March one thousand nine hundred and three entitled "An act amending section one (1) of an act entitled 'An act relating to mandamus' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three"

Which was committed to the Committee on Judiciary General.

House bill No. 127 (Senate bill No. 528) entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds

Which was committed to the Committee on Judiciary General.

House bill No. 162 (Senate bill No. 529) entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled 'An act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" by providing the time in which tax collectors shall pay over tax and make settlements"

Which was committed to the Committee on Judiciary Special.

House bill No. 243 (Senate bill No. 530), entitled:

An Act to prevent deception in the sale of paint, putty turpentine and linseed oil or any substitutes therefor and providing penalties for the violation thereof

Which was committed to the Committee on Judiciary Special.

House bill No. 254 (Senate bill No. 531), entitled :

An act to amend an act entitled 'An act to amend an act entitled 'An act to amend act entitled 'An act to amend an act entitled 'An act to amend an act entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three' approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven extending the same to companies incorporated for the purpose of carrying on any kind of manufacturing business (and to companies incorporated for the purpose of selling dealing in or manufacturing lumber)

Which was committed to the Committee on Corporations.

House bill No. 258 (Senate bill No. 532), entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the army navy or marine corps of the United States

Which was committed to the Committee on Military Affairs.

House bill No. 280 (Senate bill No. 533), entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

Which was committed to the Committee on Judiciary Special.

House bill No. 293 (Senate bill No. 534), entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

Which was committed to the Committee on Judiciary Special.

House bill No. 322 (Senate bill No. 535), entitled):

An Act fixing a basis upon which to calculate the earnings of miners employed in anthracite coal mines and providing penalties for violations thereof

Which was committed to the Committee on Mines and Mining.

House bill No. 336 (Senate bill No. 536), entitled :

An Act making it unlawful to use any type of mining machine in the removal of ribs stumps or pillars in any bituminous coal mine in the State of Pennsylvania

Which was committed to the Committee on Mines and Mining.

House bill No. 338 (Senate bill No. 537), entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation thereof

Which was committed to the Committee on Judiciary General.

House bill No. 438 (Senate bill No. 538), entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and leven entitled "An act requiring foundries to be provided with toilet room and water closet regulating same and providing a penalty for violation hereof"

Which was committed to the Committee on Judiciary General.

House bill No. 505 (Senate Bill No. 539), entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled 'An act in relation to officers taking illegal fees and providing a penalty therefor"

Which was committed to the Committee on Judiciary General.

House bill No. 540 (Senate bill No. 540), entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

Which was committed to the Committee on Judiciary Special.

House bill No. 575 (Senate bill No. 541), entitled:

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all State and county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violation

Which was committed to the Committee on Judiciary Special.

House bill No. 600 (Senate bill No. 542), entitled:

An act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

Which was committed to the Committee on Judiciary Special.

House bill No. 615 (Senate bill No. 543), entitled:

An Act to regulate advertisements and solicitations for employees during strikes lockouts or other labor disputes

Which was committed to the Committee on Judiciary Special.

House bill No. 624 (Senate bill No. 544), entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thou and nine hundred and nine entitled "An act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

Which was committed to the Committee on Judiciary Special.

House bill No. 641 (Senate bill No. 545), entitled:

An Act to authorize the municipal authorities to limit the charges of water companies in certain cases

Which was committed to the Committee on Corporations.

House bill No. 682 (Senate bill No. 546), entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

Which was committed to the Committee on Judiciary General.

House Bill No. 723 (Senate Bill No. 547), entitled:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred nineteen entitled increasing the winter yield of eggs issued by the Department of Agriculture and making an appropriation therefor

Which was committed to the Committee on Agriculture.

House Bill No. 758 (Senate Bill No. 548), entitled:

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain criminal cases and authorizing the court to make orders in relation thereto

Which was committed to the Committee on Judiciary General.

House Bill No. 813 (Senate Bill No. 549), entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act

Which was committed to the Committee on Public Health and Sanitation.

HOUSE CONCURS IN SENATE BILL NO. 55.

He also returned to the Senate. Senate Bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 1.

He also returned to the Senate, Senate Bill No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor vehicles and the licensing of operators, and making an appropriation thereof

with the information that the House has passed the same without amendment.

SENATE BILL NO. 106 RETURNED WITH AMENDMENT.

He also returned to the Senate, Senate Bill No. 106, entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class"

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Ordered, That the bill lie over one day under the rules.

HOUSE CONCURS IN SENATE BILL NO. 123.

He also returned to the Senate. Senate Bill No. 123, entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred and sixty-five entitled "An act relating to the pay of certain officers and jurors and witnesses in the county of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred and seventy-three entitled 'An act relative to the pay of jurors in the county of Bucks"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 277.

He aso informed the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 277, entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly adn the same being correct, the titles were publicly read, as follows:

House Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district

House Bill No. 51, entitled:

An Act to repeal sections eight nine ten eleven twelve thirteen fourteen fifteen sixteen and seventeen of an act approved the twenty-sixth day of February one thousand eight hundred and fifty-three entitled "An act authorizing the laying out of a State road from Ayr township in Fulton county to Warren township in Franklin county and relating to the collection of taxes in Franklin county"

House Bill No. 277, entitled:

An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof

House Bill No. 456, entitled:

An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. MOORE, from the Committee on Education, reported as committed, Senate Bill No. 519, entitled:

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom

Mr. HUNTER, from the Committee on Corporations, reported as committed, Senate bill No. 360, entitled:

An act relating to the organization and meetings of corporations not for profit incorporated under the laws of Pennsylvania

Also, from the Committee on Law and Order, reported as committed, Senate Bill No. 159, entitled:

An Act prohibiting the giving selling or furnishing of cigarettes and tobacco to any person under the age of eighteen years and fixing the penalty for violation thereof

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed Senate Bill No. 273 (House Bill No. 300), entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act regulating the use of motor boats and providing a penalty

Which was committed to the Committee on Judiciary General.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act to repeal an act entitled "An act for the erection of a poor house in Mercer county" approved the twenty-second day of March one thousand eight hundred and fifty"

Which was committed to the Committee on Judiciary General.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 553, entitled:

A supplement to an act entitled "An act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bi l No. 554, entitled:

An Act to provide revenue for State and County purposes and in ities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act making an appropriation to the Wills Eye Hospital of Philadelphia

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate bill No. 556, entitled:

An Act to permit the relocation of certain portions of the track of street passenger railway companies with the consent of the local authorities

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate bill No. 557, entitled:

An Act authorizing the Historical Societies of this Commonwealth now incorporated or shall be hereafter incorporated to acquire by taking and appropriating under the right of eminent domain and to acquire by gift devise purchase lease and otherwise private property for the purpose of founding establishing and making public parks and the erection of monuments obelisks statues tablets or markers of granite marble or bronze thereon to commemorate an historical event closely interwoven with the history of Pennsylvania during the Colonial Revolutionary war of 1812 and civil war periods which through the heroism of her soldiers upon the battlefield and wisdom of her statesmen in civic station have added imperishable renown to a great Commonwealth, therefore it is appropriate and likewise patriotic to provide for the manner of ascertaining determining awarding securing and paying compensation and damages where property is taken used and appropriated for the purposes aforesaid

Which was committed to the Committee on Judiciary General.

Mr. HERBST read in his place and presented to the Chair Senate bill No. 558, entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleventh one thousand eight hundred and sixty two in relation to the county of Berks'" approved the twenty-third day of April Anno Domini one thousand eighty hundred and sixty seven

Which was committed to the Committee on Judiciary General.

Mr. HERBST. Mr. President, this being a special law applying only to Berks county, proper certificates of publication of notice are attached.

Mr. SALUS read in his place and presented to the Chair Senate bill No. 559, entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate bill No. 560, entitled:

An Act to further protect the rights and liberty of the people of the Commonwealth when under arrest upon a bailable criminal charge making its infraction a misdemeanor and providing punishment therefor

Which was committed to the Committee on Judiciary General.

Mr. WASBERS read in his place and presented to the Chair Senate bill No. 561, entitled:

An Act providing for the survey and deepening and improving of a certain portion of Codorus Creek near York Pennsylvania and making an appropriation therefor

Which was committed to the Committee on Appropriations.

Mr. HOKE read in his place and presented to the Chair Senate bill No. 562, entitled:

An Act making an appropriation to the G. M. and Agnes Hoffman Orphanage of Littlestown Adams County Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate bill No. 563, entitled:

An Act to establish as a "State Highway" a certain section of public road commencing at the Reformatory Cross Roads in Smithfield on the west side of the Juniata River in Huntingdon County at a point on State Highway Route Number Fifty-five thence up along the west side of the Juniata River to Neff's Bridges over the Frankstown Branch of the Juniata River and the Little Juniata River to Petersburg thence up Shavers Creek following the waters of Shavers Creek by way of Wilsontown Neffs Mills Stulls Bridge Charter Oak to the dividing line between the counties of Huntingdon and Centre thence to a point on State Highway Route Number Fifty-six at Pine Grove Mills thence over State Highway Routes Numbe Fifty-six and Twenty-seven into Bellefonte Centre County

Which was committed to the Committee on Public Roads and Highways.

Mr. HILTON read in his place and presented to the Chair Senate bill No. 564, entitled:

An Act to refund to Aaron Hershenson of McKean County money paid for license to sell oleomargarine

Which was committed to the Committee on Appropriations.

Mr. GYGER read in his place and presented to the Chair Senate bill No. 565, entitled:

An Act to amend the first section of an act approved he third day of June one thousand nine hundred and eleven entitleed "An Act to provide for the better protection and preservation of game gamequadrupeds and game birds and prescibing penalties for violation of its several provisions"

Which was committed to the Committee on Game and Fisheries.

Mr. CLARK read in his place and presented to the Chair Senate bill No. 566, entitled:

An Act making an appropriation to the Florence Crittenton Home of Erie

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate bill No. 567, entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate bill No. 568, entitled:

An Act to establish as a "State Highway" a certain section of public road from Waterford Borough to Erie Pennsylvania beginning at the Borough of Waterford Erie County at the intersection of Waterford pike with route numbered eighty-four thence northwestwardly through the townships of Waterford and Summit to Spires Corners connecting with route numbered two hundred fifty-eight, and thence on route two hundred fifty-eight to the City of Erie

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate bill No. 569, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes

Which was committed to the Committee on Municipal Affairs.

Mr. MILLS read in his place and presented to the Chair Senate bill No. 570, entitled:

An act supplementing an act entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner the Deputy State Highway Commissioners Chief Engineer Chief Draughtsman Superintendents of Highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and Deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line prescribing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority upon the State Highway Commissioners providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpkes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the mining width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved May thirty-first one thousand nine hundred and eleven providing for an additional State Highway in the county of Bradford

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate bill No. 571, entitled:

An act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

Which was committed to the Committee on Judiciary General.

Mr. VARE read in his place and presented to the Chair Senate bill No. 572, entitled:

An act to validate appointments heretofore made of persons to act as patrolman and fireman of cities of the first class of this Commonwealth

Which was committed to the Committee on Municipal Affairs.

Mr. HUFFMAN read in his place and presented to the Chair Senate bill No. 573, entitled:

An act permitting certain companies and corporations to extend An act permitting certain companies and corporations to extend wires across the tracks and right of way of railroad and street railway companies and providing a means of compensation therefor

Which was committed to the Committee on City Passenger Railways.

Mr. McILHENNY read in his place and presented to the Chair Senate bill No. 574, entitled:

An act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five, eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini oue thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by a trust company or of checks or drafts given in exchange for in payment of checks or drafts of depositors of a trust company drawn thereon

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate bill No. 575, entitled:

An Act authorizing the appointment of a commis ion to complete a monument hitherto erected in accordance with the provisions of an act approved the fifteenth day of May one thousand nine hundred and three entitled "An act making an appropriation for a suitable monument to be erected on the Germantown Battlefield (Chew Place) Germantown Pennsylvania or such other place in Germantown as the commissioners may deem proper" and making an appropriation therefore

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate bill No. 576, entitled:

An Act to amend section one of an act entitled "An act permitting the release on parole of persons acquitted on the ground of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Which was committed to the Committee on Judiciary General.

Mr. KURTZ read in his place and presented to the Chair Senate bill No. 577, entitled:

An Act making an appropriation to the Indiana Hospital of Indiana Indiana County Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. SNYDER read in his place and presented to the Chair Senate bill No. 578, entitled:

A joint resolution authorizing the appointment of the Pennsylvania State Board of Journalism Commission and prescribing its powers and duties

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate bill No. 579, entitled:

An act prohibiting railroads from crossing highways of any kind at grade providing a penalty and fixing a time when this act shall become operative

Which was committed to the Committee on Railroads.

CONCURRENT RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE REPORT OF THE COMMITTEE TO REVISE THE CORPORATION AND REVENUE LAWS OF THE COMMONWEALTH.

Mr. McNICHOL offered the following resolution, which was twice read as follows and referred to the Committee on Finance:

Resolved (if the House of Representatives concur) That the Committee to revise the Corporation and Revenue Laws of the Commonwealth be and it is hereby authorized to have printed three thousand (3,000) additional copies of its last report one thousand (1,000) copies for the use of the Senate twelve hundred and fifty (1,250) copies for the use of the House of Representatives, two hundred and fifty (250) copies for the use of the Legislative Reference Bureau and five hundred (500) copies for the use of the committee at a cost not to exceed fifteen hundred dollars ($1,500) which shall be provided for in the General Appropriation Bill

CONCURRENT RESOLUTION FOR THE APPOINTMENT OF COMMITTEE TO FURTHER CONSIDER THE LAWS RELATING TO CORPORATIONS AND TO REVENUE.

Mr. McNICHOL offered the following resolution, which was twice read as follows and referred to the Committee on Finance:

Whereas The Committee to Revise the Corporation and Revenue Laws of Pennsylvania authorized by concurrent resolution of May twenty-fourth one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and fifty-one) has made a report of its investigations and findings to the present Legislature and

Whereas Owing to the many complex questions that have come before it for consideration and the great diversion of opinion as to the proper method of taxation et cetera it is deemed advisable to continue said investigation therefore be it

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate shall appoint three members of the present Senate and the Speaker of the House of Representatives shall appoint three members of the present House of Representatives who with the present President pro tempore of the Senate and the present Speaker of the House of Representatives shall constitute a joint committee whose duty it shall be to further consider the laws of this Commonwealth relating to corporations and to revenue and the practical workings thereof and to make a final report thereof to the General Assembly in January one thousand nine hundred and fifteen together with a draft of such act or acts and such other recommendations as it may deem necessary to effect a uniform system of taxation on all subjects in Pennsylvania Such committee shall have power to elect its own chairman to sit after the adjournment of the Legislature to employ legal counsel and such other officers and employes as may be needed to enable it to properly perform its duties as aforesaid Its expenditures shall be limited to the amount provided therefor in the General Appropriation Bill to be passed at this session of the Legislature and shall be paid out of the State Treasury upon vouchers signed by the Chairman of said Committee

Said Committee shall also have power to issue subpoenas signed by its chairman requiring the attendance of persons and the production of books and papers which in its judgment will assist in the performance of its duties aforesaid

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 46, as follows:

An Act to amend Section 10 of an act, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That Section 10 of an act entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions," which reads as follows:

Section 10. It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at, wound or take or kill any wild bird other than a game bird or to have such bird or any part thereof in possession or under control within this Commonwealth or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth any such bird or any part thereof protected by the laws of this Commonwealth or to have in possession or under control or to sell or to offer to sell within this Commonwealth either living or dead any wild birds other than a game-bird that has been brought into this Commonwealth from another State or country that is of a kind found in a wild state in this Commonwealth. Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each bird shot at wounded killed taken or had in possession or sold, offered for sale, transported, shipped or removed or attempted to be transported, shipped or removed out of this Commonwealth or for any part thereof in any manner held for a purpose contrary to the provisions of this act. Provided however, That the blue-jay, the English sparrow, the European starling, the kingfisher, the shrike, the eagle, buzzard, the osprey, sharp-shinned hawk, Cooper's hawk, goshawk, duck hawk, pigeon hawk, the great-horned owl, barred owl, the crane, the heron the bittern, the crow and the raven shall not be protected by any law of this Commonwealth and may be killed at any time and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-

animal that have been imported for propagating purposes or to prevent at any time the purchase or sale without this State or the shipment out of the State of the living bodies of English Mongolian or Chinese pheasants or of Belgian hare raised in captivity that are shipped from such place of confinement without being first released or set at liberty in the Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild bird or animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported be and the same is hereby amended so as to read as follows:

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at or wound or take or kill any wild bird other than a game-bird or to have such bird or part thereof in possession or to have any part of the plumage or skin thereof in possession or under control for purposes of sale or to offer or expose the same for sale within this Commonwealth or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose such bird or any part of the plumage or skin thereof or to have such bird in possession or under control for sale or to sell or to offer to sell within this Commonwealth either living or dead any wild bird other than a game bird or any part of the plumage or skin thereof of a kind found either in a wild state in this Commonwealth or that may have been brought into this Commonwealth from another State or country and which belong to the same family as those found in a wild state in this Commonwealth

Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each wild bird shot at wounded or killed or taken or had in possession transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth for any part thereof in any manner taken or held for a purpose contrary to any of the provisions of this act such bird being of a kind found in a wild state in this Commonwealth and any person acting either for himself or as the agent or representative of another who shall sell or barter or who shall attempt to sell or barter or who shall have in possession for sale or barter within this Commonwealth or who shall ship or remove or cause to be shipped or removed out of this Commonwealth for sale or barter a wild bird either living or dead or the skin or the plumage or any part of such bird or skin or plumage of a kind belonging to the same family as those birds found in a wild state in this Commonwealth shall be liable to a penalty of twenty dollars for each bird or bird skin or bird plumage or any part thereof sold offered for sale had in possession for sale or in any manner removed out of this Commonwealth for sale contrary to the provisions of this section Provided however That the blue-jay the English sparrow the European starling the kingfisher the buzzard sharp-shinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl the barred owl and the crow shall not protected by any law of this Commonwealth and may be killed at any time and provided further that the owner or operator of a public or private plant in which fish are artificially raised or retained shall have the right to kill any great blue heron night heron or green heron when such birds are caught in the act of destroying their fish and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animals that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the State of live English Mongolian or Chinese pheasants or Belgian hares raised in captivity that are shipped from such place of confinement without being first released or set at liberty in this Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported or the possession of any part of a wild bird legally taken in this Commonwealth or captured elsewhere and legally imported into this Commonwealth from any other State or country for purposes of study or exhibition or for any other purpose out not for sale Provided That no penalty as provided for by this act for the sale of feathers taken from wild birds not found in a wild state in this Commonwealth shall be imposed for either the sale of such feathers within the Commonwealth or for the shipment of such feathers out of the Commonwealth prior to July first one thousand nine hundred and fourteen

On the question,

Shall the bill pass finally?

Mr. JONES, Mr. President, I move to reconsider the vote by which Senate bill No. 46, entitled:

An act to amend section ten of an act entitled "An act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

passed third reading.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I ask unanimous consent to amend the bill as follows:

By striking out in the title the words "an act" where they occur the second time.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, namely:

YEAS—45.

Alexander,	Gyger,	Kline,	Powell,
Beidleman,	Heacock,	Knapp,	Salus,
Buckman,	Herbst,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,
Graff,	Judson,	Morgan,	Werberich,
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask that Senate bill No. 59, on third reading, entitled:

A supplement to an act entitled "An act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances" approved the second day of June Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the term of existing associations and providing for certain additional officers in such associations

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 100, as follows:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors, gaming and the conducting of immoral exhibitions at or near the fair grounds.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That there shall be and is hereby established a State Fair Commission to be composed of the Governor of the State the Secretary of Agriculture and seven other members to be appointed by the Governor Of the members of the State Fair Commission that are appointed by the Governor two shall hold office for two years two shall hold office for three years three shall hold office for four years As vacancies occur they shall be filled by appointees who shall be appointed for a term of four years Provided That when a vacancy occurs before expiration of term of any member the vacancy shall be filled by appointment for the unexpired term.

Section 2. The Board of State Fair Commissioners shall meet annually in Harrisburg on the first Wednesday after the first Monday in January The Board is authorized to elect from its membership a president vice-president and an executive committee whose term of office shall be fixed by the by-laws.

Section 3. The Board of State Fair Commissioners is hereby authorized to hold once each year a State fair The exact time for holding the same shall be fixed by the Board of State Fair Commissioners at the January meeting.

Section 4. The Board of State Fair Commissioners shall provide a permanent location for the State fair have the sole control of the fair and it may make such by-laws rules and regulations in relation to the management of its business as a majority of said board shall from time to time determine not inconsistent with the Constitution and laws of this State or the United States.

Section 5. The Board of State Fair Commissioners shall appoint some person not a member of the board as general manager and fix his compensation The general manager He shall perform such duties as pertain to such office as shall hold his office for a term not to exceed four years shall be required of him by the Board of State Fair Commissioners.

Section 6. The Board of State Fair Commissioners shall appoint some person not a member of the Board as secretary of the State fair and shall also appoint a clerk and a stenographer and fix their compensation The secretary clerk and stenographer shall hold their offices for a term fixed by the board not to exceed four years unless for good reason they shall be sooner removed by the board The secretary shall perform such duties as usually pertain to the office of secretary or shall be required of him by the Board of State Fair Commissioners.

Section 7. The Board of State Fair Commissioners shall appoint some person not a member of the board as treasurer and fix his compensation and prescribe his duties The treasurer shall give bond in such sum and with such sureties as the board shall direct The length of the term he shall hold office shall be fixed by the board but may not exceed four years He shall keep an accurate itemized account of all moneys received by him and paid out and make a report and full settlement with the board annually or oftener if required by the board.

Section 8. The Board of State Fair Commissioners shall after each annual meeting in January make and deliver to the Governor for transmission to the Legislature a report of their acts and doings including an accurate amount of receipts and expenditures.

Section 9 Whatever moneys shall be appropriated for the purposes of a State Fair shall be paid to the Board of State Fair Commissioners and may be expended by them as in the opinion of said board will best advance the interests of agriculture live-stock breeding dairying horticulture manufacture and domestic arts in this State.

Section 10. The Board of State Fair Commissioners may in that name contract and be contracted with may purchase hold or sell property may sue and be sued in all courts or places and this State shall not be liable for any debts or contracts of said board The title of the property real or personal acquired and controlled by the Board of State Fair Commissioners shall be vested in the Commonwealth of Pennsylvania and shall be free from taxes.

Section 11 The members of the Board of State Fair Commissioners shall receive no compensation for their services wither directly or indirectly but their actual and necessary traveling and hotel expenses while going to and from and while in attendance upon the regular and special meetings of the board may be paid upon presentation of a specifically itemized bill after approval by the president of the board

Section 12 Whoever shall keep any shop booth tent wagon vessel boat or other place for the sale of intoxicating liquors or expose for sale or sell give away or otherwise dispose of any intoxicating liquors or engage in gaming or conducting any indecent or immoral exhibitions at or within one mile of the place where the State Fair is held shall for each offense be fined not less than twenty-five dollars nor more than five hundred dollars Provided This section shall not affect hotelkeepers distiller or others exercising their calling at their usual places of business

Section 13 Any person violating the provisions of the preceding section may be arrested upon view or upon warrant by any sheriff constable or other officer authorized to make arrests

Section 14 The sum of five hundred thousand dollars is hereby appropriated to the Board of State Fair Commissioners for the period ending May thirty-first one thousand nine hundred and thirteen for meeting expenses in the organization conduct and management of annual exhibitions of the State Fair as provided by this act The funds here appropriated shall be paid by the State Treasurer on a warrant of the Auditor General in the manner now provided by law Specifically itemized vouchers covering every item of expense made under this appropriation shall be filed with the Auditor General

Section 15 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BEIDLEMAN. Mr. President, I understand some question has been raised as to the amount of the appropriation carried by this bill. I therefore desire to suggest to the Senate that the bill be passed, and if objection be made to the amount of the appropriation it will be proper to have the bill recommitted to the Committee on Appropriations of the House, where that matter can be thoroughly and properly taken up. I therefore ask the favorable consideration of the Senate on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, namely:

YEAS—43.

Alexander,	Fisher,	Judson,	Nulty,
Beidleman,	Graff,	Kline,	[illegible]ll,
Buckman,	Gyger,	Knapp,	**Salus,**
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Herbst,	Martin,	Sones,
Cooper,	Hilton,	McNichol,	Stineman,
Crow,	Hoke,	McNichols,	Thompson,
Daix,	Homsher,	Miller,	Vare,
DeWitt,	Hunter,	Mills,	Washers,
Endsley,	Jarrett,	Moore,	Gerberich,
Farley,	Jones,	Morgan,	Pres. pro tem.

NAYS—1.

Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. WASBERS. Mr. President, I ask that Senate bill No. 215, on third reading, entitled:

An act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which has heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 265, entitled:

An act to amend section eighteen of the act of May first one thousand nine hundred and nine entitled "An act to provide for the protection and preservation of game quadrupeds and game birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions by further regulating the killing of deer

On the question,

Will the Senate agree to the bill on third reading?

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to amend the bill as follows:

By striking out in line 4 of the title, after the word "insectivorous" the word "birds" and in section 1, line 7, by striking out after the word "insectivorous" the word "birds."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 316, entitled:

An act to provide for the protection and preservation of game quadrupeds and game-birds and song and insectivorous and other wild birds providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

On the question,

Will the Senate agree to the bill on third reading?

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to amend the bill as follows: and I desire to say that the bill as it is now drawn provides for a closed season for all kinds of game for a period of five years; and the purpose of the amendment is to limit the closed season on the application of a number of citizens of any county to elk and deer for a period of five years.

By inserting in section 1, line 7, after the word "hunting" the words "for elk and deer;" also in the same section, in lin 8, by striking out the word "game" and inserting in lieu thereof the words "elk and deer;" also in section 2, line 5, by striking out the words "any or all species of game" and inserting in lieu thereof the words "elk and deer;" also in the same section, in line 28, by striking out the word "game" and inserting in lieu thereof the words "elk and deer;" also in the same section, in lines 30 and 31, by striking out the words "any kind or for all kinds of game" and inserting in lieu thereof the words "elk and deer;" also in the same section by striking out everything after the word "territory" in line 47 to the end of line 50; also in the title by striking out the words "game game quadrupeds and game birds and song and insectivorous and other wild birds" and inserting in lieu thereof the words "elk and deer."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. JARRETT. Mr. President, I move that Senate bill No. 36, on second reading, entitled:

An act providing for the appointment and removal of police in townships of the second class and fixing their duties powers compensation

be recommitted to the Committee on Judiciary General.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 68, as follows:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonweealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million of dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding highways of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 69, entitled:

A joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Section 2 Amending section one of article nine of the Constitution of Pennsylvania which reads as follows

"All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity" so as to read as follows

All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws and the subjects of taxation may be classified for the purpose of laying graded or progressive taxes but the General Assembly may by general laws exempt from taxation public property used for the public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 73, as follows:

An act to amend sections two and three of an act entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceeding relative to the same" approved the second day of May one thousand eight hundred and eighty-nine extending the same to other cases of escheat

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" approved the second day of May one thousand eight hundred and eighty-nine which reads as follows

"Section 2 That whensoever any money estate or effects shall have been or shall hereafter be paid into or deposited in the custody of any court of this Commonwealth or shall be inthe custody of any depository or of any receiver or other officer of said court and the rightful owner or owners thereof shall have been or shall be unknown for the space of seven years the same shall escheat to the Commonwealth subject to all legal demands on the same" be and the same is hereby amended to read as follows

Section 2 That whensoever any money estate or effects shall have been or shall hereafter be paid into or deposited in the custody of any court of this Commonwealth or shall be in the custody of any depository or of any receiver or other officer of said court and the rightful owner or owners thereof shall have been or shall be known for the space of seven years or shall have made no demand therefor for the space of seven years the same shall escheat to the Commonwealth subject to all legal demands on the same

Section 2 That the third section of the said act which reads as follows

"Section 3 That whensoever any trustee or other person is or shall be seized of any property or estate real or personal in a fiduciary capacity and shall file an account of the same in any court in this Commonwealth and whensoever it shall appear that the cestui que trust or beneficial owner of said property or effects or any part thereof has been unknown for a period of seven years and still remains unknown then and in such case so much of said property or effects as belonged to said unknown cestui que trust or beneficial owner shall escheat to the Commonwealth subject to all legal demands on the same" be and the same is hereby amended to read as follows

Section 3 It shall be the duty of every trustee guardian committee executor administrator assignee or other person acting in a fiduciary capacity who shall be seized or possessed of any property or estate real or personal of which the cestui que trust or beneficial owner shall have been unknown to him for a period of seven years and still remain unknown or has made no demand for said property or effects for a period of seven years to file an account thereof in the proper court and so much of said property or effects as belonged to said cestui que trust or beneficial owner and is not claimed at the audit of said account shall escheat to the Commonwealth subject to all legal demands on the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 75, as follows:

An act regulating reports for the purposes of taxation by corporations joint stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of the president chairman or treasurer of any corporation joint stock association or limited partnership reequired by law to make a report in writing to the Auditor General and any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth to add to said reports statements under oath setting forth in full the data on which exemptions from taxation under the laws of this Commonwealth are claimed and otherwise to state specifically under oath all information necessary to determine the amount of exemption to which such corporation joint stock association and limited partnership is entitled and in the case of companies operating partly in other states and taxed in a mileage basis to so state specifically the total mileage of said companies as well as the mileage wholly within Pennsylvania in order that the tax may be prorated according to such mileage

Section 2 No report of any such corporation joint stock association or limited partnership not containing such information as is herein provided shall be received or filed by the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 76, entitled:

An Act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money, stocks, bonds, notes, papers and other securities and all other valuables of the same or any other kind for safe keeping and stocks and dividends and the principal of bonds, notes, certificates and of all and any other kinds of indebtedness of corporations, limited partnerships and partnership associations and providing for the enforcement of the same.

The first, second, third and fourth sections of the bill were read as follows and agreed to:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same. That every bank, savings institution, trust company, safe deposit company and every person, firm and corporation receiving deposits of money shall, in the month of January in every year hereafter file with the Auditor General a report under oath of all deposits of money with the interest and profits accrued thereon which have not been increased or diminished or credited with interest in the pass book at the request of the depositor within seven years last preceding such report. Such report shall show the amount of such deposit of money and the name and address of the depositor.

Section 2. Every person, firm, and corporation in this Commonwealth receiving deposits of money, stocks, bonds, notes, papers and other securities or other valuables of the same or any other kind for the safe keeping shall, in the month of January in every year hereafter file with the Auditor General a report under oath of all such deposits to which access has not been actually had by the owner or owners thereof within seven years last preceding such report. Such report shall give the names and addresses of the depositors and the nature and amount of the deposit if known.

Section 3. Every corporation, limited partnership and partnership association organized under the laws of this Commonwealth shall, in the month of January in every year hereafter, file with the Auditor General a report under oath of one of its executive officers having personal knowledge thereof, of the names and addresses of all stockholders to whom a dividend or dividends shall have been declared and who have not claimed the same for seven years next preceding, together with the amount of such dividend and the kind and number of shares on which the same shall have been declared and also the names and addresses of all holders of bonds, notes, certificates and of all and any other kinds of indebtedness of said corporations, limited partnerships and partnership associations who shall not have claimed for seven years net preceding the principal or interest due on the same together with the amount of such interest and of the principal of such bonds, notes, certificates and other kinds of indebtedness. Should the names and addresses of said stockholders, holders of such bonds, notes, certificates and other kinds of indebtedness be unknown to the executive officers of any such corporation, limited partnership or partnership association a report shall nevertheless be filed as hereinbefore provided, setting forth the amount and nature thereof and all other information in the possession of such corporation, limited partnership or partnership association concerning said stocks, bonds, notes, certificates and other kinds of indebtedness.

Section 4. Such reports shall be preserved by the Auditor General in his office for public inspection and he shall keep for public inspection an indext of the names of all persons so reported to him the amount and nature of the property involved and the person or corporation reporting it.

The fifth section of the bill was read as follows:

Section 5. When any such deposit of money or unclaimed dividend or interest or principal of any bonds, notes, certificates and all or any other kinds of indebtedness of such corporations, limited partnerships and partnership associations shall have been so reported to the Auditor General for seven successive years it shall, upon demand by him, be paid to the State Treasurer for the use of the State, together with the interest and profits accrued thereon by the person, firm or corporation making such report and a report of such payment shall be made to the Auditor General and be entered by him in said index.

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN: Mr. President, I move to amend section 5 in line 11 by adding after the word "index" the words "payment to the State Treasurer of any deposit of money, or unclaimed dividend, or interest or principal of any bonds, notes, certificates, or other kind of indebtedness, as herein provided, shall relieve and discharge the person, firm or corporation making such payment from any claim or action therefor by any person, party, firm or corporation."

Mr. KLINE: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections of the bill were read as follows and agreed to:

Section 6. At any time within twenty-one years after such payment of a deposit of money, dividend or interest or principal of any such bonds, notes, certificates or other kinds of indebtedness of such corporations, limited partnerships and partnership associations to the State Treasurer the persons who would have been the lawful owners of such deposit, dividend or interest or principal of any such bonds, notes, certificates or other kinds of indebtedness had it not been so paid or their legal representatives shall receive the same out of the State Treasury, out of the moneys otherwise unappropriated, upon the warrant of the Auditor General on the State Treasurer upon the production to the Auditor General of satisfactory proof of such ownership.

Section 7. When any such unclaimed stocks of said corporations, limited partnerships and partnership associations or any such deposit of money, stocks, bonds, notes, papers, other securities or other valuables of the same or any other kind for safe-keeping shall have been so reported to the Auditor General for seven successive years, the Auditor General shall thereupon appoint an escheator to conduct proceedings for the escheat of the same in the manner provided by law.

Section 8. No fee shall be paid to any informant for information leading to the escheat of any property which shall have been theretofore reported at any time under this act.

Section 9. The failure to make any report required by this act shall subject the person, firm, corporation, limited partnership or partnership association so failing to a penalty of fifty dollars a day for each day such failure continues to be recovered by the Commonwealth. The failure to pay to the State Treasurer any such deposit of money or dividend or interest or principal of any bond, note, certificate or all or any other kind of indebtedness of such corporation, limited partnership or partnership association upon demand shall render the person, firm, corporation, limited partnership or partnership association so refusing liable to an action by the Commonwealth to recover such deposit with interest at twelve per centum per annum.

Section 10. Nothing in this act shall be construed to prevent the escheat of property to the Commonwealth in the way otherwise provided by law for lack of next of kin or a known owner.

Section 11. All the acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Section 12. The following acts and parts of acts be and the same are hereby repealed:

An Act entitled "An Act requiring banks and other corporations to give notice of unclaimed dividends, deposits and balances in certain cases," approved March sixth, one thousand eight hundred and forty-seven.

Section fifty-two of the act entitled "An Act regulating banks," approved April sixteenth, one thousand eight hundred and fifty.

Sections two and three of an act entitled "An Act relating to unclaimed deposits in savings banks and transfer of stock," approved April seventeenth, one thousand eight hundred and seventy-two.

An act entitled "An Act relating to the return of moneys escheated to the Commonwealth," approved June fourth, one thousand eight hundred and eighty-five.

An act entitled "An Act to amend the first section of an act entitled 'An Act relating to the return of moneys escheated to the Commonwealth,' approved the fourth day of June, Anno Domini, one thousand eight hundred and eighty-five, extending the same to certain other cases of escheat," approved June twenty-fifth, one thousand eight hundred and eighty-five.

The title of the bill was read as follows and agreed to:

An Act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money, stocks, bonds, notes, papers and other securities and all other valuables of the same or any other kind for safe keeping and stocks and dividends and the principal of bonds, notes, certificates, and of all and any other kinds of indebtedness of corporations, limited partnerships and partnership associations and providing for the enforcement of the same.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 77, as follows:

An Act to exempt from the payment of inheritance taxes bequests and devices to institutions of purely public charity

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bequests and devices to institutions of purely public charity shall be exempt from liability for inheritance taxes provided that this shall not apply to institutions incorporated under the laws of any other State or county

And said bill having been read at length the second time and agreed to:

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 121, entitled:

An Act authorizing D L Saul and Flora W Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the General Assembly of the Commonwealth of Pennsylvania in General Assembly met by virtue of the power vested i nit by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow D L Saul and Flora W Saul his wife to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the courts of common pleas of Dauphin county any sum or sums of money that may be legally or justly due either jointly or severally the said D L Saul and Flora W Saul his wife by reason of the injuries suf-

fered by the said Flora W Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania July sixth one thousand nine hundred and ten Said suit or suits to be subject to the rules of pleading evidence and appeal as other suits brought in said court are subject

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN: Mr. President, I move to amend section 1 in line 8 by inserting after the word "wife" the words "residents of the City of Harrisburg, Dauphin County, Pa."

Mr. DAIX: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act authorizing D L Saul and Flora W Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 169, entitled:

An Act relating to findings in proceedings in luncy.

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter commissioners in lunacy shall declare a person to have been a lunatic from a date prior to such finding then in any action affecting the title to land such finding and the record of any proceedings of the commission shall not be competent evidence unless the record affirmatively shows that ten days' written notice of the time and place of the meeting of the commissioners was served on the party or parties claiming title to the land in question at the time of the issuing of the commission and unless such claim to title adverse to the lunatic shall have originated subsequent to the date from which he or she is found to have been a lunatic and unless the commissioners shall have found that the person declared to be a lunatic was a lunatic at the time such adverse claim originated sufficiently identifying it.

The title of the bill was read as follows;

An Act relating to findings in proceedings in lunacy

On the question,

Will the Senate agree to the title?

Mr. THOMPSON: Mr. President, I move to amend the title by inserting before the word "findings" the words "the competency as evidence of certain."

Mr. DAIX: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bil No. 225, (House bill No. 88,) entitled:

An Act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribng his duties and abolishing the office of county auditor in said counties" approved the 27th day of June, 1895, as amended by the act entitled "An Act to amend sections one and sixteen of an an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said county' approved June 27, 1895, so as to make it apply to all counties containing one hundred and fifty thousand inhabitants and authorizing he Governor to fill vavancies" approved the 8th day of May, 1901, by providing for the office of controller in all counties having over one hundred thousand inhabitants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 229 (House bill No. 24) entitled,

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 232 (House bill No. 89) entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 274 as follows:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five" which reads as follows

"Section 3 The said superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said Superintendent shall be held responsible to the Governor for the faithful performance of their duties

"In the office of the Superintendent of Public Grounds and Buildings an assistant superintendent who shall be an experienced and competent bookkeeper at a salary of twenty-five hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum a stenographer at a salary of twelve hundred dollars per annum a store-keeper who shall be a competent bookkeeper at a salary of fourteen hundred dollars per annum an assistant storekeeper at a salary of ten hundred dollars per annum a nightwatchman for the storeroom and department at a salary of nine hundred dollars per annum a messenger at a salary of seven hundred and twenty dollars per annum an assistant messenger at a salary of six hundred dollars per annum

"For the preservation of good order in the Capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum eighteen policemen at a salary of nine hundred dollars each per annum and five night watchmen at a salary of nine hundred dollars each per annum

"For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum a florist at a salary of ten hundred dollars per annum two assistant florists at a salary of nine hundred dollars per annum an assistant foreman of the grounds at a salary of ten hundred dollars per annum and six caretakers at a salary of seven hundred and twenty dollars each per annum

"For the care maintenance and preservation of the Capitol buildings and furnishings a competent foreman of carpenters at a salary of twelve hundred dollars per annum three expert mechanics one each to take care of the marble the painting and the bronze and metal furniture at a salary of twelve hundred dollars each per annum three skilled carpenters at a salary of nine hundred dollars each per annum a skilled cabinetmaker at a salary of nine hundred dollars per annum a clock repairman at a salary of nine hundred dollars per annum ten competent elevator operators at a salary of nine hundred dollars each per annum two skilled painters at a salary of nine hundred dollars each per annum a competent upholster at a salary of nine hundred dollars per annum two competent hardwood-floor finishers at a salary of nine hundred dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of nine hundred dollars each per annum eighteen charmen at a salary of six hundred dollars per annum a chief of the bureau of information at a salary of seven hundred and twenty dollars per annum six guides at a salary of six hundred dollars each per annum two matrons at a salary of four hundred dollars each per annum two female attendants for the public toilets at a salary of three hundred and sixty dollars each per annum two male attendants for the public toilets at a salary of six hundred dollars each per annum

"For operating the mechanical plant a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineer at a salary of twelve hundred dollars each per annum six firemen at a salary of nine hundred dollars each per annum a skilled electrician at a salary of fourteen hundred dollars per annum an assistant electrician at a salary of nine hundred dollars per annum a wireman at a salary of nine hundred dollars per annum two pump-runners at a salary of nine hundred dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a helper for elevator machinist at a salary of seven hundred and twenty dollars per annum a helper for engine-room at a salary of six hundred dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber-helper at a salary of seven hundred and twenty dollars per annum two motor-tenders at a salary of seven hundred and twenty dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

"For service at the Executive Mansion—a butler at a salary of six hundred dollars per annum a houseman at a salary of four hundred and eighty dollars per annum a night watchman at a salary of seven hundred and twenty dollars per annum one housemaid at a salary of three hundred dollars per annum a laundress at a salary of three hundred dollars per annum a cook at a salary of four hundred and eighty dollars per annum a coachman at a salary of nine hundred dollars per annum and a stableman at a salary of six hundred dollars per annum

"When necessary the Superintendent of Public Grounds and buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings provided That such help shall be paid for out of the superintendent's general fund" is amended so as to read

Section 3 The said Superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said superintendent shall be held responsible to the Governor for the faithful performance of their duties

In the office of the Superintendent of Public Grounds and Buildings a deputy superintendent In the absence or incapacity of the superintendent and in case of vacancy in the office of superintendent till a successor be appointed the deputy superintendent shall perform all the duties of the superintendent He shall give bond in the penal sum of ten thousand dollars ($10,000) to be approved by the Superintendent of Public Grounds and Buildings conditioned for the faithful performance of his duties and shall receive a salary of twenty-five hundred dollars ($2,500) per annum one clerk at a salary of eighteen hundred dollars per annum one bookkeeper at a salary of fifteen hundred dollars per annum a draughtsman at a salary of fifteen hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum two stenographers at a salary of twelve hundred dollars each per annum a storekeeper who shall be a competent bookkeeper at a salary of two thousand dollars per annum one assistant storekeeper at a salary of twelve hundred per annum an assistant storekeeper at a salary of ten hundred dollars per annum a night-watchman for the storeroom and department at a salary of nine hundred dollars per annum a messenger at a salary of ten hundred dollars per annum an assistant messenger at a salary of seven hundred and twenty dollars per annum

For the preservation of good order in the capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum twenty policemen at a salary of nine hundred dollars each per annum and five night-watchmen at a salary of nine hundred dollars each per annum

For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum three assistant florists at a salary of ten hundred and twenty dollars each per annum an assistant foreman of the grounds at a salary of ten hundred dollars per annum and six caretakers at a salary of seven hundred and twenty dollars each per annum

For the care maintenance and preservation of the capitol Buildings and furnishings a competent foreman of maintenance at a salary of eighteen hundred dollars per annum a competent foreman of carpenters at a salary of fifteen hundred dollars per annum a competent foreman of painters at a salary of fifteen hundred dollars per annum three expert mechanics one each to take care of the marble the hardwood floors and the bronze and metal furniture at a salary of twelve hundred dollars each per annum six skilled carpenters at a salary of ten hundred and twenty dollars each per annum an assistant marble mechanic at a salary of ten hundred and twenty dollars per annum a locksmith at a salary of ten hundred and twenty dollars per annum a skilled cabinetmaker at a salary of ten hundred and twenty dollars per annum a clock-repairman at a salary of ten hundred and twenty dollars per annum twelve competent elevator operators at a salary of ten hundred and eighty dollars each per annum four skilled painters at a salary of ten hundred and twenty dollars each per annum a competent upholsterer at a salary of ten hundred and twenty dollars per annum three competent hardwood-floor finishers at a salary of ten hundred and twenty dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of ten hundred and twenty dollars each per annum thirty charmen at a salary of seven hundred and twenty dollars each per annum a chief of the bureau of information at a salary of ten hundred and twenty dollars per annum six guides at a salary of nine hundred dollars each per annum two matrons at a salary of four hundred and eighty dollars each per annum two female attendants for the public toilets at a salary of four hundred and eighty dollars each per annum two male attendants for the public toilets at a salary of seven hundred and twenty dollars each per annum

For operating the mechanical plant—a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineers at a salary of twelve hundred dollars each per annum six firemen at a salary of nine hundred dollars each per annum a skilled electrician at a salary of fourteen hundred dollars per annum an assistant electrician at a salary of ten hundred and twenty dollars per annum two wiremen at a salary of ten hundred and twenty dollars each per annum two pumprunners at a salary of ten hundred and twenty dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a competent steam-fitter at a salary of ten hundred and twenty dollars per annum a helper for elevator machinist at a salary of nine hundred dollars per annum a helper for engine-room at a salary of seven hundred and twenty dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber helper at a salary of nine hundred per annum two motor-tenders at a salary of nine hundred dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

For services at the Executive Mansion a butler at a salary of seven hundred and twenty dollars per annum a houseman at a salary of four hundred and eighty dollars per annum a night-watchman at a salary of nine hundred dollars per annum a housekeeper at a salary of four hundred and eighty dollars per annum one housemaid at a salary of three hundred and sixty dollars per annum a laundress at a salary of three hundred and sixty dollars per annum a cook at a salary of four hundred and eighty dollars per annum at a chauffeur at a salary of twelve hundred dollars per annum and a footman at a salary of seven hundred and twenty dollars per annum

When necessary the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings Provided That such help shall be paid out of the Superintendent's General fund

Section 2 This act shall take effect and be in full force on June first one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 274, the bill just read, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 275 as follows:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authorities and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That the second section of an act approved the twenty-sixth day of March one thousand eight hundred ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same" which reads as follows

"Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of May of each and every year by advertisement inserted daily until the day of letting of contracts in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government Executive Mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered to the Board of Public Grounds and Buildings on or before twelve o'clock meridian on the first Tuesday of June following the date of advertisement who shall on said first Tuesday of June at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Audtitor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in June" is amended so as to read as follows

Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of March of each and every year by advertisement inserted daily until the day of opening of bids in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government executive mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered on or before twelve o'clock meridian on the first Tuesday of April following the date of advertisement to the Board of Public Grounds and Buildings who shall on said first Tuesday of April at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Auditor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in April Provided That in any such instance or in the event that requisitions are made upon the Superintendent of Public Grounds and Buildings for any article of furniture furnishing stationery supplies fuel or any other matters or things or for the making of any repairs alterations or improvements the want of which was not anticipated at the time of the making of the annual schedule the said Board of Public Grounds and Buildings may in its discretion authorize the Superintendent of Public Grounds and Buildings to invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

Section 2 That the third section of said act which reads as follows

"Section 3 That no proposal for any contract shall be considered or adopted unless such proposal be accompanied by a bond in such form and amount as the Board of Public Grounds and Buildings shall direct with at least two sureties or one surety company approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside conditioned for the faithful performance of the terms of the contract In the event the contractor or contrators failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting" is amended so as to read as follows

Section 3 No proposal for any contract shall be considered unless such proposal be accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Board of Public Grounds and Buildings Such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposal may reside or of the county wherein shall be located the principal place of business of the persons firm or corporation making such proposal or one surety company authorized to act as surety in this Commonwealth A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond In the event the contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney-General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting

Section 3 That the fourth section of said act which reads as follows

"Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the day of opening the proposals after which time they shall be returned upon application to the parties filing them" is amended so as to read as follows

Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify said copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the date of opening the proposals after which time they shall be returned on application to the parties submitting them

Section 4 The fifth section of said act which reads as follows

"Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of April in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first Tuesday of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum prices fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever

practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractors to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractors bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and when the same have been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened Such bids as may be made together with a bond in such form as may be prescribed by the Board of Public Grounds and Buildings conditioned for the faithful discharge of the bidders propositions shall be enclosed in envelopes and securely sealed and shall be addressed to and to be mailed or delivered to the Board of Public Grounds and Buildings who shall retain the envelopes unopened until the time fixed by said board for the opening thereof and the board shall have the right to reject any or all bids The bids so received and opened shall be tabulated and be subject to examination by all persons submitting bids and a record thereof shall be made by the Superintendent in a book to be kept for that purpose" is amended so as to read as follows

Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of February in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first day of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractors to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractors bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and may standarize any or all supplies stationery and paper in such a way as to secure the maximum of economy commensurate with efficiency When the list or schedule has been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided shall cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened All bids shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper bond or certified check as provided in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the board of public grounds and buildings who shall retain all envelopes unopened until the time fixed by law for the opening thereof the board shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all bidders A record of such bids shall be made by the superintendent in a book to be kept for that purpose

Section 5 That the ninth section of said act which reads as follows

"Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the ending of each fiscal year ending the first Tuesday in June he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year" is amended so as to read as follows

Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the end of each fiscal year ending the thirty-first day of May he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 276, entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" as amended

The first section of the bill was read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the thirty-second section of an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character, the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto," as amended, which as amended reads as follows:

"Section 32. The proceedings to recover the amount of any claim as aforesaid shall be by writ of scire facias in the following form, namely:

"..... County, ss:
"The Commonwealth of Pennsylvania.
"To the Sheriff of said County, Greeting:
"Whereas ..... has filed a claim in our our court of Common Pleas ..... for the county of ..... against ..... for the sum of ..... for (work done or materials furnished, or both, as the case may be) to (or on) a certain property, to wit (describing it as in the claim)
"And Whereas, It is alleged that said sum still remains due and unpaid to the said .....now we command you that you make known to the said ..... that ..... be and appear before the judges of our said court at a court of common pleas to be held at ..... on the first Monday of ..... next, showing if anything ..... or have to say why the said sum of ..... should not be levied of the said property to the use of the said ..... according to the form, decree and effect of the act of Assembly in such case made and provided, if to them it shall seem expedient and have you then and there this writ:
"Witness the Honorable ....., President of our said court, at ....., the ..... day of ....., Anno Domini one .....
"(Seal)
.....Prothonotary.

"But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued, served and returned," is hereby further amended to read as follows:

Section 32. The proceedings to recover the amount of any claim as aforesaid shall be by writ of scire facias in the following form, namely:

.....County, ss:
The Commonwealth of Pennsylvania.
To the Sheriff of said county, Greeting:
Whereas, ... hath filed a claim in our court of Common Pleas ..... for the county of ..... against ..... for the sum of ..... for (work done or materials furnished, or both, as the case may be) to (or on) a certain structure or other improvement to wit (describing the property as in the claim)
And Whereas, It is alleged that said sum still remains due and unpaid to the said .....now we command you that you make known to the said ..... that ..... be and appear before the judges of our said court at a court of common pleas to be held at ..... on the first Monday of ..... next, to show if anything .....know or have to say why the said sum of ..... should not be levied of the said property to the use of the said ..... according to the form, decree and effect of the act of Assembly in such case made and provided, if to them it shall seem expedient also make known to said .....if any defense ..... have thereto to file ..... affidavit or affidavits of defense thereto in the office of the prothonotary of the said court within fifteen days after the return day of this writ: and that otherwise judgment may be entered against ..... for the whole amount of the said claim and the said property sold to recover the amount thereof and have you then and there this writ:
Witness, the Honorable .....President Judge of our said court, under date of ..... day of ..... Anno Domini one thousand nine hundred and .....
(Seal)
.....Prothonotary.

But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued, served and returned.

The said court shall have full power and ample authority and is hereby authorized and directed to enter judgment against such of the said defendants as shall have been duly served according to law or have appeared for want of an affidavit of defence or sufficient affidavit of defence as the sase may be if the parties so served or appearing or any of them shall neglect or fail to file an affidavit of defence within the time mentioned in the said writ

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN: Mr. President, I move to amend section 1 in line 38 by striking out the word "showing" and inserting in lieu thereof the words "to show;" also, in the same line after the second blank by inserting the word "know."

Mr. SHEATZ: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act defining the rights, liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, railroad, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line ,aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil, or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto," as amended.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reding.

BILL RE-COMMITTED.

Mr. STINEMAN: Mr. President, I move that Senate bill No. 281 be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. McILHENNY: Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 328, as follows:

A Further Supplement to an Act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide revenue by taxation" as variously supplemented and amended a corporation engaged in conducting a laundry shall be regarded as a corporation organized for manufacturing purposes in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 333 as follows:

An Act Making an appropriation to cover deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

Whereas The appropriation to pay the tuition of students in State Normal Schools made at the session of the Legislature in one thousand nine hundred and eleven has proved insufficient and

Whereas The Commonwealth is required by law to pay the tuition of students in the State Normal Schools who are preparing to teach in the public schools of the Commonwealth and these students have enrolled in said institutions with the understanding that the Commonwealth would pay their tuition therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-five thousand dollars ($12500) be and the same is hereby appropriated to cover the deficiency in the appropriation made in the general appropriation act approved June fourteenth Anno Domini one thousand nine hundred and eleven to pay the tuition of students in State Normal Schools said appropriation to be paid out under the same conditions as those under which the original appropriation was paid

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 334 (House Bill No. 236) entitled:

An Act regulating the manufacture sale and offering for sale of mattresses and fixing penalties for violation hereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful in manufacturing mattresses to use in whole or in part any material which shall have formed part of any mattress pillow or bedding used in or about any hospital or used by any person having an infectious or contagious disease

On the question,
Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 1 by inserting after the "1" the word "definitions"; also by striking out all after the word "That" and inserting in lieu thereof the following:

(1) The term "mattress", as used in this act, shall be construed to mean any quilted pad, mattress, mattress pad, bunk, quilt or cushion, stuffed or filled with wool, hair or other soft material, except feathers, to be used on a couch or other bed for sleeping or reclining purposes.

(2) The term "person", as used in this act, shall be construed to include all individuals, and all firm or co-partnerships.

(3) The term "corporation", as used in this act, shall be construed to include all corporations, companies, associations and joint stock associations or companies.

(4) Whenever the singular is used in this act, it shall be construed to include the plural; whenever the masculine gender is used in this act it shall include the feminine and neuter genders.

Mr. DAIX. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The second section of the bill was read as follows:

Section 2 It shall be unlawful to manufacture sell or offer for sale any mattress unless there shall be indelibly marked or stamped thereon or upon a cloth label securely sewed thereon a statement showing the quantity and quality of the materials used in making the mattress and whether the materials so used are wholly or partly new or second-hand Such statement shall be in large type and in the English language

On the question,
Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend by striking out the entire section and inserting in lieu thereof the following:

SECTION 2.

Prohibitions Upon the Making and Sale of Mattresses.

1. No person or corporation, by himself or by his agents, servants or employes, shall em ploy or use in the making, remaking or renovating of any mattress,

(a) Any material of any kind that has been used in, or has formed a part of, any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease;

(b) Any material known as "shoddy" and made in whole or in part from old or worn clothing, carpets, or other fabrics or materials previously used, or any other fabric or material from which shoddy is constructed.

(c) Any material not otherwise prohibited by this act, of which prior use has been made, unless the said material hs been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Health of this Commonwealth.

2. No person or corporation, by himself or by his agents, servants or employes, shall sell, offer to sell, deliver or consign or have in his possession with intent to sell, deliver or consign, any mattress made, remade or renovated in violation of subsection one of this section.

Mr. DAIX. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The third section of the bill was read as follows:

Section 3 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than six months or both

On the question,
Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend by striking out the entire section and inserting in lieu thereof the following:

SECTION 3.

Descriptive statements Upon Mattresses.

No person or corporation, by himself or his agents, servants or employes, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver or consign, or have in his possession with intent to sell, deliver or consign, any mattress that shall not have plainly and indellibly written or printed thereon or upon a muslin or linen tag securely sewed to the covering thereof, a statement in the English language, setting forth the kind or kinds of materials used in filling the said mattress, and whether the same are in whole or in part new, or old, or second-hand, and the name and address of the manufacturer or vendor thereof, or both.

Mr. DAIX. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The fourth section of the bill was read as follows:

Section 4 No mattress manufactured outside of this Commonwealth shall be sold or offered for sale in this Commonwealth unless the person firm or corporation selling or offering the same for sale shall have first secured and shall exhibit to the purchased or the prospective purchaser an affidavit duly executed by the manufacturer of the mattress setting forth that in the manufacture of such mattress the provisions of this act have been complied with

On the question,
Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend by striking out the entire section and inserting in lieu thereof the following:

SECTION 4.

When Description as Felt May Be Made.

It shall be unlawful to use in the said statement concerning any mattress the word "Felt", or words of like import, if there has been used in filling said mattress, any materials which are not felted and filled in layers, unless the said statement shall plainly set forth all the different materials so used.

Mr. DAIX. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Mr. BEIDLEMAN: Mr. President, I move to amend by inserting after section 4, sections 5, 6, 7, 8, 9, 10, 11 and 12, as follows:

SECTION 5.

Misleading Description Prohibited.

It shall be unlawful to use in any way the description in the said statement any misleading term or designation, or term or designation likely to mislead.

SECTION 6.

Form of Statement.

The statement required under section three of this act shall be in the following form:

Materials Used in Filling
.....
.....
Made by .....
Address .....
This article is made in compliance with the Act of Assembly of Pennsylvania, approved the.... day of .... 1913.

SECTION 7.

Removal of Description.

Any person who shall remove, deface, alter or in any manner attempt the same, or shall cause to be removed, defaced or altered, any mark or statement placed upon any mattress under the provisions of this Act, shall be guilty of a violation of this Act.

SECTION 8.

Separate Offenses.

The unit for a separate and distinct offense in violation of this Act shall be each and every matress made, remade, renovated, sold, offered for sale, delivered, consigned or possessed with intent to sell, deliver or consign, contrary to the provisions hereof.

SECTION 9.

Penalties.

Any person or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, before a Magistrate or Justice of the Peace, shall be punished by a fine of not less than Twenty-five Dollars, and not more than Fifty Dollars for each offense.

SECTION 10.

Duties of Commissioner of Health.

Within sixty days after any process of sterilization and disinfection shall have been submitted to the Commissioner of Health of this Commonwealth, under sub-section 1 (c) of Section Two of this Act, the said Commissioner shall approve or disapprove the same, and, if he disapproves, shall state his reasons therefor.

SECTION 11.

Duties of Chief Factory Inspector.

All places where mattresses are made, remade or renovated, or materials for mattresses prepaerd, or where mattresses are offered for sale, or are in the possession of any person or corporation with intent to sell, deliver or consign them, shall be subject to inspection by the Chief Factory Inspector, whose duty it shall be, in case he has reason to believe any person or corporation is violating this Act, to prosecute such person or corporation therefor.

SECTION 12.

Information by Individuals; Enforcement by Individuals.

Any individual who has reason to believe that this Act has been or is being violated, may present the relevant facts to the Chief Factory Inspector or any of his deputies, in which case it shall be the duty of the Chief Factory Inspector to make an investigation of such facts as on his own initiative, and, if he is of opinion that the Act has been or is being violated, to prosecute the person or corporation guilty thereof.

Any individual may institute proceedings to enforce this Act and to punish violations of its provisions.

Mr. DAIX: Mr. President, I second the motion.

The motion was agreed to.

The fifth section of the bill was read as follows:

Section 5 All acts and parts of acts inconsistent with the provisions of this act are repealed

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN: Mr. President, I move to amend by striking out section 5 and inserting in lieu thereof a new section to be known as section thirteen, as follows:

SECTION 13.

Repeal.

All Acts or parts of Acts inconsistent herewith are hereby repealed.

Mr. DAIX: Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Mr. BEIDLEMAN: Mr. President, I move to amend by inserting after section thirteen sections fourteen, as follows:

SECTION 14.

Time in Effect.

This Act shall take effect the first day of January, Anno Domini, One Thousand Nine Hundred and Fourteen.

Mr. DAIX: Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The title of the bill was read as follows:

An Act regulating the manufacture and offering for sale of mattresses and fixing penalties for violation hereof

On the question,

Will the Senate agree to the title?

Mr. BEIDLEMAN: Mr. President, I move to amend by striking out all after the words "An Act" and inserting in lieu thereof the words

"Defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled; providing for the enforcement of the provisions of this act; making certain acts criminal and punishing the same; imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this Act."

Mr. DAIX: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL: Mr. President. I move that Senate bill No. 334 (House bill No. 236), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. KLINE: Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 350 (House bill No. 248), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An Act to honor the United States flag as the National Emblem of a free people and to protect it from domestic and foreign insult"

And said bill having been read at length the second time, and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built-up portions of cities and boroughs unless covered wagons or vehicles be used and providing a penalty for violation thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person or persons to drive or operate upon a street or alley in the built-up portion of any city or borough any wagon or other vehicle loaded or partly loaded with waste paper or ashes unless such wagon or vehicle be covered or closed on the top sides and bottom in such a way as to prevent the waste paper or ashes from being scattered or strewn upon the streets or sidewalks

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN: Mr. President, I move to amend section 1 in line 5 by striking out the letter "s" at the end of the word "persons" where it first appears; also, in section 1, line 6, by striking out the words "or borough" and inserting in lieu thereof the words "of the third class of this Commonwealth."

Mr. SHEATZ: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any person or persons violating the provisions of this act shall upon conviction thereof in a summary proceeding before any magistrate or justice of the peace in the county wherein such offense was committed be sentenced to pay a fine not to exceed ten ($10) dollars to be paid to said county with the costs of prosecution or to be sentenced to the county jail for a period of not more than ten (10) days or both at discretion of the court

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN: Mr. President, I move to amend section 2 in line 3 by inserting after the word "magistrate" the word "alderman."

Mr. SHEATZ: Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities and boroughs unless covered wagons or vehicles be used and providing a penalty for violation thereof

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN: Mr. President, I move to amend the title in lines 2 and 3 by tsriking out the words "and boroughs" and inserting in lieu thereof the words "of the third class."

Mr. SHEATZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 370, as follows:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the su mof fifteen thousand five hundred dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for the following purpose

For deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 372 as follows:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every agreement hereafter made by one person to answer for the default of another shall subject such person to the liabilities of suretyship and shall confer upon him the rights incident thereto except to the extent that the agreement shall disclose an intention to displace or modify such one or more of said liabilities or rights as shall be specifically designated in the agreement. Provided That an intention so to displace or modify shall not be inferred merely from the use of the word "guaranty" or of any other word to which definite legal consequences have been attributed heretofore but shall be inferred only from evidence that both parties had in mind one or more specific consequences of suretyship and desired to provide against it or them And Provided further That in case the parties shall by agreement displace or modify some only of the consequences of suretyship all the other consequences shall ensue

Section 2 This act shall not be construed as changing the rules of law heretofore existing respecting the disability of any person to bind himself or herself by a contract of suretyship or respecting the admissibility of evidence to alter add to or vary a written contract

Section 3 That the word "person" as used in this act shall be construed to be applicable to the cases in which the agreement referred to in the first section hereof is made by one or more individuals or by one or more incorporated or unincorporated groups

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 386 as follows:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the supervisors of townships of the second class of any county to form a county organization for the purpose of meeting annually to consider and discuss plans for the betterment of the roads of such county It shall be the duty of each such supervisor to attend the annual meeting of such organization for which he shall be entitled to receive from the funds of the proper township compensation at the rate of one dollar and fifty cents ($1.50) per diem together with circular mileage at the rate of three cents (3c) per mile Such compensation shall not be paid for more than two days at any annual meeting The meetings shall be held at the county seat of the county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 405 as follows:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three which reads as follows

"Section 3 The board shall appoint a committee of five to act as the committee on lunacy The two professional members appointed under this act shall be members of that committee and three members shall constitute a quorum The committee shall choose a chairman and secretary to serve for the current year and annually thereafter in November The secretary shall receive an annual salary of three thousand dollars ($3,000) with necessary incidental expenses to be accompanied with proper vouchers payable quarterly by the State Treasurer and he may be removed at the pleasure of the Board of Public Charities" be and the same is hereby amended so as to read as follows

Section 3 The board shall appoint a committee of five to act as the committee on lunacy The two professional members appointed under this act shall be members of that committee and three members shall constitute a quorum The committee shall choose a chairman a secretary and an assistant secretary to serve for the current year and annually thereafter in November The secretary shall be a physician skilled in the treatment of mental diseases and shall receive an annual salary of five thousand dollars ($5,000) with necessary incidental expenses payable monthly by the State Treasurer The assistant secretary shall be a physician and shall receive an annual salary of two thousand dollars ($2,000) with necessary incidental expenses payable in like manner Both the secretary and assistant secretary may be removed at the pleasure of the Board of Public Charities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President. I move that Senate Bill No. 405, the bill just read be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 406 as follows:

An Act to amend the fourth, fifth, eighth and ninth sections of an act, entitled "An Act to create a Board of Public Charities," approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth section of an act, entitled "An Act to create a Board of Public Charities," approved the twenty-fourth day of April, Anno Domini, one thousand eight hundred and sixty-nine, which reads as follows:

"Section 4. The General Agent and Secretary of the Board of Public Charities shall hold his office for three years, unless sooner removed, he shall be a member of the board ex-officio and it shall be his duty, subject to the control and direction of said board to keep a correct record of its proceedings, perform such clerical services as it may require, oversee and conduct its out-door business, visit all charitable and correctional institutions in the State at least once in each year except as hereinafter provided, and as much oftener as the board may direct, examine the returns of the several cities, counties, wards, boroughs and townships in relation to the support of paupers therein and in relation to births, deaths and marriages, and he shall prepare a series of interrogatories with the necessary accompanying blanks to the several institutions of charity, reform and correction in the State and to those having charge of the poor in the several counties thereof of any subdivision of the same, with a view to illustrate in his annual report the causes and best treatment of pauperism, crime, disease and insanity, he shall also arrange and publish in his said report all desirable information concerning the industrial and material interests of the Commonwealth bearing upon these subjects and shall have free access to all reports and returns now required by law to be made and he may also propose such general investigations as he may think best for the approval of the board. He shall be paid annually the sum of three thousand dollars and his actual traveling expenses," be and the same is hereby amended so as to read as follows:

Section 4. The General Agent and Secretary of the Board of Public Charities shall hold his office for three years, unless sooner removed, he shall be a member of the board ex-officio, and it shall be his duty to cause a correct record of its proceedings to be kept, oversee and conduct its out-door business, visit all charitable, penal, reformatory and correctional institutions in the State at least once in each year, except as hereinafter provided, and as much oftener as the board may direct, he shall prepare a series of interrogatories with the necessary accompanying blanks to the several institutions of charity, reform and correction in the State, and to those having charge of the poor in the several counties thereof or any subdivision of the same, with the view to illustrate in his annual report the causes and best treatment of pauperism and crime and shall have free access to all reports and returns now required by law to be made and he may also propose for the approval of the board such general investigations as he may think best. He shall be paid annually the sum of five thousand dollars ($5,000) and his additional traveling expenses.

Section 2. That section five of said act, which reads as follows:

"Section 5. The said Commissioners shall have full power, either by themselves or the General Agent, at all times to look into and examine the condition of all charitable, reformatory or correctional institutions within the State, financially and otherwise, to inquire and examine into their methods of instruction, the government and management of their inmates, the official conduct of trustees, directors and other officers and employes of the same, the condition of the buildings, grounds and other property connected therewith, and into all other matters pertaining to their usefulness and good management and for these purposes they shall have free access to the grounds, buildings and all books and papers relating to said institutions and all persons now or hereafter connected with the same are hereby directed and required to give such information and afford such facilities for inspection as the said Commissioners may require, and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00), to be sued for and collected by the General Agent in the name of the board," be and the same is hereby amended so as to read as follows:

Section 5. The said Commissioners shall have full power, either by themselves or the General Agent, at all times to look into and examine the condition of all charitable, reformatory or correctional institutions within the State, financially and otherwise, to inquire and examine into their methods of instruction, the government and management of their inmates, the official conduct of trustees, directors and other officers and employes of the same, the condition of the buildings, grounds and other property connected therewith, and into all other matters pertaining to their usefulness and good management and for these purposes they shall have free access to the grounds, buildings and all books and papers relating to said institutions and all persons now or hereafter connected with the same are hereby directed and required to give such information and afford such facilities for inspection as the said Commissioners may require, and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00), to be sued for and collected by the General Agent in the name of the board. The Commissioners shall also have power to employ such experts, clerks, stenographers and other employes of all kinds as the business of the Board of Public Charities and that of the Committee on Lunacy may require.

Whenever, upon the examination of any jail, prison, penitentiary or almshouse any condition shall be found to exist therein which in the opinion of said Commissioners is unlawful or detrimental to the proper maintenance, discipline and hygienic condition of such institution or to the proper care, maintenance and custody of the inmates therein, the said Commissioners shall have power to make such recommendation to the wardens, inspectors, trustees, sheriff, commissioners, overseers of the poor or other officer or officers charged by law with the government of such institution as said Commissioners may deem necessary and proper to correct the said objectionable condition and in case of the neglect, failure or refusal of such officer or officers to comply with such recommendation or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said Commissioners, within ninety days from the date of service of said recommendation upon them, the said Commissioners shall certify the facts in the case, together with their recommendation, to the district attorney of the proper county, whose duty it shall be thereupon to proceed by indictment or otherwise to remedy the said objectionable condition.

Section 3. That section eight of said act, which reads as follows:

"Section 8. It shall be the duty of all persons having charge or oversight over the poor in any city or county of this State or in any sub-division thereof and all persons having charge or control of county jails or prisons or workhouses and of all other persons having charge or control over any other charitable, reformatory or correctional institution not now by law required to make an annual report of the condition of the same, to make report annually to the said General Agent at such time and in such manner as he shall prescribe of such facts and statements concerning the same as may require and all charitable, reformatory and correctional institutions now required by law to make annual reports shall hereafter make and transmit the same to the said General Agent on or before the first day of January in each year and all such institutions now receiving or that may hereafter desire to receive State aid shall annually give notice to the said general agent on or before the first day of November in each year of the amount of any application for State aid they may propose to make and of the several purposes to which such aid if granted is to be applied," be and the same is hereby amended os as to read as follows:

Section 8. It shall be the duty of all persons having charge or oversight over the poor in any city or county of this State or in any sub-division thereof and all persons having charge or control of county jails or prisons or workhouses and of all other persons having charge or control over any other charitable, reformatory or correctional institution not now by law required to make an annual report of the condition of the same, to make report annually to the said Commissioners at such time upon such form and in such manner as they may prescribe of such facts and statements concerning the same as they may require and all charitable, reformatory and correctional institutions now required by law to make annual reports shall hereafter make and transmit to the same to the said Commissioners on or before the first day of September in each year and all such institutions now receiving or that may hereafter desire to receive State aid shall annually give notice to said Commissioners on or befor ethe first day in September in each year of the amount of any application for State aid which they may propose to make and of the several purposes to which such aid if granted is to be applied. Any neglect or refusal on the part of any person having charge or oversight over the poor of on the part of any person having charge or control over any jail, prison, workhouse or charitable, reformatory or correctional institution to make the report required by this act or otherwise required by law shall subject the offender to a penalty of one hundred dollars ($100.00), to be sued for and collected by the General Agent in the name of the Board.

The Commissioners may prescribe to all institutions receiving State aid a method of keeping their books and the Commissioners shall make no recommendation for the allowance of State aid to any such institution which shall not adopt said system.

Section 4. That section nine of said act, which reads as follows:

"Section 9. Whenever any such institution shall thus give notice of asking for State aid the General Agent shall inquire carefully into the ground of such request, the purpose or purposes for which the aid is asked, the amount which will be required and into any matters connected therewith and in the annual report the result of such inquiries shall be given together with the opinions and conclusions of the Board thereon," be and the same is hereby amended so as to read as follows:

Section 9. Whenever any such institution shall thus give notice of asking for State aid the Commissioners shall inquire carefully into the ground of such request, the purpose or purposes for which the aid is asked, the amount which will be required, and into any matters connected therewith, and in the annual report the result of such inquiries shall be given, together with the opinions and conclusions of the Board thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 406, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate bill No. 517, as follows:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of this Commonwealth where the county seat is within the limits of any city the county commissioners and the corporate authorities of such city shall have the power and they are hereby authorized to agree upon a site within the limits of such city and to erect thereon a joint county and municipal building to be used by the county for court house and other county purposes and to be used by the city for municipal purposes The county commissioners and the corporate authorities of such city shall agree upon and adopt plans for such building which shall show the part thereof selected by the county commissioners to be used for court house and other county purposes and the part thereof selected by the corporate authorities of such city to be used for municipal purposes The building shall be so constructed as to permit of an apportionment of the cost of that part of the building selected and occupied by each and the cost of the building shall be paid for by each in accordance with such apportionment and the county and city own in severalty the part of the building selected by each and the land upon which such part of the building so selected is constructed

Section 2 It shall be lawful and the county commissioners and the corporate authorities of such city are hereby authorized and empowered to choose for the site of such joint county and municipal building land owned and held by the county or land owned and held by the city Whenever the site chosen as aforesaid consists of land owned and held by the county it shall be lawful for the county commissioners of such county and they are hereby authorized and empowered to convey in fee to such city at private sale and upon a fair valuation so much of said land as may be necessary for the purpose of erecting the portion of the joint building to be used by the city It shall be lawful for the corporate officials of such city and they are hereby authorized and empowered to pay in cash for said land or in their discretion to convey in fee to the county at private sale and at a fair valuation in exchange for the conveyance to the city of the land aforesaid any land owned by the city which in the estimation of the corporate authorities of such city is not needed for municipal purposes The land or any part thereof so conveyed to the county may be held and used by the county for county purposes or if in the estimation of the county commissioners it is not needed for such purposes it may be sold by the county commissioners at either public or private sale

Whenever the site chosen as aforesaid consists of land owned and held by the city it shall be lawful for the corporate authorities of such city and they are hereby authorized and empowered to convey in fee to such county at private sale and upon a fair valuation so much of said land as may be necessary for the purpose of erecting thereon the portion of the joint building to be used by the county It shall also be lawful for the county commissioners of such county and they are hereby authorized and empowered to pay in cash for said land or in their discretion to convey in fee to the city at private sale and upon a fair valuation in exchange for the conveyance to the county of the land aforesaid any land owned by the county which in the estimation of the county commissioners is not needed for county purposes The land or any part thereof so conveyed to the city may be held and used by the city for municipal purposes or if in the estimation of the corporate authorities of such city it is not needed for such purposes it may be sold by the corporate authorities of such city at either public or private sale

Section 3 Any sale or conveyance of land made pursuant to the provisions of this act shall be subject to the approval of the court of common pleas of the proper county of the price agreed to be paid therefore and the terms and conditions thereof The county commissioners shall also submit to the court aforesaid for its approval the plans adopted for the part of such building selected by the county and when such approval is obtained the county commissioners shall have full authority to erect the part so selected in conjunction with the part so selected by the city on the site chosen and in the manner aforesaid The county commissioners and the corporate authorities for the construction of such building are authorized and empowered to enter into a joint contract for the payment of the whole or a several contract for the payment by each of their proportionate share of the cost of such building and they are further authorized and empowered to make such other agreements and to do such other acts as may be necessary to fully exercise the powers herein conferred

Section 4 If it shall be deemed necessary to acquire additional land for such site the county in case the site is chosen on the land of the county or if the site chosen is on the land of the city then the city is authorized and empowered to acquire by purchase or condemnation such additional land The right of eminent domain herein conferred upon the county shall be exercised in the manner provided by the act of Assembly of June first one thousand eight hundred and eighty-three authorizing the county commissioners of any county to acquire ground at the county seat for the purpose of the erection or extension of such building as may be necessary for the accommodation of the courts and the several officers of the county The right of eminent domain herein conferred upon the city shall be exercised in the manner provided by law for the acquisition of real estate within the city limits for the erection of municipal buildings

Section 5 In case the site chosen for such joint municipal building is in land owned and held by the county it shall be lawful for the county commissioners of such county and they are hereby authorized and empowered to incur or increase the indebtedness of the county to an amount sufficient to pay for the cost of the erection of the portion of the building selected by the county and the land upon which it is erected and any additional land acquired by the county by purchase or condemnation for such site as well as the unpaid balance of any purchase money on land herein authorized to be conveyed by the county to the city by issuing coupon bonds in sums of not less than one hundred dollars each bearing interest at the rate not exceeding five (5) per centum per annum and the principal thereof reimbursable at a period not exceeding thirty years from the date at which the same are authorized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 13, entitled:

An Act providing for the incorporation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 16, entitled:

An Act to safeguard employes in certain industrial establishments by requiring warning in advance of the putting in motion of machinery and fixing a penalty for violation hereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

A supplement to an Act entitled "An act to establish a board of commissioners of navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basin and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels

navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act to repeal of the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the Port of Philadelphia and for other purposese approved March twenty-ninth one thousand eight hundred and three"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An act relating to sale of the real estate of decedents"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 139, entitled:

An Act providing what effect shall be given to admission to practice in the Supreme Court when the person so admitted applies for admission to practice in the other courts of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection?

The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 520, entitled:

An Act amending the act approved the 9th day of April 862 entitled "An Act to authorize the erection of a Poor House by the Borough of Dunmore, Borough of Scranton and Township of Providence in the County of Luzerne" as amended by an act approved the 22d day of April 1879 entitled "A supplement to an act entitled 'An Act to authorize the erection of a poor house by the Borough of Dunmore Borough of Scranton and township of Providence in the county of Luzerne" approved April 9th 1862, by defining the Scranton Poor Board therein defining the powers and duties of such board and abolishing the present office of poor directors

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 502 entitled:

An Act to amend section six of an act approved the twenty-third day of May 1874 entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 161, entitled:

An Act regulating appeals from the judgment of aldermen and justices of the peace

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 140, entitlled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the avernments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 158, entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways in such townships

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 190, entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 192, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Bill No. 210, entitled:

An Act to amend section ten of an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven providing for the sale of mixed paints white leads and colors ground in oil and all lead products and painter' materials used in the arts and industries without necessity of labeling the same

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 211, entitled.

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the President Judge of the court of common pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 256, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their stand-

ards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 258, entitled:

An Act relating to sewage disposal systems in cities boroughs and other municipalities of this Commonwealth providing for the cost and expenses thereof and making an appropriation for the same

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks waiters kitchen help chamber maids and other house servants any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes pots pans finger bowls linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 308, entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 339, (House Bill No. 301), entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

And said bill having been read at length the first time, Ordered. To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342, (House Bill No. 175,) entitled:

An Act providing payment for overtime worked by employes in mercantile establishments and making it unlawful to compel such employes to do extra service by threat of discharge fixing a penalty for violation thereof and designating an official prosecutor

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

And said bill having been read at length the first time, Ordered. To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 365, entitled:

An Act to regulate the manufacture and sale and to prevent the aulteration and misbranding of disinfectants deoderants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deoderants antiseptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 380, (House Bill No. 25,) entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 409, (House Bill No. 454), entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 410, entitled:

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in or about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering therein providing for the enforcement and collection thereof and prohibiting the removal of said structures after notice of such lien

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 417, entitled:

An Act to amend the first section of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut trees commonly called the chestnut blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred and eleven Pamphlet Laws page nine hundred and twenty-two

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. ENDSLEY. Mr. President, I move that Senate Bill No. 417. the bill just read, be recommitted to the Committee on Forestry.

Mr. SHEATZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 421, entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labor Academy," approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 430, entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven" entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constiute a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of

osteopathic schools or colleges and the right to determine reciprocal relations between states"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act declaring vacant seats of members of borough councils who fail to qualify or who fail to attend to regular meetings of council and empowering councils to declare vacant the seats of such members and empowering councils to fill such vacancies

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 477, (House Bill No. 564), entitled:

A joint resolution directing the publication of the pamphlet containing the game fish and forestry laws

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 493, (House Bill No. 352), entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand nine hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify aginst each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 518, entitled:

An Act fixing the salaries and providing for the expenses of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT OF COMMISSION TO EXAMINE THE LAWS RELATING TO THE RECORDING OF DEEDS AND MORTGAGES, TRANSFER OF LANDS, INSURANCE OF TITLES, ETC.

The Chair cleared his table and laid before the Senate communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to transmit herewith for your information copy of report of the Commission appointed under and by authority of the General Assembly, to examine the laws relating to the recording of deeds and mortgages, transfer of lands, insurance of titles, etc., and to recommend such act or acts or changes in the Constitution as will in the opinion of the Commissioner materially improve the present system.

JOHN K. TENER.

(For Report, see Appendix).

REPORT OF COMMISSION TO INVESTIGATE AND REPORT UPON THE PHYSICAL CONDITION AND LEGAL RIGHTS IN THE MATTER OF SURFACE SUPPORT WHERE ANTHRACITE COAL HAS BEEN REMOVED.

He also laid before the Senate communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to transmit herewith copy of summary statement of report of the Commission appointed under thep rovisions of a Joint Resolution of the General Assembly, approved March 24, 1911, for the purpose of investigating and reporting upon both physical conditions and legal rights in the matter of surface support, where Anthracite coal has been removed, or the right to remove said coal is vested in others than the owner of the surface, and for the further purpose of suggesting new legislation relative to the same.

JOHN K. TENER.

(For Report, see Appendix.)

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

TRUSTEES OF THE NANTICOKE HOSPITAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the follownamed gentlemen to be Trustees of the Nanticoke Hospital, of Nanticoke Pennsylvania to serve until lawfully determined or annulled:

John Smoulter, Nanticoke.
Francis H. Kohlbraker, Nanticoke.
James Bergin, Nanticoke.
Michael Louski, Nanticoke.
John E. Morris, Alden.

JOHN K. TENER.

MEMBERS OF THE FIFTIETH ANNIVERSARY OF THE BATLE OF GETTYSBURG COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Fifteenth Anniversary of the Battle of Gettysburg Commission, to serve until lawfully determined or annulled:

George F. Baer, Philadelphia, vice Louis Wagner resigned; John P. Green, Rosemont, Montgomery County, vice R. Dale Benson, resigned.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

A. H. Clark, Pittsburgh.
Francis C. Kennedy, Pittsburgh.
Herman F. Ruoff, Pittsburgh.
W. J. Snodgrass, Pittsburgh.
W. H. Walter, Pittsburgh.

BERKS COUNTY.

Rocco A. Frasso, Reading.

BUTLER COUNTY.

Henry R. Ritner, Bruin.
John H. Sutton, Butler.

CENTRE COUNTY.

William I. Harter, Liberty Twp.
Henry C. Quigley, Bellefonte.

DELAWARE COUNTY.

John M. Broomall, Media.

ERIE COUNTY.

C. Arthur Blass, Erie.
J. E. Reed, Erie.

FAYETTE COUNTY.

Leighty Steen, Belle Vernon.

FRANKLIN COUNTY.

L. Walter Garrett, Quiney Twp.

LACKAWANNA COUNTY.

Dalbys L. Fickes, Scranton.
George Morow, Scranton.
Joseph B. Neville, Scranton.
Louis P. Wedeman, Scranton.

LUZERNE AOUNTY.

Miss Cora D. Campbell, Wilkes-Barre.

LYCOMING COUNTY.

Miss Maude L. Kinley, Williamsport.

PHILADELPHIA COUNTY.

Frank J. Brown, Philadelphia.
Harry S. Duvall, Philadelphia.
Frederick Enders, Philadelphia.
Joseph W. Fox, Philadelphia.
Miss Nellie G. Aree, Philadelphia.
Dwight S. Fuller, Philadelphia.
Samuel C. Millward, Philadelphia.

ALLEGHENY COUNTY.

George Johnston, Pittsburgh.

BERKS COUNTY.

John H. Bridenbaugh, Reading.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

John Anderson, Pittsburgh,
Miss Bessie M. Barkley, Pittsburgh,
Alex. D. Black, Pittsburgh,
J. H. Beckfield, Pittsburgh,
John W. Boggs, Pittsburgh,
Miss M. E. Conner, Pittsburgh,
Miss Elizabeth M. Dwyer, Pittsburgh.
George Edwards, Pittsburgh,
Miss Florence B. Gardner, Pittsburgh,
Harry M. Keefer, Pittsburgh,
Daniel E. McCollum, Pittsburgh,
Miss Nettie M. Martin, Pittsburgh,
C. W. Parker, Pittsburgh,
Miss B. H. Rhea, Pittsburgh,
J. B. Rider, Pittsburgh,
William Rossi, Pittsburgh,
Miss Eleanor C. Shaughnessy, Pittsburgh,
John R. Speer, iPttsburgh,
John W. Thompson, Pittsburgh,
E. D. Whitman, Pittsburgh,
M. Roy Baldwin, Coraopolis,
James C. Bottomley, Glassport,
Julius Degner, McKeesport,
R. W. Junker, McKeesport,
Miss Minnie C. Young, McKeesport,
R. M. Pasetti, Oakmont,
Thomas M. Wright, Franklin Twp.

ARMSTRONG COUNTY.

S. Fred'k. Clark, Freeport,
Miss M. E. Kennedy, Freeport,
J. H. W. Miller, Freeport,
J. B. Patterson, Freeport.

BEAVER COUNTY.

W. F. Follett, Woodlawn.

BERKS COUNTY.

Wm. H. Beaver, Reading.
Adam G. Lerch, Lower Heidelberg Twp.

CAMBRIA COUNTY.

Michael Cosgrove, Gallitzin,
I. N. Rodkey, Spangler.

CENTRE COUNTY.

Clement Dale, Bellefonte.

CHESTER COUNTY.

H. S. Williams, Phoenixvillle,
John T. McIntire, Parkersburg.

CUMBERLAND COUNTY.

J. Harvey Line, Carlisle.

DAUPHIN COUNTY.

E. R. Heisey, Harrisburg,
S. G. Kinter, Harrisburg.

FAYETTE COUNTY.

D. M. Bierer, Uniontown,
Miss Jessie Bryson, Uniontown,
Miss Bertha Cunningham, Connellsville,
John Wolak, Everson.

FRANKLIN COUNTY.

Aaron H. Deardorff, Waynesboro.

LACKAWANNA COUNTY.

Geo. W. Benedict, Scranton,
Walter H. Coursen, Scranton,
Fred V. B. Partridge, Scranton,
Clayton Curtis, Carbondale.

LANCASTER COUNTY.

John N. Hetrick, Lancaster,
W. Hensel Simpson, Lancaster,
John M. Beam, Leacock Twp.

LUZERNE COUNTY.

Vito Bianco, Pittston.

LYCOMING COUNTY.

John P. Fowler, Montgomery.

MONTGOMERY COUNTY.

G. Carroll Hoover, Norristown.

NORTHAMPTON COUNTY.

Wilson E. Beck, Nazareth,
William Sinwell, South Bethlehem.

PERRY COUNTY.

John W. Mader, Penn Township.

PHILADELPHIA COUNTY.

Thomas Bluett, Philadelphia,
John F. Carson, Philadelphia,
William T. Dickson, Philadelphia,
Miss Elizaeth W. Doak, Philadelphia,
Geo. A. DuCasse, Philadelphia,
Samuel S. Fineman, Philadelphia,
Matthew A. Franey, Philadelphia,
Miss C. Catharine French, Philadelphia,
Miss Mary L. Gates, Philadelphia,
Thos. J. Gavaghan, Philadelphia,
William L. Hascher, Philadelphia,
Israel Hecht, Philadelphia,
Miss Sara A. Herrman, Philadelphia,
James E. Hoffman, Jr., Philadelphia,
Miss Mae Hofmann, Philadelphia,
Charles M. Lockwood, Philadelphia,
Jas. J. McCann, Philadelphia,
Elmer Miller, Philadelphia,
Rodney Morison, Philadelphia,
Miss Ada C. Nesper, Philadelphia,
Abraham Salot, Philadelphia,
Lionel Teller Schlesinger, Philadelphia,
W. Wallace Todd, Philadelphia,
Carnaby, Weston, Philadelphia,
Miss C. A. Wooters, Philadelphia,
James H. Young, Philadelphia,
John A. Zoells, Philadelphia.

SCHUYLKILL COUNTY.

E. E. Hecket, Hegins Township,
W. F. Rynkiewicz, Mahanoy City.

SUSQUEHANNA COUNTY.

E. E. Finn, Clifford Township.

VENANGO COUNTY.

William H. Weigle, Oil City.
Miss Agnes Whalen, Franklin.

WARREN COUNTY.

John Siggins, Jr., Warren.

WASHINGTON COUNTY.

Norman E. Barlow, Monongahela City,
T. H. Sutherland, Washington.

WESTMORELAND COUNTY.

Tobias Berkowitz, Irwin,
S. W. Bierer, Greensburg,
Miss Lottie L. Uncapher, Vandergrift.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

H. N. Cobbett, Pittsburgh, March 13, 1913.
M. A. Rusk, Ingram, March 16, 1913.

ARMSTRONG COUNTY.

R. B. McKee, Freeport, March 27, 1913.

BERKS COUNTY.

J. Fred Hartgen, Reading, March 13, 1913.
William McIlvain, Reading, March 13, 1913.

BUTLER COUNTY.

Calvin P. Hawks, Slippery Rock, April 13, 1913.

CAMBRIA COUNTY.

Geo. H. Cole, Johnstown, March 27, 1913.

CHESTER COUNTY.

Jos. L. Christy, Coatesville, April 24, 1913.

CLEARFIELD COUNTY.

David S. Moore, Curwensville, March 27, 1913.

DELAWARE COUNTY.

Samuel G. Shannon, Norwood, March 29, 1913.

ERIE COUNTY.

John B. Eicheulaub, Erie, March 16, 1913.

FAYETTE COUNTY.

Chas. M. Clark, Brownsville, March 13, 1913.

LACKAWANNA COUNTY.

Samuel Moskovitb, Dickson City, March 21, 1913.

LYCOMING COUNTY.

Calvin H. M'Cauley, Jr., Williamsport, March 16, 1913.
Charles Sumner DuBelle, Williamsport, April 7, 1913.

MONTGOMERY COUNTY.

Miss Sarah J. McMullin, Norristown, April 13, 1913.

PHILADELPHIA COUNTY.

Frank R. Buchanan, Philadelphia, March 12, 1913.
Miss Retta M. Beck, Philadelphia, March 16, 1913.
Samuel A. Topham, Philadelphia, March 20, 1913.
William Brown, Jr., Philadelphia, March 23, 1913.
Frank P. Hood, Philadelphia, March 23, 1913.
Allan L. Kirby, Philadelphia, March 23, 1913.
Charles Shoemaker, Philadelphia, March 23, 1913.
Miss Mary Weisenburger, Philadelphia, March 23, 1913.
Miss A. Florence Yerger, Philadelphia, March 23, 1913.
John P. Adams, Philadelphia, April 17, 1913.
John Sadler, Philadelphia, May 11, 1913.

WASHINGTON COUNTY.

Joseph A. Hepler, Charleroi, March 11, 1913.
Miss Mary E. Miller, Washington, March 27, 1913.

YORK COUNTY.

Samuel W. Keister, Goldsboro, March 13, 1913.
J. H. Bartenschlager, Stewartstown, April 6, 1913.

JOHN K. TENER,

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereb yto nominate for the advice and consent of the Senate, the fololwing named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Mrs. Christine Hermann, Pittsburgh.

BEAVER COUNTY.

K. Rudolf Wagner, Ambridge.

LANCASTER COUNTY.

Miss Mary H. Senft, Columbia.

MONTGOMERY COUNTY.

Casper Puche, Norristown.

NORTHAMPTON COUNTY.

Miss Nellie M. Ettwein, Bethlehem.
Jacob F. Speer, Easton.
Howard B. Thomas, Easton.
Ellsworth W. Yale, Northampton.

POTTER COUNTY.

Chas. C. Van De Boe, Shinglehouse.

JOHN K. TENER,

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 4, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY.

D. A. Thomas, Huntingdon township.
C. Clark Brown, New Oxford.
William L. Meals, Gettysburg.

ALLEGHENY COUNTY

Karl E. Wilson, Pittsburgh.
F. F. Solomon, Pittsburgh.
H. W. Nestle, Pittsburgh.
Kenneth R. Cunningham, Pittsburgh.
W. D. N. Rogers, Pittsburgh.
P. B. Digby, Pittsburgh.
Walter B. Beecher, Pittsburgh.
C. W. Langhorst, Pittsburgh.
Henry Wegener, Greentree, P. O., Carnegie.
C. B. Yothers, Pitcairn.
W. R. Thomas, Pittsburgh.
John M. Egan, Pittsburgh.
Bernard B. McGinnis, Pittsburgh.
Thomas H. Craig, Pittsburgh.
Francis O'Harroran, Pittsburgh.
Leo M. Dillon, Pittsburgh.
Miss Anna R. Beatty, Pittsburgh.
Miss Jennie Jones, Pittsburgh.
Miss Florence C. Bennett, Pittsburgh.
Frank A. Brinkman, Pittsburgh.
George F. Miller, North Versailles township.
William A. Fraser, North Versailles township.
Charles E. Wooddy, Pittsburgh.
Miss H. Heck, Pittsburgh.
A. D. Murray, Pittsburgh.
William H. Colven, Pittsburgh.
E. M. Quinby, Pittsburgh.
Frank E. Hall, Pittsburgh.
W. A. Suckling, Pittsburgh.
Robert Lee Tice, Pittsburgh.
Michael Danko, Pittsburgh.
Miss N. M. Gaertner, Pittsburgh.
Miss Elsie G. Henning, Pittsburgh.
C. F. Cashdollar, Pittsburgh.
M. Mendel, Pittsburgh.
Ernest R. Abbott, Pittsburgh.
Miss Teresa Kuebert, Pittsburgh.
Edward Muhl, Pittsburgh.
John E. Macdowell, Pittsburgh.
Pierce C. Williams, Pittsburgh.
D. K. Ferree, Pittsburgh.
James L. Riley, Pittsburgh.
Miss G. D. Berkebile, Pittsburgh.
Victor Csiszarik, Duquesne.
DeVeaux H. Reed, McKeesport.
Chas. T. Carter, Glassport.
A. G. Nesbitt, Pittsburgh.
Benjamin Pearlman, Pittsburgh.
E. G. Hess, Pittsburgh.
Jno. H. Armstrong, Pittsburgh.
J. H. Ramsey, Munhall.
Francis J. Tommasson, Pittsburgh.
W. E. Reed, Duquesne.
Geo. M. Weaver, North Fayette township.
Clement L. Short, Pittsburgh.
E. C. Chance, Pittsburgh.
Victor Slone, Pittsburgh.
David A. Hardie, Pittsburgh.
Joseph H. Shaw, Duquesne.
Miss F. Irene Hartley, Pittsburgh.
Jonathan Callender, Jr., Pittsburgh.
William H. Barnhart, Pittsburgh.
C. L. Wilson, Pittsburgh.
Benjamin M. Price, Pittsburgh.
A. M. Fuller, Pittsburgh.
F. A. Griffin, Pittsburgh.
Joseph A. Tarpy, Pittsburgh.
Joseph Knox Stone, Pittsburgh.
C. C. Rhinehart, Pittsburgh.
John F. Gloeckner, Pittsburgh.
William J. Stewart, Pittsburgh.
Miss Elizabeth E. Moorhead, Pittsburgh.
Francis A. Bogadek, McKees Rocks.
F. A. Hannan, Pittsburgh.
Harry H. Greer, Pittsburgh.
E. D. Pool, Jr., Pittsburgh.
Jas. F. Shaughnessy, Pittsburgh.
Walter J. Conroy, Pittsburgh.
D. B. Allison, Baldwin township.
Mruczek Blasius, Pittsburgh.
A. Wilson McCandless, Pittsburgh.
I. J. Szczygiel, Pittsburgh.
Frank A. Power, North Braddock.
J. Roy Dickie, Pittsburgh.
S. R. Swiss, Cheswick.
Wm. B. Anderson, Pittsburgh.
W. F. Ames, Pittsburgh.
Joseph A. McKenna, Pittsburgh.
R. E. Cain, Pittsburgh.
George B. Crawford, Pittsburgh.
John B. Flatley, Pittsburgh.
Miss Sue E. Stauffer, Pittsburgh.
William B. Wharton, Pittsburgh.
Charles H. Meyer, Pittsburgh.
Philip Green, Bridgeville.
F. A. Mills, Pittsburgh.
H. E. Corbin, McKeesport.
Miss Etta C. Alford, Pittsburgh.
William C. Gray, Pittsburgh.
Edward A. Monaghan, Pittsburgh.
Jas. R. Geddes, Pittsburgh.
I. MacConnell, Pittsburgh.
Arthur F. Schmidt, Pittsburgh.
A. F. Moelter, Pittsburgh.
Edward D. Morton, Chartiers township.
J. T. Butler, Pittsburgh.
Miss Marie A. Heil, Pittsburgh.
John C. Burrey, Pittsburgh.
C. T. Marsh, Pittsburgh.
Dillion C. Jay, Pittsburgh.
R. H. Leonhard, Duquesne.
John J. Lang, Pittsburgh.
O. A. Lappe, Pittsburgh.
Roy W. Watkins, Pittsburgh.
Mrs. Lizzie E. Bottorff, Pittsburgh.
Albert J. Halter, Pittsburgh.
Joseph M. Wilson, Pittsburgh.
Franklin H. Allison, Pittsburgh.
Samuel Eades, Pittsburgh.
S. W. McGinness, Pittsburgh.
S. A. McFarland, Pittsburgh.
Miss Caroline E. Householder, Pittsburgh.
Miss M. Elizabeth Dittler, Pittsburgh.
E. E. Reiss, Pittsburgh.
Chauncey H. Steele, Pittsburgh.
Paris B. Reeves, Pittsburgh.
Percy R. Warwick, Pittsburgh.
Miss Emma R. Sullivan, Pittsburgh.
Thomas G. Sessa, Pittsburgh.
John H. Marsching, Pittsburgh.
Lawrence G. Carlin, Pittsburgh.
Carl H. Frey, Oakmont.
C. J. Duffy, Pittsburgh.

Joseph Mink, Pittsburgh.
Chris. Spring, Pittsburgh.
Miss Emma Hutchinson, Pittsburgh.
Arthur D. Gatz, Pittsburgh.
Wayland Rupert, Pittsburgh.
Miss Margaret M. Smith, Pittsburgh.
George J. Campbell, Pittsburgh.
Chas. E. Glesner, Pittsburgh.
R. D. Gibson, Pittsburgh.
Geo. A. Kinley, Pittsburgh.
Charles W. Hogg, Pittsburgh
Miss Lillian Agnes McDonough, Pittsburgh.
Miss Grace B. Finney, McKeesport.
Thompson Bradshaw, Pittsburgh.
Miss Ida Kremer. Pittsburgh.
Miss Anna B. Perkins, Homestead.
John F. Haggerty, Pittsburgh.
Chester Wilson, Pittsburgh.
Mrs. Grace V. Morrow, Pittsburgh.
W. D. Boyd, Elizabeth.
W. Lloyd Miller, Pittsburgh.
Russel H. Ward, Pittsburgh.
John C. McCloskey, Braddock.
W. A. Morton, Pittsburgh
Miss Julia O'Connor, Pittsburgh.
Jno. R. Rosenbaum, Pittsburgh.
Walter D. Young, Pittsburgh.
J. L. Trefaller, Jr., Pittsburgh.
William R. Curtis, Pittsburgh.
H. Torrey Melhuish, Pittsburgh.
John B. Martin, Homestead.
Lee D. Hemingway, Pittsburgh.

ARMSTRONG COUNTY.

Julius Steiner, Ford City.
K. G. Fleming, Kittanning.
Willis Clanson, Kiskimenetas township.

BEAVER COUNTY.

W. C. Rice, Midland.
G. A. Bonzo, New Sewickley.
Colman J. Meres, Aliquippa.
Charles M. Rihn, Ambridge.
W. K. Hart, Jr., Midland.
Ernest W. Martsolf, New Brighton.
J. C. Weikart, Rochester township.
C. Roy Kerr, Ambridge.
Christian Henderson, Woodlawn.
Otto M. Solkovy, Aliquippa.
Edward T. Corbus, Beaver Falls.
Chauncey D. Shumaker, Conway.

BERKS COUNTY.

Miss Lillie M. Fry, Reading.
Edmund L. Darlington, Reading.
David E. Finkbiner, Reading.
Henry H. Hernan, Reading.
Charles Wm. Matten, Reading.
George E. Thomas, Reading.
Miss Mary E. Stuaffer, Reading.
J. Lewis Lingle, Reading.
George M. Miller, Reading.
W. D. Billman, Reading.
Sherman H. Hoverter, Reading.
Daniel B. Baum, Reading.

BLAIR COUNTY.

Edward N. Wilson, Antis township.
William P. Shaefer, Logan township.
James Percy Kauffman, Logan township.
John B. Walker, Logan township.
H. M. Sausser, Tyrone.
William T. Royer, Tyrone.
Mrs. Elizabeth Giacchelli, Altoona.
Ernest Salvucci, Altoona.
Miss Roberta F. Bell, Hollidaysburg.

BRADFORD COUNTY.

H. Stanley Winlock, Sayre.
J. H. Kelley, Troy.
Miss Mollie W. Rice, Rome.
J. I. Morley, Athens.

BUCKS COUNTY.

Elwood L. Clemens, Falls township.
Miss Helen Worthington, Langhorne.
Hugh F. Purdy, Durham township.
Leonard Taylor, Falls township.

BUTLER COUNTY.

C. J. Hanlon, Buffalo township.
L. C. Patterson, Butler.
Theodore C. H. Keck, Butler.

CAMBRIA COUNTY.

Miss Sara A. Stroup, Johnstown.
Miss Genevieve Leahey, Johnstown.
H. A. Bauers, South Fork.
William J. Brendlinger, East Conemaugh.
James S. Haynes, Conemaugh.
T. H. McKenzie, Barnesboro.
William F. Dill, Barnesboro.
John R. Musser, Barnesboro.
J. S. Burkhart, Gallitzin.
W. W. Eicher, Portage.
John Strizak, Blacklick township.
Hugh J. Holzman, Johnstown.
James A. Graham, Johnstown.
C. W. Mosholder, Johnstown.
Mahlon J. Baumgardner, Johnstown.
Miss Edna Williams, Johnstown.
S. A. Livingstone, Conemaugh.
Miss Louie M. Lackey, Johnstown.
Theodore Rendessy, Johnstown.

CAMERON COUNTY.

Guy A. Kless, Emporium.

CARBON COUNTY.

Payson C. Bittner, Lower Towamensing township.
Ben Branch, Mauch Chunk.
E. S. Markley, Weissport.
John C. Loeser, Mauch Chunk.

CENTRE COUNTY.

John E. Hawkins, Philipsburg.

CHESTER COUNTY.

Miss Linda M. Fulmer, Parkersburg.
Paul S. Stansbury, Coatesville.
Miss Mary Maxton, Easttown township.
James A. Brown, Jr., West Chester.
John W. Kenney, West Vincent township.
Louis Cutillo, Phoenixville.
Charles Raymond Young, West Chester.

CLARION COUNTY.

John A. Woofter, Richland township.

CLEARFIELD COUNTY.

James A. Ruffner, Rigler township.
William P. Cornely, Bigler township.
Miss Olive F. Rebenack, Dubois.
Joseph G. Boden, Dubois.

CLINTON COUNTY.

Edward Ekendahl, Renovo.

COLUMBIA COUNTY.

Mrs. Edna E. Hughes, Lock Haven.

COLUMBIA COUNTY.

Harry S. Barton, Bloomsburg.
Joseph A. Palumbo, Centralia.
W. G. Creveling, Fishing Creek township.

CRAWFORD COUNTY.

George Eldred, Titusville.
T. F. Charlton, Meadville.
John Perry Eckels, Cambridge Springs.
John P. Corrigan, Meadville.

CUMBERLAND COUNTY.

Christopher Harman, Mt. Holly Springs.
R. S. Diller, East Pennsboro township.
Conrad J. Bittner, East Pennsboro township.
T. J. Newcomer, East Pennsboro township.

DAUPHIN COUNTY.

J. K. McWilliams, Harrisburg.
Lucian B. Notestine, Harrisburg.
Harry H. Baker, Harisburg.
Wm. M Patty, Harrisburg.
Miss Iva Miller, Harrisburg.
Alfred P. Rodgers, Harrisburg.
Miss E. R. Cowan, Harrisburg.
Miss Helen Rohrer, Harrisburg.
Francis J. Fellows, Harrisburg.
Frank M. Shadel, Williamstown.
Edwin C. Dewey, Harrisburg.
P. E. Irwin, Middletown.
William J. Kennard, Middletown.
W. S. Fickes, Steelton.
William F. Housman, Steelton.
Irwin M. Cassell, Harrisburg.
Miss Emma A. Keeny, Harrisburg.

DELAWARE COUNTY.

Miss Gertrude Howard, Chester.
William S. Allen, Upper Providence township.
Robert Beatty Comegys, Lansdowne.
John A. Butler, Eddystone.
William B. Baker, Chester.
Harry P. Ottey, Media.
Miss Ellen W. Foley, Media.

ELK COUNTY.

Fred I. Lyman, Johnsonburg.
Thomas M. Hickey, St. Marys.
J. T. Colbert, St. Marys.

ERIE COUNTY.

Miles R. Nason, Erie.
James S. Miller, Erie.
Frank J. Cook, Erie.
Marion L. Page, Erie.
Henry R. Jeffs. Erie.
W. S. Carroll, Erie.
Frank C. Brown, Erie.
T. J. Mahoney, Erie.
Leo Schlaudecker, Erie.
Daniel O. Hopkins, Erie.

FAYETTE COUNTY.

Louis A. Marnell, Dunbar.
Thomas Poletz, Brownsville.

Frank N. Gans, Point Marion.
Harry M. Crawford, South Union township.
Joseph L. Luce, Perry township.
Miss Cora B. Wyncoop, Uniontown.
James W. Stevenson, Jefferson township.
Ellsworth Evans, Dunbar township.
Robert Welsh, Connellsville.
C. W. Brooks, Connellsville.
Mrs. E. S. Graham, Masontown.
Elmer R. Porter, Connellsville.
Herman Rosenman, Uniontown.
Will S. Anderson, Connellsville.
Doimo Basich, Uniontown.
Hollie W. Franks, Uniontown.
William E. Finn, Connellsville.
Miss Mary R. Hopkins, Uniontown.

FRANKLIN COUNTY.

D. S. Lemaster, Chambersburg.
C. J. Zullinger, Chambersburg.
James W. Rice, Antrim township.

GREENE COUNTY.

Harry F. Baily, Waynesburg.
J. L. Rea, Carmichaels.
H. C. Sayers, Jr., Waynesburg.
J. Cal. Gwynne, Cumberland township.
John M. Livingood, Graysville.
Schuyler T. Huber, Waynesburg.

HUNTINGDON COUNTY.

Geo. R. Carter, Rockhill.

INDIANA COUNTY.

John R. Tyson, Blairsville.
J. C. Davison, Clymer.
John B. DeSantis, Indiana.
William Houston, Burrell township.

JEFFERSON COUNTY.

John St. Clair, Punxsutawney.
Joseph Dennison, Punxsutawney.
William C. Young, Falls Creek.
G. W. Baughman, Ringgold township.
William Blair Adams, Punxsutawney.
Miss Elizabeth Rapp, Punxsutawney.
Albert Steck, Brockwayville.

LACKAWANNA COUNTY.

John J. Cannon, Dunmore.
Miss Ruth E. Jacobs, Scranton.
C. A. Diefenderfer, Moosic.
Miss Mary V. Lynch, Scranton.
Marshall, Jones, Scranton.
Phillip T. Mitchell, Scranton.
Miss M. R. Spellman ,Scranton.
James P. McLaughlin, Scranton.
W. W. Masters, Scranton.
H. M. Edwards, Jr., Scranton.
Miss Mary D. McLean, Scranton.
Miss Anna Doherty, Scranton.
A. P. Benjamin, Scranton.
Miss Corrine Chapman, Scranton.
Miss Mary Duffy, Scranton
James F. Kearney, Archbald.
Charles A. Keegan, Scranton.
Edward A. Bosak, Scranton.
Wm. M. Hamlin, Scranton.
F. L. Heaney, Scranton.
Charles C. Weeks, Carbondale.
John J. Hennigan, Scranton.
Miss Phebe B. Gealy, Scranton.
Miss Marie Loftus, Carbondale.
A. Allen Woodruff, Scranton.

LANCASTER COUNTY.

Frederick L. Homsher, Strasburg.
T. W. K. Deitzel, Columbia.
Isaac R. Herr, Lancaster.
Miss Florence I. Mentzer, Lancaster.
H. B. Becker, Terre Hill.
F. G. Harple, Upper Leacock township.
Charles H. Zeller, Mount Joy.
Harry O. Conn, Lancaster.

LAWRENCE COUNTY.

E. M. Thomas, Taylor township.
Norman A. Martin, New Castle.
Mont L. Ailey, New Castle.

LEBANON COUNTY.

Miss Catharine Ely Hardy, Lebanon.

LEHIGH COUNTY.

D. W. Stinson, Allentown.
Robert W. Hankee, Slatington.
R. J. Pike, Allentown.
Miss Edna A. Seiberling, Allentown.
Mrs. Margaret H. Magee, Allentown.
Calvin F. Nester, Allentown.
Edward C. Bender, Allentown.
Miss Helen R. Oberly, Allentown.

LUZERNE COUNTY.

William H. Poad, Wilkes-Barre.
Miss Mary Lambert, Wilkes-Barre.
Daniel P. Rossi, Hazleton.
Reuben H. Morrish, Wilkes-Barre.
Thomas A. Harris, Hazleton.
James P. Donnelly, Plains township.
Anthony C. Stangert, Nanticoke.
Victor S. Robinson, Wilkes-Barre.
Valentine Pfromm, Hazleton.
John Wm. Griffith, Nanticoke.
George Treible, Hazle township.
Mor. Lichtenstern, Wilkes-Barre.
Max E. Adamski, Newport township.
W. M. Van Horn, Kingston.
Will A. Shiffer, Pittston.
Frank E. Shiffer, Pittston.
M. N. Donnelly, Pittston.
Miss Martha E. Woelfel, Freeland.
Wm. Y. Cruikshank, Freeland.
Roger J. Dever, Wilkes-Barre.
W. N. Thompson, Pittston.
Harry Hastie, Duryea.
Miss Grace M. Blewitt, Wilkes-Barre.
Miss Daisy Sharkey, Wilkes-Barre.
Miss Elfrida Molin, Wilkes-Barre.
Edmund E. Jones, Wilkes-Barre.

LYCOMING COUNTY.

H. R. Clarke, Muncy.
Thomas Wood, Muncy.
Harry C. Fithian, Williamsport.
Chas. F. Bidelspacher, Williamsport.
Rodgers K. Foster, Williamsport.

M'KEAN COUNTY.

Joseph M. Mohr, Kane.
Charles F. Watriss, Bradford.
Claude R. Smith, Bradford.
Frank J. Kelly, Norwich township.
Arthur R. Fair, Bradford.
Miss Irene G. Bodine, Bradford.
R. L. Skinner, Port Allegany.
Guy A. Crosby, Bradford.
Emile Stenger, Kane.

MERCER COUNTY.

Miss Louise Spears, Grove City.
Chester A. Lewis, South Sharon.
Robert M. Gilkey, Mercer.
Samuel J. Orr, Greenville.
John J. Donaldson, Greenville.
John S. Leslie, Sharon.
William R. Stillings, Sharon.
C. E. Brockway, Sharon.
W. W. Cartwright, Sharon.
Thos. H. Armstrong, Farrell borough.
Frank Gilbert, Sharon.

MONROE COUNTY.

Charles F. Okel, East Stroudsburg.
W. S. Fatzinger, East Stroudsburg.
M. W. Miller, Stroudsburg.
Frank B. Michaels, Stroudsburg.

MONTGOMERY COUNTY

Oscar L. Schwartz, Norristown.
Harry J. Bahr, Pottsville.
Harry V. Yerkes, Cheltenham township.
H. H. Beidler, Lansdale.
I. K. B. Hansell, Ambler.
Harry C. Weller, Jenkintown.
Richard T. Lewis, Lower Merion township.
Ralph N. Warner, Jr., Ardmore.

MONTOUR COUNTY.

Wm. L. Sidler, Danville.

NORTHAMPTON COUNTY.

Ray F. Transue, Pen Argyl.
John S. Noble, Jr., Easton.
Joseph Y. Strohman, Easton.
Petro Guzzetto, Easton.
Miss M. J. Reimer, Easton.
Samuel W. Nevin, Easton.
Charles H. Cashner, South Bethlehem.
Miss Helen M. Ackerman, Easton.
Frank G. Lyons, Easton.
C. W. Laudenberger, Easton.
Robert E. James, Jr., Easton.
Charles G. Remmel, Northampton.

NORTHUMBERLAND COUNTY.

Fred N. Landon, Sunbury.
Miss Elsie I. Culp, Sunbury.
Walter W. Herrold, Shamokin.
Miss Hazel C. Barrett, Milton.
H. A. Reynolds, Turbotville.
John F. Oram, Shamokin.
John Tressler, Washington township.
Wm. A. Seitz, Shamokin.
Frederick W. Margrady, Mount Carmel.
Dodie A. Wragg, Mount Carmel.
J. Grant Kekler, Mount Carmel.
Herbert M. Grubb, Sunbury.
Frank Feundale, Mount Carmel.

PERRY COUNTY.

Frank P. Whitmer, Newport.

PHILADELPHIA COUNTY.

Samuel Green, Philadelphia.
G. H. Haberbush, Philadelphia.
Louis Berman, Philadelphia.
John Dunn, Philadelphia.
Joseph Fishman, Philadelphia.
Charles A. Bradley, Philadelphia.
A. M. McKeown, Philadelphia.
Henry F. Miller, Philadelphia.
Vito M. Baldi, Philadelphia.
George H. Diehm, Philadelphia.
Richard J. Seltzer, Philadelphia.
J. Walter Lauer, Philadelphia.
Louis P. Receveur, Philadelphia.
Lester G. Stevens, Philadelphia.
Josiah M. F. Shannon, Philadelphia.
Frederick G. Rhody, Philadelphia.
Frank J. Kerigan, Philadelphia.
Abraham Dessen, Philadelphia.
Frank N. Mengel, Philadelphia.
Eugene W. Storey, Philadelphia.
Robert C. Hutchinson, Philadelphia.
John T. Murphy, Jr., Philadelphia.
Harry P. Felger, Philadlephia.
Thomas Lowry, Philadelphia.
C. P. Curt Bretschneider, Philadelphia.
Thomas A. Ryan, Philadelphia.
Joseph L. Soken, Philadelphia.
Miss M. E. Bohn, Philadelphia.
Francis E. Bucher, Philadelphia.
John J. Finley, Philadelphia.
Theodore Blank, Philadelphia.
Miss Helen E. Ely, Philadelphia.
Richard Weglein, Philadelphia.
Eugene A. Eissing, Philadelphia.
H. G. Malloy, Philadelphia.
J. K. Shrader, Philadelphia.
Samuel H. McLaughlin, Philadelphia.
Grover C. Ladner, Philadelphia.
Joseph Langman, Philadelphia.
Vincent A. Walsh, Philadelphia.
John Birch, Philadelphia.
Miss Edith S. Pierson, Philadelphia.
Morris M. Parretts, Philadelphia.
Howard Burtt, Philadelphia.
G. Earl Eyster, Philadelphia.
Edward N. Landesburg, Philadelphia.
Issac E. Galt, Philadelphia.
William D. Lindsay, Philadelphia.
Louis S. Neidig, Jr., Philadelphia.
John H. Oler, Philadelphia.
John A. Hisey, Philadelphia.
George W. Rue, Philadelphia.
Dwight B. Fuller, Philadelphia.
Joseph Klein, Philadelphia.
Wm. C. J. Werner, Philadelphia.
Lewis T. Hubbs, Philadelphia.
I. Smith Raspin, Philadelphia.
Wilmer K. Clymer, Philadelphia.
D. H. Solis Cohn, Philadelphia.
Theodore Schneider, Jr., Philadelphia.
Charles S. Righter, Philadelphia.
Arthur R. Scheer, Philadelphia.
Charles Keinath, Philadelphia.
Edward M. Bennis, Philadelphia.
Miss Nathalie V. Krueger, Philadelphia.
Thos. Williams, Philadelphia.
Thos. Williams, Philadelphia.
J. F. Reynolds Scott, Philadelphia.
Walter V. Ashby, Philadelphia.
P. W. Failor, Philadelphia.
John W. Basford, Philadelphia.
Miss Theodosia Gray, Philadelphia.
Nicola Perrella, Philadelphia.
Walter R. Timby, Philadelphia.
Ephraim Lipschutz, Philadelphia.
Arthur D. Mongeon, Philadelphia.
John M. Reeve, Philadelphia.
A. S. Murphy, Philadelphia.
Miss Mollie Silver, Philadelphia.
Ralph Sayre Frisbie, Philadelphia.
H. G. Hoover, Philadelphia.
Miss Louise E. Weber, Philadelphia.
Edward Tolen, Philadelphia.
Max S. Bogatin, Philadelphia.
William H. Brown, Philadelphia.
Wm. F. Berkowitz, Philadelphia.
William Ginsburg, Philadelphia.
Edward J. Devereux, Philadelphia.
Edward S. Smth, Philadelphia.
George W. Deane, Philadelphia.
Samuel Bernstein, Philadelphia.
Miss Ellen Deady, Philadelphia.
John A. Tait, Philadelphia.
Miss Regina E. G. McCann, Philadelphia.
Romuald T. McDonnell, Philadelphia.
Alfred E. Reynolds, Philadelphia.
T. A. Sheridan, Philadelphia.
Miss Lorna D. Toboldt, Philadelphia.
Miss Mary A. McSorley, Philadelphia.
John A. Maugle, Philadelphia.
Abel S. Cole, Philadelphia.
Howard Kirk, Philadelphia.
Francis Rawle, Jr., Philadelphia.
F. W. Stewart, Philadelphia.
Palmer Watson, Philadelphia.
Harry P. Morton, Philadelphia.
Nelson P. W. Hill, Philadelphia.
James J. Grady, Philadelphia.
Frank W. Kramer, Philadelphia.
Herman Apothaker, Philadelphia.
Morris Feldman, Philadelphia.
Frank N. Jardine, Philadelphia.
Walter E. Lawrence, Philadelphia.
Frank Salasin, Philadelphia.
Miss Marjory D. Graf, Philadelphia.
Edward S. Greib, Philadelphia.
Miss Besse A. Miller, Philadelphia.
Clifford B. Smith, Philadelphia.
William Kuhn, Jr., Philadelphia.
William Rarich, Philadelphia.
Thomas J. Burke, Philadelphia.
John Smylie Herkness, Philadelphia.
Charles C. Aeugle, Philadelphia.
Joseph Levisk, Philadelphia.
Harry B. Ladner, Philadelphia.
Clarence N. Williams, Philadelphia.
John E. Markham, Philadelphia.
E. Irving Shuttlworth, Philadelphia.
Henry R. Luffberry, Philadelphia.
Eugene A. Fite, Philadelphia.
Samuel M. Israeli, Philadelphia.
George A. Maene, Philadelphia.
Theodore B. Fryer, Philadelphia.
Miss Mary A .McLaughlin, Philadelphia.
Alexander Turkington, Philadelphia.
George A. Carey, Philadelphia.
John I. Somers, Philadelphia.
Michael Myer, Philadelphia.
David Watson, Philadelphia.
William Nicholas, Philadelphia.
Henry Dicqinson, Philadelphia.
Miss Ethel J. Bradley, Philadelphia.
George H. Johnson, Philadelphia.
James J. Crosson, Philadelphia.
William Lewis McGee, Philadelphia.
Edward F. Walsh, Jr., Philadelphia,
Edwin T. Savidge, Philadelphia.
Charles L. Roach, Philadelphia.
Miss Rose Katz, Philadelphia.
Frank S. Petrillo, Philadelphia.
John F. Ward, Philadelphia.
Morris DosPassos, Philadelphia.
Erwin Sturm, Philadelphia.
Jacob Zaresky, Philadelphia.
Harry Chester Little, Phialdelphia.
George Beck, Philadelphia.
Harry T. Rotenbury, Philadelphia.
Anthony J. Zeits, Philadelphia.
Jacob M. Zinman, Philadelphia
William J. Conway, Philadelphia.
A. Martin Erb, Philadelphia.
Augusto Fabrizi, Philadelphia.
Miss M. F. Rogers, Philadelphia.
Arthur E. Custer, Philadelphia.
George A. Thomas, Jr., Philadelphia.
Thomas H. Evoy, Philadelphia.
William F. Ellwanger, Philadelphia.
Simon J. Waldman, Philadelphia.
Samuel Fried, Philadelphia.
Edward J. Simons, Philadelphia.
William P. Homer, Philadelphia.
Martin E. Hartley, Jr., Philadelphia.
Vernon Stanton, Philadelphia.
Jacob Menkus, Philadelphia.
Fred C. Wilson, Philadelphia.
Courtland Butler, Philadelphia.
Miss Margaret M. Daly, Philadelphia.
Asher Steinberg, Philadelphia.
Miss S. Warnie Slack, Philadelphia.
Harry Muhlschlegel, Philadelphia.
James J. Rahilly, Philadelphia.
Charles G. Super, Philadelphia.
Geo. V. Mackinnon, Philadelphia.
Ralph R. Stearley, Philadelphia.
William J. Stanton, Phialdelphia.
A. B. Gordon Davis, Philadelphia.
Frank B. Ellis, Philadelphia.
Edward G. Eastwood, Philadelphia.
Charles Henry Scott, Jr., Philadelphia.
Herbert E. Hesbach, Philadelphia.
Miss Margaret Walls, Philadelphia.
Louis D. Peterson, Philadelphia.
John Marx, Philadelphia.
Louis M. Sanders, Philadelphia.
Theodore A. Atkins, Jr., Philadelphia.
Miss Alice S. Marsh, Philadelphia.
Miss Martha R. May, Philadelphia.
William B. Scull, Jr., Philadelphia.
J. Browning Clement, Jr., Philadelphia
Howard E. Hudson, Philadelphia.
Charles H. Lanco, Philadelphia.
Geo. L. Parker, Philadelphia.
Isaac H. Wright, Philadelphia.
Arnold Katz, Philadelphia.
Chas. C. VanHorn, Philadelphia.
Joseph H. King, Philadelphia.
W. G. Flood, Philadelphia.
Horace S. Furman, [illegible] Philadelphia
Horace H. Brown, Philadelphia.
Joseph J. Dudley, Philadelphia.
J. Louis Britinger, Philadelphia.

POTTER COUNTY.

M. N. Johnson, Austin.

SCHUYLKILL COUNTY.

Michael Boruch, Minersville.
Irwin A. Warmkessel, Pottsville.
Frank Snyder, Minersvile.
J. F. Bierstein, Shenandoah.
Ivan L. Lautenbacher, North Manheim.

SNYDER COUNTY.

Philip Roush, Middlecreek township.
Philip M. Teats, Monroe township.

SOMERSET COUNTY.

William H. Clements, Garrett.
Robert H. Johnston, Salisbury.
W. B. Conway Rockwood.
Robert C. Heffley, Berlin.
Miss Helen S. Maurer, Boswell.
Michael Shimko, Windber.

SUSQUEHANNA COUNTY.

W. J. Maxey, Forest City.
Wm. A. Titsworth, Montrose.
Mrs. Rebecca Benedict, Montrose.

TIOGA COUNTY.

B. H. Parkhurst, Elkland.

UNION COUNTY.

E. B. Riehl, Lewisburg.

VENANGO COUNTY.

Daniel J. O'Brien, Oil City.
T. L. Blair, Oil City.
P. H. Curry, Oil City.

WARREN COUNTY.

J. Leo Blair, Warren.
Zachary T. Weaver, Clarendon.
Miss Lois M. Rowley, Warren.
B. M. Moore, Sheffield township.
Leslie M. Kinnear, Tidioute.

WASHINGTON COUNTY.

Peter McLaughlin, Union township.
John J. Niland, West Brownsville.
J. T. Neel, Donora.
Carlo A. Battaglini, Frederickstown.
Bela Trilecz, Canonsburg.
Edmond J. Poudevigne, Cecil township.
Vincent Maselli, Monongahela City.
Sheldon B. Hayes, Washington.
Frank B. Hambry, Donora.
John B. Myers, California.
W. A. Allen, Monongahela.
A. V. Campbell, McDonald.
D. S. Taylor, Smith township.
C. K. Frye, Bentleyville.
Frank G. Thompson, Monongahela City.
George C. Leslie, Washington.
G. W. McCullough, Chartiers township.
Miss Estella B. Chubbic, Washington.

WAYNE COUNTY.

Miss Theresa A. Gerety, Honesdale.

WESTMORELAND COUNTY.

J. A. Maxwell, Jeannette.
W. Riley Alter, New Kensington.
James F. Kinkead, Youngwood.
Frank E. Werner, Derry.
Wm. H. Sullivan, Youngwood.
John B. Gordon, Derry.
William H. Bailey, Latrobe.
Jno. C. Steiner, Scottdale.
D. E. Carle, Jeannette.
F. E. Huffman, New Alexandria.
Jos. Rafael, Jeannette.
Geo. B. Campbell, New Kensington.
E. L. Williamson, Monessen.
Jos. J. Knappenberger, Greensburg.
J. H. McIntyre, Parnassus.
A. W. Love, Vandergrift Heights.
S. A. Copp, New Kensington.
Samuel Staman, Jacobs Creek.
Charles J. Pershing, Derry.
Thos. P Heron, Irwin.

WYOMING COUNTY.

Omar H. Allen, Mesoppen.

YORK COUNTY.

Ray C. Steele, York
S. Claire Hollinger, Hanover.
Allen J. Baker, Stewartstown.
Robert E. Klinedinst, Hanover.
Paul E. Lau, Hanover.

JOHN K. TENER.

March 4, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania

Gentlemen—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Commissioners of Deeds, for the term of five years, to compute from the dates set opposite their names, respectively:

Anson S. Taylor, Washington, D. C., June 6, 1911.
Edwin F. Corey, New York, N. Y., June 6, 1911.
James J. Teeling, Newark, N. J., June 10, 1911.
James F. Baker, Camden, N. J., July 13, 1911.
Joseph Fiell, New York, N. Y., July 8, 1911.
Abul Fazl, Kapurthaia, India, August 7, 1911.
C. J. Adams, Atlantic City, N. J., August 11, 1911.
Lucius I. Wright, Atlantic City, N. J., August 11, 1911.
Israel G. Adams, Atlantic City, N. J., September 5, 1911.
Neil H. Miller, Belmar, N. J., September 26, 1911.
Ernest C. Stahl, Trenton, N. J., September 26, 1911.
Joseph T. Harrison, Cincinnati, Ohio, September 26, 1911.
Robert Willoughby, Hamilton, Dowra, Ireland, October 10, 1911.
Harry Wootton, Atlantic City, N. J., October 11, 1911.
Jno. Burke Hendry, London, England, October 14, 1911.
John W. Hughes, Atlantic City, N. J., October 14, 1911.
William T. Leek, Atlantic City, N. J., October 14, 1911.
Ernest B. Daulton, Cincinnati, Ohio, October 24, 1911.
Henry Tod, Edinburgh, Scotland, November 10, 1911.
Edwin C. Potter, Providence, R. I., January 20, 1912.
Isaac R. Hitt, Washington, D. C., February 19, 1912.
Clarence S. Nettles, Denver, Colo., February 24, 1912.
Richard P. Bloom, Atlantic City, N. J., March 11, 1912.
Wade Millis, Detroit, Mich., April 3, 1912.
Frederick B. Blackman, New York, N. Y., April 10, 1912.
John T. Mason, Hancock, Md., April 12, 1912.
Alex. Bell Ferguson, Glasgow, Scotland, April 30, 1912.
Charles Bridge, Camden, N. J., June 30, 1912.
George H. Corey, New York, N. Y., August 26, 1912.
Charles Henry Hesse, Baltimore, Md., August 26, 1912.
Albert C. Stephany, Atlantic City, N. J., September 5, 1912.
Charles G. Loeb, Paris, France, November 7, 1912.
W. Theodore Bensen, Washington, D. C., December 13, 1912.
W. N. Hallock, New York, N. Y., January 3, 1912.

JOHN K. TENER.

RECESS.

Mr. McNICHOL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. McNICHOL. Mr. Preisdent, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection?

The Chair hears none.

Mr. McNICHOL from the Committee on Municipal Affairs reported as committed, Senate Bill No. 556, entitled:

An Act to permit of the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities.

Also, from the Committee on Municipal Affairs reported as committed, Senate Bill No. 572, entitled:

An Act to validate appointments heretofore made of persons to act as patrolmen and firemen of cities of the first class of this Commonwealth.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection?

The Chair hears none.

Mr. McILHENNY from the Committee on Judiciary General, reported as amended, Senate Bill No. 274, entitled:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

BILL SIGNED.

The PRESIDENT PRO TEMPORE, (Mr. D. P. Gerberich), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 1, entitled:

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motorvehicles and the licensing of operators, and making an appropriation thereof

Whereupon,

The PRESIDENT PRO TEMPORE, (Mr. D. P. Gerberich), in the presence of the Senate signed the same.

BILLS ON FIRST READING.

Mr. McNICHOL. Mr. Prsident, I ask unanimous consent that Senate Bill No. 556, entitled:

An Act to permit the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities.

and Senate Bill No. 572, entitled:

An Act to validate appointments heretofore made of persons to act as patrolman and fireman of cities of the first class of this Commonwealth

be read the first time.

The PRESIDENT. Is there objection?

The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act to permit the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act to validate appointments heretofore made of persons to act as patrolman and fireman of cities of the first class of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SALUS. Mr. President, I move that the Senate do now adjourn.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:45 o'clock P. M. until eleven o'clock Tuesday morning, March 11, 1913.

HOUSE OF REPRESENTATIVES

MONDAY, March 10th, 1913.

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O. God, Thou hast kept us in safety amid the uncertainties and perils which are incident to travel; Thou hast continued to us that vigor of body and that energy of mind which conditions us for our work; Thou hast guided and directed us in our thinking and our planning, as we try each day to fulfill the trust committed to us; Thou hast influenced in ways unrealized by us our mental attitudes and our moral decisions. We recognize all this, and we reverently acknowledge and thank Thee for these great favors. And now we have come to the urgent period in this assembly when the work is pressing, when the questions submitted are serious and important and far-reaching in their influences. Wilt Thou keep us alert, energetic and active. May we be strong in body, vigorous in mind. May we be true and sensitive in judgment and in conscience. May we try to be right on every question submitted to us, and may we utter no judgment and record no decision which shall not be in harmony with our truest convictions. We commend especially to Thee Thy servant upon whose well-being and well-doing so largely depend the conduct of this Assembly, the Speaker of the House, and all men associated with him, the members of the Assembly and all who have to do in any way with the work which is here transacted. May we all remember and reverently recognize that God who is over us and to whom we are responsible and His name shall have the praises, now and forever, Amen.

The SPEAKER: The Clerk will read the Journal of the proceedings of Friday, March 7th 1913.

The Clerk proceeded to read the Journal of the proceedings of Friday, March 7th 1913, when on motion of Mr. Keeport the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

Mr. J. R. WILSON. House Bill No. 1223.

An Act to establish as a "State Highway" a certain section of public road from Parker to Sligo connecting routes two hundred fifty-one and two hundred fourteen, beginning in Parker Borough at a point on route two hundred fifty-one; thence to the line dividing Armstrong and Clarion counties; thence by way of Perryville, West Freedom and Callensburg to Sligo, connecting with route two hundred fourteen.

Referred to the Committe on Public Roads.

Mr. J. H. WILSON. House Bill No. 1224.

An Act to provide protection to contracting parties and other at weddings or marriage ceremonies from disturbance or molestation, either to themselves or their belongings and providing punishment for the violation of the same.

Referred to Committee on Law and Order.

Mr. LANIUS. House Bill No. 1225.

An Act to prohibit experiments on any human being by the application of drugs, instruments or deleterious substances of any kind, or by innoculation or injection, without the consent of the person subjected to such experiment, his or her parent or guardian, and providing penalties therefor.

Referred to the Committee on Public Health and Sanitation.

Mr. MITCHELL. House Bill No. 1226.

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned.

Referred to the Committee on Judiciary Special.

Mr. JAMES A. DUNN. House Bill No. 1227.

An Act to establish as a "State Highway" a certain section of public road, beginning at the point of intersection of Route No. 198 with the Fox Chase Huntingdon Turnpike Road at Bethayres, thence over said turnpike road to the Welsh Road, thence over the said Welsh Road through Bustleton to the Bristol Road or Frankford Avenue in Holmesburg, Philadelphia county.

Referred to Committee on Public Roads.

Mr. ISLER. House Bill No. 1228.

An Act amending Section eighteen of an act entitled "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the affect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, A. D., one thousand nine hundred and one, as the same was amended by an act approved the sixth day of May, A. D., one thousand nine hundred and nine, changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims.

Referred to the Committee on Judiciary General.

Mr. LOWERS. House Bill No. 1229.

An Act to amend Section one of an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcripts for the purposes of review, and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

Referred to Committee on Judiciary General.

Mr. GEARY. House Bill No. 1230.

An Act to constitute State and subordinate municipal regulation of weights and measures; fixing the standards thereof; defining the method of appointment, powers, duties and fixing the salaries of the Commissioner, sealers and inspectors and providing penalties for the violation thereof.

Referred to Committee on Judiciary General.

Mr. SNYDER. House Bill No. 1231.

An Act making an appropriation to the Nason Hospital Association of Roaring Springs, Blair County Pennsylvania.

Refered to Committee on Appropriations.

Mr. BLELOCH. House Bill No. 1232.

An Act authorizing the payment of the redemption of a redeemable ground rent into court, and the execution of a deed of extinguishment by the prothonotary, in cases where the owner or owners of said ground rent cannot be definitely ascertained, or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release or extinguishment, or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same, or to comply with any requirement necessary to grant a clear title thereto.

Referred to Committee on Judiciary Special.

By Mr. DICKINSON. House Bill No. 1233.

An Act relating to the public health; prohibiting the keeping of drinking cups and glasses for public or general use and imposing a penalty.

Referred to Committee on Public Health and Sanitation.

By Mr. GIBSON. House Bill No. 1234.

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association, society, person or family, by the courts of this Commonwealth.

Referred to the Committee on Judiciary Local.

By Mr. SPEISER. House Bill No. 1235.

An Act to provide for the organization and maintenance of a symphony orchestra to be known as the Pennsylvania State Symphony Orchestra, and making an appropriation therefor.

Referred to the Committee on Judiciary Special.

By Mr. MALIE. House Bill No. 1236.

An Act to amend sections three, ten, twelve, fourteen, seventeen, twenty, twenty-two, twenty-four, twenty-six, twenty-eight, thirty-three, thirty-four, forty-three, forty-five, forty-six, forty-seven, fifty-three, fifty-four and fifty-nine of an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" and to further amend sections two, eight, twenty-one, twenty-five, twenty-nine, thirty-five and sixty of said act of June seventh, one thousand nine hundred and one as the same were amended by the act of May fourteenth, one thousand nine hundred and nine; by further providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage and cess pools and making changes in said rules, regulations and requirements as heretofore existing.

Referred to the Committee on Municipal Corporations.

By Mr. R. J. BALDWIN. House Bill No. 1237.

A supplement to an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officer, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their re-arrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries.

Referred to the Committee on Judiciary General.

By Mr. NEELY. House Bill No. 1238.

A supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile," approved June twenty-fourth, one thousand eight hundred and eighty-five; providing for the grant of Ancillary letters of Administration in this Commonwealth, upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State, territory or foreign country and who have left personal estate within this Commonwealth.

Referred to the Committee on Judiciary Special.

By Mr. MARTIN. House Bill No. 1239.

An Act making an appropriation to reimburse Dauphin County for extraordinary expenses incurred in the prosecution of the persons accused of defrauding this Commonwealth in the contracts for furnishing the present capitol building.

Referred to the Committee on Appropriations.

By Mr. KAISER. House Bill No. 1240.

An Act making an appropriation to the Christian Home for Women, 1423 Locust Street, North Side, Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MILLER. House Bill No. 1241.

An Act to amend an act approved the fourth day of April, one thousand nine hundred and five, entitled "An Act to provide for the better protection of life and property, by the examination and licensing of engineers having charge of steam-boilers, steam-engines, and appliances connected therewith, in cities of the second and third class of this Commonwealth, and providing penalties for violation."

Referred to the Committee on Judiciary General.

By Mr. JAMES A. DUNN,. House Bill No. 1242.

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein, and providing a penalty.

Referred to the Committee on Judiciary Local.

By Mr. HUMES. House Bill No. 1243.

An Act to provide a just and equitable method of distributing the money appropriated for the relief of the poor requiring medical and surgical treatment in hospitals and canitoria in this Commonwealth, not under the absolute control of the State, and unable to pay for the same.

Referred to the Committee on Appropriations.

By Mr. MILLER. House Bill No. 1244.

An Act to amend the first, third and sixth sections of an act, entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph, telephones or light or power companies," approved April 17, 1905, so as to include gas and water companies.

Referred to the Committee on Judiciary General.

By Mr. MUSSER. House Bill No. 1245.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point intersecting with Route 45 at Port Royal and running north on the west side of the Juniata River to intersect with Route No. 193, about three-fourths of a mile west of Mifflin, in Milford township, Juniata County.

Referred to the Committee on Public Roads.

By Mr. BIGGER. House Bill No. 1246.

An Act providing for the releasing on parole of certain prisoners who have been sentenced for life.

Referred to the Committee on Judiciary Special.

By Mr. REUBEN HOWARD. House Bill No. 1247.

An Act regulating the operation of slate, marble and granite quarries and providing for their inspection and fixing penalties for violations of the provisions hereof.

Referred to the Committee on Judiciary General.

By Mr. CONNIFF. House Bill No. 1248.

An Act to fix the salaries of the Deputies in the offices of Clerk of the Courts, County Controller, Recorder of Deeds, County Treasurer, Chief Deputy Sheriff and Chief Clerk to the County Commissioners in Counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each.

Referred to the Committee on Judiciary Special.

Mr. SPILLINGER. House Bill No. 1249.

An Act making an approcpriation to the Rosine Association, of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

Mr. SAMUEL B. SCOTT. House Bill No. 1250.

An Act to amend the first section of an act, entitled "An Act relating to the competency of experts and to the rules of evidence in questions of simulated (or altered) handwriting, declaring and defining some of the existing rules of law upon these subjects, and also extending some of the provisions of the same," approve'd the fifteenth day of May, A. D. 1895, by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question.

Referred to Committee on Judiciary General.

Mr. GOSS. House Bill No. 1251.

An Act to amend the first section of an act approved the twenty-fourth day of June, one thousand eight hundred and ninety-five, entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited, and fixing the price to be paid for said licenses, and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character," as amended; so as to include buildings or parts of buildings used for the exhibition of moving pictures.

Referred to the Committee on Law and Order.

Mr. SAMUEL B. SCOTT. House Bill No. 1252.

An Act to enjoin and abate houses of lewdness assignation and prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purposes.

Referred to the Committee on Law and Order.

Mr. KUHNS. House Bill No. 1253.

An Act vesting certain powers in cities relative to the purchase condemnation of water, gas, electric light plants and the maintenance of the same, the condemnation of property therefor, the levy and collection of taxes therefor.

Referred to the Committee on Municipal Corporations.

Mr. HEIDINGER. House Bill No. 1254.

An Act making it a misdemeanor to solicit, procure or induce a person to perform any act of adultery, fornication, buggery, sodomy or any other unlawful, unnatural sexual intercourse, providing for the taking of finger prints of

defendants convicted thereunder, and of the admission of the records thereof in evidence.

Referred to the Committee on Judiciary Special.

Mr. WALNUT. House Bill No. 1255.

An Act authorizing cities of the first class to regulate the production and omission of smoke from any, chimney smokestack or other source.

Referred to the Committee on Municipal Corporations.

Mr. DONNALLY. House Bill No. 1256.

An Act to amend section eighteen of an act entitled "An Act relating to motor-vehicles: regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the Public Highways with relation to other vehicles; regulating the service of process and the proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder," approved the twenty-seventh day of April, A. D. 1909.

Referred to the Committee on Public Roads.

Mr. WALNUT. House Bill No. 1257.

An Act to reimburse the heirs of Eliza Mellon, deceased, for money escheated from the Western Saving Fund Society of Philadelphia, and authorizing the State Treasurer to refund the sum of $65.08.

PETITIONS.

FAVORING HOUSE BILL NO. 322.

Mr. GOOD presented the petition of United Mine Workers Locals of Luzerne County, praying for the passage of House Bill No. 322, known as the Weighing of Coal Bill.

Which was referred to the Committee on Mines and Mining.

FAVORING THE PROTECTION OF DEER.

Mr. BENSON presented the petition of citizens of McKean County, favoring the protection of Deer.

Which was referred to the Committee on Game.

FAVORING PENSIONS TO THE EMERGENCY TROOPS.

Mr. REDFIELD presented the petition of citizens of McKean County, praying for the granting of Pensions to the Emergency Troops who served during the Rebellion.

Which was referred to the Committee on Pensions and Gratuities.

PROTESTING AGAINST APPROPRIATION TO SECTARIAN INSTITUTIONS.

The SPEAKER presented the petition of Knights of Pythias, Hyde Park Lodge No. 306, protesting against appropriation to sectarian institutions.

Which was referred to the Committee on Appropriations.

FAVORING HUNTERS LICENSE BILL.

Mr. REX presented the petition of members of the Fish and Game Association, praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

Mr. HUMES presented the petition of citizens of Crawford County, praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

Mr. BENSON presented the petition of citizens of McKean County, praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

Mr. ELY presented the petition of citizens of Westmoreland County, praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

Mr. BROSIUS presented the petition of citizens of Jefferson County, praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

REPORTS FROM COMMITTEE.

Mr. WM. F. BLAIR, from the Committee on Appropriations, reported as amended, House Bill No. 256, entitled:

An Act providing for the publication and distribution of a revised edition of the Railroad Map of Pennsylvania, heretofore issued by the Department of Internal Affairs; making an appropriation for the work of revising, compiling and proof-reading; and an appropriation for printing, binding and mounting the same, and for paper.

Mr. C. M. C. CAMPBELL, from the Committee on Appropriations, reported as committed, House Bill No. 420, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June, Anno Domini one thousand nine hundred and eleven (Appropriation Acts, page two hundred and fifty-nine), making an appropriation to pay the tuition of students in State Normal Schools.

Mr. NORTH, from the Committee on Appropriations, reported as amended, House Bill No. 1117, entitled:

An Act to provide for the ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and thirteen, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirteen.

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as committed, House Bill No. 795, entitled:

An Act prohibiting the doing of certain acts by persons who have been disbarred from practicing before the courts of any county, and providing a penalty for violation thereof.

Mr. MITCHELL, from the Committee on Judiciary Special, reported as amended, House Bill No. 371, entitled:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto.

Mr. GLENN, from the Committee on Judiciary General, re-reported as amended, House Bill No. 588, entitled:

An Act to amend section seven of the act of March thirty-first one thousand eighth undred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled 'An Act to consolindate revise and amend the laws of thih Commonwealth relating to penal proceedings and pleadings.

Mr. H. L. PERRY, from the Committee on Judiciary Special, reported with a negative recommendation, Senate Bill No. 125, (House Bill No. 867), entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons.

Mr. H. B. DUNN, from the Committee on Elections, reported as committed, House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices; providing for non-partisan nominations and elections for said offices, abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices, imposing certain duties upon the Secretary of the Commonwealth, Aunditor General, State Treasurer, County Commissioners, County Treasurer, election officers and the clerks of cities boroughs, townships and school districts; providing for the payment by the several counties, and their reimbursement by the State, of certain expenses incident to such nominations and elections, including the payment of compensation of watchers herein authorized to be appointed by the Court; and providing penalties for the violation of the provisions hereof and the punishment of certain offenses.

LEAVES OF ABSENCE.

Mr. CHARLES A. SHAFFER asked and obtained leave of absence for Mr. MELLOTT, on account of illness.

Mr. BERGEY asked and obtained leave of absence for Mr. Savacool uuntil to-morrow.

DISAPPROVAL OF POLICE REGULATIONS IN WASHINGTON, D. C.

Mr. BERGEY. Mr. Speaker, I call up Resolution No. 26, File Folio No. 1627.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Whereas on Monday March third one thousand nine hundred and thirteen in Washington District of Columbia many women and citizens of this Commonwealth participated in a parade representing the suffrage cause conducted by women of the United State and

Whereas the police authorities ignored the appeals of the women and the dictates of common decency and produced in the streets of the Nation's Capital scenes of shameful disorder and lawness and

Whereas women of character of this Commonwealth were scandalously insulted in the streets of the National Capital and therefore be it

Resolved that the members of the House of Representatives of Pennsylvania hereby voice their disapproval of the police regulations of the National Capital which permitted the women of this Commonwealth and nation to be insulted and therefore be it further

Resolved that it is the opinion of the House of Representatives of this Commonwealth that the officials responsible for the outrage committed upon the women and citizens of this Commonwealth should be duly punished for their gross neglect to provide efficient police protection which every citizen is duly entitled to receive upon the streets of the National Capital

Mr. BERGEY. Mr. Speaker, I move the adoption of the resolution.

Mr. TRACH. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

A division was called for, 67 voting in the affirmative and 72 in the negative, and the question was determined in the negative.

Mr. HUMES. Mr. Speaker, I desire to offer the following resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

CONCURRENT RESOLUTION.

"Resolved, (if the Senate concur) That permission be granted to the Senate of the Commonwealth of Pennsylvania, to use the Senate Chamber for the purpose of holding the regular session of that body five days in each week; and that the employes of the Senate be and they are hereby invited to co-operate with that body in any effort it may make to avail itself of the permission granted hereby."

Mr. HUMES. Mr. Speaker, I ask unanimous consent for the consideration of the resolution at this time.

The SPEAKER. Is there any objection? The Chair hears objection and the resolution will lie over for printing.

BILL PLACED ON CALENDAR.

Mr. BLELOCH. Mr. Speaker, I desire to offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read as follows:

Moved by Mr. Bleloch, seconded by Mr. Heidinger, that House Bill No. 867 (Senate Bill No. 125), entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

reported from the Committee on Judiciary Special with a negative recommendation, be placed upon the calendar.

On the question,

Will the House agree to the motion?

Mr. BLELOCH. Mr. Speaker and gentlemen of the House, this motion is made at the request of the State Bankers' Association, in order that the measure may be submitted to the Committee on Judiciary Special, to give them an opportunity to be heard on the subject, and I ask the House to vote for the motion.

Mr. KITTS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Phmiladelphia permit himself to be interrogated?

Mr. BLELOCH. Mr. Speaker, yes, sir.

Mr. KITTS. Mr. Speaker, as this bill has been negatived and has no file folio number, would the gentleman kindly explain what the bill is?

Mr. BLELOCH. Mr. Speaker, this is a bill regulating joint accounts. When the account is opened, it is specified that the money shall be paid to either party or the survivor at the death of either party. The committee felt that it was unnecessary and useless legislation and reported it with a negative recommendation. The State Bankers' Association has asked for an opportunity to be heard on the subject and this motion is made for that purpose.

Mr. KITTS. Mr. Speaker, I would like to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be interrogated further?

Mr. BLELOCH. Mr. Speaker, yes, sir.

Mr. KITTS. What is the purpose and what is the necessity of legislation of this kind?

Mr. BLELOCH. The necessity for the legislation does not exist, nor does it exist in the minds of many members of the Committee on Judiciary Special, but, in order to give the State Bankers' Association an opportunity to be heard on this measure, it was thought advisable to take this course to get it back to the committee for that purpose. I don't think that the opinion of the commitee will be changed on the subject, but it will satisfy those who desire to be heard on it.

The yeas and nays were required by Mr. BLELOCH and Mr. HEIDINGER.

YEAS—74.

Adams,	Gray, Joseph,	Morrow,	Smith, J. W.,
Alworth,	Hackett,	Murphy,	Smith, L.,
Baldwin, G. A.,	Heidinger,	Newton,	Snavely,
Bayle,	Hibshman,	North,	Spangler,
Bleloch,	Hobbs,	Peachey,	Spillinger,
Brown,	Hoffman,	Pennegar,	Steele,
Brownlee,	Humes,	Pennock,	Stone,
Burnett,	Jones, J. R.,	Perry, H. L.,	Swift,
Caldwell,	Kaufman,	Peters,	Thomas,
Campbell, C.M.,	Keegan,	Redfield,	Trach,
Claycomb,	Latshaw,	Reese,	Ulman,
Conniff,	Lenker,	Rex,	Walnut,
Cox,	Lohr,	Rhoads,	Walsh,
DeFrees,	Mather,	Robinson,	Watson,
Dunn, H. B.,	McAllister,	Roney,	Williams.
Forster, I. G.,	McClintock,	Runk,	Wiltbank,
Foster, J. D.,	McDermott,	Scott, J. R. K.,	Young, G. K.,
Gibson,	McKay,	Scott, S. B.,	Alter,
Grabe,	Mechling,	Shaffer, I. E.,	Speaker.
Gramley,	Mitchell,	Showalter,	
Gray, Frank,			

NAYS.—84.

Baldwin, R. J.,	Dickinson,	Kuhn, H. P.,	Neely,
Barner,	Donahoe,	Kuhns, E.G.M.,	O'Neill,
Bass,	Donnally,	Lanius,	Perry, S. J.,
Becker,	Ehrhardt,	Leslie,	Post,
Benson,	Eichenberger,	Letzkus,	Price,
Bergey,	Ewing,	Light,	Ramsey,
Berntheizel,	Fahey,	Lowers,	Reeser,
Bittles,	Frey,	Malie,	Rockwell,
Blair, W. A.,	Geiser,	Mannion,	Rothenberger,
Blair, W. F.,	Good,	Martin,	Sassaman,
Body,	Goss,	Matt,	Semmens,
Brosius,	Haggerty,	McAleer,	Shern,
Carson,	Hess,	McArdle,	Sherwood,
Carter,	Heyburn,	Miller,	Snyder,
Cheeseman,	Howard, J.,	Missimer,	Steedle,
Cleary,	Howard, R.,	Moore,	Swartz,
Conner,	Jackson,	Moses,	Ulerich,
Conrade,	Keeport,	Moulthrop,	Walton,
Currier,	Kern,	Musser,	Whitaker,
Curry,	Kitts,	Neel,	Wildman,
Davis,			Wilson, J. H.,
			Zimmerman.

The SPEAKER. The number of votes required by the rules having been cast in the affirmative, the bill will be placed upon the calendar.

BILL RECOMMITTED.

Mr. BLELOCH. Mr. Speaker, I move that House Bill No. 867 (Senate Bill No. 125), be recommitted to the Committee on Judiciary Special.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 753, entitled:

An Act prescribing what elective or appointive offices positions or employments of profit shall be incompatible with the office of a member of either branch of councils in cities of the first class of this Commonwealth and providing a method for its enforcement

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1079, (Senate Bill No. 63), entitled:

An Act providing for another judge in each of the Court of Common Pleas of Philadelphia County

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 701, entitled:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

And said bill having been read at length the first time. Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1005, (Senate Bill No. 279), entitled:

An Act authorizing the State Treasurer to endorse over to the Ladies' memorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies' Memorial Association

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act to change and fix the terms of guardians of the poor and auditors authorized to audit settle and adjust accounts of said guardians of the poor in incorporated poor districts where the number of said guardians and auditors respectively is four and two and said guardians and auditors are required to be elected in blocks of three fixing the times when the terms of present guardians and auditors shall expire their successors be elected and assume office

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 519, entitled:

An Act to change and fix the terms of managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectively is nine and said managers and auditors are required to be elected in blocks of three fixing the times when the terms of present managers and auditors shall expire their successors be elected and assume office

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 465, entitled:

An Act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 388, entitled:

An Act entitled An act authorizing and empowering all cities and boroughs within the Commonwealth to regulate by ordinance or by-laws the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 945, entitled:

An Act to amend the first and second sections of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by extending its provisions to all bituminous mines in which explosive gas has been generated or is being generated or may be generated after the date of the approval of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 803, entitled:

An Act further amending section two of the act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by section two of the act May fourteenth Anno Domini one thousand nine hundred and nine authorizing and requiring second and third class cities of this Comonwealth to provide for the appointment and payment of a plumbing inspector

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1099, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act empowering cities and boroughs to erect construct maintain and operate telephone police and fire alarm systems and to furnish said service to partnerships corporations or individuals and to connect with other telephone companies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than one breast chamber or other working-place in any anthracite coal mine and providing a penalty for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 464, entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 570, entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1032, entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1102, entitled:

A further supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three en-

titled "An Act to enforce the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 711, entitled:

An Act relating to the management of penitentiaries jails prisons houses of corection workhouses houses of refuge and reformatories

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 887, entitled:

An Act providing for the creation of the Bureau of Public Morals in the Department of Public Safety in cities of the second class defining its purposes and providing for the payment of expenses incurred thereby

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter contract with electric, gas or other light companies for the purpose of lightning and illuminating the streets, highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 508, entitled:

An Act regulating the business of making certain loans or buying or receiving assignments of wages or salaries, and providing penalties for violation of the provisions hereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act defining foreign corporations; authorizing the acquisition and conveying of real estate and regulating the manner thereof, and providing for the validating of titles to real estate now held by foreign corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county, and fixing a penalty for violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 751, entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million and over and for the compensation and payment thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1051, entitled:

An Act making it a misdemeanor for any officer or employee of any of the departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 859, entitled:

An Act to amend the ninety-first section of an act entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth," approved the thirty-first day of March, one thousand eight hundred and sixty, as supplemented by the first section of an act approved the nineteenth day of May, Anno Domini eighteen hundred and eighty-seven, entitled "A supplement to an act entitled 'An Act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of Maron, one thousand eight hundred and sixty amending the ninety-first section thereof; defining rape and carnal knowledge of female children and prescribing the penalty therefor," by increasing the age of consent to twenty-one years and changing the penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1010, entitled:

An Act relating to domestic animals and poultry; providing methods of improving the quality thereof and of preventing, controlling and eradicating diseases thereof, imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1052, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth; requiring that not less than two miners be employed and engaged in the robbing of pillars where the seam of coal has a pitch of twenty-five degrees or more and fixing a penalty for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 111, entitled:

An Act amending Section twenty-three of an act entitled "An Act to regulate the nomination and election of public officers; requiring certain epenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three as amended by the act of Assembly approved the sixteenth day of April, Anno Domini one thousand nine hundred and three by providing for the appointment of watchers by the court, defining their powers and duties, providing for the payment of their compensation by the several counties making the refusal of any election officer to permit such watcher to perform his duties a misdemeanor and prescribing the penalty therefor; providing for the rejection of all or part of the votes in certain cases where such watchers are driven from the polls, and providing for the punishment of persons driving away said watchers from the polls.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

BILL RECOMMITTED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that House Bill No. 111, File Folio No. 1615, bet recommitted to the Committee on Elections.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 409, as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough council or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within two months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of the profession The members of the board of health shall be appointed by the president of the borough council by and with the consent of the council and in townships of the first clas by the board of township commissioners At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall all be residents of the municipality for which they are appointed and shall serve without compensation provided however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a members of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the borough council or by the board of commissioners of the township of the first class and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurers of the borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occuring at the end of each month cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman.

Section 6. The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

Section 7. Said board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same.

Section 8. The board of health may inspect house drains waste and soil pipes cess-pools water-closets slaughter houses hog pens stables stable-yards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a meanace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided.

Section 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal.

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 11. All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the commissioner of health in accordance with the provisions of Section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid.

Section 12. Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expense has been rendered by him to such borough or township or the first class and demand for payment by him he shall with the approval of the Governor instiutute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law.

Section 13. All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 14. All acts entitled "An Act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred and ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided that all boards of health now in

existence in borough and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration be postponed for the present.

Mr. SEMMENS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 658, as follows:

An Act to repeal an act entitled "An Act for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty-one)

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty-one) is hereby repealed.

On the question,
Shall the bill pass finally?

Mr. S. B. SCOTT. Mr. Speaker, It seems to me that the House has not sufficient information about this bill to pass it, and I suggest that the sponsor of the bill tell us something about it.

Mr. ALLEN. Mr. Speaker, I would say that this is one of the old laws that was passed prior to 1701 and has been upon the statute books since that time. It has been a dead letter for more than one hundred years, perhaps, and if the House desires to listen to the reading of the statute as it now stands, I will be pleased to read it:

All marriages not forbidden by the law of God shall be encouraged; but the parents or guardians shall, if conveniently they can, be first consulted with, and the parties' clearness of all engagements signified by a certificate from some credible person where they have lived, or do live, produced to such religious society to which they relate, or some justice of the peace of the county in which they live, and by their affixing their intentions of marriage on the court house or meeting house doors in each respective county where the parties do reside or dwell one month before solemnization thereof; the which said publication, before it be so affixed as aforesaid, shall be brought before one or more justices of the peace, in the respective counties to which they respectively belong; which justice shall subscribe the said publication, witnessing the time of such declaration, and date of the said publication, so to be affixed as aforesaid. (u) And that all marriages shall be solemnized by taking each other for husband and wife before twelve sufficient witnesses. And the certificate of their marriage, under the hands of the parties and witnesses at least twelve, and one of them a justice of the peace, shall be brought to the register of the county where they are married, and registered in his office. And if any servant or servants shall procure themselves to be married, without consent of his or her master or mistress, such servant or servant shall, for such their offense, each of them serve their respective masters or mistresses one whole year, after the time of their servitude by indenture or engagement is expired. And if one person, being free, shall marry with a servant as aforesaid, he or she, so marrying, shall pay to the master or mistress of the servant, if a man, twelve pounds, and if a woman, six pounds, or his or her master or mistress according to indenture or agreement, and one year after, as aforesaid. And if any person shall presume to marry, or be witnesses to any marriage, contrary to this act, such person, so married, shall forfeit twenty pounds to the proprietary and governor; and the witnesses being present at such marriage shall forfeit and pay each of them five pounds, to the use of the proprietary and governor as aforesaid, and pay damages to the party grieved to be recovered in any court of record within this government.

This law shall not extend to any who shall marry or be married in the religious society to which they belong, so as notice shall be given by either of the parties to the parents, masters, mistresses or guardians, one full month, at least, before any such marriage be solemnized.

No license or dispensation shall hinder or obstruct the force or operation of this act, in respect of notice to be given to parents, masters, mistresses or guardians as aforesaid.

I think, Mr. Sueaker, that after having heard this bill read, the members will feel justified in voting for its repeal, and I therefore leave it to their good judgment.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Eichenberger,	Leslie,	Richards,
Allen,	Ely,	Letzkus,	Robinson,
Alworth,	Ewing,	Light,	Rockwell,
Arthur,	Fahey,	Lowers,	Roney,
Baldwin, G. A.,	Flynn,		Rothenberger,
Baldwin, R. J.,	Forster, I. G.,	Mannion,	Runk,
Barner,	Foster, J. D.,	Martin,	Sassaman,
Bass,	Frey,	Mather,	Schaeffer, A. C
Bayle,	Gans,	Matt,	Schuck,
Becker,	Geary,	McAleer,	Scott, J. R. K.,
Benninger,	Geiser,	McAllister,	Scott, S. B.,
Benson,	Gibson,	McArdle,	Semmens,
Bergey,	Good,	McCaig,	Shaffer, C. A.,
Berntheizel,	Grabe,	McClintock,	Shaffer, I. E.,
Bittles,	Gramley,	McDermott,	Shern,
Blair, W. A.,	Gray, Frank,	McKay,	Sherwood,
Blair, W. F.,	Gray, Joseph,	Mechling,	Showalter,
Bleloch,	Hackett,	Mellott,	Smith, J. W.,
Body,	Haggerty,	Metzenbacher,	Smith, L.,
Brosius,	Heidinger,	Miller,	Snavely,
Brown,	Hemminger,	Missimer,	Snyder,
Brownlee,	Hess,	Mitchell,	Spangler,
Burnett,	Heyburn,	Moore,	Speiser,
Caldwell,	Hibshman,	Morrow,	Spillinger,
Campbell, C.M.,	Hobbs,	Moses,	Steedle,
Campbell, J.J.	Hoffman,	Moulthrop,	Steele,
Carter,	Howard, J.,	Murphy,	Stone,
Cheeseman,	Howard, R.,	Musser,	Swartz,
Claycomb,	Humes,	Neel,	Swift,
Cleary,	Isler,	Neely,	Thomas,
Cochran,	Irwin, G. C.,	Newbaker,	Trach,
Collins,	Irwin, H. H.,	Newton	Ulerich,
Conner,	Jackson,	North,	Ulman,
Conniff,	Jones, J. R.,	O'Neill,	Walnut,
Conrade,	Kaiser,	Peachey,	Walsh,
Cox,	Kaufman,	Pennock,	Walton,
Currier,	Keegan,	Perry, S. J.,	Watson,
Curry,	Keeport,	Peters,	Whitaker,
Davis,	Kenna,	Piper,	Whitman,
DeFrees,	Kern,	Post,	Wildman,
Dickinson,	Kitts,	Ramsey,	Williams,
Donahoe,	Klepper,	Redfield,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Down,	Lanius,	Reeser,	Young, G. K.,
Dunn, H. B.,	Lenker,	Rex,	Young, J. H.,
Dunn, J. A.,		Rhoads,	Zimmerman,
Ehrhardt,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. ALLEN. Mr. Speaker, I desire to call up House Bill No. 657, File Folio, No. 545, page 18 of tonight's Calendar, Bills on Third Reading Postponed for the Present, which is a counterpart of the bill which I just explained to the House.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 657, entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing caldenstine marriages" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Adams,	Flynn,	Leslie,	Rhoads,
Allen,	Forster, I. G.,	Letzkus,	Roney,
Alworth,	Foster, J. D.,	Light,	Rothenberger,
Arthur,	Frey,	Lohr,	Runk,
Baldwin, G. A.,	Gans,	Lowers,	Sassaman,
Baldwin, R. J.,	Geary,	Malie,	Schaeffer, A. C
Barner,	Geiser,	Mannion,	Schuck,
Bass,	Gibson,	Martin,	Scott, J. R. K.,
Bayle,	Good,	Mather,	Scott, S. B.,
Benson,	Grabe,	Matt,	Semmens,
Bergey,	Gramley,	McAleer,	Shaffer, C. A.,

Berntheizel,	Gray, Frank,	McAllister,	Shern,
Bigger,	Gray, Joseph,	McArdle,	Sherwood,
Bittles,	Hackett,	McCaig,	Showalter,
Blair, W. A.,		McClintock,	Smith, J. W.,
Blair, W. F.,	Heidinger,	McDermott,	Smith, L.,
Body,	Hemminger,	McKay,	Snavely,
Brosius,	Herman,	McNichol,	Snyder,
Brown,	Hess,	Mechling,	Spangler,
Brownlee,	Heyburn,	Metzenbacher,	Speiser,
Burnett,	Hibshman,	Miller,	Spillinger,
Caldwell,	Hobbs,	Missimer,	Steedle,
Campbell, C.M.,	Hoffman,	Mitchell,	Steele,
Campbell, J.J.	Howard, J.,	Moore,	Stone,
Carter,	Howard, R.,	Morrow,	Strauss,
Cheeseman,	Humes,	Moses,	Swartz,
Claycomb,	Isler,	Moulthrop,	Swift,
Cleary,	Irwin, G. C.,	Murphy,	Thomas,
Cochran,	Irwin, H. H.,	Musser,	Trach,
Collins,	Jackson,	Neel,	Ulerich,
Conner,	Jones, E. E.,	Neely,	Ulman,
Conniff,	Jones, J. R.,	Newbaker,	Walnut,
Conrade,	Kaiser,	Newton,	Walsh,
Cox,	Kaufman,	North,	Walton,
Currier,	Keegan,	O'Neill,	Watson,
Curry,	Keeport,	Pennegar,	Wettach,
Davis,	Kenna,	Pennock,	Whitaker,
DeFrees,	Kennedy,	Perry, S. J.,	Whitman,
Dickinson,	Kern,	Peters,	Wildman,
Donahoe,	Kitts,	Piper,	Williams,
Donnally,	Klepper,	Price,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
Dunn, J. A.,	Lanius,	Reese,	Young, G. K.,
Ehrhardt,	Latshaw,	Reeser,	Young, J. H.,
Eichenberger,	Lenker,	Rex,	Zimmerman,
Ewing,			Alter,
Fahey,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 566, as follows:

An Act giving to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construtcion of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequentfal or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occuping or injuring lands property or material to assess the said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the future proceedings trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the right to damages both direct and consequential or either is hereby given to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades or lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers

Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their duty to assess damages provided for in section one of this act direct and consequential or either if any in connection therewith and make report thereof as under existing laws

Section 3 That the right of appeal from said report and of trial by jury and the right to file exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws

Section 4 That after disposal of exceptions or verdict and final judgment any interested party or parties may have an appeal to the Superior or Supreme Court as in any other cases

Section 5 That the provisions of this act shall apply to all existing and future proceedings

Section 6 That all acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MILLER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. REX. I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which he is appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said board respectively to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be

employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a minor in any coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a miner except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncomplaince or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WALTER ALLEN BLAIR. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. DAVIS. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 775, as follows:

An Act to amend an act entitled 'An Act to provide for the better collection of collateral inheritance taxes' approved May sixth one thousand eight hundred and eighty-seven as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled 'An Act to provide for the better collection of collateral inheritance taxes' approved May sixth Anno Domini one thousand eight hundred and eighty-seven which reads as amended as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this State whether the person or persons dying seized thereof be domiciled within or out of this State and all such estates situated in another state territory or country when the person or persons dying seized thereof shall have their domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this State or any part of such estate or estates or interest therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to any person or persons or to bodies corporate or politic in trust or otherwise other than to or for the use of father or mother husband wife children and lineal descendants born in lawful wedlock children of a former husband or wife or the wife or widow of the son of the person dying seized or possessed thereof shall be any they are hereby made subject to a tax of five dollars on every hundred dollars of the clear value of such estate or estates and at and after the sum rate for any less amount to be paid to the use of the Commonwealth and all owners of such estates and all executors and administrators and their sureties shall only be discharged from liability for the amount of such taxes or duties the settlement of which they may be charged with by having paid the same over for the use aforesaid as hereinafter directed Provided That no estate which may be valued at a less sum than two hundred and fifty dollars shall be subject to the duty or tax" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this State whether the person or persons dying seized thereof be domiciled within or out of this State and all such estates situated in another state territory or country when the person or persons dying seized thereof shall have their domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this State or any part of such estate or estates or interest herein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to any person or persons or to bodies corporate or politic in trust or otherwise other than to or for the use of father mother husband wife children and lineal descendants born in lawful wedlock step-children step-granchildren step-parents and step-grandpartents or the wife or widow of the son of the person dying seized or possessed thereof shall be and they are hereby made subject to a tax of five dollars on every hundred dollars of the clear value of such estate or estates and at and after the same rate for any less amount to be paid to the use of the Commonwealth and all owners of such estates and all executors and administrators and their sureties shall only be discharged from liability for the amount of such taxes or duties the settlement of which they may be charged with by having paid the same over for the use aforesaid as hereinafter directed Provided That no estate which may be valued at a less sum than two hundred and fifty dollars shall be subject to the duty or tax

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Donahoe,	Light,	Robinson,
Allen,	Donnally,	Malie,	Rockwell,
Alworth,	Down,	Mannion,	Roney,
Arthur,	Dunn, J. A.,	Martin,	Rothenberger,
Baldwin, G. A.,	Ehrhardt,	Mather,	Runk,
Baldwin, R. J.,	Eichenberger,	Matt,	Sassaman,
Barner,	Ewing,	McAleer,	Schuck,
Bass,	Fahey,	McAllister,	Scott, J. R. K.,
Bayle,	Flynn,	McArdle,	Scott, S. B.,
Becker,	Foster, J. D.,	McClintock,	Shaffer, I. E.,
Benninger,	Gans,	McDermott,	Sherwood,
Benson,	Geiser,	McKay,	Showalter,
Bergey,	Good,	Mechling,	Smith, J. W.,
Bittles,	Grabe,	Mellott,	Smith, L.,
Blair, W. A.,	Gramley,	Metzenbacher,	Snavely,
Blair, W. F.,	Gray, Frank,	Miller,	Snyder,
Bieloch,	Hackett,	Missimer,	Spangler,
Body,	Haggerty,	Mitchell,	Speiser,
Brosius,	Hibshman,	Moore,	Spillinger,
Brown,	Hobbs,	Morrow,	Steedle,
Brownlee,	Hoffman,	Moses,	Steele,
Burnett,	Howard, J.,	Moulthrop,	Stone,
Caldwell,	Humes,	Musser,	Swartz,
Campbell, C.M.,	Isler,	Neely,	Swift,
Campbell, J.J.	Irwin, G. C.,	Newbaker,	Thomas,
Carson,	Irwin, H. H.,	Newton,	Trach,
Carter,	Jackson,	North,	Ulerich,
Cheeseman,	Jones, E. E.,	O'Neill,	Ulman,
Claycomb,	Jones, J. R.,	Pennegar,	Walton,
Cleary,	Kaiser,	Pennock,	Watson,
Collins,	Kaufman,	Perry, S. J.,	Whitaker,
Conner,	Keegan,	Piper,	Whitman,
Conniff,	Keeport,	Price,	Wildman,
Conrade,	Kitts,	Ramsey,	Williams,
Cox,	Klepper,	Redfield,	Wilson, J. H.,
Currier,	Kuhn, H. P.,	Reese,	Wiltbank,
Curry,	Lanius,	Reeser,	Young, G. K.,
Davis,	Latshaw,	Rex,	Young, J. H.,
DeFrees,	Leslie,	Rhoads,	Zimmerman,
Dickinson,			Alter,
			Speaker.

NAYS—9.

Dunn, H. B.,	Gray, Joseph,	Hemminger,	Heyburn,
Forster, I. G.,	Heidinger,	Herman,	Lowers,
			Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WALNUT. Mr. Speaker, I desire to call up House Bill No. 107, File Folio 1283, entitled:

An Act establishing a court for the County of Philadlephia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

page 19 of to-day's calendar, Bills on Third Reading, postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 107, as follows:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met be and it is hereby enacted by the authority of the same That in the county of Philadephia there shall be and hereby is created a court of record to be known as the municipal court of Philadelphia it shall consist of a president judge and one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors of said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of six thousand five hundred dollars ($6,500) per annum and the associate judges shall receive salaries of six thousand dollars payable by the State in the same manner that the salaries of the judges of the Courts of Common Pleas are paid The term of office of the elected judges of the court shall begin on the first Monday of January following their election

The first judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the municipal election next succeeding at which their successors shall be elected

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the constitution of the State in such case and their successors shall be elected to the full term of ten years

The Governor upon the first appointment of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reason designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office

Section 3 The court shall be open at all times for the transaction of business in the county of Philadelphia either at the City Hall or at such other place or places in the said county as may from time to time be designated by the court if it shall be found necessary to hold court at other places for the convenience of suitors or the accommodation of the public

It shall be the duty of the county commissioners or other proper officers of the said county to provide proper accommodations for the holding of the said court at such times and places as the said court may decide and the expenses of the same shall be defrayed out of the treasury of the county of Philadelphia

Section 4 The judges of the said court shall appoint a clerk whose term of office shall be at the pleasure of the judges He shall give his entire time and attention to the performance of the duties of his office which shall be kept open for the transaction of business from nine o'clock ante meridian to five o'clock post meridian of each working day during the year He shall receive a salary of four thousand dollars ($4,000) per annum He shall keep proper records of the court under the supervision of the judges and in accordance with rules and regulations from time to time made by them Unless otherwise provided by rules of court the powers duties and liabilities of the said clerk shall be for the Municipal Court the same as those prescribed by law for the prothonotary of the Courts of Common Pleas of the county of Philadelphia The said clerk shall have the power to appoint a deputy clerk and such number of assistant deputy clerks as may be from time to time designated by order of the judges of said court The salary of the chief deputy clerk shall be twenty-five hundred ($2,500) per annum The salaries of the other clerks shall be fixed by the clerk of the court but shall in no case exceed two thousand dollars ($2.000.00) per annum

The fees to be charged by said clerk shall be the same as the fees charged for similar services by the prothonotary of the Courts of Common Pleas of Philadelphia county

All fees or other sums received by any clerk or employee of said court shall be paid into the treasury of the county of Philadelphia

The president judge of the court may appoint such stenographers tipstaves and officers or clerks as are reasonably necessary the number of the same and their compensation to be determined from time to time by a majority of the judges of the said court to perform the duties usually pertinent to such officers in and about the court rooms or elsewhere The compensation of the clerk of the court deptuy clerk and asistant deputies and of all other officers and employees of said court shall be paid out of the treasury of the county of Philadelphia upon warrants signed by the president judge of the court or by the clerk of the said court in accordance with general orders of the president judge

Section 5 The said court shall have a common seal upon which shall appear the words "Municipal Court of Philadelphia" and the word "seal" which shall be affixed to all official documents issued under the direction of the said court The seal of the said court shall be in the custody of the clerk or of such other officer and be kept in such place as the court may from time to time order

Section 6 It shall be the duty of the proper officers of the county of Philadelphia to provide such jurors for service in the Municipal Court as may from time to time be requested by order of the president judge or as may be fixed by general order of said president judge Said jurors shall be summoned as provided by law and shall receive the same compensation and be subject to the same duties and liabilities as jurors summoned to serve in the courts of common pleas of said county

Section 7 It shall be the duty of the sheriff of Philadelphia county to serve all writs or processes issuing out of the said court in like manner and for the same fees as similar services are performed for writs or processes issuing from the courts of common pleas

Section 8 The president judge shall have power to oversee and direct the business of the court He shall assign the various judges to the duties to be performed by them He shall at appropriate intervals not less than once a month except in July and August hold meetings of all the judges of said court **for the purpose of promoting the speedy administration of** the business of the court and for other purposes

The president judge of the court shall designate one member of the court to hold a juvenile court The said judge shall be assigned to said court for a period of one year or longer in the discretion of the president judge

Section 9 The president judge shall appoint a **chief** probation officer whose salary shall not exceed three thousand dollars ($3,000.00) a year and such additional probation officers as a majority of the judges may determine at salaries not to exceed one thousand five hundred dollars ($1,500.00) a year whose **powers and duties shall be similar to those heretofore appointed** by the court of quarter sessions of the peace for said county

There shall be no preliminary hearings in any cases affecting **dependent delinquent or neglected children under the age of** sixteen years as defined by existing laws relating to such proceedings (which laws are hereby made applicable to proceedings in the Municipal Court) but such children shall be brought immediately before the judge of the juvenile court and he shall hear and determine said cases separately from each other at such place and at such hours of the day or night as will **in the judgment of the president judge and of th judge of the juvnile court be most conducive to the welfare of such children**

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity **where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of six hundred dollars** ($600.00) except that in actions for damages for personal injuries it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

Section 11. The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary forgery kidnapping murder voluntary manslaughter perjury rape robbery treason or misprison of treason or for violation or conspirary to violate the election or registration laws of this Commonwealth or for criminal libel or for embezzlement by any public officer or any offence involving breach of official duties by any public officer.

The jurisdiction of the said municipal court shall be concurrent with the magistrates' courts and courts of quarter session and oyer and terminer except in the following cases in which it shall have jurisdiction which shall be exclusive.

(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children.

(b) In all proceedings concerning dependent delinquent or neglected children as defined by existing laws relating thereto which are hereby made applicable to proceedings in the municipal court.

The judges of the said municipal court shall be justices of the peace and shall have power to hold preliminary hearings and bind prisoners over to appear in court or keep the peace or otherwise as the case may be When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be.

In criminal cases not triable in the municipal court but excepted from its jurisdiction as above provided the

jurisdiction of the judges of the municipal court to issue warrants of arrest and to hold offenders for court shall be exclusive of the magistrates.

At least one judge of the municipal court shall be designated each month to act as committing magistrate and his court shall be open at all times for such purposes.

Provided however, That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in the municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable.

Section 12. All civil actions in said municipal court shall be begun by filing a statement of the plaintiff's claim without the issuance of any formal writ. The said statement shall consist of a concise recital of the facts which the plaintiff claims give rise to his cause of action divided into paragraphs consecutively numbered only one averment of fact so far as possible being included in one paragraph Where any contracts or other writings are material to the validity of the plaintiff's claim he must annex copies of the same in accordance with the practice now obtaining in the courts of common pleas This statement may be filed by the plaintiff or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All statements shall be verified by the affidavit of the plaintiff or his duly authorized agent and shall be signed by the plaintiff or his counsel.

The said clerk shall thereupon issue a summons under the seal of the court requiring defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him In default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course in order to prevent judgment as aforesaid defendant must file within ten days of the service of the summons and statement upon him as aforesaid an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred Provided That if defendant alleges himself to be ignorant as to the facts averred in any paragraph he may so state and place the plaintiff upon proof of the same as if they had been denied All facts which defendant does not deny or aver himself to be ignorant and demand proof as aforesaid shall be deemed to be admitted The answer may be filed by the defendant or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All answers shall be verified by the affidavit of defendant or his duly authorized agent and shall be signed by defendant or his counsel After defendant has filed an answer the case shall be at issue without any formal pleas unless he sets up new matter in separate numbered paragraphs in addition to those answering plaintiff's averments in which case plaintiff may within five days answer the same in the same manner and all new matter so averred by defendant and not denied by plaintiff or of which he does not declare himself to be ignorant and demand proof shall be deemed to be admitted The case shall then be at issue Plaintiff may move for judgment for want of a sufficient answer for all or a portion of his claim.

Every statement of claim before it shall be received by the clerk shall contain on the back thereof an endorsement signed by plaintiff or his counsel as follows "Jury trial demanded" or "It is agreed that this case be tried by a judge without a jury" If plaintiff demands a jury trial he shall at the time of filing his statement pay to the clerk a jury fee of four dollars Every answer where plaintiff has not demanded a jury trial shall contain on the back thereof a similar endorsement and if defendant demands a jury trial he shall at the time of filing his answer pay to the clerk a jury fee of four dollars If both parties as aforesaid have filed agreements that the case may be tried by a judge without a jury it shall be so tried under such rules of procedure as the court shall prescribe.

When a case is at issue it may be immediately orderd upon the trial list by either party It shall be the duty of the judges of the said court to so arrange their trial list that cases shall be tried as promptly as possible For the purpose of promptly disposing of all motions and rules in connection with its business it shall be the duty of said court to have at least one judge sitting continuously as many hours per day as he may be needed Except as modified by this act or its own rules duly adopted by a majority of the judges the practice and procedure in the Municipal Court shall be the same as the practise and procedure in the courts of common pleas of Philadelphia County.

Section 13 All criminal prosecutions begun in the said court shall be commenced by an affidavit describing with reasonable accuracy the character of the offense alleged to have been committed Upon the filing of such affidavit it shall be examined by a judge of the said court and if it charges with reasonable certainty an offense committed within the jurisdiction and punishable by law a warrant shall be issued under the seal of the court for the apprehension of the offender The affidavit shall become a record of the court and shall be duly preserved A record shall also be made of the issuance of the warrant and the name of the officer in whose hands it is placed for service A record shall also be made of the return of said officer after serving or attempting to serve said warrant Each said warrant when issued may be delievered to a police officer of the city of Philadelphia and it is hereby made the duty of such police officer to serve such warrants as promptly as may be and to make immediate return to the said court whether served or not return shall be made at latest within two days after said warrant has been delivered for service and in the event of failure to serve such warrant the police officer shall make such further efforts to apprehend the person accused as may be from time to time requested by any of the judges of the said court In making their return it shall be the duty of said police officer to state as a part thereof what has been done with the prisoner whether released on bail or if in custody where confined A prisoner apprehended upon a warrant issued from the municipal court shall be released on bail only upon the written order of a judge of the said court unless after a hearing on habeas corpus by a judge of a court of record having jurisdiction

It shall be the duty of the president judge of the said court to assign at least one judge to conduct preliminary hearings daily in all cases in which warrants of arrest have been issued under the seal of the said court It shall be the duty of the president judge of said court to assign sufficient judges to the trial of criminal cases so that all cases exclusively triable in the said court in which prosectutions may be begun therein or which may be brought therein for trial by the district attorney shall be tried and disposed of as soon as possible after indictment found

It shall be the duty of the district attorney of said county to prosecute all cases in which prosecutions have been begun in the municipal court or which have been returned to court by magistrates for trial and which are exclusively triable in the municipal court or which the district attorney elects to try in said court

In desertion and non-support cases and in juvenile cases there shall be no preliminary hearings but the person accused or children involved shall be immediately brought before the court for trial

Except as modified by this act or by its own rules duly adopted by a majority of the judges the practice and procedure shall be the same in the municipal court in all matters of which it has jurisidiction as in similar matters prosecuted and determined in courts of over and terminer and quarter sessions of the peace of the county of Philadelphia

Section 14 All parties believing themselves to be aggrieved by the decisions of the said municipal court may remove their cases by appeal or writ of error to the Supreme or Superior Court as the case may be in accordance with existing law and in accordance with the practice and procedure in perfecting appeals from existing courts in Philadelphia county

Section 15 Judgment recovered in the said municipal court shall be a lien upon the property of the defendant in the same manner and to the same extent that judgment recovered in the Courts of Common Pleas is a lien All such judgments shall be indexed in the judgment index of the said county and it is hereby made the duty of the proper officers to index said judgments in the same manner that judgments in the Courts of Common Pleas are now or hereafter may be indexed

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the Courts of Common Pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I would ask unanimous consent to amend Section 4, line 3, so that lawyers in Philadelphia may take advantage of the various stenographers' acts which have been passed, particularly those of 1907 and 1911.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 4, page 3, line 25, strike out "Stenographers." In line 35, page 4 after the word "judge" insert "the court shall appoint such official stenographers as shall be necessary, and said stenographers shall be appointed and discharge their duty and be paid compensation under and subject to the Stenographers' Act of 1907 its amendments and supplements."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read?

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

SPECIAL ORDER.

The SPEAKER. The hour of nine o'clock having arrived, the Chair lays before the House as the Special order of business at this hour House Bill No. 232 file folio 843, page 1 of to-day's Calendar, on second reading.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled:

A joint resolution proposing an amendment to the Constitution of this Commonwealth so as to prohibit the manufacture or sale or barter or exchange of vinous spirituous malt or brewed liquors or beverages

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following is proposed as amendment to the Constitution of this Commonwealth in accordance with the provisions of the eighteenth article thereof

ARTICLE XIX

Manufacture or Sale of Liquors

Section 1 The manufacture or sale or barter or exchange of intoxicating liquors or beverages whether spiritous vinous or malt or brewed are hereby forever prohibited in the Commonwealth of Pennsylvania except alcohol for medical scientific or mechanical purposes and wine for sacramental purposes the sale of which alcohol and wine for the purposes aforesaid shall be regulated by law

The second section of the bill was read as follows:

Section 2 The General Assembly shall enact suitable laws for the enforcement of this article All existing laws permitting the sale of such liquors or beverages are repealed

On the question.

Will the House agree to the section?

Mr. STEELE. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 3, insert after the word "repealed" the following: "This Article shall not become operative until the first day of January, one thousand nine hundred and seventeen."

On the question.

Will the House agree to the amendment.

It was not agreed to.

The title of the bill was read and agreed to as follows:

A Joint Resolution proposing an amendment to the Constitution of this Comonwealth so as to prohibit the manufacture or sale or barter or exchanges of vinous spiritous malt or brewed liquors or beverages

On the question.

Will the House agree to the bill on second reading?

Mr. STEELE. Mr. Speaker, as sponsor of this bill, I take great satisfaction in saying a few words this evening against, the greatest curse in the United States today, bar none. Not because it is easy to do, not because the poor innocent thing has no defense, but because it is so difficult to accomplish results. Anything that I may say I want understood is not personal because I bear no enmity or ill will against any member in this House who may oppose this bill. I bear no ill will against any man who buys or sells liquor because in my home town I know some who are patriotic honest men, but I am against this damnable stuff for three reasons: First moral, second health; third economic. This bill as presented is a constitutional amendment. It must pass two sessions of the House and Senate, and if it should, it goes to the people for a vote in November 1915, and if voted dry will go into effect January 1st, 1917.

Only a few weeks ago a good friend from Philadelphia, (John R. K. Scott) told you that the fall of the Republican party was due to the men at the helm not listening to the will of the people. At that time we voted almost unanimously for the election of United States Senators by direct vote. Only a few weeks later we voted on another amendment for Women's Suffrage. Today we are voting on a more important question than either of these. I voted for both the previous amendments and am proud of it. The progressive republicans and progressive democrats are on trial tonight. The republican party fell not alone because the men at the helm failed to listen to the will of the people, but because the Republican party has for years been electing men to office unfit to be called American citizens, has been electing men who wore around their necks collars snugly fit. Any man who votes against this bill must smother his conscience. Any man who votes against this bill breaks his promise to his constituents to give the people an opportunity of saying whether or not this State will be dry or wet. Any man who votes against this bill does not yet see the star of independence setting, but she will set. It matters not to me whether I am here when she sets. I would rather vote my conscientious convictions, if I did not get any vote than my own.

Listen to me for a moment! The amount of license money received by the United States Government last year from the licensed saloon keepers and brewers and distillers was three hundred and fifty million dollars. The amount of money spent for booze last year in the United States of America was two billions of dollars. The amount of money it cost to run our judiciary was one billion two hundred million dollars. The amount of money it cost to keep our insane, our paupers, our criminals, amounts to over five billion dollars, leaving a balance of seven billion eight hundred and fifty million dollars in favor of the saloon on a strictly money basis. For every dollar received from licensed saloons the tax payers and property owners of this United States pay sixteen dollars in return to maintain their jails and penitentiaries made necessary by this saloon business.

The Allegheny County workhouse in forty-one years had one hundred and forty-eight thousand criminals, one hundred and thirty-six thousand of whom were directly traceable to booze. The Allegheny County jail for ten years had an average of ten thousand six hundred and eighty criminals, and ninety per cent. of those criminals were caused through the booze business.

Listen to what Leib Jons said: He saw the finished product of the saloon lying in the gutter. His hat was gone. The hat trade was suffering. His clothes were torn the clothes trade was suffering. His socks were torn, the hosiery trade was suffering. There was scarcely a business that did not suffer from the man's insobriety. Taking an inventory of his home, of his wife and children, the millinery trade, the furniture trade and the children's dress goods trade all suffered.

The Philadelphia North American in a recent editorial said:

"We see the growing knowledge of the dangerous character of the liquor business. Its record of devastation, is a scar across the face of civilization, The manhood it has wrecked, the homes it has ruined, the women it has run in hopeless fire and the other women it has buried in nameless shame, the children it has starved and murdered,—these are the witnesses against it."

Seventy-five per cent. of the idiots come from liquor. Eighty per cent. of the paupers and eighty-two per cent. of the criminals come from the use of liquor. If the saloons and breweries were closed and the money spent for necessities, the help sign would hang from every factory door. During this discussion of the local option question we heard a great deal about personal liberty. "Personal Liberty" is for the man who, if he has the inclination and the price, can stand up to the bar and fill his hide so full of booze that he is transformed into an irresponsible, dangerous evil-smelling brute, but "personal liberty" is not for his patient, long-suffering wife who has to endure his blows and curses, nor for his children who though they escape his insane rage, are yet robbed of every known joy of childhood. "Personal liberty" is not for the sober, industrious citizen, who, from the proceeds of honest toil and orderly living has to pay, willing or not, the tax bills that pile up as the direct result of drunkenness, disorder and poverty, the items of which are written in the record of every police court and poor house in the land.

Every man is accountable to his God for his action here to-day. Step up to the young man in jail. What put you here? Booze. Step up to the young man on the scaffold, and ask him what put you here? Whiskey.

Gentlemen, in conclusion, I would say to you that for a man to rise socially or politically to-day he must get down and lift others up. Out of the depths is coming, as ever, the real glory. I am an optimist, I believe the world is getting better. Sixty years ago you could gamble on the street, whiskey was sold at ten cents a gallon at picnics, on the street, horse race gambling allowed and lotteries were left go unmolested. To-day they are barred. The saloon has got to go. But for the money invested in it, it would have gone long ago. We are a practical and conservative people. Sometimes it is true we dream with our heads in the air, but always to a realization that we must walk with our feet upon the earth. Sometimes the haunting spell of darkness is upon us, but in the end the night goes, the dawn comes, the cock crows, the ghost vanishes, we open our eyes and all the uneasy and terrifying vision disappears in the light that fills the east with the glowing promise of another morning. You men now have a chance to show your manhood. In the name of your pure mother,

in the name of your manhood, in the name of the innocent children who crawl upon your knees, in the name of all that is good and noble, smite the curse and stop the women from waiting longingly at home until the saloons cast out their stinking, blear-eyed husbands. I can excuse a man voting against this bill because I believe there are men here conscientious, who do not believe in it; but I can never excuse a man for getting up on the floor and advocating the good qualities for the damnable stuff on the grounds of personal liberty and as a whiskey mouth-piece.

I want to say to every man that stands upon this floor and argues for the liquor business that from the lips of every man, woman and child you will go down with condemnation and damnation. Vote your honest convictions. Vote in spite of the men in the whiskey business and what they tell you to do. Vote for what you think right, for the conscientious side of this business. I tell you that if you should want to be elected and come back to the House of Representatives, you will have to prove to the honorable, upright people of the State of Pennsylvania that you did not vote for the liquor business.

Mr. SPEISER. Mr. Speaker, and gentlemen of the House, in rising to reply to my friend from Allegheny, I do not want to be misunderstood by any person, that in rising to argue this question, that I hold a brief for any whiskey or other liquor interests. I want to assure my friend from the western part of the State that I, personally, am not an indulger. There was a time when I did indulge, but I saw the error of my way and corrected it. I trust those who have also seen the error of their ways have been able to correct that for themselves. I merely desire, Mr. Spaker, to argue this question from a practical legislative standpoint. We men are here representing a constituency. I do not know that we have the right to limit that constituency to our immediate districts. I dare say that as we sit here we are legislators for the entire citizenship of the entire State and, therefore, our constituency embraces the entire State. My friend from Allegheny in his zeal for what he considers a good cause, and for which I will not take issue with him at this time, has somewhat overstepped the bounds of legislative propriety. I think he called a great many of us out, because I intend to vote against this bill, and I will do it and assign such reasons that I think will bear merit at least for their seriousness and candor even in the mind of my friend from Allegheny. I have not a single fact or statistic as to the money invested in this business and the revenue derived from it. It does not make a particle of difference to me so far as agitating the question pro and con. It is a matter of principle, and does not involve a matter of dollars and cents as was so well set forth by our friend, Mr. McAllister, in a very able address to this House on a similar matter. I do not know that I desire to argue the ethics of the question, but I do desire to say that a man voting against this bill can vote without any direct or indirect influence on behalf of the liquor interests, and can overcome the dire prophecy as offered here to-night by the gentleman from Allegheny. I want to say to him frankly that in spite of the fact that I am going to vote against this bill, that I expect to be a candidate for re-election and I have reason to believe that I am coming back to my seat. I hope I am not wrong, and I believe that it is a true statement of the sentiments of my district and the citizens that live there.

I want to say further that this question does not involve either the Republican or the Democratic Party, and a man can be a good party man in his practice and belief without in any way voting in favor of this bill, and still recognize the duties that he owes to himself, his pure mother and wife and children and neighbors. The Republican Party and the Democratic Party have certain basic principles. They are of a political character. It would be useless for me to take up your tiem explaining them to you. We know that they do not embrace any such liquor as liquor. They never have and I hope they never will. just I do not want to see either of these great parties taken into their platforms anything that would have to do religion except the worship of the one supreme God. I occupy a rather serious and peculiar position with reference to this religious problem, and I hope that neither of the great political parties of this country will take up at any time as the basis for common strife, and so I hope that they won't do it with the liquor question. The Republican Party in its recent defeat cannot say that it was because they had misjudged what the people wanted so far as the liquor question was concerned. I take issue with my friend from Allegheny on that question as I would take issue with my colleague from Philadelphia if he should say the same thing. I trust Mr. Speaker, that I am not out of order in digressing for a moment in saying that the Republican Party might have been defeated not because its principles are wrong, not because we have not had our ear to the ground and listened to the wishes of the people, but because of the treason of certain so-called leaders, and the party was overthrown by that treason. As was said in this House, I believe that the great Republican Party and organization feels that it has purged itself of that leadership, and that it will be new born in spite of any action of this House, or any action that men as individuals may take so far as voting yea and nay on any bill. But to come back to the question,—the true proposition for this House is whether we will allow the people of the State of Pennsylvania to decide for themselves whether they shall be wet or dry in Pennsylvania. I am a firm believer in letting the people decide anything and everything that they want to decide, and which they show an inclination to decide. I am a firm believer that the people at large can be safely trusted to know what they want, and I believe I am safe in saying that possibly the millions of voters can act with just as good judgment and as accurately as we two hundred and seven men in this House. But in spite of my beliefs and your beliefs, I question, Sir, if there is any great demand at this time or whether there is such a clamor for a constitutional amendment on this question. The public does not appear to demand it, and my constituents do not say that they want, at least they have not told it to me, the public press does not demand it, and the members of this House with whom I come into daily contact have not told it to me. I do not feel aroused on this question as I did upon the question of the elections of United States Senators, or on the question as to whether or not woman, who is made in the image of God should not have the same prerogatives as man, and they are both political questions and should have been decided in the manner in which we did decide them. This is not such a question, and there is no such public clamor for it, an the best proof of that fact is the fact that there is a party within the domains of our State which has taken as its basic principle not the basic principles of the other parties, but its very bulwark is the question that we should eliminate liquor from the State of Pennsylvania. I refer to the Prohibition Party, of which party, I understand, my friend is not a member. I take no issue with him, and have no quarrel with him. But. if the people of Pennsylvania had any idea or any earnest desire or had made any earnest appeal to us to submit this quesion to them, they had a splendid opportunity to say so in the various campaigns since the origin of that party. The returns of the last election, I say to you, Mr. Speaker, do not show any such evidence as would justify us in passing this legislation that is now before the House, or may come before the House. As a matter of fact, it has not increased with the same ratio as the other political parties. Let us be consistent, don't let us be sentimental. I dare say that a great deal that my friend from Allegheny has said it true, and I dare say that there are a great number who imbibe freely to the curse of themselves and possibly by their relatives and the taxpayers at large, but, Mr. Speaker, it is equally true that every man who indulges in vice beyond his physical powers is practically the same, the man who gambles and the man who eats too much, because he suffers later with dispepsia which is, of course, to his own detriment, and a man that is not physically sound causes a detriment to the State and to himself. I want every man to decide that for himself. I do not plead yea or nay so far as the question is concerned. I have decided it for myself and I will teach that doctrine to my children, and I believe that I will get better results than if there was an act passed on our statute books that we should not allow either the manufacture or sale of liquor within the domains of Pennsylvania. I have not been shown by any man on this floor, andI dare say that I cannot be shown that in the various states where there is Prohibition that they have in any wise decreased the number of drunkards and jails, or the burden of the taxpayers. The man to whom we trust our bodies when we are in need of his assitances has never ap-

peared either in public or in print or otherwist to tell us that if we do not crush out this traffic it will be the downfall of our Republic. I have never yet seen agitated before this legislative body or any other body by a great number of physicians and surgeons who have taken upon themselves to say that we must crush out this liquor traffic. I say to you, Mr. Speaker and gentlemen of the House, that if you will think for a moment of the facts that I have uttered here to-night from a legislative standpoint, eliminating all sentimentand personal ideas, we can only come to the conclusion that there is not at this time such demand from the constituencies of Pennsylvania to give them a right in their de'iberate judgment to pass upon this question. I willadmit,Mr. Speaker and gentlemen of the House, and I must admit that if this bill is passed in the Legislature of 1913 and also if the Legislature of 1915 should pass it and if in turn the voters at large would pass it, it would interfere with the exercies of my religious prerogatives. I do not want any bill to be passed by this body which will interfere in any way with the religious rites of my race in any way. but I do not want the members of this House to misunderstand me, or to believe that I am here pleading for my race on account of this bill. We do not have any prohibitory clause against the use of liquor in our ceremonies, and twice a year it is necessary to properly carry out these ceremonies. I believe that is equally true of another great religious belief largely represented in this House. Therefore, you see, that if I would agree to the passage of this bill, I would not be acting in accordance with my conscience, in eliminating either the manufacture or sale of this commodity as that would prohibit us from getting it for a proper purpose for the worship of Almighty God according to the dictates of our conscience and belief. Let me reiterate, this is equally true of another faith. I think I have taken up much more time than is necessary, but I felt somewhat taken back by the earnest and zealous remark of my friend from Al'egheny. He is a fine fighter, but I think that he has been over-zealuos in representing his casue, because he has taken out of name a great many members of this House. I do not believe they are going to hold it against him, and I believe that he can go back to Allegheny safe in feeling that the constituents of the men who are voting against this measure have consciences just as broad, and liberal and safe so far as they are concerned as the gentleman who comes here to introduce this bill. I ask you gentlemen to vote nay in reference to this measure.

Mr. SNYDER. Mr. Speaker and Gentlemen of the House: Again we have a question before us which we are asked to refer to a vote of the people. I propose briefly to give three reasons why we should so refer it.

Two years ago, standing here and speaking on the local option bill, I recalled the time when the Republican party, smarting under defeat, assembled in Convention in this city to nominate candidates for Governor and other State offices and to adopt a platform that would win back the support of the people. A Democrat sat in the Gubernatorial Chair, in the person of Robert E. Pattison and the prospect for Republican success was very dark. Matthew Stanley Quay was State Treasurer and the leader of his party in the State. The people then, as now, were asking for relief from the evils of the liquor traffic. Mr. Quay used his influence, against determined opposition from George T. Oliver, Thomas V. Cooper, Christopher Magee and other party leaders, to put a prohibition plank in the party platform. I was present in that convention and saw the fight. It was a battle royal and long continued, and in the midst of tumult and uproar the convention recessed to give time for the Platform Committee to bury the political dead and report.

When again called to order the platform was reported and adopted. Quay won out. His plan was there just as he had offered it. Let me read it to you:

"Whereas, There is an evident desire on the part of a large number of intelligent and respectable citizens of Pennsylvania to amend the Constitution by inserting a clause prohibiting the manufacturing and sale of intoxicating drinks as a beverage within the limits of this Commonwealth, therefore,

Resolved That it is the opinion and judgment of this convention that the Legislature of the State should at once adopt measures providing for the submission of this question to a vote of the people, in accordance with the true spirit of our free institutions."

The pledge was faithfully kept. The entire State ticket, from James A. Beaver down, was triumphantly elected. Necessary legislation was promptly enacted, the people registered their will at the polls, and, while prohibition lost, the Republican party entered on a new era of success.

Matthew Stanley Quay at that time had his ear to the ground and proved himself a peerless leader and the original progressive.

Republican leaders—Progressive leaders—Democratic leaders—can I quote higher political authority to guide you? Are you wiser than your political forbear? He, even he, refused to put the welfare of the liquor interests above the welfare of his party and his State. Will you do less? So much for a political reason why the people should be allowed to vote on this question. Now let us look for another.

It is one of the strange things in our political economy that the sale of strong drink is tolerated at all. It is passing strange that the State aids and abets the baleful traffic. The drink habit is a relic of barbarism and one of the evil heritages that man has clung to, despite his better nature. It was not considered a menace to the rugged, hardy pioneer, used to toil and exposure. But things are different now. We are living the strenuous life. Research and practical experience have demonstrated conclusively that alcohol is a "Great Destroyer" and the Nation's greatest enemy. It enervates the race, destroying the efficiency of those using it and their innocent offspring. Thus, when the State, as never before, requires 100 per cent. efficiency of its men and women, it stands appalled at results shown by proven statistics. Alcohol is also responsible for heavy taxation to provide the millions necessary to build and maintain the enlarged and ever enlarging hospitals and almshouses, courts of justice and jails, reformatories and penitentiaries to care for its victims. We cannot build water works, school houses, parks or playgrounds without a referendum vote and these improvement are for the uplift and betterment of social conditions. They why should we refuse the mighty request for a referendum on a proposition that costs us so much, affects our welfare and our very life?

This House has passed resolutions allowing the people to vote directly for United States Senators and Woman Suffrage and soon will vote for a referendum on a $50.000.000 bond issue for public roads, and we do well. This question is even more important than those and should receive the same consideration.

Now let us pass to the third reason:

"Protect wild life" is a cry that has came to us from all over the State and we are busy amending the game laws. "Outlaw the pot-hunter, encourage true sportmansship" and again we respond and when we have done these things not a turtle dove will fall to the ground without our care. But listen—shall possibly 104 Representatives throw the protection of the law around the wild life of the State and then refuse hundreds of thousands of men, just as intelligent as we, the privilege of voting to decide whether "the great destroyer" shall be outlawed, human life protected and immortal souls saved? All the wild life that ever roamed our forests and plains and all the song birds that ever gladdened the earth will weigh as naught in the balance against one single human life. Again I ask, why should we refuse the people the right to vote on this question? Your vote for this resolution does not commit you to vote for prohibition at the polls, it only commits us to the policy so very popular in Pennsylvania just now and all over the Union, of allowing the people to rule.

Finally, Mr. Speaker and Gentlemen of the House, how are we to be arrayed on this question? On one side we have the monied interests of men manufacturing and selling strong drink—necessarily selfish interests. On the other side we have the home, the church and temperance organizations laboring without fee or reward for the welfare of our fellowmen. Our votes here to-night do not decide the momentous issue but our votes here relieve us of or fasten upon us a terrible responsibility. Are any of you in doubt? Then, in God's name, I appeal to you—give the home, the church, the weak man struggling against a terrible appetite, the young man just taking his first glass, the boy receiving his first impressions, unconscious of the great evil—give these the benefit of that doubt. Let us pass this resolution and let the people decide.

Mr. RUNK. Mr. Speaker, and Gentlemen of the House, it is not my purpose to discuss this bill but I want to call attention to this House that there have been now introduced here, seventeen liquor bills and I don't know how many have been introduced in the Senate. I know,

also, that there have been seventeen Game bills introduced in this House and sixteen more are to follow. It seems to me that the members of this House have concluded to get full on game and whiskey and it strikes me that the time has come when we should cut down these whiskey and game bills and get down to business and pass some of the reform measures that we are supposed to be here to pass. We have already passed on seventeen bills and there are more to follow and this is just one of a form that we had a few weeks ago when we voted on local option. The House organized on the sixth of February. We have voted on one hundred and twenty-three items or bills, devoted about ninety hours or probably a little more,—a hundred and thirty hours, and we have now a total of twelve hundred and twenty-two bills on the Calendar and twelve hundred and fifty-seven have been introduced. We will perhaps be able to pass these bills while over in the Senate they have passed a great many more. If we keep up at the same ratio of passing bills, we will be here ninety weeks longer. It has been said that the Senate has been in session only twenty-four hours in these nine weeks. Gentlemen, the Senate has passed one hundred and twenty-two bills in that length of time or five and a half bills every hour. Of course, they can pass bills faster because they haven't as many members as we have, while we have two hundred and seven. It strikes me in that way and I am wondering whether we are going to better things or whether we are doing better, but I wish to refer directly to the subject. According to the statistics of the United States, from July to February, the nation has consumed 94,000,000 gallons of whiskey, an increase of 5,000,000 gallons over the corresponding period the previous year; 8,500,000,000 cigaretts, an increase of 250,000,000 and 250,000,000 pounds of smoking and chewing tobacco, an increase of 12,000,000 pounds. These are record-breaking figures.

In addition, drinkers of beer are resuming their stride. During the fiscal year 1912 the consumption of beer fell off materially but for the first seven months of the current fiscal year the people of the United States have drunk 38,864,000 barrels, an increase of 1,850,000 barrels over last year.

I neither drink, smoke or chew but it strikes me that we are growing worse and I am not going to say how I am going to vote on this question to-night but I am trying to think that we are starting a little too early. There is millions and millions of dollars invested in the business and you cannot turn them out of their business at once. When I gave permission to have my name printed on the ballot a minister came to me and said "I will vote for you if you will vote for prohibition." I said, "You are not a temperance man" as he came to me and told me this with a cigar in his mouth and he was smoking a cigar. This is personal liberty. It is all right. The man may drink a glass of beer and he has the privilege of doing that. In my judgment the time has not come when we can whip the liquor interests of Pennsylvania and it is not the time to start out. When we give the women a chance to vote, you will get it.

Mr. SWIFT. Mr. Speaker.

The SPEAKER. The gentleman from Beaver, Mr. Swift.

Mr. SWIFT. Mr. Speaker, I desire to place myself right on this question and also to place the Anti-Saloon League right on it. I wish to read an extract from the report of the State Superintendent which was made sometime ago before the annual meeting held in this city, and I also wish to read an extract from a resolution unanimously adopted by the State Board of Trustees of the Pennsylvania Anti-Saloon League at their annual meeting, Tuesday, February 25th, 1913.

EXTRACTS FROM ANNUAL REPORT OF THE STATE SUPERINTENDENT of the PENNSYLVANIA ANTI-SALOON LEAGUE AND THE HEADQUARTERS COMMITTEE, PRESENTED TO THE STATE BOARD OF TRUSTEES, FEBRUARY 25, 1913.

"There is no conflict between any of our bills and the state-wide prohibitory amendment. There is absolutely no conflict between our local option bill and this amendment. Our bill, if it is passed, will become a law and go into effect at once. The state-wide prohibitory amendment cannot possibly go into effect until the last part of 1915, or early in 1916. We are certain that the Prohibitory Amendment would fail if it were to be voted on this year. But the prohibition sentiment is growing rapidly, and no man can tell what it may be in 1915. Therefore, while we would not take the initiative in submitting the amendment now, we will ask all our friends in the Legislature to support it when it comes before that body for action."

RESOLUTION UNANIMOUSLY ADOPTED BY THE STATE BOARD OF TRUSTEES OF THE PENNSYLVANIA ANTI-SALOON LEAGUE, AT THEIR ANNUAL MEETING, TUESDAY, FEBRUARY 25th, 1913.

Resolved, That it is the aim and the permanent policy of the Anti-Saloon League to resist the liquor traffic in any unit of government, from the smallest to the largest, according to the conditions obtaining in our State; and that the bill introduced, and now pending in the Legislature prohibiting the liquor traffic by constitutional amendment, for the entire State by submitting the question to the people has our hearty endorsement and undivided support.

Mr. Speaker and Gentlemen of the House, I would not be true to myself and my conscience and my God, if I did not at this time declare before this House that I stand in favor of submitting this measure to the people. I stand for it first, and I don't see how it is possible for those who have professed progressivism in this House to say nay to it. One of the great parties of this Commonwealth is pledged to the referendum, not on questions that it may choose, for that was not specified in the platform, but upon all questions which were of interest and touched the interests of the people. Another party which made itself felt and heard in this Commonwealth long since has pledged itself to the referendum. It has said in its platform and it has said in its vote and at the ballot that it believes in referring to the people questions that are of vital interest and asking the people to express themselves upon it whatever it may be. It seems to me to be a strange thing that some of us will submit all questions except this question which is vital to the life, to the prepetuity and to the development of each individual of every State and of every nation.

Mr. Speaker, we are interested to-night with a question that has touched vitally the life of every nation; that has gone before us and has touched the life of those nations to the effect that it laid them low, those engaged in it so mercilessly and so wondrously to their death, and it is a recorded fact by the hand of the historian that a nations who live to-day only in history have gone to their death because of alcoholism. I am here this evening, Sir to speak in behalf of my people; in behalf of the nation that I love. I am here to speak in the interest of the Anglo-Saxon Race, the like of which has never existed on the face of the earth. I am here to say that this race—Anglo-Saxon—as it has arisen has withstood the evils that it has inherited and has dropped them off one by one. I havn't time to go back into years gone by to bring before you the era of weaknesses that this race struck from itself. All of the greater evils that it inherited are things of the past. We are facing and dealing with another weakness that it inherited. The weakness of the desire for stimulant, the habit of imbibing alcoholic drinks. What is that doing with our race, let me ask? What will it do for our race, if it continues? Have you read the magnificent and matchless declaration of Mr. Hobson? I wish I had time, my friends, to quote many things from it. He has proven clearly and conclusively that this terrible curse has been the curse of the races. More men have fallen under this terrible curse than have fallen in all the wars and pestilence of human history. It has brought to an end individuals and nations. I nearly said that it is worse than death itself and the question before us to-night, my dear friends, is not the question simply of personal liberty, whether I shall enjoy my rights or not or whether I shall do this or that but the question is, how do I stand for the development and perpetuity and the maintenance of my own people and my nation?

I will say to you that as this brother said across the aisle here, if this curse is increasing, if the sale of intoxicants is increasing and if men are increasing who are imbibing it, Sir has not the time come when every man and every woman, every loyal American citizen and every Anglo-Saxon shall raise or be permitted to raise his voice against it. Shall we in this Legislative Hall, to-night, stifle the wish and the desire of the people? Or shall we be true to the pledges that we as parties have made to the people and permit them to make a declaration in reference to it? There is some facts that I wish I had time to present. I would like to say something in reference to the amount of money invested and the amount paid into the treasury by these interests. It was in the neighborhood of one million eight hundred and twenty-five thousand dollars. That seems to be a large sum but what did it cost this State to take care of the result of that tax? Ask all of those of you who are interested in that question and I have in my hands to-night this statement which can be verified, that it has cost this State three million five hundred and ninety-three thou-

sand and eight dollars for which there is paid into the treasury by this interest, one million eight hundred and twenty-five thousand, eight hundred and eighty-seven dollars. The people pay by direct tax in order to maintain this business for which our people who are here to-night had to go down into their pockets to have paid was a matter of one million seven hundred and sixty-seven thousand dollars to take care of this interest that has such a large investment. In other words, in order to make it possible for the liquor business to pay a dividend to those who are interested in it, the State had to give all this money in order to make the dividend possible to the men who are in this business. Not a man on this floor to-night would think for a minute of applying for the continuance of a business that presented such figures to him. We might come a little nearer home. Here are some statistics that can be verified and that have been verified in Faytte County.

In Fayette County, the liquor interests cost the county last year $148,102.40, and these figures were not gathered by partisians. They were gathered, my friends, from the right source—the Court House, I presume, in Fayette County. You can all get them—$148,102.40. They paid into the Treasury of Fayette County $1680; the tax payers of Fayette County had to pay $146,522.40 to make possible the perpetuation of this business.

In my own county last year, Beaver, it cost us $32,000 to take care of the trials and the insane and the needy. The business paid into our treasury $1600. We are short $30,400. I say to you that in every county in this State where this business is conducted as it now is, the figures will hold true in every instance. The gentleman from Philadelphia said that there are no authentic statistics which we could bring here which would establish the fact that where the State was dry the use of liquors is not the same as where it was wet. Listen to me a moment. Crime in Fayette County,—twenty-seven murders last year. Upon investigation it was found that from fifteen to eighteen of these were caused by liquor. Some of them occurred at christenings and weddings. There are twelve murder cases for March court, 1913. There are sixteen murder cases in all now waiting to be disposed of, 1431 prisoners. Ninety-five per cent. of the men in jail this year were there because of drink, say the proper authorities, and I might read you all the arrests in Uniontown. I would like to compare these figures with a statement here made in reference to a border county that is dry. "Eighty-three prisoners confined in the Greene County jail in the year 1912, none of whom was accused of murder. At the present time our jail is empty, a dry county with an empty jail, and across the way a wet county with 1431 in prison and in jail. We have had thirteen prisoners for murder and twelve for minor offenses. The board bill at fifty cents per day amounts to $93." My friends, there you have the contrast in a dry county and in a wet. I ask you, from an economic standpoint, from a standpoint of money only, can this State stand the pressure much longer?

Gentlemen of this House, will we as intelligent men, will we as men to whom is committed the financial and moral interests of this State, will we in the presence of these facts refuse to allow the people to express themselves upon this vital question. I know, sir, that this question will take some time in this House and some time probably in the weeks that are to be, but I tell you there is no question that means more to your homes, to your towns, to our Commonwealth than this question. I repeat again, if we wish to continue to develop, to gratify, to satisfy appetite, we shall decide for our future race if it shall be a race of weaklings, so long as it exists, and its existence cannot be long, for as other nations in the past have gone down because of it, so must we, unless we begin to register our voices and our thoughts against the continuation of this business. I am here then, sir, to raise my voice in favor of submitting this question, because of its relation to the economical condition of the State, because of its relation to the moral and the political conditions of the State, because of our obligations to ourselves, because of our obligations to our families, because of our obligations to the name that we have inherited, and that we shall be compelled to hand down to posterity. In the name of God, let us see to it that the name we bear continues to be as unsullied and unmarred as our fathers and mothers have given it to us, and they hold us responsible; we are responsible in giving it to other nations. When the question comes between personal liberty and the protection of the coming race and the coming ages, I say, in the name of God, let us sacrifice something of personal liberty and personal privilege. For the good of those that are to follow us, I call upon every member of this House, I call upon every man that has the spirit of love and of truth and of loyalty to stand by this question, and when your name is called, I call you to the bar of your conscience and to the bar of God to answer as you will be called to answer in the great day when we stand before the Judge of all men.

Mr. R. J. BALDWIN. Mr. Speaker and Gentlemen of the House, I approve of all that my friend from Beaver County says. I know and every man in this House knows the evils of intemperance, but evils were never cured by declamation. It is a practical proposition to be approached with sense and judgment and guided by experience. Now, I hope you believe me when I say that I would be the last man to rise and speak in defense of intemperance, but I would. I have children of my own and I know what drunkenness stands for. I could paint a picture, too. I could tell you one like the story of "Ten Nights in a Bar-room", or that other story of the "Picture on the Bar-room Floor," that touches the tenderest chords of the human heart. I know the story and I have seen the evil, but I have always tried to approach that question with reason, looking back and taking present conditions and out of that try to arrive at a logical conclusion as to what is the best way to remedy this evil.

I would just like to interrogate the gentleman who introduced this bill and ask him one question.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEELE. Yes, sir, Mr. Speaker.

Mr. R. J. BALDWIN. I would like to ask him whether he has investigated this proposition, what the effect of similar laws to these have been in the United States.

Mr. STEELE. I can answer that question by stating to the House, that Governor Stubbs, of Kansas, in an address in January of this year—

Mr. R. J. BALDWIN. I did not mean to ask the gentleman to make a speech.

Mr. STEELE. I will just answer your question, if I may. Governor Stubbs said that in Kansas, where they have 1,680,000 people, even with the Webb bill just passed over Taft's veto, that in 105 counties in Kansas, there were thirty-seven counties last year that did not have one criminal case on record; there were twenty-four counties in Kansas which did not have a pauper or a poorhouse, and there were thirty-four counties which did not have one prisoner behind the bars.

Mr. R. J. BALDWIN. Mr. Speaker and Gentlemen of the House, my purpose in asking that question was to tell you that if we could only agree upon our authorities, we could probably know exactly how to vote upon this question. I fully realize that the statistics compounded by those who are unfavorable to local option and prohibitory laws are in contradiction mostly with those figures as presented and other statements of the time occasionally when the man who has been championing a cause for years has reason to come forward and show that it is a failure. That has occurred in this particular case. Now, I could go on arguing this proposition from a logical standpoint, reciting instances, and call your attention to conditions in the history of the last two or three hundred years, but the first question that comes up in my mind is, what are the conditions of a people where alcoholic stimulants are not used? The first question that comes to my mind, if there be such a people, where are they? And how do they stand compared with these peoples who use alcoholic beverages temperately? If they are on the map, where are they, and what are their conditions Are they new countries? And again the answer comes back that they did not have time in their life to prove a good illustration. Yes, the answer comes back. What is the answer? Every man here knows that those who are the followers of the Mohamamedan faith never touch alcoholic stimulants. Where do I find them? In Turkey, In Asia and in Europe. Take these people and compare them with the peoples of the world that use alcohilic beverages and where do they stand in the race of government or in progress or for all that goes to make civilized society worth having or living in? That is true; I say that. I don't have to come here and tell you it is a theory. Have there been any states in this

Union that have tried this? Why, yes, all the New England States. Fifty years in Vermont they had the probibitory law and the people repealed it. Last year they voted in Maine. If the bootleggers and the illicit distillers that the national reports show were captured, if these reports are correct, there were something like twenty-five hundred illicit stills captured in the State of Maine. Where was the liquor sold?

Now I well understand and well know that many members of this House will differ with me and feel that I am mistaken on this proposition of the question of prohibition or local option or prohibitory laws being the best way to deal with these evils and yet every man knows that if you have on the statute books a law so drastic that it is very frequently violated that you will not correct the evil by making a more drastic law. You increase the evil, and the proposed proposition to-night is one of the most drastic propositions that a legislative body has to deal with. I contend, and it can be borne out by anybody who has traveled, that there is a larger per cent. of temperance people, that there is less drunkenness in the State of Pennsylvania, taking the number of people into consideration, than in any State in the Union. I can travel up and down the streets of Philadelphia and see one hundred thousand people on the streets and not one intoxicated man or woman or even under the influence of liquor. I have traveled from one end of the State to the other, and I have traveled from Ocean to Ocean and from Lakes to Gulf, and I found a vast amount of what is called dry territory. The truth is, it is the reverse, I stand for dry territory, because where they have these drastic laws it invariably results in wet territory. Now that is a statement that you may call upon me to make good and I will make it good out of the very mouths of the great leaders of these very movements; and I am not under oath, but they were testifying before the United States Congress, and their word ought to have been as sacred as under oath. I am not going to take much time but I want to read some of these authorities to you, the testimony of some of the greatest temperance leaders in this government of ours. Why should not there be a great doubt in the minds of the people as to whether it is wise legislation. Why should there be when you hear this testimony given in Washington? I will tell you each time who is the author of what I read.

The first is a statement made by Rev. Doctor Baker, General Superintendent of the Anti-Saloon League of America, testifying in Washington, as follows:

"It matters not whether it is a prohibition state or a state in which there is local option territory, the laws are being broken down. We have now in this Country twenty-six—a little over twenty-six million people who are living in territory from which the saloon has been legally excluded by the action of the legislature of the State or by the vote of the people in the community and yet there is not one foot of that territory in which the laws can be absolutely enforced, for the very reason that no matter how stringent the state laws may be, or how insistant the officials may be for the enforcement of the law, it is practically impossible to do it."

Who said that? Rev. Doctor Baker, giving testimony before the United States Congress; and he is the General Superintendent of the Anti-Saloon League of America. Now that is what one man says and he might be mistaken. I know that.

Here is the statement of Mr. Jonathan K. Taylor, representing the Society of Friends, in Baltimore, Md.:

"Why, Mr. Chairman, we have built dikes around the State, we have done everything that state laws can do to keep the liquor from coming in as Holland has built her dikes to keep the water from coming in. We have built these dikes but the laws of the United States are filling them full of holes and with all we can do we are perfectly helpless."

Now that is only two men.

The next is the statement of Mr. H. B. Carre, President of the Tennessee Anti-Saloon League, Nashville, Tenn. Tennessee is a state-wide prohibition state. Here is the information he gave Congress:

"That brings on the condition which I desire, in a measure, to indicate to you. I feel sure it will be a rather startling proposition. We have for example in Knoxville, anywhere from 25 to 50 Federal Licensed open saloons. We have in Chattanooga anywhere from 50 to 100. We had in the City of Nashville until a few months ago over 400 federal licensed open saloons, the same saloons that operated before the law went into effect, and operating exactly in the same way, and in the City of Memphis we have anywhere from 500 to 800 Federal licenses."

Who has a right to say that he belongs to the drys? The man that stands for prohibition that produces these conditions, or the men that stand for the law of Pennsylvania, which is on the statute books? Who is voting wet and who is voting dry? Who is voting for temperance and who is voting for intemperance? Do you know that Nashville in 1880 had a population of only 132,000? Do you know that upon the same ratio that the city of Philadelphia would have 8,800 open saloons? Who is voting for wet and who is voting for dry when the roll is called?

Now that is only three men. Remember who the authority is. It is not me. It is not the liquor side of the question, as they put it. They put those who oppose this proposition as being in league with the liquor interests. I have not the slightest connection with any liquor men or with any liquor interest in the world. I do not think it is fair to stand on the floor of the House and say that because I differ on a proposation of legislation that calls for sound judgment and wisdom that I and the men who agree with me should be characterized as men who stand for something that we do not stand for. We can tell what we stand for. It is not up to the opponents who disagree with us to state our position.

Now I will give you the statement of the Rev. J. L. Harley, Superintendent of the South Carolina Anti-Saloon League, Spartansburg, S. C.:

"Our difficulty is in enforcing the laws. They passed very drastic laws. We have gone on and the last legislature has even passed a law giving Rural Policeman to the different counties where they ask for it. But our difficulty is simply this: The mail order houses flood our State. Minors receive their circulars, minister's sons receive their circulars and they are offering all sorts of inducements if you will buy "our liquors." Our express offices are simply places for the mail order houses to unload.

So the question has arisen. I have letters in my grip from men in South Carolina, saying something like this: "What shall we do?" Some of the best men in South Carolina have become disheartened and discouraged over the situation. The liquor is coming in; it is being sold, and I notice, only yesterday in one of our leading daily papers an article headed "Come Back, Oh, Dispensary."

Now these are facts stated to members of the United States Congress by the Rev. J. L. Harley, Superintendent of the South Carolina Anti-Saloon League, Spartansburg, S. C. He ought to know, but maybe he is mistaken. Maybe they are all mistaken. Let us go farther and see what some others say, and they all come from the other side of the House.

The next is the statement of Lawrence Maxwell, Jr., of Cincinnati, Ohio. They asked him a question as to how he could get certain information. He said:

"That could not be ascertained. You might ascertain what liquor was transported into the States that have regulating laws, but how much of that, if any, was used illegally or transported for the purpose of being used illegally, of course, could not be ascertained. I am told that i nthe Internal Revenue Department the greatest violation of the Internal Revenue Laws with respect to the manufacture of distilled spirits occurs in the States where prohibitory laws are in force, and those statistics the committee can easily get from the Commissioner of Internal Revenue. I understand that the work of the Department of Justice, in punishing violations of the Internal Revenue Laws is largely in States where the traffic in intoxicating liquors is wholly prohibited."

Here is the statement of Rev. E. J. Moore, of St. Louis, Mo., Superintendent of the Anti-Saloon League of Missouri.

"Our people in the Northern part of the State are continually troubled in the enforcement of their law by the liquor that is shipped in from Illinois town. On the Western Boundary line the Kansas line into dry counties the St. Louis Liquor dealers have established and are establishing warehouses near the State line where orders are taken and liquors are shipped across the line into Kansas. Consequently, our people face the two propositions; one that they cannot enforce their own laws; and the other the fact that a man in Missouri is able to do in Kansas what a man living in Kansas cannot do."

Mr. Moon, a member of Congress, while this testimony was being taken, made this statement in answer to a proposition put up to him as to the condition in Maine:

" I have gone right to the Station there and I have seen beer drunk as openly as in Washington; I do not drink it myself and I do not visit these places, but I am told they are just as open bold and flagrant there as they are here."

The next is a statement of Rev. T. M. Hare, of Charleston, W. Va., Superintendent of the Anti-Saloon League of West Virginia:

"West Virginia is in the throes of a Prohibition struggle. The principal argument we have to meet is that you cannot enforce the laws; that is you vote the liquor out of Pennsylvania it will simply turn the thing over to Baltimore, Pittsburgh, Cincinnati and Philadelphia; that we will have the whiskey and they will have the profit. That confronts us everywhere."

Further on Mr. W. P. Shaw, of Weldon, N. C., says:

"This constitutes an endless chain that is burdensome and expensive. Already the dry is being heard that we are making more criminals by this law than the open saloons did. As a Christian community, we do not care for the prosecution of criminals; we prefer to take away the temptation under which they fall.

Now I wish to call your attention to this extraordinary condition. In North Carolina we claim the active and conscientious support of all the Congressmen, all the Senators, all the judges including two federal judges one of whom is a conspicuous advocate of temperance all the government officials and the legislature, and yet I confess to you that under present conditions North Carolina is unable to control the sale of liquor."

Now I hear the members near me saying, "Stop, you have taken long enough." I want to impress you with this fact. There is a doubt whether we have not got a better law in my mind, but there is possibly in the minds of some a different thought; but don't allow them to influence you with these details of the piteous conditions as the result of intemperance in a way that would lead you to believe that voting against this proposition is aggravating and increasing such conditions. But I hope you can see this proposition as I see it, as all experience shows, that it is a step in the wrong direction, no matter how honestly or conscientiously a man may differ with me.

I want to make one other statement. My friends say we should obey the voice of the people.

Yes, I will go a step further and will obey their mandate and if you will read the constitution it says that before a proposition is submitted to the people of this State we must have from two legislatures their honest conscientious convictions on this proposition. You are here tonight to express your conscientious conviction on this proposition. That is the mandate of the constitutional law of this State. That duty has been thrust upon you and you should consider it personally, and then if you agree and it goes back to the people, no doubt the advocates will say the great legislature of Pennsylvania in its wisdom voted in its best judgment and says that this proposition is doubtful and leaves it to you to settle. They want to know whether that is what you think. You must express your own opinion, and the man that votes tonight is voting to express his own opinion and not their's. Yes, I will obey their voice and I will obey their mandate.

Mr. ALLEN. Mr. Speaker, I move you the previous question.

The motion was seconded by Messrs. Kitts, Humes, Charles A. Shaffer, Kern, William F. Blair, Eichenberger, O'Neill, Wiltbank, McArdle, Brownlee, Harry H. Irwin, Runk, Kaufman, Bleloch, Peachey, McAlister, Shuck, Spangler, Bass, Fahey, Walton and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

The yeas and nays were required by Mr. Steele and Mr. Rockwell.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—90.

Adams,	Glenn,	Lowers,	Schuck,
Ambler,	Grabe,	Martin,	Scott, S. B.,
Baldwin, G. A.,	Gramley,	Mather,	Semmens,
Barner,	Gray, Frank,	Matt,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Bergey,	Heidinger,	Mechling,	Showalter,
Bittles,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Herman,	Mitchell,	Snavely,
Blair, W. F.,	Hoffman,	Moses,	Snyder,
Bleloch,	Howard, R.,	Moulthrop,	Steele,
Brosius,	Humes,	Musser,	Stone,
Brownlee,	Irwin, G. C.,	Neel,	Swartz,
Burnett,	Jackson,	North,	Swift,
Campbell, C.M.,	Jones, E. E.,	Peachey,	Ulerich,
Carson,	Jones, J. R.,	Pennegar,	Walnut,
Cheeseman,	Kennedy,	Pennock,	Walsh,
Claycomb,	Kuhn, H. P.,	Perry, H. L.,	Watson,
Currier,	Latshaw,	Post,	Whitaker,
DeFrees,	Lenker,	Redfield,	Whitman,
Donnally,	Leslie,	Rhoads,	Williams,
Down,	Light,	Robinson,	Wilson, J. H.,
Dunn, H. B.,	Lohr,	Rockwell,	Zimmerman,
Gibson,			Alter,
			Speaker.

NAYS—108.

Allen,	Ewing,	Kuhns, E.G.M.,	Reese,
Alworth,	Fahey,	Lanius,	Reeser,
Arthur,	Flynn,	Letzkus,	Rex,
Baldwin, R. J.,	Foster, J. D.,	Malle,	Richards,
Bass,	Frey,	Mannion,	Roney,
Bayle,	Gans,	McAleer,	Rothenberger,
Becker,	Geary,	McAllister,	Runk,
Benninger,	Geiser,	McArdle,	Sassaman,
Berntheizel,	Good,	McCaig,	Schaeffer, A. C
Body,	Hackett,	McClintock,	Scott, J. R. K.,
Brown,	Hagerty,	McDermott,	Shern,
Caldwell,	Hess,	McNichol,	Sherwood,
Campbell, J.J.	Hoyburn,	Miller,	Smith, J. W.,
Carter,	Hibshman,	Missimer,	Spangler,
Cleary,	Hobbs,	Moore,	Speiser,
Cochran,	Howard, J.,	Morrow,	Spillinger,
Collins,	Isler,	Murphy,	Steedle,
Conner,	Irwin, H. H.,	Neely,	Stein,
Connift,	Kaiser,	Newbaker,	Strauss,
Conrade,	Kaufman,	Newton,	Thomas,
Cox,	Keegan,	O'Neill,	Trach,
Curry,	Keeport,	Perry, S. J.,	Ulman,
Davis,	Kenna,	Peters,	Walton,
Dickinson,	Kern,	Piper,	Wettach,
Donahoe,	Kitts,	Price,	Wilson, W. H.,
Ehrhardt,	Klepper,	Ramsey,	Wiltbank,
Eichenberger,			Young, G. K.
			Young, J. H.,

So the question was determined in the negative and bill was not agreed to.

Mr. MITCHELL. Mr. Speaker I vote aye, but this vot is not necessarily a vote for Prohibition; we are not voting on Prohibition tonight, and the people of this State will not vote on this question unless and until this present Session and that of 1915 permit the whole people to settle the question for themselves in November of 1915. I believe we have no more right to deny the people of this whole State a referendum vote on this question, than we have to deny them a vote on direct election of United States Senators, or the several other questions we have undertaken to refer to them. The moral or economic phases of the question are not the issue this evening; the only question before the House this evening is the one of simple justice and natural right.

Mr. RUNK. Mr. Speaker, I voted against House Mill No. 232, because I believe such law would be confiscatory, unless the people, who have been licensed to carry on a business are reimbursed for their property so confiscated. I do not believe that the temperance sentiment in Pennsylvania is now sufficiently crystalized to make a successful stand against an evil which I hope in due time will be eradicated from the entire United States. I neither drink intoxicants, nor smoke or chew tobacco, and my action in this matter is purely in accord with the belief that a test of strength at this time would be detrimental to the cause of temperance.

Mr. SCHUCK. Mr. Speaker. Realizing that in the past seven years I have been a candidate for Assembly from Westmoreland County with more or less success, I have had the consistent support of many persons who disagreed with my opposition vote to the local option form of regulation of the liquor traffic on the grounds that it was not a moral solution of the question, but only a make-shift as a regulation, I now cast my vote for the Steele Bill providing for a general expression of opinion and decision upon a State Constitutional Amendment covering the matter since the National Government has shown a substantial disposition to assist the States in this form of regulation.

Mr. JOHN R. K. SCOTT asked and obtained leave to file reasons for vote.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 655, as follows:

An Act defining vocational educational providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

1 "Vocational Education" shall mean any education the controlling purpose of which is to fit for profitable employment

2 "Industrial education" shall mean that form of vocational education which fits for the trades crafts and manufacturing pursuits including the occupation of girls and women carried on in workshops

3 "Agricultural education" shall mean that form of education which fits for the occupations connected with the tillage of the soil the care of domestic animals forestry and other wage-earning or productive work on the farm

4 "Household arts education" shall mean that form of vocational education which fits for occupations connected with the household

5 "Industrial agricultural or household arts school or department" or "vocational school or department" shall mean a distinctive organization of courses pupils teachers and management approved by the State Board of Education designed to give either industrial agricultural or household arts education as herein defined

6 "Evening class" in an industrial agricultural school or department shall mean a class giving such training as can be taken by persons already employed during the working day and which in order to be called vocational must in its instructions deal with the subject-matter of the day employment and be so carried on as to relate to the day employment

7 "Evening class" in a household arts school or department shall mean a class giving training in home-making to girls or women over fourteen years of age however they may be employed or engaged during the day

8 "Part time or continuation class" in an additional agricultural or household arts school or department shall mean a vocational class for persons giving a part of their working time to profitable employment and receiving in the part-time school or department instruction complementary to the practical work carried on in such employment To give "a part of their working time" such persons must give part of each day week or longer period to such part-time class during the period in which it is in session

9 "Household arts school or department" shall mean a vocational school designed to develop on a vocational basis the capacity for household work such as cooking household service and other occupations in the household

State Administration and Supervision

Section 2 1 The State Board of Education is hereby authorized and directed to investigate and to aid in the introduction of industrial agricultural and household arts education initiate and superintend the establishment and maintenance of schools and departments for the aforesaid forms of education and to supervise and approve such schools or departments as hereinafter provided The State Board of Education shall make a report annually to the Governor and Legislature describing the condition and progress of industrial agricultural and household arts education during the year and making such recommendations as the board may deem advisable

2 The State Superintendent of Public Instruction shall be the executive officer of the State Board of Education for the administration of this act He shall as provided in Article ten section one thousand and nine of the School Laws of Pennsylvania of one thousand nine hundred and eleven An Act to establish a public scool system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith appoint from time to time such expert assistants as may be necessary in industrial household arts or agricultural education and all clerical and other help necessary in carrying out the provisions of this act

Types of School

Section 3. In order that instruction in the principles and the practice of arts may go on together industrial, agricultural and household arts schools or departments may offer instruction in day part-time and evening classes Attendance upon such day evening or part-time classes shall be restricted to those over fourteen

Local Administration and Control

Section 4 Any school district may through its board of school directors establish and maintain industrial agricultural and household arts schools or departments

Section 5 Two or more districts may as provided in Article eighteen Sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the School Laws of Pennsylvania of one thousand nine hundred and eleven entitled an act to establish a publis school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith through a joint committee establish and maintain industrial agriultural or household arts schools or departments to be known as joint vocational schools or departments

Section 6 Local boards and joint boards of trustees for vocational education administering to approved industrial agricultural or household arts schools or departments may under a plan to be proved by the State Board of Education appoint an advisory committee composed of members representing local trades industries and occupations It shall be the duty of such a committee to counsel with and advise the local or joint board of trustees and other school officials having the management and supervision of such schools.

Non-Resident Pupils

Section 7. 1. Any resident of any school district in Pennsylvania which does not maintain an approved industrial agricultural or household arts school or department offering the type of training which he desires may make application to the school board of any other district for admission to such school or department maintained by said board In case said board refuses him admission he may apply to the State Board of Education for admission to such school or department The State Board of Education whose decision shall be final may approve or disapprove such application In making such decision the State Board of Education shall take into consideration the apportunities for free vocational training in the community in which the applicant resides the financial status of the community the age sex preparation aptitude and previous record of the applicant and all other revelant circumstances.

2. The school district in which the person resides who has been admitted as above provided to an approved industrial agricultural or household arts school or department maintained by another school district shall pay a tuition fee determined after the same manner provided for the high schools in Article seventeen Section one thousand seven hundred and eleven of the School Laws of Pennsylvania for one thousand nine hundred and eleven entitled an act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general social or local or any parts thereof that are or may be inconsistent therewith and the Commowealth shall reimburse such school districts as provided for in this act If any school district neglects or refuses to pay for such tuition it shall be liable therefor in an action of contract to the school district or school districts maintaining the school which the pupil with the approval of the board attended.

Reimbursement

Section 8 Industrial agricultural and household arts schools or departments shall so long as they are approved by the State Board of Education as to organization control location equipment courses of study qualifications of teachers methods of instructions conditions of admission employment of pupils and expenditures of money constitute approved local or joint vocational schools School districts maintaining such approved local or joint vocational schools or departments shall receive reimbursement as herein after provided

Section 9 1 The Commonwealth in order to aid in the maintenance of approved local or joint industrial household arts and agricultural schools or departments shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining such schools or departments an amount equal to two-thirds the sum which has been expended during the previous school year by such a school district or districts for instruction in practical subjects and in such related technical and academic subjects as may be necessary to complete well rounded courses of training Provided no one school district shall receive more than five thousand dollars in any one school year

2 School districts that have paid claims for tuition in approved local or joint vocational schools or departments shall be reimbursed by the Commonwealth as provided in this act to the extent of one-half the sum expended by such school districts in payment of such claims

Section 10 On or before the first Wednesday of January of any year in which the regular sessions of the Legislature is held the State Board of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining approved vocational schools or departments under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such a statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

Section 11 On or before the tenth day of July of each year the school authorities of each district shall present to the State Board of Education a statement of the amount expended during the school year previous to such first day of July for instruction in approved local or joint industrial household arts or agricultural schools or departments as herein provided On the basis of such a statement the State Board of Education shall by requisition upon the State Treasurer pay such school districts and joint school districts such reimbursement for the previous school year as is provided for in this act

Section 12 On or before the tenth day of July of each year the school authorities of each school district shall present to the Board of Education a statement of the amount expended previous to such first day of July in payment of claims for tuition in approved industrial household arts or agricultural schools or departments for which such districts should receive reimburements as provided in this act On the basis of such a sworn statement the State Board of Education shall by requisition upon the State Treasurer pay such school districts such reimbursement for the previous school year as is provided for in this act

Acts and Parts of Acts Repealed

Section 13 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the Bill on Third Reading?

Mr. SHOWALTER. Mr. Speaker and Gentlemen of the House, this is possibly a new piece of legislation in this State, and because of the fact that it is new legislation, I let it remain on the Second Reading Calendar for several

weeks in order that the members who are interested in the subject might have an opportunity to investigate the merits and demerits of this proposed bill. The bill practically gives not new power into the hands of the local Board, neither does it conflict in any way with the present School Code. The bill provides that in localities where the School Boards see fit, with the approval of the Superintendent of Public Instruction in this State, vocational schools may be established wherein the various industries may be taught including subjects in Agriculture and household instruction. A great many of the boys and girls of this State do not have an opportunity to avail themselves of a techincal education in the higher colleges and there is no way that the localities might give a course of training to their boys and girls, and for that reason I have introduced this bill to-night. This system has been tried out in eighteen different states. At the present time eighteen states are giving aid to the schools of the various localities in the states along vocational lines. There are six in the State of Pennsylvania, but, of couhse, they have received no State aid. The only new thing in this bill is that when a locality see fit to establish these schools, that they shall receive aid from the State equal to two-thirds of the cost of maintenance for the preceding year. I present this bill to you for your support in behalf of the boys and girls of this State, and also the men, too, who should have an opportunity to prepare themselves for a technical course, and therefore, I ask your support for this measure.

Mr. HUMES. Mr. Speaker and Gentlemen of the House, I want it understood that I am not opposed to the passage of this bill nor to the appropriations which this bill is undertaking to pledge, but we have seen in session after session of the Legislature bills of this kind passed which carried to the people of the local communities of this State a promise of State aid if they would undertake something which required the expenditure of money and we have seen the State fail to make an appropriation to make good their end of the promise. I understand that there is an appropriation bill in the hands of the Appropriations Committee to make good to the school districts of the State the very promise that this bill holds out to them, but it does not strike me as a fair proposition that we should pass this bill, or permit it to go another step forward until we know if the Appropriations Committee is going to act favorably upon that appropriation in order that the State may be able to make good its part of the contract in this legislation, and it strikes me that the proper procedure in this case is to put the bill on the postponed Calendar until we know what the Appropriation Committee is going to do with the money that is essential to the carrying out of the provisions of this act. I don't want anyone to believe that I am opposed to the purpose of this bill, but it strikes me that it is premature to pass it at this time until we know what the Appropriations Committee is going to do and whether or not the fund will be forthcoming to make good the promise. We have seen it done with the Road Laws and with the Bounty Laws, and then the State never produced the money that it promised to the people. I do not think that we should act upon this Legislation until the money is forthcoming and I think it is our duty to hold this just where it is and for this reason I move at this time that this bill be placed on the postponed Calendar.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SHOWALTER. Mr. Speaker and Gentlemen of the House, I agree with the gentleman that we do not know how much will be appropriated, providing this system is established, but I do think that the first thing would be to pass this bill, and any district that may see fit to adopt it will know whether or not this Legislature has passed an appropriation to meet the needs as provided for in this bill. Therefore, I do not think that any district that is wide awake, and that keeps watch on the legislation passed here will get into it unaware, and encur expenses without knowing whether or not they will be reimbursed by the State. I, therefore, ask you gentlemen to vote down this motion.

Mr. C. M. C. CAMPBELL. Mr. Speaker, I introduced a bill providing for the appropriation of so much money for the vocational schools, and it passed second reading and on my own account I had it recommitted to the Appropriation Committee. I thought that proper because there would be no use in providing money if the vocational schools were not established by this body or by this Assembly. For that reason I had it recommitted, and I hope that this bill will come before this body tonight and be voted upon.

Mr. WATSON. I am in favor of this bill but I am also in favor of knowing whether or not there will be a proper provision made to support vocational schools. It is a question that we must meet sooner or later in this United States and in this State and I think it would be the proper thing at the present time to postpone this bill, although at the same time I will say very emphatically that I am in favor of this bill. We have reached the place in this nation where the foundation of education in the primary schools is to wide and in the course of time it is necessary that we train our children and our young boys and girls in the lines or walks of life that they propose to follow and the industries that they intend to engage in. It is my idea that such an important measure ought not to be rushed through the House tonight without some further investigation.

The question recurring,

Will the House agree to the motion?

It was not agreed to.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Adams,	Fahey,	Lowers,	Robinson,
Allen,	Flynn,	Malie,	Rockwell,
Alworth,	Forster, I. G.,	Mannion,	Roney,
Ambler,	Foster, J. D.,	Martin,	Rothenberger,
Arthur,	Frey,	Matt,	Runk,
Baldwin, G. A.,	Gans,	McAleer,	Sassaman,
Baldwin, R. J.,	Geiser,	McAllister,	Schaeffer, A. C.
Barner,	Gibson,	McArdle,	Schuck,
Bass,	Glenn,	McCaig,	Scott, S. B.,
Bayle,	Good,	McClintock,	Semmens,
Benninger,	Grabe,	McDermott,	Shaffer, I. E.,
Benson,	Gramley,	McKay,	Shern,
Bergey,	Gray, Frank,	McNichol,	Sherwood,
Berntheizel,	Hackett,	Mechling,	Showalter,
Bittles,	Haggerty,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Miller,	Smith, L.,
Bleloch,	Hemminger,	Missimer,	Snavely,
Body,	Herman,	Mitchell,	Snyder,
Brosius,	Hess,	Moore,	Spangler,
Brown,	Hayburn,	Morrow,	Speiser,
Browniee,	Hibshman,	Moses,	Spillinger,
Burnett,	Hobbs,	Moulthrop,	Steedle,
Caldwell,	Hoffman,	Murphy,	Steele,
Campbell, C.M.,	Howard, J.,	Musser,	Stein,
Campbell, J.J.	Irwin, G. C.,	Neel,	Stone,
Carson,	Jackson,	Neely,	Strauss,
Cheeseman,	Jones, E. E.,	Newbaker,	Swartz,
Claycomb,	Jones, J. R.,	Newton,	Swift,
Cleary,	Kaiser,	North,	Thomas,
Conner,	Kaufman,	O'Neill,	Trach,
Conniff,	Keeport,	Peachey,	Ulerich,
Conrade,	Kenna,	Pennegar,	Ulman,
Cox,	Kennedy,	Pennock,	Walsh,
Currier,	Kern,	Perry, H. L.,	Walton,
Curry,	Kitts,	Perry, S. J.,	Watson,
Davis,	Klepper,	Peters,	Wettach,
DeFrees,	Kuhn, H. P.,	Piper,	Whitaker,
Dickinson,	Kuhns, E.G.M.,	Price,	Whitman,
Donahoe,	Lanius,	Ramsey,	Wildman,
Donnally,	Latshaw,	Redfield,	Williams,
Down,	Lenker,	Reese,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Light,	Rex,	Young, G. K.,
Ehrhardt,	Lohr,	Rhoads,	Young, J. H.,
Eichenberger,		Richards,	Zimmerman,
Ewing,			Alter,
			Speaker.

NAYS—2.

Blair, W. F., Gray, Joseph.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmeative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

The SPEAKER. Announced that the Chief Clerk having reported that the following bill had passed both

Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 1.

An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof

Whereupon,

The Speaker in the presence of the House signed the same.

RECONSIDERATION OF VOTE.

Mr. ALLEN. Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, I move that House Bill No. 644, entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the povisions of this act making an appropriation therefor and providing certain penalties for the violations of the provisions thereof and repealing all acts and parts of acts incompatable herewith

which failed on final passage on Februrary 27th, be reconsidered.

Mr. ULERICH. Mr. Speaker, I second the motion.

On the question.

Will the House agree to the motion?

Whereupon a division was taken.

The SPEAKER. 107 gentlemen, or more than a majority of the whole House, having voted in the affirmative.

The motion was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker and Gentlemen of the House, I said one week ago this measure is in no way aiming to prohibit or eradicate the practice of mid-wifery in this State, but it is endeavoring to register the mid-wives so as to ascertain if such a woman is proficient in the art of obstretics and to further see that she lives up to the practices that would be prescribed in the passage of this bill. What proof has any community of the professing of any woman who styles herself a mid-wife. How is the community to ascertain that she has proper training under the guidance and supervision of a proper teacher in this particular art of medicine.

Fully seventy per cent. of all the operations done on the female sexual organ, become necessary because of poor obstretrics from unrepaired injuries to the birth canal and infection, the mid-wife knows nothing of the recognition and treatment of such injuries and she knows even less of the surgical cleanliness so essential to good results in maternity cases.

Fully fifty per cent. of the confinements in this State are in the hands of mid-wives. So, that it can be appreciated that thousands of the very best women in the State, in the prime of life are invalided each year, because of the ignorance and neglect in their care before, during and after child birth.

You will agree with me, Gentlemen of the House, especially those who reside in or close to the city, that ninety per cent. of the mid-wives are foreigners. In Europe a mid-wife is compelled to attend at least twenty cases of labors under the supervision of a proper professor of obstretrics, and once a year she has to apply to the health authorities for a renewal of her certificate, and at least once in two years she must appear personally for a re-examination before a board whose members comprise only the best obstretricians in the medical profession in the suburban parts of Europe. They at least make an effort to keep a check on mid-wives.

In this country and in this great Commonwealth of Pennsylvania no effort is made to place these women under some proper system of registration so as to investigate efficiency in this particular branch and also as to their moral standing.

You accepted it as a foregone conclusion that if this act is to pass, it is legislation for the benefit of the doctors, and you never once stop to consider the merit of the bill so as to ascertain whether this bill had any humanitarian merit to it; and, so as to satisfy your minds, some of you at least, when this bill was up for final passage, on last Thursday, voted against this meritorious measure.

In no other branch of medicine do we permit ignorant, non-medical individuals to give council and assistance in medical matters. Mid-wifery is the most poorly of all medical work. Not alone because about fifty per cent. of all labors are in the hands of mid-wives, but largely because of the low standard of mid-wifery existing among physicians and laity alike.

In this great country with its great wealth and unlimited resources, it should be and is unnecessary that a system should exist and be supported which seeks to give to those unable to pay for competent services a service which is incompetent and unsafe and administered by untutored medical individuals. We are passing through a political social and economic revolution which is certain to result in giving to the worthy poor their share in the necessities of life among which must be included competent medical service, administered by those who are trained in medicine. They will demand it and they are going to get it. This does not necessarily mean Socialism, but it does mean Social Justice.

Talcott Williams, in speaking on "Equality of the Opportunity" in this country, presents some astonishing facts and figures which shows that the trend of modern times are toward equality of opportunity in all that relates to economic progress. The practice of obstetrics carries with it much more than standing by while the natural forces of labor complete the act as best they may. Obstetrics is an important branch of medicine and to practice it safely and successfully, implies a knowledge of general medicine, as well as a knowledge and appreciation of physiology and pathology, the normal and abnormal of child bearing processes. The function of the mid-wife in mid-wifery case is to secure for the woman the best possible preparation in her labors; to accomplish her delivery safely, and to leave her, so far as possible in good surgical condition; to prepare the mother and to teach her the importance of nursing her child and to do everything that is possible to bring this about.

In the past sessions of the Legislature, bills were introduced for the enactment of such laws that would place the lives of the people of this Commonwealth who needed medical aid into the hands of such men and women as are competent, proficient and absolutely safe for the lay man to employ as his or her doctor. For that sign which you see him or her displaying on his or her office window, this Commonwealth demands that without a question of doubt before such physician be granted that privilege, he or she should show to the proper authorities of this Commonwealth that he or she is competent to practice medicine and surgery before placarding or placing such a sign, by compelling him or her to pass a most stringent examination.

Not only is this true of medicine but also applies to law, pharmacy, dentistry, et cetera.

Permit me, Mr. Speaker and Gentlemen, to ask you, as Members of this House, surely you do not think these examinations are required to protect the various professions but I am of the firm belief, and I believe that you all are, that they are to safeguard the people against men and women who are not proficient and are fraudulent and counterfeit and not competent to follow either profession. Now, I ask you in all sincerity, and fairness, as men, whether you think this bill is to protect the doctor, or is it to protect the public? You may say: Mid-wifery has in no way any relation to the practice of medicine or surgery, I hold and so does the medical profession at large, that this is a part of the practice of medicine and of surgery, without a question of doubt, for it carries a separate examination before the Medical Licensure.

Mr. Speaker and Gentlemen, in this particular line of medicine (obstetricts), as it is called, we meet with accidents and complications, namely, such as antipost partem hemorrhage, adherent placentas, lacerations, whether such lacerations be confined to the cerviz uteri or of the perinaeum, or injury to the vaginal wall. These are the most common accidents with which we meet. Of the commonest, complication sapraemia and septicemia—the former caused by retention of the part of placentie and the latter, by the invasion of germs through the parturient canal into the uterus, most frequently caused by the failure of performing this particular duty without proper anticeptic precautions, either at the time of parturitianm or due to the improper care thereafter.

It is equally plain that every woman has a right as a citizen, and as a mother, to such care during, and following, child birth, as shall preserve her and her children in life and health. It is not difficult to prove that this cannot be accomplished by mid-wives.

As to the mortality and morbidity—among mid-wife cases, there has never been any legal statistics prepared in this country. In DeLus Principles and Practice of Obstetrics, just issued, he states that sixty per cent. of the primiparaes, have lacerations of the first degree; that twenty-five per cent. multipare have lacerations extending well into the perineal body, and that in ten per cent. of all cases the lacerations extend down to the sphincter ani muscle. This gives an idea of the large percentage of cases in which there is injury to the perineaum to say nothing of the laceration elsewhere in the vagina and of the cervix.

In absolutely every case delivered by mid-wives, there is no attempt to repair, the lacerations, so that it may be readily appreciated what an enormous amount of morbidity there is among mid-wife cases. Then, too, the mid-wife knows nothing of surgical cleanliness, so that a large number of cases are certainly infected by her. The fact that a woman is infected and does not die is no prove that she has not been infected, as many of them are invalided as a result of mild infections which do not kill but do invalidate them. Then, too, from twenty-five per cent. to thirty per cent. of the women have misplaced uteri following delivery. Ninety per cent. or more of which can be cured by the use of a pessary for a number of months. Those cases are all un-recognized and untreated by the mid-wife. So, that it is safe to say that fully seventy-five per cent. of the mid-wife cases are left incapacitated to a greater or less extent, until some better supervision is made of the mid-wife, it never will be known how great is the harm they do. Many of them are abortionists. Large numbers of them pay tribute to cheap and disreputable physicians in order to secure protection from them when in trouble. As an example of a case in the city of Pittsburgh. A certain mid-wife received $8.00 for attending a confinement case. Of this amount she received, she pays over, it is said, $3.00 for every case she cares for, to a certain doctor, who helps her out and shields her, when she is in trouble. Mid-wives do not sign death certificates, and there is not the slightest doubt but that numbers of their deaths are reported under the name of some cause of death other than child-bed fever; and, this is the more easily true, since pneumonia and other forms of infection are the terminal processes in many cases.

Gentlemen, who of us here would turn a deaf ear to the cries of the people asking for such legislation that would need their demand, while this is in no way a cry from the people, it is a cry for their protection. Every one here assembled sanctifies the word Mother, and this being true, should not we then as men, do everything possible for her, as an American citizen and give her all the protection within our means, that in time of need she can safely call in any mid-wife to render her such assistance as is required at that particular time, and know that she will be properly attended to without endangering her life, either in the way of becoming infected and thereby endangering sterility or by the way of lacerations that may render her unfit to care for her family as it should be cared for; not because she has become less proud of that family, but because she is physically incapacitated owing to such an accident as I have enumerated, without being properly repaired after the parturition period, and thereby invalided her to perform the sacred duties of a mother.

The passage of this act shall not mean to construe mid-wifery, where a neighbor has been called to render such assistance where a physician or a mid-wife is unable to get there before the birth of such a child, any more than it is the first aid to the injured, constitutes to mean practicing medicine or surgery.

One of the sanest and best enterprises ever undertaken in this country in the Educational Campaign initiated by the medical profession for the conservation of human resources especially those of health and vision. Notwithstanding all his services to mankind of all the servants of mankind the physician is apt to be most abused, and the profession has been criticized for its attitude toward the public wealth, however, altruistic that attitude may have been. The medical profession, however, has never been selfish. It has always been self-sacrificing, and now that its attitude has changed in that it has assumed a responsibilitiy to the public formerly confined for the most part to the individual, the invaluable opportunity of the public is to co-operate, through its intelligent laymen, with a medical campaign that would assail the fortified breeding grounds of disease as well as to remove a disease or relieve a pain from the particular victim that it has seized.

This new and splendid demonstration by the medical practitioners is, as yet, scarcely understood by the laity but it is going on, and if the people have regard for their interest, commercial and industrial as well as physical, they will help the doctors and give them heed in their far-reaching activities to prevent and drive out the illness that flesh is heir too; it is a prevailing weakness of poor human nature which makes men and women—even intelligent men and women—fall so easily a prey to the charlatan whom the medical profession has ever diligently endeavored to eliminate.

It is high time that we awaken to the fact that we are not at present adequately conserving the lives, health and vision of the children who must soon be the men and women whose sustained vigor will be the final safe-guard of American civilization and institutions.

It was clearly established in the congressional debate last year that hundreds of thousands of people die prematurely and needlessly in America every year; millions are more than half incapacitated the year round by semi-invalidism, and the resultant annual loss to the State in dollars and cents is enormous.

It should not be necessary to reduce this loss to a money basis to obtain an attentive hearing. It should be enough simply to say that human life, health and vision, without any regard to a money consideration, are being wasted by lax laws or, rather, absence of laws regulating the practice of mid-wifery.

But this financial aspect may serve to arouse a lethargic public conscience to the overwhelming need of improving the conditions of our women and their children especially among the poor.

Statistics show in all countries that most of the blindness is found in exceedingly poor families. The infant becomes blind in a family in which the struggle for existence is so keen that often it is an almost hopeless one. This means a life-long dependence of the individual on the community and a family forced into inevitable pauperism. Helen Keller has said, "The greatest curse of blindness is not blindness, but idleness."

There are in the United States approximately 120,000 blind people, over 6,000 in this State, who are as a result in enforced idleness and dependence. Apart from a humanitarian standpoint, as a purely economic question, the saving to the State by the prevention of the preventable blindness would be considerable for these unfortunates, instead of being burdens to themselves their families and the State, would become wage earners.

How do these individuals become blind and how can the blindness be prevented?

During the passage of the child's head through the birth canal discharges from the mother may enter the eyes of the infant and produce an inflamation of its eyes. If the eyes of these unfortunate babies receive prompt treatment, the vast majority go on to complete recovery, but a great number are neglected from the start and are not seen by the eye-specialist until irreparable damage to the organs of vision has resulted.

Whilst in most cases infection occurs at birth, it may occur during the first two weeks of life from uncleanliness in handling sponges, towels and other toilet articles, or as the result of the placing in the eye, by an ignorant attendant, of nostrums or domestic remedies such as whiskey, gin and in some cases even such a seemingly impossible article as urine.

Fully one-third of all the blindness is due to some infection contracted at birth; 70 per cent. of all blinduess in children under twelve years of age is due to this; and, of all children born with seeing eyes, who become hoplessly blind within the first year of life, 80 per cent. needlessly lost their sight because of someone's ignorance or neglect.

The gravity of this condition is intensified when we consider that sight is lost before the individual has become at all adapted to his surroundings, thus making him a ward upon the community for a life time. The efforts that have been made by progressive and broad-minded humane physicians to control this horrible destruction of vision have been unwearied.

In the modern hospitals and in the practice of the best physicians preventive measures are invariable employed, and, when inflammation of the victim's eyes develop, prompt effective treatment is instituted with the result that blindness is practically unknown in infants thus cared for.

In spite of this fact, the per centage of blindness from the above causes in schools and asylums is on the increase. The explanation of the apparent conflict of these two statements lies

in the leading part which the untrained mid-wife plays in the tragedy of infantile blindness, because an increasing number of women in the poorer classes especially among non-English speaking foreigners, is applying to such illiterate mid-wives for care during confinement.

Within the last twenty years the number of births reported by mid-wives has more than trebled, 50 per cent. of the total number of births reported having been attended by mid-wives—this in spite of the ample maternity hospital provisions which our cities afford. This mid-wife problem therefore deserves the serious consideration of all public-spirited citizens.

Various European governments, in the absence of physicians from rural sections, recognize the necessity for the mid-wife and not only do they safe-guard the public by legally restricting her activities but thoroughly educate and prepare her for her work among the poor. This wise condition unfortunately does not as yet obtain on this side of the Atlantic. In America, notwithstanding an excess of trained phyisicians, it is so frequently reiterated that the mid-wife is here to stay that we are forced to believe it; that 50 per cent. of births are supervised by her seems to establish the truth of the statement. The poorer classes seem to prefer her services to those of our hospitals, maternities or relief societies who furnish free medical attention by women physicians, notwithstanding the fact that the ignorance and incompetence of these mid-wives often bring blindness to the baby and death to the mother .

True, the mid-wife's patronage can never rise above a certain social line, but persons below this line do not know how to take care of themselves and their ignorance leads to results from which intelligent men must save them.

It has been demonstrated that not only is the American mid-wife, white and black, ignorant and untrustworthy, but that the foreign woman, thoroughly trained and legally restricted in her own country, soon degenerates to the level of demand when she comes to America where there are no legal restrictions or requirements.

Seventy-seven per cent. of all children, blind as a result of neglect or maltreatment during the first two weeks of life, were born under the mid-wife's care. In the face of these facts, the State cannot afford to do anything less than compel the mid-wife to prove her fitness for her work before she is permitted to assume this most responsible position in which the sight and lives of citizens in this State are at stake.

In Pennsylvania we have no mid-wife law at all, and of those women that attempt mid-wifery less than one per cent. are registered; so birth registration is difficult to enforce, and the mid-wife has absolutely no legal restrictions and no recognized legal statutes.

The medical profession in this campaign to save infants from blindness, is already organized; a committee of the American Medical Association has for some time been at work upon a plan of procedure by which it is hoped to secure uniform legislation upon this subject in all the States; but the physicians can never do this alone. This is a social disorder and it must be met by organized social effort; Every Womans' club, every charitable society, every newspaper, every lay, religious and medical magazine must interest itself in protecting the babies, for of all ignorance which needs to be dispelled by this regeneration among us none is more intolerable than that which wantonly permits children to be plunged into the abyss of blindness.

So long as half the births are attended by untrained or partially trained mid-wives, one thing is necessary, the widest dissemination of information as to the importance, the danger and the prevalence of infantile ophthalmia. The story must be told and retold in plain language until the subject is fully understood by the general public. It is not enough that it be discussed in medical societies. Propaganda among the people is imperative until the mother shall demand, when the attendant is neglectful, that the eyes of her infant be safeguarded.

No intelligent person will attempt to controvert the fact that it is the duty of the State to protect its infant citizens as a minor from the danger of blindness with which he is threatened; nor will any one dispute the fact that it is the duty of the State to protect itself from the burden of caring for the unnecessarily blind.

If the right of personal property of a minor child, and more especially of an infant, be put in jeopardy, the law, representing the State, takes upon itself to stand between that child and the danger with which it is threatened. Its parents or guardians may not maltreat, or starve or otherwise abuse it. They may not misappropriate its estate if it has one. It is not permitted even to labor while of school age lest it be deprived of the privileges of education while still a child and lose thereby a right to which the State considers it is entitled. Neither should negligence nor indifference nor ignorance rob it of one the most precious possessions by putting out its eyes while still too helpless to protect itself. The child is entitled to the right of protection in its weakness, by the State.

When it is borne in mind that a great deal of this blindness could be prevented, the continued blinding of babies in a civilized community becomes absolutely a crime.

Why, as a common sense proposition, does a nation, the State of Pennsylvania, sit idly and indifferently by, making no attempt to prevent this enormous and needless wast of human eyes?

The investigators of this broad subject have drafted the enclosed bill, impressed with the extraordinary neglect in this State of the eyes of the new-born. They believe that the foregoing statement leading to a knowledge of conditions here, would make such strong appeal that the remedy would be grasped at.

If the eyes of the new-born were properly cared for in every instance, one-third of all the schools for the blind in the United States could close their doors, and if every woman received proper care before, during and after confinement there would be an enormous reduction of chronic invalidism and the State appropriations now necessary for semi-State institutions would as a consequence be very materially reduced.

Therefore, gentlemen and Mr. Speaker of the House, I appeal to you as men, to vote for the reconsideration of this measure which failed owing to the lack of a Constitutional majority, on last Thursday, and trust that you will also vote affirmatively on this measure, when again called for final passage.

Mr. HEIDINGER. Mr. Speaker, I voted "no" before because I thought the appropriation was entirely too large and that the fee required was exorbitant. When the sponser had agreed to have it amended from ten dollars to five dollars as a fee and to reduce the appropriation to fifteen thousand dollars I agreed to vote for it and I am in favor of the bill under those circumstances. I feel that all the members on this side of the House will vote for the bill as amended.

Mr. NEWBAKER. Mr. Speaker, I should like to interrogate the sponser of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Richards permit himself to be interrogated.

Mr. RICHARDS. Yes, sir.

Mr. NEWBAKER. Mr. Speaker, I should like to ask the gentleman whether or not this bill, if passed would prohibit old ladies, from assisting their neighbors during this period in an emergency when there is no one there?

Mr. RICHARDS. Mr. Speaker, this bill will not in any manner interfere with or prohibit a neighbor from assisting in an emergency case and I believe the doctor has explained that to your entire satisfaction (referring to Dr. Steedle). The provisions of this bill will be enforced by the Medical Board of Education and Licensure and I have the assurance from some of the members of that board that they will not in any manner interfere in cases such as the gentleman from Montour has referred to. I desire to say that this bill did, at the time it was introduced, carry with it an appropriation of fifty thousand dollars and that part of the bill seemed to stir up some very spirited opposition. During that debate, I attempted to very gracefully but whether or not very intelligently offer to submit an amendment which was agreed to by the members of this House. Since that time, Mr. Speaker, I have interviewed those who are most interested in the amount of money necessary for the proper organization of this work and for the proper examination and proper regulation of the women who are now engaged in the business of mid-wifery. I have learned from them that there are seven hundred and sixty-two mid-wives—women who absolutely make their livlihood in this business, and in addition to that there are estimated to be some twelve hundred other women who practice this business for a livelihood. The members of the Medical Board of Education discussed the amount of money that in their opinion would be necessary to properly enforce this bill and the amount ranged from thirty thousand to sixty-five thousand dollars and in their opinion the result of fifty thousand dollars was in a manner a compromise. They told me since the defeat of this bill that the greatest expense would be during the first year of the enforcement of this bill with organizing, examining and registering the women of this great State who desire to practice mid-wifery. I am

willing to have you lay the bill before the House without any further amendment to vote upon it but I do think, Mr. Speaker, and I do believe that there is no task worthier than that of teaching the youth of our State the doctrine of physical fitness and I do say that the State's greatest asset or the greatest asset of the nation is the superior physical equipment of its men and women, and we should not permit the practice of mid-wifery by the ignorant and superstitious women, in some cases, and you gentlemen in the rural districts don't come into contact with the same mid-wifery as we do in the city or borough. I can readily see the objection from the members of the rural districts and I can, in a manner, agree with them in their objections, but it is not the intention of prohibiting a friendly neighbor to come to your assistance or that of your wife during that period. So, if that is the only objection, that the members of the rural districts have, then they will have my assurance that those women will not in any manner be molested and I hope that members of this House will consider this bill favorably.

Mr. NEWBAKER. I do not find in the second section of this bill where an exemption is made in favor of the old-fashioned nurse who is often the only person to be gotten in the country for probably five miles in case of an emergency.

Mr. RICHARDS. What page is it on?

Mr. NEWBAKER. Page one thousand one hundred and fifteen, in section two. The gentleman from Allegheny said, in section two an exemption is made. There is nothing of the kind. This bill would work a hardship. I believe there are twenty thousand or probably twenty-five thousand nurses of the character who would never take out a license—who would be unable to do it. They are called upon constantly to go out and assist in an emergency of this kind, and obstetric cases are always emergency cases.

Mr. RICHARDS. Section two says that "The Bureau of Medical Education and Licensure shall formulate and issue such rules and regulations from time to time as may be necessary for the proper conduct of the practice of mid-wifery."

Mr. NEWBAKER. That leaves it altogether to the Bureau and not to this Legislature. There is nothing in the section which would not make it a crime for a nurse to assist in a case of that kind without a license.

Mr. RICHARDS. I take it for granted that the members of the Board of Medical Education and Licensure are men of reason, are fair-minded and will not impose upon the people of this Commonwealth by insisting that the particular woman must be registered and must be examined by them. We have to take that for granted.

Mr. NEWBAKER. I think such an amendment should be made to the bill.

And said bill having been read at length the third time, considered and agreed to.

On the question, recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, namely,

YEAS—133.

Adams,	Ely,	Letzkus,	Schuck,
Allen,	Ewing,	Lowers,	Scott, J. R. K.,
Alworth,	Fahey,	Malie,	Scott, S. B.,
Ambler,	Forster, I. G.,	Mannion,	Semmens,
Arthur,	Foster, J. D.,	Martin,	Sherwood,
Baldwin, G. A.,	Frey,	McAleer,	Smith, J. W.,
Baldwin, R. J.,	Gans,	McAllister,	Smith, L.,
Bass,	Geary,	McArdle,	Snyder,
Bergey,	Geiser,	McCaig,	Spangler,
Berntheizel,	Gibson,	McClintock,	Speiser,
Blair, W. A.,	Glenn,	McKay,	Spillinger,
Bleloch,	Gray, Joseph,	McNichol,	Steedle,
Brown,	Hackett,	Mechling,	Steele,
Brownlee,	Haggerty,	Missimer,	Stein,
Campbell, C.M.,	Heidinger,	Moore	Stone,
Campbell, J.J.	Hemminger,	Moses,	Swartz,
Carson,	Hess,	Moulthrop,	Swift,
Carter,	Heyburn	Murphy,	Thomas,
Cleary,	Hibshman,	Neel,	Trach,
Conner,	Hobbs,	Neely,	Ulerich,
Conniff,	Howard, J.,	North,	Walnut,
Conrade,	Humes,	O'Neill,	Walsh,
Cox,	Isler,	Peachey,	Walton,
Currier,	Irwin, H. H.,	Perry, S. J.,	Watson,
Curry,	Jackson,	Ramsey,	Wettach,
Davis,	Jones, J. R.,	Reese,	Whitaker,
DeFrees,	Kaiser,	Reeser,	Whitman,
Dickinson,	Kaufman,	Richards,	Wildman,
Donnally,	Keeport,	Robinson,	Williams,
Down,	Kenna,	Rockwell,	Wilson, W. H.,
Dunn, H. B.,	Kennedy,	Roney,	Wiltbank,
Dunn, J. A.,	Kuhn, H. P.,	Runk,	Young, G. K.,
Ehrhardt,	Lenker,	Schaeffer, A. C.	Young, J. H.,
Eichenberger,			Alter, Speaker.

NAYS—55.

Barner,	Good,	Mather,	Post,
Becker,	Gramley,	Matt,	Price,
Benninger,	Herman,	McDermott,	Redfield,
Benson,	Hoffman,	Metzenbacher,	Rex,
Blair, W. F.,	Howard, R.,	Miller,	Rhoads,
Body,	Keegan,	Mitchell,	Rothenberger,
Brosius,	Kern,	Morrow,	Sassaman,
Burnett,	Kitts,	Musser,	Shaffer, C. A.,
Caldwell,	Kuhns, E.G.M.,	Newbaker,	Shaffer, I. E.,
Cheeseman,	Lanius,	Newton,	Snavely,
Claycomb,	Latshaw,	Pennegar,	Strauss,
Collins,	Light,	Pennock,	Ulman,
Donahoe,	Lohr,	Perry, H. L.,	Wilson, J. H.,
Flynn,		Peters,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

M. S. B. SCOTT. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 11:25 p. m.) the House adjourned until to-morrow morning, at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, MARCH 11, 1913. No. 29.

SENATE

TUESDAY, March 11, 1913.

The Senate met at eleven o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev A. C. James.

The PRESIDENT. A quorum of the Senate being present. the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HEACOCK presented four petitions of citizens of Montgomery County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which were referred to the Committee on Judiciary Special.

Mr. THOMPSON preesnted four petitions of citizens of Beaver County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUNTER presented the petition of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which were referred to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. McILHENNY from the Committee on Judiciary General reported with favorable recommendation the nominations made by his Excellency Governor of the Commonwealth under date of March 10th at last evening's session which were laid upon the table.

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 551, entitled:

An Act to repeal an act, entitled "An Act for the erection of a poor house in Mercer County" approved the 22d day of March, 1850.

Mr. POWELL from the Committe on Judiciary General reported as committed, Senate Bill No. 147, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 294, entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911, by requiring the appellant in appeals to pay the costs in the County Court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases; providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operate as a supersedeas, requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases.

Mr. MILLER from the Committee on Judiciary General reported as committed, Senate Bill No. 558, entitled:

An Act to amend the first section of an act, entitled "A supplement to an act, entitled 'An Act amendatory to the license laws of this State, approved April 11, 1862, in relation to the County of Berks,'" approved the 23rd day of April, A. D. 1867.

Mr. JUDSON from the Committee on Judiciary General reported as committed, Senate Bill No. 338, (House Bill No. 259), entitled:

An Act to amend an act approved the 12th day of May, 1911, entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The Deputy Secretary of the Commonwealth being introduced presented communication from the Secretary of the Commonwealth which was laid upon the table.

REPORTS FROM COMMITTEES.

Mr. NULTY, from the Committee on Education, reported as committed, Senate Bill No. 499, entitled:

An Act to amend section 502 of an act approved May 18th, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local or any thereof, that are or may be inconsistent therewith, so as to avoid the repeal of section one of the act approved March 24th, 1868, entitled "A further supplement to an act, entitled "An Act to promote to more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, relative to assessments on agricultur l and farm land, and the suburban portions of said city."

Mr. Moore from the Committee on Game and Fisheries reported as committed, Senate Bill No. 565, entitled:

An Act to amend the first section of an act approved the 3d day of June, 1911, entitled "An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds, and prescribing penalties for violation of its several provisions."

Mr. BUCKMAN, from the Committee on Game and Fisheries reported as committed, Senate Bill No. 341, (House Bill No. 170), entitled:

'An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund.

Mr. ALEXANDER from the Committee on Education reported as committed, Senate Bill No. 424, entitled:

An Act providing for the granting of Teachers' Training School certificates and diplomas and defining the effect thereof.

Mr. MARTIN from the Committee on Education reported as amended, Senate Bill No. 50, entitled:

An Act to amend the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," by providing for the education of certain blind children under eight years of age.

Mr. BEIDLEMAN from the Committee on Judiciary General reported as amended, Senate Bill No. 259, entitled:

An Act to amend an act approved the 1st day of June, 1911, entitled "An Act defining what shall constitute the offense of malicious injury to railroads; providing a punishment therefor; fixing the punishment in case of loss of life as a result of such offense; and repealing sections 142 and 143 of an act approved the 31st day of March, A. D. 1860, entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth,' and an act approved the 26th day of May, A. D. 1891, entitled 'An Act defining the offense of the taking of human life through the wilful and

malicious wrecking of cars and locomotives upon railroads in this Commonwealth.' "

Mr. HERBST from the Committee on Game and Fisheries reported as committed, Senate Bill No. 423, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes, to declare which fish are game fish, to protect and provide for the maintenance and increase of fish in such lakes, to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by the authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act; and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances; and repealing all acts inconsistent herewith

Mr. GYGER from the Committee on Game and Fisheries reported as committed, Senate Bill No. 472, (House Bill No. 147) entitled:

An Act to provide for the protection and preservation of the wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions.

Also from the Committee on Game and Fisheries reported as committed, Senate Bill No. 394, entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania; prohibiting the fishing for, or capture, or killing of, such fish by unnaturalized foreign-born residents; and prescribing penalties for violation of its provisions.

Mr. JARRETT from the Committee on Judiciary General reported as committed, Senate Bill No. 309, entitled:

A joint resolution proposing an amendment to section ten, article nine of the Constitution of Pennsylvania.

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 25, entitled:

A joint resolution proposing an amendment to the Constitution of the Commonwealth allowing counties, cities, borough township school districts or other municipal or incorporated districts to increase their indebtedness.

Mr. KURTZ from the Committee on Appropriations reported as amended, Senate Bill No. 476, (House Bill No. 529), entitled:

An Act making an appropriation to cover the deficiency incurred in the care, treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March 1st, 1909, and ending May 31st, 1913.

Mr. SNYDER from the Committee on Appropriations reported as committed, Senate Bill No. 405, entitled:

An Act to amend the third section of an act, entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention," approved the 8th day of May, A. D. 1883, so as to fix the number and compensation of the officers of the Committee on Lunacy.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 406, entitled.

An Act to amend the 4th, 5th, 8th and 9th sections of an act, entitled "An Act to create a Board of Public Charities" approved the 24th day of April A. D. 1869, so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent.

Also from the Committee on Judiciary Special reported as committed, Senate Bill No. 356, (House Bill No. 260), entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January, 1913, by counties, cities, boroughs, townships, school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county, city, borough, township, school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act, entitled "An Act to amend section two of an act, entitled 'An Act to régulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof,' approved the 20th day of April, A. D. 1874, abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed," approved the 13th day of April, 1897, and designating the time when said statement must be filed.

BILLS INTRODUCED.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 580, entitled:

An Act making an appropriation to the Philadelphia Polyclinic and College for Graduates in medicine.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act to provide for the payment of costs and charges on writs of execution or attachments and fixing the liability of sheriff in the execution thereof.

Which was committed to the Committee on Judiciary Special.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 582 entitled:

A supplement to an act approved the 1st day of June, 1911, entitled "An Act to provide for the incorporation of fire and marine insurance companies, and for the regulation of home and foreign fire and marine insurance companies.

Which was committed to the Committee on Insurance.

Also read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf, at Scranton, Lackawanna County, Pennsylvania; providing for the transfer, under certain conditions, of the said Oral School for the Deaf to the Commonwealth; regulating said school in the event of such transfer; and making an appropriation to carry out the purposes of this act.

Which was committed to the Committee on Judiciary Special.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act creating a Department for the suppression of vice and the control of diseases resulting therefrom, and defining its powers and duties.

Which was committed to the Committee on Law and Order.

Also read in his place and presented to the Chair Senate Bill No. 585, entitled:

An Act making an appropriation for the restoration of the Brig Niagara, Commodore Perry's Flag-ship at the Battle of Lake Erie, for its participation in the events of this Centennial Celebration year, its care, and for the erection of a permanent marker, arch or memorial at Erie, Pa.

Which was committed to the Committee on Appropriations.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act to amend section five of an act, entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for the violations of its provisions," approved the 17th day of February, A. D. 1906; and section five, as amended by the act, entitled "An Act to amend the act of February 17th, 1906, entitled 'An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violations of its provisions,' by changing the days and hours of registration; providing an additional registration day for the Spring Primary; providing that foreign born citizens unable to produce their father's registration papers may be registered upon making affidavit; providing for the registration of citizens between the February election and the Spring Primary; altering the procedure of the appointment of registrars, of appeals to the commissioners and to the courts, and providing that proper notice of each be given; providing that registered persons shall be entitled to vote only in case they have not since registration become disqualified; enlarging the powers of the registration commissioners in certain particulars; altering the phraesology of the act so as to make it clear that electors may register at either Fall or Winter periods, that they may be registered by the commissioners only if ill or absent on all the registration days, and that the lists shall become of no validity at the beginning of the new registration period; providing that the lists shall be preserved for two years, that an applicant for registration, unable to write, shall make affidavit of the fact; providing that the registrars shall notify the registration commissioners of the registration of persons previously registered in the same city; and making certain verbal corrections in the language of the same," approved June 3d, 1907; by further defining "party" and who may be appointed registrars; increasing the terms of commissioners; changing the registration days and the form of register; the number of registrars and providing further regulations for the registration of electors; requiring all petitions to be under oaths, and empowering the recorder of the Board of Registration Commissioners to administer oaths, and providing for additional employes for said boards, and fixing their compensation and repealing all acts or parts of acts inconsistent herewith," approved the 16th day of June, A. D. 1911; increasing the number of registrars and providing for additional party representation on the division boards of registrars.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act to provide for the proper instruction in the trade of craft to which minor children may be apprenticed, making provisions for the carrying out thereof and providing a penalty for violation.

Which was committed to the Committee on Judiciary Special.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

Which was committed to the Committee on Judiciary Special.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 589, entitled:

An Act making an appropriation to the Philadelphia Home for Incurables.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILL RETURNED FROM HOUSE WITH AMENDMENT.

Agreeably to order, the Senate resumed the consideration of Senate Bill No. 106, entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act providing for the incorporation and government of cities of the third class" validating all acts and proceedings commenced under the section which is amended

said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is reyuester.

Said amendment was twice read as follows:

By adding to the title the words "validating all acts and proceedings commenced under the section which is amended."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered. That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 265, as follows:

An Act to amend Section eighteen of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild bird and prescribing penalties for violation of its several provisions" by further regulating the killing of deer.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section eighteen of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" that now reads as follows:

"Section 18. It shall be unlawful for any person to shoot at or take or kill or wound or attempt to take or kill or wound any deer in this Commonwealth except from the fifteenth day of November to the first day of December of the same year or to kill in any one season more than one deer which in every instance shall be a male deer with horns visible above the hair or to have a deer so killed or taken or any part thereof in possession excepting during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or any part thereof shall unless the head bearing horns be attached thereto or unless said head bearing horns shall be immediately produced upon demand by any officer of the Commonwealth whose duty it is to protect the game or the State in all instances be prima facie evidence of a violation of the provisions of this act and shall render the person in whose possession or under whose control the same shall be found or who may be proven to own the same liable to a penalty of one hundred dollars for each offense Each and every person violating any provisions of this section shall be sentenced to pay a penalty of one hundred dollars for each offense" so as to make it read as follows:

Section 18. Except as provided for in this act it shall be unlawful for any person in this Commonwealth to at any time take or kill or wound or to attempt to take or kill or wound either a female deer or a fawn deer found in a wild state in this Commonwealth or to take or kill or wound or to attempt to take or kill or wound a deer of any kind found in a wild state in this Commonwealth excepting during that time beginning with the morning of the fifteenth day of November of each year and extending to the beginning of the first day of December next following Sundays excepted which time shall be known as the open season for deer in this Commonwealth and it shall be unlawful for any person to kill more than one deer during the open season of any one year which deer in every instance shall be a male deer with antlers commonly called horns extending for at least two inches above the hair or three inches in length measuring from the skull or to have a deer so killed or taken or any part thereof in possession or under control except during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or of any part thereof shall unless the head bearing antlers or horns of the required length be attached thereto or unless said head bearing such antlers or horns shall be immediately produced upon demand made by any officer of the Commonwealth whose duty it is to protect the game and wild birds of the State in all instances be prima facie evidence that the deer in question has been taken and held contrary to the provisions of this act and shall render the person in whose possession or under whose control the same may be found liable to a penalty of one hundred dollars for each offense Each and every person violating any provisions of this section shall upon conviction be sentenced to pay a penalty of one hundred dollars for each offense.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 316, as follows:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act the Board of Game Commissioners of this Commonwealth shall have the power and authority to close for a term of years to the purposes of hunting elk and deer any of the territory that may to the residents of that territory appear necessary to the protection of elk and deer placed or found thereon such territory in no instance to be less than one county in area and in no instance to exceed four contiguous counties in any one tract in this Commonwealth

Section 2 That whenever at least two hundred citizens of any county in this Commonwealth shall through written petition certify to the Board of Game Commissioners that in their opinion an absolutely closed season is necessary to insure the better protection and consequent increase elk and deer found in that county in which such citizens may reside and asking that such county be closed to hunting for a period the Board of Game Commissioners shall forward to said petitioners and others a blank form setting forth such questions as they may consider best suited to determine the quantity of game and game conditions in the county in question which said forms with replies to entitle such answers to consideration before said Board of Game Commissioners shall be returned to said board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county to be closed the statement that such petition has been filed with its purpose and the return day for information as fixed by the Board of Game

Commissioners and shall file with said board duly certified copies of such notices as published in each newspaper on or before said return day If the written answers as returned shall fail to satisfy said Board of Game Commissioners that such closed season is necessary or those opposing such action shall demand a hearing before said board then a hearing shall be had upon such date and at such place within the county to be affected as may be decided upon by the said Board of Game Commissioners the expense of such hearing to be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board of Game Commissioners shall be satisfied such closed season is necessary to insure the better protection of elk and deer and its consequent increase they are herewith empowered and directed to declare a closed season not to exceed five years as the investigation may demonstrate is needy in that county or in those several counties not exceeding four in number and adjoining one another that through the separate action of its citizens has been in accord with the requirements of this act

The Board of Game Commissioners to make such closed season effective and binding shall be required to publish annually their decision and action regarding this matter in at least five newspapers if there be that many in each county affected thereby and to have notices of such ruling declaring such county closed to hunting printed upon cloth annually distributed in reasonable numbers throughout the affected territory

Each and every person violating the requirements of such ruling made by the Board of Game Commissions under the requirements of this act shall be liable to a penalty of two hundred dollars for each elk and one hundred dollars for each deer taken killed wounded or had in possession or attempted to be taken killed or wounded or had in possession upon said closed territory

Section 3 Each and every magistrate justice of the peace and alderman within this Comomnwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions this act except where the defendant is taken in the act of violating the law or in a pursuit immediately folowing such violation shall be commenced by affidavit made within one year after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the general appropriation act or by separate appropriation for the payment of bounties Any defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provisions of this act may at his descretion either before or after the bringing of suit sign an acknowledgement of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. CROW. Mr. President, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. CROW: Mr. President, I ask unanimous consent to amend the bill in section 1, line 7, by inserting after the word "deer" the words "found in a wild state"; also in section 2, line 5, by inserting after the word "found" the words "in a wild state"; also in section 2, line 28, by inserting after the word "deer" the words "found in a wild state"; also in section 2, line 31, by inserting after the word "deer" the words "found in a wild state".

The PRESIDENT: Is there objection?

The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to third reading and consideration of Senate Bill No. 59, entitled:

A supplement to an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances" approved the second day of June Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the term of existing associations and providing for certain additional officers in such associations

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SNYDER: Mr. President, I ask unanimous consent to amend the bill by inserting in the title, in line 1, after the word "to" the word "amend".

The PRESIDENT: Is there objection?

The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amened be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order.

The Senate proceeded to third reading and consideration of Senate Bill No. 68, entitled:

A joint resolution proposing an amendment to Article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Kline	Nulty,
Beidleman,	Gerberich,	Knapp,	Powell,
Buckman,	Graff,	Kurtz,	Salus,
Catlin,	Gyger,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Huffman,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,

NAYS—3.

Heacock,	Herbst,	Mills,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to third reading and consideration of Senate Bill No. 69, entitled:

A joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Graff,	Kline	Powell,
Catlin,	Gyger,	Knapp,	Salus,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
		Moore,	Wasbers,

NAYS—1.

Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 73, entitled:

An Act to amend sections two and three of an act entitled "An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" approved the second day of May one thousand eight hundred eighty-nine extending the same to other cases of escheat

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 75 ,entitled:

An Act regulating reports for the purposes of taxation by corporations joint stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to third reading and consideration of Senate Bill No. 76, as follows:

An Act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money stocks bonds notes papers and other securities and all other valuables of the same or any other kind for safe keeping and stocks and dividends and the principal of bonds notes certificates and of all and any other kinds of indebtedness of corporations limited partnerships and partnership associations and providing for the enforcement of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every bank savings institution trust company safe deposit company and every person firm and corporation receiving deposits of money shall in the month of January in every year hereafter file with the Auditor General a report under oath of all deposits of money with the interest and profits accrued thereon which have not been increased or diminished or credited with interest in the pass book at the request of the depositor within seven years last preceding such report Such report shall show the amount of such deposit of money and the name and address of the depositor

Section 2 Every person firm and corporation in this Commonwealth receiving deposits of money stocks bonds notes papers and other securities or other valuables of the same or any other kind for the safe keeping shall in the month of January in every year hereafter file with the Auditor General a report under oath of all such deposits to which access has not been actually had by the owner or owners thereof within seven years last preceding such report. Such report shall give the names and addresess of the depositors and the nature and amount of the deposit if known

Section 3 Every corporation limited partnership and partnership association organized under the laws of this Commonwealth shall in the month of January in every year hereafter file with the Auditor General a report under oath of one of its executive officers having personal knowledge thereof the names and addresses of all stockholders to whom a dividend or dividends shall have been declared and who have not claimed the same for seven years next preceeding together with the amount of such dividend and the kind and number of shares on which the same shall have been declared and also the names and addresses of all holders of bonds notes certificates and of all and any other kinds of indebtedness of said corporations limited partnerships and partnership associations who shall not have claimed for seven years next preceding the principal or interest due on the same together with the amount of such interest and of the principal of such bonds notes certificates and other kinds of indebtedness Should the names and addresses of said stockholders of such bonds notes certificates and other kinds of indebtedness be unknown to the executive officers of any such corporation limited partnership or partnership association a report shall nevertheless be filed as hereinbefore provided setting forth the amount and nature thereof and all other information in the possession of such corporation limited partnership or partnership association concerning said stocks bonds notes certificates and other kinds of indebtedness.

Section 4 Such reports shall be preserved by the Auditor General in his office for public inspection and he shall keep for public inspection an index of the names of all persons so reported to him the amount and nature of the property involved and the person or corporation reporting it

Section 5 When any such deposit of money or unclaimed dividend or interest or principal of any bonds notes certificates and all or any other kinds of indebtedness of such corporations limited partnerships and partnership associations shall have been so reported to the Auditor General for seven successive years it shall upon demand by him be paid to the State Treasurer for the use of the State together with the interest and profits accrued thereon by the person firm or corporation making such report and a report of such payment shall be made to the Auditor General and be entered by him in said index Payment to the State Treasurer of any deposit of money or unclaimed dividend or interest or principal of any bonds notes certificates or other kinds of indebtedness as herein provided shall relieve and discharge the person firm or corporation making such payment from any claim or action therefor by any person party firm or corporation

Section 6 At any time within twenty-one years after such payment of a deposit of money dividend or interest or principal of any such bonds notes certificates or other kinds of indebtedness of such corporations limited partnerships and partnership associations to the State Treasurer the persons who would have been the lawful owners of such deposit dividend or interest or principal of any such bonds notes certificates or other kinds of indebtedness had it not been so paid or their legal representative shall receive the same out of the State Treasury out of the moneys otherwise unappropriated upon the warrant of the Auditor General

on the State Treasurer upon the production to the Audiotr General of satisfactory proof of such ownership

Section 7 When any such unclaimed stocks of said corporations limited partnerships and partnership associations or any such deposit of money stocks bonds notes papers other securities or other valuables of the same or any other kind for safe-keeping shall have been so reported to the Auditor General for seven successive years the Auditor General shall thereupon appoint an escheator to conduct proceedings for the escheat of the same in the manner provided by law

Section 8 No fee shall be paid to any informant for information leading to the escheat of any property which shall have been theretofore reported at any time under this act

Section 9 The failure to make any report required by this act shall subject the person firm corporation limited partnership or partnership association so failing to a penalty of fifty dollars a day for each day such failure continues to be recovered by the Commonwealth The failure to pay to the State Treasurer any such deposit of money or dividend or interest or principal of any bond note certificate or all or any other kind of indebtedness of such corporation limited partnership or partnership association upon demand shall render the person firm corporation limited partnership or partnership association so refusing liable to an action by the Commonwealth to recover such deposit with interest at twelve per centum per annum

Section 10 Nothing in this act shall be construed to prevent the escheat of property to the Commonwealth in the way otherwise provided by law for lack of next of kin or a known owner

Section 11 All the acts or parts of acts inconsistent with provisions of this act be and the same are hereby repealed

Section 12 The following acts and parts of acts be and the same are hereby repealed

An act entitled "An Act requiring banks and other corporations to give notice of unclaimed dividends deposits and balances in certain cases" Approved March sixth one thousand eight hundred and forty-seven

Section fifty-two of the act entitled "An Act regulating banks" Approved April sixteenth one thousand eight hundred and fifty

Sections two and three of an act entitled "An Act relating to unclaimed deposits in savings banks and transfer of stock" Approved April seventeenth one thousand eight hundred and seventy-two

An act entitled "An Act relating to the return of moneys escheated to the Commonwealth" Approved June forth one thousand eight hundred and eighty-five

An act entitled "An Act to amend the first section of an act entitled 'An Act relating to the return of moneys escheated to the Commonwealth' approved the fourth day of June Anno Domini one thousand eight hundred and eighty-five extending the same to certain other cases of escheat" Approved June twenty-fifth one thousand eight hundred and eighty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Judson,	Moore,
Beidleman,	Gyger,	Kline	Morgan,
Catlin,	Heacock.	Knapp,	Nulty,
Clark,	Herbst,	Kurtz,	Powell,
Cooper,	Hilton,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Farley,	Hunter,	McNichols,	Stineman,
Fisher,	Jarrett,	Miller,	Vare,
Gerberich,	Jones,	Mills,	Wasbers,

NAYS—2.

Buckman, Salus,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 121, as follows:

An Act authorizing D L Saul and Flora W Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from this Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the General Assembly of the Commonwealth of Pennsylvania in General Assembly met by virtue of the power vested in it by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow D L Saul and Flora W Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the courts of common pleas of Dauphin county any sum or sums of money that may be legally due either jointly or severally the said D L Saul and Flora W Saul his wife by reason of the injuries suffered by the said Flora W Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania July sixth one thousand nine hundred and ten Said suit or suits to be subject to the rules of pleading evidence and appeal as other suits brought in said court are subject

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution. and were as follows, viz:

YEAS—46.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
		Moore,	Wasbers,

NAYS—2.

Fisher, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 169, entitled:

An Act relating to the competency as evidence of certain findings in proceedings in lunacy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter commissioners in lunacy shall declare a person to have been a lunatic from a date prior to such finding then in any action affecting the title to land such finding and the record of any proceedings of the commission shall not be competent evidence unless the record affirmatively shows that ten days' written notice of the time and place of the meeting of the commissioners was served on the party or parties claiming title to the land in question at the time of the issuing of the commission and unless such claim to title adverse to the lunaitc shall have originated subsequent to the date from which he or she is found to have been a lunatic and unless the commissioners shall have found that the person declared to be a

lunatic was a lunatic at the time such adverse claim originated sufficiently identifying it

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 215, entitled:

An Act to authorize any borough now incorporated or that may hereafter be incorporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which has heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 225 (House No. 88), entitled:

An Act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An Act to amend sections one and sixteen of an act entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said county" approved June twenty-seventh one thousand eight hundred ninety-five so as to make it apply to all counties containing one hundred and fifty thousand inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand inhabitants

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Nulty,
Catlin,	Gyger,	Kline	Powell,
Clark,	Heacock,	Knapp,	Salus,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Sheatz,
Daix,	Hoke,	Martin,	Snyder,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Stineman,
Farley,	Hunter,	McNichols,	Thompson,
		Miller,	Vare,

NAYS—2.

Morgan, Wasbers,

A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 229 (House No. 24), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 232 (House No. 89), entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	

NAYS—1.

Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 274, as follows:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five" which reads as follows

"Section 3 The said Superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said Superintendent shall be held responsible to the Governor for the faithful performance of their duties

"In the office of the Superintendent of Public Grounds and Buildings an assistant superintendent who shall be an experienced and competent bookkeeper at a salary of twenty-five hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum a stenographer at a salary of twelve hundred dollars per annum a store-keeper who shall be a competent bookkeeper at a salary of fourteen hundred dollars per annum an assistant store-keeper at a salary of ten hundred dollars per annum a night-watchman for the store-room and department at a salary of nine hundred dollars per annum a messenger at a salary of seven hundred and twenty dollars per annum an assistant messenger at a salary of six hundred dollars per annum

"For the preservation of good order in the Capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum eighteen policemen at a salary of nine hundred dollars each per annum and five night watchmen at a salary of nine hundred dollars each per annum

"For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum a florist at a salary of ten hundred dollars per annum two assistant florists at a salary of nine hundred dollars per annum an assistant foreman of the grounds at a salary of ten hundred dollars per annum and six caretakers at a salary of seven hundred and twenty dollars each per annum

"For the care maintenace and preservation of the Capitol buildings and furnishings a competent foreman of carpenters at a salary of twelve hundred dollars per annum three expert mechanics one each to take care of the marble the painting and the bronze and metal furniture at a salary of twelve hundred dollars each per annum three skilled carpenters at a salary of nine hundred dollars each per annum a skilled cabinetmaker at a salary of nine hundred dollars per annum a clock repairman at a salary of nine hundred dollars per annum ten competent elevator operators at a salary of nine hundred dollars each per annum two skilled painters at a salary of nine hundred dollars each per annum a competent upholsterer at a salary of nine hundred dollars per annum two competent hardwood-floor finishers at a salary of nine hundred dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of nine hundred dollars each per annum eighteen charmen at a salary of six hundred dollars each per annum a chief of the bureau of information at a salary of seven hundred and twenty dollars per annum six guides at a salary of six hundred dollars each per annum two matrons at a salary of four hundred dollars each per annum two female attendants for the public toilets at a salary of three hundred and sixty dollars each per annum two male attendants for the public toilets at a salary of six hundred dollars each per annum

For the operating the mechanical plant a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineers at a salary of twelve hundred dollars each per annum six fireman at a salary of nine hundred dollars each per annum a skilled electrician at a salary of fourteen hundred dollars per annum an assistant electrician at a salary of nine hundred dollars per annum a wireman at a salary of nine hundred dollars per annum two pump-runners at a salary of nine hundred dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a helper for elevator machinist at a salary of seven hundred and twenty dollars per annum a helper for engineroom at a salary of six hundred dollars per annum a practical and eperienced plumber at a salary of twelve hundred dollars per annum a plumber-helper at a salary of seven hundred and twenty dollars per annum two motor-tenders at a salary of seven hundred and twenty dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

"For service at the Executive Mansion a butler at a salary of six hundred dollars per annum a houseman at a salary of four hundred and eighty dollars per annum a night watchman at a salary of seven hundred and twenty dollars per annum one housemaid at a salary of three hundred dollars per annum a laundress at a salary of three hundred dollars per annum a cook at a salary of four hundred and eighty dollars per annum a coachman at a salary of nine hundred dollars per annum and a stableman at a salary of six hundred dollars per annum

"When necessary the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporary employ all necessary help required for the care maintenance and preservation of the public grounds and buildings provided that such help shall be paid for out of the superintendent's general fund" is amended so as to read

Section 3 The said Superintendent of Public Grounds and Buildings shall exercise all of the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said superintendent shall be held responsible to the Governor for the faithful performance of their duties

In the office of the superintendent of public grounds and buildings a deputy superintendent In the absence or incapacity of the superintendent and in case of vacancy in the office of superintendent till a successor be appointed the deputy superintendent shall perform all the duties of the superintendent He shall give bond in the penal sum of ten thousand dollars ($10,000) to be approved by the Superintendent of Public Grounds and Buildings conditioned for the faithful performance of his duties and shall receive a salary of twenty-five hundred dollars ($2,500) per annum one clerk at a salary of eighteen hundred dollars per annum one bookkeeper at a salary of fifteen hundred dollars per annum a draughtsman at a salary of fifteen hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum two stenographers at a salary of twelve hundred dollars each per annum a storekeeper who shall be a competent bookkeeper at a salary of two thousand dollars per annum one assistant storekeeper at a salary of twelve hundred per annum an assistant storekeeper at a salary of ten hundred dollars per annum a night-watchman for the storeroom and department at a salary of ten hundred and twenty dollars per annum a messenger at a salary of ten hundred dollars per annum an assistant messenger at a salary of seven hundred and twenty dollars per annum

For the preservation of good order in the capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum twenty policemen at a salary of ten hundred and twenty dollars each per annum and five nightwatchmen at a salary of ten hundred and twenty dollars each per annum

For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum three assistant florists at a salary of ten hundred and twenty dollars each per annum an assistant foreman of the grounds at a salary of eleven hundred dollars per annum and six caretakers at a salary of eight hundred and forty dollars each per annum

For the care maintenance and preservation of the capitol buildings and furnishings a competent foreman of maintenance at a salary of eighteen hundred dollars per annum a competent foreman of carpenters at a salary of fifteen hundred dollars per annum a competent foreman of painters at a salary of fifteen hundred dollars per annum three expert mechanics one each to take care of the marble the hardwood floors and the bronze and metal furniture at a salary of twelve hundred dollars each per annum six skilled carpenters at a salary of ten hundred and twenty dollars each per annum an assistant marble mechanic at a salary of ten hundred and twenty dollars per annum a locksmith at a salary of ten hundred and twenty dollars per annum a skilled cabinetmaker at a salary of ten hundred and twenty dollars per annum a clock-repairman at a salary of ten hundred and twenty dollars per annum twelve competent elevator operators at a salary of ten hundred and eighty dollars each per annum four skilled painters at a salary of ten hundred and twenty dollars each per annum a competent upholster at a salary of ten hundred and twenty dollars per annum three competent hardwood-floor finishers at a salary of ten hundred and twenty dollars each per annum two foremen of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of ten hundred and twenty dollars each per annum thirty charmen at a salary of seven hundred and twenty dollars each per annum a chief of the bureau of information at a salary of ten hundred and twenty dollars per annum six guides at a salary of nine hundred dollars each per annum two matrons at a salary of four hundred and eighty dollars each per annum two female attendants for the public toilets at a salary of four hundred and eighty dollars each per annum two male attendants for the public toilets at a salary of seven hundred and twenty dollars each per annum

For operating the mechanical plant—a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand eight hundred dollars per annum a competent night engineer and two assistant engineers at a salary of twelve hundred dollars each per annum six firemen at a salary of ten hundred and twenty dollars each per annum a skilled electrician at a salary of fifteen hundred dollars per annum an assistant electrician at a salary of ten hundred and twenty dollars per annum two wiremen at a salry of ten hundred and twenty dollars each per annum two pumprunners at a

salary of ten hundred and twenty dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a competent steam-fitter at a salary of ten hundred and twenty dollars per annum a helper for elevator machinist at a salary of nine hundred dollars per annum a helper for engine-room at a salary of seven hundred and twenty dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber helper at a salary of nine hundred dollars per annum two motor-tenders at a salary of nine hundred dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

For services at the Executive Mansion—a butler at a salary of seven hundred and twenty dollars per annum a house man at a salary of five hundred and forty dollars per annum a night-watchman at a salary of ten hundred and twenty dollars per annum a housekeeper at a salary of four hundred and eighty dollars per annum one housemaid at a salary of three hundred and sixty dollars per annum a laundress at a salary of three hundred and sixty dollars per annum a cook at a salary of six hundred dollars per annum a chauffeur at a salary of twelve hundred dollars per annum and a footman at a salary of seven hundred and twenty dollars per annum

When necessary the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings Provided That such help shall be paid out of the Superintendent's general fund

Section 2 This act shall take effect and be in full force on June first one thousand nine hundred and thirteen

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I ask unanimous consent to amend section 1 in line 119 by striking out the words "twenty-eighth" and inserting in lieu thereof the words "twenty-sixth", also ,to amend the first section in line 120 after the words "ninety-five" by inserting the title of the act of one thonsand eight hundred and ninety-five, as follows:

"An Act relative to the Public Grounds and Buildings; defining the powers of the commissioners; authorizing the Board of Commissioners to carry into effect the provisions of section twelve, Article three of the Constitution relative to contracts for stationery, supplies, furniture, furnishings, distribution of documents, repairs, alterations or improvements, and other matters needed by the Legislature, the several departments, boards and commissions of the State Government and Executive Mansion; authorizing the appointment of a superintendent and definig his powers, authority and duties, and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same."

The PRESIDENT. Is there objection?

The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 275, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining the powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mh. McILHENNY. Mr. President, I ask unanimous consent to amend section three in line four, by striking out the word "adopted" and inserting in lieu thereof the word "accepted", also, to amend section 4, in line 140, by striking out the word "at" and inserting in lieu thereof the word "as".

The PRESIDENT. Is there objection?

The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 276, as folows:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defiining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the thirty-second section of an act approved the fourth day of June one thousand nine hundred and one entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" as amended which as amended reads as follows

"Section 32 The proceedings to recover the amount of any claim as aforesaid shall be by writ of scire facias in the following form namely

".....County ss

"The Commonwealth of Pennsylvania

"To the Sheriff of said County Greeting

"Whereas ..... hath filed a claim in our Court of Common Pleas .....for the county of ..... against ..... for the sum of ..... for (work done or materials furnished or both as the case may be to (or on) a certain property to wit (describing it as in the claim)

"And Whereas It is alleged that said sum still remains due and unpaid to the said ..... now we commend you that you make known to the said .... that ..... be and appear before the judges of our said court at a Court of Common Pleas to be held at ..... on the first Monday of ..... next to show if anything ..... know or have to say why the said sum of ..... shall not be levied of the said property to the use of the said ..... according to the form decree and effect of the act of Assembly in such case made and provided if to them it shall seem expedient and have you then and there this writ

"Witness the Honorable ..... President of our said court at ..... the .....day of ..... Anno Domini one .....

"(Seal)

.....Prothonotary

"But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned" is hereby further amended to read as follows

Section 32 The proceedings to recover the amount of any claim as aforesaid shall be by writ of scire facias in the following form namely

..... County ss

The Commonwealth of Pennsylvania

To the Sheriff of said County Greeting

Whereas ..... hath filed a claim in our Court of Common Pleas .....for the county of ..... against ..... for the sum of ..... for (work done or materials furnished or both as the case may be) to (or on) a certain structure or other improvement to wit (describing the property as in the claim)

And whereas It is alleged that said sum still remains due and unpaid to the said ..... now we command you that you make known to the said .....that .....be and appear before the judges of our said court at a Court of Common Pleas to be held at ..... on the first Monday of ..... next to show if anything ..... know or have to say why the said sum of ..... should not be levied of the said property to the use of the said ..... according to the form decree and effect of the act of Assembly in such case made and provided if to them it shall seem expedient also make known to said ..... if any defense .....have thereto to file .....affidavit or affidavits of defense thereto in the office of the prothonotary of the said court within fifteen days after the return day of this writ and that otherwise judgment may be entered against ..... for the whole amount of the said claim and the said property sold to recover the amount thereof and have you then and there this writ

Witness the Honorable ..... President Judge of our said court .....under date of ..... day of ..... Anno Domini one thousand nine hundred and .....

(Seal)

..... Prothonotary

But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned

The said court shall have full power and ample authority and is hereby authorized and directed to enter judgment against such of the said defendants as shall have been duly served according to law or have appeared for want of an affidavit of defense or sufficient affidavit or defence as the case may be if the parties so served or appearing or any of them shall neglect or fail to file an affidavit of defence within the time mentioned in the said writ

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 328, entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett.	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 333, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred eleven (Appropriation Acts page two hundred fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 350 (House Bill No. 248), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred ninety-five entitled "An Act to honor the United States flag as the National Emblem of a free people and to protect it from domestic and foreign insult"

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person or persons to drive or operate upon a street or alley in the built-up portion of any city of the third class in this Commonwealth any wagon or other vehicle loaded or partly loaded with waste paper or ashes unless such wagon or vehicle be covered or closed on the top sides and bottom in such a way as to prevent the waste paper or ashes from being scattered or strewn upon the street or sidewalks

Section 2 Any person or persons violating the provisions of this act shall upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace in the county wherein such offense was committed be sentenced to pay a fine not to exceed ten ($10) dollars to be paid to said county with the costs of prosecution or to be sentenced to the county jail for a period of not more than (10) days or both at discretion of the court

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 370, entitled:

An Act making an appropriation to the State Hospital for injured persons of the Trevorton Shamokin and Mt. Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 386, entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat if within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE.

Mr. KURTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ, from the Committee on Judiciary Special, reported as committed Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 13, as follows:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town

or borough or any two or more contiguous towns or boroughs situate within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and the council or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be on their own motion or upon petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs that [illegible] they shall certify said resolution to the county of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at the said general election in the borough or boroughs aforesaid in the following form "proposed city charter" and below shall be printed on two lines with a square at the right of each the words "for city charter" and "against city charter" and the electors shall designate with a cross mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said town or towns borough or boroughs to count the votes so cast for and against such city charter and make return thereof on blanks to be furnished by the corporate authorities of said town or towns borough or boroughs to the clerk of the court of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 Whenever by the returns of the election in any towns or boroughs aforesaid it shall appear that there is a majority against the city charter no further proceeding shall be had and it shall not be lawful to hold another election upon that question in such towns or boroughs for three years thereafter If it shall appear by the said returns that there is a majority in favor of the city charter the Governor shall issue letters patent under the great seal of the Commonwealth reciting the facts defining the boundaries of said city and constituting the same a body corporate and politic by the name of the city of and the corporate authorities of any such town or boroughs shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information in regard to the boundaries of said city

Section 3 All of the property and estates whatsoever real and personal of the towns or boroughs which shall have thus become a city of the third class are hereby severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided that where two or more towns or boroughs shall under the provisions of this act be consolidated into a city the debt or debts of each of said towns or boroughs contracted prior to such consolidation shall be paid by such towns or boroughs respectively and for the liquidation of such debt the authorities of such city shall have power to adjust and provide for the same and to levy separate rates of taxation on all property subject to taxation within the boundaries of the said towns or boroughs respectively

ARTICLE II

Creation and Division of Wards

Section 1 Wards in cities of the third class may be divided or new wards created therein by the Court of Quarter Sessions of the proper county on application thereto for that purpose by the petition of at least one hundred qualified electors thereof or of the council of such city and upon such petition praying for the division of a ward or for the erection of a new ward out of parts of two or more wards the said court shall appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of grantiing the prayer thereof and it shall be the duty of the commissioners so appointed or any four of them to examine the premises and to make a draft of the ward to be divided showing the division thereof or of the new ward proposed to be created as the case may be and they shall make report to the said Court of Quarter Sessions at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable

Section 2 If the commissioners or a majority of them report favorably to such a division or creation the court shall order a vote of the qualified electors of the ward to be affected thereby to be taken on the question of division or creation thereof and shall appoint an election to be held on the day of municipal or general election when the election officers of the ward or wards proposed to be divided or affected thereby shall hold such election at the places and in the manner provided by law for the regulation of municipal elections It shall be the duty of the mayor of the said city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by hand bills posted in the most public places in said ward or wards that such an election will be held and of the time and place of holding the same The judge and inspectors of election of said ward or wards shall receive from the electors thereof written or printed tickets having on the outside the word (new ward) and on the inside the words (for new wards) or (against new ward) and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such new ward and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it appear that a majority of the votes so taken are for a new ward said court shall thereupon order and decree the creation of such new ward or wards agreeably to the lines marked out and returned by the commissioners and shall number the new wards and cause a certified copy of the whole proceeding to be placed on record among the minutes of council If a majority of votes shall be against the new ward no further action shall be had upon such proceeding nor shall any new application for such new ward be heard for two years from the date of such election Provided that no ward shall contain less than three hundred taxable inhabitants according to the last preceding enumeration and no city of the third class shall contain more than twenty-one wards

Section 3 That on the petition of at least twenty-five electors resident within the district to be stricken off or attached or of the council of any city of the third class to the Court of Quarter Sessions of the proper county praying for the detaching from one ward a part thereof and attaching the same to another ward the said court shall appoint five impartial men resident of the city but not of the ward to be effected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioner thereof or any four of them to examine the premises and to make a draft of the wards effected and showing the lines as the division will affect them and shall make a report to said court at the next term together with their opinion of the necessity of the same and at next term after that at which the report shall be made the court shall take such action thereon as to it shall appear just and reasonable

Section 4 If the commissioners or a majority of them report in favor of the petition the court shall order a vote of the qualified electors of the ward from which the territory is to be striken off to be taken on the question and shall appoint an election to be held on the day of the municipal or general election when the election officers of the ward shall hold such election at the place and in the manner provided by law for the regulation of municipal election It shall be the duty of the mayor of such city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by handbills in the most public places in said ward that such an election will be held and of the time and place of holding the same The judges and the inspectors of the election in said ward shall receive from the electors thereof written or printed tickets having on the outside the word "Division" and on the inside the words "For division" or "Against division" and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such separation and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it shall appear that a majority of the votes so taken are for the separation the said court shall thereupon order and decree the separation from the one ward and the attachment to the other ward agreeably to the lines marked out and returned by the commissioners and shall cause a certified copy of the whole proceedings to be placed of record among the minutes of council If a majority of votes shall be against such separation no further action shall be had upon such proceedings nor shall any new application for such separation and addition be heard for two years from the date of such election

ARTICLE III

Annexation of Territory

Section 1 Any borough or township or part of a township adjoining any city of the third class and being a part of the county in which the same is situated may be annexed to such adjoining city the following manner namely In case of a borough the town council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petition asking therefor in the case of a township or part of a township to three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said

petition in case a part only of a township desires to be admitted shall be accompanied by a plot of the same

Section 2 Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough or of the petition in the case of a township or of the petition and plot in the case of a part of a township said council may by ordinance annex such borough township or part of a township to the said city

Section 3 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom be taken within said ten days to the Court of Quarter Sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

Section 4 Upon the application by petition signed by a majority or more of the taxable citizens owners of any out lots or sections of land containing not more than one hundred acres lying adjacent to any city of the third class and being part of the county in which the same is situated to the Court of Quarter Sessions of the respective county stating that they desire the same to be annexed to said city the necessity therefor and describing the lots or land to be annnexed with a map or draft of the same which petition shall be sworn to by one or more of the petitioners and accompanied by a resolution of the council of said city approving of the annexation the said court shall thereupon appoint three viewers to inquire into and investigate the allegations and facts stated in the said petition and the said viewers or a majority of them shall make report to said court at its next sessions after their appointment if they report that they find the statements and facts of said petition to be true and recommend the annexation as prayed for the said court shall thereupon make an order or decree to carry the same into effect and the said out-lots or sections of land shall thereafter be a part of said city as fully as if the same had been originally a part thereof The costs of the proceedings in all cases shall be paid by the city If the report of said viewers shall be adverse to the prayer of the petitioners the petition shall be dismissed

Section 5 Whenever any borough township or part thereof out-lots or section of land shall be annexed to an adjoining or adjacent city as hertinbefore provided it shall be the duty of the court upon petition and proof to make such order or decree as will give to the people of the annexed territory representation in the government of the said city by including said territory within the limits of an adjacent ward or wards or by creating a new ward or wards thereof and said court shall in case of the creation of new wards or ward appoint the election officers and place for holding the first election of ward officers and for that purpose may order a special election if said court shall deem the same necessary to be conducted in the manner provided by law for conducting municipal elections The officers elected at such special election shall hold their respective offices until their successors who are hereby required to be elected at the municipal election held on the Tuesday following immediately after the first Monday of November next succeeding the same shall be duly qualified

Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part to the said city The existing indebtedness and liabilities and the interest thereon of each of said cities contracted prior to such annexation (excepting any and all funded indebtedness for the construction of sewers water works gas or electric light plants or public buildings) shall be paid by such city and the existing indebtedness and liabilities and interest thereon of each of said boroughs townships or parts of townships shall be paid by the same respectively as the case may be And for the liquidation of debts and liabilities and the interest thereon the authorities of such city shall have power to adjust and provide for the same by ordinance and to levy separate rates of taxation on all persons and property subject to taxation within the boundaries of such city or borough township or part of township respectively as the case may be for the purpose aforesaid

ARTICLE IV

General Provisions

Section 1 The legislative power of every city of the third class shall be vested in a council composed of the mayor and four councilmen "said council shall have and possess all powers heretofore conferred upon or vested in the select or common council or both thereof as heretofore constituted unless otherwise provided in this act No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or any department thereof shall serve as a member of council during his contiuance in such office or employment except as hereinafter provided

Section 2 No ordinance shall be passed by council except by bill and no bill shall be so altered or amended on its passage through council as to change its original purpose

Section 3 Every bill shall be read at length and no bill shall be passed finally upon the same day on which it is introduced or reported and at least five days shall intervene before its final passage

Section 4 The council shall prescribe by ordinance the number duties and compensation of the officers and employes of the city and no payment and no payment of such compensation shall be made from the city treasury or be in any way authorized to any person except an officer or employe elected or appointed in pursuance of law and no ordinance shall be passed giving any extra compensation to any officer servant employe or contractor nor providing for the payment of any claim against the city without previous authority of law and any officer drawing or countersigning any warrant or passing any voucher for the same or paying the same shall be guilty of a misdemeanor and on conviction thereof be punished by a fine not exceeding five thousand dollars and imprisonment not exceeding one year

Section 5 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnishel and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways and sewers and of public improvements shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and all sales of personal property owned by the city shall be to the highest bidder under such regulations as shall be prescribed by ordinance or resolution Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not otherwise provided for in the general contract for labor and supplies and such funds shall be appropriated to such purposes exclusively and may be expended without advertising for bids

Section 6 No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof and no municipal department shall create any debt or make any contract except in pursuance of previous authority of law or ordinance

Section 7 A member of council who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or person any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 8 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

Section 9 A member who has a personal or private interest in any measure or bill proposed or pending before the council shall disclose the fact to council and shall not vote thereon nor take any part in the discussion of the same If such interested person shall vote without disclosing his interest in such measure or bill and the same be carried by his vote he shall forfeit his office and the measure or bill shall be void

Section 10 No portion of the property of the city shall be used for private gain by any officer of the city councilman agent or employe of said city or any department thereof nor shall the same be wilfully used or injured or be sold or disposed of in any manner without the consent of the council by any officer councilman agent or employe Nor shall any officer councilman agent or employe of the said city or any department thereof be interested directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the city or any department thereof for the use purchase or sale lease occupation or enjoyment or any of the works material or property of said city Any violation of the provisions of this section shall be a mismisdemeanor and upon conviction thereof the person or persons so offending shall be punished by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or either at the discretion of the court trying the same and upon such conviction the party offending shall be forthwith removed from his office or employement and shall not thereafter be eligible to election or appointment to any place of profit or trust under said city or any department thereof

Section 11 No member of the council or any other city officer shall become surety in any bond or obligation given to the city by any officer or by any agent or contractor for the faithful performance of any trust agency or contract Any person becoming surety in violation of the provisions hereof shall forfeit his office and be deemed guilty of a misdemeanor punishable upon conviction by a fine not exceeding five hundred dollars

Section 12 No member of the council or other officer of the city shall either directly or indirectly be a party to or in any manner interested in any contract or agreement with such city for any matter cause or thing whatsoever by which any liability or indebtedness is in any way or manner created against such city and if any contract or agreement shall be made in violation of the foregoing provision the same shall be null and void and no action shall ever be maintained thereon against said city

Section 13 No member of the council or other officer of such city shall purchase any warrant order or claim for labor or supplies furnished to said city nor be interested directly or indirectly in the purchase of the same for any sum less than the amount specified therein and any such person purchasing a warrant order or claim in violation of the foregoing provision shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars

Section 14 All officers of the several cities of the third class whether elected or appointed shall before entering upon their respective duties take and subscribe the oath prescribed by Section one of Article seven of the Constitution of this Commonwealth Any person refusing to take such oath shall forfeit his right to the office and any person guilty of violation thereof shall be deemed guilty of misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment not exceeding one year or either at the discretion of the court

Section 15 The terms of the members of council and all other city and ward officers of said cities except aldermen elected at the regular municipal election in any year shall begin on the first Monday of January next ensuing thereto and shall continue for the period fixed by law for the duration thereof in each particular case and all elections for officers whose terms will expire on the first Monday of January of any year shall be held on the Tuesday following immediately after the first Monday of November next preceding thereto

Section 16 The members of council of the several cities of the third class shall assemble in their place of meeting for the purpose of organizing at ten o'clock in the forenoon of the first Monday of January next succeeding the regular election of councilmen and the mayors of said cities shall be inaugurated and take the oath of office on the said day and hour of the first Monday of January following their election

Section 17 Whenever an election shall be held for city officers on the first Tuesday following the first Monday of November in any year for regular terms of service it shall be the duty of the mayor to procure at the expense of the city from the Prothonotary of the Court of Common Pleas of the proper county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and lay the same before council on the date and time fixed by law for their organization and the said certificate shall be filed among the city archives and a copy thereof entered upon the journal In the case of special election for a member or members of council to fill a vacancy or vacancies the mayor shall procure from the Prothonotary as aforesaid a certificate of the vote for such member or members as returned to his office by the proper election officers and lay the same before the council at the next regular meeting succeeding such election which council shall enter the same among its proceedings The Court of Quarter Sessions shall appoint the places for holding the municipal and the general elections in all of the election districts of said cities

ARTICLE V

Corporate Powers

Section 1 The corporate powers and the number character powers and duties of the officers of cities of third class now in existence by virtue of the laws of the Commonwealth shall be and remain as now provided by law except where otherwise provided by this act

Section 2 Every city of the third class within this Commonwealth is hereby declared to be a body corporate and politic and shall have perpetual succession and shall have power

1 To sue and be sued

2 To purchase and hold real and personal property for the use of the city

3 To lease and to sell and to convey any real or personal property owned by the city and to make such order respecting the same as may be conducive to the interests of the city

4 To make all contracts and do all other acts in relation to the property and affairs of the city necessary to the exercise of its corporate or administrative powers

5 To have and use a corporate seal and alter the same at pleasure and every such seal shall have upon it the word "Pennsylvania" the name of the city and the year of its original incorporation

The powers hereby granted shall be exercised by the mayor and councilmen of such cities in the manner herein provided

Section 3 Every city of the third class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

1 To levy and collect taxes for general revenue purposes not to exceed ten mills on the dollar in any one year on all persons real personal and mixed property within the limits of said city taxable according to the laws of the State of Pennsylvania for county purposes the valuation of such property to be assessed as hereinafter provided

2 To provide for the assessment of taxes in addition to the above not exceeding one per centum on the dollar upon the assessed valuation in any one year on all persons real and personal property and all other matters and things within said city taxable for county purposes for the payment of interest on bonded indebtedness and for the payment of loans to support the government and to make necessary improvements in said city

3 To impose a poll tax for general revenue purposes not exceeding one dollar annually on all male inhabitants above the age of twenty-one years

4 To levy and collect a license tax not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers merchants of all kinds persons selling or leasing goods upon instalments grocers confectioners butchers restaurants billiard parlors bowling alleys billiard tables pool tables drays hacks carriages omnibuses automobiles cart wagons street railways cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance insurance companies market house companies garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same

5 To borrow money on the credit of the city and to pledge the credit and revenue thereof for the payment of the same to amount not exceeding two per centum upon the assessed value of the taxable property in said city and with the consent of the people of the said city obtained at an election held under the provisions of the Constitution and the general laws of this Commonwealth to increase the indebtedness of such city to an amount not exceeding in the aggregate seven per centum upon the assessed valuation of the taxable property therein

6 To provide for the issuing of bonds and for the application of bonds already issued by cities heretofore incorporated for the purpose of funding any and all indebtedness now existing or hereafter created of the city now due or to become due Provided That said bonds shall be payable in not less than five years and not more than thirty years from the date of their issue and that the same shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value

7 To make provision for a sinking fund to pay at maturity the bonded indebtedness of the city and to levy and collect taxes on all the taxable property in the city in addition to all other taxes for the purpose of paying the same under and subject to the limitations and requirements of this act and of the Constitution and laws of this Commonwealth

8 To lay out open widen straighten alter extend improve establish or re-establish grades of and keep in order and repair and in safe passable condition any street avenue alley or lane or any part thereof within the city limits or to vacate and discontinue the same whenever deemed expedient for the public good and to make sidewalks and construct and maintain bridges and culverts and to provide for the cost thereof either in whole or in part from the general revenues of the city No ordinance for the opening widening straightening extending or vacating of any street avenue alley or lane or parts thereof shall be passed except in the manner provided in clause ten of this section

9 To construct and reconstruct sewers and to extend the same beyond the city limits in accordance with the provisions of existing laws and for the purpose of such construction or extension to take and occupy private lands and property making compensation therefor to the owners thereof as required by law

10 To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curbstone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to benefits as council shall by ordinance determine except in case of grading only the said cost and expense of which shall be assessed according to benefits when the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council must provide for an equitable reduction from the frontage of lots at all streets and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the Court of Common Pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamining grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition Provided however that no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspapers of said cities for three consecutive weeks once a week immediatly following the introduction thereof and in case said city shall have no official newspaper then in at least two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however that the requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners daily for a period of five days in one newspaper published in said city shall be conclusive that a majority in number or interest have petitioned therefore The cost and expenses of any improvement done and completed under an ordinance providing for the assessment of the cost and expense therefor under the foot front

rule may be assessed according to benefits upon the passage of an ordinance to that effect which assessment according to benefits shall be made in like manner and in like effect as if the original ordinance providing for the improvement had provided for such assessment

11 To require owners of property abutting on any public street lane or alley to construct pave curb repave and recurb the sidewalks and keep the same in good repair along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply therewith upon notice to authorize the same to be done by the city and the expense thereof be levied and collected from such owners with costs which amount shall be a lien upon such premises from the time of the commencement of the work which date shall be fixed by certificates of the city engineer filed with the clerk and may be collected by action at law or such lien may be filed and proceeded in as herein provided in the case of municipal liens or the cost may be borne by the city in whole or in part if in part the rest to be collected from the owners in manner as above provided

12 To provide for the payment of the debts and expenses of the city and to appropriate money therefor

13 To create any office public board or department which they may deem necessary for the good government and interest of the city to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board of any department so created but no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any public board or department after his or their election or appointment Provided However That in case of the creation of any public board or department the members thereof shall except where otherwise provided by this act be elected or chosen by the council but no two persons from the same ward shall serve on the same board at the same time Provided That the provisions of this section as to the creation of any public board or department and prescribing the duties thereof shall not apply to the creation of any board of commissioners of water-works of any city wherein the title to the water works therein located is in the name of the commissioners of water-works

14 To require from all officers and agents of the city elected or appointed lawful bonds and security for the faithful performance of their duties and no officer or agent required by law or ordinance to give bond as aforesaid shall be sworn into office or enter upon the duties thereof until such bond shall have been duly approved by the proper authority

15 To provide for the removal of officers of the city whose offices are established by ordinance and whose removal is not otherwise herein provided for

16 To require the removal of all obstructions from the sidewalks curbstones gutters streets and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same and to regulate the planting and protection of shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city

17 To make and establish such and so many uniform rules and regulations as to them may seem expedient for the better regulations of porches porticos benches doorsteps railings bulk bay or jut windows areas cellar doors and cellar windows signs and sign posts boards poles or frames awning posts or other devices or things projecting over under into or otherwise occupying the sidewalks or other portion of any of the streets lanes alleys and in relation to boxes bales barrels hogsheads crates or articles of merchandise lumber coal wood ashes building materials or any other article or thing whatsoever placed in or upon any of the said sidewalks or other portion of said streets lanes or alleys and also to prevent and remove all encroachments thereon

18 To provide for and require the construction and maintenance of bridges or other crossings over or under railroad tracks and to enter into contracts with railroad companies for the construction and maintenance of the same to require the erection of safety gates and the placing of flagmen at the intersection of railroads with public streets to forbid the obstruction of the said crossings by locomotives or railroad cars and also to make regulations concerning the rate of speed at which locomotives cars or trains shall pass upon or across the streets within the built-up portions of the city

19 To establish and maintain night-watch and police and define the duties of the same

20 To regulate the police of the city and to impose fines forfeitures and penalties for the violation of any ordinance and provide for the recovery and collection of the same and in default of payment to provide for confinement in the city or county prison or to hard labor upon the streets or elsewhere for the benefit of the city

21 To provide for the erection or purchase of lockups or watchhouses in some convenient part of the city for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested can be taken before the proper magistrate for hearing and committed to prison or discharged but no person shall be detained therein for a longer time than twenty-four hours except upon the order of a magistrate legally authorized who may commit such person for further hearing

22 To erect or purchase establish and maintain hospitals prisons work-houses of correction for juvenile or other offenders and to prescribe regulations for the government thereof and also to erect all public buildings necessary for the use of the city or of any department thereof to purchase or take use and occupy private lands upon which to erect any of the said buildings to purchase take use and occupy within the limits of the respective city or within the county adjacent thereto private lands upon which to establish and maintain a hospital or hospitals for the treatment and separation of persons suffering with contagious and infectious diseases to purchase or take use and occupy within the limits of such city or within the county adjacent thereto private lands upon which to establish and maintain a poor-farm with all necessary and convenient buildings and appliances where the city may support and maintain such poor persons as such city is by law required to support and maintain and the damages accruing by reason of the acquisition of any private property for the purposes aforesaid shall be compensated in the manner now or which may hereafter be provided for by law for the ascertainment and payment of damages for private property taken for public uses

23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot ground and other places of public resort and for the arrest and commitment of professional thieves

24 To offer rewards for the arrest and conviction of persons guilty of capital or other high crimes within the city but no policeman shall be entitled to receive any share thereof

25 To license and collect a license tax from all skating-rinks operas theatres concerts shows circuses menageries and all kinds of public exhibitions for pay (except those for religious educational or charitable purposes) to regulate the same and to restrain all exhibitions of indecent or immoral character

26 To regulate the time and place of bathing in rivers and other public water in and adjoining the said city subject to the regulations and rules of the local health authorities and the State Department of Health

27 To establish stands for coaches cabs omnibuses carriages wagons automobiles and other vehicles for hire and to enforce the observance and use thereof and to fix the rates and prices for transportation of persons and property from one part of the city to another

28 To restrain prohibit and suppress tippling shops houses of prostitution gambling houses gaming cock or dog fighting and other disorderly or unlawful establishments or practices desecration of the Sabbath day commonly called Sunday and all kinds of public indecencies

29 To prevent and restrain riots noises distrubances or disorderly assemblies in any street house or place in the city to regulate prevent and punish the discharge of fire-arms rockets powder fire-works or any other dangerous combustible material in the streets lots grounds alleys or in the vicinity of any building to prevent and punish the carrying of concealed deadly weapons to arrest fine or set at work on the streets or elsewhere all vagrants found in said city to prevent and punish horseracing fast driving or riding in the streets highways alleys bridges or places in the city and all games practices or amusements therein likely to result in danger or damage to any person or property and to prevent and punish the riding or driving of horses mules oxen cattle or other teams or the passage of any vehicle drawn thereby or self propelled over and across sidewalks and to regulate the passing of the same through the public streets

30 To purchase and own ground for and to erect and and establish market houses and market places for which latter purpose parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalks for temporary public market purposes

31 To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided for by law to provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood bark and fuel to be used in the city and to designate the place or places of inspecting and weighing the same and to regulate and prescribe the place or places for exposing for sale hay coal bark and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures

32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protection against floods and constructing and maintaining docks retaining walls or embankments and by removing obstructions from and deepening the channels of rivers and streams flowing through or adjacent to the city

33 To establish and change the channel beds and mouths or water courses through lands marshes or waters in or adjacent to the city to crib wall and cover them over and to prevent and remove obstructions therefrom at the expense of those causing the same to establish make and regulate public wells cisterns aqueducts and reservoirs of water in accordance with the provisions of existing laws and to provide for filling the same to establish the lines of banks of streams of water which pass through or along the boundary of such cities and by proceeding at law or equity to prevent and remove all such encroachments on the banks of streams and water courses as threatened will or do injure said city or the property therein

34 To purchase by and with the consent of a majority of the qualified electors obtained at an election held therefor at a time and place to be fixed by council lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned and controlled by the city

35 To provide for the erection of all needful pens pounds and buildings within or without the city limits to appoint keepers thereof and to regulate or prohibit the running at large of cattle hogs horses mules sheep goats dogs or other animals also geese ducks chickens fowls et cetera and to cause such as may be running at large to be impounded and sold to discharge the costs and penalties provided for the violations of such prohibitions and the expenses of impounding and of keeping the same of such sale to regulate and provide for taxing the owners and harborers of dogs and to destroy dogs found contrary to any ordinance providing the owners cannot be found or who neglect to care for such dogs

36 To make regulations for the enforcement of the laws of the Commonwealth relating to the control of communicable diseases and for the enforcement of the regulations and orders of the State Department of Health and for the abatement of nuisances

37 To make additional necessary orders and regulations to prevent the introduction of contagious or pestilential diseases into the city but in no instance shall such orders and regulations abridge in any way the provisions of the act of Assembly of May fourteenth one thousand nine hundred and nine entitled "An act to safeguard human life and health throughout the Commonwealth by providing regulations for the control of certain communicable diseases and the prevention of infection therefrom and prescribing penalties for the violation of said regulation or the regulations of the State Department of Health

38 To purchase fire engines hooks ladders trucks fire alarms and other apparatus for the extinction of fires to organize a fire department with or without pay to make the necessary appropriation for the maintenance of the same and to prescribe rules and regulations for the government of the officers and companies belonging thereto and if a paid department to provide by ordinance for the election or appointment of the officers and companies belonging thereto

39 To regulate the construction and inspection of fireplaces chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

40 To provide a system for the inspection of buildings to insure their structural or sanitary safety and incombustibility and for the appointment of one or more building inspectors to prescribe limits within which buildings shall not be constructed reconstructed enlarged or additions made thereto or into or within which they or any of them shall not be removed except the same be of incombustible materials with fire proof roof and any building erected reconstructed enlarged or having additions made thereto or removed into or within such limits contrary to the provisions of any ordinance forbidding the same shall be a public nuisance and abatable as such and may be restrained by injunction

41 To provide for and regulate the lighting of streets with gas or electric lights or by other means and to require and regulate the numbering of houses

42 To have the exclusive right at all times to supply the city with gas or other light and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and also to have at all times the unrestricted right to make erect and maintain the necessary buildings machinery and apparatus for manufacturing and distributing the same or in territory not supplied with light to make contracts with and to authorize any person company or association so to do and to give such person company or association the privilege of supplying gas or other light as aforesaid for any length of time not exceeding ten years

43 To have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right subject to the provisions of existing laws to make erect and maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyance and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Provided that the provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the Commissioners of Waterworks

44 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineer in order to set out the foundation and regulate the walls to be built between party and party as to the breadth and thickness thereof which foundation shall be laid equally upon the land of the persons between whom such party wall is to be made and the first builder shall be reimbursed one moiety of the charge of said wall or for so much thereof as the next builder shall have occasion to make use of before such next builder shall or may use or break into said wall

45 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineers in order to regulate partition fences and when adjoining parties shall improve or enclose their lots such fences shall be made in the manner generally used and keep in good repair at the equal expenses of the parties unless the owners or occupants between whom such fences are erected shall agree otherwise

46 To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expendient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred dollars for any one offence recoverable with costs together with judgment or imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid

47 That the municipalities of the Commonwealth shall have power and authority to vacate in whole in or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation

48 In the exercising the power aforesaid all proceedings for the ascertaining of damages and the assessment of benefits incident thereto shall be as now provided by law in reference to payment of costs damages and expenses of public improvements within municipal corporations

ARTICLE VI

City Council

Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their term of service At the first regular municipal election held after the passage of this act a mayor and four members of council shall be elected who shall assume office on the first Monday of January following their election and said councilmen shall hold office until first Monday of January of the second year and the said mayor shall hold office until the first Monday in January of the fourth year following their election unless they shall sooner be removed by methods prescribed by law Provided however that in cities of the third class wherein mayors shall have been elected in the year one thousand nine hundred and eleven said mayor shall continue in office until the first Monday of January one thousand nine hundred and sixteen After the first election under the provisions of this act a mayor shall be elected at the regular municipal election held each fourth year thereafter and four members of council shall be elected at the regular municipal election held each two years thereafter said mayor and councilmen shall be elected by the electors at large of said city

Section 2 Each member of council including the mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto such acts as shall have been passed by the affirmative vote of a majority of the members elected to said council

Section 3 Whenever a vacancy shall occur in the office of mayor or councilmen the same shall be filed by special election by the electors at large of said city said special election to be called and conducted in the manner provided by law The persons elected to fill said vacancy shall serve during the unexpired term of his predecessor The date of such special election shall be fixed by council and notice thereof given by proclamation of the mayor for at least ten days prior thereto

Section 4 The members of council shall take the oath of office prescribed by law which oath may be administered by any person authorized to administer oaths Three members of council shall constitute a quorum but a smaller number may compel the attendance of absent members under penalties to be prescribed by ordinance The council may determine its own rules provided said rules are not inconsistent with the Constitution and laws of the State of Pennsylvania

Section 5 The council of each of said cities of the third class shall hold stated meetings at least once in each month and continue them so long as the transaction of the public business demands and at such other times as may be fixed by ordinance The said council may hold special meetings at such times as the mayor or any two councilmen may deem proper to call the same upon twenty-four hours notice to each member which notice shall state whether such meeting is to be convened for special or general business All meetings of council whether regular or special shall be open to the public The council shall be a continuous body and it shall be lawful for any council to complete any unfinished business or legislation begun by the preceding council

Section 6 The said council in cities of the third class shall keep a journal of its proceedings which shall be at all times open to public inspection Upon every vote the yeas and nays shall be called and recorded and every motion resolution or ordinance shall be reduced to writing before the vote is taken thereon Except where they shall be personally or privately interested no member shall withhold his vote on any measure or question unless he shall state his reason therefor to the council which may excuse him and enter the reason upon the journal

Section 7 Every legislative act of the council shall be by resolution or ordinance and every ordinance or resolution which shall have passed said council shall be signed by the mayor and attested by the city clerk

Section 8 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein take effect in ten days after their passage upon their being signed by the mayor and attested by the

city clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 9 The fiscal year of each of said cities of the third class shall begin on the first Monday of January in each and every year The council shall at the end of each fiscal year cause to be published in not more than two newspapers printed and circulated in said city a summarized statement of the receipts and expenditures of the city during the preceding year its present funded and floating indebtedness and the date of the maturity of the funded debt and schedule of its assets and the character and value thereof and the amount of taxable property therein The council may at its discretion cause said summarized statement to be printed in pamphlet form instead of being published in newspapers aforesaid provided the said pamphlet be supplied for general distribution and notice published in at least two newspapers that the said pamphlets may be had upon request at the office of the city clerk

Section 10 The several departments of the city government shall before the commencement of the fiscal year present to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing year and council shall then proceed to make the annual appropriation thereto No appropriation shall be made for any purpose until the interest accruing on the funded debt of the city and the principal of such part of said debt as may be coming due the salaries of officers and the ordinary and necessary expenses of the city shall first be provided for When all estimates for the expenditures for the ensuing year shall be finally made council shall fix the tax rate at such figure as with all sources of revenue will fully meet and cover the aggregate amount of such estimate and no appropriation shall be made for any purpose in excess of the estimated receipts for the current fiscal year

Section 11 The councilmen in cities of the third class shall receive for their services during their term of services annual salaries to be fixed by ordinance payable in monthly installments Council may by ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings or council or councilmanic committees Council shall by ordinance fix the amount of salaries to be paid to councilmen for their services which salary shall not be less than two hundred fifty dollars per year nor more than three thousand dollars per year Provided however That for the first term of councilmen elected under the provisions of this act and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of five hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not to exceed fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three thousand dollars per annum

The first council elected under the provisions of this act shall by ordinance determine the amount of salaries to be paid in said cities the compensation to be received by councilmen shall not be increased or diminished during the term for which he shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making such change

Section 12 The council shall have power to enforce the attendance of witnesses the production of books and papers and power to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates exercising criminal or civil jurisdiction under the statutes of Pennsylvania

Section 13 The terms of office of all members of council and of all other offices in cities of the third class who are in office at the time this act becomes effective shall cease and determine on the first Monday in January next succeeding the passage hereof except wherein otherwise provided in this act Provided however that city treasurers city solicitors city engineers and city clerks who are in office at the time of the passage hereof shall continue to exercise their offices for the remainder of the terms for which they were elected and at the expiration of their respective terms of office the persons elected to succeed said officers shall hold said offices until the first Monday in January immediately following the next regular election of councilmen And provided further that in cities of the third class wherein city controllers have been elected in the year one thousand nine hundred and eleven said controllers shall continue in office until the first Monday of January one thousand nine hundred and sixteen subject to the provisions of this act relating to the office of city controller except that the annual salary of said controllers shall remain as it now is up to said date of the first Monday of January one thousand nine hundred and sixteen

ARTICLE VII

Executive Department

Section 1 The executive administrative powers authority and duties in every city of the third class shall be distributed into and among five departments as follows

1 Department of Public Affairs
2 Department of Accounts and Finance
3 Department of Public Safety
4 Department of Streets and Public Improvements
5 Department of Parks and Public Property

The council shall determine the powers and duties to be performed by and assign them to the appropriate department shall prescribe the powers and duties of officers and employes may assign particular officers and employes to one or more of the departments may require an officer or employe to perform duties in two or more departments and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city

Section 2 The mayor shall be superintendent of the department of public affairs and the council shall at the first regular meeting after the election of its members designate by majority vote one councilman to be superintendent of the department of accounts and finances one to be superintendent of the department of public safety one to be superintendent of the department of streets and public improvements and one to be superintendent of the department of parks and public property but such designation shall be changed whenever it appears that the public service would be benefited thereby

Section 3 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots and tumultuous assemblies are hereby conferred upon him and he shall have authority upon occasions of threatened public disorder to require and enforce the closing up of bars or any establishments in which liquors are sold during the continuance thereof

Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of their duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any officials of the city or head of departments for any information as to the affiairs under their control and management as he may require He shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conductive to the interests and welfare thereof

Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of Assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fine of penalty as may be fixed by ordinance with cost of arrest He shall be empowered to take acknowledgments of any instruments in writing solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissable for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to the alderman of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath of affirmation before the superintendent of finance and filed with him

Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office provided that members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall be subject to the direction and control of the council and shall serve as such officers until their successors be duly designated and qualified

Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required the mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by council

Section 8 The council shall have the power of appointment and dismissal of all employes and subordinate officers of the city except as otherwise provided by this act The council shall cause the mayor to issue his proclamation to the qualified electors of the city at least ten days before the annual municipal election stating therein the officers to be voted for at such election

Section 9 If for any reason whatsoever a vacancy occurs in the city council whether as to the mayor or one or more of the other members of council the city council shall by its remaining members call a special city election to fill the vacancy or vacancies for the unexpired term or terms respectively and this shall be repeated from time to time as often as necessary except that if such vacancy or vacancies occur less than four months prior to the city election the vacancy shall remain unfilled and the work apportioned among the remaining councilmen without extra compensation until said city election

The members of council who shall be designated superintendent of finance shall be vice president of the city council and acting mayor of the city during the absence or inability of the mayor to act and during the interum until such vacancy in the office of mayor shall be filled by election he shall exercise all the rights and powers of the mayor

Section 10 All actions prosecutions complaints and proceedings for the violation of the ordinances of the city and for fines penalties and forfeitures imposed thereby shall be instituted in the corporate name of the city and be conducted in the manner prescribed by law Proceedings for the violation of the city ordinances may be commenced by warrant or summons at the discretion of the mayor or alderman before whom complaint is made but no warrant shall be issued except upon complaint upon oath or affirmation specifying the ordinance for the violation of which the same is issued and all process shall be directed to and served by any policeman or constable of the city who shall execute the same anywhere within the city or in the county of which it is part or elsewhere as may be provided by law Warrants shall be returnable forthwith and every summons shall be returnable in not less than five nor more than eight days from the date thereof and upon such return the like proceeding shall be had in all cases as are or may be directed by law in relation to summary conviction or proceeding for the recovery of penalties before justices of the peace with the same right of appeal from any final judgment entered therein All fines and penalties for the violation of the city ordinances received by any magistrate and all fees costs fines and penalties received by any alderman in cases heard before him while presiding in the mayor's police court shall be paid over by the magistrate before whom the same are recovered into the city treasury monthly according to a statement thereof certified by oath or affirmation before the superintendent of finance and filed with him Any alderman of the city may at the request of the mayor or acting mayor where either are for any reason unable or unwilling to act attend the mayor's police court and there perform all such duties and exercise all such powers as to which he has concurrent jurisdiction with the mayor and for such services shall be allowed such compensation as councils may provide

Section 11 The superintendent of finance shall have charge and keep a record of accounts under appropriate titles to show separately and distinctly all of the assets and property whatsoever vested in the city and all trusts in care of the same debts owing by the city and all of the receipts and expenditures of the various departments He shall have the supervision and control of all of the departments and require from them at any time a statement in writing of all money or property of the city in their hands He shall countersign all warrants upon the city treasury the form whereof shall be prescribed by council and shall not suffer any appropriation made by the city council to be overdrawn but no warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purposes for which they were drawn

Section 12 Whenever a warrant on the treasurer shall be presented to the superintendent of finance to be countersigned the person presenting the same shall be by the superintendent of finance required to produce evidence

(1) That the amount expressed in the warrant is due to the person in whose favor it is drawn

(2) That the supplies or services for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 13 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the superintendent of finance on the contract before it shall take effect as a contract and the payments required by such contracts shall be made from the fund appropriated therefor If the superintendent of finance shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the superintendent of finance and shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the superintendent of finance to certify contracts for the payment of which sufficient appropriations have been made

Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year

Section 15 The mayor of each city of the third class in Pennsylvania elected under the provision of this act shall receive for his services during his term of service an annual salary to be fixed payable in monthly installments The council in said cities shall by ordinance fix the amount of the salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of said salary in cities of the third class shall not be less than one thousand dollars nor more than three thousand five hundred dollars per year For the first term of any mayor elected under the provisions of this act and until thereafter changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census one thousand dollars in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per year in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance fix the salary to be paid to the mayor in said cities for succeeding terms and the amount of compensation for the mayor in any of said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change by ordinance such compensation

ARTICLE VIII

Section 1 The council of each city of the third class shall on the first Monday of January after its election elect a city treasurer who shall hold his office for the term of two years from said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance He shall before he enters upon his office take and subscribe an oath or affirmation before the mayor to support the constitution of the United States and of this Commonwealth and honestly to keep an account of all public moneys and property entrusted to his care and to discharge the duties of his office with fidelity

Section 2 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warants duly countersigned by the superintendent of finance His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor The treasurer shall keep the public funds in such banks or financial depositories as council may dircet under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council and upon any default therein he may be suspended from office and another treasurer appointed as council may determine

Section 3 The city treasurer and every other officer of the city receiving or having in his possession any money accounts property or effects belonging to the corporation shall upon the termination of his office deliver the same to the city or to his duly qualified successor Any vacancy in the office of city treasurer shall be filled by the vote of the members elected to council and the person so chosen to fill the same shall serve during the unexpired term of said officer

ARTICLE IX

Section 1 Qualified electors of each city of the third class shall elect at the regular municipal election at the same time that members of council shall be elected under this act a city controller who shall serve for the period of four years from the first Monday of January following his election and until his successor is duly elected and qualified unless he shall sooner be removed from office according to law He shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in

relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor

Section 2 The said city controller shall perform such other and further duties as may be prescribed by ordinance of council and shall receive such compensation as may be prescribed by council

Section 3 That the council of each city of the third class in this Commonwealth are hereby authorized and directed to elect a city clerk whose term of office and compensation shall be fixed by ordinance Provided however That the said term of office shall not exceed four years

Section 4 Any ordinance resolution motion or other proceeding of council when certified by him under the seal of the proper city may be read in evidence in any court in this Commonwealth He shall also have the power of a notary public to administer oaths in any matter pertaining to the business of said city or in any legal proceeding in which it is interested He shall also perform such other duties as shall be prescribed by ordinance or resolution of council

ARTICLE X

Section 1 The council of each of said cities of the third class shall on the first Monday of January following the election of members thereof or as soon thereafter as may be practicable by the vote of a majority of the members chosen elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of two years from the said first Monday of January and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law vacancies in said office shall be filled by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance

Section 2 The law matters of the city shall be under the superintendence direction and control of the city solicitor and no department of the city shall employ or retain any additional counsel in any matter or cause except with the previous assent of council He shall keep in his office within the city and there shall be deposited and preserved therein all assurances of title and all contracts bonds books patents deeds leases mortgages and other evidence of debt belonging to the city unless the council shall otherwise provide or direct provided that the provisions of this article ten shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioner of water works

Section 3 The city solicitor shall prepare all bonds obligations contracts leases conveyances and assurances to which the city or any department thereof may be party as may be directed by resolution or ordinance shall commence and prosecute all and every suit or suits action or actions brought by the corporation for or on account of any of the estates rights trusts privileges claims or demands of the same as well as defend all actions or suits against the said corporation or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or acts of the corporation or any department thereof may be brought in question before any court in this Commonwealth and shall do all and every professional act incident to the office which may be lawfully authorized required to do by the mayor or by any ordinance or resolution of the said council He shall whenever required furnish the council the committees thereof the mayor or the heads of departments with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 4 There shall be kept in the office of the city solicitor a city lien-docket which shall be open to public inspection and in which he shall cause to be entered all claims for curbing paving or repaving sidewalks assessments of damages contributions for opening public streets lanes and alleys or parts thereof for grading paving and macadamizing the same for water and lighting frontage tax and water and lighting rates sewerage city taxes and other matters that may be the subject of claim on the part of the city which have or shall be returned to the solicitor as remaining due and unpaid after the period prescribed by law or ordinance for the payment of such claims and it shall be the duty of the head of each department wherein any such claim shall originate to furnish to the city solicitor within the period prescribed by law or ordinance a statement of all claims for curbing paving of et cetera which remain due or unpaid a certified copy of which the said heads of departments shall at the same time furnish to the superintendent of finance Upon the payment of any lien or other debt of record due the city to any person authorized to receive the same it shall be the duty of the city solicitor forthwith to enter satisfaction upon the proper record thereof

Section 5 The city solicitor shall at least once in every month make a return to the superintendent of finance under oath or affirmation of each item of moneys received by or through him or his assistants by virtue of his office or on account of any matters connected therewith and immediately upon making such return he shall pay over the amount in his hands to the city treasurer He shall in like manner pay into the city treasurer all fees received by him in his official capacity but this provision shall not be taken to include the judgment fee or commission allowed him in his capacity of attorney under any act of Assembly of this Commonwealth He shall receive a fixed annual salary to be provided by ordinance

ARTICLE XI

Section 1 The council of any city of the third class of the State of Pennsylvania may by ordinance create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health

Section 2 In all cities of the third class where the council of said city shall not elect to create by ordinance a board of health as provided in Section one hereof the said council shall exercise all the rights duties and obligations imposed by existing legislation upon boards of health in cities of the third class

Section 3 The city clerk in cities of the third class shall be ex-officio secretary of the board of health in case the council of said city shall create a board of health under the provisions of this act

ARTICLE XII

Section 1 Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city in the following manner

Section 2 It shall be lawful for any such person to be proposed for any elective municipal office by the filing of a petition with the county commissioners at least three weeks before the date of the primary election for municipal offices said petition to be signed by at least twenty-five qualified registered voters of said city

Section 3 The petitions proposing the names of citizens for municipal elective offices shall set forth that the signers thereof are qualified and registered voters residing in said city and shall set forth the residence and occupation of the candidate proposed and of each person signing said petition but said petition shall have nothing thereon to designate any political party or any party affiliations of the persons proposed as a candidate or of the persons proposing the said name

Section 4 The county commissioners of the county in which any city of the third class shall be located shall cause to be printed for the use of voters at any primary election in said city of the third class where public elective municipal offices are to be nominated a non-partisian primary ballot which ballot shall be substantially in the following form

NAME OF OFFICE Vote for (stating number to be elected)
Name of Candidate Address of Candidate
Name of Candidate Address of Candidate

NAME OF OFFICE Vote for (stating number to be elected)
Name of Candidate Address of Candidate
Name of Candidate Address of Candidate

The said municipal primary ballots shall be uniform and shall have nothing written printed stamped engraved or in any way marked thereon to indicate or designate any political party or the political affiliations of any candidate for office named thereon

Section 5 Upon the non-partisian primary ballot provided for in the preceding section of this article the county commissioners shall cause to be printed the names of the municipal offices to be filled at the next regular municipal election followed by the words mark one (or as case may be indicating the number to be elected) Below the words designating an office to be filled shall be printed the names of all persons who have been proposed for such office in accordance with the preceding sections of this article placing after each name an appropriate square for marking and no other names shall be placed on said ballot Space shall be provided however below the names printed on the said ballot wherein voters may write additional names if said voters shall desire to vote for a person for said office whose name has not been printed on said ballot

Section 6 Where more than one person shall be proposed for the same office the names of the persons proposed shall be placed on said ballot by the county commissioners in the order to be determined by drawing lots which said drawing shall be done publicly by the county commissioners and notice of the time and place of said drawing shall be given by the commissioners to each person whose name is entitled to be placed on said primary ballot at least three days before the time of said drawing and said persons shall be entitled to be present in person or by representative at said drawing

Section 7 The county commissioners shall prepare and furnish to the election officer in each precinct of each city of the third class as many official non-partisan primary ballots as are equal to one and one-half times the number of registered voters in such precinct Provided however That an additional number of ballots shall be provided by the commissioners for each precinct if more ballots shall be needed than the number above specified The said county commissioners shall also furnish one-half as many specimen ballots as the number of official ballots which said specimen ballots shall be an exact duplicate of the official ballot but printed on a paper of a different color

Section 8 At the primary election preceding each election where municipal officers are to be elected it shall be the duty of the election officers in each precinct of every city of the third class to deliver to each voter who has established his right to vote one non-partisan primary ballot having printed thereon the names of all persons proposed for municipal officers in accordance with the preceding sections of this article The election officers shall receive and place in the ballot box at each primary election preceding an election for city offices the ballots furnished to the voters in the manner specified in the preceding section of this article after said electors have had opportunity to mark the same as provided by law and no other ballots for nomination of municipal officers shall be received or placed in said ballot box

Section 9 At the close of polling at said primary election in each city of the third class the election officers shall in the manner prescribed by law tabulate and compute the votes cast for the various persons whose names may be written or printed on the non-partisan ballot and marked according to law and shall make return of said vote to the county commissioners whose duty it shall be to receive tabulate and compute primary election returns said returns to be made as prescribed by law Said election officers shall also cause the statements required by law of the number of votes cast for each candidate to be posted up at such place and in the manner prescribed by law If for any office to be filled at the ensuing general municipal election there shall be more persons proposed than the number to be elected to the said office the person receiving the highest number of votes up to double the number of persons to be elected to said office shall be the nominees for said office

Section 10 At each regular municipal election for offices in cities of the third class the county commissioners of the county in which said city shall be located shall cause the names of the persons nominated in accordance with the foregoing sections of this article and no other persons to be printed on the official ballot to be used at said election Said official ballots shall have the names of the offices to be filled and said candidates printed on said ballot with appropriate squares after each name for voters to mark in the manner prescribed by law except that there shall not be printed engraved stamped or marked on any ballot any thing to indicate any political party or party affiliation of any candidate for municipal offices Following the names of said candidates space shall be provided on said ballot wherein any voter may write the name of any persons for whom he wishes to vote and whose name may not be printed on said ballot

Section 11 No other ballot than that prescribed in the foregoing section of this article shall be received or counted by the election officers of any regular municipal primary or election for the election of public officers in cities of the third class and the provisions of this article shall apply to every regular or special municipal election in said cities of the third class

Section 12 Upon each ballot for the use of electors in any municipal primary or election shall be printed the following words "The voter will mark an X in the square opposite the name of each person for whom he wishes to vote He may write in the blank space provided the names of candidates not nominated for whom he desires to vote Names so written in need not be marked with an X"

ARTICLE XIII

Sewerage.

Section 1 The council of any city of the third class shall have power subject to the provisions of existing laws without petition therefor to construct and reconstruct or cause to be constructed sewers of all kinds in its public streets lanes alleys highways and over and across public and private lands or property and to pay the cost and expense thereof out of the general revenues or special funds raised for said purpose or to assess the same in whole or in part upon abutting property as hereinafter mentioned and where the cost of constructing any sewer is paid for wholly from city funds the respective city shall have authority to charge a reasonable fee for tapping or connecting with said sewer In the case construction of main sewers or of any sewer which can be used in part for main sewerage purposes in all cases where said sewer will not serve as a local sewer the said city is authorized to and may provide for assessing the abutting property with the local sewerage part thereof according to the foot front or the assessed valuation of the said property for city purposes or according to benefits The cost of all main sewers or of any sewers used in part for main sewerages purposes over and above the amount assessed for local sewerage as above provided shall be paid for from the city funds as aforesaid Council may also provide that the cost and expenses of local lateral branch and other sewers may be assessed against the abutting property according to the foot front or according to the assessed valuation thereof for city purposes or according to benefits And it shall be lawful for any such city to construct or cause to be constructed a sewerage system of sewers in streets lanes alleys and highways with extensions thereof and with lateral and branch sewers therefrom in other streets lanes alleys and highways and in public or private lands at the same time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as is herein provided

Section 2 Where council determine to construct local lateral and other sewers and to assess the cost and expenses thereof according to the foot front rule they shall provide for a reduction of one-half or other equitable part or portion from the frontage of the longest side of all corner lots and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal and if the owner of the abutting property is not satisfied with the allowance or reduction or refuses he shall have the right to have three viewers appointed by the Court of Common Pleas and the proceedings shall be the same as in cases where land is taken for the widening of a street or damage claimed for change of grade Where the council determine to construct main local lateral or branch sewers and to assess the cost and expense thereof according to benefits in addition to the remedies which now or may hereafter exist for the assessment of the said cost and expense by viewers appointed by court the said council may appoint three disinterested freeholder as viewers who or a majority of whom shall assess the costs and expense of said sewers upon the lands abounding or abutting thereon in proportion as nearly as may be to the benefits which may result to each lots or parcel of land Said viewers or a majority thereof shall report their assessment to the council in the manner set forth in the third section of this article and said council shall act thereon as in said article provided

Section 3 Said viewers or a majority of them shall make report in writing specifying the amount assessed by them upon each lot or parcel of land for main or local sewerage separately and file the same with the city clerk within such time as the council shall direct After the report is filed council shall cause not less than ten days' public notice to be given in two newspapers of the city if so many be published therein of the object of such assessments and that the same will come before them for confirmation at a time to be specified in said notice Objections to the assessment shall be in writing and be filed with the city clerk and may be heard before the city council at the time specified in the notice Council may after hearing objections modify set aside or confirm said assessments If council sets aside the first or any other assessment they may appoint other viewers of the same qualifications as hereinbefore provided and cause new assessments to be made and the proceedings shall be the same as herein directed in case of the first assessment

Section 4 After making assessments for sewerage of any kind council may direct that they be certified to the city treasurer or to such party as said assessments may be assigned to for collection and if such assessments be not paid within such time as council may by ordinance prescribe it shall be lawful to file liens therefor in the prothonotary's office of the proper county as provided by this act and said liens shall bear interest from the time the assessments were payable at the rate of six per centum per annum until paid

Section 5 The city council may provide by ordinance for the laying renewing and repairing of all gas water steam or other pipes in any street or highway before the paving repaving or repairing of the same and for making the necessary house connection with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers Provided That in no case except as a sanitary measure of which council shall judge shall they require such house connections to be extended further from such sewers or from such gas water steam or other pipes than to the inner line of the curbstone of such street or highway Council may after notice to all companies corporations persons and owners affected and in default of compliance therewith cause said pipes to be laid renewed or repaired and said connections made and collect the cost of paving and repairing all pipes and pipe connections from the companies corporations or persons owning or operating the said gas water steam and other pipes with interest and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made and a specification of lien shall be filed therefor and the lien and the proceedings thereon shall be as in the case of other municipal liens

ARTICLE XIV

Exercise of Right of Eminent Domain Assessment of Damages and Benefits

Section 1 Any city of the third class shall have power whenever it shall be deemed necessary either in the laying out opening widening extending or grading of street lanes or alleys or in the erection or construction of water gas or electric light works slopes embankments or sewers or in the changing of water courses or for any other purpose authorized by this act to take use occupy or injure private lands property or materials and in case the compensation for the damages done or the benefits accruing therefrom have not been agreed upon the Court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said city or by any person interested shall appoint three discreet and disinterested freeholders of the said city viewers to view and ascertain the damages done and the benefits which have accrued by reason of the said taking use occupancy or injury and shall appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained or the property taken or on the line of said street or sewer improvement as the case may be of which time and place ten days' notice shall be given by the petitioners to the said viewers and to all parties interested by personal service upon the parties their agents attorneys or legal representatives by publication in one or more newspapers or by hand bills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of each case

Section 2 The said viewers or any two of them having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to injure in pursuance of the provision of this act and having viewed the premises or examined the property or materials shall estimate and determine the quantity quality and value of said land so taken occupied or injured or to be taken occupied or injured or the property and materials so used or taken away as the case may be and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owners of said land property or material in consequence of the making of the improvements aforesaid for which the property or materials are to be taken and having made a fair and just comparison of said advantages and disadvantages they

shall estimate and determine their value and whether any land if any what amount of damages has been or may be sustained and to whom the same is payable and after having determined the damages sustained to all the properties affected by said improvement together with the benefits as hereinafter mentioned they shall make report thereof to the said court

Section 3 The council of said city shall have power to provide by ordinance for the payment of damages sustained by making the improvements aforesaid or by the vacation of any public highway either by the city or by assessment upon property benefited by such improvement and in the latter case the viewers appointed to assess damages shall also assess upon any property benefited by such improvements whether said property be immediately adjacent thereto or in the vicinity thereof such amount for the special advantages which may accrue to the said several properties from such improvements as they may deem proper and shall report the same to the said court Provided That assessments for benefits shall not exceed the damages awarded or agreed upon And provided further That parties assessed for benefits shall have the same right to file exceptions to said report or to appeal therefrom as herein provided for in the case of assessment of damages for property taken injured or destroyed

Section 4 If any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and if the amount thereof be not paid within thirty days after the entry of such judgment execution may then issue thereon as in other cases of debt for the sum so awarded but assessments for benefit shall be collected as hereinafter provided The costs and expenses incurred in the proceeding aforesaid shall be defrayed by the said city and each of the said viewers shall be entitled to five dolllars per day for every day necessarily employed in performance of the duties herein prescribed

Section 5 In all cases where the parties have not agreed upon the amount of damages claimed or where by reason of the absence or legal incapacity of the owner or owners no such agreement can be made for lands property or materials to be taken occupied or injured the city shall tender sufficient security to the parties claiming or entitled to damages or to the attorney or agent of any person absent or to the agent or other officer of a corporation or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided That in the case the party or parties claiming damages refused or do not accept the security so tendered the said city then give the party his or their agent or attorney or other officer a written notice of the time when the same will be presented for filing in the court and thereafter the said city may present said security to the Court of Common Pleas of the county where the land or other property are situated and if approved the security shall be filed in said court for the benefit of those interested and recovery may be had thereon for the amount of damages assessed and if the same be not paid or cannot be made by execution on the judgment in the issue formed to try the question

Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in Section One of Article Fourteen of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court any party may within thirty days thereafter file his or her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner prescribed in other cases The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

Section 7 In case any such city shall appeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or material and within thirty days after the filing of the report of viewers assessing damages and benefit the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceeding had thereon shall be paid to the said city

Section 8 In all cases where land or property have been heretofore taken used occupied or appropriated for any of the purposes aforesaid within five years last passed or where any ordinance has been passed providing for such taking using or occupancy and the damages sustained thereby or the benefits accruing therefrom have not yet been legally determined it shall be lawful to proceed and determine said damages and benefits and collect the same under the provisions of this article with the same effect as if said improvement had been undertaken or proceeded in after the passage of this act whether there has been any actual physical taking or not

Section 9 Whenever it shall become necessary in the progress of the building improvement of any said cities to grade curb bridge culvert or pave any of the highways used as turnpikes or plank roads it shall be lawful for council to agree for the relinquishment of such parts thereof as may be so required from time to time and if the parties cannot agree to obtain a jury of view upon such parts to assess the damage the company owning the franchises may sustain by the city using the same for said purposes such jury to be appointed by the court of quarter sessions of the proper county six in number said viewers shall take into consideration whether such turnpike or plank road company shall have occupied a previous public highway or ground purchased by the company

ARTICLE XV

Taxation and Municipal Claims

Section 1 The council of each of said cities of the third class shall on the first Monday of January or as soon thereafter as may be conveniently done elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owners of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dolllars as city assessor to serve from the date of his election until the first Monday of January of the succeeding year council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possesses all of the qualifications aforesaid and for this purpose council shall have power by a majority vote of all the members elected therto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office and they may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies

Section 2 The said assessor shall before entering upon his duties take and subscribe the oath prescribed for municipal officers and file the same with the city clerk Any vacancy happening in said office shall be filled by appointment by council for the unexpired term

Section 3 The council may during each triennial year and on the intervening years appoint such assistant assessors to serve for such length of time as council may authorize direct or appoint by ordinance and such assistant assessors shall be removable at the pleasure of council The compensation or salary of the city assessor and of the assistant assessors if any shall be fixed by ordinance of council

Section 4 The asessor shall make or cause to be made during the year of the triennial assessment for county purposes a full just equal and impartial assessment of all property real personal and mixed and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same With his assessments he shall return such dimension description or quantity of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements In all cases they shall value the property at such sums as the same would in their judgment bring at a fair public sale thereof And it shall be the further duty of said assessor to return annually a list of all the male inhabitants over twenty-one years of age

Section 5 The said assessor may assess real estate in the name or names of the registered owner actual owner (legal or equitable) reputed owner owner of the life estate occupier vendor vendees or any person who has had or had any connection with the legal title thereof or an interest in the premises or has charge or control thereof in the name of the husband when lands are owned by the wife partnership property in the name of the partnership or in the name of the partners or any of them trust property in the name of the trustee or trustees or any of them or in the name of the cestui que trust property of a minor in the name of the minor or his guardian property of a lunatic in the name of the lunatic or his committee and property formerly belonging to a person since deceased may be assessed in the name of the decedent or in the name of the estate of said decedent or of his administrator or administrators executor or executors or his heirs generally or in the name of any administrator executor or heir and in assessing the same in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames and other property not herein provided for may be assessed in the manner the same is assessed for county taxation but this provision shall not prevent the collection under existing laws of any tax assessed against property by a sufficient designation or description where the same has been assessed in the name of any person or persons who are not the owners thereof and where lands of owners are part within and part without the city limits they shall be assessed in the same manner and within the same jurisdiction as if the same were being assessed for county purposes

Section 6 In the years succeeding the triennial assessment the said assessor shall perform the following duties with reference to the assessment of real estate namely (a) He shall assess any real estate in the manner aforesaid which has been omitted and correct any errors which may have been made in making the triennial assessment (b) add to the assessment any property which has ceased to be exempt (c) add to the value of any real estate the value of any new building or other new improvements (d) deduct from the value of any real estate any depreciation caused by destruction injury or otherwise howsoever (e) where tracts as assessed at the triennial assessment have been subdivided they shall equalize and apportion the assessment of the lands thus subdivided upon the basis of the value as fixed at the triennial assessments upon the whole lot or tract (f) where any borough township part of borough or township or any tract or tracts of land have been added to the city since the last triennial assessment to make a full just and impartial assessment of the property in the annexed district and return the same in a

like manner as if it were a triennial assessment (g) when any property has been transferred to make the proper changes or transfers upon the proper assessment books and duplicates (h) to perform such other duties as may be prescribed by ordinance necessary to the making of proper assessments or valuations And to perform the following duties as to the assessment of the personal estate and other matters and subjects of taxation namely (a) To assess any personal property or subjects of taxation omitted at the triennial assessment and to add such additional personal estate and subjects at taxation as the person assessed may have acquired since the triennial assessment (b) to make deductions where such property has been disposed of (c) to reduce valuation when property has been depreciated lost or destroyed But when any real estate is assessed which had been omitted errors corrected or any increase is made in valuation or by additions for any cause after the triennial assessment or where valuations have been made upon subdivisions of any lot or tract such assessments shall not be considered final or conclusive without first giving to the person or party affected thereby at least five days' notice of a time and place where such person or party may be heard by the assessor

Section 7 When the said assessor ascertains that any property is omitted he shall assess the same for the omitted years but not back further than and including the last preceding year of the triennial assessment and the person or party owning said omitted real estate shall be liable for the tax against the said lands for the omitted year or years at the tax rate levied during the omitted year and the proper authorities shall make out the proper tax and place the amount thereof in the hands of the city treasurer for collection

Section 8 The said assessor shall have the right to procure such books maps et cetera as may be necessary to the performance of his duties and when authorized by council may employ clerks for the purpose of transcribing and making duplicates and assessment books He and each of them shall have power to administer oaths and to require under oath of every taxable or person in charge or control of any property an inventory of his taxable property with his estimation or the just full fair and impartial value thereof and which in his judgment the same would bring at a fair public sale thereof Such estimation shall not be conclusive but shall be subject to revision by increase decrease or equalization with other property

Section 9 Where any city has established a registry of real estate by law the said assessor shall have the right to obtain from the official in charge of said registry such information as to the registered owners of real estate as said department is able to furnish and under such rules and regulations as shall be established by ordinance of council and it shall be a sufficient description of any real estate in any assessment books or duplicates to designate the same by such city lot number other number or such other designated as the same shall appear in the registry department

Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of April in each year and he shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation therefrom and to rectify any and all errors and mistakes made therein

Section 11 When the time or times and place for the meeting or meetings of the board of revision and appeal shall have been fixed it shall be the duty of said assessor to give or cause to be given at least five days' printed or written notice to each and every taxable inhabitant of the city resident therein if he she or they can be found of the amount or sum for which he she or they stand rated in any triennial assessment and also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any intervening year by reason of any cause whatsoever together with the time and place of hearing appeals of said board of revision and appeal and any person dissatisfied or aggrieved by the assessment made by the assessor may appeal to the said board of revision and appeal and be heard at the time fixed in the notice to be served as aforesaid In case the property owner is not found the notice above provided for may be served upon any tenant or other occupant of the premises

Section 12 Any assessor may be removed from office by council and the vacancy thus occasioned may be filled in the manner hereinbefore provided and an assessor or assessors who shall wilfully omit neglect or refuse to assess any property liable to taxation shall be held responsible to the proper city for any loss or damage caused thereby

Section 13 The council of each of the said cities of the third class shall have authority to pass such ordinances as they may deem proper and necessary providing for and regulating the manner of making the aforesaid assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating proceedings before said board on any and all matters not specifically provided for in this act

Section 14 The mayor and council of each city of the third class shall constitute a board of revision of taxes and appeals the said council acting as a board of revision may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of May issue their precept to the city assessor requiring him to make out and return a full just and equal assessments of property within the city or such parts thereof as the said board of revision may deem advisible and they shall take and receive the triennial and yearly assessment as returned by the city assessor and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuation either in individual cases or by wards or parts of wards and to add to the assessment book and to the duplicate thereof in the hands of the city treasurer any property subject to taxation omitted therefrom and any real estate in such city which has been exempt from taxation and has ceased to be occupied and used for the purpose or purposes which entitled it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption and it shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the assessor and assistant assessors or any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessor at such time and place as they may prescribe at least five days' printed or written notice of which shall be given It shall be the further duty of said assessor to give five days' written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the city assessor together with the time and place of hearing appeals therefrom For the purposes of all hearings and for all other purposes necessary to the discharge of his duties the said assessor shall have authority to administer oaths and affirmations touching any matter relating thereto and any wilfully false statement under oath as to any material fact by the complainant or attorney shall be deemed perjury and be punishable as such The city clerk shall serve as clerk of said board The said board shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessor the necessary books for taking the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeal The said board shall complete their labors and the hearing and determination of all appeals on or before the first day of June in each year after which the assessment shall be copied by wards into duplicate for the use of the city and the assessment so corrected and copied shall be and remain a lawful assessment for the purpose of city taxation until altered as provided by this act The decision of the board shall be subject to an appeal to the Court of Common Pleas wherein such city is situated in accordance with the existing laws whose decision shall be final and if the appeal to the court shall be groundless the appellant shall pay the costs of the appeal

Section 15 The assessors now in office shall perform their duties until the first election under the provision of this act and until the persons elected hereunder shall duly qualify

ARTICLE XVI

Section 1 The council of each city of the third class shall on the first Monday of January succeeding their election or as soon thereafter as practicable elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of two years from the date of his election and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law

Section 2 The engineering matters of the city shall be under the superintendence direction and control of the city engineer and no department of the city shall employ or retain any additional engineer except with the previous assent of council and the city engineer shall appoint such number of assistants and employes as council shall authorize by ordinance Provided that the provisions of this article sixteen shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioners of water works

Section 3 The said city engineer shall be required to give bond for the faithful performance of his duties in such sum as may be prescribed by ordinance said bond to be approved by council The city engineer shall receive a fixed annual salary to be fixed by ordinance

Section 4 The city engineer shall perform such duties as council shall prescribe with reference to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates for all such work undertaken by such city and shall whenever required furnish council the committees thereof the mayor public boards or heads of departments with reports information or estimates on any city engineering work or questions submitted by either of them in their official capacity He shall immediately after the completion of any municipal improvement the cost and expense of which in whole or in part is to be paid by the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the city clerk who shall enter the same day or time of completion in a book to be by him kept for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed and the time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to said clerk a certificate showing the time on which any such particular improvement was commenced and such certificates shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said clerk in the books aforesaid The said engineer shall also have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such city and shall perform such other duties as council shall direct

Section 5 For the purpose of procuring accurate information in reference to the ownership of all real estate the council of each of said cities of the third class shall provide by ordinance for a registry thereof in accordance with this act

Section 6 The city engineer of any of said cities in which such registry shall be established as aforesaid under the direction of council shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be prepared as to show the city number and name of the owner or owners thereof with blank spaces for the owner of each lot with

provision for the names of future owners and dates of future transfer of title and for such purpose the said engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor and may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of said books maps or plans The said books maps and plans shall be carefully preserved in the department of surveys of said cities and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the city limits with the successive transmissions of title from the date of the commencement of such plans but nothing therein or in this article shall invalidate any municipal or tax claim by reason that the same is not assessed or leived against the registered owner. Certified copies under the hand of the said engineer of any of the entries in said books or upon said maps of plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the city as may be fixed by ordinance

Section 7 It shall be the duty of all owners of unregistered real estate within the city limits within one month from the date of the approval of the ordinance establishing such registry and of every subsequent purchaser devises or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title to furnish to the said engineer at his office descriptions of their respective properties upon blanks to be furnished by the city and at the same time to present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public motive of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the city as penalties for the violation of city ordinances are recoverable

Section 8 The sheriffs of the respective counties in which such cities are situated shall present for registry the deeds of all properties within the city limits sold by them at judicial sales whether in partition or otherwise and the prothonotaries and recorders of deeds thereof shall not admit for record any deed for any city property bearing date subsequent to the approval of the ordinance for the establishment of such registry unless the same shall first have been duly stamped as herein directed as proof of registry and any prothonotary or recorder who shall record any deed before the provisions this section have first been complied with shall be liable to a penalty of five dollars for each deed recorded in violation hereof to be recovered with costs of suit in the manner hereinbefore provided

ARTICLE XVIII

Topographical Survey

Section 1 Any city of the third class shall have power by ordinance to cause a topographical survey thereof to be made by their duly appointed city engineer or by such other civil engineer and assistants as they may employ for that purpose

Section 2 It shall be the duty of the said engineer upon being duly authorized thereto to procure and keep in his office such necessary plot or other books as shall be necessary for the purpose of entering or recording thereon all the streets avenues and highways of the city already opened or to be hereafter opened and to survey and mark the lines of all streets avenues and highways of the city already opened or intended to be opened for public use and to survey and lay out such new streets avenues and highways and also to regulate the elevation of the same and of the gutters and sidewalks thereof as council may deem necessary for a regular and convenient city plan and if thereto specially directed he shall fix and report a grade for any proposed new streets and for the said purposes the said engineer and his assistants shall have full power and authority to enter upon the lands and premises of any person or persons within the said city When the survey shall be completed the said engineer shall make or cause to be made a draft or a plan thereof with every position and explanation necessary for the full understanding of the same distinctly designating where the new streets avenues and highways shall thereafter be opened and shall return the same to council and it shall remain in the office of the city clerk and open to inspection by those interested until finally approved as hereinafter provided

Section 3 It shall be the duty of the said council to give at least thirty days previous notice in at least two of the public newspapers published in the said city (if so many be published therein) and by posting at least ten hand-bills upon the lands or territory contained in the map or plan returned for approval that on a certain day or days to be fixed by said council the said council will hear any objections that may be made to said draft or plan by any freeholders or citizens of said city or interested person and the council at the time appointed or at any subsequent time within three months shall determine whether any and what alterations shall be made in the said plan or draft and when the same is finally approved whether as returned or as altered and changed said council may direct that the same be entered and recorded in the plot book of street plans in the office of the city engineer In case the city engineer is directed to report grades for said streets avenues or highways the same shall be noted on said draft or plan and be returned with his surveys and said grades shall be subject to alterations and changes by council in the manner aforesaid and when approved by the said council shall become part of the plans and be entered and recorded as aforesaid Upon the recording of said plan or draft in the street plan book and the passage of an ordinance approving said street draft or plan and grade (or of either as the case may be) therein designating the book and page or pages at or in which the said plan or plans are recorded thereafter all the streets avenues and highways as designated upon said approved plan and recorded as aforesaid shall be adjudged and taken to be laid out and located public highways and in case the city council shall thereafter change or alter or should they by themselves or their officers deviate from the regulations and damages thereby accrue to the property of any person or persons in consequence thereof the said city shall be liable for the payment of such damages Sectional surveys or drafts may be returned to the said council by said engineer at any time and be confirmed as aforesaid and with like force and effect

Section 4 The said engineer may from time to time as he shall deem expedient and the said council shall direct make report of the surveys plans and regulations by him made in convenient sections without awaiting the completion of the entire survey and shall make duplicate drafts and plans of said section in the manner hereinbefore prescribed and the same proceedings shall be had for the final confirmation of such partial or sectional drafts and plans as is herein directed in relation to the confirmation of the entire survey and with like effect and force

Section 5 If any owner or owners or real estate or any other person shall erect or construct any house or other building within the line of any street avenue or highway as surveyed and marked on the draft or plan aforesaid or upon any section thereof after the final confirmation of the same such owner or person shall not be entitled to claim or recover any damages which may be caused by the removal of such house or buildings for the opening or widening of any street avenue or highway All proceeding for the opening widening grading or otherwise improving of the public streets avenues or highways so as aforesaid surveyed established and confirmed and the payment of damages or contributions therefor shall be regulated and governed by the provisions of this act

ARTICLE XVIII

Indebtedness

Section 1 For the purpose of creating a sinking fund for the gradual extinguishment of the bonds and funded debt of the respective cities of the third class the council of each thereof shall annually (until payment of bonds and funded debts be fully provided for) by special tax or otherwise levy and collect in addition to the other taxes of said corporations a tax of not less than one-fourth of one mill and not exceeding three mills upon the assessed value of the taxable property of each of the said cities to be called the sinking fund which shall be paid into the city treasury and shall be applied toward the extinguishment of said bonds and funded debt whose payment is not otherwise provided for and to no other purpose whatever and the said bonds when purchased shall be conspicuously stamped to show that they were purchased for the sinking fund of said city and the interest on said bonds shall be collected and used in a like manner with the taxes collected for said sinking fund

Section 2 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to affect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for four weeks before the final consideration and passage thereof by the said council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated and the said city shall at or before the time of authorizing the said loan provided for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years

Section 3 Any of the said cities of the third class may in the manner prescribed by law redeem its existing bonded indebtedness as fast as the same may become due and payable by the issue of new bonds therefor bearing interest at a rate not exceeding six per-cent per annum redeemable in not less than five years and payable at any time not exceeding thirty years from the date of issue thereof at the option of the said city said bonds shall be exempt from all taxation except for State purposes

Section 4 The mayor treasurer and superintendent of finance of each of the said cities shall constitute a board of commissioners of the sinking fund of the city The mayor shall be chairman and the superintendent of finance secretary and it shall be the duty of the board to keep the accounts of the sinking fund and to see to the proper application and superintend the investment of the same in accordance with law and the directions of the city council The said commissioners shall meet as often as may be necessary keep a record of the proceedings and shall annually in the month of January make a report to council of the condition and application of the fund together with such recommendations in relation thereto as they shall deem expedient Provided That council shall not direct the investment of any moneys to the credit of the sinking fund except in the loans of said cities respectively the loans of the United States or the loans of the State of Pennsylvania and the income derived from any of said investments shall be credited and applied to the said several sinking funds respectively

ARTICLE XIX

Section 1 Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania The signatures to the petition need not be appended to one paper but each signer shall add to his signature his place of residence giving the street and number One of

the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be Within ten days from the date of filing such petition the city clerk shall examine and from the voters registered ascertain whether or not said petition is signed by voters equal to fifteen per centum of all votes cast for all candidates for mayor at the last preceding municipal election and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than fifteen per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than fifteen per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain fifteen per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to fifteen per centum of the votes cast for all candidates for mayor at the last preceding municipal election and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition or

(b) forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general municipal election is fixed within ninety days thereafter and at such special or general election if one is so fixed such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "for the ordinance" (stating the nature of proposed ordinance) and "against the ordinance" (stating the nature of proposed ordinance) If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding general city election and should such proposition so submitted receive a majority of the votes thereon such election such ordinance shall thereby be repealed or amended accordingly Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in each of the daily newspapers published in the said city such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on

ARTICLE XX

Section I No ordinance passed by the council except when otherwise required by the general laws of the State or by the provisions of this act and except ordinances for the immediate preservation of the public peace health or safety which contains a statement of their urgency shall go into effect before ten days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least ten per centum of the entire votes of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the council the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same it not entirely repealed the council shall submit the ordinance as is provided by sub-section (b) of section one of article nineteen of this act to the vote of the electors of the city either at the general election or at a special municipal election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Said petition shall be in all respects in accordance with the provision of said section one of article nineteen except as to the percentage of signers and be examined and certified to by the clerk in all respects as therein provided that the provisions of Article nineteen and Article twenty shall not apply to any tax levy and provided further that no franchise or consent to occupy the public streets highways or places in any of said cities shall be given or granted to any person or persons railroad railway water gas electric light telegraph or telephone company or to any other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition is filed with the city clerk addressed to the council signed by electors of the city equal in number to at least fifteen percentum of the total number of registered voters as shown by the last preceding registration and showing the ward election precinct and residence of each petitioner verified by the oath or affirmation of a petitioner that he believes that each signature to the petition is genuine protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the City Clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and if necessary the council shall allow the said clerk extra help for said purpose When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the fifteen percentum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance

In case the petition or petitions provided for in the preceding section be signed by the fifteen percentum of the total number of registered voters shown by the last preceding registration the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which latter case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by the council or at the general or the municipal election occurring within ninety days the said ordinance shall be submitted without alteration provided however that before any ordinance is submitted to a referendum vote at a special election the city clerk shall notify the person company corporation or party for whose benefit the said franchise ordinance is being submitted that he or they shall within ten days from the time said notice is received deposit with the city treasurer an amount of money sufficient to pay the entire cost and expense of the said special election and in default of payment of said deposit within said ten days no referendum vote shall be had on the said ordinance and the same shall become null and void When more than one ordinance is being referred at the same time the amount of the deposit shall be apportioned but the council in each case shall fix the amount to be deposited by each respective party desiring a franchise not exceeding however the expense of said election In case the entire deposit is not used the remainder thereof shall be returned to said depositors entitled thereto

When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordinance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used at the said respective elections Where there is a special election the ballots shall be prepared and furnished by the city and said election shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special election shall be paid for by the city as is hereinafter provided and said city may fix not only the day of election but for the time for opening and closing of the polls Any number of ordinances may be referred and voted on at the same election and there shall not be more than one special election every six months The ballots for each referendum shall be substantially in the following form

City Ordinance Referendum

If you are for the ordinance mark a X opposite the word for
If you are against the ordinance mark a X opposite the word against

Approval of the city ordinance (stating the purpose of said ordinance) For .....
Against.....

The officers holding said elections shall keep tally sheets and make return of votes in the same manner as tally sheets are kept and returns made in the election of officers and the submission of other questions as now provided by law The said returns shall be filed with the prothonotary of the court of Common Pleas and the said court shall compute the returns and cause the result thereof to be filed in the said court and the said pronothory shall certify the result to the council of the proper city In case of special elections the said prothonotary shall lay the returns of election before the said court at a meeting or session of the said court to be held on the Tuesday succeeding said election for computation as aforesaid If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been approved by the mayor and there had been no referendum thereon If the vote is against said ordinance it shall be lost and of no effect

Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of the city clerk to publish or cause to be published a copy of the ordinance which is submitted to a vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the city then in two newspapers published in the county if there be such said publication to be not less than five nor more than twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court"

ARTICLE XXI

Definition and Repeal

Section 1 The term "cities of the third class" shall include only

First All cities of the proper population which have been incorporated under the provisons of an act of Assembly entitled "An act dividing cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and providing certain offenses in all of said cities and providing for the incorporation and government of the cities of the third class" approved the twenty-third day of May one thousand eight hundred and seventy-four which may hereafter be incorporated under the provisions of this act

Second All cities of the proper population which have accepted the provisions of said act of the twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Third All other cities of the proper population or any city of less population than ten thousand inhabitants incorporated prior to May 23rd one thousand eight hundred and seventy-four by a special act of Assembly only from and after the date of their acceptance of the provisions of the said act of twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Section 2 No right or interest which has become vested under acts or parts of acts inconsistent herewith or supplied by the provisions hereof shall be destroyed or impaired by the operation of this act or by the exercise of any power granted therein All officers of each of said cities of the third class in office at the date of approval shall except where otherwise herein provided continue to hold their offices for the term for which they were respectively elected but all ordinances of any of said cities heretofore legally passed not inconsistent with such provisions are hereby made valid and shall be and remain in full force and virtue until altered or repealed

Section 3 It shall be the duty of the council of every city of the third class forthwith to pass such ordinances in accordance with the provisions of this act as may be necessary to carry into effect the requirements thereof

Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted repeal abridge or in any way affect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 13, the bill just read, be recommitted to the Committee on Municipal Affairs for further amendment.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 16, as follows:

An Act to safeguard employees in certain industrial establishments by requiring warning in advance of the putting in motion of machinery and fixing a penalty for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any industrial establishment where power however and wherever generated is used it shall be unlawful for the machinery in such establishment to be put in motion until one minute's notice thereof shall have been given to all employees in such establishment by an alarm of intensity or loudness sufficient to warn all such employees

Section 2 Each person who shall violate or cause to be violated or knowingly permit to be violated any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars ($100)

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 52, as followed:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act of Assembly entitled "An Act regulating laterial railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

"That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said interventing land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by the said railroad when making up their report or forming their verdict thereon" be and the same is hereby amended to read as follows namely

That if any owner or owners lessee or lessees of land mills quarries coal mines lime kiln fire clay minerals or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in the said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening lands by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate procedeed to the second reading and consideration of Senate Bill No. 65, as follows:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes'" approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act of May eleventh one thousand eight hundred and eighty-nine entitled a further supplement to an act to establish a Board of Wardens for the Port of Phila-

delphia and for the regulation of pilots and pilotage and for other purposes approved March twenty-ninth one thousand eight hundred and three and for regulating the rate of pilotage and number of pilots" which reads as follows

"Section 6 That each person holding a license from the Board of Wardens for the Port of Philadelphia at the time of the passage of this act shall be entitled to demand and receive renewals thereof from time to time thereafter but no other person shall receive a license as a first-class pilot till the number of first-class pilots be reduced to less than forty so that the whole number of first-class licensed pilots shall not exceed forty The whole number of second class licensed pilots shall not exceed ten at any one time and the number of apprentices at any one time shall not exceed five" shall be amended to read as follows

Section 6 That each and every pilot holding a license from the Board of Commissioners of Navigation at the time of the passage of this act shall be entitled to demand and receive a license as a pilot and demand and receive renewals from time to time thereafter but no person shall receive a license as a first-class pilot till the number of first and second-class pilots be reduced to less than forty-two and that the whole number of first and second-class pilots shall not exceed forty-two That the number of third-class pilots shall not exceed ten and that the number of apprentices indentured shall be wholly within the discretion of the Board of Commissioners of Navigation

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, as follows:

A Supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Navigation for the river Delaware and its navigable tributaries shall have jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries between Marcus Hook and Bristol in the State of Pennsylvania provided that such rules shall not extend to impair or in any way infringe on the mutual arrangements entered into by this State and the State of New Jersey

Section 11 That every master officer or other person or persons having charge of any vessel navigating the Delaware river and its navigable tributaries who shall violate any rule regulating the speed of vessels made and promulgated by the said commissioners he or they so offending shall forfeit and pay a sum not exceeding fifty dollars for the first offense and not less than seventy-five dollars nor more than one hundred dollars for each subsequent offense to be sued for and recovered with costs of suit by the president of said commissioners for the use of the Commonwealth before any magistrate of the city of Philadelphia or justice of the peace of the proper county

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 67, as follows:

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three"

Section 1. Be it enacted by the Senate and House of representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act of Assembly approved January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes" approved March twenty-ninth one thousand eight hundred and three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act no licenses shall be granted to any person to act as pilot unless he has served a regular apprenticeship of six years on board a pilot boat" be and the same is hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

Th Senate proceeded to the second reading and consideration of Senate Bill No. 124, entitled:

An act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act relating to sale of the real estate of decedents"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decendents" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person shall die seized of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joining petition of the widow and heirs and the guardians or committees of such as are minors or under disabilities in whom the real estate of the decendent shall have vested by descent or will setting forth the description of the property the desire to have the same sold to order the executor administrator or a trustee to make sale after he shall have given bond with one or more sureties in double the appraised value of the real estate to be approved by the court and proceed thereafter in all respects in the manner now provided by existing laws in cases of the sale of real estate under proceedings in partition and the proceeds of such sale after the payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Provided That such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under existing laws" is amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same whenever any person shall die seized of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs and the guardians or committees of such as are minors or under disabilities in whom the real estate of the decedent shall have vested by descent or will and legatees whose legacies are charged on said real estate or the representatives of such legatees as may be deceased setting forth the description of the property the desire to have the same sold to order the executor administrator or a trustee to make sale after he shall have given bond with one or more sureties in double the appraised value of the real estate to be approved by the court and proceed thereafter in all respects in the manner now provided by existing laws in cases of the sale of real estate under proceedings in partition and the proceeds of such sale after the payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Provided That such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under existing laws

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1, line 5, by striking out the word "Joining" and inserting in lieu thereof the word "joint."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

Th Senate proceeded to the second reading and consideration of Senate Bill No. 139, as follows:

An Act providing what effect shall be given to admission to practice in the supreme court when the person so admitted applies for admission to practice in the other courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from after the passage of this act admission now had or that hereafter may be had to practice as an attorney-at-law in the supreme court of this Commonwealth shall be conclusive proof that the person so admitted is possessed of sufficient learning and ability to practice in any other court of this Commonwealth but shall have no other or further effect in determining whether he shall be admitted to practice in such other courts

"Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 140, entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the avernments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bills and answers in equity shall be sworn to and the rule in equity that the avernments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree is hereby abolished as to proceedings hereafter to be begun Provided that nothing herein contained shall affect or impair the requirements of proof in cases where it is attempted to reform or overthrow a written instrument

The title of the bill was read as follows:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the avernments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree

On the question,

Will the Senate agree to the title?

Mr. McILHENNY. Mr. President, I move to amend the title by adding thereto to the words "except in certain cases"

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

Th Senate proceeded to the second reading and consideration of Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semi-monthly The first payment shall be made between the first and fifteenth day of each month for the wages or earnings due up to said first day The second payment shall be made between the fifteenth and the last day of each month for the wages or earnings due up to such fifteenth day

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dollars ($100)

Section 3 Nothing in this act shall prohibit the weekly payment of wages or earnings

The fourth section of the bill was read as follows:

Section 4 All acts and parts of acts inconsistent with provisions of this act are repealed

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 4 by striking out the entire section and inserting in lieu thereof the following: "This act shall go into effect the first day of July, one thousand nine hundred and thirteen"

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Mr. BEIDLEMAN. Mr. President, I move to amend by adding a new section to be known as section 5 as follows:

"Section 5. All Acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 158, as follows:

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon state highways in such townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners in every township of the first class in this Commonwealth may whenever and whereever they may deem it expedient to do so establish lights on state highways running through such township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigaretts or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall furnish to any minor by gift sale or otherwise any cigarette or cigarette paper shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) and to undergo an imprisonment in the jail of the proper county for a period not less than thirty days nor more than six months

The second section of the bill was read as follows:

Section 2 Any minor being in possession of a cigarette or of cigarette paper and being by any police officer constable juvenile court officer truant officer or teacher in any school asked where and from whom such cigarette or cigarette paper was obtained who shall refuse to furnish such information shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace such minor being of the age of sixteen years or upwards shall be sentenced to pay a fine not exceeding five dollars or to undergo an imprisonment in the jail of the proper county not exceeding five days or both If such minor shall be under the age of sixteen years he or shall be certified by such alderman magistrate or justice of the juvenile court of the county for such action as to said court shall seem proper

On the question,

Will the Senate agree to the section?

Mr. THOMPSON. Mr. President, I move to amend section 2, line 12, by striking out the first "shall"; also by inserting after the word "or" the word "she".

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agred to.

The third section of the bill was read as follows and agreed to.

Section 3 The act approved May seventh one thousand eight hundred and eighty-nine entitled "An Act to prohibit the sale of cigarettes to persons under the age of sixteen years and prescribing the punishment for the same" and the act approved April fourth one thousand nine hundred and three entitled "An Act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions" and the act approved the sixteenth of March one thousand nine hundred and five entitled "An Act to amend an act entitled 'An Act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions' approved April fourth Anno Domini one thousand nine hundred and three' and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors acquiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

On the question,

Will the Senate agree to the title?

Mr. THOMPSON. Mr. President, I move to amend the title by striking out the word "acquiring" and inserting in lieu thereof the word "requiring."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

Th Senate proceeded to the second reading and consideration of Senate Bill No. 190, entitled:

An Act to classify certain surface lands as auxiliary forest reserve to prescribe the terms and conditions for their continuance in said classfication or their withdrawal therefrom and to provide for the expenses attendant thereon

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for merchantable forest products whether such be natural production or from seed sown or trees planted out or all combined all surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

On the question,

Will the Senate agree to the section?

Mr. ALEXANDER. Mr. President, I move to amend section 1, line 6, by inserting between the words "be" and "natural" the word "of" and by inserting the letters "re" before the word "production."

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the Department of Forestry of his desire in manner and form to be prescribed by said Department Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the Department may require If upon receipt and consideration of this notice the Department shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the Commissioners of the county in which said land is located

The third section of the bill was read as follows:

Section 3 Upon receipt by the county commissioners of such certificate of the Department it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the Department become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the Department shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the Department to care for the trees growing thereon according to the instructions and directions of the Department up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land as agreed with the Department and due proof thereof is made the Department may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care for the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the Department proceed to recover from said owner for the use of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and at the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the Department shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the Department that he desires such removal

On the question,

Will the Senate agree to the section?

Mr. ALEXANDER. Mr. President, I move to amend section 3, line 5, by striking out the first letter "l" in the word "sufficiently" and inserting in lieu thereof the letter "i"; also in line 24 by striking out the word "at."

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to.

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the Department shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut it in the judgment of the Department there be any and the cutting and removal of said trees so designated shall be in accordance with the instruction of the Department

The fifth section of the bill was read as follows:

Section 5 If the owner of said surface land faithfully carries out the instructions of the Department with regard to the removal and marketing of such mature or other trees as may be designated in the instructions of said Department and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the approval of the Department then such surface land shall remain in the said class established by section one of this act otherwise the Department shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Department in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of the said surface land by the Department shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

On the question,

Will the Senate agree to the section?

Mr. ALEXANDER. Mr. President, I move to amend section 5, line 4, by inserting after the word "of" the word "the".

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh and eighth sections of the bill were read as follows and agreed to:

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove therefrom trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Department be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privi-

leged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary by the owner or involuntary under any statutory or judicial proceeding whatsoever whether of any state or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows and agreed to.

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law shall be rated in value for the purpose of taxation not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however that if the said surface land be underlaid with coal iron ore oil gas or other valuable minerals said minerals may be separately assessed The assessors in the several districts in which such lands are situate shall assess such lands in the manner now or hereafter provided for the assessment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their returns to the county commissioners in like manner as is now or hereafter may be provided by law subject to exception appeal and final adjustment

Section 2 Upon receipt of assessment returns from the various assessors the county commissioners shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with them by the Department of Forestry and the original assessment returns made by said assessors shall be preserved

The third section of the bill was read as folows:

Section 3 Whenever timber on land which is included in the class of land known as auxiliary forest reserves is harvested the then owner of said land shall pay to the county treasurer within ninety days after harvesting ten per centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the county commissioners one to the county treasurer and one to the Department of Forestry immediately after harvesting by the then owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each **county to the county and to the poor district** the road district and the school district of the township in which the auxiliary reserve is situate pro rata based upon the last assessed millage of taxation for county poor road and school purposes with said taxing district

Such sum of money when ascertained to be done as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the country treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made

And be it further provided that all moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the publi roads now or hereafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves abut on such highways then said moneys shall be used for general township road purposes

On the question,

Will the Senate agree to the section?

Mr. ALEXANDER. Mr. President, I move to amend section 3, line 19, by striking out the letter ''r'' in the last word of the line so that it will read ''county''.

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Should the county commissioners be dissatisfied with the return made as hereinbefore provided in section three hereof the court of common pleas of the proper county on petition of the commissioners shall appoint a board of three appraisers who shall go upon the land in question estimate the quantity and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be only sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have right of appeal to the court of common pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be fixed by the court both to be paid by the county commissioners

On the question,

Will the Senate agree to the section?

Mr. ALEXANDER. Mr. President, I move to amend section 4, line 9, by striking out the word ''only'' and inserting in lieu thereof the word ''duly''.

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth and sixth sections of the bill were read as follows and agreed to:

Section 5 In case of the removal of said lands from the class known as auxiliary forest reserves prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the county commissioners shall on notice from the department ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in section two of this act adding legal interest from the date when each tax payment would have become delinquent The said commissioners shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection of county treasurer who shall then proceed in the manner provided for the collection of county taxes under general laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of a matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary forest reserves

Section 6 This act shall take effect only beginning with assessments made for the purpose of levying taxes for the fiscal year one thousand nine hundred and fourteen

The title of the bill was read as follows:

An act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

On the question,

Will the Senate agree to the title?

Mr. ALEANDER. Mr. President I move to amend the title by inserting after the word ''reserves'' the words ''and timber harvester''.

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 192, entitled:

An act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

The preamble of the bill was read as follows:

Whereas by existing law the State forest reserves are subject to an annual charge of two cents per acre for the benefit of schools and two cents per acre for the benefit of roads in the respective districts in which said reserves are located and

Whereas it would be a hardship to withhold from school and road districts the taxes which would otherwise be collected from land classified as auxiliary forest reserves therefore

On the question,

Will the Senate agree to the preamble?

Mr. ALEXANDER. Mr. President, I move to amend the preamble, in line 6, by striking out the hyphen between the words "which" and "would."

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the preamble as amended?

It was agreed to.

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all lands which shall hereafter be classified as auxiliary forest reserves shall be subject to an annual charge of two cents per acre for the benefit of the schools and two cents per acre for the benefit of the roads in the respective districts in which said reserves are located Said charge is hereby made payable by the State

Section 2 The Commissioner of Forestry shall certify to the respective school districts and road districts throughout the Commonwealth in which anxiliary forest reserves are located the number of acres thus set apart and classified in each district and the charge against the same and shall furthermore certify to the State Treasurer the number of acres as aforesaid and the charge against the same in favor of the respective school and road districts The State Treasurer shall upon the approval of the proper warrants of the Commissioners of Forestry pay to the several school districts and road districts the amount due the same from the Commonwealth as derived under this act

The title of the bill was read as follows and agreed to:

An act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 210, as follows:

An Act to amend section ten of an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred eighty-seven providing for the sale of mixed paints white leads and colors ground in oil and all lead products and painters' materials used in the arts and industries without the necessity of labeling the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred eighty-seven which reads as follows

"Section 10 Poisons A poison in the meaning of this act shall be any drug chemical or preparation which according to standard works on medicine or materia medica is liable to be destrictuve to adult human life in quantities of sixty grains or less

No person shall sell at retail any poisons except as herein provided without affixing to the bottle box vessel or package containing the same a label printed or plainly written containing the name of the article the word 'poison' and the name and place of business of the seller nor shall he deliver poison to any person without satisfying himself that such poison is to be used for lgitimate purposes

It shall be the further duty of any one selling or dispensing poisons which are known to be destructive to adult human life in quantities of five grains or less before delivering them to enter in a book kept for this purpose the name of the seller the name and residence of the buyer the name of the article quantity sold or disposed of and the purpose for which it is said to be intended which book of registry shall be preserved for at least two years and shall at all times be open to the inspection of the coroner or courts of the county in which the same may be kept

The provisions of this section shall not apply to the dispensing of physicians prescriptions specifying poisonous articles nor to th sale to agriculturalists of such articles as are commonly used by them as insecticides Any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars for each and every offense" be and the same is hereby amended to read as follows

"Section 10 Poisons A prison in the meaning of this act shall be any drug chemical or preparation which according to standard works on medicine or materia medica is liable to be destructive to adult human life in quantities of sixty grains or less

No person shall sell at retail any poisons except as herein provided without affixing to the bottle box vessel or package containing the same a label printed or plainly written containing the name of the article the word 'poison' and the name and place of business of the seller nor shall he deliver poison to any person without satisfying himself that such poison is to be used for legitimate purposes

It shall be the further duty of any one selling or dispensing poisons which are known to be destructive to adult human life in quantities of five grains or less before delivering them to enter in a book kept for this purpose the name of the seller the name and residence of the buyer the name of the article quantity sold or disposed of and the purpose for which it is said to be intended which book of registry shall be preserved for at least two years and shall at all times be open to the inspection of the coroner or courts of the county in which the same may be kept

The provisions of this section shall not apply to the dispensing of physicians prescriptions specifying poisonous articles nor to the sale to agriculturalists of such articles as are commonly used by them as insecticides Any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars for each and every offense"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with

The Senate proceeded to the second reading and consideration of Senate Bill No. 211, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president judge of the court of Common Pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the Commisioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

The first, second, third, fourth, fifth, sixth and seventh sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within three months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board of health shall be appointed by the president judge of the court of Common Pleas of the county in which the borough or township of the first class is located At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall all be residents of the municipality for which they are appointed and shall serve without compensation providing however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurer of the

borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of each month the cases of communicable disease reported to the Board of Health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5 It shall be the duty of the Health Officer to attend all stated and special meetings of the Board of Health and to at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the Board of Health or of which he or the Board of Health may have knowledge which are required by law or by regulation of the State Department of Health or of the local Board of Health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspection and shall execute the orders of the Board of Health and shall in the performance of his duties have the power and authority of a policeman

Section 6 The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have the power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious disease in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same

Said Board of Health shall have the power as a body or by committee as well as the Health Officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

The eighth section of the bill was read as follows:

Section 8 The Board of Health may inspect house drains waste and soil pipes cesspools water closets slaughter houses hog pens stables stableyards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 8, line 22, by striking out the word "be."

Mr. CATLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows and agreed to.

Section 9 It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions of requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal

The tenth section of the bill was read as follows:

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 10, line 30, by inserting after the word "competent" the word "and."

Mr. CATLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh, twelfth, thirteenth and fourteenth sections of the bill were read as follows and agreed to.

Section 11 All expenses incurred by any local board of health its officers or employes in the performance of the duties imposed upon it by law and all expenses incurred by the Commissioner of Health in accordance with the provisions of section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid

Section 12 Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expenses has been rendered by him to such borough or township of the first class and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law

Section 13 All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

Section 14 An act entitled "An act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided That all boards of health now in existence in boroughs and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified

The title of the bill was read as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the President Judge of the Court of Common Pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

On the question,

Will the Senate agree to the title?

Mr. SALUS. Mr. President, I move to amend the title by adding thereto the words "and repealing certain acts".

Mr. CATLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 256, entitled:

An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemoly met and it is hereby enacted by the authority of the same That from and after the passage of this act no person firm or corporate body shall manufacture for sale offer for sale or expose for sale sell or have in his her or their possession with intent to sell or deliver any vinegar not in compliance with the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 258, as follows:

An Act relating to sewage disposal systems in cities boroughs and other municipalities of this Commonwealth providing for the cost and expense thereof and making an appropriation for the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city or borough or other municipality in this Commonwealth has been or shall thereafter be directed by the State Department of Health of the Commonwealth of Pennsylvania under or by virtue of the provisions of any act of Assembly now in force or hereafter to be enacted to cease or plan to cease emptying its untreated or unpurified sewage into the waters of the State as defined by the act of Assembly of April twenty-second one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of public health" and is therefore obliged to provide for the treatment of its sewage by some system of sewage disposal then and in all such cases the State shall pay one-half of the expense of constructing such system of disposal and one-half of all necessary additions thereto and renewals thereof

Section 2 That all cities boroughs and other municipalities which have already received or shall hereafter receive such notice from the Commissioner of the State Department of Health shall within such time as said commissioner shall direct secure plans and specifications from a competent civil engineer to be appointed as hereinafter provided for the construction of an adequate sewage disposal system and upon the completion and approval of such plans and specifications by the State Department of Health and the councils of such cities or boroughs or proper municipal authority of other municipalities affected the work of constructing such plant shall be done by contract in the joint names of the Commonwealth of Pennsylvania and the respective municipality affected Bids shall be asked for the construction of the work by the municipality where the plant is to be constructed in accordance with such regulations as the State Department of Health shall fix All bids received shall be forwarded to the Commissioner of the State Department of Health with the finding and recommendation of the respective city or borough councils or other proper municipal authority as to whom the bid should be awarded as the lowest responsible bidder and if such finding and recommendation are approved by the State Department of Health then the contract for the performance of the work shall be entered into as herein provided for Both the State Department of Health and the city borough or municipality affected shall have the right to reject any or all bids if they consider the same unreasonable or if the prices named are materially higher than the estimated cost of the work provided

Section 3 Every contract authorized by this act shall be executed in behalf of the State by the State Commissioner of Health attested by the chief engineer of the department and shall be approved as to form and legality by the attorney general or deputy attorney general of this Commonwealth Every person firm or corporation awarded a contract under the provisions of this act shall before the delivery of the contract therefor furnish a bond acceptable to the State Health Commissioner in a sum equal to one half the contract of the work conditioned upon a satisfactory completion of the same and save harmless the State city borough or other municipality from any expense incurred through any damages growing out of the carelessness of the said contracter or any of his or its servants

Section 4 The State's one half part of the expense of constructing sewage disposal plants, as provided for in this act shall be paid by the State Treasurer upon warrant of the Commissioner of the State Department of Health attested by the chief engineer of the department and the one half part of the expense of constructing said sewage disposal plants to be paid by the respective city borough or other municipality shall be paid in the manner that the law directs in respect to the disbursements of public moneys of such city borough or other municipality Partial payments may be made as the work progresses from time to time on estimates of the completed work as approved by the Commissioner of the State Department of Health but not more than two-thirds of any such estimate shall be paid in advance of the final completion of the work so that at least one-third of the full contract price shall be withheld until the work is satisfactorily completed and accepted

Section 5 An engineer to prepare plans and specifications for said sewage disposal plants and a competent inspector to oversee the work as it progresses shall be employed and paid by the repective municipality affected

Section 6 In all cases where any city borough or other municipality has already built or now has in course of construction a sewage disposal plant the State shall reimburse the respective city borough or municipality to the extent of one half of the actual present value of such sewage disposal plant as determined by three disinterested civil engineers as appraisers who shall be appointed by the court of common pleas of the county where said city borough or municipality is located either upon the petition of such city borough or municipality or on the petition of the Attorney-General of the State These appraisers shall file their report with the prothonotary of the proper court within three months after the date of their appointment They shall have full access to the books and records of the city borough or municipality to inform themselves as to the income or value thereof They shall have power to administer oaths and are hereby authorized to hear and consider the testimony of witnesses and other legal proofs Their report shall be final if not appealed from within ten days after notice of the filing thereof shall have been served on the mayor or burgess of the city borough or municipality and to the Attorney-General of the State Within said ten days both the Commonwealth of Pennsylvania and such city borough or municipality may appeal from such appraisement alleging an under or over valuation of property thereby and praying for a hearing before the court and the court shall thereupon upon application of either the Commonwealth or such city borough or municipality fix a time when said appeal may be heard of which time at least ten days' notice shall be given both to the Commonwealth and to such city borough or municipality and upon such hearing the court shall have power after hearing legal proofs and arguments to increase or lower such appraisements or otherwise and modify the same as the facts may warrant subject however to the right of appeal either by the Commonwealth or such city borough or municipality to the proper appellate court as in other cases of equity

Section 7 The sum of two hundred and fifty thousand dollars is hereby appropriated to carry out the provisions of this act during the two fiscal years beginning June first one thousand nine hundred and thirteen

Section 8 The funds appropriated from time to time to carry out the provisions of this act shall be distributed as directed by the Governor the Attorney General and the Commissioner of the State Department of Health

Section 9 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 258, the bill just read, be recommitted to the Committee on Appropriations.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. GERBERICH. Mr. President, I ask that Senate Bill No. 280. on second reading, entitled:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks waiters kitchen help chamber maids and other house servants any person or persons who are suffering from or who are carriers of a communicable disease and futher providing that no dishes pots pans finger bowls linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 308, as follows:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for the warden or superintendent or other person in charge of any penitentiary jail reformatory work house or other penal institution within the Commonwealth upon the application of any female prisoner or inmate about to become a mother endorsed by the physician of such institution to lodge such prisoner or inmate in his discretion and upon such terms and conditions and for such length of time as he shall see fit outside such penitentiary et cetera at the time at which such prisoner or inmate may become a mother and to make any expenditures which may seem to him proper for her care and that of her child and to guard against her escape

Section 2 The expenses so incurred shall be collectible as are the expenses of said female prisoner or inmate within such penitentiary et cetera under existing laws

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 339 (House Bill No. 301), as follows:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the county auditors of the respective counties of this Commonwealth to publish their annual report such as by law is required or shall hereafter be required of them to be made and filed in the court of Common Pleas of their respective county relating to the accounts of the several officers which by law said county auditors are or may be required hereafter to adjust and settle Said auditors' report or statement shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of Common Pleas and shall be published for three successive weeks in at least two weekly newspapers of the respective county one of which papers shall be politically of a minority party That the expense of the publication of said auditors' report shall be paid by the county commissioners out of the funds of the respective county of which the said report concerns" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the county auditors of the respective counties of this Commonwealth to publish their annual report such as by law is required or shall hereafter be required of them to be made and filed in the court of Common Pleas of their respective county relating to the accounts of the several officers which by law said county auditors are or may be required hereafter to adjust and settle Said auditors' report or statement shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of Common Pleas and shall be (published once a week) for three successive weeks in at least two newspapers of the respective county one of which papers shall be politically of a minority party That the expense of the publication of said auditors' report shall be paid by the county commissioners out of the funds of the respective county of which the said report concerns

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342 (House Bill No. 175), as follows:

An Act providing payment for overtime worked by employees in mercantile establishments and making it unlawful to compel such employes to do extra service by threat of discharge fixing penalty for violation thereof and designating an official prosecutor.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen it shall be unlawful for any corporation firm superintendent or other person owning or conducting any mercantile establishment or business within this Commonwealth to employ or compel by threats of discharge an employee to work overtime or do extra service beyond the hours of the regular work day of such employee without having arranged with such employee for payment to him or her of such sum as may be agreed upon in compensation for such overtime or extra service which compensation shall not be less than the proportional amount of the wages then being paid to the employee for a corresponding fractional service of time

The term "overtime" shall mean all extra service rendered outside the period of hours constituting the average day of labor of the employee such average to be determined by a calculation based upon the number of hours in a fully worked week of six days

For violation of this act the penalty shall be a fine not to exceed ten dollars to which costs may be added

It shall be the duty of the district attorney of the county to prosecute all violators of this act when complaints have been made to him and such prosecution shall be without cost to the complainant

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, as follows:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any school district shall under the supervision and subject to the direction of the Superintendent of Publis Instruction maintain a teachers' training school providing a course approved by the Superintendent of Public Instruction of two or more years of instruction beyond the regular four years' course in a high school of the first class any student thereof shall after completing such training school course and passing a satisfactory examination conducted under the direction and supervision of the Superintendent of Public Instruction or in such manner as he may prescribe be granted by him a teachers' training school certificate which shall be received as full evidence of the qualification of the holder thereof to teach any of the branches therein enumerated for two full annual school terms in any of the public schools of this Commonwealth without further examination and the holder of any such teachers' training school certificate upon presenting a certificate of good moral character and of successful teaching for two school terms from the board or boards of school directors under whose employment he or she has taught countersigned by the proper superintendent or superintendents shall be granted by the Superintendent of Public Instruction a teachers' training school diploma which shall be received as full evidence of the qualification of the holder thereof to teach any of the branches therein enumerated in any public school of this Commonwealth without further examination

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 365, on second reading, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deoderants antiseptics and germicides for external use to regulate the labelling of such preparation to provide for the standardization of such disinfectants deoderants antiseptics and germicides and providing penalties for the violation of this act

be recommitted to the Committee on Public Health and Sanitation.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of

the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate bill No. 380 (House Bill No. 25), entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 409 (House Bill No. 454), entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 410, as follows:

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in and about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering therein providing for the enforcement and collection thereof and prohbiting the removal of said structures after notice of such lien

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person partnership corporation or association from and after the passage of this act who shall furnish or cause to be furnished to any person corporation or association or to his or its authorized agent any monument mausoleum marker grave stone coping railing or other ornamental construction used in and about cemeteries burial plots graves and grave yards or who shall expend money labor or skill or furnish material in placing of the same in any cemetery or other place used for the burial of the dead shall have a lien upon such monument mausoleum marker gravestone coping railing or other ornamental construction for the contract price of the same or any unpaid balance thereon with interest and for such expenditures and labor in placing and erecting the same and in the absence of a contract price or agreement then for the reasonable value or worth of any such monument mausoleum marker grave stone coping railing or other ornamental construction and pay for the labor material and expenditures in placing the same for a period of three years from and after the placing and erecting of any such monument mausoleum marker grave stone coping railing or other ornamental construction in such cemeteries

Section 2 In order to make such lien effectual the lien or within six months after the completion of any such monument mausoleum marker grave stone coping railing or other ornamental construction serve a notice on the person contracting with him for the same claiming the benefits of this act When said notice shall contain the name of the claimant the name of the person or persons contracting for the same a brief description of the monument mausoleum marker grave stone coping railing or other ornamental construction and the location thereof giving the name of the cemetery and the plot wherein it is located if the same can be done the amount claimed to be due thereon including the amount expended for labor and material in placing and erecting the same and for which a lien is claimed and the date upon which the work was completed Which notice must be signed by the claimant

Section 3 At any time within two years from the date of the service of the notice as provided in section two of this act a suit in assumpsit shall be maintained by the leinor against the party contracting for such monument mausoleum marker grave stone copings railings or other ornamental constructions for the contract price or balance due thereon or the reasonable value or worth of the same before a justice of the peace or alderman if the amount involved is less than three hundred dollars or in the Court of Common Pleas of the proper county if in excess thereof and upon final judgment recovered such leinor is hereby authorized to remove such monument mausoleum marker grave stone copings railing or other ornamental constructions from the burial ground or cemetery where the same may be and to sell the same at public auction to satisfy the amount of such judgment Notice of the sale shall be published at least six days before the time thereof in a weekly newspaper or in a daily newspaper published in the borough town or city where the sale is to take place and if no newspaper is published therein then in a newspaper nearest thereto Such notice shall state the time and place of the sale and shall describe the property to be sold A copy of such notice shall be served personally or by mail at last known address at least five days before such sale upon the person served with the notice of the lien as provided in section two of this act

Section 4 The leinor shall out of the proceeds of the sale pay the expenses thereof and expenses of removal of such monument mausoleum marker grave stone copings railing or other structure from the cemetery or burial ground and retain out of such proceeds the amount due upon the judgment recovered and the residue if any shall be forthwith paid to the judgment debtor

Section 5 No officer of a cemetery association or other person connected with a cemetry or burial ground shall hinder or obstruct the removal in a proper manner of any such monument mausoleum marker grave stone copings railing or other ornamental constructions pursuant to the terms of such judgment neither shall such officer or any person in charge of a cemetery or burial ground permit the removal alteration or inscription of any monument mausoleum marker grave stone copings railing or other ornamental construction by any person other than the leinor or his authorized agent after notice of a claim of lien as provided in section two of this act has been served upon him or them

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 421, entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the County of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relef and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five

The first, second, third and fourth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April one thousand eight hundred and thirty be and the same is hereby repealed

Section 2 That the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " approved the twenty-ninth day of March one thousand eight hundred and thirty-six be and the same are hereby repealed

Section 3 That the act entitled "A supplement to the laws for therelief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April one thousand eight hundred and fifty-five be and the same is hereby repealed so far as it relates to the county of Washington

Section 4 That this act shall be in force and take effect on the first Monday of January Anno Domini one thousand nine hundred and fourteen

The title of the bill was read as follows:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the county of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five

On the question,

Will the Senate agree to the title?

Mr. JUDSON. Mr. President, I move to amend the title by adding thereto the words "so far as it relates to Washington County."

Mr. WASBERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 430, as follows:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tenth section of an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend section nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date of the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States" which as amended reads as follows

"Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examinations after the first day of January Anno Domini one thousand nine hundred and twelve shall be oblized to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recognized preliminary schools for any subjects included in the preliminary examination Provided however that nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register" is hereby further amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examinations after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degrees of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recognized preliminary schools for any subjects included in the preliminary examination Provided however that nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register And provided further that the provisions of this section relating to preliminary education shall not apply to students who matriculated during the year one thousand nine hundred and nine in any qualified osteopathic college

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 461, as follows:

An Act declaring vacant seats of members of borough councils who fail to qualify or who fail to attend two regular meetings of council and empowering councils to declare vacant the seats of such members and empowering councils to fill such vacancies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any person elected a member of the council of any borough who shall refuse to appear at a regular meeting of council and qualify as such member after being twice notified by council to do so in each case having received fifteen days' notice or if any member having qualified and taken upon him the duties of said office shall neglect to attend any two regular successive meetings of council unless detained by sickness or unavoidable absence from the borough or who fails to act in his official capacity when in attendance at two such regular successive meetings the councilmen present at any regular meeting shall have power to declare his seat vacant to apppoint a duly qualified elector in his place to serve for the balance of his term

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 477 (House Bill No. 564), entitled:

A Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 490, as follows:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the prothonotary in each of the counties of this Commonwealth shall keep or cause to be kept a cost docket where in shall be entered in itemized form all costs collected or received by said prothonotary Said cost docket shall be a public record

Section 2 All costs collected by the pronthonotary or paid into his office or received by him from any predecessor or predecessors in office and not paid out by him to the parties entitled thereto shall be turned over together with said cost docket to his successor in office

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 493, (House Bill No. 352), entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand nine hundred and ninety-three entitled 'An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 518, as follows:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the annual salary of each county solicitor appointed or elected by the board of county commissioners in the several counties of this Commonwealth having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand shall be twenty-five hundred dollars ($2,500) per annum payable monthly The said salary herein fixed shall be in full and in lieu of all other compensation for the services of the county solicitor for the duties he is required to perform by law except traveling expenses necessarily incurred in the discharge of his official duties Provided that the population of the counties be taken from the last United States census

Section 2 All general or special acts or parts thereof inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 556, as follows:

An Act to permit of the re-location of certain portions of the track of Street Passenger Railway Companies with the consent of the local authorities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to eliminate a dangerous or congested situation avoid grade crossings facilitate public improvements or better accommodate the public it shall be lawful for any Street Passenger railway company incorporated under any general or special act of assembly to re-locate a portion of its track and appurtenant system or operation not exceeding at any one stretch twenty-five hundred feet the location may be the surface or above or beneath the surface Provided the consent of the local authorities is first obtained and provided further that said re-location shall not occupy the surface of any street already occupied by the tracks of any other Street Passenger Railway Company without the consent of such other Railway Company

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572, as follows:

An Act to validate appointments heretofore made of persons to act as patrolman and firemen of cities of the first class of this Commonwealth

PREAMBLE

Whereas, The tenure of office of a large number of patrolmen and firemen of cities of the first class of this Commonwealth is being attacked in the courts of this Commonwealth upon the allegation that at the same time of their appointment their names were certified by the Civil Service Commissions of the said cities of the first class from certain eligible lists adopted and instituted by the said Civil Service Commissions which it is alleged were not in proper form or in strict compliance with the act of March fifth one thousand and six (Pamphlet Laws 83) and

Whereas, Such eligible lists were prepared by the then Civil Service Commissioners of the said cities of the first class in good faith after such Civil Service Commissioner had been advised by the City Solicitors of the said cities of the first class that such forms of eligible lists were valid and in conformance with law and after such form of lists had been approved by the Mayors of the said cities of the first class and

Whereas All of such appointees have served longer than the probationary period of three months stipulated for in the said act of March fifth one thousand nine hundred and six and have been notified of and accepted permanent employment in the service of the first class and have had their names spread upon the permanent employment record kept by the Civil Service Commissioners in compliance with said act of March fifth one thousand nine hundred and six and

Whereas All of the said appointees have by reason of being notified of their appointment to positions as patrolmen and firemen and of being notified of permanent employment in such positions given up other occupations from which they had previously earned and received large sums of money which said ocupations they would at this time be unable to get back and have in addition by reason of such occupations subscribed large sums of money to police pension funds and firemens' pension funds and other benefited organizations connected with the police and fire departments of the said cities of the first class and

Whereas In their application examinations and acceptance of service the said patrolmen and firemen acted in good faith and have since their appointments given meritorious and satisfactory service to the said cities of the first class therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all appointments heretofore made of persons to act as fireman and patrolman of cities of the first class shall be valid and effective as if made in strict conformity with law notwithstanding any mistake or error that may have been made or committed by any Board of Civil Service Commissioners or any of the said cities of the first class of this Commonwealth of of any rule or regulation made by any Board of Civil Service Commissioners or of any mistake or error made by any Board of Civil Service Commissioners of the said cities of the first class in interpreting the provisions of the act of assembly of March fifth one thousand nine hundred and six (Pamphlet Laws 83) being an act entitled "An Act to regulate and improve the Civil Service of the cities of the first class of the Commonwealth of Pennsylvania making violations of its provisions to be a misdemeanor and providing penalties for violations thereof and any amendments or supplements that may have been made thereto Provided however that all such appointees whose appointments are hereby validated shall have taken a Civil Service examination and shall have received thereat an average which entitled them to have their name placed upon an eligible list or register and shall have been certified to the Director of Public Safety by the Civil Service Commissioners as eligible for appointments and shall have been notified of appointment by the Director of Public Safety and shall have heretofore accepted such appointment and shall have served in such position for a period of not less than the probationary period of three months stipulated for in the said act of March fifth one thousand nine hundred and six (Pamphlet Laws 83)

Section 2 That all acts and parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MCNICHOL. Mr. President, I move that Senate Bill No. 342, (House Bill No. 175), entitled:

An Act providing payment for overtime worked by employes in mercantile establishments and making it unlawful to compel such employes to do extra service by threat of discharge fixing a penalty for violation thereof and designating an official prosecutor

be recommitted to the Committee on Corporations.

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 159, entitled:

An Act prohibiting the giving selling or furnishing of cigarettes and tobacco to any person under the age of eighteen years and fixing the penalty for violation hereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 161, entitled:

An Act regulating appeals from the judgment of aldermen and justices of the peace

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 273, (House Bill No. 300), entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examinations of a defendant when testifying in his own behalf

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act relating to the organization and meetings of corporations not for profit incorporated under the laws of Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act amending an act approved the ninth day of April one thousand eight hundred and sixty-two entitled "An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne" as amended by an act approved the twenty-eighth day of April one thousand eight hundred and seventy-nine entitled "A supplement to an act entitled 'An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne' approved April ninth one thousand eight hundred and sixty-two" by defining the Scranton poor board therein defining the powers and duties of such board and abolishing the present office of poor directors

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED.

Mr. CROW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted, abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever, and making such wife a competent witness against the husband in such case.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEE.

Mr. MAGEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE, from the Committee on Law and Order, reported as committed, Senate Bill No. 223, (House Bill No. 116), entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted, abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever, and making such wife a competent witness against the husband in such case.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Simon F. Loeb, Pittsburgh,
David Stonecipher, Pittsburgh,
Howard L. McWilliams, Collier Twp.,
Vincenso Deramo, Coraopolis,

BUCKS COUNTY.

W. Aubrey Merrick, Newtown.

CAMBRIA COUNTY.

Ralph A. Byron, Johnstown.

COLUMBIA COUNTY.

John Fedroco, West Berwick.

DAUPHIN COUNTY.

H. L. Carl, Harrisburg.

ERIE COUNTY.

Charles Hagenlocher, Erie.

LUZERNE COUNTY.

Francis Sippel, Hazleton.

PHILADELPHIA COUNTY.

John B. Groves, Philadelphia,
William Henry Paul, Philadelphia,
Frederick W. Ruppenthal, Philadelphia,
James P. Wilson, Philadelphia.

SUSQUEHANNA COUNTY.

F. M. Gardiner, Forest City.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

F. G. Harrison, McKeesport, March 19, 1913.
S. L. Dunlap, Pittsburgh, March 23, 1913.
Hambleton Fisher, Pittsburgh, March 23, 1913.

BEAVER COUNTY.

H. F. Hawkins, Beaver Falls, March 23, 1913.

BERKS COUNTY.

Foster S. Biehl, Reading, March 23, 1913.

CHESTER COUNTY.

Thomas Spackman, Coatesville, April 29, 1913.

MONTGOMERY COUNTY.

William H. Tagert, New Hanover Twp., March 26, 1913.

NORTHAMPTON COUNTY.

C. Daniel Friebely, South Bethlehem, March 13, 1913.

NORTHUMBERLAND COUNTY.

J. Simpson Kline, Sunbury, March 19, 1913.

PHILADELPHIA COUNTY.

Harry J. Clifton, Philadelphia, March 16, 1913.
Wm. F. Paddock, Philadelphia, March 18, 1913.
C. E. Hanna, Philadelphia, March 19, 1913.
Albert C. Richter, Philadelphia, March 23, 1913.

WESTMORELAND COUNTY.

Joseph J. Steiner, New Kensington, March 29, 1913.
Charles W. Saxman, Latrobe, April 6, 1913.

YORK COUNTY.

Edward M. Strickler, Hellam, April 7, 1913.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Stineman,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The Chair cleared his table and laid before the Senate Communication from the Secretary of the Commonwealth which was read as follows:

PENNSYLVANIA

Office of the Secretary of the Commonwealth,
Harrisburg, March 10, 1913.

To the Honorable the Senate and the House of Representatives.

Gentlemen:—I have the honor to present herewith a Joint Memorial adopted by the Legislature of the State of Wyoming; a Joint Resolution and a Joint Memorial adopted by the Legislature of the State of Oregon; a Joint Resolution adopted by the Legislature of the State of Maine; a Joint Resolution adopted by the State of New Jersey and a Joint Resolution as adopted by the Legislature of the State of Vermont.

ROBERT McAFEE,
Secretary of the Commonwealth.

JOINT RESOLUTION OF THE LEGISLATURE OF MAINE.

STATE OF MAINE,

Office of the Secretary of State.

Augusta, February 25, 1913.

Sir:—Pursuant to instructions I have the honor to transmit a joint resolution by the Senate and House of Representatives of the Maine Legislature, and in behalf of the State of Maine to ask that you will present the same to the consideration of the Legislature of your State.

Yours very respectfully,
J. E. ALEXANDER,
Secretary of State.

To the Honorable,
Secretary of State,
Harrisburg, Pennsylvania.

STATE OF MAINE.

Joint Resolution By Senate and House of Maine Legislature, Seventy-sixth Session.

"Whereas, there is pending before Congress a bill known as the McLean Bill, Senate Document No. 6497, to afford Federal Protection to Migratory Game and Insectiverous Birds, and

"Whereas, there is a general sentiment in favor of such protection, and an urgent request has been made for the enactment of such law, now therefore,

"Be it Resolved, that Congress be and hereby is urged to enact a law insuring ample protection to migratory game and insectivorous birds.

"Resolved, that the Legislatures of all States of the United States, be and they are hereby urged to join in this request by the adoption of this, or a similar resolution.

"Resolved Further, that the Secretary of State, be and hereby is, directed to print and transmit copies of this Resolution to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein, also to the Legislatures of all other States of the United States."

CARL E. MILLIKEN, President.
JOHN A. PETERS, Speaker.

In Senate Chamber. February 10, 1913.
Read and adopted. Sent down for concurrence.
W. E. LAWRY, Secretary.

House of Representatives,
February 10, 1913.
Read and adopted in concurrence.
W. R. ROIX, Clerk.

UNITED STATES OF AMERICA.

STATE OF MAINE.

Office of Secretary of State.

I, J. E. Alexander, Secretary of State of the State of Maine, and custodian of the Seal of said State, do hereby certify:

That I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Maine in Legislature assembled, with the original thereof as filed in the Office of the Secretary of State of the State of Maine, on the twelfth day of February, 1913, and that it is a full, true and complete transcript therefrom and of the whole thereof.

In Testimony Whereof, I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta, this twelfth day of February in the year of our Lord one thousand nine hundred and thirteen and in the one hundred and thirty-seventh year of the Independence of the United States of America.

(Seal.) J. E. ALEXANDER, Secretary of State.

Which was referred to the Committee on Game and Fisheries.

JOINT RESOLUTION AND JOINT MEMORIAL OF THE LEGISLATURE OF OREGON.

STATE OF OREGON.

Office of the Secretary of State,
Salem, January 24, 1913.

BEN. W. OLCOTT,
Secretary of State.

To the Secretary of State, Harrisburg, Pennsylvania.

Sir:—By direction of the Twenty-seventh Legislative Assembly, I am transmitting for presentation to the Legislative Assembly of your State, copies of Senate Joint Resolution No. 2 and Senate Joint Memorial No. 2, adopted by the Twenty-seventh Legisaltive Assembly of the State of Oregon.

Yours very truly,
BEN W. OLCOTT,
Secretary of State.

STATE OF OREGON.
TWENTY-SEVENTH LEGISLATIVE ASSEMBLY.
SENATE CHAMBER.

Senate Joint Memorial No. 2.

Whereas, There have been introduced in Congress three bills (Numbers H. R. 36, H. R. 4428, S. 2367) to afford Federal protection to migratory game birds; and

Whereas, There is a very general sentiment in this State in favor of such protection, and an urgent request for the enactment of such a law has been made, as appears by the numerous petitions received; now, therefore,

Resolved, (The House concurring), That Congress be and hereby is requested to enact a law giving ample protection to migratory game birds.

Resolved, That the Legislatures of all other States of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution.

Resolved, Further, That the Secretary of State be and he hereby is directed to transmit copies of this resolution to the Senate and the House of Representatives of the United States, and to the several members of said body representing this State therein; also to transmit copies thereof to the Legislatures of all other States of the United States.

Concurred in by the House January 20, 1913.
C. N. McARTHUR,
Speaker of the House.

Adopted by the Senate January 16, 1913.
DAN J. MALARKEY,
President of the Senate.

Endorsed:
Senate Joint Memorial No. 2 by Committee on Federal Relations.
J. W. COCHRAN, Chief Clerk.

Filed January 22, 1913.
BEN W. OLCOTT, Secretary of State.

UNITED STATES OF AMERICA.

STATE OF OREGON.

Office of the Secretary of State.

I, BEN W. OLCOTT, Secretary of State of the State of Oregon, and Custodian of the Seal of said State, do hereby certify:

That I have carefully compared the annexed copy of Senate Joint Memorial No. 2 of the Twenty-seventh Legislative Assembly of the State of Oregon, with the original thereof as filed in the office of the Secretary of State of the State of Oregon, on the twenty-second day of January, 1913, and that it is a full, true and complete transcript therefrom and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Oregon.

Done at the Capitol at Salem, Oregon, this 22d day of January, A. D., 1913.

BEN W. OLCOTT,
Secretary of State.

(Seal.)

Which was referred to the Committee on Game and Fisheries.

STATE OF OREGON.
TWENTY-SEVENTH LEGISLATIVE ASSEMBLY.
SENATE CHAMBER.

Senate Joint Resolution No. 2.

Whereas, It appears from an investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof, and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the subject under the Federal jurisdiction and control, at the same time reserving to each State the right to make and control its own laws relating to marriage and divorce; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that the application be made, and hereby is made, to Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce prohibition by appropriate legislation.

Resolved, That the Legislatures of all other States of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or an equivalent resolution.

Resolved, Further, That the Secretary of State be and he is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the United States, and to the several members of the bodies representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

Adopted by the House January 16, 1913.

C. N. McARTHUR,
Speaker of the House.

Adopted by the Senate January 15, 1913.

DAN J. MALARKEY,
President of the Senate.

Endorsed:
Senate Joint Resolution No. 2.

JOHN W. COCHRAN,
Chief Clerk.

Filed January 20, 1913.

BEN. W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA.
STATE OF OREGON.

Office of the Secretary of State.

I, BEN W. OLCOTT, Secretary of State of the State of Oregon, and Custodian of the Seal of said State, do hereby certify:

That I have carefully compared the annexed copy of Senate Joint Resolution No. 2, of the Twenty-seventh Legislative Assembly of the State of Oregon, with the original thereof as filed in the office of the Secretary of State of the State of Oregon, on the 20th day of January, 1913, and that it is a full,, true and correct transcript therefrom and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the State of Oregon.

Done at the Capitol at Salem, Oregon, this 20th day of January, A. D. 1913.

BEN W. OLCOTT,
Secretary of State.

(Seal.)

Which was referred to the Committee on Law and Order.

JOINT MEMORIAL OF THE LEGISLATURE OF WYOMING.

THE STATE OF WYOMING.

Office of the Secretary of State.

United States of America, State of Wyoming, ss:

I, FRANK L. HOUX, Secretary of State of the State of Wyoming, do hereby certify that the following copy of House Joint Memorial No. 3, adopted by the Legislature of the State of Wyoming, has been carefully compared with the original, filed in this office on the eighteenth day of February, A. D. 1913, and is a full, true and correct copy thereof.

HOUSE JOINT MEMORIAL NUMBER 3.

Whereas, There have been introduced in Congress three bills (Numbers H. R. 36, H. T. 4428, S. 2367) to afford Federal protection to migratory game birds; and

Whereas, There is a very general sentiment in this state in favor of such protection, and an urgent request for the enactment of such a law has been made, as appears by the numberous petitioners received; now, therefore,

Resolved, (The Senate concurring) That Congress be and hereby is requested to enact a law giving ample protection to migratory game birds.

Resolved, That the Legislatures of all other States of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution.

Resolved, Further, That the Secretary of State be and he hereby is directed to transmit copies of this resolution to the Senate and the House of Representatives of the United States, and to the several members of said body representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

MARTIN L. PRATT, Speaker of the House.
BIRNEY H. SAGE, President of the Senate.

Approved February 17, 1913.

JOSEPH M. CAREY, Governor.

In Testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming.

Done at Cheyenne, the Capitol, this eighteen day of February, A. D. 1913.

FRANK L. HOUX,
Secretary of State.
By F. H. WESCOTT,
Deputy.

Which was committed to the Committee on Game and Fisheries.

JOINT RESOLUTION OF THE LEGISLATURE OF NEW JERSEY.

STATE OF NEW JERSEY
Department of State
The Commissioner of Motor Vehicles
February twenty-sixth, 1913.

Secretary of State, Harrisburg, Pa.

Dear Sir:—Enclosed herewith is a certified copy of a Joint Resolution passed in this state and approved by the Governor.

Might I ask that you place in the hands of some member of your legislature a similar resolution providing for a similar commission, in order that the object aimed at in the above resolution may be attained.

Will you kindly advise me whether this will be possible, and oblige

Very truly yours,
JOB. H. LIPPINCORD.

JOINT RESOLUTION NO. 2, LAWS OF 1913.
State of New Jersery.

Be it Resolved by the Senate and General Assembly of the State of New Jersery:

1. That the Governor of this State be and he is hereby authorized to appoint three commissioners on the part of the State of New Jersey to act with commissioners appointed or to be appointed by the Governors of the States of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware and Maryland, under resolutions similar to this, whose duty it shall bee to ascertain whether the laws of the above mentioned States in reference to defining motor vehicles and providing for the registration of the same and licensing of drivers thereof, fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and service thereof and proceedings for the violation of the provisions of acts relative to same and penalties for said violations, can do so amended that the laws of the above mentioned States to be uniform in the above-mentioned or other particulars.

2. Said commissioners shall report their findings and recommendations at the next session of the Legislature.

3. The members of the commission shall serve without salary, but for the purpose of necessary expenses and clerical help, the sum of three thousand dollars will be available when appropriated in the regular appropriation bill.

Approved February 25, 1913.

STATE OF NEW JERSEY
Department of State.

I, DAVID S. CRATER, Secretary of State, of the State of New Jersey, do hereby certify that the foregoing is a true copy of Resolution passed by the Legislature of this State, and approved by the Governor the twenty-fifth day of February, A. D. 1913, as taken from and compared with the original now on filee in my office

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at Trenton this twenty-sixth day of February one thousand nine hundred and thirteen.

DAVID S. CRATER,
Secretary of State.

(Seal).

Which was referred to the Committee on Public Roads and Highways.

JOINT RESOLUTION OF THE STATE OF VERMONT.

STATE OF VERMONT
Office of Secretary of State
Guy W. Bailey, Secretary of State, Essex Junction
Rawson C. Myrick, Deputy Montpelier.
Essex Junction Vermont, February 27, 1913.

Hon. Robert R. McAfee, Secretary of State,
Harrisburg, Pennsylvania.

Sir:—I have the honor to transmit, herewith, a joint resolution entitled, "Joint Resolution Relating to Federal Protection of Migratory Game Birds," approved February 11, 1913.

Respectfully,
GUY W. BAILEY,
Secretary of State.

JOINT RESOLUTION RELATING TO FEDERAL PROTECTION OF MIGRATORY GAME BIRDS.

Resolved by the Senate and House of Representatives:

That we; in response to a request received from our sister State of Oregon, do herewith urge the passage of a bill by the Congress of the United States giving protection to our migratory game birds and instruct the Secretary of State to transmit copies of this resolution to the Senate and House of Representatives of the United States, to the several members of said bodies representing this State, and to the secretaries of State of all other States.

FRANK E. HOWE,
President of the Senate.
CHARLES A. PLUMLEY,
Speaker of the House of Representatives.

Approved February 11, 1913.
ALLEN M. FLETCHER
Governor.

STATE OF VERMONT.

Office of the Secretary of State.

I hereby certify that the foregoing is a true copy of "A Joint Resolution relating to Federal Protection of Migratory Game Birds." Approved February 11, 1913; as appears by the files and records of this office.

Witness my signature and the seal of this office at Montpelier, this 20th day of February one thousand nine hundred thirteen.

GUY W. BAILEY,
Secretary of State.

(Seal).

Which was referred to the Committee on Game and Fisheries.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read. as follows:

Senate Bill No. 106, entitled:

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act providing for the incorporation and government of cities of the third class" validating all acts and proceedings commenced under the section which is amended

Senate Bill No. 55, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Senate Bill No. 123, entitled:

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred and sixty-five entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the country of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred and seventy-three entitled "An Act relative to the pay of jurors in the county of Bucks"

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 569. entitled:

An Act regulating to the collection of city, county, school and poor taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes.

TIME OF MEETING NEXT WEEK.

Mr. KLINE. Mr. President, I ask unanimous consent to present a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE presented the following resolution, which was twice read, considered, and agreed to:

Resolved, (if the House of Representatives concur) That when the Senate adjourns this week it be to meet on Tuesday morning, March 18, at eleven o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FIRST READING.

Mr. SNYDER. Mr. President, I ask unanimous consent that Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives .

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CROW. Mr. President, I ask unanimous consent that Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted or driven from her home by her husband to sue her husband upon any cause of action whatsoever, and making such wife a competent witness against the husband in such case.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted or driven from her home by her husband to sue her husband upon any cause of action whatsoever, and making such wife a competent witness against the husband in such case.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

Senate Bill 591, (House Bill 644), entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Comomnwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violations of the provisions thereof and repealing all acts and parts of acts incompatable herewith

Which was committed to the Committee on Public Health and Sanitation.

Senate Bill 592, (House Bill 655), entitled:

"An Act defining vocational education providing for the establishment and regulation of vocation schools and providing for State aid in the maintenance thereof"

Which was committed to the Committee on Education.

Senate Bill 593, (House Bill No. 657), entitled:

An Act to repeal an act entitled 'A Supplement to the act entitled 'An Act for preventing clandestine mariages'" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

Which was committed to the Committee on Judiciary General.

Senate Bill 594, (House Bill 658), entitled:

An Act to repeal an act entitled 'An Act for the preventing of clandestine mariages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty-one)

Which was committed to the Committee on Judiciary General.

Senate Bill 595, (House Bill 775), entitled:

"An Act to amend an act entitled 'An Act to provide for the better collection of collateral inheritance taxes' approved May sixth one thousand eight hundred and eighty-seven as amended"

Which was committed to the Committee on Judiciary General.

ADJOURNMENT.

Mr. CROW. Mr. President, I move the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:15 o'clock P. M. until 10 o'clock Wednesday morning, March 12, 1913.

HOUSE OF REPRESENTATIVES

TUESDAY, March, 11th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chap'ain, Rev. J. E. Wright, offered the following prayer:

O God, as we come before Thee this morning, we recognize the fact that new duties are awaiting us, that new engagements are demanding our attention and our thought, that new opportunities are presenting themselves, impelling us to decision and action. Our sufficiency is not in ourselves, and we reverently recognize this great truth when we come every morning at the beginning of the sessions of the day to Thee O God of Heaven. Our sufficiency is in Thee. We pray that Thou wouldst take us this morning just as we are, and so control our minds and direct our thoughts that everything which enters into this day before us, and which issues out of it may commend itself to Thee and meet with Thine approval and blessing. We pray again, as we are taught to pray, for that great nation of which we form a part, asking that it may be in reality and in truth what it is in name a Christian Nation, with reverence for God in the hearts of the people and love for righteousness; and we pray for our great Commonwealth, with its record for loyalty and patriotism in the years which are gone, with its great undertakings, and its splendid achievements. My we who are chosen to further its interests, and are honored with the trust of the people, do nothing to-day, nor at any time, which may hinder its progress, but everything to help with the blessing of God, and Thy name shall have the praise of it forever. Amen.

The SPEAKER: The Clerk will read the Journal of the proceedings of yesterday.

The Clerk then proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Matt the further reading of the Journal was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. WILTBANK. House Bill No. 1258.

An Act establishing the State Penitentiary; regulating the sentencing of persons thereto; abolishing the Eastern Penitentiary; providing for the transfer of the inmates thereof to the State Penitentiary; providing for the sale of the site, buildings and equipment and materials of the Eastern Penitentiary; and repealing certain acts.

Referred to the Committee on Judiciary General.

By Mr. COLLINS. House Bill No. 1259.

An Act making an appropriation to the G. M. and Agnes Hoffman Orphanage, of Littlestown, Adams County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WHITMAN. House Bill No. 1260.

An Act making an appropriation to the Northwestern Anti-Tuberculosis League for the Grandview Sanatorium and the Bonair Sanatorium.

Referred to Committee on Appropriations.

By Mr. MITCHELL. House Bill No. 1261.

An Act amending the first paragraph of the second section of an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth with reference to the care, treatment and control of dependent, neglected incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised," approved the twenty-third day of April, one thousand nine hundred three, so as to authorize petition by the agent of any association of citizens, resident of the county, or of any incorporated society, having for one of its objects the care of delinquent or neglectd children.

Referred to Committee on Judiciary Special.

By Mr. R. J. BALDWIN. House Bill No. 1262.

An Act making an appropriation to the Glen Mills Schools situate in the Eastern District of the Commonwealth for the building, enlargement and improvement of the sewage disposal plant in connection with the Girls Department.

Referred to the Committee on Appropriations.

By Mr. McKAY House Bill No 1263

An Act to provide that fines and forfeitures levied and collected for violations of the Game Laws of the Commonwealth, shall be paid to the Game Commissioner for the purpose of acquiring and maintaining Game preserves and for acquiring, propagating and distributing game

Referred to Committee on Game

By Mr. HEIDINGER. House Bill No. 1264.

An Act regulating the number of persons required as appraisers in claiming exemptions under the Act of April 14, 1851, and its supplements, and under the Act of April 1, 1909, and making legal all exemptions thereunder heretofore allowed

Referred to the Committee on Judiciary General.

By Mr. WILLIAM H. WILSON. House Bill No. 1265.

An Act to amend an act entitled "An Act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" approved March 22nd, 1907 (P. L. 31) by providing for the assignment of counsel not only in murder cases but in any criminal case in which the maximum sentence of imprisonment may be five years and by providing that the compensation of counsel in such cases shall not exceed the total sum of five hundred dollars

Referred to Committee on Judiciary Special.

By Mr. WILLIAM H. WILSON. House Bill No. 1266.

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for his services upon the client's cause of action, claim or counter-claim which shall attach to any award, order report, decision, compromise settlement, verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

Referred to the Committee on Judiciary Special.

By Mr. FAHEY. House Bill No. 1267.

An Act authorizing the townships of the first class boroughs and cities of the Commonwealth of Pennsylvania to classify and establish regulations for the control of outdoor advertising and to impose and collect a license tax for the same prohibiting such advertising upon public property in such townships boroughs and cities and providing fines and penalties for the violation thereof.

Referred to Committee on Law and Order.

By Mr. PRICE. House Bill No. 1268.

An Act making an appropriation to the Monroe County Hospital, of Stroudsburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FAHEY. House Bill No. 1269.

An Act regulating the sale of distillates of petroleum, prescribing standards of tests and fixing the penalty for violation thereof.

Referred to the Committee on Manufactures.

By Mr. FAHEY. House Bill No. 1270.

An Act authorizing counties to appoint inspectors of distillates of petroleum regulating their powers duties and compensation prescribing maximum fees for any such inspection, and providing for violation thereof.

Referred to the Committee on Manufactures.

By Mr. W. H. Wilson (By Request). House Bill No. 1271.

An Act to give preference and protection to honorably discharged soldiers, sailors, and marines in the Civil Service of the cities of the first class in the Commonwealth of Pennsylvania, who served in the Civil, Spanish-American, or Philippine Wars, and to their widows, or an army nurse of said wars, and to provide penalties for violations of its provisions.

Referred to the Committee on Municipal Corporations.

By Mr. NORTH. House Bill No. 1272.

An Act making an appropriation to pay for the care, treatment and maintenance of the indigent insane for the two years ending May thirty-first, one thousand nine hundred and fifteen.

Referred to Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. EICHENBERGER asked and obtained leave of absence for Mr. Arthur indefinitely on account of illness.

Mr. LOWERS asked and obtained leave of absence for Mr. Semmens for the balance of the week on account of the death of a brother.

REPORTS FROM COMMITTEES.

Mr. ROCKWELL, from the Committee on Law and Order, reported as committed, House Bill No. 1108, entitled:

An Act providing for the arrest and conviction of any person found visiting a gambling house, and providing penalty for same.

Mr. SWIFT, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 938, entitled:

An Act to amend section eight of an act, entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof," approved the thirteenth day of May, one thousand eight hundred and eight-seven, as amended by section one of an act approved the ninth day of June, one thousand and ninety-one.

Mr. MATT, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 778, entitled:

An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age, for the purpose of obtaining intoxicating liquors.

Mr. FLYNN, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 783, entitled:

An Act regulating the sale of vinous, spirituous malt or brewed liquors at wholesale and providing a penalty.

Mr. LETZKUS, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 739, entitled:

An Act providing for the reimbursing of persons, partnerships and corporations for loss sustained by deprivation of the privilege of selling or manufacturing vinous, spirituous malt or brewed liquors, regulating such reimbursement and providing for the levying of a tax in the proper county, city, borough, town, township or ward.

RESOLUTION GRANTING USE OF HALL OF THE HOUSE.

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read.

The resolution was read and agreed to as follows

Resolved that the use of the Hall of the House be granted to the Committee on Municipal Corporations, on the afternoon of Tuesday, March 18th for a hearing on the Malie Bill, relating to Councils of Cities of the second class.

And on Tuesday, March 25th, for a hearing on bills enabling cities of the first class to own and operate transit lines.

RESOLUTION REQUESTING INFORMATION FROM DEPARTMENT OF HEALTH.

Mr. HUMES. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read.

The resolution was read as follows:

Whereas, There has been conferred upon the Department of Health and the Commissioner of said Department, larger discretionary power than any other department of the State Government has been entrusted with, and

Whereas, The General Appropriation Bill now in the hands of this House, shows an evident desire to further increase the number of employes and the expense of maintaining said Department of Health; therefore

Be it Resolved, That the Commissioner of Health be, and he is hereby requested to furnish to this House at the earliest possible date, a list of all employes of said Department, with the salary paid to each, and where the compensation of such employes is in the nature of fees, to furnish the schedule of fees and the amount paid such employes since June 1, 1911, and to include in said report, a statement showing the Act or Acts of Assembly under authority of which each of said employes, whether employed on a salary or on fees, was so employed by said Department; also, a statement of all salaries that have been increased since June 1, 1911, and the amount of such increase.

Mr. HUMES. Mr. Speaker, I ask unanimous consent for the consideration of the resolution at this time.

The SPEAKER. Is there any objection. The Chair hears none and consent is granted.

Mr. HUMES . Mr. Speaker, I move the adoption of the resolution.

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HUMES. Mr. Speaker, by way of explanation of this resolution, I want to say that it is not aimed at any particular official, and there is no desire to go into any investigation or to question the character or intergrity of any department, but in looking over the General Appropriation Bill, which is now in the hands of the House, I discovered that that Department is asking for an increase in the appropriation over two years ago of $891,000. I find in the bill that a great number of new positions are created. I think this department is the only department of the State Government that the Legislature has entrusted absolutely to the care of the head of the department, he to use his own discretion in that particular employee or employees that shall be employed by the department. He has carte blanche to employ whoever he pleases or for whatever purpose he pleases, as I understand it. Under the bill, the salaries of the new positions that are to be created by the appropriation aggregate something over $15,000, and the old employees have their salaries increased to the extent of $57,540; and in addition to that there is an increase in the other appropriations asked for to the extent of $567,000, all of which is available as the Commissioner of Health chooses to use it for the purpose of increasing salaries and creating new positions.

It is because of this condition that I believe it is the duty of this House to know just what positions there are in that Department and just what new positions are intended to be created, in order that we may have the information in the nature of a report that we have with refernece to other departments on the statute books; the other departments having their employees designated by law, I hope that this resolution will pass, in order that we may know just exactly what employees there are in that department and to know whether or not the power and discretion that is vested in that department is in any way being abused.

On the question recurring,

Will the House agree to the motion?

The motion was agreed to.

CONCURRENT RESOLUTION NO. 25.

Mr. G. K. YOUNG. Mr. Speaker, I wish to call up Concurrent Resolution No. 25, File Folio 1623.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Providing for the appointment of a joint committee of the Senate and House of Representatives to investigate the manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania and issuing infantile and industrial policies upon which the premium is payable either weekly or monthly transact their business within this Commonwealth with full power and authority to administer oaths and compel the attendance of persons and the production of books and papers to issue all necessary process to employ counsel and other necessary officers and employees and to report its findings and recommendations

Whereas, The manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania and issuing infantile and industrial policies upon which the premium is payable either weekly or monthly shall transact their business within this Commonwealth and safeguard the interests of their policy-holders is not provided for or regulated by statute and

Whereas, The companies engaged in these particular branches of life insurance depend mainly upon the poor classes for their support and

Whereas, The business in infantile and industrial life insurance has grown to such proportions that the manner in which the same is transacted within this Commonwealth should be investigated so that if necessary the manner of conducting such business and the safeguarding of the interests of such policy-holders may be regulated by statute therefore be it

Resolved, (If the Senate concur), That the President pro tempore of the Senate shall appoint three Senators and the Speaker of the House of Representatives shall appoint three of its members and the six shall appoint a citizen of Pennsylvania with a complete knowledge of life insurance who shall constitute a joint committee whose duty it shall be to investigate the manner in which life insurance companies authorized to conduct business within the Commonwealth of Pennsylvania and issuing infantile and industrial policies upon which the premium is payable either weekly or monthly transact their business within the Commonwealth of Pennsylvania and make report of its findings to the next Legislature and if necessary recommend such bill or bills as in its judgment may be necessary and requisite to regulate and prescribe the manner in which life insurance companies issuing infantile and industrial policies shall transact their business within the Commonwealth of Pennsylvania and safeguard the interests of their policyholders Said committee shall have power to elect its own chairman to sit after the adjournment of the Legislature to administer oats and compel the attendance of persons and the production of books and papers to issue all necessary process to employ legal counsel and such other officers and employees as may be needed to enable it to properly perform its duties but its expenditures shall be limited to the amount provided therefor in the general appropriation bill to be passed at this session of the Legislature and shall be paid out of the State Treasury upon vouchers signed by the chairman of said committee

Said committee shall make a full report in writing to the Governor of the Commonwealth of its findings which such recommendations and draft of such bill or bills as in its judgment may be necessary three months prior to the meeting of the General Assembly in the Session of one thousand nine hundred and fifteen

Mr. G. K. YOUNG. Mr. Speaker, I move that this resolution be referred to the Committee on Insurance.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

CONCURRENT RESOLUTION NO. 5.

Mr. MILLER. Mr. Speaker, I call up Concurrent Resolution No. 5, File Folio No. 869.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Whereas, The Government of the United States in securing volunteers for soldiers for the Civil War of one thousand eight hundred and sixty-one to sixty-five offered "the officers non-commissioned officers and privates organized in the army navy and marine corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the regular army"

And Whereas, The Congress of the United States passed acts of Congress on the twenty-second day of July one thousand eight hundred and sixty-one and of the third of

August one thousand eight hundred and sixty-one and at divers others times embodying and making pledges and promises aforesaid

And Whereas, By the pension laws of the United States passed by the Congress of the United States and in existence and in force at this date there is provision made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned mentioned and characterized as such

And Whereas, There has been no provision made for the redemption of the pledges and promises as aforesaid to the officers designated as such in the said act or any other act or acts of Congress contained

Now, Therefore, By reason of the promises herein before set forth

Be it Resolved, (if the Senate concur), That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an act of Congress providing for the institution of a roll designated "The Civil War Officers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectively of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the army navy and marine corps of the United States respectfully in and during the Civil War of one thousand eight hundred and sixty-one to sixty-five and will embody and provide for the redemption of the pledges and promises in said acts of Congress of one thousand eight hundred and sixty-one and other acts of Congress aforesaid

And be it further Resolved, That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such act of Congress designated in the preceding resolution

Mr. MILLER. Mr. Speaker, I move the adoption of the resolution.

Mr. MATT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MILLER. Mr. Speaker and Gentlemen of the House, I deem it advisable to make a slight explanation to give you the meaning and purpose of this resolution. There have been introduced into Congress at various times bills to create what is known as the Civil War Volunteer Officers' Retired List and the plan and purpose is to place upon this list the volunteer officers who served in the Civil War, at a certain pay for the remaining days of their lives. To this time, no such bill has passed, and this resolution calls upon Congress to do what in justice the Government has promised to do in the years of the Civil War. As the resolution sets out itself, on July 22, 1861, when the call for volunteers was made, there were certain promises and assurances made that those who enlisted, either as privates, non-commissioned officers or officers, would be placed upon the same basis, when it came to pay and allowances as to old age. To date these pledges and promises have not been redeemed, so far as the volunteer officers are concerned. The pledges have been substantially redeemed so far as the privates are concerned, and the equality has been preserved between the private of the regular army and the private volunteer, but the several Acts of Congress, of 1875, 1904, 1906 and 1907, make a distinction—that is, the regular officer receives, solely because of his service in the Civil War, a certain bonus which, in the case of Colonel, amounts to $1,500 annually. Every man who was an officer in the regular army in the Civil War is retired with one grade rank in advance because of that service, even though he served but a single day and even though he served by the side of a volunteer officer in the same campaign and in the same battles. He receives, because he was a regular army officer, one degree in advance, or compensation equal to one degree in advance of his service in the Civil War.

Now, I need not speak about the importance of the volunteer officer in a military system such as we have in our country,—a military system depending upon the citizen soldiery. I say we have had 50,500 regular men who were in the field, as against 857,500 volunteers, a ratio of 1 to 28, and that ninety-six per cent. of the historical engagements were waged by the volunteers. I need not say anything further; that in itself shows the importance of treating with equality the volunteer officer with the regular officer. Now, in the past, pledges of this sort have been kept. In 1828, forty-two years after the War of the Revolution, a bill went through Congress which created a retired list, placing upon it all men who served in the Revolutionary Army in conformance to a pledge and promise made during the Revolutionary War. Forty-five years have gone by now and it is important that the prestige of this country and its pledges be preserved, by fulfilling promises made in 1861.

Resolutions similar to this have been adopted in other States. There have been ten other States which have clled upon Congress to redeem its pledge—Iowa, New York, Illinois, Indiana, Wisconsin and others, ten in number. When I ask that this resolution be adopted this morning, I simply ask that Pennsylvania be put in line with the other States and that there be no inequality between the private and the volunteer officer, no disparagement, but simply that there be equality between officers, whatever their grade of service may have been in the late Civil War.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 735, as follows:

An Act to amend an act entitled "An amendment to an act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An amendment to an act to authorize associations or unincorporated churches cemeteries or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or which shall have reverted or become acquired by them" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five which reads as follows

"That whenever any incorporated or unincorporated church cemetery or burial association owns ground located wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof and the consequent increasing number of interments as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location therof or if by reason of the opening of streets roads or public passages around or through the same a portion of their property has become angular and partially surrounded by improvements making it necessary or advisable to circumscribe the area and remove the dead to other parts thereof or if by reason of the proximity of adjacent property the further interment of the dead may in the interest of public health be prohibited in any part or parts of the grounds belonging to any church cemetery or burial association aforesaid it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable ground in the vicinity of such extent and area as they shall deem expedient for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and to provide for the re-interment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from the said lots the dead to such new locations or other part of the grounds appropriated or selected for their interment upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in single graves and the relatives of the deceased or the holders of the lots in which the interments are made cannot after diligent search by the said board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to other places of interment in the grounds of the said church cemetery or burial association in which the bodies are interred if the expense of such removals enclosures and improvements be borne by the said church cemetery or burial association and upon the said removals being made the ground from which the bodies so removed shall revert to and become the property of the church cemetery or burial association making such removal and be taken and considered as if the same had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders

of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the said managing officials may in their discretion assign to the said owners other parts of their grounds equal in value to the said lots the owners of which cannot be found or the said managing officials may set apart or hold in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the said owners and shall hold and securely keep the said sum so set apart for the benefit of said owners to be paid to them whenever they shall call for the same thereupon as soon as lots equal in value have been set apart or marked on the books of the said church cemetery or burial association as having been assigned to the said owners who cannot be found or as soon as the said managing officials shall set apart the sum above mentioned for the benefit of said owners then and in that case the lots originally held by said owners shall revert to and become the property of the church cemetery or burial association in whose grounds the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever And such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their lands not used or conveyed by them for burial purposes or which shall have been reconveyed to them or shall have reverted or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever" be and the same is hereby amended so as to read

Section 1 That whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or if by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements or if by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in any part or parts of the ground belonging to any incorporated or unincorporated church cemetery or burial association aforesaid or from other causes any burial ground belonging to or in charge of any incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extensions and general progressive interest of any city township or borough it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable grounds in the vicinity of such city township or borough of such extent and area as they shall deem expedient or to purchase lots or sections in other property regulated burial ground or cemetery in the vicinity of such city township or borough for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and provide for the reinterment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from said lots the dead to such new locations upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in lots in such cemetery or cemeteries and the owners of the lots in which the interments are made cannot after diligent search by the board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to lots in such grounds so purchased by said incorporated or unincorporated church cemetery or burial association or to lots or sections in other properly regulated burial grounds or cemetery in the vicinity of such city township or borough and interred therein the expense of such removal and interment enclosures and improvements to be borne by such incorporated or unincorporated church cemetery or burial association and upon such removal being made the ground from which the bodies are to removed shall be deemed and considered vacated for burial purpose and rerevert to and become the property of such incorporated or unincorporated church cemetery or burial association making such removal and be taken and considered the same as if said lot or lots had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the managing officials may in their discretion assign to said owner parts of the ground so purchased equal in value to the said lots the owners of which cannot be found or assign to such owners lots of equal value in other properly regulated burial ground or cemetery in the vicinity of such city township or borough or the said managing officials may set apart or held in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the owner and shall hold and securely keep the said sum so set apart for the benefit of the said owners and pay to them whenever they may call for same and thereupon whenever lots of equal value shall have been set apart on the books of said incorporated or unincorporated church cemetery or burial association as having been assigned to said owners who cannot be found in the new and more suitable ground so purchased or in a properly regulated burial ground or cemetery in the vicinity of such city borough or township or as soon as the said managing officials shall set apart a sum equal to the price paid for said lots the owners of which cannot be found for the benefit of said owners then and in that case the lots heretofore held by said owners shall revert to and become the property of said incorporated or unincorporated church cemetery or burial association in whose ground the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever and such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their land not used or conveyed by them for burial purposes or which shall have been reconveyed to them or which have reverted to or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever

Section 2 Whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or is by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements and by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in the ground belonging to any such church cemetery or burial association aforesaid or from other causes any burial ground belonging to or in charge of any such incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extension and general progressive interest of any city township or borough then and in such case the courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association setting forth that by reason of the growth of said city township or borough it has been necessary to change the location thereof or that by reason of the proximity of adjacent property the interment of the dead in said cemetery or burial ground in the interest of public health has been prohibited or from other causes said burial ground has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred therein interfere with and hinder the improvements extensions and general progressive interests of any such city township or borough and the public good and after three weeks' advertisement of hearing in open court for the purpose the said court is hereby vested and empowered with full power and authority after a full hearing of the parties therein proofs and allegations to authorize and direct the removal of the remains of all the dead from such cemetery or burial ground to such other suitable ground as said managers trustees or officers may have procured in the vicinity of such city township or borough for the reinterment of the bodies or to such lots or sections in a properly regulated burial ground or cemetery in the vicinity of such city borough or township and to order and decree that the ground of such cemetery be forever vacated for burial purposes

Section 3 After the removal of the bodies as provided for in section two the said court of Quarter Sessions may upon petition of the said managers trustees or other officers referred to in said section and upon being satisfied that the order of the court has been duly complied with authorize and empower the said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association to sell said burial ground at public or private sale either as a whole or divided into lots as they may most deem advisable and most likely to realize the most money and to make execute and deliver to the purchaser or purchasers a deed or deeds therefor which deed or deeds shall vest in said purchaser or purchasers a perfect and indefeasible fee simple title free and clear from all claims or interests of said incorporated or unincorporated church cemetery or burial association and of all owner or owners of lot or lots in said burial ground the proceeds thereof being substituted in all respects for said ground

Section 4 The proceeds of such sale or sales shall be applied and distributed by said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association as follows (1) to the payment of the expenses of removing said bodies and the monuments or tombstones erected or maintained in such cemetery including the purchase of new grounds or new lots in a properly regulated burial ground or cemetery in the vicinity of such city township or borough (2) to the compensation or payment to lot owners in said burial ground in which no bodies have been interred and (3) the residue after defraying all necessary expenses incident to the removal of said bodies and intering the same in a careful manner to be held in trust for lot owners who cannot be found after diligent search and for such other uses objects and purposes as said incorporated or unincorporated church cemetery or burial association may order direct and appoint

On the question,

Will the House agree to the bill on third reading?

Mr. W. H. WILSON. Mr. Speaker and Gentlemen of the House, just a word of explanation with reference to this bill. This is an amendment to the Act of 1895, which deals with cemeteries and burial grounds. The Act of 1895 covers conditions where there is a desire to remove bodies from cemeteries and burial grounds where streets have been cut through and where becoming a public nuisance and menace to public health; but does not touch the condition where these burial grounds and cemeteries have

been abandoned. The sole purpose of this Act is to amend the Act of 1895 so as to cover that condition.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—169.

Adams,	Flynn,	Malie,	Runk,
Allen,	Foster, J. D.,	Mannion,	Sassaman,
Alworth,	Frey,	Martin,	Savacool,
Ambler,	Gans,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Geiser,	Matt,	Schuck,
Baldwin, R. J.,	Gibson,	McAllister,	Scott, J. R. K.,
Barner,	Good,	McArdle,	Semmens,
Bass,	Goss,	McClintock,	Shaffer, C. A.,
Becker,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Benson,	Haggerty,	McKay,	Showalter,
Bergey,	Heidinger,	Mechling,	Smith, J. W.,
Bigger,	Hemminger,	Metzenbacher,	Smith, L.,
Bittles,	Herman,	Miller,	Snavely,
Blair, W. A.,	Hess,	Missimer,	Snyder,
Blair, W. F.,	Heyburn,	Mitchell,	Spangler,
Bleloch,	Hibshman,	Moore,	Speiser,
Body,	Hobbs,	Morrow,	Spillinger,
Brosius,	Hoffman,	Moses,	Steedle,
Brown,	Howard, J.,	Moulthrop,	Steele,
Brownlee,	Howard, R.,	Musser,	Stone,
Burnett,	Humes,	Neel,	Strauss,
Caldwell,	Isler,	Neely,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	Newton,	Swift,
Campbell, J.J.	Jackson,	North,	Thomas,
Carson,	Jones, E. E.,	O'Neill,	Trach,
Carter,	Jones, J. R.,	Peachey,	Ulerich,
Cheeseman,	Kaiser,	Pennegar,	Ulman,
Claycomb,	Kaufman,	Pennock,	Walnut,
Cleary,	Keegan,	Perry, H. L.,	Walsh,
Collins,	Kennedy,	Piper,	Walton,
Conner,	Kern,	Price,	Watson,
Conrade,	Kitts,	Ramsey,	Whitaker,
Cox,	Klepper,	Redfield,	Whitman,
Currier,	Kuhn, H. P.,	Reese,	Wildman,
Curry,	Kuhns, E.G.M.,	Reeser,	Williams,
Davis,	Lanius,	Rex,	Wilson, J. H.,
DeFrees,	Lenker,	Rhoads,	Wilson, W. H.,
Donnally,	Leslie,	Richards,	Wiltbank,
Down,	Letzkus,	Robinson,	Young, G. K.,
Dunn, H. B.,	Light,	Rockwell,	Young, J. H.,
Ehrhardt,	Lohr,	Roney,	Zimmerman,
Eichenberger,	Lowers,	Rothenberger,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305, as follows:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns or townships for county borough town or township taxes respectively and providing for the sale of such lands for taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That return of taxes assessed by the authorities of any county borough incorporated town or township against seated lands in such borough town or township shall be made whenever personal property cannot be found thereon sufficient to pay such taxes in the same manner and at the same time that return is now made for unpaid county taxes on unseated lands and whenever any such taxes against said lands in such borough town or township shall not be paid within two years after the date of the assessment thereof such seated lands in boroughs towns or townships shall be sold by the proper county treasurer at the time and in the same manner and under the same conditions and with the same effect as unseated lands are now sold by such treasurer for unpaid county taxes

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—177.

Adams,	Flynn,	Letzkus,	Robinson,
Allen,	Forster, I. G.,	Light,	Rockwell,
Alworth,	Foster, J. D.,	Lowers,	Roney,
Ambler,	Frey,	Malie,	Rothenberger,
Arthur,	Gans,	Mannion,	Sassaman,
Baldwin, R. J.,	Geary,	Martin,	Schaeffer, A. C
Barner,	Geiser,	Mather,	Schuck,
Bass,	Gibson,	Matt,	Scott, J. R. K.,
Becker,	Good,	McAllister,	Scott, S. B.,
Benson,	Grabe,	McAllister,	Semmens,
Bergey,	Gramley,	McCaig,	Shaffer, C. A.,
Bigger,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bittles,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. A.,	Hackett,	McKay,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McNichol,	Smith, L.,
Bleloch,	Heidinger,	Mechling,	Snavely,
Body,	Hemminger,	Mellott,	Snyder,
Brownlee,	Herman,	Miller,	Spangler,
Burnett,	Hess,	Missimer,	Speiser,
Caldwell,	Heyburn,	Mitchell,	Spillinger,
Campbell, C.M.,	Hibshman,	Moore,	Steedle,
Campbell, J.J.	Hobbs,	Morrow,	Steele,
Carson,	Howard, J.,	Moses,	Stone,
Carter,	Howard, R.,	Moulthrop,	Strauss,
Claycomb,	Isler,	Murphy,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Cochran,	Irwin, H. H.,	Neely,	Thomas,
Collins,	Jackson,	Newbaker,	Trach,
Conner,	Jones, J. R.,	Newton,	Ulerich,
Conrade,	Kaiser,	North,	Ulman,
Cox,	Kaufman,	O'Neill,	Walsh,
Currier,	Keegan,	Peachey,	Walton,
Curry,	Kenna,	Pennegar,	Watson,
DeFrees,	Kennedy,	Pennock,	Wattach,
Dickinson,	Kern,	Peters,	Whitaker,
Donahoe,	Kitts,	Piper,	Whitman,
Donnally,	Klepper,	Post,	Wildman,
Down,	Kuhn, H. P.,	Price,	Wilson, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Lanius,	Redfield,	Wiltbank,
Ehrhardt,	Latshaw,	Reese,	Young, G. K.,
Eichenberger,	Lenker,	Reeser,	Young, G. K.,
Ely,	Leslie,	Rhoads,	Zimmerman,
Ewing,		Richards,	Alter,
Fahey,			Speaker.

NAYS—1.

Humes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LORENZO SMITH. Mr. Speaker, I would like to rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LORENZO SMITH. Mr. Speaker, I would like to have put on record my reasons for my vote on House Bill No. 523, whichwas negatived by the Committee on Municipal Corporations. It is in relation to City Solicitors. There has been much discussion concerning this bill in Philadelphia and I would like to be straightened out on the matter and therefore ask to have my reason for voting as I did spread upon the Journal.

The SPEAKER. There being no objections the gentleman's reasons will be spread upon the Journal.

REASONS FOR VOTE.

Mr. LORENZO SMITH. Mr. Speaker and Gentlemen of the House, I desire to register my reasons for assuming the anomalous position of presenting a bill and then advocating its defeat: I refer to bill No. 523, affecting the selecting of City Solicitors; in lieu of the comment this has elicited I deem it essential to justice that I square my connection therewith.

Actuated by a courtesy I presumed to be in vogue, at the request of a prominent citizen of Philadelphia, who is chairman of a much vaunted Civic Organization, I presented several bills for consideration by the House, including bill No. 523; the conditions attending this presentation did not in the least obligate me to tender them my support. To have supported bill No. 523, would have necessitated an abridgement of my conception of Progressiveism as enunciated in the Republican State Convention Pledge, which is far from my intent; hence unless I did violence to the Republican Progressive Creed, which was ratified by thousands of voters in the District I represent, I could not consistently do else than insist upon having bill 523 consigned to the scrap heap of the defunct.

REASONS FOR VOTE FILED BY MR. WILTBANK, FEBRUARY 26, 1913.

Mr. WILTBANK. My reasons for moving to place on the calendar House Bill No. 2, entitled "An Act permitting certain baseball games on Sunday, between 3 and 6 o'clock p. m," and also my reasons for introducing the above bill are the following:

This bill was givento me by a delegation of my constituents for the purpose of introducing the same. I introduced it as a bill by request. At the time of its introduction I informed my constituents that the bill was not agreeable to the majority of my people; that the district I represent was opposed in large majority to any laws affecting the Sabbath. It was with this understanding that I introduced the bill. When the bill was recommended to the House with a negative recommendation by the Law and Order Committee, I moved to have the same put upon the Calendar, again by request.

My district is composed to a great extent of church going Christian living people. This bill did not at any time have my support.

BILL ON THIRD READING.

Mr. RICHARDS. Mr. Speaker, I desire at this time to call up House Bill No. 197, file folio 991, page 10 of to-day's calendar. Bills on Third Reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 197, entitled:

An Act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of orphans' court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—145.

Adams,	Fahey,	Latshaw,	Rockwell,
Allen,	Flynn,	Lenker,	Roney,
Alworth,	Foster, J. D.,	Leslie,	Runk,
Ambler,	Frey,	Letzkus,	Schaeffer, A. C
Baldwin, G. A.,	Gans,	Lohr,	Schuck,
Baldwin, R. J.,	Geary,	Lowers,	Scott, J. R. K.,
Barner,	Geiser,	Malie,	Scott, S. B.,
Bass,	Gibson,	Mannion,	Semmens,
Bayle,	Good,	Martin,	Shaffer, C. A.,
Benson,	Gramley,	Mather,	Showalter,
Bergey,	Gray, Frank,	Matt,	Smith, L.,
Berntheizel,	Hackett,	McAleer,	Snavely,
Bigger,	Haggerty,	McAllister,	Spangler,
Bittles,	Heidinger,	McArdle,	Speiser,
Blair, W. A.,	Hemminger,	McDermott,	Spillinger,
Brosius,	Herman,	McKay,	Steele,
Brownlee,	Hess,	Mechling,	Stein,
Burnett,	Heyburn,	Mitchell,	Stone,
Caldwell,	Hibshman,	Moore,	Swartz,
Campbell, C.M.,	Hobbs,	Morrow,	Thomas,
Carter,	Isler,	Moses,	Trach,
Cheeseman,	Irwin, G. C.,	Moulthrop,	Ulerich,
Cleary,	Irwin, H. H.,	Musser,	Ulman,
Conner,	Jackson,	Neely,	Walnut,
Conrade,	Jones, E. E.,	Newton,	Walton,
Cox,	Jones, J. R.,	North,	Watson,
Currier,	Kaufman,	Pennock,	Whitaker,
Curry,	Keegan,	Peters,	Whitman,
Davis,	Keeport,	Piper,	Wildman,
DeFrees,	Kennedy,	Price,	Williams,
Dickinson,	Kern,	Ramsey,	Wilson, J. H.,
Donnally,	Kitts,	Redfield,	Wilson, W. H.,
Down,	Klepper,	Rex,	Wiltbank,
Dunn, J. A.,	Kuhn, H. P.,	Rhoads,	Young, G. K.,
Ehrhardt,	Kuhns, E.G.M.,	Richards,	Young, J. H.,
Eichenberger,		Robinson,	Alter,
Ely,			Speaker.
Ewing,			

NAYS—12.

Benninger,	Grabe,	Light,	Rothenberger,
Body,	Gray, Joseph,	McClintock,	Sassaman,
Claycomb,	Lanius,	Metzenbacher,	Strauss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. HUMES. Mr. Speaker, I desire at this time to call up House Bill No. 466, file folio 1143, page 12, of to-day's calendar. Bills on Final passage postponed for the present.

Agreeably to order,

The House resumed the consideration on final passage of H. R. Bill No. 466, as follows:

An act to amend the title the first section the second section and the third section of an act of Assembly entitled 'An act relating to the settlement and audit of the accounts of all officers elected or appointed or boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the titled of a certain act of Assembly approved the ninth day of June Anno Domini one thousad nine hundred and eleven reading as follows "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" be and the same is hereby amend to read as follows "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships and poor districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts" by repealing so much thereof as applies to school districts

Section 2 That section one of the said act of Assembly which reads as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers of any borough township poor district or school district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township directors of any poor district or school district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supsrvisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district of the directors and treasurer of the school district and of the tax collectors of each of said the school district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss" shall be amended to read as follows "That hereafter the auditors whose duty it shall be to audit the accounts of the officers or any borough township or poor district created or incorporated by any general or special law of this Commonwealth shall meet annually on the day following the day which has been or shall be fixed by law for the organization of borough councils township supervisors or commissioners of any township or directors of any poor district respectively and shall forthwith proceed in the respective instances to audit settle and adjust the accounts of the burgess members of the council treasurer street commissioner and other officers either appointed or elected of the borough of the supervisors or commissioners roadmasters and treasurer of the township of the directors or overseers treasurer of the poor district and of the tax collectors of each of said municipalities or districts and any such officer whose act or neglect shall have contributed to the financial loss of any municipality or district shall be surcharged with the amount of such loss"

Section 3 That section two of the said act of Assembly which reads as follows "That the auditors of every borough township poor district and school district created or incorporated by any general or special law of this Commonwealth shall file a report or statement of their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year" shall be amended to read as follows "That the auditors of every borough township and poor district created or incorporated by any general or special law of this Commonwealth shall file a report or statement their said settlement and audit in the office of the clerk of the court of quarter sessions of the county within which such municipality or district shall be situated or within which shall be the greater portion of its population within a period of ten days after the completion of said settlement and audit which report shall contain an itemized list of all receipts expenditures and credits of the said several officers for the preceding fiscal year"

Section 4 That section three of the said act of Assembly which reads as follows

"That it shall be lawful for the borough township poor district or school district or any taxpayer thereof on its behalf or any officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors or the

court of common pleas of the proper county within thirty days after such report or settlement shall have been filed in the office of the clerk of the court of quarter sessions whereupon the court may direct an issue to determine the disputed question of fact between the officers accounting and the borough township poor district or school district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accruing thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township poor district or school district than that awarded by the auditors or in case the appellant be an accounting officer or officers he or they shall fail to obtain a final decision more favorable to the officers than that awarded by the auditors" shall be amended to read as follows

"That it shall be lawful for the borough townships or poor district or any taxpayer thereof on its behalf or an officer or officers whose account shall be settled or audited to appeal from the settlement or audit by the auditors to the court of common pleas of the proper county within thiry days after such report or settlement shall have been filed in the office of the court of quarter sessions whereupon the court may direct an issue to determine the disputed questions of fact between the officers accounting and the borough township or poor district Provided That no appeal by such taxpayer or officer shall be received unless the applicant shall enter into recognizance with one or more sufficient sureties sufficient to prosecute the appeal with effect and to pay all costs accuring thereupon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the borough township or poor district than that awarded by the auditors or in case the appellant be an accounting or officers he or they shall fail to obtain a final decision more favorable to the officer or officers than that awarded by the auditors"

On the question,

Shall the bill pass?

RECONSIDERATION OF VOTE.

Mr. HUMES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. NORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend House Bill 466, File Folio 1143, by striking out all of Section 1, after the enacting clause, and by further striking out in line 1, Section 2, the following: Section 2."

Also amend by striking out all of Sections 3 and 4.

Amend the title by striking out the words "The Title" after the word "amend" and also the words "The Second Section and the Third Section" after the word "sections".

The SPEAKER. Will the House give unanimous consent to the amendments as read? Is there any objection? The Chair hears none and the amendments will be made in accordance with the instructions of the House.

On the question,

Will the House agree to the bill as amended?

It was agreed to.

The SPEAKER. These amendments consisting entirely of striking out, the bill may now be put on final passage.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—183.

Adams,	Ewing,	Leslie,	Rockwell,
Allen,	Fahey,	Letzkus,	Roney,
Alworth,	Flynn,	Lohr,	Rothenberger,
Ambler,	Foster, J. D.,	Lowers,	Runk,
Baldwin, G. A.,	Frey,	Malie,	Sassaman,
Baldwin, R. J.,	Gans,	Mannion,	Schaeffer, A. C
Barner,	Geary,	Martin,	Schuck,
Bass,	Geiser,	Mather,	Scott, J. R. K.,
Bayle,	Gibson,	Matt,	Semmens,
Becker,	Glenn,	McAleer,	Shaffer, C. A.,
Benninger,	Goss,	McAllister,	Shaffer, I. E.,
Bergey,	Grabe,	McCaig,	Showalter,
Bigger,	Gramley,	McClintock,	Smith, J. W.,
Bittles,	Gray, Frank,	McDermott,	Smith, L.,
Blair, W. A.,	Gray, Joseph,	McKay,	Snavely,
Blair, W. F.,	Hackett,	McNichol,	Snyder,
Bleloch,	Haggerty,	Mechling,	Spangler,
Body,	Hemminger,	Metzenbacher,	Speiser,
Brosius,	Herman,	Miller,	Spillinger,
Brown,	Hess,	Miissimer,	Steedle,
Brownlee,	Heyburn,	Mitchell,	Steele,
Burnett,		Moore,	Stein,
Caldwell,	Hobbs,	Moses,	Stone,
Campbell, C.M.,	Hoffman,	Moulthrop,	Strauss,
Campbell, J.J.	Howard, J.,	Murphy,	Swartz,
Carson,	Howard, R.,	Musser,	Swift,
Carter,	Humes,	Neely,	Thomas,
Cheeseman,	Isler,	Newton,	Trach,
Claycomb,	Irwin, G. C.,	North,	Ulerich,
Cleary,	Irwin, H. H.,	O'Neill,	Ulman,
Collins,	Jackson,	Peachey,	Walnut,
Conner,	Jones, E. E.,	Pennegar,	Walsh,
Conniff,	Jones, J. R.,	Pennock,	Walton,
Conrade,	Kaiser,	Perry, H. L.,	Watson,
Cox,	Keegan,	Peters,	Wettach,
Currier,	Keeport,	Piper,	Whitaker,
Curry,	Kenna,	Post,	Whitman,
Davis,	Kennedy,	Price,	Wildman,
DeFrees,	Kern,	Ramsey,	Williams,
Dickinson,	Kitts,	Redfield,	Wilson, J. H.,
Donnally,	Klepper,	Reese,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Reeser,	Wiltbank,
Dunn, H. B.,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Dunn, J. A.,	Lanius,	Rhoads,	Zimmerman,
Ehrhardt,	Latshaw,	Richards,	Alter,
Eichenberger,	Lenker,	Robinson,	Speaker.
Ely,			

NAYS—1.

Morrow,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 877, as follows:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a popualtion of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be received by the sheriffs of this Commonwealth in all the counties which according to the United States decennial census taken last before the beginning of the term of the said sheriff which contained a population of less than one hundred and fifty thousand inhabitants shall be as follows:

For receiving making endorsements thereon docketing and making returns thereof to each writ rule process decree order bill in equity citation statement or notice isuued out of any court one dollar.

For service personally or by copy each writ of scire facias replevin foreign attachment attachment attachment execution injunction mandamus quo warranto partition inquisition or other writ each bill in equity summons rule process decree citation subpoena in divorce statement of claim series of interrogatories proclamation one dollar for the first service and twenty-five cents for every other party or defendant served and twenty-five cents for each copy served or posted in addition to mileage or for serving the same by publication in one or more newspapers when required by law or order of court two dollars and seventy-five cents in each case in addition to the printer's bill

For each service of a subpoena fifty cents for the first name and fifteen cents for each additional name together with mileage.

For executing landlord's warrants writs of levari facias fieri facias venditioni eponas venire facias habeas corpus retorno habendo and replevin one dollar and mileage on each writ in addition to the following For each levy on personal property one dollar and mileage for levying on land each writ one dollar and mileage for advertising personal property to public sale two dollars and seventy-five cents and mileage for advertising real estate to public sale by publication in newspapers two dollars and seventy-five cents each case in addition to the printer's bill for advertising real estate to public sale by handbills one dollar for each case and mileage for summoning and swearing jury and making returns to inquisitions held on said writs four dollars in addition to the jury fees and fee for serving notices and mileage where the inquisition is held on the premises for crying any sale of personal property one dollar and when the same continues longer than three hours three dollars per day for crying sale of land one dollar in each case for clerk hire at said sales when necessary two dollars per day for watchman taking charge of personal property levied when necessary two dollars per day also reasonable expenses for insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense for delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and no commission in such cases to be taken.

For executing writs of habere facias liberari facias dower possession or any necessary process requiring the delivery of posession of real estate or the ejectment or dispossessing of any person or persons of their effects two dollars and mileage and reasonable costs for help when absolutely necessary.

For executing writs of partition inquisition appraisement of real estate or similar writs issued out of any court the following costs for receiving docketing and making returns thereto one dollar for each service fifty cents and mileage for each copy served twenty-five cents for advertising notice two dollars and seventy-five cents in addition to the printer's bill for holding inquisitions four dol-

lars per day and mileage in addition to the jury fees and expenses for executing writs three dollars in addition to artist's or surveyor's fee.

For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For each arrest one dollar and mileage for transportation of each prisoner three cents per mile in addition to necessary help and expenses.

For paying out money made or received on any writ process order or sentence of court two cents on every dollar awarded and applied on any judgment mortgage encumbrance or other claim Provided That the amount does not exceed five hundred dollars in which case one-half cent on every dollar in excess of this amount awarded and applied or paid as aforesaid said commission to be allowed whether the money is paid with or without sale If paid without sale no commission shall be allowed for more than is paid over or received by the creditor.

For levying or paying out fines three cents per dollar to be paid by the party receiving the fine.

For advertising general or special election two dollars and seventy-five cents and mileage in addition to printer's bill to be paid by the county.

For each commitment in any criminal matter including charge of disorderly conduct fifty cents.

For discharging prisoners in any criminal or civil case fifty cents each.

For executing bail-piece one dollar.

For executing death warrant twenty-five dollars in addition to all necessary expenses the same to be paid by the county.

For drawing juries in each general or special term or session of court three dollars in addition to one dollar for executing each venire and for summoning each juror to attend court thirty cents without mileage the same to be paid by the county.

For fee on indictment on every capital case three dollars in every other criminal case one dollar and twenty-five cents the same to be paid by the county.

For appraisement of personal property by virtue of any act of Assembly four dollars for each appraisement this to include fees of apraisers if they are not employed over one day.

For making and acknowledging deeds three dollars to be paid by the purchaser and to include fee of prothonotary for acknowledging the deed but not to including fee for recording.

For traveling expenses or mileage in serving or executing any of the writs rules orders decrees processes or performing any of the duties or services herein specified and intended to be done or authorized by law the sheriff shall be entitled to receive and have taxed as costs six cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order process or service performed Provided that he shall not receive more than one mileage where the plaintiff and the defendant or plaintiffs and defendants in two or more contemporaneous writs to processes are the same Provided further For conveying prisoners to the penitentiary house of correction or reformatories or any insane person to an asylum he shall receive the sum of three dollars per day for each day necessarily spent with mileage of six cents per mile circular for each miles necessarily traveled and for each assistant allowed by the court two dollars and fifty cents per day with same mileage to be paid by the county.

For services performed in his capacity as conservator of the peace or police officer in suppressing riots and insurrections and where discharging the duties requiring the summoning of a posse comitatus or special deputy sheriffs the said sheriff shall receive a per diem compensation of three dollars per day together with mileage and necessary expenses including subsistence for himself and those under him the same to be paid by the county.

For all services performed by the sheriff but more properly belonging to the jurisdiction of a constable he shall receive the same fees as a constable is entitled to according to law.

For serving any rule process decree or order of court not hereinbefore specificially provided for the sheriff shall receive one dollar and mileage.

For the execution of any matter directed to the sheriff or authorized by law or rule of court for services not herein provided for the sheriff shall receive the same fees as for similar services herein provided for.

Section 2 All sheriff's costs and fees shall be due and payable when the services are performed and it shall be lawful for him to demand and receive from the party instituting the proceedings or any party liable for the costs thereof all unpaid sheriff's fee and costs on the same before he shall be obliged by law to make return thereof and in case he does not chose to collect his fees in that manner he shall file with each return he makes a correct itemized list of his costs on or before the return day thereof which costs shall be taxed by the clerk of the court or prothonotary

Section 3 The several sheriffs in this Commonwealth affected by this act shall be and are hereby required to make fair and correct tables of their respective fees according to this act and to publish and keep a copy of the same in their respective offices in some conspicuous place for the inspection of all persons who have business in said offices and it shall be the duty of every sheriff their deputy or agent if a demand for that purpose shall be made at the time of or immediately after receiving any of their fees or any written security therefor to deliver an itemized statement or bill of particulars specifying the several items contained therein and the amount thereof and to give the party paying such fees a receipt in full therefor or to indorse on such written security when taken that the same was given for fees and to sign the endorsement so made

Section 4 All acts or parts of acts in force at the date of the passage of this act inconsistent with the provisions are hereby repealed Provided The provisions of this act shall not apply to any sheriff holding office at the time of the approval of this act Provided further that the provisions of this act shall not be construed to repeal any local or special laws

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, there appears to be two misspelt words in this bill, and I ask the unanimous consent of the House at this time to offer an amendment to the bill.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one, page five, line 108, by striking out the word "including" and inserting in lieu thereof the word "include." Also in section two, page six, line 6, strike out the word "chose" and insert in lieu thereof the word "choose."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 883, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

On the question,

Will the House agree to the bill on third reading?

Mr. GEARY. Mr. Speaker and Gentlemen of the House, I wish to say just a few words about this bill. This bill applies to cities of the second class only, and to Pittsburgh especially. In Pittsburgh there are at present over 2500 city employees, who are members of a municipal pension association. This bill simply grants the right to the City Council, and the authority to work out a plan, if they wish to do so, that would help to assist men working for the city in establishing a fund for the aged, sick and disabled city employees. There is nothing compulsory about this bill as you members will notice in line five, which reads, "that those in authority may assist or help in this matter."

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—170.

Adams,	Down,	Kuhns, E.G.M.,	Rex,
Allen,	Dunn, J. A.,	Latshaw,	Rhoads,
Alworth,	Ehrhardt,	Lenker,	Richards,
Ambler,	Eichenberger,	Leslie,	Robinson,
Baldwin, G. A.,	Ely,	Letzkus,	Rockwell,
Baldwin, R. J.,	Ewing,	Light,	Roney,
Barner,	Fahey,	Lohr,	Runk,
Bass,	Flynn,	Lowers,	Sassaman,
Bayle,	Forster, I. G.,	Malie,	Schuck,
Becker,	Foster, J. D.,	Mannion,	Scott, J. R. K.,
Benninger,	Frey,	Martin,	Semmens,
Benson,	Gans,	Mather,	Shaffer, C. A.,
Bergey,	Geary,	McAleer,	Shaffer, I. E.,
Bigger,	Geiser,	McAllister,	Showalter,
Bittles,	Gramley,	McClintock,	Smith, J. W.,
Blair, W. A.,	Gray, Frank,	McKay,	Smith, L.,
Blair, W. F.,	Gray, Joseph,	McNichol,	Snyder,
	Hackett,	Mechling,	Spangler,
Body,	Haggerty,	Missimer,	Speiser,
Brosius,	Heidinger,	Morrow,	Spillinger,
Brown,	Hemminger,	Moses,	Steedle,
Brownlee,	Herman,	Moulthrop,	Steele,
Burnett,	Hess,	Murphy,	Stein,
Caldwell,	Heyburn,	Musser,	Strauss,
Campbell, C.M.,	Hibshman,	Neely,	Swartz,
Campbell, J.J.	Hobbs,	Newbaker,	Swift,
Carson,	Hoffman,	Newton,	Thomas,
Carter,	Howard, J.,	North,	Trach,
Cheeseman,	Howard, R.,	O'Neill,	Ulerich,
Claycomb,	Humes,	Peachey,	Ulman,
Cleary,	Isler,	Pennegar,	Walsh,
Cochran,	Irwin, H. H.,	Pennock,	Walton,
Collins,	Jackson,	Perry, H. L.,	Watson,
Conner,	Jones, E. E.,	Peters,	Wettach,
Conniff,	Jones, J. R.,	Piper,	Whitaker,
Conrade,	Kaiser,	Post,	Wildman,
Cox,			Williams,

Currier,	Kaufman,	Price,	Wilson, J. H
Curry,	Keeport,	Ramsey,	Wilson, W. H.,
Davis,	Kenna,	Redfield,	Wiltbank,
DeFrees,	Kennedy,	Reese,	Young, J. H.,
Dickinson,	Kitts,	Reeser,	Alter,
Donnally,	Kuhn, H. P.,		Speaker.

NAYS—7.

Good,	Klepper,	Matt,	Rothenberger,
Kern,	Lanius,	Mitchell,	Snavely,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire at this time to call up House Bill No. 252, File Folio 1101, on page twelve of to-day's calendar, Bills on Final Passage Postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 252, as follows:

An Act relating to the holding of a Constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to mcarry out the provisions of this act

Section 1 Time of submitting the Question of a Constitutional Convention to the Electors

Section 2 Time of Electing Delegates Number of Delegates

Section 3 Manner of Nominating Delegates

Section 4 Time and Manner of Organization of the Convention Members Ex Officio

Section 5 Filling Vacancies

Section 6 Power of the Convention

Section 7 Filing and Publication of the Proposed Constitution

Section 8 Time and Manner of Submitting the Constitution to the People

Section 9 Compensation of Members and Officers Appropriation for Expenses

Time of Submitting the Question of a Constitutional Convention to the Electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the first Tusday after the first Monday in November in the year one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution shall be submitted to the electors of this Commonwealth

Time of Electing Delegates Number of Delegates

Section 2 At the same election delegates to a Constitutional Convention shall be elected

The qualification of delegates to the constitutional conventions shall be the same as are by law prescribed for Senators in the General Assembly of this Commonwealth

The number of delegates shall be one hundred and sixty-five three delegates to be elected from each of the fifty Senatorial districts of the Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for two district delegates and five delegates-at-large and the candidates highest in vote shall be declared elected

Manner of Nominating Delegates

Section 3 Nominations for delegates to the convention shall in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred qualified electors and shall set forth that the signers thereof are qualified electors of the senatorial district in which the candidates resides and from which he desires to be elected and that they will support the candidate whose petition they are signing Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county such petition shall set forth that the signers thereof are qualified electors of the Commonwealth and they will support the candidate whose petition they are signing

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to sixty days before the date on which such petition must be filed and no signature shall be counted unless it shall have been affixed to such petition and bear date within sixty days prior to the time of filing the same

Petitions shall be filed with the Secretary of the Commonwealth at least thirty days prior to the date of the election at which delegates are to be chosen

The Secretary of the Commonwealth immediately after the last day for the filing of said petitions with him shall forward to the County Commissioners of each county a correct list of the candidates for delegates to be voted for in the respective counties as contained in such petitions

Time and Manner of Organization of the Convention Members Members Ex Officio

Section 4 If a majority of the electors voting on the aforesaid question shall be in favor of holding a constitutional convention the delegates elected as herein provided shall meet in the hall of the House of Representatives at the State Capitol in the city of Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time and place

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention to such delegates as shall not have taken the oath at the time of the organization of the convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Filling Vacanacies

Section 5 In case of vacancies in the membership of the convention occurring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any senatorial district shall be a resident of such senatorial district

Power of the Convention

Section 6 Said convention shall have power to submit to the qualified electors of this Commonwealth for their approval or rejection a new constitution

Filing and Publication of the Proposed Constitution

Section 7 The constitution proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth For the purpose of carrying into effect the provisions of this section the county commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by voting or registry lists used at the election at which delegates were elected to said convention together with the post office address of each of said voters

Time and Manner of Submitting the Constitution to the People

Section 8 The Constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The Constitution shall be submitted to the electors in such manner as the Convention shall direct Provided That any sections in the proposed constitution relating to female suffrage the initiative and referendum the recall either of officers or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Compensation of Members and Officers Appropriation for Expenses

Section 9 The entire compensation and allowance to each member and to each member ex-officio of the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

The question recurring,

Shall the bill pass finally?

Mr. SCHUCK. Mr. Speaker and Gentlemen of the House, I just wish to call the attention of the House to the fact

that there is a very important matter here on third reading. I do not wish to go into the details of how it has come to this point. This is a question of calling a constitutional convention. This proposition is a conglomeration of four or five ideas, which have been consolidated. This bill was introduced and reported to a committee, sent back to the floor of the House, sent back to the Committee and again came back on the floor of the House. I am not going into all the details of the advancement of the bill to this point. I will let the twenty-five members of the Constitutional Reform Committee, or the Chairman of the Judiciary Special Committee explain those details to you, but I want to bring to your notice the importance of the work that goes with a Constitutional Convention and also the double-barreled proposition. This bill and the one which proceeds it are corresponding bills and you not only vote for a constitutional convention but you vote at the same election upon whether or not you send delegates to that convention, and you vote upon the delegates. The moment you start this co-partnership of bills out, you start out candidates for delegates to this convention, and you also have the question of whether or not you are going to have this convention. Suppose this Legislature were elected under those conditions. We should vote on one ballot whether or not we have a Legislature, and whether or not they send us here to this Legislature. Now in this proposition, you would have to go out to your constituents and explain to them that they must make a choice in this matter as to whether or not we should have a constitutional convention, and say to them that if you vote for a constitutional convention, vote for me as a delegate. If the Legislature were elected under this system, it is probable that we would not have a Legislature. I tell you, gentlemen, this is not a trivial matter that we are voting on. I do not intend to go into the details of the arrival of this bill upon the floor of the House. The men in back of this bill do not know anything more about it than a child does about its own birth. I believe the Constitution is sacred. This question was voted on in 1891, and the people voted down a Constitutional Convention, and still elected delegates. But the times have changed since then. There is something wrong. Nobody knows what it is. You cannot know, nor I do not know myself, what is wrong. I am perfectly willing to submit any proposition to the people, and have so cast my vote on similar propositions before the House, but I do not think that the question should be submitted to the people as to whether or not we should have a constitutional convention and at the same time elect delegates to that convention. Without any apparent reason this matter is brought before us, because some one intimated that some one else wanted a constitutional convention, and you pass upon this question, and pass it up to a stagnant Senate, or a wise Governor, to do the rest. We ought to think about this matter very seriously under these circumstances, when we have no requests from our home counties to change the Constitution. I do not think that we are in a position to submit the question to the people under the present conditions as to whether or not we are to have a Constitutional Convention in the shape of this double barreled proposition that we now have here. That is the trouble with this proposition. In thirty-nine years our present Constitution has been amended three times, so it cannot be such a piece of patch work. In two years, you can make any amendment to the Constitution that you may want, so it is not so difficult to make an amendment as it is to make a Constitution. The demand for this convention comes not from the people but from about three general sources, and one of these sources is from those who want to try something new, and from ambitious politicians who wish to purge themselves from past experience and shine in the light of the public. As I said there are but three general sources from which has come a demand for a change in the Constitution, and I do not think that this is the time to do it. Conditions have been extremely unsettled in the past ten years. We have had revolutions in Central America and in Continential Europe, and revolutions and rebellion on the border line, but these have been physical and military developments, while at home we have had commercial developments. I say that this State and country is going through somewhat of the same mental rebellion that we have had in Mexico and Central and South America. These conditions have been present for the last ten years and I think we should take them into consideration before presenting a doubled barreled proposition of this kind to the people at this time. The proposition has come up to this point and it is unnecessary for me to go into the details of how it got there. This bill is on third reading, and you are to vote on it as to whether or not you think the people of Pennsylvania should have a constitutional convention, without taking into consideration their own attitude on the matter. The result cannot be good. Then again the cost provided for is half a million of dollars and I cannot understand why such a bill as this was not referred to theAppropriation Committee. A half a million of dollars is the first appropriation, and a half a million dollars more will be needed to carry out the provisions of this act. Ohio is the best and closest example of which I can point to with reference to the errors of constitutional amendments. I have among my acquainfances several delegates to that convention who were college professors, and whose duties included the teaching of constitutional history and constitutional conventions, and they will tell you that they have a grave doubt in their minds as to whether or not they are proud of their experience in that convention, and they will tell you that you have no opportunity to place yourselves against the ravages of political nostrums on a new and untried proposition such as this. There is a little point that you probably have not seen because things have been going by you in kaleidescopic fashion. You voted for a bill to provide for a codification and a classification of the laws of this State and thirty thousand dollars was appropriated to carry out its provisions. I think it is more urgent to carry on and follow out the work of the Legislative Reference Bureau and then after the people have settled down, and if they want it, we may have a constitutional convention. In a session back in the sixties, our Pamphlet Laws would be a foot or a foot and a half thick. We passed laws for every cross-roads in the State. We have had but one codification of the laws since the new Constitution was passed in seventy-four. We have been going back every day, and have been showing a disposition to pass general laws for special cases and our getting to the place where we are again passing laws for every cross-roads in the State. But if you have any patriotism in your heart, any red blood in your system, you are going to look into this question very seriously before you vote. As to the details of the arrival of this bill at this particular stage, I will not go into that because I wish to call your attention to the seriousness of what you are about to vote upon and tell you that I am doing it sincerely and if this bill does pass I will feel that I have done my duty to myself and to my constituents, because I have some pride in the Constitution, some pride in the State, I have some pride in doing something more than merely standing here to oppose the provisions of this bill. Now let us all decide this question for ourselves as I hope to do.

Mr. HUMES. Mr. Speaker, I think the unfortunate feature perhaps of this bill at this time is the confusion that occurred in the matter of the reference of the bill. I feel confident that had this bill been referred to another committee than the committee to which it was referred, much of the opposition that it is meeting at this time would probably not have materialized. That may or may not have been unfortunate yet in no sense affects the merits or demerits of the proposed legislation and it is our duty to look upon it as it stands upon our calendar and forget what committee or committees may have considered it when it was in committee. The gentleman from Westmoreland (Mr. Schuck) has undertaken to compare the situation in the State and country with the situation in Mexico and South American countries and he refers to the development in Mexico. But he must remember that the development in Mexico and in South American countries are physical developments, while in this country, we can depend upon the mental development of the people which will safeguard our interests. It has been the experience of this State that about every thirty years we have had a new constitution, and that thirty years has now elapsed and there is a very general feeling throughout the State that the time has arrived for the consideration of a constitutional revision and I believe that at the election next fall, the question of voting for a Constitutional Convention should be determined by the people. I believe that the people that we trusted to elect us to this Assembly can be trusted to determine the question of a Constitutional Convention. There was much difference of opinion on this question during the early stages of the discussion, but after much consideration it was generally agreed that this question should be submitted to the people for determination and then the only question left to determine was how to get the Constitutional Convention and the right of the people to be properly safeguarded when the convention shall take place

and act. The consideration of this led to much discussion and to much study and I believe that all of the people who have given consideration to this matter will agree that the bill, as now presented, for the consideration of this House will be an absolute safeguard of all the interests and then all the people of the State will be protected. The whole constitution can be submitted together as one constitution, or by vote of one-third of the Constitutional Convention any separate section can be submitted by itself. Some of the advocates of this measure showed that there should be a companion bill created and a commission appointed to consider this question and report to the convention but after the discussion that grew out of that, it was agreed by the sponser of the bill and its advocates that that issue should be pushed no further but that it should lie in the committee in which it now reposes. Now, that any danger that might have grown out of that has been eliminated, all of the other differences that seem to divide the people who claim that the people should consider this question,—all this having been settled, it strikes me that this House should pass this bill and give the people of this State an opportunity to determine whether or not the convention should be held or whether session after session of the Legislature we are going to have amendment after amendment of the Constitution for our consideration and be tied up in legislative halls for at least four years when that can be avoided by the people. I hope all the members of this House will appreciate the importance of this and that they will have sufficient confidence in the people of this Commonwealth to enact this law and let them determine the question of a Constitutional Convention for themselves.

Mr. FLYNN. Mr. Speaker, I only speak for myself in this matter and I wish to say that I have heard of no personal demand for the enactment of this legislation. On the other hand I think perhaps that this comes from designing politicians. I don't believe that this is the proper time to revise the Constitution of the Commonwealth of Pennsylvania. The present Constitution has answered very well so far as I know and with the amendments which have been adopted it has been improved recently and it would be, in my judgment, the proper thing to vote this bill down.

MOTION TO RECOMMIT BILL.

Mr. WALTON. Mr. Speaker, as this bill carries an appropriation with it, I move you that it be recommitted to the Committee on Appropriations.

Mr. FLYNN. Mr. Speaker, I second the motion.

The SPEAKER. On the question,

Shall this bill be recommitted to the Committee on Appropriations?

MR. JOHN R. K. SCOTT. Mr. Speaker, I hope that this motion will not prevail. This is a bill that has come before this House after having been considered by various legislative committees of varous parties. It is a bill that has been given State-wide publicity; a bill that is now here upon third reading. The necessity of recommitting it to the Committee on Appropriations is not necessary. It has not been usual with a bill of this character that has been drafted so that the question of appropriation will be taken care of through the General Appropriation Bills. This measure now is here upon its merits or its demerits and I hope, Gentlemen of the House, that you will not deviate from the issue, which is a compromise—whether or not it shall be passed at this session.

MR. ROCKWELL. Mr. Speaker, I don't see how I can support this bill as it is written. It contains two propositions. One is whether we shall have a constitutional convention? It would favor that if that was the sole purpose of it. Another proposition is to couple it with the proposition of having candidates for election to this Constitutional Convention, in the same election. You bring in the part here that it seems to me could work very harmfully. In referring to the Constitutional Convention of 1873, as it appears in Smull's Handbook, page 261, we find that there were two separate propositions before that Convention and the question was submitted to the people in 1872 and approved by the people on April 11 by a good vote. Then the Constitutional Convention was held later and delegates were elected. If the measures were separated so that we could have a vote on the main proposition without any reference to the candidates for delegates to this Convention I would favor the bill. It seems to me that it would be a bad proposition the way it is put before us at this time.

Mr. HUMES. Mr. Speaker, It is very gratifying to hear the remarks upon that particular phase of this bill to some of us on this side of the House. I may say that that is the only feature of this bill that we at this time have no objection to and from the first we undertook to convince the legislative committee of the party of the gentleman who has just spoken of to recede from his position—from the position of the election of delegates at the same time. The legislative committee of the party I have the honor of belonging undertook to convince the Republican legislative committee that that was the correct position but we failed in that. On the other proposition, we agreed and the Republican legislative committee agreed and it is very gratifying now to know that the members of the other side of the House at least at the eleventh hour agree with us in our contention as to the method of calling this Convention and as to the election of delegates. I would say to the gentlemen from Tioga that it would be a very great pleasure for us if he would incorporate that amendment to-day and to secure its addition to this bill, so as to provide that the question of holding a Constitutional Convention could be submitted to the people at the time of the holding of the primary election and let the delegates be elected at the general election. If the gentleman will make such an amendment as that I will be delighted to have it incorporated in the bill.

Mr. WATSON. Mr. Speaker, this bill comes before the House in rather a peculiar way. It was referred to one Committee in the House and then referred back to another Committee and it was in this form when it left the first Committee. We have it here now as it is and I agree with my colleagues that the bill is not in proper form. In addition to that I have not heard of a single one of my constituents that I have in my county, requesting a new Constitution. I have been appealed to by some of the older citizens, and some of our best lawyers regardless of party that this bill should not pass. It has been brought out as one feature about this bill and a number of its friends here in the House and possibly some of their constituents at home, one point that seems apparent in the turbulent political condition of our State to-day, the many prospective and reprospective office holders: there is not enough offices to go around. We like to see ambitious American citizens, especially in the old Keystone State of Pennsylvania, but I think it is a very dangerous proposition to gratify the ambition of these coming prospective members of the Constitutional Convention and take risks on the unsettled condition of affairs at the present time. I don't know whether my friends here in the House have been appealed to by their constituents but outside of some notices in the press and the impulse that it received here in the House, I have heard no demand whatever for a Constitutional Convention. I don't know what kind of a Constitution we would make if we had just about the same sort of situation as we have at present, as we have in this House. I don't know just what everybody would want—but would they want it? I think it would look like a crazy quilt. I hope the members of this House will vote against this bill. Let it come up again when we have a more clear political atmosphere and a condition of affairs that we know now exists all over this nation at this time. I am in favor of voting to refer this bill to the Committee on Appropriations.

The SPEAKER. The motion is on the question of re-referring this bill to the Committee on Appropriations.

On the question.

Will the House agree to the motion?

The motion was not agreed to.

Mr. R. J. BALDWIN. Mr. Speaker, I move to recommit the bill to the Committee on Constitutional Reform.

Mr. RAMSEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr R. J. BALDWIN. Mr. Speaker, I am frank to say that I do not fully understand all that is in this bill. I should not, perhaps make such an excuse to the House. I realize that it is a bill of great importance, a bill that should

be thoroughly understood, thoroughly threshed out before it is submitted, not in the sense that the proposition is one that needs so much thought, but in the sense that a bill that implies so much should be thoroughly and carefully prepared and thoroughly understood. In the first place, I differ most widely with a proposition carrying what I consider so much unnecessary expense. That is one of the first propositions that ought to be considered. That of course means whether the body composing the constitutional convention shall be 165 or a smaller number. That should be thoroughly considered and thoroughly discussed before the measure is passed. Now, then, to my mind, this bill should have some consideration. My friend from Philadelphia says it is simply upon a proposition of whether we need a reformed constitution, or a change of our constitution, or, in other words, a new constitution. In that sense of course we all have heard it, but in the sense that we do not thoroughly understand what we are voting on here today, I don't think we understand it, and I think this bill should be recommitted to the Committee on Constitutional Reform. I am frank to say that I have watched the bulletin board, being anxious to get before the Committee, but being a member of so many other committees, I was unable to be present, although I would have made a point to be there if I had noticed it on the bulletin board. No doubt it was there—I am not casting any reflection against the Chairman of the Committee whatever—but I was as anxious to appear in committee on this proposition as any matter that has been in the Legislature, and I do feel that this bill should be recommitted to the Committee on Constitutional Reform. We have seen meetings held here when people from all over the State were here on propositions that did not involve one-hundredth part of the importance of this; yet, here is a bill that has not been discussed in detail at all. I think the House should re-refer this bill back to the Committee on Constitution Reform. In the meantime, study the bill, get acquainted with it and come before the Committee on Constitutional Reform and let us have your views. I quite agree with the gentleman from Tioga; this proposition strikes me as a sensible and proper one, and one that will make this a clear bill, and one which when carried out will make this a much more carefully and much more wisely prepared bill. I hope you will refer this bill to the Committee on Constitutional Reform.

Mr. ALLEN. Mr. Speaker, I see no reason why this bill should be re-referred again. If my recollection serves me rightly in relation to the bill, it was introduced at an early date, some weeks ago. It was referred for consideration. In due time it was reported out, came up on the third reading calendar, was postponed or re-referred to the committee, came up again and then went on the postponed calendar and has been there since. Now, so far as the bill itself is concerned, it seems to me that every member of this House had had an opportunity to investigate carefully the merits or the demerits of this bill. I confess that I have not put the amount of study on the bill that perhaps many members of the House have put on it, because of the fact that I had confidence in the ability of the sponsor of the bill who prepared it, and of the committee to whose hands it was referred, to see that the bill was in proper form and met with its approval. It has been stated here that there are objections to this bill. I do not question for one minute, Mr. Speaker, but that any bill that might call for a constitutional convention would meet with objection on the floor of this House. The hue and cry has been raised by members who have raised their voices against this bill that there is no need of the double-barreled action, or the double action purpose of the bill. Time and time again, as we have listened to matters proposing changes in laws and the Constitution upon the floor of this House, have we heard the complaint made that it took four years within which to put in operation some constitutional provision. Seven years ago, on account of contemplated improvements to be made for the western end of the State, or rather for the entire State at the western end of the State, and at the eastern end of the State for the entire State, the legal minds who were consulted found that in order to put in operation these contemplated changes, it was necessary to change the Constitution and, as a matter of fact, those questions have lain in abeyance from then until now and will until such constitutional provisions shall have been made, thus allowing the laws to be placed upon the statute books which will carry into operation those changes.

Now, Mr. Speaker, I admit that since this wonderful landslide that was made in Pennsylvania at the November election, I was for a time somewhat disturbed in mind as to whether or not a statement that I had made to my constituents prior to the primary of last year should stand. At that time one of the suggestions with which I went before my people was for a new and up-to-date Constitution. While that did not embody or did not say in words a constitutional convention, in brief it meant such. I was fearful after the election and for some time after that the political temper of the people at this time would not justify us, as members of this legislative body, to place in their hands so great a change now. The more I have seen of the operation of this Legislature, the more I am convinced that everyone who is here is here for the interests and the best interests of this Commonwealth as he sees it; the more I am convinced that now and now alone is the time. And, as I read this bill, it seems to me, Mr. Speaker, that the very objection which has been raised to our present Constitution by the members of this and previous bodies is fully answered and fully covered in this bill. Instead of taking four long years within which to put in operation a constitutional amendment, under the provisions of this bill a double question is submitted, and unless the first question stands naturally the second question falls. The first question is whether or not there shall be a constitutional convention, and the second question is, if there be a constitutional convention, who shall be the delegates to that convention; both questions, however, being decided at one and the same time. If, at the election, at which this question shall be submitted to the people, the people of the Commonwealth of Pennsylvania say "nay", then and in that event there is no election of delegates, however many votes any one man may receive, because there is no call for those gentlemen to assemble. The people have said that they shall not assemble for that purpose.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. ALLEN. Yes, sir, Mr. Speaker.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to ask the gentleman whether this bill provides that, in case the people vote "no" for a constitutional convention, the delegates who have been elected shall not be paid.

Mr. ALLEN. Mr. Speaker, I take it that the proposition is so simple that it needs no answer. In the first place, the question is, what is the purpose of the delegates who shall be elected by the people? One proposition and one proposition alone; namely, to assemble and hold a constitutional convention. But, if the people by the same vote say that they do not want a constitutional convention, it makes no difference whether the gentleman from Allegheny who resides in my senatorial district receives ten votes to his opponent's one, he is not a delegate to any constitutional convention, because of the fact that no constitutional convention will be held. But, if at that election the people of Pennsylvania say, we want a constitutional convention, then and in that case by their action they breathe into his body as a delegate a living spirit and he becomes a delegate to that constitutional convention. The point I desire to make is simply this: If the people of Pennsylvania want a constitutional convention, if this General Assembly desires to carry out its expressed purposes and the expressed purposes of the people who sent us here to submit to them that great question, then and in that event, by the provisions of this bill, which have been so wisely and so broadly drawn, that constitutional convention and the effect of that constitution is creating, making and putting it into operation, is just advanced two years by the provisions of this bill. In any event, Mr. Speaker, as I see this matter, and I have given it more thought and more careful consideration in the last two or three weeks than in all the time before, it does seem to me that this House, Democrats, Stalwart Republicans, if there be any left, and we ask Progressive Republicans and everybody ought to be in favor of this bill.

Mr. R. J. BALDWIN. Mr. Speaker, I again call the attention of the House to the fact that this bill provides for the election of three persons at a salary of $1500 per, and delegates at large. We will hold an election. We will elect them into office and, if there is no convention held, can they claim their salaries? I say that that very portion of the bill, when considered, shows that it has not been well considered, and it shows the necessity of placing an amend-

ment in the bill so that there can be no doubt as to that proposition. There is nothing plainer to my mind in this bill than that very fact. It is there, so that if the gentlemen's desire to hold this constitutional convention is approved by the people, this proposition then stands alone and by itself, and the bill should so provide that in case no convention is held the State Treasurer will be protected. But the proposition of electing a man to office at $1500 per is another proposition that stands by itself and no legal proposition should arise afterwards as to whether they can collect this money. I say there is a cloud on this bill and that cloud should be removed. The gentlemen who are in favor of this bill certainly ought to allow it. There is no harm in it, at least there is no harm in making the statute plain. There should be no doubt about the proposition. Therefore, I think the House should recommit this bill to the Committee on Constitutional Reform.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, I will.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentlemen from Delaware if an office were created for a keeper of the Zoological Gardens at Harrisburg, wherein his duties were specified and his salary was fixed, his duties being fully set out in the bill, and then no Zoological Gardens were made at Harrisburg, would the office be filled and would the Zoological Garden keeper collect his fees or not.

Mr. R. J. BALDWIN. Mr. Speaker, so far as monstrosities that generally appear in Zoological displays are concerned, I have no knowledge an consequently cannot make the application; but can say this, and every member of the House will agree with me, that it is not unusual in a great many of the large States like Pennsylvania, to have men drawing salaries for office in which there is nothing whatever to perform.

QUESTION OF PERSONAL PRIVILEGE.

Mr. NORTH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. NORTH. Mr. Speaker, during the discussion of this measure a statement was made that it is not unusual to pass measures carrying appropriations without referring them to the Appropriations Committee. For information I would like to have the benefit of knowing if very many appropriations of $450,000.00 are passed over without the benefit of the Appropriations Committee having a knowledge thereof. It seems to me it is going to place the Appropriations Committee in a very embarrassing position when it comes to disbursing the funds of the State.

Mr. WATSON. Mr. Speaker, I am willing and will support the bill permitting the people to vote for or against the proposition of the Convention but I am opposed to a bill that decides who the delegates shall be and whether or not we shall have a constitutional convention. Now we can figure the scene without any trouble whatever. We all know that there will be a number of bright and ambitious citizens who would be very exceedingly anixous to be members of that Constitutional Convention. They would all take to the woods and would all be in favor of new Constitution and would canvass the district from one end to the other. First let us vote on the question of having the Constitutional Convention and then we can attend to the delegates. Let us decide on the Constitutional Convention and then authorize the election of delegates, and I will support it. but to mill it through in this way. when there is practically no demand on the part of the people whatever, it is a mistake, and I hope the members of this House will not support it.

Mr. J. R. K. SCOTT. Mr. Speaker, and gentlemen of the House. I hope that this motion to refer this bill back to the Committee on Constitutional Reform will not prevail. The issue is clearly before the House and the bill is here, as I said before, on its merits and demerits. Let us find out the feeling of this House on this legislation. It is legislation pledged by all three of the parties, by the Wshington party, by the Democratic party and the Republican party. This bill has been the compromise bill of the three bills coming from those three parties, the Humes bill of the Democratic party, this bill of the Republican party and the bill of Mr. Grey, of Philadelphia, representing his political leading. Those three bills were moulded into one bill. To send this bill back to Committee is dodging the question. I hope this motion will not prevail and that we will meet the issue on the bill.

Mr. JOSEPH GRAY. Mr. Speaker, I understood the gentleman to say that the Democrats were pledged to a bill of this kind.

Mr. JOHN R. K. SCOTT. Mr. Speaker. I said the Democratic Legislative Committee prepared the Humes bill and it was incorporated along with the others. in this compromise bill.

Mr. JOSEPH GRAY. Mr. Speaker I want to say, so that the gentleman will not misunderstand me, that not all the Democrats on this side of the House subscribed to a so-called leadership—I am referring to no particular persons—and that they are not all in favor of this bill.

Mr. ULERICH. Mr. Speaker, and Gentlemen of the House, my vote is governed on this bill in two ways. If I know the way in which my constituency is thinking and the way in which they want me to vote, that is the way in which I vote. If I do not know, then I vote the way in which my best judgment tells me to vote. In the county from which I come I have not had one letter of one statement in favor of this Constitutional Convention,—not one; and I come from a County that is progressive; and when I am by myself and studying my own mind, I think I am progressive myself; but I am not in favor of this amendment or this Constitutional Convention, simply because my constituency is not in favor of it and I feel that they are in favor of voting this proposition down. Therefore, so far as my own individual vote is concerned, representing one of the best Counties in this State and representing the County that gave to Theodore Roosevelt a thousand or two thousand more votes than it gave to William Howard Taft, and I shall vote against this proposition.

Mr. ROCKWELL. Mr. Speaker, there is another thought that comes to me since we have been discussing this, and that is this: This bill provides that in every Senatorial district there shall be three delegates elected to this Constitutional Convention. Suppose the question comes up and you have three candidates in a Senatorial district who favor the Constitutional Convention, and you have three candidates who are opposed to it. The result might happen that the State might vote for the Constitutional Convention and three delegates may be elected who are bitterly and absolutely opposed to it. and they might come to the Constitutional Convention and use every effort and means and influences in their power to thwart the will of the people. It seems to me the proposition should be separated.

Mr. McCLINTOCK. Mr. Speaker, I am in favor of submitting to the people whether they shall or shall not desire a Constitutional Convention. but I am not in favor of a method of doing it which is constituted in this bill whereby the delegates are to be elected at the same election as the issue is to be presented to the people. I am a Washington party man and believe in submitting all these questions to the people when they so desire it. I have had no claim from any of my constituency asking for me to support this Constitutional Convention, and personally I am opposed to it myself, but as I belong to a party which has put it in their platform that they want to submit this issue to the people, I am willing to support it in this House and give the people the opportunity; but when I go back home I will oppose it. I believe the constitution that we have at the present time can be amended to come to the requirements of this State, and if we open it up at this time we will then have to wait for twenty-five or thirty years, before we understand it. Again, I think we are making a mistake. It has taken twenty-five years to have the present constitution defined by the Supreme Court and I suppose that the new constitution would not be any better gotten up than the last one and we would have the same trouble over again. Personally I am opposed to it. I am in favor of submitting the question to the people, but not in favor of electing the delegates to the Convention at the same election, because it would be unfair to the issue before the people. You would have a scramble for office for delegates the same as in any election and I say it would be unfair to the issue of for or against having a Constitutional Convention. I cannot vote for this bill as at present constituted.

Mr. SCHUCK. Mr. Speaker, I feel from the sentiments expressed here, coming from the members on the other side and members of the Republican and Washington parties, that this bill should be referred to the Committee on Constitutional Reform and the question divided and that would be my hope and I will support the submission of this question to the Committee. I want to call the attention of the rural members to the fact that this provides for representation of three delegates from each Senatorial district and fifteen delegates at large. You take the Senatorial districts in the first class cities and with the delegates at large they would have practically a majority of this Constitutional Convention. I am not attacking first class cities; but you know that the balance of power has got to be held and it may be by the few who wish by the vehicle of the Constitutional Convention to wheel themselves into the limelight. Are our rural counties going to take a chance like that with the 15 delegates at large elected. If these 15 delegates at large are elected from the cities where they have three delegates from each Senatorial district they will have nearly the majority of the Convention. I think this question should be divided and the only way it can be divided is to refer it back to the committee but there may be some doubt as to the propriety of whether to refer it back to the Committee on Constitutional Reform and possibly some of the very people that prevented other bills in that Committee from being considered may vote to prevent it form being referred to that committee, because they may want self make it and make it according to orders.

Mr. McALEER. Mr. Speaker, in listening to the arguments on this bill it strikes me that it would be well to follow the old adage and "strike while the iron is hot." Most of the arguments against the passage of this bill, appear to be arguments in favor of its passage. The question of the various parties being committed to this kind of a measure brings to mind the fact that all the parties are on their good behavior and while in that condition of mind, it seems to me to be the very best time to put this question to a vote of the people and perhaps delegates would be elected who would give the people a good constitution. It does not follow that because a Constitutional Convention is to be called that the whole of the old constitution is to be entirely thrown out. It is simply that it will be amended to meet modern conditions. We in Philadelphia need to do things for the present wants of the people which we do not feel like waiting four or five years for and I think that every member from Philadelphia should use his influence and vote for the holding of the Constitutional Convention and not divide the question up so as to take four or five years to accomplish something which may be accomplished in much sooner time by the methods proposed in this bill.

Mr. PIPER. Mr. Speaker and Gentlemen of the House, the question before us to-day has given me long study. I have long deliberated on whether or not the question of having a Constitutional Convention would be to the best interests of those whom I represent; not that I don't feel that the people should have a right to say as to whether or not there should be a Constitutional Convention, but far rather at times from a selfish point of view taking into consideration the great benefit that the laboring element of the State of Pennsylvania might derive from the Constitutional Convention. After deliberating on this question and considering the question very seriously, I have come to the conclusion that the best thing to do would be for me to get in touch with those men who represent labor in various parts of the State, with the consequence that their answer to me on the 18th day of December last, was that they as a representative body in the State, representing the workers of the State of Pennsylvania, have placed themselves on record in favor of calling a Constitutional Convention. For that reason, Mr. Speaker and Gentlemen of the House, I believe I am justified in standing here to-day and advocating the Constitutional Convention, because I know that laborers are desirous of having changes made in the constitution that may be of benefit to them. I now speak for a body of men who have a bureau here in Harrisburg, representing the laboring class throughout the State. Mr. Speaker and Gentlemen of the House, I hope this bill will not be referred to any other Committee but that we act on it here to-day and pass it in the present State.

Mr. R. J. BALDWIN. Mr. Speaker, I want to call the attention of the House to the fact that the reference of this bill to the Committee gives the opportunity of separating the two propositions. They now stand coupled together. Many members of this House will no doubt vote against this bill because of the form in which it is now. I believe it should be separated because it is important and of vital importance whether the proposition of whether or not there should be a Constitutional Convention should be submitted to the people. I think that that proposition should be approved by this legislature; in other words, I believe that we should, as far as we are able, give our voice in favor of again having this proposition taken up and considered. We will now pass it over to the people. By separating the questions that proposition stands alone.

I want to call the attention of my friend, (Mr. Piper) that he has now spoken in favor of the Constitutional Convention but he has not answered the proposition coupled up with that proposition. Now I hope the House will refer the bill back to the Committee so that every member of the House can stand squarely on the record as to whether or not he wants this question submitted to the people and then the question of the manner and the number and the expense of that proposition shall stand alone by itself and be met by this House. Now it certainly is wise and the proper thing to have this question divided. I do not care whether it be divided by postponement for the present, or whether it be divided by referring it back to the Committee. My judgment is that referring it back to the Committee is the wiser course. The question is whether you want to anticipate it as now proposed or divide the question. I think we ought to vote aye on the proposition to refer it back to the Committee and let the question be divided.

Mr. GIBSON. Mr. Speaker, there is one proposition that I would like to call to the attention of the House which would seem to favor the proposition of referring this bill back to the committee. If this bill passes in its present form, the people will vote for or against the matter of having a Constitutional Convention and at the same time will be voting for delegates. At previous times when this matter was before the voters, the matter of determining whether or not we want a Constitutional Convention was decided not upon the merits of the question, but upon the candidate who presented himself to the voters. It seems to me that the matter could best stand by itself, and should not be involved by the candidacy of any man who comes up as a delegate. It might appear that there were certain ulterior motives at work, certain people trying to control the delegates, and it seems to me that the matter of whether or not we want a Constitutional Convention would stand a lot better show if it stood on its owns legs. For that reason I would like to see this bill referred back to the Committee.

Mr. RONEY. Mr. Speaker and Gentlemen of the House, it seems to me that the question of whether or not a convention shall be held and the election of delegates to that convention are separable propositions and plainly If you will look at Bill No. 253, relating to the manner of conducting the elections on the question of whether or not a convention shall be held, the matter is very simply set out. Opposite the shall, shall the convention be called, is the word "yes" against which the voter shall make his mark, if he desires that a Constitutional Convention be called. If he does not desire a convention he places his mark opposite the word "no." Of course, if this bill to-day goes through, then the bill regulating the method of holding the elections will come up for the consideration of the House. It is a preposterous idea that you would have delegates elected to the convention, who were opposed to the convention. You would only be voting for those delegates who, of course, are in favor of a Constitutional Convention, otherwise they would not be candidates for the position of delegates to that convention, and it seems to me that this thing is just as separable and just as divided as we can ever make it. The important matter in this bill is if we are going to have a convention, and if the people decide it, then we shall forthwith have it. We have heard a great deal about "Shall the People rule?" and we are putting that proposition up to the people just as plainly as we can, and for the reason that if the people to decide to have the Constitutional Convention, then we have the manner of holding it, and

I think, gentlemen, that answers absolutely the objection of my friend from Delaware and my friend from Tioga, because if Bill 253 is taken up after this bill, then all their objections disappear. I think, therefore, that Bill No. 252, standing to-day as it does, merits the support of every man in the House. The Constitution of Pennsylvania is forty years old. In twenty years tremendous strides have been made, and it appears to me that the organic law of forty years ago might very well be considered by a convention in sober deliberation, and say whether or not after forty years, the old Constitution of 'Seventy-three might not very well be changed. I was in the Legislature last session, and I think there were three amendments proposed to the constitution. I think in this session there are already three proposed amendments. It takes five years to have a change in the Constitution made, and at each session of which I have been a member there have been suggested changes, and I think we might very well now consider the question of whether or not a change shall be made, and to provide the machinery whereby, if a change is desired, we may have it without any undue delay.

Mr. JOHN R. K. SCOTT. Mr. Speaker and Gentlemen of the House, I think the gentleman from Philadelphia who has just spoken, has stated the pith of this question. If we would do as the gentleman from Delaware asks we would have to put this question up to the people as to whether or not they wanted a constitutional convention, or else have a special election, which would cost several hundred thousands of dollars. This question was the subject of various bills and the bill in its present form is a compromise bill. At first it was suggested that the vote for the cconstitutional convention be had at the primary election, and then at the general election to vote for the delegates. This was objected to by some people because a great many citizens do not go to the primaries, and the vote would not be the real expression of the people. Then the question arose as to whether or not we would have the constitutional convention matter disposed of at the next election, and then hold a special election for the election of delegates, and the objection to that was the expense of the holding of a special election. Then the question arose whether the constitutional convention matter could be brought up at one November election and the election of delegates to come up at the next November election, and the delay that we were trying to escape would be in the same position as it is now. It was after great thought and great consideration by gentlemen who had given their time and attention and study to this bill that the bill was presented to the Legislature in its present form When the present bill was sent into the Committee, the Republican Party and the Democratic Party and the Washington Party and all of them conceded certain things. The Republican Party asked for a Commission and the Democratic Party opposed it, and it was conceded to them. The Republican representatives in their non-partizan ballot asked for the election of three delegates. This was opposed by the minority party, and was conceded to them by the Republicans. This bill has not been the result of a haphazard proposition. It has been the result of months of study. It is not a bill of any one member of this House. There is no one who seeks to have it as a bill of any one member, but it is a bill of the citizenship of the Commonwealth. I hope, Mr. Speaker, that the question as to whether or not this matter should go to the Committee be put to the House and be voted down, and let us act on the merits of this bill, to which nearly every member in this House is pledged, either by his platform, or written pledge to his party.

Mr. R. J. BALDWIN. Mr. Speaker and Gentlemen of the House, I must insist that the gentleman from Philadelphia ————

Mr. JOHN R. K. SCOTT. Mr. Speaker, I do not like to stop any gentleman from speaking on any legislation, but it seems to me that the gentlemen from Delaware has gone way beyond the rules. He has spoken on this subject about five times and considerable latitude has been shown him, otherwise I would utter no objection.

Mr. R. J. BALDWIN. Mr. Speaker, I want to call the attention of the House to what I said at first, which has not yet been answered by either of the gentlemen from Philadelphia who have spoken here. The two questions here are as plain as the noon-day sun. The propositions in this bill that are given to the members on this floor are as to the question of a constitutional convention and the other question is as to the election of delegates. It has been stated on this floor that the members are willing that the question should be submitted to the people. And the question of the delegates will come immediately afterwards. If the two propositions are divided, they will come out of the Committee together and we can consider each one separately, and each question will stand fairly by itself. As it is now, they are coupled together. If those who are in favor of the constitutional convention are in earnest about it, let them separate the two questions, because there is a contention and a difference. Their position at the present time in my judgment indicates a doubt as to whether they are sincerely in favor of it. Those asking for a division are in favor of it

Mr. STEELE. Mr. Speaker, it seems to me to be very inconsistent on the part of some of the members of this House in standing up here this morning and speaking on Progressive politics, especially after what has transpired in the last two or three weeks. As stated by the gentleman from Philadelphia, the Republican Party and the Progressive Republicans are pledged to support this amendment, but it seems to me that we are not pledged a constitutional convention such as is called for by this bill. The gentleman from Philadelphia has tried to make us believe here this morning that we should vote on this bill to give the people an opportunity of stating whether or not they want this convention, and the number of electors and the names. Now gentlemen this is progressive legislation in regard to voting whether or not this convention is to be held, but I think this designating scheme that is placed here before us this morning is not right. I am in favor of the convention but not in favor of electing this electors at this time, and this bill should be put back to the Committee in which the Speaker of this House placed it some months ago, and should not have been sent to the Judiciary Special Committee. There should be no compromise bills placed before this House. A bill should come up here on its merits or demerits and be voted for or against and no compromise should be allowed by any members be allowed by any members of this House, be they progressive or not progressive.

The question recurring,

Will the House agree to the motion?

A division was called for, and fifty-eight members voted in the affirmative and one hundred and twenty-four in the negative, and the motion to recommit was not agreed to.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—122.

Adams,	Frey,	Lowers,	Schaeffer, A. C
Allen,	Gans,	Malie,	Scott, J. R. K.,
Alworth,	Geary,	Mather,	Scott, S. B.,
Ambler,	Gibson,	McAleer,	Semmens,
Baldwin, G. A.,	Grabe,	McDermott,	Shaffer, I. E.,
Bass,	Gramley,	McKay,	Shern,
Benson,	Gray, Frank,	McNichol,	Sherwood,
Bergey,	Haggerty,	Miller,	Showalter,
Bigger,	Heidinger,	Mitchell,	Smith, L.,
Blair, W. A.,	Hemminger,	Moore,	Snyder,
Bleloch,	Heyburn,	Moses,	Spangler,
Brosius,	Hobbs,	Moulthrop,	Speiser,
Brownlee,	Howard, R.,	Musser,	Spillinger,
Burnett,	Humes,	Neely,	Steedle,
Campbell, J.J.	Isler,	Newton,	Steele,
Claycomb,	Irwin, G. C.,	O'Neill,	Stein,
Cleary,	Irwin, H. H.,	Peachey,	Stone,
Conner,	Jackson,	Pennegar,	Strauss,
Conrade,	Jones, J. P.,	Pennock,	Swartz,
Cox,	Kaiser,	Perry, S. J.,	Swift,
Currier,	Kaufman,	Piper,	Thomas,
Curry,	Keegan,	Ramsey,	Walnut,
Davis,	Keeport,	Redfield,	Walsh,
DeFrees,	Kennedy,	Reese,	Whitaker,
Down,	Lenker,	Reeser,	Williams,
Dunn, H. B.,	Leslie,	Rex,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Richards,	Wiltbank,
Ehrhardt,	Light,	Robinson,	Young, G. K.,
Eichenberger,	Lohr,	Roney,	Young, J. H.,
Fahey,		Runk,	Alter,
Forster, I. G.,			Speaker.

NAYS—71.

Baldwin, R. J.,	Dickinson,	Kuhns, E.G.M.,	Post,
Barner,	Ely,	Lanius,	Price,
Bayle,	Ewing,	Latshaw,	Rhoads,
Becker,	Flynn,	Martin,	Rockwell,
Benninger,	Foster, J. D.,	Matt,	Rothenberger,
Berntheizel,	Geiser,	McAllister,	Sassaman,

Bittles,	Glenn,	McArdle,	Schuck,
Blair, W. F.,	Good,	McCaig,	Shaffer, C. A.,
Body,	Gray, Joseph,	McClintock,	Smith, J. W.,
Brown,	Hackett,	Mechling,	Snavely,
Caldwell,	Herman,	Mellott,	Trach,
Campbell, C.M.,	Hess,	Metzenbacher,	Ulerich,
Carson,	Hibshman,	Morrow,	Ulman,
Carter,	Hoffman,	Murphy,	Walton,
Cheeseman,	Howard, J.,	Neel,	Watson,
Cochran,	Kern,	Newbaker,	Wildman,
Collins,	Kitts,	North,	Wilson, J. H.,
Conniff,	Kuhn, H. P.,	Perry, H. L.,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

J. B. MARTIN. I vote "no" on this bill for a Constitutional Convention because of the indefinite manner in which this bill has been drawn. As a Washington Party member, I favor referring the proposition, as to whether a Constitutional Convention shall be held or not, to the people, but I do not favor the election of delegates at the same election. I object to electing me to any such position and drawing salaries before such positions have been created.

Mr. ULMAN. I vote "no" on Bill No. 252 because I believe it should first be submitted to the voice of the people if they desire to have a Constitutional Convention before such a bill as this should be enacted into a law, and inasmuch that it carries too large and appropriation it carry it into effect.

BILLS ON FINAL PASSAGE.

Mr. JOHN R. K. SCOTT: Mr. Speaker, I desire to call up at this time, House Bill No. 253, which is a companion bill of the bill that has just been passed.

Agreeably to order,

The House resumed the consideration on Final passage of House Bill No. 253, as follows:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

Section 1. Ballots.
Section 2. Election Officers Manner of Conducting Elections.
Section 3. Proclamation of the Result of Elections.
Section 4. Provision of Supplies.
Section 5. Additional Clerks.
Section 6. Notice of Elections.
Section 7. Payment of Expenses.
Section 8. Qualifications of Electors.
Section 9. Penalties for Violations of Duty by Election Officers Ballots.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the question of holding a Constitutional Convention is to be submitted to the electors and at the same election delegates to a Constitutional Convention are to be elected the County Commissioners of each county shall prepare a special ballot to be used for such purpose Said ballot shall be of suitable size and substantially in the following form:

CONSTITUTIONAL CONVENTION BALLOT.

..... District ..... Ward City of .....
County of ..... State of Pennsylvania.
Election held on the ..... day of ..... 191..

SHALL A CONSTITUTIONAL CONVENTION BE CALLED.

Yes.
No.

The voter will if he favors a Constitution Convention place a cross mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross mark (X) after the word "No."

DELEGATES TO A CONSTITUTIONAL CONVENTION DELEGATES-AT-LARGE.

(Vote for)

A B
C D
E F
G H

DISTRICT DELEGATES.

(Vote for)

I J
K L
M N

The voter will place a cross mark (X) after the names of the candidates for whom he wishes to vote.

The name of a political party shall in no case appear on the ballot.

The names of candidates shall be arranged in alphabetical order Ballots shall be bound in books of one hundred and shall be delivered to the election officers in the manner in which ballots are delivered at general and municipal elections.

Under the names of candidates there shall be as many blank spaces defined by light lines as there are to be delegates elected.

The qualifications of delegates to the Constitutional Convention shall be the same as is by law required for Senators in the General Assembly of this Commonwealth.

On the back of each ballot shall be printed in prominent type the words "Official Constitutional Convention Ballot" There shall also appear on the back of each ballot the fac simile signatures of the County Commissioners of the county.

The County Commissioners shall also furnish separate ballot boxes to receive such ballots properly numbered for each election district.

Election Officers Manner of Conducting Elections.

Section 2. Any election on the question of holding a Constitutional Convention and any election for delegates to a Constitutional Convention shall be conducted by the regular election boards and shall be governed by the laws regulating the conduct of general and municipal elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided That the result of any such election shall be separately counted returned computed canvassed tabulated and certified by the proper officers.

Proclamation of the Result of Elections.

Section 3. The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of any election upon the question of holding a Constitutional Convention or of any election for delegates to a Constitutional Convention shall certify the result of such election to the Governor who shall forthwith issue a proclamation declaring the same.

Provision of Supplies

Section 4. In addition to the ballots and ballot boxes provided for in this act the County Commissioners shall at any election conducted under this act provide such lists of voters forms blanks return sheets blank books and other supplies as they are by law required to furnish to election officers for use at general or municipal elections Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the election for which they are supplied.

Notice of Elections

Section 5. The Secretary of the Commonwealth shall prepare a form of notice of any election to be held under this act including such portions of this act as shall be necessary and proper for the information of voters and election officers at said election outlining their respective rights and duties in relation thereto The said form so prepared shall be transmitted by the Secretary of the Commonwealth to the sheriffs of the several counties to be observed by them in making proclamation of the holding of said election in their respective jurisdictions.

Payment of Expenses

Section 6. The County Commissioners shall keep an accurate account of the expense of providing and printing the ballots and supplies necessary for holding any election under this act and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor-General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated.

Qualifications of Electors

Section 7. The qualifications of electors entitled to vote at any election held under this act shall be the same as the qualifications of electors entitled to vote at any general and municipal elections within the election district where such election under this act is held Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on general and municipal election days.

Penalties for Violations of Duty by Election Officers

Section 8. Election officers shall be subject to the same pains and penalties for violation or neglect of their duties at any election under this act as they are or hereafter may be subject to for violation or neglect of such duties at general and municipal elections.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Eichenberger,	Malie,	Schaeffer, A. C
Allen,	Ely,	Martin,	Scott, J. R. K.,
Alworth,	Ewing,	Mather,	Scott, S. B.,
Ambler,	Forster, I. G.,	McAleer,	Semmens,
Baldwin, G. A.,	Frey,	McAllister,	Shaffer, I. E.,
Baldwin, R. J.,	Gans,	McArdle,	Shern,
Barner,	Gibson,	McCaig,	Showalter,
Bass,	Glenn,	McDermott,	Smith, L.,
Bayle,	Grabe,	McKay,	Snyder,
Becker,	Gramley,	McNichol,	Spangler,
Benson,	Gray, Frank,	Miller,	Speiser,
Bergey,	Hackett,	Mitchell,	Spillinger,
Bigger,	Haggerty,	Moore,	Sreedle,
Blair, W. A.,	Heidinger,	Moses,	Steele,
Bleloch,	Hemminger,	Moulthrop,	Stein,
Body,	Heyburn,	Murphy,	Stone,
Brosius,	Hobbs,	Musser,	Strauss,
Brown,	Howard, R.,	Neel,	Swartz,
Brownlee,	Humes,	Neely,	Swift,
Burnett,	Isler,	Newton,	Thomas,
Carter,	Irwin, H. H.,	North,	Ulerich,
Claycomb,	Jones, J. R.,	Peachey,	Walnut,
Cleary,	Kaiser,	Pennegar,	Walsh,
Cochran,	Keegan,	Pennock,	Walton,
Conner,	Keeport,	Perry, S. J.,	Wettach,
Conniff,	Kennedy,	Peters,	Whitaker,
Conrade,	Kuhn, H. P.,	Piper,	Whitman,
Cox,	Kuhns, E.G.M.,	Ramsey,	Wildman,
Davis,	Latshaw,	Redfield,	Williams,
DeFrees,	Lenker,	Reeser,	Wilson, W. H.,
Dickinson,	Leslie,	Rex,	Wiltbank,
Donnally,	Letzkus,	Richards,	Young, G. K.,
Down,	Light,	Robinson,	Young, J. H.,
Dunn, H. B.,	Lohr,	Rockwell,	Zimmerman,
Dunn, J. A.,	Lowers,	Roney,	Alter,
Ehrhardt,		Runk,	Speaker.

NAYS—30.

Blair, W. F.,	Hibshman,	Mellott,	Sassaman,
Caldwell,	Hoffman,	Metzenbacher,	Schuck,
Flynn,	Kern,	Morrow,	Shafter, C. A.,
Foster, J. D.,	Klepper,	Newbaker,	Snavely,
Geiser,	Lehnus,	Perry, H. L.,	Trach,
Good,	Matt,	Price,	Ulman,
Gray, Joseph,	McClintock,	Rothenberger,	Watson,
Hess,			Wilson, J. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate.

Ordered. To lie over for the present.

BILL ON FINAL PASSAGE.

Mr. WALNUT asked for and received unanimous consent to call up House Bill No. 107,

On page eleven of to-day's calendar bill on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 107, as follows:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the county of Philadelphia there shall be and hereby is created a court of record to be known as the municipal court of Philadelphia it shall consist of a president judge and one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States.

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors of said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of six thousand five hundred dollars ($6,500.00) per annum and the associate judges shall receive salaries of six thousand dollars payable by the State in the same manner that the salaries of the judges of the courts of common pleas are paid The term of office of the elected judges of the court shall begin on the first Monday of January following their election

The first judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the municipal election next succeeding at which their successors shall be elected

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the Constitution of the State in such case and their successors shall be elected to the full term of ten years.

The Governor upon the first appointment of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reason designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office

Section 3 The court shall be open at all times for the transaction of business in the county of Philadelphia either at the City Hall or at such other place or places in the said county as may from time to time be designated by the court if it shall be found necessary to hold court at other places for the convenience of suitors or the accommodation of the public

It shall be the duty of the county commissioners or other proper officers of the said county to provide proper accommodations for the holding of the said court at such times and places as the said court may decide and the expenses of the same shall be defrayed out of the treasury of the county of Philadelphia

Section 4 The judges of the said court shall appoint a clerk whose term of office shall be at the pleasure of the judges. He shall give his entire time and attention to the performance of the duties of his office which shall be kept open for the transaction of business from nine o'clock ante meridian to five o'clock post meridian of each working day during the year. He shall receive a salary of four thousand dollars ($4,000.00) per annum He shall keep proper records of the court under the supervision of the judges and in accordance with rules and regulations from time to time made by them Unless otherwise provided by rules of court the powers duties and liabilities of the said clerk shall be for the Municipal Court the same as those prescribed by law for the prothonotary of the courts of common pleas of the county of Philadelphia The said clerk shall have the power to appoint a deputy clerk and such number of assistant deputy clerks as may be from time to time designated by order of the judges of said court The salary of the chief deputy shall be twenty-five hundred dollars ($2,500.00) per annum. The salaries of the other clerks shall be fixed by the clerk of the court but shall in no case exceed two thousand dollars ($2,000.00) per annum

The fees to be charged by said clerk shall be the same as the fees charged for similar services by the prothonotary of the courts of common pleas of Philadelphia county

All fees or other sums received by any clerk or employee of said court shall be paid into the treasury of the county of Philadelphia

The president judge of the court may appoint such crier staves and officers or clerks as are reasonably necessary the number of the same and their compensation to be determined from time to time by a majority of the judges of the said court to perform the duties usually pertinent to such officers in and about the court roms or elsewhere The compensation of the clerk of the court deputy clerk and assistant deputies and of all other officers and employees of said court shall be paid out of the treasury of the county of Philadelphia upon warrants signed by the president judge of the court or by the clerk of the said court in accordance with general orders of the president judge

The court shall appoint such official stenographers as shall be necessary and said stenographers shall be appointed and discharge their duties and be paid compensation under and subject to the stenographers act of one thousand nine hundred and seven its amendments and supplements

Section 5 The said court shall have a common seal upon which shall appear the words "Municipal Court of Philadelphia" and the word "seal" which shall be affixed to all official documents issued under the direction of the said court The seal of the said court shall be in the custody of the clerk or of such other officer and be kept in such place as the court may from time to time order

Section 6 It shall be the duty of the proper officers of the county of Philadelphia to provide such jurors for service in the Municipal Court as may from time to time be requested by order of the president judge or as may be fixed by general order of said president judge. Said jurors shall be summoned as provided by law and shall receive the same compensation and be subject to the same duties and liabilities as jurors summoned to serve in the courts of common pleas of said county

Section 7 It shall be the duty of the sheriff of Philadelphia county to serve all writs or processes issuing out of the said court in like manner and for the same fees as similar services are performed for writs or processes issuing from the courts of common pleas

Section 8 The president judge shall have power to oversee and direct the business of the court He shall assign the various judges to the duties to be performed by them He shall at appropriate intervals not less than once a month except in July and August hold meetings of all the judges of said court for the purpose of promoting the speedy administration of the business of the court and for other purposes

The president judge of the court shall designate one member of the court to hold a juvenile court The said judge shall be assigned to said court for a period of one year or longer in the discretion of the president judge

Section 9 The president judge shall appoint a chief probation officer whose salary shall not exceed three thousand dollars ($3,000.00) a year and such additional probation officers as a majority of the judges may determine at salaries not to exceed one thousand five hundred dollars ($1,500.00) a year whose powers and duties shall be similar to those heretofore appointed by the court of quarter sessions of the peace for said county

There shall be no preliminary hearings in any cases affecting dependent delinquent or neglected children under the age of sixteen years as defined by existing laws relating to such proceedings (which laws are hereby made applicable to proceedings in the Municipal Court) but such children shall be brought immediately before the judge of the juvenile court and he shall hear and determine said cases separately from each other at such place and at such hours of the day or night as will in the judgment of the president judge and of the judge of the juvenile court be most conducive to the welfare of such children

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of six hundred dollars ($600.00) except that in actions for damages for personal injuries it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00) The amount by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transfered to it by order of a majority of the judges of any court of common pleas of Philadelphia county

Section 11 The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary forgery kidnapping murder voluntary manslaughter perjury rape robbery treason or misprison of treason or for violation or conspiracy to violate the election or registration laws of this Commonwealth or for criminal libel or for embezzlement by any public officer or any offence involving breach of official duties by any public officer

The jurisdiction of the said municipal court shall be concurrent with the magistrates' courts and courts of quarter sessions and oyer and terminer except in the following cases in which it shall have jurisdiction which shall be exclusive

(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children

(b) In all proceedings concerning dependent delinquent or neglected children as defined by existing laws relating thereto which are hereby made applicable to proceedings in the municipal court

The judges of the said municipal court shall be justices of the peace and shall have power to hold preliminary hearings and bind prisoners over to appear in court or keep the peace or otherwise as the case may be When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be

In criminal cases not triable in the municipal court but excepted from its jurisdiction as above provided the jurisdiction of the judges of the municipal court to issue warrants of arrest and to hold offenders for court shall be exclusive of the magistrates

At least one judge of the municipal court shall be designated each month to act as committing magistrate and his court shall be open at all times for such purposes

Provided however That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in the municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable

Section 12 All civil actions in said municipal court shall be begun by filing a statement of the plaintiff's claim without the issuance of any formal writ The said statement shall consist of a concise recital of the facts which the plaitiff claims give rise to his cause of action divided into paragraphs consecutively numbered only one averment of fact so far as possible being included in one paragraph Where any contracts or other writings are material to the validity of the plaintiff's claim he must annex copies of the same in accordance with the practice now obtaining in the courts of common pleas This statement may be filed by the plaintiff or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All statements shall be verified by the affidavit of the plaintiff or his duly authorized agent and shall be signed by the plaintiff or his counsel

The said clerk shall thereupon issue a summons under the seal of the court requiring defendant to appear and file an answer to the plaintiff's claim within ten days after service of the statement upon him in default of the filing of an answer within ten days the plaintiff may take judgment against the defendant as of course In order to prevent judgment as aforesaid defendant must file within ten days of the service of the summons and statement upon him as aforesaid an answer which shall consist of a series of numbered paragraphs corresponding to the paragraphs in the plaintiff's statement of his claim and shall contain an admission or denial of each fact averred Provided That if defendant alleges himself to be ignorant as to the facts averred in any paragraphs he may so state and place the plaintiff upon proof of the same as if they had been denied All facts which defendant does not deny or aver himself to be ignorant and demand proof as aforesaid shall be deemed to be admitted The answer may be filed by the defendant or his counsel or may be orally stated to a clerk of the court whose duty it shall be to reduce the same to writing All answers shall be verified by the affidavit of defendant or his duly authorized agent and shall be signed by defendant or his counsel After defendant has filed an answer the case shall be at issue without any formal pleas unless he sets up new matter in separate numbered paragraphs in addition to those answering plaintiff's averments in which case plaintiff may within five days answer the same in the same manner and all new matter so averred by defendant and not denied by plaintiff or of which he does not declare himself to be ignorant and demand proof shall be deemed to be admitted The case shall then be at issue Plaintiff may move for judgment for want of a sufficient answer for all or a portion of his claim

Every statement of claim before it shall be received by the clerk shall contain on the back thereof an endorsement signed by plaintiff or his counsel as follows "Jury trial demanded" or "It is agreed that this case be tried by a judge without a jury" If plaintiff demands a jury trial he shall at the time of filing his statement pay to the clerk a jury fee of four dollars Every answer where plaintiff has not demanded a jury shall contain on the back thereof a similar endorsement and if defendant demands a jury trial he shall at the time of filing his answer pay to the clerk a jury fee of four dollars If both parties as aforesaid have filed agreements that the case may be tried by a judge without a jury it shall be so tried under such rules of procedure as the court shall prescribe

When a case is at issue it may be immediately ordered upon the trial list by either party It shall be the duty of the judges of the said court to so arrange their trial list that cases shall be tried as promptly as possible For the purpose of promptly disposing of all motions and rules in connection with its business it shall be the duty of said court to have at least one judge sitting continuously as many hours per day as he may be needed Except as modified by this act or its own rules duly adopted by a majority of the judges the practise and procedure in the Municipal Court shall be the same as the practise and procedure in the courts of common pleas of Philadelphia County

Section 13 All criminal prosecutions begun in the said court shall be commenced by an affidavit describing with reasonable accuracy the character of the offense alleged to have been committed Upon the filing of such affidavit it shall be examined by a judge of the said court and if it charges with reasonable certainty an offense committed within the jurisdiction and punishable by law a warrant shall be issued under the seal of the court for the apprehension of the offender The affidavit shall become a record of the court and shall be duly preserved A record shall also be made of the issuance of the warrant and the name of the officer in whose hands it is placed for service A record shall also be made of the return of said officer after serving or attempting to serve said warrant Each said warrant when issued may be delivered to a police officer of the city of Philadelphia and it is hereby made the duty of such police officer to serve such warrants as promptly as may be and to make immediate return to the said court whether served or not return shall be made at latest within two days after said warrant has been delivered for service and in the event of failure to serve such warrant the police officer shall make such further efforts to apprehend the person accused as may be from time to time requested by any of the judges of the said court In making their return it shall be the duty of said police officer to state as apart thereof what has been done with the prisoner whether released on bail or if in custody where confined A prisoner apprehended upon a warrant issued from the municipal court shall be released on bail only upon the written order of a judge of the said court unless after a hearing on habeas corpus by a judge of a court of record having jurisdiction

It shall be the duty of the president judge of the said court to assign at least one judge to conduct preliminary hearings daily in all cases in which warrants of arrest have been issued under the seal of the said court. It shall be the duty of the president judge of said court to assign sufficient judges to the trial of criminal cases so that all cases exclusively triable in the said court in which prosecutions may be begun therein or which may be brought therein for trial by the district attorney shall be tried and disposed of as soon as possible after indictment found

It shall be the duty of the district attorney of said county to prosecute all cases in which prosecutions have been begun in the municipal court or which have been returned to court by magistrates for trial and which are exclusively triable in the municipal court or which the district attorneey elects to try in said court

In desertion and non-support cases and in juvenile cases there shall be no preliminary hearings but the person accused or children involved shall be immediately brought before the court for trial

Except as modified by this act or by its own rules duly adopted by a majority of the judges the practice and procedure shall be the same in the municipal court in all matters of which it has jurisdiction as in similar matters prosecuted and determined in courts of oyer and terminer and quarter sessions of the peace of the county of Philadelphia

Section 14 All parties believing themselves to be aggrieved by the decisions of the said municipal court may remove their cases by appeal or writ of error to the Supreme or Superior Court as the case may be in accordance with existing law and in accordance with the practice and procedure in perfecting appeals from existing courts in Philadelphia county

Section 15 Judgment recovered in the said municipal court shall be a lien upon the property of the defendant in the same manner and to the same extent that judgment recovered in the courts of common pleas is a lien All such judgments shall be indexed in the judgment index of the said county and it is hereby made the duty of the proper officers to index said judgments in the same manner that judgments in the courts of common pleas are now or hereafter may be indexed

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the courts of common pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia

On the question,

Shall the bill pass finally?

Mr. WALNUT. Mr. Speaker, and gentlemen of this House, this bill is known as the Municipal Court Bill. It

provides for a Municipal Court for Philadelphia County, a court that will have jurisdiction in the smaller civil and certain criminal cases. We have been agitating such a court as this among the business men of Philadelphia for a number of years. Ever since the Chicago Court was established in 1906, the term "Municipal Court" has had something of keen interest to our business men and an effort to secure this court has been one that they have very actively engaged themselves in.

In 1911 there was a Municipal Court bill introduced in this House which failed of passage. There was also a County Court bill providing for Allegheny County and a similar court which was passed, signed by the Governor and has been in operation for the last two years. We have a very clear need for this court in Philadelphia. The figures secured by the Committee of the Law Association there show that we have to-day nearly ten thousand cases untried—on the first of October, 1912, ten thousand untried cases were on our trial list in our Common Pleas Court. If our Common Pleas Court conduct business at the same rate three thousand cases a year, at the present rate of transacting the business of the court, it would take three years if there was not another case tried in Philadelphia County, before the last case on the present trial list would be reached and disposed of.

Another feature that I think should appeal very strongly to us and that is the necessity in any jurisdiction for a system of distribution of justice which will meet the real demands of the community. Our trial list and Court record of Philadelphia don't by any means show what we really need in Philadelphia. In the last thirty years, since our Constitution was created for Philadelphia County, four Common Pleas Courts three judges each, Philadelphia County has much more than doubled in population since. We have only added three judges to the original quota allowed to us. I think it is only fair to assume that our fifteen judges cannot accomodate a natural increase in litigation that occurs in a community of the size and of the business importance of the city of Philadelphia. During that period the number of cases of civel suits brought in our courts has not materially increased. We have secured the figures for the March term of each five year periods since 1875. The figures show in the March term of 1875 that there was entered in the appearance Dockets of Philadelphia four thousand nine hundred and thirty-three cases, showing that civil suits to that number have been tried in our Common Pleas Courts. In 1890 there were only three thousand, eight hundred and ninety-two, in 1900, four thousand five hundred and ninety-two; in 1905 four thousand five hundred and seventy-seven; in 1910, four thousand eight hundred and seventeen. You might judge from these figures that there was no need possibly for any further Courts in Philadelphia County in this respect as the figures don't show that there has been any great increase in litigation there. But there has been sufficient increase and there will continue to be an increase in the number of cases and the courts will have to be increased to provide for this in our County. I can assure you, Gentlemen, that in Philadelphia County there are four or five times the number of cases that are never brought into Courts that properly should be brought into the Courts and for which we should provide proper means for securing justice which never appear before our Common Pleas Courts because of the congestion of trial lists and the poor methods of providing for the accomplishment of the needs of justice. I want to point out to you the result in Chicago of the establishment of a modern and efficient court. Prior to the establishment of their Court in 1906, there appeared annually in the courts cases corresponding to our Common Pleas Courts, just about identical; the same number of cases in a year that are brought to-day in Philadelphia County. They averaged prior to 1906, from eighteen to nineteen thousand cases a year but after the Municipal Court was established, there, owing to the number of cases brought into the other court, civil court suits fell off to about twelve thousand cases a year, and the number in the Municipal Court jumped to forty-nine thousand cases a year and to-day they bring practically the same number of civil suits in the old Chicago civil courts annually—that is about sixteen to seventeen thousand cases. In the new Municipal court, they dispose of some fifty-three thousand cases. What we need in Philadelphia is a Court built on the same lines as the Chicago Municipal Court. We need a court that will handle business efficiently and that will dispose of the business and take care not only of the litigation that to-day is adjusted in our Common Pleas Court, but additional business. All litigation never goes into our courts because we have not sufficient means to dispose of it. We have in Philadelphia, the support of every Trade Association; every Business Men's Association; every Credit Men's Association and many other organizations together with a vast number of individuals in the city of Philadelphia. Unfortunately; this measure at this particular session has to face not only the opposition which has come to it naturally but the opposition due to the introduction of a rival measure providing for five Common Pleas Judges for the County of Philadelphia. It is my opinion, Gentlemen of the House, that we are not getting anything here but that we should get in Philadelphia to-day and that Philadelphia needs to-day, she needs a more efficient up-to-date adminstrative court—namely, a Municipal Court. Most of you have received telegrams and letters asking for the support of this measure. It stands for modern judicial methods in Court procedure. I therefore, ask you to provide for Philadelphia County something that she so much needs and something that has been asked for, for years—a Municipal Court.

MOTION TO RECONSIDER VOTE.

Mr. STEIN. Mr. Speaker, I move that the vote by which this bill No. 107, entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

passed third reading, be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

Mr. STEIN. Mr. Speaker, I am asking for the reconsideration of the vote by which this bill passed third reading, so that it can be made acceptable for the offering of a small amendment which I desire to offer and then if you desire to vote it down, that can follow afterwards.

Mr. WALNUT. Mr. Speaker, I would like to ask the gentleman to read his amendment for information.

The SPEAKER. The gentleman will submit his amendment for the information of the House.

Mr. STEIN. Mr. Speaker, the amendment which I desire to offer applies to section two, line five. The paragraph from line four to ten reads. "The president judge shall receive a salary of six thousand five hundred dollars ($6,500.00) per annum and the associate judges shall receive salaries of six thousand dollars payable by the State in the same manner that the salaries of the judges of the courts of Common Pleas are paid. The term of office of the elected judges of the court shall begin on the first Monday of January following their election."

I desire to amend the bill to reduce the salaries from $6,500 to $5,500 and from $6,000 to $5,000. This is done for purpose of making it uniform with the salaries that are paid the same judges in the same court for the same class of work in Allegheny County.

Mr. SHERN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

Mr. SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEIN. Yes, sir, Mr. Speaker.

Mr. SHERN. Mr. Speaker, was the gentleman present last week when the amendment was offered to this bill reducing the salaries from $7,000 to $6,000?

Mr. STEIN. I was.

Mr. STERN. Was the gentleman present last evening when the gentleman from Philadelphia offered an amendment to the bill?

Mr. STEIN. Last night; I would not say that I was.

Mr. SHERN. Was the gentleman present?

Mr. STEIN. I came in late last night; but I want to say in explanation of my answer that on second reading my friend from Philadelphia, Mr. Walnut, offered an amendment reducing the salary to $6,000. I distinctly told him that I was absolutely opposed to it, and so I think that all the gentlemen from the western part of the State are opposed to it unless the salaries are made uniform with those in Allegheny County. I am opposed to it unless

the salaries of all the judges are made uniform.

Mr. WALNUT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEIN. Yes, sir, Mr. Speaker.

Mr. WALNUT. Do you consider the salary of $5,000 now paid the Allegheny County court judges too high?

Mr. STEIN. Too high? It is not too high, but is not too low either.

Mr. WALNUT. Do you recall a conversation that I had with you in which you said you considered that $7,500 was a proper price to pay your judges, but you did not desire the judges of Philadelphia County to be paid more than the Allegheny County court judges, but that in two years from now you would be willing and ready to advance an amendment to raise the salaries of them all to $7,500.

Mr. STEIN. I have no doubt that I did, but that was more in the nature of a prophecy or a prediction on that point.

Mr. Speaker. I move that the vote by which this bill passed on third reading be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WALNUT. Mr. Speaker, I would greatly like to state that it appears to me that this contention is more a matter of feeling that it is upon a broad principle as to whether or not our judges are receiving more than they are entitled to. We want to get a good court in Philadelphia. We feel that we can get a good court in Philadelphia if we pay the proper salary, and they surely will be with the salary that we intend to pay. The experience of the Chicago court has shown that the business done by the court—the costs charged—are more than sufficient to pay the expenses of the court.

Mr. STEIN. Mr. Speaker and gentlemen, I trust you will pardon me for intruding upon your attention again, but I shall make this as a final argument for the motion and the amendment. Now, I fully agree with the gentleman from Philadelphia in the need of this court. I fully agree with him that it is desired by the mercantile association, by the bar generally and entire population of the State, and I will go one step further by saying that we have just such a court in Allegheny County and it is giving almost universal satisfaction. But, desirable as the court may be for both Pittsburgh and Philadelphia, you gentlemen are sitting here paying out the money of the State, and I say to you it is not fair to the taxpayers, it is not fair to your constituents, it is not fair to your own conscience to pay a judge in Allegheny County $5,000 and to pay the same judge for the same service in the same court $6,000. Now, whether our salary in Allegheny is inadequate or not is not the question, and whether we intend to raise it hereafter is not now before the House. The only question now here is, should the salaries be uniform? Now, you gentlemen know that there is a cry all over the State that public officials are being overpaid and we know there is a good deal of truth in that complaint. Now, how can we consistently, how can we conscientiously say that the Philadelphia judges ought to get more than the Allegheny County judges? The cost of living is no greater in Philadelphia than in Allegheny. Notwithstanding your boast of the reputation of Philadelphia, conditons are exactly alike. We all know that for equal service, we ought to get equal pay, and that, gentlemen, is why I insist on this amendment, and I trust the gentlemen from Philadelphia will bear with me and see the motive of the amendment and not think for one moment that I am trying to interfere, or clog or impede their very much needed legislation.

Mr. JOSEPH GRAY. Mr. Speaker and gentlemen of the House, I am not interested in this petty quarrel and I want to say to the gentleman from Philadelphia that while I expect to vote for his bill, he ought to be willing to accept this amendment as offered by the gentleman from Allegheny to put it in proper form, to satisfy those who are not interested—that is, personally—in this little tiff, whatever it is. I want to say to the genleman from Philadelphia that if he wants my vote on the bill, he ought to be willing to do what the gentleman from Allegheny ask him to do.

Mr. S. B. SCOTT. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

Mr. SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEIN. Yes, sir, Mr. Speaker.

Mr. S. B. SCOTT. Do you think that $6,000 is overpayment for the qualifications of judges who assume the duties outlined in this bill?

Mr. STEIN. Is it an over-payment?

Mr. S. B. SCOTT. Is it too much?

Mr. STEIN. It is too much in view of the fact that we are doing it in Allegheny County for $5,000.

Mr. S. B. SCOTT. I think that the amount proper to pay is not dependent upon what Allegheny County gives. I believe that $6,000, and $6,500 for the president judge, is small enough to secure the type of talent which we desire. I also feel that the salaries that the Allegheny County judges are working for are too small, and if the members of Allegheny County will introduce an amendment to the bill increasing the salaries of the judges of the Allegheny County court, I will cheerfully vote in favor of it, but you must remember that this bill forbids them for the ten years of their term to practice law. It means that you are asking men to accept a position which prevents their building up a large practice. You are asking them to lay down all hope of building up a future practice for at least ten years during the prime of their lives in order that they may serve in that capacity. and you are asking them to do so for the paltry sum of $5,000. My prophesy is, you will not get the right type of men and the perfect court that you want.

Mr. SHERN. Mr. Speaker, I cannot believe that the gentleman from Allegheny and his colleagues would be so narrow as to defeat this legislation, because there is a difference between Allegheny County judges and the bill under discussion of a thousand dollars. The duties that are outlined in this bill are practically the same duties that the judges of the Courts of Common Pleas have in both Allegheny and Philadelphia County. At the last session of this House, my friend from Allegheny voted to increase the salaries of the Common Pleas judges from $8,500 to $11,000. There is absolutely no distinction as regards the duties of the judges as outlined, except as regards jurisdiction. This bill carries with it a jurisdiction up to $1,500, in all cases of trespass. When I speak of cases of trespass, I mean those cases of negligence, of which there are hundred and thousands in the large cities. I am speaking from personal knowledge, because I represent a public service corporation, and in nine-tenths of the thousands of cases brought, the verdicts are under $500 and under $1,000. This court gives jurisdiction in such class of cases up to $1,500. in which these people who are slightly injured can receive immediate relief instead of waiting two or three years in the Common Pleas court for that relief. We have in the Courts of Common Pleas a period of from twenty-six to twenty-eight weeks of jury trials, and three weeks of jury trials are devoted exclusively to cases of negligence or what are known as "personal injuries". When you ask men learned in the law—and we expect to get men who are qualified to fill these important positions—to accept the paltry sum of $5,000, I am convinced that those members who are lawyers in the Allegheny and Philadelphia delegations—none of them—would acept the position if offered to them to-day for $5,000 or even $6,000.

At the last session of the House, Mr. Speaker, we voted a salary of $5,000 to a Board of Viewers who meet possibly two or three time a week in the City of Philadelphia and in the County of Allegheny. We increased the salaries of men who will not have one-third, nor one- fifth the duties to perform these judges will have under this bill. I am convinced, Mr. Speaker and Gentlemen of the House, that there are members upon this floor and among my own friends in this delegation who are not going to support this bill, because, forsooth, they believe that the old antiquated system of magistrates in Philadelphia will be abolished by the constitutional convention the bill for which will go from this House to the Senate and which will possibly go before the people. When that constitutional convention is approved by the people, they will meet in this House and they will abolish the old magistrate system throughout the State of Pennsylvania and the City of Philadelphia, as it should be abolished. Magistrates in

Philadelphia have jurisdiction, Mr. Speaker, only to the extent of one hundred dollars in civil cases. They have no jurisdiction at all in trespass cases. Every case is appealed that is brought before them. They have jurisdiction in every criminal case, and every criminal case is held for the Quarter Sessions court,no matter how trivial it may be; no matter how aggravated it may be; and what is the result? There is that congested condition in the courts of the City of Philadelphia comprised of 1.600,000 inhabitants that the people cannot receive prompt justice. For the last six years there have been constant requests, not only from every labor organization but from every business organization, from every social organization and from organizations of every character and description, asking this Legislature to take the proper measures to relieve the congested condition of the courts of our great city. I do not believe that there exists in this House a member who is going to vote against this bill simply because there is a difference of one thousand dollars in the salaries mentioned in the bill. I ask you gentlemen not to be so narrow. If you believe in the merits of this bill, which the citizens of Philadelphia demand, I ask your support for the bill because it is demanded in Philadelphia. If I would depend upon the position which I occupy as trial lawyer for the Philadelphia Rapid Transit Company, I would be against this bill because it means the employing of more claim agents, more inspectors and more lawyers and will probably put the transit company to a great expense in order to give the people of Philadelphia the justice that they need when they are injured by the negligence of their employees.

There recently appeared in a Philadelphia newspaper a statement that I was lobbying for the Philadelphia Rapid Transit Company, that I was keeping in committee the compensation bill which I introduced and which is on the second reading calendar of the House. I ask that that correction be made by the newspaper correspondent representing that publication, because it was manifestly unfair to me and to the constituency which I represent. I know I am digressing from the subject, but I ask in all fairness that you give us the remedial legislation which the people of Philadelphia have been crying for for the last eight years.

On the question recurring,

Will the House reconsider the vote by which this bill passed Third reading.

The motion was agreed to.

On the question.

Shall the bill pass?

Mr. FORSTER. Mr. Speaker, I regret very much that the more important of the two measures which have to do with the conditions in Philadelphia could not come up in connection with this one. I refer to the Senate Bill now on second reading, which proposes to increase our Common Pleas judges by five members. This bill has not only received the approbation of the Senate, but comes here with the endorsement of the Philadelphia Bar Association. The Bar Association endorses this bill for the increase after making a very exhaustive investigation through a subcommittee, which came in with a full report of the necessities of increasing the judges and also considered the municipal court proposition and the full debate in the Bar Association meeting. I say again that the Bar Association endorses the Five Judge Bill. Personally, I believe the Five Judges Bill—and the Bar Association bears me out and it is certainly the body of men who are most conversant with the conditions of our courts and is best able to prescribe the remedy to bring about a more desirable condition of affairs in our litigation—I believe that the Five Judges Bill is the most desirable of the two. I, however, propose to support both bills. I propose to vote for the Municipal Court Bill, but I say that if any believe that Philadelphia should have one but not the other, it is more necessary for Philadelphia to have immediate relief from the Five Judges than it is for the Municipal Court. However, I think both of them are desirable. If we receive both the Municipal Court and the Five Judge Bill, our proportion of population to the number of judges on the bench will be reduced. We have now one judge to every one hundred and three thousand and under the Five Judges Bill, if passed we will have one to every thirty-five thousand people of actual residence in Philadelphia. That is just about the proportion which is now existing in Allegheny, in New York and San Francisco. Boston has about one judge to every 26,000 people. For that reason I believe it is desirable that Philadelphia have both these measures. The Five Judges can reduce the trial list. As it now stands, you have heard it will take almost three years to clean up our list in its present condition. Philadelphia has increased from 756,000 in 1874 to 1,750,000, and that does not include our large suburban population which is really a part of Philadelphia, where people live and sleep, and do everything else in the City and are possible litigants in the City. Now gentlemen I ask you to give us justice and help us on both of these bills, but if one must be defeated, if you can only vote for one, vote for the Five Judges Bill.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Ehrhardt,	Malie,	Semmens,
Allen,	Ely,	Mannion,	Shaffer, I. E.,
Alworth,	Ewing,	Mather,	Shern,
Ambler,	Forster, I. G.,	McAleer,	Sherwood,
Baldwin, G. A.,	Foster, J. D.,	McCaig,	Showalter,
Baldwin, R. J.,	Frey,	McClintock,	Smith, L.,
Barner,	Gans,	McNichol,	Snyder,
Bass,	Geiser,	Metzenbacher,	Speiser,
Bayle,	Gibson,	Missimer,	Spillinger,
Benninger,	Glenn,	Mitchell,	Steedle,
Benson,	Haggerty,	Moses,	Steele,
Bergey,	Heidinger,	Musser,	Stein,
Berntheizel,	Hemminger,	Neely,	Strauss,
Bigger,	Heyburn,	Newbaker,	Swartz,
Bittles,	Hobbs,	O'Neill,	Swift,
Blair, W. A.,	Howard, J.,	Peachey,	Thomas,
Blair, W. F.,	Humes,	Pennegar,	Ulerich,
Bleloch,	Isler,	Pennock,	Ulman,
Brown,	Jones, J. R.,	Perry, H. L.,	Walnut,
Brownlee,	Kaiser,	Peters,	Walsh,
Burnett,	Kaufman,	Piper,	Walton,
Campbell, C.M.,	Keeport,	Price,	Watson,
Carter,	Kennedy,	Ramsey,	Wettach,
Cheeseman,	Kern,	Reese,	Whitaker,
Claycomb,	Kitts,	Rex,	Wildman,
Cleary,	Kuhn, H. P.,	Richards,	Williams,
Conner,	Kuhns, E.G.M.,	Robinson,	Wilson, J. H.,
Conniff,	Latshaw,	Rockwell,	Wilson, W. H.,
Cox,	Lenker,	Roney,	Wiltbank,
Davis,	Letzkus,	Sassaman,	Young, G. K.
DeFrees,	Light,	Schuck,	Young, J. H.,
Dickinson,	Lohr,	Scott, J. R. K.	Zimmerman,
Donnally,	Lowers,	Scott, S. B.,	Alter,
Dunn, J. A.,			Speaker.

NAYS—49.

Brosius,	Gramley,	Lanius,	North,
Campbell, J.J.	Gray, Frank,	Martin,	Perry, S. J.,
Carson,	Gray, Joseph,	Matt,	Post,
Cochran,	Hackett,	McAllister,	Redfield,
Collins,	Herman,	McArdle,	Rhoads,
Conrade,	Hess,	McDermott,	Rothenberger,
Currier,	Hibshman,	Mellott,	Schaeffer, A. C
Curry,	Hoffman,	Miller,	Shaffer, C. A.,
Dunn, H. B.,	Howard, R.,	Moore,	Smith, J. W.,
Ehrenberger,	Irwin, G. C.,	Morrow,	Snavely,
Flynn,	Keegan,	Murphy,	Spangler,
Good,	Klepper,	Newton,	Trach,
			Whitman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. STEIN. In voting for House Bill No. 107, creating a Municipal Court for Philadelphia, I do so because the measure is good and desirable, but the salaries of the judges are too high.

In view of the passage of the Act, I give notice that the salaries of the Allegheny County Judges shall be made the same, and that a bill will be introduced equalizing the salaries.

BILL ON SECOND READING.

Mr. RONEY. I would ask unanimous consent to consider at this time a bill on Second Reading, page 16 of today's Calendar, House Bill No. 1079 (S

The SPEAKER. Will the House give unanimous consent to consider the bill at this time?

The Chair hears no objection?

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1079, (Senate No. 63), entitled:

An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The SPEAKER. The Chair desires to call the attention of the House to the fact that under a resolution passed Wednesday evening last week, the House will meet at eight o'clock this evening, for the purpose of paying tribute to the memory of the late John H. Riebel.

Unless otherwise directed by the House ,nothing else will be in order at that time.

RESOLUTION GRANTING USE OF THE HALL OF THE HOUSE.

Mr. C. M. C. CAMPBELL asked and obtained unanimous consent to offer the following resolution, which was twice read, considered and agreed to:

Resolved that the use of the Hall of the House be given to the Committee on Education at 3 o'clock this afternoon.

BILLS ON THIRD READING.

Mr. BROSIUS. Mr. Speaker, I ask unanimous consent of the House to call up House Bill No. 483, File Folio 1035, page 2 of to-day's calendar, for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time?

Is there any objection?

The Chair hears none and consent is granted.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 483, entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of script bonds or certificates of indebedness outstanding in their respective districts"

On the question,

Will the House agree to the bill on third reading?

Mr. BROSIUS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title in the first line by striking out "Thirteenth" and inserting "Thirtieth".

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Is there any objection?

The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. H. B. DUNN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 82, File Folio 1579, on page 11 of to-day's Calendar, for the purpose of amending the title.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time?

Is there any objection?

The Chair hears none and consent is granted.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 82, as follows:

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every male person who has served an imprisonment of thirty days and still has a balance of his sentence to serve in the county jail or prison of any county may be employed by the county commissioners of such county but not for more than eight hours in any one day and not more than six days in any one week in the construction improving repairing maintaining or working of any highway or poor farm in such county

Section 2 The employment of such prisoners on the county highways or poor farms shall be under such regulations as the county commissioners may prescribe but the services of any such prisoner may not be let or leased or sold to any person or firm or corporation Such number of guards may be employed as the commissioners may deem necessary at a compensation not to exceed two dollars and fifty cents per day each

Section 3 If such employment shall render it impracticable to feed such prisoners in the jail or prison it shall be the duty of the person or persons directed by law to feed prisoners in the prison or jail to provide such prisoners while at work with such meals as may be necessary An extra compensation therefor may be paid by the county commissioners not to exceed ten cents per day for each prisoner so employed

Section 4 If any person guarding any prisoner so employed shall perform his duties so negligently as to permit any prisoner to escape or shall wilfully permit or aid any prisoner to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the county jail of the proper county for a period not exceeding one year If any person not being on guard shall aid any prisoner so employed to escape he or she shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this section

Section 5 If any prisoner so employed shall escape or attempt to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the proper county jail for a period of one year Such prisoner so convicted shall not be released on probation or parole such sentence shall take effect upon the expiration of the term of the original sentence

Section 6 All acts and parts of acts inconsistent with this act are repealed

On the question

Will the House agree to the bill on third reading?

Mr. H. H. DUNN. I ask unanimous consent to an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title, line one by striking out the word "Public" and inserting after the word "Highways" the words "or poor farm".

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON SECOND READING.

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask unanimous consent of the House to call up House Bill No. 118, File Folio 1409, on page 15 of to-day's calendar, Bills on Second Reading for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? Is there any objection? The Chair hears none and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 118, entitled:

An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of certain party officers the appointment of delegates and alternate delegates to National Party Conventions a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator the payment by the several counties and their reimbursement by the State Treasurer of the expenses of the same including the payment of compensation of watchers herein authorized to be appointed by the court the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions prescribing the time and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State Committee and a Chairman thereof and certify the same to the Secretary of the Commonwealth and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein

The first and second sections of the bill were then read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates of political parties as herein defined for the office of Representative in Congress for all elective State County City Ward Bor-

ough Township School District and election division offices and for all other elective public offices except that of Presidential elector shall be nominated and delegates and alternate delegates to national party conventions shall be elected at primaries held in accordance with the provisions of this act and in no other manner All such party officers including members of the national committee as are required by the rules of the several political parties to be are required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at primaries held in accordance with the provisions of this act

At the primary next preceding the election of a United States Senator every qualified elector of a political party herein defined to be a party within the State shall have opportunity at such primary subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for United States Senator

In the years when candidates for the office of President of the United States are to be nominated every qualified elector of a political party herein defined to be a political party within the State shall have opportunity at the primaries held in such years subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for president

This act shall not apply to the nomination of candidates to be voted at special elections to fill vacancies and nothing herein contained shall prevent any body of electors not constituting a political party from nominating candidates by nomination papers as is now or may hereafter be provided by law

The State committee of each political party may make such rules for the government of the party not inconsistent with law as it may deem expedient and may also revoke or alter or amend in any manner not inconsistent with law any present or future rules of the party

Section 2 Any party or body of electors one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any candidate and polled a total vote in the State equal to at least two per centum of the largest entire votes cast in the State for any candidate is hereby declared to be a political party within the State and shall nominate all its candidates for any of the offices provided for in this act and shall elect its delegates and alternate delegates to the national convention and also such party officers including members of the national committee as its rules provide shall be elected by a vote of the party electors in accordance with the provisions of this act

Any party or body of electors one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any candidate in any county is hereby declared to be a political party within said county and shall nominate all its candidates for office in such county and in all political districts within said county or of which said county forms a part and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors in accordance with the provisions of this act

The third section of the bill was read as follows:

Section 3 One primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates or alternate delegates to national party conventions or party officers elected as herein provided The said primaries shall be held on the third Saturday of September in all odd numbered years and on the third Saturday of May in all even numbered years The primary held on the third Saturday of September shall be known as the fall primary and the primary held on the third Saturday of May shall be known as the spring primary

Candidates for all offices to be filled at the general election shall be nominated at the spring primary Delegates and alternate delegates to national party conventions and such party officers including members of the national committee as are required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the spring primary

The vote for candidates for the office of President of the United States and for the office of United States Senator as herein provided for shall be cast at the spring primary

Candidates for all offices to be filled at the municipal election shall be nominated at the fall primary

On the question

Will the House agree to the section

Mr. NEELY. Mr. Speaker, I desire to offer the following amendment.

The Clerk read the amendment as follows:

Amend section three, line 5 by striking out the word "Saturday" and inserting the word "Tuesday."

On the question

Will the House agree to the amendment.

Mr. JOHN ROBERT JONES. Mr. Speaker, The purpose of this amendment is to change day of the primary from Saturday to Tuesday. This bill has been considered in Committee and the question involved by the change was fully discussed and the reasons advanced for keeping it at this time were that Saturday under the present law was the day that should be retained for the day of the primaries, for the reason that at that time laboringmen and men being employed out of the City could come and have more of an opportunity to vote and that it was a far better time to hold the primaries and it was not deemed advisable to change that day, and for that reason I ask you to vote down the amendment.

Mr. NEELY. Mr. Speaker and Gentlemen of the House, the reason I offer this amendment is that Saturday is the day on which we now hold our primaries. In Allegheny county, especially in my district, which I have intimate knowledge of, Saturday primaries begin at two o'clock and close at eight o'clock. The Board stays in the polling places from eight o'clock until five and six or ten twelve and sometimes on into Sunday afternoon. Now the new primary law provides for an all day primary. And provides for non-partisan primary. This style of primary will bring out a large number of voters to the primary. They must come to the polls in a primary election in order to express their preference for the men who are to run at the November elections, that of course will increase greatly the work of the election boards. The polls will be open all day. No person will lack the chance of coming in and casting a vote. It is immaterial whether a man is off on Saturday afternoon or not. He has Tuesday all day from eight o'clock in the morning until eight o'clock in the evening to come and cast a vote. Under this style of primary, of course the work of the election board would be greatly increased. Under the new system where we have municipal elections once every two years, the members will likely work all day Sunday to tabulate the vote of the district. Then there are several other things. First the religious objection is that these persons have to work all day or a part of Sunday, and then there are other persons who are interested in the election and they are all kept away from church because they are all interested in finding out how the vote is.

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. NEELY. I will.

Mr. JOHN ROBERT JONES. I understood that one of your objections at the time was the fact that Saturday was the Sabbath day for some religious sects and that it kept them away from the proper observation of the Sabbath.

Mr. NEELY. I did not hear what you said.

Mr. JOHN ROBERT JONES. I would ask the gentleman from Allegheny whether or not his objection was not based on the fact that Saturday is the Sabbath for a certain religious sect.

Mr. NEELY. That is one of my objections. I have not yet reached that point.

Mr. JOHN ROBERT JONES. I would ask, Mr. Speaker, whether or not the force of his objection is not the fact that the elections being held on Saturday forces the Board to work on Sunday.

Mr. NEELY. The great number of ballots cast, and the large number of officers or candidates whose votes are to be tabulated make the work of the election board so great that they are unable to complete the work until late Sunday morning. In addition to the arguments I have already stated, I also wish to call your attention to the fact that a certain nationality in our city, in Pittsburgh, the Jews, the Orthodox Jews refused to vote on Saturday. Under the old primary law, the Orthodox Jew could have assistance and have someone mark his ballot for him as his religious belief is that he cannot use a pencil for writing on Saturday, which is his Sabbath. Now a great number of Jews refuse to vote on Saturday for that very reason, and under this law the same condition will exist, and under the assistance law, which was passed here some days ago, not one of the Jews of that faith would be able to cast his vote at all.

Mr. MARTIN. I am quite sure that this amendment would affect the farmers very largely, and I am sure that it would be objectionable to them to have the primaries on Tuesday instead of Saturdays. In their behalf I appeal to the members of this House, as well as for others who I am quite sure would be better suited to have the primary election on Saturday instead of on Tuesday. Therefore, I ask the members of this House to vote down this amendment.

Mr. MOSES. Mr. Speaker and Gentlemen of the House, I am opposed to this amendment from the fact that it will disfranchise almost all of the traveling men of this State. As you know, most of them are at home on Saturdays, and if this amendment is carried it will be necessary to keep them home until Tuesday. It will work a hardship to them, and on that account I am opposed to the amendment.

Mr. MATT. Mr. Speaker and Gentlemen of the House. I am heartily in favor of this amendment and my cause is this: We have a sect in our county, by name, the Seventh Day Adventists, who are practically disfranchised by reason of our primaries coming on Saturday. Hence they do not attend any of the primaries and not having the privilege of voting at the primaries, they do not even vote, since our primaries come on Saturday at any of the regular elections, and I hope the House will vote for this amendment.

Mr. ALLEN. Mr. Speaker and Gentlemen of the House. I quite agree with what has been said in relation to the amendment as was suggested by the gentleman from Allegheny. There are certain sects, the Orthodox Jews that would not praticipate in any election held on Saturday, and as the gentleman from Bedford suggested, there are other sects to which this would apply. Other than that we all know that under the present law that on account of the large number of names which appear on the ballot that it is very seldom that an election board gets through its work until long after the hour of midnight and long after the dawn of the following day, which is Sunday. There are some men who object to being placed on election boards. We have in our county and you have it all over the State men who will not serve on election boards simply because of the fact that the day on which they are serving their state runs over to the next day and the fact that they are not through counting until long after church time on Sunday. I have known Boards in our county which did not close the doors and finish count until Sunday evening and it is unfair to require people to serve in that capacity and at that time when it can be done just as well at other times of the week. In regard to a certain element, to-wit, the traveling men of this State, there is little if any argument in that matter, but I do believe that when you compare the number of them who might be absent on their business on Tuesday, it will not in any measure compare with the business men who on account of the increased business which they do on Saturday must not only himself stay at his place of business, but endeavor to keep his help there and not allow them an opportunity to go to the polls to vote. I think it would be a sensible thing at this time to make this a matter of convenience to the greatest number and unquestionably that will be met if the time be fixed on Tuesday instead of on Saturday.

ADJOURNMENT.

Mr. WILDMAN. Mr. Speaker, I move that this House do now adjourn.

Mr. MARTIN. Mr. Speaker, I second the motion.

The SPEAKER. The Chair will state to the House that if an adjournment is now taken that this bill, which consists of twenty-five sections, will be the first matter in the order of business to-morrow morning.

The motion to adjourn was then agreed to, and at 1:45 P. M., the House adjourned to meet to-night at eight o clock.

HOUSE OF REPRESENTATIVES

TUESDAY, March 11th, 1913.

EVENING SESSION.

The House met at 8:00 P. M.
HONORABLE DANIEL J. SHERN presiding.

MEMORIAL SERVICE ON DEATH OF JOHN H. RIEBEL, LATE REPRESENTATIVE FROM PHILADELPHIA.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we have met for a solemn purpose. We are here to pay tribute to the memory of one who answered very suddenly a few days since to the call of God. We are glad that Thy servant was engaged in his work when this call came; that he was standing in his place and fulfilling his mission as the servant of the people. Public tribute has already been paid to the fidelity and earnestness with which he responded to the calls coming to him and rendered his work.

We rejoice in this tribute and in the further tributes which shall be uttered in the progress of this service. Wilt Thou take charge of the service, so controlling and directing that all that is said and all that is done shall be helpful to us and comforting to those who stood most near to Thy servant whilst yet he was living. May we be in full harmony with the service, our hearts tender, our sympathies responsive, and wilt Thou graciously bless the shadowed circle and the darkened home from which Thy servant was taken, being the God of consolation and the Minister of Grace to those who are there. And may we all so try to live and to labor that when God's call comes to us, be it at the noon-time of live or at the even-time of life, we may answer to that call without trepidation or fearfulness and leave behind us memories, influences and wrought out work that shall be cherished as exceedingly sacred and precious.

We ask all this in the name and for the sake of Jesus Christ, our Lord, Amen.

CHAIRMAN SHERN. My colleagues and friends of the decease, we are gathered this evening in accordance with the sacred custom to pay a humble tribute of respect and affection to our departed colleague.

Somewhere, it has been written that "Friendship is a sentiment of affection; undiminished by distance; scarcely dissolved by death and with God's permission to be renewed in Heaven." The deceased, John H. Riebel, was a real friend. My first acquaintance with him commenced when I entered the Halls of this Body in the Session of 1903. I was absolutely green as to the knowledge of parliamentary law and legislative procedure. It was my good fortune to be assigned to a Committee of which the decease was a most active member and I never had occasion to consult him in regard to information on legislation but that he gave it with all the courtesy possible and extended to me the information which I desired. The deceased of late years was not as aggressive as he was when I first entered these Legislative Halls. As you probably know, he was the Father of the House, having served continuously from the Session of 1887 down to the present time. In all the difficulties and most bitter political contests that took place in his district, John H. Riebel, was always returned from that district to membership in this House. His loss will be felt not only by his colleagues here; not only by the vast number of friends and constituents in his district but by the great State of Pennsylvania that he has so long and so faithfully and so devotedly served. I sincerely trust that his soul has gone to a peaceful resting place. He had no enemies. All men were his friends. I never, in all the twelve years that I knew him, heard him speak ill of any one.

Mr. MATT. Mr. Chairman, Gentlemen of the House. Honored by an invitation to speak on this memorial occasion, I confess that words fail me in an endeavor to express my feelings. I knew Brother Reibel best by the name of Mr. Reibel, The Father of the House, and for him, I had the profoundest respect.

He was a conscientious, genial, courteous, fair legislator. He was a hard conscientious worker for his constituents and his entitre State, and so much did his constituents appreciate his loyality to them, that he was serving his thirteenth consecutive term, so I am informed. Hence, the title of "Father of the House" by the point of service.

When the news flashed across the State that Father Reibel had passed to his reward, it came as a great shock to us all, and to-night we mourn for a griend, a brother and a loyal member of the House of Representatives; and while his seat and desk are vacant, and are decorated with a symbol of mourning, the flowers, however, denote life which tells us that he still lives in the memory of those who knew him, and to know him was to love him.

I served with him in the session of 1911, and learned to love him, for his kindness and fairness, he was conspicuous for the stand he would take when he believed his cause right, always taking an active part in all legislation in which his constituents were interested or affected, and none will miss him for being called to his reward more than they. But let me say that we, as members who knew him best will miss him as do his constituents, and we shall feel his loss very kneely, but knowing that our loss is our brother's gain, we submit to our Heavenly Father.

By Party choice he was a Republican and had served as a member of the committee in his ward for thirty years or more. This attests to the loyalty to his Party. He served with distinction in the late rebellion, loyal and true which was characteristic of him.

His beloved wife having gone to her reward some years before him, in the same loyalty and love, he nas gone to be reunited never more to be separated.

And now, brethern, let us ever cherish and remember the good qualifications of our brother forgetting his faults if any he had, commending the family and friends to our Heavenly Father, who doeth all things well, and who has said: "Cast thy burden upon me and I will give you rest." Let us all live, for to live in the hearts we leave behind is not to die.

Mr. CHARLES A. SHAFFER: Mr. Chairman and Members of the House. We meet at this hour to pay our tribute of respect to an honored Member of this House, John H. Riebel, who, because of his continued service as a Member, was known as the father of the House of Representatives. His first session being in the year of 1887. Many of you have known Mr. Riebel better than myself. My acquaintance goes back to the 1911 session and I have always found Mr. Riebel a man of a willing mind to assist a friend in his work Mr. Riebel's death was sudden to most of us, for few knew he was ill at all. We miss his counsel, he was studious and conscientious in his views. He was esteemed in all of his public official life. His ability and integrity never was questioned. He was fair and impartial. He took a great interest in charitable institutions and untiring in his work. Mr. Riebel was a man of his word, frankness in his expressions and we generally knew where he stood upon all Legislative questions. Mr. Riebel was admired not only by his fellow members but was beloved by his constituents, where he was known best. His twenty-six years of continuous service in public life is a high tribute to him and would be to any member of this House. His chair is vacant draped in mourning. We miss him, his friends and kinsman miss him, but in his home where his loved ones surrounded him and where comfort and enjoyment was a pleasure, miss him most, his example here will not be forgotten. He was Chairman of Committee on Electric Railways and those who served with him on other Committees recognizing Mr. Riebel as a man of good sound judgment upon every legislative question. Mr. Riebel has given valuable service to the State and to the nation. We often asked the question when one of our friends in the midst of what seems on the outer appearance in the best of health, is called from life to reward. What does this mean? We listen, it is full of solemnity and impressiveness. A life of character exalted by all men. Yes one of our members has fallen. He has fought a good fight. Our prayers goes out to his loved ones at home, and in closing and what seems to me most fittingly at this time I quote these beautiful words:

"At last thy life well lived, thy work well done
Thy shining course of steadfast duty run,
Thy time of rest has come at set of sun.

Now in thy lot in glory dost thou stand,
Yet liveth on in this terrestrial land,
In other lives touched by thy gracious hand.

Thy life was seed for harvest yet to be,
And its full and ripened fruitage, none may see
Till breaks the dawn and dawn of eternity."

And now O, God, Thy grace impart
Sustain and heal each wounded heart,
And in the hollow of Thy hand
O keep that broken, weeping band.

We joy with thee that thy life's goal is won
Beyond the glory of the setting sun
Where Jesus waited with his sweet, well done.

Mr. RONEY. Mr. Chairman: The oldest man in years of service has passed from this House—a rugged milestone in our legislative road has been removed, and to-night we do this worthy person but simple justice when we hold solemn memorial session in commemoration of his passage from our ranks to the Great Beyond.

John H. Riebel served in this House almost as many years as I am old, and I deeply appreciate the opportunity of playing some part in these memorial exercises of a splendid Philadelphian and distinguished legislator.

Mr. Riebel was born in the old district of the Northern Liberties in 1845 long before its consolidation with the City proper, lived there his young life and when his country issued her call for native sons to defend her, he answered on June 3, 1861, when but 16 years old, and served through the entire conflict, being honorably discharged December 12, 1865.

In 1887 he began the longest continuous legislative service of any man who ever came to the Legislature, and now in his thirteenth term, a life that stood valiant and true in '61 a connecting link with stirring days, has gone forever.

It has been the custom on occasions such as this to extol in flowery verbiage the life and deeds of departed men, and whilst garlands of the most beautiful verbal construction would not be inappropriately placed upon this picturesque figure, I will not take up your time in any long enconium.—Mr. Riebel would not have desired it—his life was a busy, honest, practical life; his character was candid, bold and brave; and he was the rugged, strong, manly, patriotic Philadelphian of whom we, as Philadelphians, and we, as Pennsylvanians, might well be proud. He was full of the highest and noblest manly impulses. He was a real friend and an able legislator.

He carries with him the affection and esteem and appreciation of all who knew him. Let us, from this worthy life which leaves the record behind of which anyone might justly be proud, take rather the lesson for the living. Let us in these solmen exercises find a human living note to encourage those of us who now struggle in matters of legislation. Let us remember that this valiant defender of '61, this busy legislator of 26 years, was a candid, honest, open-hearted courageous man and what more can be said of any one. Let us in hope raise up our heads as he would have us do, looking to the future of promise, resolved to so live and act, each man his own life, that when the last call comes we shall pass each in turn to the Great Beyond, as in the words of the poet, like one who draws his mantle about him and lies down to pleasant dreams.

Mr. ALLEN. Mr. Chairman and fellow Members, I appreciate more than I can express this opportunity to drop a flower upon the grave of Uncle John Riebel. The companionships of good and true men mold in great measure yours and my life. The memories of our good friends leave a lasting imprint upon character. The halls of this House and of thirteen preceding sessions have been honored and graced by the presence of one who to-night sleeps his last sleep. Some of you have known him but a short time; others, like myself, for a more extended period; still others, perhaps, through your entire political lives To all who know him he endeared himself. A character, as has been said, that was most positive and bold, yet retiring and unassuming. In 1845 God breathed into him a living soul. In 1861 when the call for volunteers was first made, it is recorded that he joined the Marine Corps. Then a mere boy, he served his country four and a half years, gallantly, nobly and with true American spirit; his first call to arms, his first service for his country.

In 1887, having entered somewhat into the political field, he responded to the call of his constituents and from then until now, has been rewarded by being returned at their hands up to the day of his death. It seems but yesterday that he was here. I recall having talked with him on Tuesday evening for sometime, the last Tuesday evening before he left use. He was with us again and in the House on Wednesday on Thursday, he fell to sleep.

To-night, Mr. Chairman, we are paying our last tribute and in memory and in spirit are at this moment on the very verge, the edge of the dark river which separates life and death; and in memory and in spirit, we reach out into and beyond the shadows which separate us from the Great Beyond, the Great Unknown. In spirit and in death, we touch again the glad hand. The warm heart that we knew pulsated for you and for me, for your interest for my interest, and for the interest of his people, the interest of this Commonwealth in the breast of our good friend, Uncle John is stilled in death. Mr. Chairman, answering the call of his people, as he did, so bravely, just as he had done in youth, bravely he answered the call of death. May peace and happiness be attendant spirit on his ever living soul.

Mr. O'NEILL. Mr. Chairman, let me add a small but earnest tribute to our John H. Reibel. I say the word "our" for he was our "Father John." I, too, like you, Mr. Chairman, was instructed by him and he helped me as a new member. I thanked him then and now I say, may he rest in peace and perpetual light shine upon him.

Mr. WATSON. Mr. Chairman, I met Brother Reibel early in the session of 1907 when I first came to Harrisburg. Among others Robert Deardon and "Uncle John" Reibel, as I called him, met me, and from that time until the present we were devoted friends. When I returned here I missed my friend Robert Deardon. Possibly by reason of

our age and our experience and our reminiscences we frequently met together. And in knowing Mr. Reibel since that time, I can only utter one expression in the extemporaneous remarks that I may make to-night, that he was one of Nature's noblemen. I profited by his suggestions and by his experiences here in his many days and many years in this Assembly, and I always found him a trusted and true friend. In his modest way of expressing himself, with a voice as tender as a maiden, and his heart as true, no one ever heard him utter a word behind your back or before your face that was a reflection on any Member of this House. This testifies to the fact that he came here during all those years; this takes you back to the reward of a true man whose constituents had absolute faith in his intergrity, in his honesty and in his uprightness and his clean manhood. There is no one here to-night, with all regard and respect to the members of this House, that I shall miss more than "Uncle John" H. Reibel, as we called him. In the language of that beautiful song poetry I feel to-night like.—

"One who treads along that banquet hall deserted,
Whose lights are field,
Whose garlands dead,
And all but I departed."

And we might say, when we consider the life of "Uncle John" Reibel, while he was taken away from our midst so suddenly—I met him the night before he left here—he departed by reason of his illness, he went home, he laid down and departed this life; he answered that last roll call with that same conscientiousness that gives a free passport to the happy Beyond.

And yet we may say to-night, considering Brother Reibel's departure, why all this turmoil of an hour Earth's noblest efforts end in "Dust thou art; unto dust thou shalt return."

Mr. BASS. Mr. Chairman, ladies and gentlemen, Time, with its all-softening hand subdues the passions of men, but Death, like the fabled stroke of the thunderbolt, illumines and consecrates the virtues. I remember the first time that I met Mr. Reibel. His appearance and his demeanor impressed me. His calm, suggestive features, his unobtrusive civilities, his vigilant interest in public affairs, his energy without ambition beyond his duties, his convictions free from passion and his words inspired credence. He seemed to be the growth and the expression of his splendid character and nature. But he is gone, like an unreturning wind, like a declining shadow, like a passing vision, he has vanished for all time, leaving behind him the example of a faithful, conscientious and earnest life for those of us to emulate when his body is mouldering away, and we trust his spirit is with the blest.

ADJOURNMENT.

Mr. McARDLE. Mr. Chairman. I move the House do now adjourn.

The CHAIRMAN. Without further ceremony, the Chair declares the memorial session of this House adjourned.

Whereupon, the House adjourned to meet to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, MARCH 12, 1913. No. 30.

SENATE

WEDNESDAY, March 12, 1913.

The Senate met at ten o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev M. D. Lichliter.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

The Chair presented petition of citizens of Luzerne County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. JUDSON presented petition of citizens of Washington County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. MOORE presented petitions from citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. MILLER presented petition of citizens of Lehigh County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. FARLEY presented petition of citizens of Philadelphia County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. JONES presented petition of citizens of Blair County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUNTER presented petition of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HERBST presented petition of citizens of Berks County praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

Mr. McILHENNY presented petitions containing one thousand names from the Trinity Presbyterian Church of Chestnut Hill, Trinity Presbyterian Church of Philadelphia and Robert Morris Council No. 44, praying for the passage of legislation compelling the reading of the Bible in the pubilc schools.

Which was referred to the Committee on Judiciary Special.

Mr. DEWITT presented five petitions of citizens of Luzerne County, praying for the passage of legislation compelling the reading of the Bible in public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING LEGISLATION PERMITTING SUNDAY FISHING.

Mr. HEACOCK presented petitions of citizens favoring the passage of legislation permitting fishing on Sunday.

Which was referred to the Committee on Game and Fisheries.

Mr. MORGAN presented petitions of citizens of Northampton County favoring the pasage of legislation permitting fishing on Sunday.

Which were referred to the Committee on Game and Fisheries.

PROTEST AGAINST MISAPPROPRIATION OF MONEY BY STATE HIGHWAY COMMISSION.

Mr. BUCKMAN. Mr. President, I present communication from Newtown Grange, P. of H., No. 1446, and ask that the same be read.

Said communication was read as follows and referred to the Committee on Public Roads and Highways:

Newtown, Pa., February 24, 1913.

To the members of the Senate of the State of Pennsylvania:

We, the members of the Newtown Grange P. of H. No. 1446, in regular meeting assembled February 15, 1913, do hereby voice our protest against the misappropriation of the State's money by the State Highway Commission headed by E. M. Bigelow. With the extension of agriculture within the State depending so largely upon the improvement of roads we cannot but condemn the expenditures made by the present Commission.

W. S. DUERR, Master.
HELEN C. WILSON, Secretary.

REPORTS FROM COMMITTEES.

Mr. HOKE from the Committee on Judiciary General reported as committed, Senate Bill No. 187, entitled:

An Act relating to the administering of oaths or affirmations to administrators, executors, committees or guardians to qualify them for the performance of their respective duties.

Mr. CROW from the Committee on Corporations reported as amended, Senate Bill No. 322, entitled:

An Act to extend the time for commencing and the time for opening and completing certain railroads and railways in this Commonwealth:

Mr. McILHENNY from the Committee on Judiciary General reported with a favorable recommendation all the nominations for Notary Public made by His Excellency, the Governor of the Commonwealth, at yesterday's session which were laid upon the table.

Mr. CLARK from the Committee on Municipal Affairs reported as committed, Senate Bill No. 523, entitled:

A Supplement to an act, entitled "An Act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading paving macadamizing or otherwise improving streets and alleys, providing for ascertaining damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses thereof including damages to proviate property resulting therefrom," approved the 16th day of May, A. D., 1891, (Pamphlet Laws 75); by providing that in proceedings to assess damages and upon benefits rising from improvements under the act to which this is a supplement, if property is both benefited and damaged by such improvements, the excess of damages over benefits, or the excess of benefits over damages, or nothing in case the benefits and damages are equal, shall be awarded to or assessed against the owners of property; and provid-

ing that the report thereof made by the Board of Viewers shall show the net result only.

Also from the Committee on Municipal Affairs reported as committed, Senate Bill No. 524, entitled:

A Supplement to an act, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," approved the 20th day of April, A. D. 1874, (Pamphlet Laws 65); limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised.

Mr. POWELL from the Committee on Judiciary General reported as committed, Senate Bill No. 224, (House Bill No. 271), entitled:

An Act to amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand; approved the 30th day of May, A. D. 1895, by changing the limit of population of such counties and increasing the minimum and maximum limits of said salares," approved the 1st day of June, A. D. 1911, by further changing the limit of population of such counties.

Mr. HOFFMAN from the Committee on Judiciary General reported as committed, Senate Bill No. 352, (House Bill No. 168), entitled:

An Act to amend an act approved the 14th day of April 1834, entitled "An Act relative to the organization of the courts of justice."

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 348, (House Bill No. 85), entitled:

An Act to repeal the second section of an act approved the 1st day of April, 1797, entitled "An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same."

Also from the Committee on Judiciary General reported as committed, Senate Bill No. 264, entitled:

An Act to amend an act, entitled "An Act to amend sections 4, 17, 18, 19, 21, 26, 29, 31, 33, 34, and 36 of an act, entitled "An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotages, and for other purposes therein mentioned," approved the 29th day of March, 1803, and vesting the authority over pilots and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries, approved the 8th day of June, 1907; providing for hearing complaints of misbehavior of pilots, authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved, to compel the attendance of witness at any hearing or inquiry, to examine witnesses under oath or affirmation, and providing penalties for the misbehavior or negligence of pilots.

Mr. BEIDLEMAN from the Committee on Judiciary General reported as committed, Senate Bill No. 156, entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the Recorder of Deeds.

Mr. KLINE from the Committee on Appropriations reported as committed, Senate Bill No. 473, (House Bill No. 245), entitled:

An Act making an appropriation to the State Board of Censors of moving pictures.

BILLS INTRODUCED.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 596, entitled:

An Act making an appropriation to the Somerset County General Hospital of Somerset, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 597, entitled:

An Act to amend the act approved the 29th day of May, 1901, entitled "An Act to prohibit the manufacture and sale of oleomargarine, butterine and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, the wholesale and retail dealers, and by proprietors of hotels, restaurants, dining rooms and boarding houses; for the manufacture or sale of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and to regulate the manufacture and sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of this act, and the means and method of procedure for its enforcement, and regulate certain matters of evidence in such procedure.

Which was committed to the Committee on Agriculture.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 598, entitled:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 599, entitled:

An Act making an appropriation to the Pennsylvania institution for the Instruction of the Blind at Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act making an appropriation in aid of the erection upon the Capitol Grounds at Harrisburg of a memorial to commemorate the founding of the common school system of Pennsylvania, and to perpetuate the memory of the men who were principally instrumental in establishing and carrying it into practical effect and providing for the appointment of a commission to select a model for and supervise the erection thereof.

Which was committed to the Committee on Appropriations.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 602, entitled:

An Act to establish as a "State Highway" a certain section of public road, beginning at a point intersecting with Route Number 45 at Port Royal, and running north on the west side of the Juniata River to intersect with Route Number 193, about three-fourths of a mile west of Mifflin in Milford township, Juniata County.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 603, entitled:

An Act making an appropriation for the erection at Carlisle of a monument to commemorate the heroine of the battlefield of Monmouth in 1776, known in history as 'Molly Pitcher" and providing for the appointment of a commission to select a model for and supervise the erection thereof.

Which was committed to the Committee on Appropriations.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act to amend an act, entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same," approved the 18th day of April, 1893; and providing a method for voting at general elections by voters who are absent from the lawfully designated election districts in which they are domiciled, and providing a penalty.

Which was committed to the Committee on Elections.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 605, entitled:

An Act to further regulate and restrain the granting of license for the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof by forbidding any court of quarter sessions to issue license in any township, borough, city or county when a certain per centum of the voters therein petition against the issuance of said license.

Which was committed to the Committee on Law and Order.

Also read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act to establish as a "State Highway" a certain section of public road in Westmoreland County, beginning at the intersection of said road with State Highway Route Number 228 at Sardis, near the Allegheny County line passing east across Puchetos Creek to a point at intersection of State Highway Route Number 69, at North Washington; thence by way of Beaver Bridge, Perryville, St., James Church to Wauken at intersection of State Highway Route Number 208.

Which was committed to the Committee on Public Roads and Highways.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS INTRODUCED.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 607, entitled:

An Act making an appropriation to the Psychopathic Department of the Saint Francis Hospital, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 608, entitled.

An Act making an appropriation to the Saint Francis Hospital of the City of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act reorganizing the Attorney-General's Department, designating the officers and employes thereof, and fixing their salaries.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 610, entitled:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said Board, and regulating appeals from the decision thereof.

Which was committed to the Committee on Counties and Townships.

Also read in his place and presented to the Chair Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June, 1911, entitled 'An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals; providing for the regulation thereof, the commitment of persons suffering with mental disorders to such wards, and for the payment of the expenses of maintaining and treating persons committed thereto."

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 612, entitled:

An Act to appropriate the sum of fifty thousand dollars as a part contribution toward the erection of a memorial building in the City of Altoona, in the County of Blair and State of Pennsylvania, in commemoration of the Conference of the Governors of sundry loyal States, held September 24th and 25th, 1862, to adopt measures for a more efficient support of the government in suppressing the rebellion.

Which was committed to the Committee on Appropriations.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 613, entitled:

An Act to amend an act approved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, Chief Draughtsman, Superintendents of Highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and Deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and precedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 614, entitled:

An Act to amend an act approved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, Chief Engineer, Chief Draughtsman, Superintendent of Highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and Deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said township or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, townships, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid Highways, and kind of materials to be used for the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 615, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 616, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning in the southern boundary of the borough of Nazareth, thence by way of Newburg and Hecktown, to a point on the northern boundary of the Borough of Bethlehem, connecting with route number one hundred fifty-nine.

Which was committed to the Committee on Public Roads and Highways.

Mr. JUDSON read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act authorizing the employment of stenographers by the District Attorney of certain counties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act providing for the appointment by the District Attorney in counties having a population of over twenty thousand and less than one hundred ten thousand inhabitants of special county detectives, defining their duties, fixing their salaries

and authorizing payment of the same, together with the necessary traveling expenses by the county.

Which was committed to the Committee on Judiciary General.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 619, entitled:

An Act to exempt household furniture, carpets, draperies and appurtenances leased or hired from levy or sale on execution or distress for rent.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE from the Committee on Appropriations reported as committed, Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the 9th day of June, 1911, entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals; providing for the regulation thereof, the commitment of persons suffering with mental disorders to such wards, and for the payment of the expenses of maintaining and treating persons committed thereto."

BILL ON FIRST READING.

Mr. KLINE. Mr. President, I ask unanimous consent that the Senate proceed to the first reading of Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June, 1911, entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals; providing for the regulation thereof, the commitment of persons suffering with mental disorders to such wards, and for the payment of the expenses of maintaining and treating persons comitted thereto."

which was reported from committee this morning. It carries no appropriation with it whatever!

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June, 1911, entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals; providing for the regulation thereof, the commitment of persons suffering with mental disorders to such wards, and for the payment of the expenses of maintaining and treating persons committed thereto."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

CONSIDERATION OF BILLS ON SECOND AND FIRST READING.

Mr. CROW. Mr. President, I move the Senate do now proceed to the consideration of bills on second and first reading in their order.

Mr. GERBERICH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 159, as follows:

An Act prohibiting the giving selling or furnishing of cigarettes and tobacco to any person under the age of eighteen years and fixing the penalty for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation to furnish or give or sell cigarettes or tobacco in any form to a person under the age of eighteen years

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each offence In case of default in payment of such fine such person or the members of such firm or the directors of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo an imprisonment in the jail of the proper county for one day for each dollar of such fine

Section 3 All acts or parts of acts inconsistent herewith are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 161, entitled:

An Act regulating appeals from the judgment of aldermen and justices of the peace.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any action in assumpsit or tresspass hereafter brought before any alderman or justice of the peace having jurisdiction of the same an appeal to the court of Common Pleas shall be allowed from any judgment rendered by such alderman or justice of the peace irrespective of the amount of the claim in controversy or of the amount of the judgment rendered Such appeal shall be subject to such regulations as are now or hereafter may be prescribed by law relating to appeals from aldermen or justices of the peace

Mr. WASBERS. Mr. President, I move to amend section 1, line 6, by inserting after the word "same" the words "upon the payment of costs."

Mr. HUFFMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 All acts and parts of acts inconsistent with this act are repealed

The title of the bill was read as follows and agreed to.

An Act regulating appeals from the judgment of aldermen and justices of the peace

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 273, (House bill No. 300), entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 280, as follows:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common cariers and other public eating places in this Comomnwealth shall not employ as sooks waiters kitchen help chamber maids or other house servants any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes pots pans finger bowls linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person or persons firms or corporations operating or conducting any hotel restaurant common carier or other public eating place in this Commonwealth shall employ or keep in their employ any person or persons in the capacity of cook waiter chamber-maid kitchen help or other house servant who are suffering from or who are carriers of any communicable disease

Section 2 That no person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place shall use any pots kettles or other utensils commoly used in cooking which have not been thoroughly cleansed after each separate use and which are not at all times protected from flies and other insects

Section 3 That no person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place in this Commonwealth shall furnish to their patrons or customers any dish bowl knife fork spoon finger bowl tumbler cup or other vessel or utensil used in eating or drinking which has not been thoroughly cleansed since it was used by another individual and which is not at all times protected from flies and other insects

Section 4 No person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place shall use on their dining or eating tables counters any table cloth which is unclean and not in a sanitary condition or any napkin unless such napkin shall be laundered or discarded after each individual use

Section 5 Any person or persons firm or corporation who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace or alderman in the county in which the offense is committed be sentenced to pay a fine of not more than one hundred ($100) dollars to be paid to said county and the costs of prosecution or to be imprisoned in the county jail for a period of not more than thirty (30) days or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 360, entitled:

An Act relating the organization and meetings or corporations not for profit incorporated under the laws of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where any association not for profit has been incorporated under the laws of this State all metings of members of such asociation for the election of officers and the transaction of all business pertaining to such corporations may be held elsewhere than in the State Provided however that any meeting for the dissolution of any such corporation or the changing of the place where its business is conducted shall be held only in the place specified in the articles of incorporation as the place of business of such corporation

Section 2 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 502, as follows:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" which provides as follows

"Section 6 All stationery printing paper and fuel used in the councils and in other departments of the city government and all work and materials required by the City shall be furnished and the printing and all other kinds of work to be done for the city shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and it shall be the duty of councils forthwith to enact such ordinances no member or officer of councils or any department of the city governments shall be in any way interested in such contracts directly or indirectly either at its inception or during the progress of its fulfillment or furnish any materials or supplies or labor for such contracts be and the same is hereby amended so as to read as follows

"Section 6 All stationery printing paper and fuel used in the councils and in other departments of the city government and all work and materials required by the city shall be furnished and the printing and all other kinds of work to be done for the city shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and it shall be the duty of councils to forthwith enact such ordinances Provided that it shall be lawful for councils to provide by ordinance for minimum rate of wages to be paid and for maximum hours of work to be done under such contract and existing ordinances which so provide are hereby validated No member or officer of councils or any department of the city governments shall be in any way interested in such contracts directly or indirectly either at its inception or during the progress of its fulfillment or furnish any materials or supplies or labor for such contracts"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

Tre rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 519, as follows:

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each school district which shall contain at least twenty thousand children enrolled in its public schools may establish and maintain at the expense of the district a school for the training of teachers

Section 2 The courses of study in such school shall be as prescribed by the State Board of Education

Section 3 Any person who shall have finished a course in such school and shall have graduated therefrom and who shall have passed an examination under regulations and conditions prescribed by the State Board of Education shall receive a diploma which shall entitle the lawful holder thereof to teach any of the branches set forth in such diploma in any public school in this Commonwealth without further examination

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 520, as follows:

An Act amending the act approved the ninth day of April one thousand eight hundred sixty-two entitled "An Act to authorize the erection of a Poor House by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne" as amended by an act approved the twenty-second day of April one thousand eight hundred seventy-nine entitled "A supplement to an act entitled 'An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne' approved April ninth eighteen hundred and sixty-two" by defining the Scranton Poor District providing for the election of the Poor Board therein defining the powers and duties of such Board and abolishing the present office of poor directors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand eight hundred sixty-two entitled "An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne" as amended by an act approved the twenty-second day of April one thousand eight hundred seventy-nine entitled "A supplement to an act entitled 'An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne approved April ninth eighteen hundred and sixty-two" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Edward Spencer of the borough of Dunmore Joseph Slocum and David K. Kresler of the borough of Scranton and Henry Griffin of the township of Providence in Luzerne county be and they are hereby appointed commissioners whose duty it shall be or a majority of them as soon after the passing of this act as practicable to determine upon and with the assent of the court of Quarter Sessions of said county purchase such real estate as may be necessary and proper for the accommodation of the poor of the borough of Dunmore and the borough of Scranton and the township of Providence aforesaid and it shall be lawful for said commissioners to take and receive proper conveyances therefor in the name and for the use of the corporation mentioned in the second section of this act and upon the receipt of such conveyance to execute in the name of said corporation and deliver to the vendor or venders bonds or mortgage upon said real estate to secure the payment of so much of the purchase money thereof as shall then remain unpaid and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said boroughs and township and they are also authorized and empowered to borrow such sum or sums of money as may in their opinion be advisable and necessary not exceeding ten thousand dollars at a rate of interest not exceeding seven pen centum to be used in the payment of the expense of purchasing said real estate and erecting said buildings and to secure the payment of the same by bonds and mortgages on said real estate

"Section 2 That the said Edward Spencer Joseph Slocum David K. Kresler and Henry Griffin are hereby constituted directors of the poor in the boroughs and township aforesaid until successors are elected or appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatever relative to the poor of said boroughs and township and shall have perpetual succession by the name

style and title of the Scranton poor district and by that name may be sued plead and be impleaded receive take and hold any lands tenements and hereditaments not exceeding the yearly value of three thousand dollars to erect and keep in proper condition suitable buildings for the reception use accommodation and employment of the poor of said boroughs and township and to provide all things necessary for the lodging maintenance and employment of the poor of said boroughs and township

"Section 3 That the said Edward Spencer Joseph Slocum David K. Kresler and Henry Griffin shall continue in office as directors until the annual March election in the year one thousand eight hundred and sixty-five at which time the qualified electors of the township of Providence shall elect one person to serve as director of the poor of said boroughs and township for the term or period of three years the said Edward Spencer the said Joseph Slocum and David K. Kresler holding over until the usual spring election for borough officers in the borough of Scranton in the year one thousand eight hundred and sixty-six at which time the qualified electors of each of the wards of the said borough of Scranton shall elect one person to serve as director of the poor of said boroughs and township for the term or period of three years and for the purpose of ascertaining the result of said election it shall be the duty of the judges of election in the several wards of said borough to meet at the office of the Wyoming House in said borough on the day next succeeding the day of said election and to count up the votes polled in the several wards for the respective candidates for the office of director of the poor aforesaid and such candidate as shall have received the highest number of legal votes in his ward shall be declared elected and the said judges shall thereupon certify his election accordingly as well to him as to the board of directors of the poor of said boroughs and township and in case of a tie vote between the candidates for the said office in either of the said wards the burgess shall put the names of the candidates thus having received an equal number of votes for the said office respectively into a suitable box or drawer and after having fairly shaken them together shall draw therefrom the paper containing the name of one of the said candidates and such person whose name has been thus drawn shall be declared elected to the office aforesaid and the said judge in whose presence the said drawing shall always take place shall certify together with the burgess the election of said director as well as himself as to the board of directors of the poor of said boroughs and townships the said Edward Spencer holding over until the usual spring election for borough officers in the borough of Dunmore in the year one thousand eight hundred and sixty-seven at which time the qualified electors of the borough of Dunmore shall elect one person to serve as director of the poor for said boroughs and township for the term or period of three years and in case of a tie vote between any candidates for the said office the same proceedings shall be had as provided herein relative to such an occurrance in the borough of Scranton and in case of a vacancy occurring in the board of directors of the poor of said boroughs and township by death resignation or otherwise it shall be the duty of the judges of the court of Quarter Sessions of the county of Luzerne to appoint a suitable person to fill such vacancy for the unexpired term of the director causing the same and at the usual annual March election every three years after the election in March in the year one thousand eight hundred and sixty-five the qualified electors of the township of Providence shall elect one person to serve as director of the poor of said boroughs and township for the term or period of three years next ensuing and the same shall be the case with the borough of Scranton and the borough of Dunmore every three years after the usual spring elections for borough officers in said boroughs in the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven respectively Provided That the person appointed to fill any vacancy shall reside in the borough or township for which said vacancy shall be filled And provided further That the judges of the court of Quarter Sessions of Luzerne County shall have power to remove any director for gross neglect of duty or other misconduct upon the petition of twenty or more of the electors of the said boroughs or township respectively on hearing of the complaint after reasonable notice to the director complained of

"Section 4 That the said directors shall before entering upon the duties of their office respectively be duly sworn or affirmed to faithfully discharge the duties of said office and the persons herein appointed directors shall as soon as they shall think proper after the passing of this act appoint a treasurer steward or superintendent collector of poor taxes and such other assistants as they shall deem necessary who shall serve until successors are appointed and in the month of January in the year one thousand eight hundred and sixty-three and in the month of January in each year thereafter the said directors shall appoint a treasurer collector steward or superintendent physician and such other assistants as they may deem necessary to serve for one year and until successors are appointed and qualified the said treasurer and collectors to give bonds with sufficient security to be approved by the president judge of the court of Common Pleas of said county and filed in the office of the prothonotary of said county conditioned for the faithful performance of their respective duties in such sum as the directors shall require any of said officers or assistants may be removed by said directors for neglect of duty or for improper conduct in office and the vacancies as well as all vacancies which shall otherwise occur shall be filled by them

"Section 5 That the said directors a majority of whom shall constitute a quorum for the transaction of business shall have power annually as soon after the returns of the annual assessments in said county as is practicable to lay a rate of assessments upon all real and personal estate trades and occupations and all other matters and things made taxable under existing laws for State and county purposes in the boroughs and township aforesaid for defraying the expenses of purchasing the real estate as referred to in the first section of this act erecting said buildings and of stocking and fitting up the property of the corporation for the proper comfort and employment of the poor of said boroughs and township which shall be the same rate per centum in said boroughs and township and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies and having caused fair duplicates of such rate or assessment by them laid to be made which shall be signed by them shall issue their warrant to the collector of such tax therein authorizing and requiring him to demand receive and collect from every person therein named the sum wherewith such person stands charged in the manner and by the same process as poor taxes are now by law collectable and the said directors shall from the time of providing by them of suitable buildings for the accommodating of said poor exercise and perform all the powers and duties which overseers of the poor may and are now required by law to exercise and perform within said boroughs and township except so far as such acts duties and powers as are herein expressly prescribed or limited

"Section 6 That the said directors shall keep or cause to be kept a book or books in which shall be entered the name or names the age and sex and place of nativity of all and every poor person coming from either of the boroughs or township aforesaid to whom they shall give relief in the poor house aforesaid and they shall keep or cause to be kept a just and true account of the cost and expense of maintaining the poor admitted into the said poor house or relieved by the said directors from each of the said boroughs and the said township respectively and the said directors or a majority of them shall have power annually as soon after the returns of the annual assessments in said county as is practicable to lay a rate or assessments upon the real and personal estate trades and occupations and all other matters and things made taxable under existing laws for state and county purposes within the boroughs respectively aforesaid and within the township aforesaid for defraying the expenses of maintaining the poor coming from the boroughs respectively as aforesaid and from the township aforesaid which rate shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies and shall not together with the rate for which provision has been made in the preceding section of this act exceed one cent on the dollar at one time and having caused fair duplicates of such rate or assessment by them laid on the property aforesaid in each of the said boroughs and townships to be made which shall be signed by them shall issue their warrant to the collector of such tax therein authorizing and requiring him to demand receive and collect from every person therein named the sum wherewith such person stands charged in the manner and by the same process as poor taxes are by existing laws collectable the true intent and meaning of this section being that the borough of Dunmore and the borough of Scranton and the township of Providence shall each pay the expenses of maintaining the poor at the poor house aforesaid who are received and maintained there from each of the said districts respectively and a rate or assessment shall be levied as herein provided for that purpose upon each of the said districts in the proportion accordingly

"Section 7 That the said directors shall have the exclusive power to grant exonerations for taxes levied in pursuance of this act

"Section 8 That the said directors shall keep or cause to be kept a book or books showing the amount of the taxes levied in each of said boroughs and in the said township the amount exonerated and collected in each and the amount expended in maintaining the poor from each of the said boroughs and the said township which book or books shall at all times be open to the inspection of any of the electors in the said boroughs and township

"Section 9 That the said directors shall as soon as they shall have provided suitable buildings for the accommodation of the poor of said boroughs and township file in the office of the clerk of the court of Quarter Sessions of Luzerne county a certificate setting forth that such buildings are ready for the reception and accommodation of said poor which certificate shall also contain a statement of the real estate purchased with a brief description of the building thereon the cost of procuring and fitting up the same together with the cost of stocking and fitting up the property of the corporation and they shall also thereupon give notice to the overseers of the poor of said boroughs and township of their readiness to receive and accommodate the poor thereof which said overseers are required forthwith to furnish said directors with a list of the names of the persons then a charge upon said boroughs and township respectively or receiving relief therefrom with the place of residence of each and the said directors shall thereupon cause such poor persons or such of them as they shall think it expedient to be removed to said house so provided and thereafter to be kept lodged and maintained therein so long as such persons shall continue a charge upon said borough or township and no person who shall refuse to go to said poor house or to be maintained therein shall be entitled to relief or support from said directors or from said boroughs or township during the time of such refusal Provided however That said directors may if they think proper furnish assistance and afford relief to any poor persons without requiring them to be removed to and kept at said poor house

"Section 10 That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment and if any poor person unless by reason of age infancy disease infirmity or other disability shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors such person or persons shall not be entitled to or receive any relief or assistance during such refusal and shall immediately upon such refusal be discharged from said poor house

"Section 11 That the overseers of the poor and other persons having charge of the poor of the boroughs and township aforesaid shall as soon as notified by the directors in the manner provided for in a preceding section of this act cease to act as overseers of the poor in said boroughs and township except so far as may be required to settle adjust and close their accounts as overseers with said boroughs and township or with persons with whom they have transacted business and

they shall upon demand deliver to the said directors transcrips of all poor taxes remaining unpaid on duplicates in their hands together with all books orders papers and documents pertaining to their office as overseers and shall also pay to the said directors or to the treasurer appointed by them all the moneys unexpended in their hands belonging to the said boroughs or township and the said directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors

"Section 12 That if upon a final settlement by said overseers of the boroughs and township aforesaid of their account as overseers any balance shall be found due them or either of them the said balance shall be certified by the auditors making such settlement and thereupon the said directors are required to issue their order upon the treasurer in favor of such overseer or overseers for the amount or amounts so certified to be due

"Section 13 That the said directors are hereby required yearly on the first Monday of January in each year to make and prepare a statement or to cause the same to be done showing the income of said real estate for the preceding year as nearly as the same can be done also the excess of the expenditures over and above the said income during the said preceding year the amount and kind of personal property then on hand including grain stock and all farming implements and conveniences the number of persons admitted from each of the boroughs and township aforesaid and also the number discharged and belonging to the said boroughs and township respectively and the number belonging to each then therein the length of time each of the said persons remained and the age sex and nativity of each a just and correct account of the receipts and disbursements for each of the said boroughs and township during the preceding year which statement the said directors shall annually in the month of January in each year publish in any weekly newspaper published in either of the said boroughs in three successive issues of the same together with a statement of the aggregate amount of the receipts disbursements and expenditures of said corporation during the preceding year from any source whatever or for any cause or purpose whatsoever

"Section 14 The judges of the court of Common Pleas of the county of Lackawanna are hereby authorized and empowered to appoint on the first Monday of January three competent persons residents and tax payers of the Scranton poor district to constitute a board of auditors one to serve for one year one for two years and one for three years to settle the accounts of said district and on the first meeting of said auditors they shall determine by lot which shall serve for one year which for two years and which for three years and the judges of Lackawanna county shall appoint one auditor annually thereafter for a term of three years and the said board of auditors shall meet to settle the accounts of the directors on the second Monday of January in each year and shall receive for their services each two dollars per day for each day necessarily employed to be paid out of the funds belonging to said district and that said report of said auditors shall be sworn to by them before any alderman justice of the peace or notary public within said poor district Provided That one of the said auditors shall at all times be a resident and tax payer of the old borough of Providence and one of the borough of Dunmore

"Section 15 That all orders issued for the relief of any poor person or persons within said borough or township after the filing of the certificates mentioned in a preceding section of this act shall be directed to the directors of the poor of Providence and upon the receipt of such orders said directors or any of them shall immediately proceed to inquire into the circumstances and if the person or persons therein named are found to be entitled to relief he or they shall furnish such relief or cause such person or persons to be removed or taken to said poor house and there kept and maintained until legally discharged but no persan shall be discharged from said poor house unless at his or her own request except by the direction of at least two of the said directors though any one of the said directors shall have authority to direct a poor person to be admitted into the said poor house

"Section 16 That the said directors are hereby authorized to bind out poor children under their care whose parents are dead or unable to support them as apprentices in the same manner and under the same restrictions as the overseers of the poor **may now by law put out such** children and the said directors shall exercise the same power and authority over all real and personal estate of any poor person under their care as is now by law vested in the overseers of the poor

"Section 17 That the compensation of the treasurer collector steward or superintendent matron physician and other officers or assistants shall be fixed by the directors and the compensation of the directors shall be fixed by the board of auditors at each yearly settlement for the next succeeding year provided that the compensation of said directors from the passage of this act until the first settlement shall be fixed by the board of auditors at the first yearly settlement the said directors to furnish the said auditors a correct account of the time and expense lost and incurred by them in attending to their duties from which account the said compensation shall be fixed and adjusted

"Section 18 That the said directors or treasurer of any one or more of the tax payers of said boroughs or township may within thirty days from the yearly settlement by the auditors as aforesaid appeal from such settlement to the court of common pleas of Luzerne county in the same manner and under the same provisions and regulations that appeals from settlements by township auditors are now allowed

"Section 19 That no moneys shall be paid by the treasurer except upon orders drawn by the directors and signed by at least a majority of said directors

"Section 20 That the borough of Providence and the borough of Hydepark in the county of Luzerne or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said boroughs or either of them to join said corporation it shall be lawful for the burgess and town council of said boroughs or either of them upon petition of twenty or more of the citizens thereof asking to become a part of said corporation to pass an ordinance declaring that said borough shall become a part of said corporation whereupon the burgess shall forthwith cause a copy of said ordinance to be lodged with the directors named in this act or their successors and the burgess and town council shall forthwith appoint some suitable and competent person resident therein to be a director for said borough who shall hold his office for one year or until his successor shall be duly elected and qualified and at the usual spring election next succeeding said appointment the qualified electors of said borough shall elect one suitable and competent person to serve as director for the term or period of three years and the same shall be done every three years threafter Provided That said borough or boroughs rspectively shall on becoming a part of this corporation pay a full proportion of the expenses incurred in the purchase of the real estate erecting the buildings and fitting up and stocking the property and to this end a rate or assessment shall be levied upon the said boroughs or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provisions hereinbefore contained in this act

"Section 21 That the expenses of the corporation so far as paying the officers and assistants costs of auditing accounts and all other matters except as hereinbefore provided shall be borne by the several boroughs and the township included herein in common and shall be paid out of the funds of the corporation to be raised in the manner hereinbefore provided and in case of any tie vote between candidates for the office of director in either the borough of Providence or Hydepark at any election for director hereafter the same shall be decided in the manner as hereinbefore provided for like occurrences in the boroughs of Dunmore and Scranton.

"Section 22 That all acts of assembly or parts of acts hereby supplied or inconsistent with this act are hereby repealed" is amended so as to read as follows

Section 1 The Scranton Poor District which is hereby estabilshed shall consist of all the territory now or hereafter constituting the City of Scranton and the borough of Dunmore This District shall be divided into seven subdistricts which shall be numbered and constituted as follows

The first sub-district shall consist of the first second and third wards of the city

The second sub-district shall consist of the seventh eighth thirteenth and sixteenth wards of the city

The third sub-district shall consist of the ninth tenth twelfth and seveneenth wards of the city

The fourth sub-district shall consist of the eleventh nineteenth and twentieth wards of the city

The fifth sub-district shall consist of the sixth fifteenth eighteenth and twenty-second wards of the city

The sixth sub-district shall consist of the fourth fifth fourteenth and twenty-first wards of the city

The seventh sub-district shall consist of the borough of Dunmore

Section 2 The Poor Board of said Scranton Poor District shall consist of seven qualified electors one from each of said sub-districts who shall be elected as follows

At the municipal election to be held in November one thousand nine hundred and thirteen there shall be elected from each of the seven sub-districts by th qualified electors thereof one qualified elector of each sub-district to represent such subdistrict on the Poor Board The persons elected as directors in the first third fifth and seventh districts shall serve for the term of two years and until their successors are duly qualified

The persons elected directors in the second fourth and sixth districts shall serve for the term of four years and until their successors are duly qualified

At every succeeding municipal election an election shall be held in the proper sub-districts to fill the vacancies in the office of director for the proper district Those so elected shall serve for the term of four years

Section 3 The present offices of directors of the poor of Scranton Poor District are hereby abolished on the first Monday of January one thousand nine hundred and fourteen at which time they shall turn over to such appointed board all real and personal property of the present Scranton Poor District

Section 4 Any vacancy occurring in said board shall be filled for the unexpired term by a majority vote of the remaining members of the board by the selection of a duly qualified elector from the proper sub-district

Section 5 Each of the members of said board shall receive an annual compensation of twelve hundred dollars ($1,200) payable quarterly

Section 6 The term of office of each director shall begin on the first Monday of January next succeeding his election

Section 7 Each member of the board before assuming the duties of his office shall take and subscribe the oath or affirmation prescribed in Article eight of the Constitution of this Commonwealth The oath or affirmation so subscribed shall be filed with the clerk of court of Lackawanna county

Section 8 For each meeting regular or special from which any director shall be absent he shall forfeit the sum of ten dollars ($10) unless he can produce to the board a certificate under the oath of his regular physician to the effect that such director was physically unable to attend such meeting The said sum shall be deducted from the compensation of the director for that quarter

Section 9 Within ten days after the first Monday of January in every year the board shall organize by electing a president who shall be a member of the board a treasurer secretary collector of taxes and attorney Immediately after the first organization of the board it shall elect a superintendent

of the Hillside Home a resident physician and such other employes as it may deem necessary in administering the affairs of the said district These officers and employes shall serve for such terms and at such compensation as may be fixed by the board The board shall hold stated meetings at least every month and shall hold special meetings when called by the president The president shall call a special meeting when requested so to do by two members of the board Four members of the board shall constitute a quorum

Section 10 The board shall cause books to be kept showing the amount of taxes levied for poor purposes in the District the amount collected and exonerated and the amount expended in poor relief and in administering the affairs of said District The board shall keep full records of all meetings and actions All records of the board shall be in the custody of the secretary and shall at all times be open for inspection by any taxpayer of said District

Section 11 No debt shall be contracted or sanctioned except by a majority of the entire membership of the board But orders for temporary relief may be acted on and relief thereon furnished upon the direction of any member of the board But every such order for relief shall be reported by said director at the next meeting of the board and approved hereby

Section 12 No money shall be paid out by the treasurer except on warrant of the board signed by the president and secretary Each warrant shall state on its face specifically for what it is given Each warrant when filled out shall be detached from its proper stub in the warrant book Each stub which shall bear the same number as the corresponding warrant shall show the date and amount of such warrant and in itemized detail for what the same shall have been given

Section 13 The said board shall have power annually to lay a rate of assessment upon all property real and personal and on all trades and occupations for the proper relief and employment of the poor in said District his rate shall be levied upon the county valuation last preceding such assessment The said board shall cause duplicates of such rate to be made and shall issue its warrant to the proper collector of poor tax requiring him to collect from every person firm or corporation named in such duplicate the sum wherewith such person firm or corporation stands charged in the manner and by the same process as poor taxes are now by law collectible And the said board shall exercise all the powers and perform all the duties which overseers of the poor may or are now by law required to exercise and perform within said District except as herein expressly prescribed or limited

Section 14 The said board shall have exclusive power to grant exonerations for taxes levied in pursuance of this act

Section 15 The board shall have power to extend relief to every poor person who shall have a legal settlement in the District Such relief may be extended by requiring such person to be removed to the house or home provided for the poor or by furnishing relief or assistance to any poor person without requiring him or her to be so removed But no person shall be entitled to relief if such person shall refuse to go to such home when so ordered by the board

Section 16 All orders issued for the relief of any poor person in said district shall be directed to the board Upon receipt of any such order the board or any member thereof shall immediately inquire into the circumstances and if the person or persons named therein shall be entitled to relief every such person shall receive relief or shall be removed to the home and there properly kept and maintained until legally discharged

Section 17 The board is authorized to provide work or employment for such poor person as may be able to perform any labor or pursue any employment If any poor person unless incapacitated by infancy age disease or other disability shall refuse to perform such reasonable labor or service as shall be allotted to or required of such person he or she shall not be entitled to receive any relief during such refusal and shall on the continuance of such refusal be discharged from said house or home

Section 18 The Board is authorized to bind out as apprentice any poor child under its care whose parents are dead or unable to support it Such binding out shall be done in the same manner and under the same restrictions as are or may be prescribed by law

Section 19 The board shall exercise the same power and authority over all real and personal estate of any poor person removed to such home as is by law vested in overseers of the poor

Section 20 Except by a majority vote of the board no person shall be discharged from the home unless on the request of such persons or on the refusal of such person to perform such labor or service allotted to or required of such person

Section 21 The board shall cause to be prepared immediately after the first of January in each year a statement showing

(1) An itemized list of receipts during the preceding year

(2) An itemized list of expenditures during the preceding year

(3) An itemized list of all exonerations granted during the preceding year

(4) The income from all real estate during the preceding year

(5) The amount and kind of personal property belonging to the district then on hand

(6) The number of persons to whom outdoor relief has been given during the year giving the age sex and birth place of such persons

(7) The number of persons admitted to the home during the year the number discharged the number of persons who have died in the home and the number in the home at the end of the year This statement shall include the age sex birth place and the sub-district from which each person shall have come

This statement shall thereupon be published once a week for three successive weeks in a weekly newspaper of said district having the greatest circulation in such district

Section 22 The court of common pleas of Lackawanna county shall on the first Monday of January one thousand nine hundred and fourteen appoint three competent electors of said district to constitute a board of auditors One of said auditors shall be an elector of the borough of Dunmore The court shall designate one of such auditors to serve for one year one for two years and one for three years Annually thereafter said court shall appoint one competent elector of the district to serve as auditor for three years The board of auditors shall meet on the second Monday of January in each year or oftener if thereto required and examine and audit all the accounts of the said poor board and make a report thereof Such report shall be sworn to and subscribed by the auditors before any alderman justice of the peace or notary public of the district Each auditor shall receive the sum of five dollars ($5.00) for each day necessarily employed by him in the performance of his duties This compensation shall be paid out of the funds of the district If any auditor shall fail or refuse to perform any of the duties herein prescribed his office shall by the other auditors be declared vacant Any vacancy occurring in the office of auditor shall be filled by the said court on the petition of the remaining auditors Each auditor before assuming the duties of his office shall take the oath or affirmation prescribed by the Constitution of the Commonwealth

Section 23 The board or the treasurer thereof or any taxpayer of the district may within thirty days after the annual settlement of the audiors appeal from such settlement to the said court in the same manner and under the same regulations as appeals from settlements of township auditors are now allowed

Section 24 All acts or parts of acts inconsistent with any of the provisions of this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 588 as follows

An Act fixing the compensation of the Assistant Librarian of The Senate and the Asistant Resident Clerk of the House of Representatives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives shall each receive eighteen hundred dollars ($1,800) for each regular biennial session ten dollars ($10) per diem for each special or extraordinary session and five dollars ($5) per diem during the interim between legislative sessions Their mileage and salaries as returning officers shall be as heretofore authorized by law

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideation of Senate bill No. 590 as follows:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to see her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any wife who has been deserted abandoned or driven from her home by her husband may sue her husband civilly in any court of this Commonwealth having the jurisdiction upon any cause of action now existing or hereafter accruing with like effect as if such wife were a feme sole and in such case the wife shall be a competent witness against the husband.

Provided however that nothing in this act contained shall be deemed to destroy the right of survivorship in any land heretofore or hereafter conveyed to such wife and husband jointly

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate bill No. 25, entitled:

A joint resolution proposing an amendment to the Constitution of the Commonwealth allowing counties cities borough township school district or other municipal or incorporated districts to increase their indebtedness

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 50, enttiled:

An act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties of the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 147, enttiled:

An act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 223, (House bill No. 116), entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 259, entitled:

An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An act defining the offense of the taking of human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' "

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 294, entitled:

An act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 309, entitled:

A joint resolution proposing an amendment to section ten article nine of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 338, (House bill No. 259), entitled:

An act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 341, (House bill No. 170), entitled:

An act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon county is located and providing for the disposition of the fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 356, (House bill No. 200), entitled:

An act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 394, entitled:

An act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 423, entitled:

An act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay the costs of prosecution in certain instances and repealing all acts inconsistent herewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 424, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 472, (House bill No. 147), entitled:

An Act to provide for the protection and preservation of the wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 476, (House bill No. 529), entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commowealth during the period of five years beginning March first one thousand nine hundred

and nine and ending May thirty-first one thousand nine hundred and thirteen

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 499, entitled:

An Act to amend section five hundred and two of an act approved May eighteenth one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith so as to provide the repeal of section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote to more certain and equal assessment of taxes in Philadelphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city"

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 551, entitled:

An Act to repeal an act entitled "An Act for the erection of a poor house in Mercer county' approved the twenty-second day of March one thousand eight hundred and fifty

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 558 entitled :

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleventh one thousand eight hundred and sixty-two in relation to the county of Berks' approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 565, enttiled:

An Act to amend the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and proscribing penalties for violation of its several provisions"

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 569, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 59, as follows:

An Act to amend an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shal lalone be responsible for the debts of the association except under certain circumstances approved the second day of June Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the term existing associations and providing for certain additional officers in such assocatons

Section 1 Be it enacted by the Senate and House of Representiatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenver any assocation formed under the act to which this is a suuplement shall have occasion to increase its capital stock or otherwise amend its recorded statement it shall be lawful for such association after due notice required by existing laws by a vote of a majority of its members in number and interest to increase its copital stock or otherwise amend its statement which amended statement shall be recorded as provided by law and such increase in capital may be made by subscriptions in cash or property as provided by law or for surplus earnings actualy held or invested in property by the association

Section 2 Whenever any association shall increase its capital stock or otherwise amend its statement as provided in the first section of this act it shall be lawful for such association to fix and determine the contemplated duration of said association under such amended statement which shall not exceed the term of twenty years from and after the date of such increase or other amendment

Section 3 It shall be lawful for any associations formed under the act to which this is a supplement to elect of its memebrs a vice president and assistant secretary and assistant treasurer vested with the same authority respectively as the president secretary and treasurer in the absence of such respective officer

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Endsley,	Homsher,	McIlhenny,
Beidleman,	Farley,	Huffman,	Miller,
Buckman,	Fisher,	Hunter,	Morgan,
Catlin,	Gerberich,	Jarrett,	Nulty,
Clark,	Heacock,	Judson,	Powell,
Crow,	Herbst,	Kline,	Sensenich,
Daix,	Hilton,	Knapp,	Sones,
DeWitt,	Hoke,	Kurtz,	Stineman,
		Martin,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 274, as follows:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five" which reads as follows

"Section 3 The said superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said Superintendent shall be held responsible to the Governor for the faithful performance of their duties

"In the office of the Superintendent of Public Grounds and Buildings an assistant superintendent who shall be an experienced and competent bookkeeper at a salary of twenty-five hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum a stenographer at a salary of twelve hundred dollars per annum a store-keeper who shall be a competent bookkeeper at a salary of fourteen hundred dollars per annum an assistant storekeeper at a salary of ten hundred dollars per annum a nightwatchman for the storeroom and department at a salary of nine hundred dollars per annum a messenger at a salary of seven hundred and twenty dollars per annum an assistant messenger at a salary of six hundred dollars per annum

"For the preservation of good order in the Capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum eighteen policemen at a salary of nine hundred dollars each per annum and five night watchmen at a salary of nine hundred dollars each per annum

"For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum a florist at a salary of ten hundred dollars per annum two assistant florists at a salary of nine hundred dollars per annum an assistant foreman of the grounds at a salary of ten hundred dollars per annum and six caretakers at a salary of seven hundred and twenty dollars each per annum

"For the care maintenance and preservation of the Capitol buildings and furnishings a competent foreman of carpenters at a salary of twelve hundred dollars per annum three expert mechanics one each to take care of the marble the painting and the bronze and metal furniture at a salary of twelve hundred dollars each per annum three skilled carpenters at a salary of nine hundred dollars each per annum a skilled cabinetmaker at a salary of nine hundred dollars per annum a clock repairman at a salary of nine hundred dollars per annum ten competent

elevator operators at a salary of nine hundred dollars each per annum two skilled painters at a salary of nine hundred dollars each per annum a competent upholster at a salary of nine hundred dollars per annum two competent hardwood-floor finishers at a salary of nine hundred dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of nine hundred dollars each per annum eighteen charmen at a salary of six hundred dollars per annum a chief of the bureau of information at a salary of seven hundred and twenty dollars per annum six guides at a salary of six hundred dollars each per annum two matrons at a salary of four hundred dollars each per annum two female attendants for the public toilets at a salary of three hundred and sixty dollars each per annum two male attendants for the public toilets at a salary of six hundred dollars each per annum

"For operating the mechanical plant a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineer at a salary of twelve hundred dollars each per annum six firemen at a salary of nine hundred dollars each per annum a skilled electrician at a salary of fourteen hundred dollars per annum an assistant electrician at a salary of nine hundred dollars per annum a wireman at a salary of nine hundred dollars per annum two pump-runners at a salary of nine hundred dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a helper for elevator machinist at a salary of seven hundred and twenty dollars per annum a helper for engine-room at a salary of six hundred dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber-helper at a salary of seven hundred and twenty dollars per annum two motor-tenders at a salary of seven hundred and twenty dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

"For service at the Executive Mansion—a butler at a salary of six hundred dollars per annum a houseman at a salary of four hundred and eighty dollars per annum a night watchman at a salary of seven hundred and twenty dollars per annum one housemaid at a salary of three hundred dollars per annum a laundress at a salary of three hundred dollars per annum a cook at a salary of four hundred and eighty dollars per annum a coachman at a salary of nine hundred dollars per annum and a stableman at a salary of six hundred dollars per annum

"When necessary the Superintendent of Public Grounds and buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings provided That such help shall be paid for out of the superintendent's general fund" is amended so as to read

Section 3 The said Superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-sixth day of March Anno Domini one thousand eight hundred and ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve Article Three of the Constitution relative to contracts for stationery supplies fuel furniture furnishing distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said superintendent shall be held responsible to the Governor for the faithful performance of their duties

In the office of the Superintendent of Public Grounds and Buildings a deputy superintendent In the absence or incapacity of the superintendent and in case of vacancy in the office of superintendent till a successor be appointed the deputy superintendent shall perform all the duties of the superintendent He shall give bond in the penal sum of ten thousand dollars ($10,000) to be approved by the Superintendent of Public Grounds and Buildings conditioned for the faithful performance of his duties and shall receive a salary of twenty-five hundred dollars ($2,500) per annum one clerk at a salary of eighteen hundred dollars per annum one bookkeeper at a salary of fifteen hundred dollars per annum a draughtsman at a salary of fifteen hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum two stenographers at a salary of twelve hundred dollars each per annum a storekeeper who shall be a competent bookkeeper at a salary of two thousand dollars per annum one assistant storekeeper at a salary of twelve hundred per annum an assistant storekeeper at a salary of ten hundred dollars per annum a night-watchman for the storeroom and department at a salary of ten hundred and twenty dollars per annum a messenger at a salary of ten hundred dollars per annum an assistant messenger at a salary of seven hundred and twenty dollars per annum

For the preservation of good order in the capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum twenty policemen at a salary of ten hundred and twenty dollars each per annum and five night-watchmen at a salary of ten hundred and twenty dollars each per annum

For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum three assistant florists at a salary of ten hundred and twenty dollars each per annum an assistant foreman of the grounds at a salary of eleven hundred dollars per annum and six caretakers at a salary of eight hundred and forty dollars each per annum

For the care and preservation of the capitol Buildings and furnishings a competent foreman of maintenance at a salary of eighteen hundred dollars per annum a competent foreman of carpenters at a salary of fifteen hundred dollars per annum a competent foreman of painters at a salary of fifteen hundred dollars per annum three expert mechanics one each to take care of the marble the hardwood floors and the bronze and metal furniture at a salary of twelve hundred dollars each per annum six skilled carpenters at a salary of ten hundred and twenty dollars each per annum an assistant marble mechanic at a salary of ten hundred and twenty dollars per annum a locksmith at a salary of ten hundred and twenty dollars per annum a skilled cabinetmaker at a salary of ten hundred and twenty dollars per annum a clock-repairman at a salary of ten hundred and twenty dollars per annum twelve competent elevator operators at a salary of ten hundred and eighty dollars each per annum four skilled painters at a salary of ten hundred and twenty dollars each per annum a competent upholsterer at a salary of ten hundred and twenty dollars per annum three competent hardwood-floor finishers at a salary of ten hundred and twenty dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of ten hundred and twenty dollars each per annum thirty charmen at a salary of seven hundred and twenty dollars each per annum a chief of the bureau of information at a salary of ten hundred and twenty dollars per annum six guides at a salary of nine hundred dollars each per annum two matrons at a salary of four hundred and eighty dollars each per annum two female attendants for the public toilets at a salary of four hundred and eighty dollars each per annum two male attendants for the public toilets at a salary of seven hundred and twenty dollars each per annum

For operating the mechanical plant—a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineers at a salary of twelve hundred dollars each per annum six firemen at a salary of ten hundred and twenty dollars each per annum a skilled electrician at a salary of fifteen hundred dollars per annum an assistant electrician at a salary of ten hundred and twenty dollars per annum two wiremen at a salary of ten hundred and twenty dollars each per annum two pumprunners at a salary of ten hundred and twenty dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a competent steam-fitter at a salary of ten hundred and twenty dollars per annum a helper for elevator machinist at a salary of nine hundred dollars per annum a helper for engine-room at a salary of seven hundred and twenty dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber helper at a salary of nine hundred per annum two motor-tenders at a salary of nine hundred dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

For services at the Executive Mansion a butler at a salary of seven hundred and twenty dollars per annum a houseman at a salary of five hundred and forty dollars per annum a night-watchman at a salary of ten hundred and twenty dollars per annum a housekeeper at a salary of four hundred and eighty dollars per annum one housemaid at a salary of three hundred and sixty dollars per annum a laundress at a salary of three hundred and sixty dollars per annum a cook at a salary of six hundred dollars per annum a chauffeur at a salary of twelve hundred dollars per annum and a footman at a salary of seven hundred and twenty dollars per annum

When necessary the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings Provided That such help shall be paid out of the Superintendent's General fund

Section 2 This act shall take effect and be in full force on June first one thousand nine hundred and thirteen

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Daix,	Gyger,	Martin,
Beidleman,	DeWitt,	Hoke,	McIlhenny,
Buckman,	Endsley,	Hunter,	Morgan,
Catlin,	Farley,	Jarrett,	Powell,
Clark,	Fisher,	Kline,	Sensenich,
Crow,	Gerberich,	Knapp,	Sones,
		Kurtz,	Stineman,

NAYS—9.

Heacock,	Hilton,	Judson,	Nulty,
Herbst,	Huffman,	Miller,	Sheatz,
			Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 275, as follows:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the

provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authorities and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-sixth day of March one thousand eight hundred ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same" which reads as follows

"Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of May of each and every year by advertisement inserted daily until the day of letting of contracts in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government Executive Mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered to the Board of Public Grounds and Buildings on or before twelve o'clock meridian on the first Tuesday of June following the date of advertisement who shall on said first Tuesday of June at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Audtitor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in June" is amended so as to read as follows

Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of April of each and every year by advertisement inserted daily until the day of opening of bids in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government executive mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered on or before twelve o'clock meridian one the first day of May following the date of advertisement to the Board of Public Grounds and Buildings who shall on said first Tuesday of May at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Auditor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in April Provided That in any such instance or in the event that requisitions are made upon the Superintendent of Public Grounds and Buildings for any article of furniture furnishing stationery supplies fuel or any other matters or things or for the making of any repairs alterations or improvements the want of which was not anticipated at the time of the making of the annual schedule the said Board of Public Grounds and Buildings may in its discretion authorize the Superintendent of Public Grounds and Buildings to invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

Section 2 That the third section of said act which reads as follows

"Section 3 That no proposal for any contract shall be considered or accepted unless such proposal be accompanied by the bond in such form and amount as the Board of Public Grounds and Buildings shall direct with at least two sureties or one surety company approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside conditioned for the faithful performance of the terms of the contract In the event th contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting" is amended so as to read as follows

Section 3 No proposal for any contract shall be considered unless such proposal be accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Board of Public Grounds and Buildings Such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposal may reside or of the county wherein shall be located the principal place of business of the persons firm or corporation making such proposal or one surety company authorized to act as surety in this Commonwealth A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond In the event the contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney-General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting

Section 3 That the fourth section of said act which reads as follows

"Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the day of opening the proposals after which time they shall be returned upon application to the parties filing them" is amended so as to read as follows

Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify said copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the date of opening the proposals after which time they shall be returned on application to the parties submitting them

Section 4 The fifth section of said act which reads as follows

"Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of April in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Sepate or House of Representatives for the fiscal year beginning on the first Tuesday of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum prices fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general

fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractors to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractor's bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and when the same have been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened Such bids as may be made together with a bond in such form as may be prescribed by the Board of Public Grounds and Buildings conditioned for the faithful discharge of the bidders propositions shall be enclosed in envelopes and securely sealed and shall be addressed to and to be mailed or delivered to the Board of Public Grounds and Buildings who shall retain the envelopes unopened until the time fixed by said board for the opening thereof and the board shall have the right to reject any or all bids. The bids so received and opened shall be tabulated and be subject to examination by all persons submitting bids and a record thereof shall be made by the Superintendent in a book to be kept for that purpose" is amended so as to read as follows

Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of February in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first day of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractor's to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractors bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and may standarize any or all supplies stationery and paper in such a way as to secure the maximum of economy commensurate with efficiency When the list or schedule has been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided shall cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened All bids shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper bond or certified check as provided in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the board of public grounds and buildings who shall retain all envelopes unopened until the time fixed by law for the opening thereof the board shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all the bidders A record of such bids shall be made by the superintendent in a book to be kept for that purpose

Section 5 That the ninth section of said act which reads as follows

"Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the ending of each fiscal year ending the first Tuesday in June he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year" is amended so as to read as follows

Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the end of each fiscal year ending the thirty-first day of May he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year

And the amendments made thereto having been printed as required by the Constitution

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Hunter,	McNichols,
Beidleman,	Fisher,	Jarrett,	Miller,
Buckman,	Gerberich,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Heacock,	Knapp,	Powell,
Crow,	Hoke,	Kurtz,	Sensenich,
Daix,	Homsher,	Martin,	Sones,
Endsley,	Huffman,	McIlhenny,	Stineman,
		McNichol,	Vare,

NAYS—2.

Herbst, Sheatz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask unanimous consent that Senate No. 316 on final passage, entitled:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 16, entitled:

An Act to safeguard employes in certain industrial establishments by requiring warning in advance of the putting in motion of machinery and fixing a penalty for violation hereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SONES. Mr. President, I ask unanimous consent to amend the bill in section 1. line 5, by striking out after the word "the" the word "machinery" and inserting in lieu thereof the words "engine or its equivalent."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 52, entitled:

An Act amendng an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

And said bill having been read at length the third time, and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Hunter,	Miller,
Beidleman,	Fisher,	Jarrett,	Mills,
Buckman,	Gerberich,	Jones,	Morgan,
Catlin,	Gyger,	Judson,	Nulty,
Clark,	Heacock,	Kline,	Powell,
Cooper,	Herbst,	Knapp,	Sensenich,
Crow,	Hilton,	Kurtz,	Sheatz,
Daix.	Hoke,	Martin,	Sones,
DeWitt,	Homsher,	McIlhenny,	Stineman,
Endsley,	Huffman,	McNichol,	Vare,
		McNichols,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 65, entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of piotage and nummeb rof piots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, in behalf of the Senator from Delaware, Mr. Sproul, I ask unanimous consent to amend the bill in the title, in line 4, by striking out after the word "purposes" the double quotation marks; also in line 6, by inserting after the word "pilots" double quotation marks; also, in section 1, line 10, by striking out the word "person" and inserting in lieu thereof the word "pilot;" also, in section 1, line 12, by inserting after the word "receive" the words "a license as a first class pilot and to demand and receive."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 66, entitled:

A supplement to an act entitled 'An Act to estabish a board of commissioners of navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basin and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware River and its navigable tributaries and fixing certain penalties for the violation thereof

And said bill having been read at length the third time, and agree to,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, in behalf of the Senator from Delaware. Mr. Sproul, I ask unanimous consent to amend the bill in section 2, line 1, by striking out the words and figures" section "11" and inserting in lieu thereof the words and figures "section 2;" also, in section 2, line 11, by inserting after the word "Philadelphia" the words "alderman."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended by printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 67, entitled:

An Act to repeal of the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the Port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three"

And said bill having been read at length the third time, and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Judson,	Moore,
Beidleman,	Gerberich,	Kline,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Herbst,	Kurtz,	Powell,
Clark,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
Daix,	Homsher,	McNichol,	Snyder,
DeWitt,	Hunter,	McNichols,	Sones,
Endsley,	Jarrett,	Miller,	Stineman,
Farley,	Jones,	Mills,	Vare.
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 124, as follows:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section one of the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person shall die seized of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the Orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs and the guardians or committees of such as are minors or under disabilities in whom the real estate of the decedent shall have vested by descent or will setting forth the description of the property the desire to have the same sold to order the executor administrator or a trustee to make sale after he shall have given bond with one or more sureties in double the appraised value of the real estate to be approved by the court and proceed thereafter in all respects in the manner now provided by existing laws in cases of the sale of real estate under proceedings in partition and the proceeds of such sale after the payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Provided That such sale shall have the same affect in all respect as a public sale in proceedings in partition of real estate under existing laws" is amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person shall die seized of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the Orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs and the guardians or committees of such as are minors or under disabilities in whom the real estate of the decedent shall have vested by descent or will and legatees whose legacies are charged on said real estate or the representatives of such legatees as may be deceased setting forth the description of the property the desire to have the same sold to order the executor administrator or a trustee to make sale after he shall have given bond with one or more sureties in double the appraised value of the real estate to be approved by the court and proceed thereafter in all respects in the manner now provided by existing laws in cases of the sale of real estate under proceedings in partition and the proceeds of such sale after the payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Provided That such sale shall have the same affect in all respects as a public sale in proceedings in partition of real estate under existing laws

And said bill having been read at length the third time, and agree to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Jarrett,	Moore,
Beidleman,	Gerberich,	Jones,	Morgan,
Buckman,	Graff,	Judson,	Nulty,
Catlin,	Heacock,	Kline,	Powell,
Clark,	Herbst,	Knapp,	Sensenich,
Crow,	Hilton,	Kurtz,	Sheatz,
Daix,	Hoke,	Martin,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 139, entitled:

An Act providing what effect shall be given to admission to practice in the Supreme Court when the person so admitted applies for admission to practice in the other courts of this Commonwealth

And said bill having been read at length the third time, and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Heacock,	Knapp,	Powell,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 140, as follows:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree except in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bills and answers in equity shall be sworn to and the rule in equity that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree is hereby abolished as to proceedings hereafter to be begun Provided that nothing herein contained shall affect or impair the requirements of proof in cases where it is attempted to reform or overthrow a written instrument

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Heacock,	Knapp,	Powell,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 151, as follows:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semi-monthly The first payment shall be made between the first and fifteenth day of each month for the wages or earnings due up to said first day The second payment shall be made between the fifteenth and the last day of each month for the wages or earnings due up to such fifteenth day

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dollars ($100)

Section 3 Nothing in this act shall prohibit the weekly payment of wages or earnings

Section 4 This act shall go into effect on the first day of July one thousand nine hundred and thirteen

Section 5 All acts or parts of acts inconsistent with the provisions of this act are repealed

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I ask unanimous consent to amend the bill in section 1, by striking out in lines 8 and 9, the words "for the wages or earnings due up to the first day", and inserting in lieu thereof the word "and"; and also by striking out the whole of line 11 of section 1, as follows: "for the wages or earnings due up to each fifteenth day"; also, in section 3, in line 1, by striking out the word "weekly" and by adding to line 2, after the word "earnings" the words "oftener than semi monthly".

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 158, entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways in such townships.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Jarrett,	Morgan,
Buckman,	Gerberich,	Jones,	Nulty,
Catlin,	Graff,	Judson,	Powell,
Clark,	Gyger,	Kline,	Sensenich,
Cooper,	Heacock,	Knapp,	Sheatz,
Crow,	Herbst,	Kurtz,	Snyder,
Daix,	Hoke,	Martin,	Sones,
DeWitt,	Homsher,	McNichol,	Stineman,
Endsley,	Huffman,	McNichols,	Vare,
		Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BEIDLEMAN. Mr. President, I ask that Senate Bill No. 178, on third reading entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 190, as follows:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for mercantile forest products whether such be of natural re-production or from seed sown or trees planted out or all combined all surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

Section 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the Department of Forestry of his desire in manner and form to be prescribed by said Department Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the Department may require If upon receipt and consideration of this notice the Department shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the Commissioners of this county in which said land is located

Section 3 Upon receipt by the county commissioners of such certificate of the Department it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the Department become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the Department shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the Department to care for the trees growing thereon according to the instructions and directions of the Department up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land agreed with the Department and due proof thereof is made the Department may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care for the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the Department proceed to recover from said owner for the use of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the Department shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the Department that he desires such removal

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the Department shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut if in the judgment of the Department there be any and the cutting and removal of said trees so designated shall be in accordance with the instructions of the Department

Section 5 If the owner of said surface land faithfully carries out the instructions of the Department with regard to the removal and marketing of such mature or other trees as may be designated in the instructions of the said Department and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the approval of the Department then such surface land shall remain in the said class established by section one of this act otherwise the Department shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Department in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of the said surface land by the Department shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove therefrom trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Department be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privileged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary by the owner or involuntary under any statutory or judicial proceeding whatsoever whether of any State or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Graff,	Kline	Powell,
Catlin,	Gyger,	Knapp,	Sensenich,
Clark,	Heacock,		Sheatz,
Cooper,	Herbst,	Martin,	Snyder,
Crow,	Hilton,	McIlhenny,	Sones,
Daix,	Hoke,	McNichol,	Stineman,
DeWitt,	Homsher,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 191, as folows:

An Act to provide for the assessment and taxation of auxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law shall be rated in value for the purpose of taxation not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however That if the said surface land be underlaid with coal iron ore oil gas or other valuable minerals said minerals may be separately assessed The assessors in the several districts in which such lands are situate shall assess such lands in the manner now or hereafter provided for the assessment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their returns to the county commissioners in like manner as is now or hereafter may be provided by law subject to exception appeal and final adjustment

Section 2 Upon receipt of assessment returns from the various assessors the county commissioners shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with them by the Department of Forestry and the original assessment returns made by said assessors shall be preserved

Section 3 Whenever timber on land which is included in the class of land known as auxiliary forest reserves is harvested the then owner of said land shall pay to the county treasurer within ninety days after harvesting ten pen centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the county commissioners one to the county treasurer and one to the Department of Forestry immediately after harvesting by the then owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each county to the county and to the poor district the road district and the school district of the township in which the auxiliary reserve is situate pro rata based upon the last assessed millage of taxation for county poor road and school purposes within said taxing district

Suc sum of money when ascertained to be due as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the county treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made

And be if further provided that all moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the public roads now or heerafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves abut on such highways then said moneys shall be used for general township road purposes

Section 4 Should the county commissioners be dissatisfied with the return made as hereinbefore provided in section three hereof the court of Common Pleas of the proper county on petition of the commissioners shall appoint a board of three appraisers who shall go upon the land in question estimate the quality and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be duly sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have the right of appeal to the court of Common Pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be fixed by the court both to be paid by the county commissioners

Section 5 In case of the removal of said lands from the class known as auxiliary forest reserves prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the county commissioners shall on notice from the Department ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in section two of this act adding legal interest from the date when each tax payment would have become delinquent The said commissioners shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection of county taxes under general laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of a matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary forest reserves

Section 6 This act shall take effect only beginning with assessments made for the purpose of levying taxes for the fiscal year one thousand nine hundred and fourteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Heacock,	Knapp,	Powell,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichol,	Stineman,
Endsley,	Huffman,	McNichols,	Vare,
Farley,	Hunter,	Miller,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 192, as follows:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Whereas, By existing law the State forest reserves are subject to an annual charge of two cents per acre for the benefit of schools and two cents per acre for the benefit of roads in the respective districts in which said reserves are located and

Whereas, It would be a hardship to withhold from school and road districts the taxes which would otherwise be collected from land classified as auxiliary forest reserves therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all lands which shall hereafter be classified as auxiliary forest reserves shall be subject to an annual charge of two cents per acre for the benefit of the schools and two cents per acre for the benefit of the roads in the respective districts in which said reserves are located Said charge is hereby made payable by the State

Section 2 The Commissioner of Forestry shall certify to the respective school districts and road districts throughout the Commonwealth in which auxiliary forest reserves are located the number of acres thus set apart and classified in each district and the charge against the same and shall furthermore certify to the State Treasurer the number of acres as aforesaid and the charge against the same in favor of the respective school and road districts The State Treasurer shall unpon the approval of the proper warrants of the Commissioner of Forestry pay to the several school districts and road districts the amount due the same from the Commonwealth as derived under this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Judson,	Morgan,
Buckman,	Gerberich,	Kline,	Nulty,
Catlin,	Graff,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Martin,	Sheatz,
Crow,	Hilton,	McIlhenny,	Snyder,
Daix,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Vare,
		Ills,	Washers.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 210, entitld:

An Act to amend section ten of an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven provid-

ing for the sale of mixed paints white leads and colors ground in oil and all lead products and painters' materials used in the arts and industries without the necessity of labeling the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Huffman,	Miller,
Beidleman,	Fisher,	Hunter,	Moore,
Buckman,	Gerberich,	Judson,	Morgan,
Catlin,	Graff,	Kline,	Powell,
Clark,	Gyger,	Knapp,	Sensenich,
Cooper,	Heacock,	Kurtz,	Sheatz,
Crow,	Herbst,	Magee,	Snyder,
Daix,	Hilton,	Martin,	Sones,
DeWitt,	Hoke,	McIlhenny,	Stineman,
Endsley,	Homsher,	McNichol,	Vare,
		McNichols,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. POWELL. Mr. President, I ask that Senate Bill No. 211, on third reading entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the President Judge of the court of Common Pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class or when it may be know to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 308, entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Judson,	Morgan,
Buckman,	Gerberich,	Kline,	Nulty,
Catlin,	Graff,	Knapp,	Powell,
Clark,	Gyger,	Kurtz,	Sensenich,
Cooper,	Heacock,	Martin,	Sheatz,
Crow,	Herbst,	McIlhenny,	Snyder,
Daix,	Hilton,	McNichol,	Sones,
DeWitt,	Hoke,	McNichols,	Stineman,
Endsley,	Homsher,	Miller,	Vare,
		Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 339, (House Bill No. 301), entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Farley,	Judson,	Moore,
Beidleman,	Fisher,	Kline,	Morgan,
Buckman,	Gerberich,	Knapp,	Nulty,
Catlin,	Graff,	Kurtz,	Powell,
Clark,	Gyger,	Martin,	Sensenich,
Cooper,	Heacock,	McIlhenny,	Sheatz,
Crow,	Herbst,	McNichol,	Snyder,
Daix,	Hoke,	McNichols,	Sones,
DeWitt,	Homsher,	Miller,	Stineman,
Endsley,	Hunter,	Mills,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. HERBST. Mr. President, I ask that Senate Bill No. 362, on third reading, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 380, (House No. 25), entitled:

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Judson,	Nulty,
Beidleman,	Graff,	Kline,	Powell,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Crow,	Hilton,	McIlhenny,	Snyder,
Daix,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Vare,
Farley,	Hunter,	Moore,	Wasbers,
Fisher,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 405, entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hopstals or houses in which the insane are place for treatment or detention" approved the eighth day of May one thousand eight hundred eighty-three so as to fix the number and compensation of the officers of the committee on lunacy

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Farley,	Judson,	Moore,
Beidleman,	Fisher,	Kline,	Morgan,
Buckman,	Gerberich,	Knapp,	Nulty,
Catlin,	Graff,	Kurtz,	Powell,
Clark,	Gyger,	Martin,	Sensenich,
Cooper,	Heacock,	McIlhenny,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Stineman,
Endsley,	Hunter,	Mills,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 406, entitled.

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Homsher,	Moore,
Beidleman,	Farley,	Hunter,	Morgan,
Buckman,	Fisher,	Kline,	Sensenich,
Catlin,	Gerberich,	Kurtz,	Sheatz,
Clark,	Graff,	Martin,	Snyder,
Crow,	Gyger,	McIlhenny,	Sones,
Daix,	Hilton,	McNichol,	Stineman,
			Vare,

NAYS—4.

DeWitt,	Heacock,	Herbst,	Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 409, (House No. 454), entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or steams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Farley,	Huffman,	Mills,
Beidleman,	Fisher,	Hunter,	Moore,
Buckman,	Gerberich,	Judson,	Morgan,
Catlin,	Graff,	Kline,	Nulty,
Clark,	Gyger,	Knapp,	Powell,
Cooper,	Heacock,	Kurtz,	Sensenich,
Crow,	Herbst,	Martin,	Snyder,
Daix,	Hilton,	McIlhenny,	Sones,
DeWitt,	Hoke,	McNichol,	Stineman,
Endsley,	Homsher,	McNichols,	Vare,
		Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 410, on third reading entitled:

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in or about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering therein providing for the enforcement and collection thereof and prohibiting the removal of said structures after notice of such lien

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 421, as follows:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Wishington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy'" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April one thousand eight hundred and thirty be and the same is hereby repealed

Section 2 That the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy'" approved the twenty-ninth day of March one thousand eight hundred and thirty-six be and the same are hereby repealed

Section 3 That the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April one thousand eight hudnred and fifty-five be and the same is hereby repealed so far as it relates to the county of Washington

Section 4 That this act shall be in force and take effect on the first Monday of January Anno Domini one thousand nine hundred and fourteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Heacock,	Kurtz,	Powell,
Clark,	Herbst,	Martin,	Sensenich,
Crow,	Hilton,	McIlhenny,	Sheatz,
Daix,	Hoke,	McNichol,	Snyder,
Endsley,	Homsher,	McNichols,	Sones,
Farley,	Huffman,	Miller,	Stineman,
Fisher,	Hunter,	Mills,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 430, on third reading entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven" entitled "An Act to amend sections nine and ten

of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitute a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between states"

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW. Mr. President, I ask that Senate Bill No. 461, on third reading entitled:

An Act declaring vacant seats of members of borough councils who fail to qualify or who fail to attend to regular meetings of council and empowering councils to declare vacant the seats of such members and empowering councils to fill such vacancies

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 477, (House No. 564), entitled:

A Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nay were taken agreeably to the provisions of the Constitution, and were as follows, viz.

YEAS—38.

Alexander,	Fisher,	Hunter,	Moore,
Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Graff,	Kline,	Nulty,
Catlin,	Gyger,	Knapp,	Powell,
Clark,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
Endsley,	Homsher,	McNichol,	Stineman,
Farley,	Huffman,	McNichols,	Vare.
		Miller,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. MILLER. Mr. President, I ask that Senate Bll No. 490, on third reading entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 493, (House No. 352), entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand nine hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Endsley,	Hunter,	Moore,
Beidleman,	Farley,	Jones,	Morgan,
Buckman,	Gerberich,	Kline,	Nulty,
Catlin,	Graff,	Knapp,	Powell,
Clark,	Gyger,	Kurtz,	Sensenich,
Cooper,	Heacock,	Martin,	Sheatz,
Crow,	Herbst,	McIlhenny,	Snyder,
Daix,	Hilton,	McNichol,	Stineman,
DeWitt,	Homsher,	McNichols,	Vare,
		Miller,	Washers,

NAYS—2.

Fisher, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 518 on third reading entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 556, entitled:

An Act to permit of the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Jones,	Moore,
Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Graff,	Kline,	Nulty,
Catlin,	Gyger,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Martin,	Sheatz,
Crow,	Hilton,	McIlhenny,	Snyder,
Daix,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Vare,
Farley,	Hunter,	Mills,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 572 on third reading entitled:

An Act to validate appointments heretofore made of persons to act as patrolman and fireman of cities of the first class of this Commonwealth

be recommitted to the Committee on Municipal Affairs for the purpose of amendment.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 107, (Senate Bill No. 620), entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 197, (Senate Bill No. 621), entitled:

An Act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages

solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of orphans' court

Which was committed to the Committee on Judiciary General.

House Bill No. 252, (Senate Bill No. 622), entitled:

An Act relating to the holding of a constitutional convention providing for the submission of the question of holding such a convention to the electors regulating the time and manner of nominating and electing delegates fixing their number and compensation providing for the organization and constitution of the convention defining its power providing for the publication of the constitution proposed by the convention and for its submission to the electors and making an appropriation to carry out the provisions of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 253, (Senate Bill No. 622), entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

Which was committed to the Committee on Judiciary Special.

House Bill No. 305, (Senate Bill No. 624), entitled:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for county borough town or township taxes respectively and providing for the sale of such lands for taxes

Which was committed to the Committee on Judiciary Special.

House Bill No. 466, (Senate Bill No. 625), entitled:

An Act to amend the title the first section the second section and the third section of an act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

Which was committed to the Committee on Judiciary Special.

House Bill No. 735, (Senate Bill No. 626), entitled:

An Act to amend an act entitled "An amendment to an act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them" providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

Which was committed to the Committee on Judiciary Special.

House Bill No. 883, (Senate Bill No. 627), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

Which was committed to the Committee on Municipal Affairs.

BILLS INTRODUCED.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 628, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania located at Harrisburg

Which was committed to the Committee on Appropriations,

Also read in his place and presented to the Chair Senate Bill No. 629, entitled:

An Act making an appropriation to the trustees of the State Asylum for the Chronic Insane of Pennsylvania at South Mountain Wernersville Pennsylvania

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 630, entitled:

An act fixing the salary of the Second Assistant State Librarian

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 631, entitled:

A supplement to an act approved the sixteenth day of June one thousand nine hundred and eleven entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capitol Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania Railroad Company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" and making an appropriation

Which was committed to the Committee on Appropriations.

Mr. CROW. Mr. President, I ask unanimous consent to read bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act to amend an act approved the thirteenth day of April one thousand nine hundred and five entitled "An Act providing that the right of eminent domain as respects the appropriation of streams rivers or waters or the land covered thereby shall not be exercised by water companies incorporated under law

Which was committed to the Committee on Corporations.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW from the Committee on Judiciary Special reported as amended, Senate Bill No. 542, (House Bill No. 600), entitled:

An act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

BILL ON THIRD READING.

Mr. SNYDER. Mr. President, the Senator from Lancaster, Mr. Homsher, requested that Senate Bill No. 518, entitled:

An act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

go over in its order. That was for the purpose of amendment, and I ask unanimous consent that the Senate proceed to the consideration of that bill.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 518, entitled:

An act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SNYDER: Mr. President, I ask unanimous consent to amend the bill in section 1, line 8, by striking out the word "shall" after the word "thousand" and inserting in lieu thereof the word "may".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at tihs time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW from the Committee of Judiciary Special reported as committed, Senate Bill No. 630, entitled:

An act fixing the salary of the Second Assistant State Librarian

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth which were read as follows and referred to the Committee on Judiciary General:

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert P. Kunkle, to be Alderman in and for the Seventeenth Ward of the City of Scranton, County of Lackawanna, vice John T. Howe, deceased.

JOHN K. TENER.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, P. O. Freas, to be Justice of the Peace in and for the Borough of Punxsutawney, County of Jefferson, vice Henry W. Mundorff, resigned, to serve until the first Monday of January, 1914.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

P. R. Hilleman, Pittsburgh, March 14, 1913.

LEHIGH COUNTY.

Henry W. Mohr, Allentown, April 3, 1913.

LEBANON COUNTY.

Miss Maude P. Maguire, Lebanon, March 23, 1913.

MONTGOMERY COUNTY.

Louise S. Whitcomb, Upper Dublin Twp., March 13, 1913.
Miss Katharine R. Kiernan, Norristown, April 13, 1913.

PHILADELPHIA COUNTY.

Paul W. Blattenberger, Philadelphia, April 7, 1913.
Peter M. MacLaren, Philadelphia, April 24, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Thomas M. Boyd, Jr., Pittsburgh.
Edward J. Ohl, Pittsburgh.

LANCASTER COUNTY.

Aaron W. Snader, New Holland.

LEHIGH COUNTY.

William A. Gotthardt, Allentown.
John P. M. Wint, Whitehall Twp.

MONTGOMERY COUNTY.

Abraham S. Hallman, Norristown.
John Hyatt Naylor, Norristown.

PHILADELPHIA COUNTY.

Jno. A. Fouser, Philadelphia.
Louis J. Gandolfo, Philadelphia.
Miss Mabel H. Lewis, Philadelphia.
Reuben R. Longaker, Philadelphia.
Benjamin H. Ludlow, Philadelphia.
William J. McColgan, Philadelphia.
John I. Maloney, Philadelphia
Michael A. Maloney, Philadelphia.
Howard A. Wilson, Philadelphia.

SCHUYLKILL COUNTY.

Miss Helen C. Quinn, Pottsville.

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 1

He also laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 1, entitled "An Act relating to moneys heretofore received by the Highway Department from fees for registration of motor-vehicles and the licensing of operators and making an appropriation thereof."

JOHN K. TENER.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced informed the Senate that the House had concurred in the resolution of the Senate as follows:

In the Senate, March 11, 1913.

Resolved, (if the House of Representatives concur) That when the Senate adjourns this week it be to meet on Tuesday morning, March 18, at 11 o'clock.

CONCURRENT RESOLUTION REQUESTING THE UNITED STATES SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTIVES OF THE UNITED STATES TO VOTE FOR A BILL PLACING ON THE RETIRED LIST OFFICERS WHO SERVED IN THE CIVIL WAR.

He also presented for concurrence resolution which was read as follows and referred to the Committee on Pensions and Gratuities.

In the House of Representatives, January 22, 1913.

Whereas The Government of the United States in securing volunteers for soldiers for the Civil War of one thousand eight hundred and sixty-one to sixty-five offered "the officers non-commissioned officers and private organized in the army navy and marine corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the regular army"

And Whereas, The Congress of the United States pased acts of Congress on the twenty-second day of July one thousand eight hundred and sixty-one and of the third of August one thousand eight hundred and sixty-one and at divers other times embodying and making pledges and promises aforesaid

And Whereas, By the pension laws of the United States passed by the Congress of the United States and in existence and in force at this date there is provisions made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned mentioned and characterized as such

And Whereas, There has been no provision made for the redemption of the pladges and promises as aforesaid to the officers designated as such in the said act or any other act or acts of Congress contained

Now, Therefore, By reason of the promises herein before set forth

Be it Resolved, (if the Senate concur) That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an act of Congress providing for the institution of a roll designated "The Civil War Officers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectively of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the army navy and marine corps of the United States respectfully in and during the Civil War of one thousand eight hundred and sixty-one to sixty-five and will embody and provide for the redemption of the pledges and promises in said acts of Congress of one thousand eight hundred and sixty-one and other acts of Congress aforesaid

And be it further Resolved, That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such act of Congress designated in the preceding resolution

REPORT FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY from the Committee on Judiciary General reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at to-day's session, which were laid upon the table.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be despensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Farley,	Hunter,	Miller,
Beidleman,	Fisher,	Jones,	Morgan,
Buckman,	Gerberich,	Judson,	Powell,
Catlin,	Graff,	Kline,	Sensenich,
Clark,	Gyger,	Knapp,	Sheatz,
Cooper,	Heacock,	Kurtz,	Snyder,
Crow,	Herbst,	Martin,	Sones,
Daix,	Hoke,	McIlhenny,	Stineman,
Endsley,	Homsher,	McNichol,	Vare,
		McNichols,	Wasbers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER from the Committee on Judiciary Special reported as committed, Senate Bill No. 620, (House Bill No. 107), entitled:

An act establishing court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the precedure therein and appeals therefrom and providing for the expenses thereof

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN from the Committee on Municipal Affairs reported as committed, Senate Bill No. 390, entitled:

An act amending section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine requiring the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of November of each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 633, entitled:

An act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for service in said regiment providing for said regiment a regimental band

Which was committed to the Committee on Military Affairs.

ADJOURNMENT.

Mr. SNYDER. Mr. President, I move that the Senate do now adjourn until Tuesday morning, March 18, at 11 o'clock.

Mr. BUCHMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:50 P. M., until Tuesday March 18, 1913, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 12th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou art the Author of all wisdom and the fountain of all light. We come to Thee this morning, asking that Thou wouldst so enlighten our minds with the knowledge of the truth and so govern our wills by Thy laws, that no evil shall entice us or lead us astray, and no temptation corrupt us. We pray for Thy guidance and government. Thy quickening and help through the whole day, keeping us faithful in our duties and services, giving us alert minds, cheerful dispositions, and responsive hearts. May we be ready to respond to the calls which come as the day advances, and may we cultivate that forbearance and charity, that brotherly kindness and sympathy, which shall most closely attach us to those who are about us, and make our influence enriching and helpful. And we ask all this in the name of him who taught us to say: Our Father, who art in Heaven, hallowed by Thy name, Thy Kingdom come, Thy will be done, on earth as it is in Heaven; Give us this day our daily bread, and forgive us our debts as we forgive our debtors. Lead us not into temptation, but deliver us from all evil, for Thine is the Kingdom and the power and the glory, forever. Amen.

The SPEAKER: The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Mannion, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. FREY. House Bill No. 1273.

An Act making an appropriation to the Visiting Nurse Association of the City of York, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. PRICE. House Bill No. 1274.

An Act defining, regulating the furnishing by gift, sale, prescription or otherwise thereof, and providing penalties for violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. ULERICH. House Bill No. 1275.

An Act to establish as a "State Highway" a certain section of public road commencing in the borough of Donegal, Westmoreland county, at a point on route number one hundred eighty-six, thence by way of Stahlstown, Harold, Ligonier borough, Lose, Hillesview, Fort Palmor, West Fairfield and New Florence borough to Seward borough, thence to a point on the line dividing Westmoreland and Indiana counties, thence to Cramer, Indiana county, connecting with route number two hundred twenty-three.

Referred to the Committee on Public Roads

By Mr. JAMES A DUNN. House Bill No. 1276.

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of Highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to

maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by the State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. GRAMLEY. House Bill No. 1277.

An Act to amend an act entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of Quarter Sessions of the several counties to carry out the provisions of the same," approved the eighteenth day of April, one thousand eight hundred and ninety-three; and providing a method for voting at the general elections by voters who are absent from the lawfully designated election districts in which they are domiciled, and providing a penalty.

Referred to the Committee on Elections.

By Mr. LOWERS. House Bill No. 1278.

An Act authorizing all boroughs within this Commonwealth to regulate the production or omission of smoke from chimneys, smoke stacks, or other source.

Referred to the Committee on Municipal Corporations.

By Mr. WILDMAN. House Bill No. 1279.

An Act requiting certain banks, banking companies, and trust companies to keep their banking departments open during certain hours on certain holidays.

Referred to Committee on Banks and Banking.

By Mr. ALLEN. House Bill No. 1280.

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

Referred to Committee on Judiciary Special.

By Mr. SPANGLER. House Bill No. 1281.

An Act providing for the survey and deepening and improving of a certain portion of Codorus Creek near York, Pennsylvania, and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. McNICHOL. House Bill No. 1282.

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture, in use as such, to the value of three hundred dollars; and providing a method for the appraisal of such household goods and furniture.

Referred to the Committee on Judiciary Special.

By Mr. McNICHOL. House Bill No. 1283.

An Act relating to assignement of or order for wages or salary to be earned in the future to secure a loan.

Referred to the Committee on Judiciary Special.

By Mr. Williams. House Bill No. 1284.

An Act fixing the salary of the messenger in the State Library.

Referred to the Committee on Library.

By Mr. GEARY. House Bill No. 1285.

An Act making an appropriation to the Coleman Industrial Home, of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. AMBLER. (By Request) House Bill No. 1286.

An Act to designate the several judicial districts of the Commonwealth as required by the constitution and to provide for the election, appointment and commissioning of judges learned in the law for said districts in cases where such judges are not provided for by existing law.

Referred to the Committee on Judicial Apportionment.

By Mr. WALNUT. House Bill No. 1287.

An Act prohibiting the solicitation, collection or receipt, directly or indirectly by or from officials or employees of the civil service of this Commonwealth or of any county, city or other civil division thereof, of any assessments or contributions for any political purposes whatever, or the solicitation, collection or receipt by any person of any such assessments or contributions in buildings occupied by the Commonwealth or any civil division thereof for governmental or public purposes and providing that any violation of this act shall be punished as a misdemeanor.

Referred to Committee on Elections.

By Mr. WALNUT. House Bill No. 1288.

An Act to provide for the abatement of discharge of smoke in cities of the first class, for the regulation of all such discharges and the sources thereof, and for the punishment of those causing or permitting the emission of smoke in violation of such provisions.

Referred to the Committee on Municipal Corporations.

By Mr. HACKETT. (By request). House Bill No. 1289.

An Act to regulate the business of pawn brokers in this Commonwealth.

Referred to the Committee on Banks and Banking.

By Mr. FREY. House Bill No. 1290.

An Act making an appropriation to the burgess and town council of the borough of Hanover, York county, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HUMES. House Bill No. 1291.

An Act defining milk and milk food products and regulating the production, storage, transportation and sale thereof; providing for a milk hygiene service under the dirction of the State Livestock Sanitary Board; providing for the examination of milk and milk food products, and premises and equipment where and whereby milk and milk food products are produced, prepared, stored, transported or sold; authorizing boards of health in cities, boroughs, towns and townships of the first class to appoint local milk hygiene agents; and providing penalty for violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. STEIN. House Bill No. 1292.

An Act making appropriation to the Board of Directors of the Duquesne University of the Holy Ghost at Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BERGEY. House Bill No. 1293.

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth; providing for the election of such commissioner; and prescribing his powers and duties.

Referred to the Committee on Municipal Corporations.

By Mr. CLAYCOMB. House Bill No. 1294.

A Supplement to an act entitled "An Act defining and prohibiting pandering; providing penalties for violation hereof; and regulating the competency of certain evidence at the trial thereof;" approved the seventh day of June, one thousand nine hundred and eleven.

Referred to Committee on Judiciary General.

By Mr. STONE. House Bill No. 1295.

An Act regulating the manner of insuring buildings and structures against loss or damage by fire or lightning; making fire insurance companies liable for the full amount of the policy in case of total loss; and providing penalty for violation of this act.

Referred to Committee on Insurance.

By Mr. HERMAN. House Bill No. 1296.

An Act requiring certain railroad tunnels to be ventilated and providing a penalty for violation.

Referred to Committee on Railroads.

By Mr. METZENBACHER. House Bill No. 1297.

An Act to amend route number two hundred seven, of section six, of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of im-

provement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, township, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts regulating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. METZENBACHER. House Bill No. 1298.

An Act to establish as a "State Highway" a certain section of public road, commencing in the borough of Linesville, at a point on route number eighty-three; thence southwardly by way of Stewartsville, to a point in the borough of Hartstown, Venango County, connecting with route number eighty-two.

Referred to Committee on Public Roads.

By Mr. STEIN. House Bill No. 1299.

An Act making an appropriation to the Florence Crittenton Home and Rescue Association, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STEIN. House Bill No. 1300.

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued.

Referred to the Committee on Municipal Corporations.

By Mr. STEIN. House Bill No. 1301.

An Act to increase the powers of courts in summary proceedings for desertion, or non-support of wives, children, whether legitimate or illegitimate, or aged parents by directing that imprisonment in such cases be at hard labor in such institution as the court shall name with the wages payable to the wives, children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct; and providing for the payment of the expense incident to the carrying out of this act.

Referred to the Committee on Judiciary General.

By Mr. ALWORTH. House Bill No. 1302.

A Supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing a revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May Anno Domini, one thousand nine hundred and eleven; amending sections 2622, 2624, 2626 and 2627 thereof; and also conferring upon taxpayers similar rights in regard to reports of auditors of school districts of the second, third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter files, and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto.

Referred to Committee on Education.

By Mr. SWARTZ. House Bill No. 1303.

An Act authorizing and regulating the construction of a bridge over theSusquehanna river between Herndon and Port Trevorton; and making an appropriation therefor.

Referred to Committee on Public Roads.

By Mr. MARTIN. House Bill No. 1304.

An Act to amend an act approved the twenty-fourth day of February, one thousand eight hundred thirty-four, entitled "An Act relating to executors and administrators."

Referred to the Committee on Judiciary General.

By Mr. SNYDER. House Bill No. 1305.

An Act providing for the making and recording of duplicate maps of plans of tracts of land laid out and subdivided into lots where the owner of any such tract of land has died without recording the same, and the engineer making such map or plan is still alive, and providing for the collection of the costs of such proceeding from such decedent's estate.

Referred to the Committee on Judiciary General.

By Mr. SYNDER. House Bill No. 1306.

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring, and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing that the provisions thereof shall not apply to cities of the first and second classes.

Referred to Committee on Law and Order.

By Mr. R. J. BALDWIN. House Bill No. 1307.

An Act providing a remedy for settlement of disputes, between parties to a mortgage as to the amount advanced thereon, requiring the holder thereof to loan the balance or accept the amount advanced and the Recorder of the proper county to satisfy the mortgage of record by the Court of the Common Pleas of the proper county, at any time during the term of the mortgage.

Referred to the Committee on Judiciary General.

By Mr. LATSHAW. House Bill No. 1308.

An Act to establish as a "State Highway" a certain section of public road between Shady Plain at a point on route one hundred eighty-eight and Shelocta Borough on route sixty-seven. Beginning at a point on route one hundred eighty-eight at Shady Plain, Wray's Cross Roads, Armstrong County; thence by way of South Bend to a point on the line dividing Armstrong and Indiana Counties; thence to Shelocta Borough connecting with route numbered sixty-seven.

Referred to the Committee on Public Roads.

By Mr. PENNOCK. House Bill No. 1309.

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose.

Referred to the Committee on Agriculture.

By Mr. W. H. WILSON. House Bill No. 1310.

An Act providing that whenever hereafter berore the Register of Wills of any County of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said Register a disputable matter shall come into controversy, the said Register shall immediately certify the same into the Orphan's Court of the said county for hearing and determination and defining when a disputable matter shall be deemed to come into controversy before the Register within the meaning of this act.

Referred to the Committee on Judiciary Special.

By Mr. W. H. WILSON. House Bill No. 1311.

An Act prohibiting the destruction, damaging or tampering with or feloniously taking and carrying away any part of any elevator or elevator equipment or elevator machinery.

Referred to the Committee on Judiciary Special.

By Mr. W. H. Wilson. House Bill No. 1312.

An Act prohibiting the destruction, damaging or tampering with, or feloniously taking and carrying away of any part, of any apparatus or equipment used by persons, firms, corporations or municipalities to convey alarms of fire, or used to extinguish fire, and providing a penalty.

Referred to the Committee on Judiciary Special.

By Mr. STEIN. House Bill No. 1313.

An Act making it a misdemeanor for any officer, agent or employee of any corporation, or any other person or persons, to enter on, upon, occupy and tear up any street, lane, alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained, and providing punishment therefor.

Referred to the Committee on Judiciary General.

By Mr. STEIN. House Bill No. 1314.

An Act regulating the granting of preliminary injunctions, and cautionnary orders in equity proceedings.

Referred to the Committee on Judiciary General.

By Mr. McNICHOL. House Bill No. 1315.

An Act making an appropriation to the Trustees of the State Hospital for the Criminal Insane at Fairview, Wayne County.

Referred to Committee on Appropriations.

By Mr. RAMSEY. (By request). House Bill No. 1316.

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages.

Referred to the Committee on Banks and Banking.

By Mr. AMBLER. House Bill No. 1317.

An Act making an appropriation to purchase the manuscript of an annovated edition of the School Code of 1911, (Act of May 18, 1911, Pamphlet Lewas, 309,) now in course of preparation by Ardemus Stewart, Esq., of the Philadelphia Bar, and making a further appropriation to defray the expense of printing the same and distributing copies thereof among the various school districts of this Commonwealth, and providing for the sale of the surplus copies.

Referred to Committee on Education.

By Mr. JOHN ROBERT JONES. House Bill No. 1318.

An Act to amend section four of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth, and fixing the time and manner of the organization of the town councils therein."

Referred to the Committe on Municipal Corporations.

By Mr. FREY. House Bill No. 1319.

An Act to establish in cities of the third class a house or houses of detention for delinquent, dependent and neglected

children, and providing for the management and maintenance thereof.

Referred to the Committee on Judiciary General.

By Mr. R. J. BALDWIN. House Bill No. 1320.

An Act to amend section eighteen of an act approved the twenty-eights day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class."

Referred to Committee on Counties and Townships.

By Mr. W. H. WILSON. House Bill No. 1321.

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered, the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate, the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects.

Referred to the Committee on Judiciary Special.

By Mr. McNICHOL. House Bill No. 1322.

An Act making an appropriation to the Woman's Union Day Nursery, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations

By Mr. GANS. (By request). House Bill No. 1323.

An Act to amend section three of an act approved the eighteenth day of April, one thousand nine hundred and five, entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania," extending the time for registration of persons who had assumed the title of veterinary surgeon or analogus title prior to the passage of the acts of Assembly approved the eleventh day of April, one thousand eight hundred and eighty-nine and the twenty-ninth day of April, one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts.

Referred to the Committee on Agriculture.

By Mr. KAUFMAN. House Bill No. 1324.

An Act defining the public utilities owned by cities, boroughs, towns and townships; and providing for the submission of the question of the sale or lease thereof to the electors of such cities, boroughs, towns or townships.

Referred to the Committee on Judiciary General.

By Mr. MURPHY. House Bill No. 1325.

An Act to establish as a "State Highway" a certain section of public road, commencing in Bloomsburg and running over route number four to Berwick, thence to a point on the dividing line between Columbia and Luzberne counties, thence by way of Nescopeck, Briggsville, Seybertsville and Conynham; thence over route number one hundred eighty-four to Hazleton; thence over Route number one hundred seventy into Mauch Chunk, Carbon county.

Referred to the Committee on Public Roads.

By Mr. E. E. JONES. House Bill No. 1326.

An Act providing for a State tax on anthracite coal mined in this Commonwealth, prescribing the use of the moneys derived therefrom, and fixing a penalty for violation of this act.

Referred to Committee on Ways and Means.

By Mr. E. E. JONES. House Bill No. 1327.

An Act regulating the returns by constables of violations of the laws of this Commonwealth.

Referred to the Committee on Judiciary General.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, March 11, 1913.

Resolved, (If the House of Representatives concur), That when the Senate adjourn this week it be to meet Tuesday morning, March 18th at 11 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The resolution was twice read, considered and agreed to,

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read, as follows, viz:

REPORT OF COMMISSION TO EXAMINE LAWS, RELATING TO THE RECORDING OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to transmit herewith for your information copy of report of the Commission appointed under and by authority of the General Assembly, to examine the laws relating to the recording of deeds and mortgages, transfer of lands, insurance of titles, etc., and to recommend such act or acts or changes in the Constitution as will in the opinion of the Commissioner materially improve the present system.

(Signed, JOHN K. TENER.

The SPEAKER. If there is no objection the report of the Commission which accompanies this communication will be printed in the current Legislative Journal for the information of the House. The Chair hears no objection, it is so ordered.

REPORT OF THE COMMISSION APPOINTED BY THE GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA UNDER AND BY AUTHORITY OF THE GENERAL ASSEMBLY, TO EXAMINE THE LAWS RELATING TO THE RECORDING OF DEEDS AND MORTGAGES, TRANSFER OF LANDS, INSURANCE OF TITLES, ETC.' AND TO RECOMMEND SUCH ACT OR ACTS OR CHANGES IN THE CONSTITUTION AS WILL, IN THE OPINION OF THE COMMISSIONERS, MATERIALLY IMPROVE THE PRESENT SYSTEM, ETC.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Pursuant to a concurrent resolution of the General Assembly of the Commonwealth of Pennsylvania, approved May 12th, 1911, Joseph K. Fletcher, James E. Lennon and Frank Craven, of Philadelphia, and John C. Slack and George T. Hetzel, of Pittsburgh, were appointed by the Governor a Commission to investigate the different systems of recording deeds and mortgages, and insurance of titles, now in effect in the several States, and report to a subsequent session of the Legislature such act or acts or changes in the State Constitution as will materially improve the present system in the State of Pennsylvania and authorize Counties to insure purchasers of real estate against defects in titles and provide for the assistance and co-operation of the Legislative Reference Bureau. And it was further Resolved, "That the Governor of the Commonwealth be, and he is hereby, authorized to appoint a Commission consisting of five citizens of Pennsylvania, whose duty it shall be to investigate and examine the various laws now in effect in the different States relating to the recording of deeds and mortgages, the transfer of lands, the insurance of titles, and the practical operation of such laws, and report to the next session of the Legislature such act or acts and changes in the Constitution, if necessary, which, in the opinion of the Commission, will materially improve the present system governing the recording of deeds and mortgages in the several counties of this State, with a special view of recommending a law authorizing the counties of the State to assume the responsibility of insuring purchasers of real estate against pecuniary damage by reason of defective titles."

THE SAID COMMISSION RESPECTFULLY BEGS LEAVE TO REPORT:

That the above-named Commissioners were duly commissioned by his Excellency, the Governor, on the 20th day of December, A. D. 1911.

The Commission met in Philadelphia on the first day of February, 1912, and organized by electing Joseph K. Fletcher, Chairman, and James E. Lennon, Secretary.

It is with much regret that we have to report the death of George T. Hetzel, Deputy Recorder of Deeds, Pittsburgh, one of the Commissioners. He died on the 26th day of September, A. D. 1912. On the first day of December, 1912, the Governor appointed J. Smith Christy, of Pittsburgh, to fill the vacancy caused by the death of Mr. Hetzel.

For the purpose of learning the views of all interested parties, the Commission held public meetings: one at Philadelphia, on the tenth day of June, 1912, and one at Pittsburgh, on the fifth day of December, 1912. The meetings were given wide publicity through the newspapers and by notices mailed to individuals and associations.

The meetings were attended by members of the Bar, real estate brokers and conveyancers, representatives of Building and Loan Associations and of The Building Association League of Pennsylvania, which league represents nearly all of the Building and Loan Associations of the State, and by representatives of the title insurance companies.

Many of those who attended gave full expression of their views on the subject, and the Commission was gratified to note the deep interest displayed by those present showing that the questions involved have received attention from those who do business in the offices of the Recorders of Deeds and in transfers of real estate.

The Commission takes this opportunity of thanking those who attended, for their assistance.

The Commission also, for the purpose of obtaining all available information, corresponded with the officials of each of the States of the United States, and with the executives of Australia and Canada, and have collected a large amount of material which will be filed hereafter with the Legislative Reference Bureau.

The laws relating to the Recording of Deeds in the several States of the Union, where a modern method patterned after the Torrens system has not been introduced, are similar to those of the State of Pennsylvania, and an explanation of the recording laws of this State will apply to them.

In Pennsylvania, the transfer of land is made by deed recorded, which record gives constructive notice to subsequent purchasers and mortgagees. This system of recording deeds, etc., was introduced into the Province of Pennsylvania in 1683, and an enrollment office was established on the lines of the enrollment system in Middlesex, England.

The first legislative enactment of 28th of May, 1715 (1 Smith's Laws, page 94), is the foundation of the present system of transferring lands by deed in Pennsylvania, and by various acts of Assembly, passed at different times, there has ben envolved a perfect system in this State whereby purchasers and owners have notice of all changes in the ownership of real estate and encumbrances. Notwithstanding the excellence of this system, drawbacks have developed. In former days, when our population was smaller, it satisfied the popular demand,

but with the increase of population it has become less serviceable. The people are now largely concentrated in cities and populous towns; the density of population and the increase of real estate transactions are reflected in the mass of records in the offices of the various Recorders. In the county of Philadelphia alone, there have accumulated since 1683 over 15,000 large books of record.

In former years in transferring real estate it was necessary to prepare a brief of title, which required a laborious examination of the records for errors, mortgages, liens and other encumbrances, by persons of learning and experience. These briefs of title were then submitted to lawyers, upon whose opinion the proposed transfers were made or rejected. This method was cumbersome and expensive. Generally, when an owner desired to sell, a re-examination of the title was required by the attorney or conveyancer of the subsequent purchaser, which entailed further delay and expense, especially if defects or flaws were discovered in the prior examination of the title. The cost was always borne by the purchasers or mortgagors.

This uncertainty and expense became so burdensome in time, as to affect the ready availability of real property as an asset and led to the information of title Guarantee companies throughout the State. These companies do the work which formerly was performed by the lawyer and conveyancer. They make and deliver searches for those who do not desire to insure their titles, which were formerly made and issued at the offices of the recorders of deeds and other county officers, and for themselves when they guarantee or insure against loss by reason of a defect in the title. In Philadelphia and Pittsburgh the guaranteeing of the title by a title company has become largely one practice. Back of this guaranty is the capital of the company, instead of the opinion of a real estate lawyer, which may be erroneous, or may be disputed by the attorney for a subsequent purchaser or others.

Although this system of title insurance has given some relief, it still involves a new examination of title with every change of ownership.

In view of these facts, it cannot be doubted that the public is entitled to have the cost reduced and to have the operation of transferring titles to real estate made more simple, speedy and direct, if possible.

To overcome these objections, efforts have been made to devise a method to simplify, expedite and make more economical the transfer of land, and permit of the trading in real estate as expeditiously as in stocks, bonds and other securities, and to make titles thereto absolute.

After careful examination of the different methods of transferring real property now in use in the civilized countries of the world, a system of transferring real estate by registration of titles, sometimes called the "Torrens System", or modifications thereof, seems to overcome, to an extent, the present difficulties and merits careful consideration.

A form of this system of registering titles has been in use in Austria-Hungary from the Twelfth Century and has been universal in Austria since 1811. It was adopted in Prussia in the year 1872.

"The Torrens System" takes its name from Sir Robert Torsens, Baronet. About 1850 he became Registrar of Deeds of Adelaidefi, Australia. During his incumbency of that office he became familiar with the old system of transferring titles by deed and recording, which is substantially that now in general use throughout the United States. He was convinced that because of its lack of simplicity, accuracy, expedition and economy, it was out of harmony with the practical ideas and progress of the age.

As commissioner of customs, Sir Robert had become acquainted with the facility with which transfers were made of shares in ships under the Merchants' Shipping Acts. After his appointment as registrar of deeds he was impressed with the expedition and simplicity of that system as compared with the regulations surrounding the dealings in real estate. Modeled on the Merchants' Shipping Acts he finally evolved the scheme of registration of title, as opposed to the old system of registration of deeds, which has since become known as the "Torrens System."

In 1858 the Torrens System was introduced in South Australia with Torrens as the Registrar-General. This step, taken by South Australia, was soon followed by other colonies: Queensland in 1861, Victoria, New South Wales and Tasmania in 1862, New Zealand in 1870, West Australia in 1874 and Fiji in 1876. In England the matter has been agitated since 1850. In 1862 a Royal Commission was appointed and in accordance with its recommendations a land transfer act was passed in 1875, known as "The Lord Cairn's Act." There have been several acts passed by Parliament since that time, terminating in the Act of 1901, which made the use of the system, under certain conditions, compulsory in the City of London. In British Columbia the same system has been in operation since 1870; in the Provinces of Ontario and Manitoba since 1885.

In 1892 a Commission was appointed by the General Assembly of the State of Illinois to investigate "The Torrens System" of transferring titles; as a result of which a bill was introduced and passed which was declared unconstitutional and void by the Supreme Court of Illinois. A second Act was passed in May, 1897, and, as to the questions passed upon was held to be constitutional. Besides the decision in Illinois, it was upheld in Massachusetts in the case of Tyler vs. The Judges, 157 Mass.

In the State of Ohio an Act was passed by the Legislature, but was declared unconstitutional. To overcome the defect in this Act, an amendment to the Constitution of Ohio was adopted, September 3rd, 1912, by the votes of the People; there being a large majority in favor of the amendment authorizing the establishment of the system.

The system was adopted in California in 1897, in Oregon in 1901, and in Minnesota in 1902 and amended in 1909, in Colorado in 1903, in Washington in 1907, and in Massachusetts in 1908, in New York in 1908 and in some other States. It has also been adopted by the government of the United States in the Philippine Islands, Hawaii, and other insular possessions. The experience of these States shows that the system is more or less feasible, and, in large communities, of value.

The report of the Commission appointed in the year 1907 by his Excellency Charles E. Hughes, then Governor of the State of New York, now Justice of Supreme Court of the United States, to examine the system of registering titles to real property known as the Torrens System, says, in part:

"Of the three historical methods of dealing with transfers of real property, (1) transfer by instrument unrecorded and simply held by the owner, (2) record of instruments of transfer and incumbrance, and the giving of constructive notice by such record, and (3) registration of titles (as distinguished from registration of documents) as a means of assuring them and facilitating their transfer—the second method, which is used in New York and most of the States of this country, grows more cumbersome as it becomes older, and, in spite of efforts to make it less burdensome, is tending to break down of its own weight. The multiplication of records, the complication of titles, and the repeated expense of re-examination and the delays incident threto, should be avoded if any feasible method of doing so can be devised. We are very clearly of the opinion that a system of registering titles may be put in operation in this State, in such manner as to avoid these and other difficulties incident to the present system and to become of much utility and advantage to conveyancers and owners of real property.

"That such a system can be constitutionally made and operated seems to be clear from the authorities and arguments set forth in the brief on that matter. *

"The feasibility of such a system has been practically shown by its working in other States, even against strong opposition and this notabily in Massachusetts, where the conditions are very similar to those in New York. The utility of interests in real property originates from, and rests upon the State. It is natural and logical that by a fiat of its courts the State should increase that utility whenever possible. After a thorough examination and a certification by a competent examiner and care and deliberation on the part of a Justice of the Supreme Court, any ordinary title in this State may be so determined and assured, by a judgment of that Court, as to need practically no subsequent examination; and such a title may be so dealt with thereafter as to obviate the necesssity of such investigations as are now made whenever a title is passed.

"Therefore, while recognizing the importance and advisability of some other changes in our present Real Property law, such as are recommended in this report, we are convinced that the most important matter to be dealth with, and that which should demand the first attention of the Legislature, is a plan or method for registering titles to real property. The essential features of such a plan, and those which we have sought to embody in the accompanying proposed bill, are as follows:

"1. The primary objects to be accomplished by the system are to give greater security and certainty to titles, to avoid the necessity of long and repeated examinations of titles in the future, and to make real property interests, because of the ease and quickness with which they can be transferred, more readily available to security and assets, and thus cause them to become more useful and valuable.

"2. Registration must be in the first instance the outcome of a judicial proceeding which, as far as possible, shall determine and quiet the title and fix and specify the matters, if, any, that may still be left undetermined or to be worked out in the future.

"3. Because of the age, value and importance of titles in this State, the system should be voluntary, and adopted gradually as its needs and importance may appear to the owners of real property. It is hoped and believed that the proposed statute will appeal at once to many owners of land, especially in the largr counties, and that its utility will become more and more apparent with its use.

"4. Such a systm should be inaugurated with as little innovation as possible, and as far as practicable should leave the existing law unaffected. It has been the earnest effort of the commission, in drafting the proposed statute, to make it harmonize with the historic and settled principles of our system of real property, and not to make any change except where it was necessary in order to introduce the registration system.

"5. A new law of this character should also be avoided as far as possible, the multiplication of public offices and officials, and the use of complicated methods and machinery. It should employ, as far as available, existing agencies and forces."

Congress has recognized the system adopted in the States named by enactment providing for the entering of judgments rendered by Federal Courts in the various registration districts.

The system, in all its modifications and as adopted in the various States, provides that any owner or owners of land may petition such a Court as may be designated by Act of the Legislature, for leave to register their title to the same, producing their muniments of title and a survey or plan of the property. Then, a complete abstract of title must be prepared, which petition and abstract are referred to an Examiner, upon whose favorable report the Court fixes a time for hearing, of which notice is served upon all known parties within the State by Summons, upon all known parties out of the State by registered mail, and upon all unknown partes by advertsement. At the hearng evidence is taken and all parties interested in who appear are hear.d If any legal rights adverse to the applica-

tion appear, the petition is dismissed without prejudice, or an issue may be framed to be tried before a jury; if warranted by the evidence, the title of the petitioners is declared to be an estate in fee simple, and a decree to that effect is entered upon the record. The effct of the decree is to debar all adverse claimants at the date thereof, who do not appear with a Bill of Review within a stated time; and in some instances to substitute money awards for ownerships divested b ythe procedure; the lands are also thereby protected from all claims upon adverse possession, and the decree is binding and conclusive equally on those who have appeared, infants, persons insane or under any legal disabilities, absentees, and persons who have not received or could not possibly have received notice of the proceeding. If such parties have estates or interests which are taken from them by this provision of the law, they are entitled to claim the value thereof in money; lwful method being provided for the adjustment of the same, and a fund is created by a special tax on each proceeding, called an Assurance Fund, with which to pay these claims. The registered land is conveyed and mortgaged by transfer of the certified copy of the decree, which is done by the Register of Deeds of the proper county, who may lay any transaction he doubts the legality of before the Court for its review and instruction.

The Commission is convinced that there is a demand for a change in the system of land transfers in Pennsylvania This is evidenced, not only by the many representatives speakers who attended the meetings above referred to, but by numerous communications which were received.

It is apparent to the Comission, after mature consideration, that the "Torrens System" as above described, can be inaugurated in Pennsylvania and made effective, but an amendment to the Constitution of the State is necessary and your Commission would recommend that an amendment in the form as follows be submitted for adoption:

PROPOSED AMENDMENT TO THE CONSTITUTION.

Laws may be passed providing for a system of registering, transferring, insuring of and guarteeing land titles by the State or by the counties thereof, and for setting and determining adverse or other claims to and interests in lands the titles to which are so registered, transferred, insured and guaranteed and for the creation and collection of indemnity funds and for carrying the system and powers hereby provided for into effect by such existing Courts as may be designated by the Legislature and by the establishment of such new Courts as may be deemed necessary. In matters arising in and under the operation of such system judicial powers with right of appeal may be conferred by the Legislature upon County Recorders and upon other officers by it designated. Such laws may provide for continuing the registering, transferring, insuring and guaranteeing such titles after the first or orginal registration has been perfected by the Court and provision may be made for raising the necessary funds for expenses and salaries of officer which shall be paid out of the treasury of the several Counties.

Notwithstanding the favorable experience of other countries and several of our States, the reform is one that should not be made without exhaustive research and deliberation.

The subject should be referred for further consideration and report, if deemed wise by the Legislature, pending action upon the proposed Constitutonal amendment, so that progress of the system in other States of the union may be observed and a carefully prepared scheme of legislation creditable to our great State may be ready for submission.

All of which is respectfully submitted.

JOSEPH K. FLETCHER,
JOHN C. SLACK,
J.SMITH CHRISTY,
FRANK CRAVEN,
JAMES E. LENNON.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read, as follows, viz:

REPORT OF THE PENNSYLVANIA STATE ANTHRACITE MINE CAVE COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to transmit herewith copy of Summary Statement of Report of the Commission appointed under the provisions of a Joint Resolution of the General Asembly, approved March 24, 1911, for the purpose of investigating and reporting upon both physical conditions and legal rights in the matter of surface support, where Anthracite coal has been removed, or the right to remove said coal is vested in others than the owner of the surface; and for the further purpose of suggesting new legislation relative to the same.

(Signed) JOHN K. TENER.

The SPEAKER. If there is no objection, the report of this Commission will also be printed in the Legislative Journal for the information of the members of the House. The Chair hears no objection and it is so ordered.

THE PENNSYLVANIA STATE ANTHRACITE MINE CAVE COMMISSION.

Scranton, Pa., March 1, 1913.

LETTER OF TRANSMITTAL.

To His Excellency, John K. Tener, and the Honorable the Senators and Representatives in the General Assembly of Pennsylvania

Gentlemen:—The Pennsylvania State Anthracite Mine Cave Commission, created by the following joint Resolution of the Legislature, approved by the Governor March 24, 1911, has the honor to submit herewith its report.

CREATION OF COMMISSION.

A Joint Resolution "For the appointment of a commission by the Governor of this Commonwealth, for the purpose of investigating and reporting upon both physical conditions and legal rights in the matter of surface suppport, where Anthracite coal has been removed, or the right to remove said coal is vested in others than the owner of the surface; and for the further purpose of suggesting new legislation relative to the same; and making an appropriation to meet the expenses of said commission.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth be and is hereby authorized and required to appoint nine competent citizens,—of whom four shall be recognized mining experts, selected from among the large corporations interested in the mining of Anthracite coal, and five shall be disinterested citizens, selected from within the Anthracite regions,—to investigate and report upon both physical conditions and legal rights in the matter of surface support where coal has been removed, or the right to remove said coal is vested in others than the owners of the surface; and for the further purpose of suggesting new legislation relative to the same; and an appropriaton to meet the expenses of said commission.

Section 2. That the duties of the said commission shall be to ascertain, from investigation, the legal rights of the owners of the surface and the coal beneath the same, and what precaution in the mining of said coal is necessary to properly support the surface; and prepare a bill to the Legislature, as they shall deem necessary to protect the welfare and interests of both the owners of coal and surface.

Section 3. That said Commission shall report the result of their labor to the Legislature that shall convene in one thousand nine hundred and thirteen, on or before the first day of February of said year, or at an earlier period, if, in their judgment, the situation should demand urgency. They shall serve without compensation, but shall be reimbursed for necessary expenses.

Section 4 That said commissioners shall meet and organize within thirty days of their appointment and elect a president and secretary and as promptly as possible proceed to perform their duties The commissioners shall have authority to employ such experts and such other employees as are necessary to the proper transaction of the business of the commission The said commision shall also have power to compel the attendance of witnesses and the production of books papers and other evidence at any meeting of the commission and for that purpose may issue subpœnas signed by the president of the commission and cause the same to be served and executed in any part of this Commonwealth and if any witness shall refuse to testify as to any fact within his knowledge or to produce any books or papers within his possession or under his control the secretary of the commission shall forthwith report the facts relating to such refusal to one of the Courts of Common Pleas of the County wherein such witness resides and all questions arising upon such refusal shall be at once heard by said Court If the Court determines that the testimony or evidence required by such witness is legal and properly competent and ought to be given or produced by him then said Court shall make an order commending such witness to testify or produce books or papers or both as the same may be and if such witness shall thereafter refuse to testify or to produce books or papers as aforesaid in disobedience of such order of the Court then the said Court shall have power to order the commitment of such witness to the county jail of the proper County for contempt

Section 5 That, for the purpose of the said commission, the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

Approved—The 24th day of March, A. D. 1911.

(Signed) JOHN K. TENER.

The foregoing is a true and correct copy of the Act of the General Assembly No. 30.

(Signed) ROBERT McAFEE,

Secretary of the Commonwealth.

In the Senate January 21, 1913.

Whereas, The Commission to investigate and report upon Surface Support in Mining Anthracite Coal, created by Joint Resolution, approved the 24th day of March, A. D. 1911, will be unable to make its report to the General Assembly on February 1st, 1913, the date specified in the resolution, because of insufficient time;

And Whereas, This delay has been occasioned by the fact that the Commission has as yet been unable to secure certain maps and other valuable data now in course of preparation, and because of the fact that the testimony of a number of expert mining engineers and others is still to be taken by the Commission;

Therefore, Be it Resolved, (if the House concur), That the Commission hereinbefore mentioned be granted an extension of time to make its report to the General Assembly, said re-

port to be made on or before the first day of March, A. D. 1913.

(Signed) HARMAN M. KEPHART,
Chief Clerk of the Senate.

Concurred in by the House of Representatives of the Commonwealth of Pennsylvania, on the 4th day of February, A. D. 1913.

(Signed) THOS. H. GARVIN,
Chief Clerk of the House of Representatives.

Approved—The 5th day of February, A. D. 1913.

(Signed) JOHN K. TENER.
Governor.

PERSONNEL OF THE COMMISSION.

The Act creating the Commission was approved by Governor Tener on March 24th, 1911.

The Commission originally consisted of Hon. J. Benj. Dimmick, Hon. W. L. Connell, Col. R. A. Phillips and E. J. Lynett, of Scranton; W. A. Lathrop and Charles Enzian of Wilkes-Barre; W. J. Richards and W. H. Lewis, of Pottsville, and G. M. Davies of Lansford.

ORGANIZATION

The Commission met for organization on June 12th, 1911; Commissioner W. J. Richards, of Pottsville, was elected President and Commissioner G. M. Davies, of Lansford, Secretary. The Commission elected as their Clerk, Mr. Charles B. Stevens, of Scranton. The Commission was well under way with its investigations when it suffered the great loss through the death of Mr. W. A. Lathrop, who passed away following a surgical operation, on the morning of April 12th, 1912. Mr. Lathrop had taken a great interest in the work of the Commission, and although prevented from attending its sessions, due to pressure of official duties, his helpful suggestions and mature advice was manifested in shaping the work of the Commission. Governor Tener appointed Mr. S. D. Warriner, of Philadelphia, Pa., to the vacancy caused by Mr. Lathrop's death.

Respectfully,

W. J. RICHARDS,
President.

G. M. DAVIES,
Secretary.

J. B. DIMMICK,
E. J. LYNETT,
W. L. CONNELL,
R. A. PHILLIP,
W. H. LEWIS,
CHAS. CUZIAN,
S. D. WARRINER.

SUMMARY STATEMENT

THE SITUATION PRESENTED FOR CONSIDERATION.

In the coal regions of Pennsylvania, it is a matter of common occurrence, that land is divided by horizontal as well as vertical lines, so that the surface is owned by one person and the coal under it by another. As the coal owner conducts his mining operation he is frequently confronted with the alternative, either of leaving unmined coal which he has a right to remove, or of mining it out at the risk of damaging the surface. Whether the operator is legally bound to support the surface, either by leaving unmined coal which he has a right to remove, or of mining it out at the risk of damaging the surface; whether the operator is legally bound to support the surface, either by leaving unmined pillars of coal for that purpose, or substituting artificial support, of whether he has the right to remove all the coal without regard to its effect upon the surface, depends upon the rights acquired by, or reserved to, the mine owner and surface owner in and by the deeds and contracts under which they respectively hold title. These deeds and contracts in many instances were executed when the development of the mining industry was in its infancy and the surface overlying the coal was but sparsley inhabited. As mining progressed, population naturally centered in the neighborhood of collieries, and towns and villages grew up on lands underlaid with coal, the owners of which had acquired the right to wholly mine it out without obligation to support the surface. In exercising this right, it is evident that the removal of all the coal without furnishing other support must, and often does, cause a subsidence of the surface, menacing the safety of the structures and people upon it.

To consider this condition, and if possible, to suggest remedies which will tend to minimize, so far as may be done, the dangers resulting from this situation, this commission has been constituted.

In submitting to the Legislature of Pennsylvania, this report of the investigations upon the physical conditions and legal rights in the matter of surface support in mining anthracite coal in Pennsylvania, the Commission realized that its scope was clearly and comprehensively set forth in the clause in the resolution, viz:—

> ".....to investigate and report upon both physical conditions and legal rights in the matter of surface support where coal has been removed, or the right to remove said coal is vested in others than the owners of the surface; and for the further purpose of suggesting new legislation relative to the same; and an appropriation to meet the expense of said commission....."

and it is hoped that the facts ascertained and the conclusions drawn therefrom will be accepted as representing the best thought and study of the Commission.

It may be assumed that the best evidence of the magnitude and importance of the problem exists in the fact that the Legislature of our Commonwealth created this Commission. The deposit of Anthracite should be conserved as far as practicable, so that the economic and social prosperity of the State of Pennsylvania may be perpetuated.

State and Federal authorities have collaborated in investigations of mining operations in the Anthracite region, as this industry is recognized as of national as well as State importance. The investigations conducted by this Commission have been developed by careful deliberations.

Its conclusions embody the best thought of many practical mining men familiar with the economic operations of coal mines in the United States and other countries.

The entire coal area of the Anthracite fields is but four hundred and eighty-four square miles; in the year 1911 the market requirements, as represented by the shipments, reached seventy million tons.

To ship seventy million tons of coal requires a mining production of approximately 87,500,000 tons, to provide for the fuel consumption at the mines, the losses and waste in preparation, and the shipments.

The extent and present shipments of each region are:—

Region	Square Miles	Shipments—Tons
Wyoming	176	40,803,912
Lehigh	45	9,775,018
Schuylkill	263	19,375,369
Total	484	69,954,299

The Wyoming Region embraces the Wyoming and Lackawanna Valleys, and is contained in Lackawanna and Luzerne Counties.

The Lehigh Region embraces the territory surrounding Hazelton, and the Panther Creek Valley, east of the Little Schuylkill River at Tamaqua. It is contained in Luzerne, Carbon and Schuylkill Counties.

The Schuylkill Region embraces Schuylkill, Mahanoy and Shamokin Valleys, lying west of the Little Schuylkill River. It is contained in Schuylkill, Columbia, Northumberland and Dauphin Counties.

The shipments since the beginning of mining from each region have been:

Wyoming Region	996,259,033 tons
Lehigh Region	291,710,938 tons
Schuylkill Region	594,991,272 tons
Total	1,882,961,243 tons

These tremendous demands are drawing upon the coal contained in the ground, and it must be realized that certain portions of the field are being rapidly exhausted.

Of the shipments during the year 1911 from the Wyoming Region, 20,177,155 tons were from Lackawanna County, of which 6,542,817 tons were mined from under the City of Scranton.

In Lackawanna County very little virgin land remains to be developed. The tonnage remaining to be mined being mostly contained in pillars and thin veins which were formerly considered unminable at the lower prices then prevailing. The assessment figures of 1907 prepared by the County Commissioners of Lackawanna County show this condition clearly.

Of the one hundred and seventy-six square miles of coal land in the Wyoming Region, approximately eighty-three square miles are in Luzerne County, and ninety-three in Lackawanna.

The support of the surface and the structures located thereon will in the future seriously reduce the life of the region, especially the Wyoming, unless some wise policy can be made to prevail.

In Lackawanna County, of the ninety-three square miles, sixty-six square miles are occupied by incorporated boroughs and cities, while in Luzerne County, out of eighty-three square miles, thirty-five square miles are similarly occupied, while fully one-half of all the territory in both counties offers serious embarrassment to mining because of surface obstruction.

The area occupied by incorporated boroughs and cities in each region is given below:—

Region	Total Area Square Miles	Incorporated Boroughs & Cities Square Miles
Wyoming	176	101.00
Lehigh	45	7.72
Schuylkill	263	18.00

A careful study of the tabulations contained in the body of this report will disclose the following facts:—

That while in all the regions there was a material increase in the production of coal from 1899 to 1911, inclusive, when analyzed by counties it is found that Lackawanna County, which is the northeastern portion of the Wyoming Region, shows a comparatively smaller increase in its tonnage than the counties of Luzerne and Schuylkill. In the City of Scranton, the mining and commercial center of Lackawanna County, with a population of 130,000 people, located entirely within the coal measures, and in which the movement to solve the mine cave problem originated, a marked decrease in the percentage of shipments is indicated as compared with other localities in Lackawanna County. The percentage of shipments from the city as compared with the entire county, is substantially less in 1911 than it was in 1899, although the shipments from the entire county show a substantial increase. The shipments from the city increased from 32.5 per cent in 1899, to its maximum of 41 in 1902, and from then on steadily decreased to 32.4 in 1911. In other words, if the present rate of mining is maintained, the coal under the City of Scranton will be exhausted in about twenty years. The same is true of the mining industry of Lackawanna County. The life of the mining industry of Luzerne County and the Schuylkill region will be many times this period. Therefore, it is of vital importance that the greatest practicable amount of coal should be ultimately removed, and any action which will shorten the life of the mining industry will materially react upon the commercial activity of the city. All of which emphasizes the importance of the cooperation of the public and the mining companies in wisely conserving the coal for the market, thereby prolonging the life of the industry as much as possible. The result will be of substantial benefit to the community, to the surface owners and to the mining companies.

The great importance of the mining industry upon the commercial prosperity of the community is emphasized by

the fact that there are employed in and around the coal mines, in the City of Scranton, about twelve thousand men and boys. Including the boroughs of Taylor, Dunmore, Old Forge and Dickson City, which are contiguous to Scranton, there are employed in and around the mines thirty thousand men and boys, whose annnual wages aggregate $22,860,000.

The influence of the production of Anthracite coal upon the growth of the communities located within the coal measures, as compared with the communities directly outside of the coal measures, is demonstrated by the tables contained in the main body of the report, illustrations from which follow:

COMMUNITIES WITHIN THE COAL MEASURES.

	Population 1900	Population 1910	Per cent of inc.
Pottsville	15,710	20,236	28.1
Shenandoah	20,231	25,774	27.4
Lansford	4,888	8,321	70.2
Wilkes-Barre	51,720	67,105	29.7
Hazleton	14,230	25,452	77.8
Scranton	102,025	129,887	27.2
Dickson City	4,984	9,331	88.7

COMMUNITIES WITHOUT THE COAL MEASURES.

	Population 1900	Population 1910	Per cent of inc.
Gordon	1,165	1,185	1.7
Mauch Chunk	4,029	3,952	—1.1
White-Haven	1,517	1,438	—5.2
Dallas	543	576	0.6
Elmhurst	444	279	—37.4
Waverly	489	515	5.3

(—) decrease.

PROBLEM.

The Commission recognized that its problem was two-fold: First, To find remedies for existing difficulties.

Second, To suggest measures to prevent the continuation of the present menacing conditions. With these points in view the Commission makes recommendations which are contained in the body of the report.

In reaching a solution of this important problem, the Commission has not been unmindful of the efforts of the people of various municipalities to induce manufacturers seeking new sites to locate within their limits. Such activities are necessary if the municipalities are to continue to maintain their present importance and to grow and thrive after the coal has been exhausted. Nevertheless we desire to call attention to the fact that coal mining is the basic industry, bringing many millions of dollars in wages into the coal region every month, and that in locating new industries care should be taken to provide against undue interference with the conservation of coal and that mining may not be hampered by operations of far less magnitude and value to the communities.

SOLUTION.

To state, as may be very fully stated, that no communities in the country, excepting those that have been visited with sudden and overwhelming catastrophies, have ever been confronted with a problem as difficult as the one now confronting the communities in the Anthracite coal regions, is but to admit the many and great difficulties in the way of any substantial solution thereof.

While more than fifteen months were devoted, exclusively, to the obtaining of whatever information, in the form both of data and of opinions that might give promise of shedding light upon the problem, fully six months were largely devoted to the consideration and discussion of possible remedies, and it soon became apparent that the members of the Commission hold widly different views, from insistence on the one hand, upon the admitted legal right of the owners of the coal, to insistence ,on the other hand, not only upon the equitable rights of the owners of the surface, but also upon the inalienable rights of community life to exercise its police power, whenever security, health or morals are threatened.

As the discussion proceeded, it became evident that the views as set forth were irreconcilable, and that if either were to prevail, it could only be after years of stubbornly fought contests, both political and legal.

On the other hand, the Commission was unanimous in its belief that:

First,—Any practical delay in the application of remedial measures would work not only great, but irremedial injury.

Second,—The development of hostility between the communities and the owners of the basic industry of those communities, would also work serious injury by reason of their common interest .

Third,—If reasonable concessions were made by all the parties interested, there might be a middle ground upon which all could stand, and which if found, would result in practical benefits of great value to all concerned

These views being entertained unanimously by the Commission, negotiations were entered into with the Presidents of the prinicpal mining companies and the final result thereof was a voluntary undertaking upon the part of these companies, as agreed to by their respective officers, of a pclicy as herewith set forth:

PLAN.

On condition that, and so long and so far as, the exercise of their rights to mine coal are not restrained, restricted or penalized by the passage or enforcement of State laws or municipal ordinances, the mining companies agree to protect all public highways and city streets; this protection, however, to be based generally upon the principle of the conservation of the coal thereunder for market purposes, and to involve a reasonable attitude upon the part of the communities having jurisdiction over said public highways and city streets, and also a reasonable use of the right of said companies to mine thereunder, so far as affecting the surface is concerned. On the one hand, the communities to refrain from unreasonably enjoining mining where no serious public injury will result; and on the other hand, the companies to refrain from so conducting their mining operations as to seriously interfere with the centers of traffic in municipalities where the conditions are such that serious public injury will result, and to provide for the security and convenience of the public by giving proper notice of proposed mining which may affect the surface, by providing temporary ways of passage, and finally, by repairing at their own expense any and all damage caused to the municipalities by said mining.

Pay at least one-half of the cost of repairing all structures (except those of mining and railroad companies) damaged by mining having a value of five thousand dollars or less.

Whenever danger of surface subsidence is imminent, sell so far as they have the legal right so to do, for a fair consideration to owners, (except mining and railroad companies) of structures exceeding five thousand dollars in value, such pillar coal as they may reasonably desire to purchase for the support of said structures, such consideration to be twenty-five per cent. above the prevailing royalty value upon leases made at or near the time of purchase, the basis of computation being eighteen hundred tons to the foot acre. In the event of such purchase, however, the coal thus purchased to be forever appropriated to the support of the surface. If, however, support may be reasonably provided by filling or otherwise, then to flush, fill or build artificial supports, in such portions of the mines as may be desired by the surface owner, at a price not to exceed the cost thereof to the mining companies, but at the expense of such surface owner, provided that when such support is at the election of the mining company, the expense to the surface owner shall not exceed the cost of pillar coal as hereinbefore provided.

In recognition of the peculiar conditions and the general fear of immediate surface damage in the city of Scranton and borough of Dunmore, and with a purpose of relieving the public solicitude, but without admission or interpretation of the present value of the coal, the principal operators in this territory agree that during the period of eighteen months after March first, 1913, they will sell so far as they have the legal right so to do, to owners (except mining and railroad companies) of structures exceeding five thousand dollars in value, such pillar coal as they may reasonably desire to purcase for the support of said structure at the rate of thirty-five cents per ton on the basis of eighteen hundred tons to the foot acre.

In the event of such purchase, however, the coal thus purchased to be forever appropriated to the support of the surface. If, however, support may be reasonably provided by filling or otherwise, then to flush, fill or build artificial supports in such portions of the mines as may be desired by the surface owner at a price not to exceed the cost thereof to the mining companies, but at the expense of such surface owner, provided that when such support is at the election of the mining company, the expense to the surface owner shall not exceed the cost of pillar coal as hereinbefore provided.

Provision to be made for the adjustment of any disputes arising in connection with such sale or putting in of artificial supports.

The undertaking as set forth upon the part of the companies is revocable; on the other hand, the communities remain perfectly free as regards the exercise of police power, a power that they could not divest themselves of even should they consent thereto.

The Commission, however, is unanimously of opinion that when the practical benefits of the plan are appreciated, the benefits being substantial to the communities, to the surface owners, and to the mining companies, that all parties will be led, not only through selfish interest, but also through a regard for the public welfare, to exercise that self restraint that will be necessary to render the Plan substantially and permanently effective.

That the Plan may occasionally work a hardship is undoubtedly conceivable, but no solution of so complex a problem could presumably be without that defect.

That the benefits are mutual and substantial is the well-considered belief of the Commission, and that they may be the more easily and clearly comprehended, they are herewith set forth.

Speaking broadly, all the parties,—the communities, the individual and the mining companies are benefitted, obviously, by any prolongation of their basic industry, and therefore, as far as compatible with community and individual rights and necessities, this principle was acknowledged and kept in view, It was recognized in the classification of property, under which pillars are not to be left, by the dividing line of value, of five thousand dollars and under; such dividing line not only increasing the total amount of coal to be mined, but also decreasing the burden of making good the surface property of a very large percentage of the total structures of the Anthracite Regions, inasmuch as the cost of repairing the damage caused by letting down the surface under structures of five thousand dollars or under, will average much less than either of the two other methods, namely, the "leaving of pillars," of "flushing."

The prolongation of the basic industry is also helped by mining under highways and streets safeguarded, as to traffic centers, said highways and streets, however, being restored in all cases, to their original status and conditions, by and at the expense of said mining companies.

The mining companies, therefore, benefit by such boardened activities and in consideration of same, they participate in the burden of making good all surface property, such participation taking two forms:— First,—By paying one-half, at least, of the cost of repairing all structures having a value of five thousand dollars or under. Second,—In selling the necessary pillar support for all structures exceeding five thousand dollars in value, at a price that is a distinct concession from

the actual value of such pillar coal to them as coal miners. The former burden is estimated, in the city of Scranton alone, at say $3,500,000, while the concessions upon the coal pillars, also in Scranton alone, would probably reach the same figure.

The benefit to the surface owners is, therefore, substantial, the companies, roughly speaking, paying one-half of the cost of the ultimate solution of the problem, as regards probably ninety per cent. of the property owners of the Anthracite regions and making a distinct contribution wherever pillar support is demanded by reason of the character and value of the remaining ten per cent.

The communities are benefitted by the prolongation of the industry, and by the securing of terms for individual property holders that while burdensome are not considered as being prohibitive. Possibly one of the greatest benefits to the community is the sentimental reassurance that should come from the placing in immediate operation of a practical remedy for conditions that not only menace, but are actually retarding community development. As to the placing of a portion of the cost of supporting private property upon the communities as such, which is, in effect, but changing the form, but not the weight, of the burden, it was felt that such action would be impracticable, owing to the voluntary character of the plan, to say nothing of the inequalities that would be worked through the varying conditions in any given community, or of the complications that would arise from increased municipal indebtedness.

The query very naturally arises as to what will be the attitude of the smaller companies who are not included in the arrangement. The Commission can only suggest that it will be difficult for any mining operator, however small may be his filed, to decline to acknowledge this reasonable measure of his responsibility so overwhelmingly established by his competitors in trade, unless it be that such operator is indifferent not only to equitable, but also to ethical obligations.

With the setting forth of the benefits of the Plan, and with a renewed expression of confidence in the effectiveness thereof, the Commission feels that it but remains to finally submit the same, and in so doing they simply express the hope that the practical results of their investigations and conclusions may, in some degree, be commensurate with the labor and thought expensed thereon.

LEGAL RIGHTS.

After receiving carefully prepared opinions from learned counsel employed by the Commission, as to legal rights of the various parties interested in the problem, it was realized that such rights could hardly be set forth with a degree of certainty that would not be open to dispute, and in view of the character of the solution to be recommended, it was felt that it would be unwise to attempt to do so, in fact the fundamental divergence of views as to the legal rights constituted an important factor in bringing about the Plan as agreed upon and hereinafter recommended.

VOLUNTARY UNDERTAKING OF CORPORATIONS.

PENNSYLVANIA STATE ANTHRACITE MINE CAVE COMMISSION.

Scranton, Pa., February 19, 1913.

On condition that, and so long and so far as the exercise of their rights to mine coal are not restrained, restricted or penalized by the passage or enforcement of State laws or municipal ordinances, the mining companies do agree to:

First. Protect all public highways and city streets; this protection, however, to be based generally upon the principle of the conservation of the coal thereunder for market purposes, and to involve a reasonable attitude upon the part of the communities having jurisidiction over said public highways and city streets, and also a reasonable use of the right of said companies to mine thereunder, so far as affecting the surface is concerned. On the one hand, the communities, to refrain from unreasonably enjoining mining where no serious public injury will result; and on the other hand, the companies to refrain from so conducting their mining operations as to seriously interfere with the centers of traffic in municipalities where the conditions are such that serious public injury will result, and to provide for the security and convenience of the public by giving proper notice of proposed mining which may affect the surface, by providing temporary ways of passage; and finally, by repairing at their own expense, any and all damage caused to the municipalities by said mining.

Second. Pay at least one-half of the cost of repairing all structures (except those of mining and railroad companies) damaged by mining having a value of five thousand dollars or less.

Third. Whenever danger of surface subsidence is imminent, sell, so far as they have the legal right to do, for a fair consideration to owners (except mining and railroad companies) of structures exceeding five thousand dollars in value, such pillar coal as they may reasonably desire to purchase for the support of said structures, such consideration to be twenty-five per cent. above the prevailing royalty value upon leases made at or near the time of purchase, the basis of computation being eighteen hundred tons to the foot acre. In the event of such purchase, however, the coal thus purchased to be forever appropriated to the support of the surface. If, however, support may be reasonably provided by filling or otherwise, then to flush, fill or build artificial supports in such portions of the mines as may be desired by the surface owner at a price not to exceed the cost thereof to the mining companies, but at the expense of such surface owner, provided that when such support is at the election of the mining company, the expense to the surface owner shall not exceed the cost of pillar coal as hereinbefore provided.

Fourth. Provision to be made for the adjustment of any disputes arising in connection with such sale or putting in of artificial supports.

Fifth. In recognition of the peculiar conditions and the general fear of immediate surface damage in the city of Scranton and borough of Dunmore, and with a purpose of relieving the public solicitude, but without admission or interpretation of the present value of the coal, the operators agree that during the period of eighteen months, after March first, 1913, they will sell so far as they have the legal right so to do, to owners (except mining and railroad companies) of structures exceeding five thousand dollars in value, such pillar coal as they may reasonably desire to purchase for the support of said structures at the rate of thirty-five cents per ton on the basis of eighteen hundred tons to the foot acre. In the event of such purchase, however, the coal thus purchased to be forever appropriated to the support of said surface. If, however, support may be reasonably provided by filling or otherwise, then to flush, fill or build artificial supports in such portion of the mines as may be desired by the surface owner at a price not to exceed the cost thereof to the mining company, but at the expense of such surface owner; provided that when such support is at the election of the mining company, the expense to the surface owner shall not exceed the cost of pillar coal as hereinbefore provided.

To this agreement, formal acceptances have been given, as to their respective territories, by the following corporations:—

Lehigh Valley Coal Company.
Philadelphia & Reading Coal & Iron Company.
Pennsylvania Coal Company.
Hillside Coal & Iron Company.
Delaware, Lackawanna & Western Coal Company.
Scranton Coal Company.
Elk Hill Coal & Iron Company.
Northern Coal & Iron Company.
Hudson Coal Company.
Delaware & Hudson Company.
Green Ridge Coal Company.
Lehigh & Wilkes-Barre Coal Company.
Northwest Coal Company.
Sterrick Creek Coal Company.
Lackawanna Coal Company, Ltd.
Mount Lookout Coal Company.
Forty Fort Coal Company.
Susquehanna Coal Company.
Lehigh Coal & Navigation Company.

COMMISSION'S RECOMMENDATION.

In the opinion of the Commission, any general solution of the problem should contemplate, so far as practicable, the ultimate extraction of all the coal.

In the future all cemeteries in the anthracite coal regions be located outside of coal measures. In several communities of the anthracite coal regions subsidences have occurred which have involved the disturbance of graves and the displacement of coffins. Such desecration is shocking to human sensibilities and in the future should be avoided by the location of cemeteries in safe places.

In communities in which mining operations are being carried on, this Commission advises recommends that in the future school buildings and other public buildings should be built with special reference to existing conditions, so that the least possible injury may occur by reason of the subsidence of the surface.

The Commission recommends that hereafter no new plans of lots and streets shall be laid out over coal measures, where mining conditions are such that serious danger to the public is to be apprehended by reason of the mining out of the underlying coal.

It shall be duty of all municipal and quasi-municipal corporations to require and direct that all public improvements be so undertaken, if practicable, that the tendency would be to lead to the location of municipal addition or extensions over areas not underlaid with coal.

The attention of prospective builders of structures in the coal regions is called to the dangers of building on lots underlaid with coal and are advised to desist from building on such lots unless the conditions are reasonably safe.

In mining communities, all waste materials, such as ashes, refuse, earth, etc., should be used for flushing purposes, whenever practicable, and that in order to secure co-operation to that end, municipalities, corporations and individuals should deliver such waste at such points as may be practicable for the mining companies to avail themselves thereof.

The Commission endorses the practice of mining companies in reasonably compensating surface owners for damages caused by mining operations.

PROPOSED LEGISLATION.

The Commission recommends the enactment of the following bills:—

AN ACT

PROVIDING FOR THE APPOINTMENT OF ARBITRATORS TO SETTLE DISPUTES AS TO CERTAIN FACTS CONCERNING THE DAMAGE TO PUBLIC OR PRIVATE PROPERTY BY MINE CAVES AND FIXING THEIR COMPENSATION AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

Whereas, A joint resolution, for the appointment of a Commission by the Governor of this Commonwealth for the purpose of investigating and reporting upon both physical conditions and legal rights in the matter of surface support where anthracite coal has been removed or the right to remove said coal is vested in others than the owner of the surface; and for the further purpose of suggesting new legislation relative to the same; and making an appropriation to meet the expenses of said Commission, approved by the Governor, March 24th, 1911.

And Whereas, In pursuance of said resolution said Commission has organized and fully considered the matters submitted to it under said resolution and has made its report to the Governor as therein required.

And Whereas, The said Commission has reported that there has been a voluntary offer made on the part of the mining companies to the effect that upon certain conditions they agree to bear a certain proportion of the cost of repairing property,

and also will repair streets under certain conditions; and further, that under certain other conditions coal for the support of the surface will be sold at rates therein fully set forth or supports will be furnished for the support of the surface.

And Whereas, It is necessary to enact a law whereby any disputes arising as to the cost of repairing property, ascertaining the quantity of coal left to support the surface and improvements thereon, or the cost of furnishing artificial support, and further as to the repairing of public highways under conditions named in said report.

Now, Therefore, Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is herby enacted by the authority of the same:

Section 1 That whenever any dispute shall arise concerning the matters as herein stated, that such matter of dispute shall be submitted to a Board of three arbitrators, one to be appointed by each of the parties to such dispute, and the said two arbitrators to appoint a third, and in case of their failure to agree upon a third arbitrator within a period of thirty days after their appointment, then the said third arbitrator to be appointed by the President Judge of the county in which the land is located about which the dispute arises. The decision of a majority of said arbitrators shall be as affective to all intents and purposes as if signed by all of the arbitrators.

Section 2 Said arbitrators shall be entitled to receive the sum of five dollars ($5.00) each day actually and necessarily employed in the performance of their duties.

Section 3 Either party aggrieved by the award of said arbitrators shall have the right to appeal to the Court of Equity of the proper county.

Section 4 All the costs of said arbitration and appeal shall be borne equally by the parties.

AN ACT

TO AFFORD ADDITIONAL PROTECTION TO THE PUBLIC AGAINST DANGERS RESULTING FROM THE CAVING IN OR SUBSIDENCE OF THE SURFACE OVERLYING ANTHRACITE COAL MINES.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same:—

That where the owner or operator of any anthracite coal mine in this Commonwealth possesses the right to mine out all the coal without obligation to support the surface, and proposes to exercise that right by removing or materially weakening the support theretofore afforded to the overlying surface by pillars of coal, it shall be unlawful for him to do so until sixty days after he shall have ceased to be served in the manner provided by law for service of the writ of ejectment, a written or printed notice of his intention so to do upon the owner or owners and the occupant or occupants of the surface lands liable to be affected by such action. Such notice shall specify the time when such pillar mining will, in the operator's opinion, render further occupation of the surface dangerous, and shall be served at least sixty days before the date stated therein. Within the period during which the said occupant or occupants are thus given an opportunity to remove from such place of danger, it shall be his or their duty to do so and remain absent therefrom until the danger from subsidence of the surface has passed.

Section 2 The said owner or operator shall cause to be served in the manner aforesaid, a notice of fifteen days, upon gas companies and electric light or power companies maintaing pipes and wires in territory under which mining operations are being conducted, which notice shall state when, in the operator's opinion, said mining operations will be liable to disturb said gas pipes and electric wires; whereupon it shall be the duty of said companies to shut off the gas and electric currents or regulate the supply thereof in the threatened territory until subsidence of surface shall have occurred or the danger to be apprehended therefrom has passed away.

SENATE MESSAGES.

AMENDMENTS TO SENATE BILL CONCURRED IN THE SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to bill numbered and entitled as follows, viz:

Senaet Bill No. 106.

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act providing for the incorporation and government of cities of the third class" validating all acts and proceedings commenced under the section which is amended

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives, numbered and entitled as follows:

House Bill No. 24,

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

Also House Bill No. 88.

An Act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An Act to amend sections one and sixteen of an act entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand ((150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants

Also House Bill No. 89,

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

Also House Bill No. 248,

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An Act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult"

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY THE SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 55,

A Joint Resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Senate Bill No. 123.

An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty five entitled "An Act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks" and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three entitled "An Act relative to the pay of jurors in the County of Bucks"

Senate Bill No. 106,

An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act providing for the incorporation and government of cities of the third class" validating all acts and proceedings commenced under the section which is amended

Whereupon,

The Speaker, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES.

Mr. JAMES A. DUNN from the Committee on Labor and Industry, reported as committed, House Bill No. 1049, entitled:

An Act providing a means of indentifying certain persons in this Commonwealth, requiring certain duties of employers, and fixing penalties for violation hereof.

Mr. SNYDER from the Committee on Counties and Townships, reported as committed, House Bill No. 1151, entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities, boroughs, villages, or places of public resort, and to charge a part of the expense of constructing the same upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township.

Mr. SWARTZ from the Committee on Education, reported as committed House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania ,together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenues; and repealing all laws general, special or local or any parts thereof, that are or may be inconsistent therewith," by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children.

Mr. O'NEILL from the Committee on Publisc Health and Sanitation reported with a negative recommendation, House Bill No. 805, entitled.

An Act to amend section one of an act entitled "An Act to safeguard human life and health throughout the Commonwealth by providing regulations for the control of cer-

tain communicable diseases and the prevention of infection therefrom, and prescribing penalties for the violation of said regulations," approved the fourteenth day of May, Anno Domini one thousand nine hundred and nine.

Mr. HESS from the Committee on Municipal Corporations, reported as committed, House Bill No. 1158, entitled:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine, entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth," as amended, providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted .

Mr. ULERICH from the Committee on Education reported with a negative recommendation House Bill No. 78, entitled:

An Act supplementing and amending sections two hundred and one (201), two hundred and two (202) and two hundred and fourteen (214) of Article II of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May one thousand nine hundred and eleven, by providing for the election in school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the Courts of Common Pleas of the county in which such school districts is situated.

Mr. NEELY from the Committee on Appropriations, reported as committed, House Bill No. 656, entitled:

An Act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania.

Mr. BAYLE from the Committee on Counties and Townships, reported as committed House Bill No. 296, entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings, and providing for the payment of the expenses thereof.

Mr. RAMSEY from the Committee on Counties and Townships, reported as committed House Bill No. 1144, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein.

Mr. BERNTHEIZEL from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained billboards, signs, or other advertising devices, the increased value of such lands resulting from the use of such premises for advertising.

Mr. BERNTHEIZEL from the Committee on Counties and Townships, reported as committed House Bill No. 1039, entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled, "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, together with a tag to be attached thereto showing payment of tax, said tag to be provided by the County Commissioners; imposing certain duties upon constables, tax collectors, and County Commissioners; and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement, and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes.

Mr. WATSON from the Committee on Judiciary General reported with a negative recommendation, House Bill No. 331, entitled:

An Act regulating annument of marriage, divorce and alimony defining the kinds thereof, the causes therefor and the defences thereto, regulating the jurisdiction of the courts over the same, regulating the procedure of said courts in annulment and divorce proceedings, the kind, form, enforcement and effect of the decrees of said courts and providing for appeals therefrom; defining the effect of annulment or divorce upon property rights and upon the status of children and providing for the care, custody and support of minor children, prohibiting marriage with a particeps criminis, declaring the effect of marriage on false rumor of death of either party, and of foreign decrees, and repealing, consolidating and extending existing laws in relation to these subjects.

Mr. FRANK GRAY from the Committee on Public Health and Sanitation reported with a negative recommendation, House Bill No. 806, entitled:

An Act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry, and the conditions under which such licenses may be issued and providing penalties for the none-observance of the same

Mr. FRANK GRAY from the Committee on Public Health and Sanitation reported as committed, House Bill No. 796, entitled:

An Act amending the twentieth section of an act, approved the first day of May, Anno Domini one thousand nine hundred and five, entitled, "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statitstics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious disease in this Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for establishment and maintaining such a bureau, and providing certain penalties" as amended by an act approved the thirteenth day of June, Anno Domini nineteen hundred and eleven, "An Act amending the twentieth section of an act, approved the first day of May, Anno Domini one thousand nine hundred and five, entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health, and to insure the thorough organization and efficiency of the registration of the vital statistics throughout the State, as provided in section seven of an act, entitled "An Act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth," approved June third, eighteen hundred and eighty-five; and making an appropriation for establishing and maintaining such a bureau, and providing certain penalties,' as amended by an act, approved the sixth day of June, Anno Domini one thousand nine hundred and seven, entitled 'An Act to amend sections five, nine, fifteen, nineteen, twenty and twenty-five of an act, entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial of removal permits; requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State, as required to be established by the State Board of Health; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth,' approved June third, eighteen hundred and eighty-five; and making an appropriation for estalishing and maintaining such a bureau, and providing certain penalties," which was approved the first day of May, Anno Domini one thousand nine hundred and five; by valid; providing for the issuance of burial permits without extending the territory in which burial permits shall be fees; establishing a method for securing the given names of children; making a uniform date for the returns of local registrars; providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths,' by changing the fees for birth and death certificates."

Mr. W. H. WILSON from the Committee on Judiciary General reported as committed House Bill No. 677, entitled:

An Act to amend section thirty-four of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the Penal Laws of this Commonwealth."

Mr. PEACHEY from the Committee on Education reported as committed House Bill No. 1042, entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local or any parts thereof, that are or may be inconsistent therewith."

Mr. BASS from the Committee on Judiciary Special reported with a negative recommendation, House Bill No. 1215, entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors or administrators, if they are deceased, or either surety or sureties, if the surety or sureties have paid the taxes, to collect taxes, for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective warrants or by the expiration of their term of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. MATHER from the Committee on Fisheries reported as amended House Bill No. 387, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish, and which are bait fish, and to regulate the catching and sale and encourage the propogation of the same, to protect the waters within this Commonwealth from unfair, improper, wasteful and destructive fishing, and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish-wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artifically propagated for profit; to forbid the sale of unlawful devices for catching fish and to provide penalties and punishment for the violation of the provisions of this act and providing how and by whom the costs shall be paid."

Mr. HEIDINGER from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 802, entitled:

An Act to repeal an act approved the fourth day of April, one thousand nine hundred and seven, entitled "An Act providing for the recovery and collection of municipal claims by lien or by action of assumpsit," with amendment thereto.

Mr. McCLINTOCK from the Committee on Elections, reported with a negative recommendation, House Bill No. 604, enttiled:

An Act regulating the pay of election officers and clerks in each of the counties of this Commonwealth.

Mr. POST from the Committee on Education reported with a negative recommendation, House Bill No. 202, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any part theerof, that are or may be inconsistent therewith."

Mr. SHOWALTER from the Committee on Judiciary Special reported as committed, House Bill No. 1071, entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," and approved the 28th day of April, Anno Domini one thousand eight hundred ninety-nine, by extending its provisions so as to embrace the practice of the law of this or any other State, nation, country or land, and so as to embrace the practice of the law out of court as well as before the courts.

Mr. SHOWALTER from the Committee on Municipal Corporations, reported as committed House Bill No. 41, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five, entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith."

Mr. BROWNLEE from the Committee on Judiciary Special reported as committed, House Bill No. 1094, entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales approved the 11th day of May, Anno Domini 1911, in all cases where notices of said sales have been mailed within the time specified in said act.

Mr. BROWNLEE from the Committee on Judiciary Special, reported as committed House Bill No. 1097, entitled:

An Act to amend section two of an act relating to receiver's sales approved the 11th day of May, A. D. 1911, by providing the method of giving notices of sales under said act, and the manner and effect of proving the giving of the same.

Mr. A. E. SHAEFFER from the Committee on Mines and Mining, reported as committed, House Bill No. 1027, entitled:

An Act to amend section one of an act approved the twenty-ninth day of May, one thousand nine hundred and one, entitled "An Act relating to anthracite mines, and providing for the care and life and attention of employes injured in and about said mines," requiring the erection of medical rooms in the mines and on the surface.

Mr. McKAY from the Committee on Education, reported as committed House Bill No. 822, (Senate Bill No. 103), entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

Mr. I. G. FORSTER from the Committee on Judiciary General, reported as committed House Bill No. 1166, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

Mr. BROSIUS from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1033, entitled:

An Act requiring the several district attorneys of the Commonwealth to present all criminal cases, returned by justices of the peace, aldermen and magistrates, to the grand jury for consideration and disposition at the term to which they are returned, or at the next subsequent term.

Mr. BROSIUS from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1107, entitled:

An Act relating to inns and hotels, regulating certain rights and liabilities of hotel keepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers.

Mr. MOORE from the Committee on Insurance, reported as committed House Bill No. 696, entitled:

An Act providing and requiring standard provisions in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discriminating in such insurance exempting certain contracts and fixing penalties for violation of this act.

Mr. ALWORTH from the Committee on Judiciary Special, reported as committed House Bill No. 1054, entitled:

An Act amending section twelve of an act entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claim filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, A. D. one thousand nine hundred and one, by changing the provisions prescribing what property shall be included in tax and municipal claims.

Mr. McALEER from the Committee on Municipal Corporations reported as Committed, House Bill No. 895, entitled:

An Act amending article two of an act enttiled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one, as amended by an act approved the eleventh day of May, one thousand nine hundred and eleven, by eliminating the Department of Collector of Delinquent Taxes, and by providing for the duties of the Department of Collector of Delinquent Taxes to be transferred to the Department of City Treasurer.

Mr. GRAMLEY from the Committee on Education, reported as committed, House Bill No. 452, entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith."

Mr. KEEPORT from the Committee on Education, reported with a negative recommendation, House Bill No. 210, entitled:

An Act supplementing and amending section two thousand eight hundred and twenty-four (2824) of Article XXVIII of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May one thousand nine hundred and eleven, by fixing and reducing the millage therein provided for the levy of a special tax in any school district of the first class assuming any bonded indebtedness of any former school district, subschool district or ward school district within its limits.

Mr. MALIE from the Committee on Law and Order, reported with a negative recommendation House Bill No. 121, entitled:

An Act regulating and restraining the sale and use of vinous spirituous, malt or brewed liquors, or any admixture thereof, to and by social or other clubs, societies or organizations and among the members thereof.

Mr. MALIE from the Committee on Law and Order, reported with a negative recommendation House Bill No. 709, entitled:

An Act regulating the sale or distribution of vinous, spirituous malt or brewed liquors by any club, society or organization formed for certain purposes; and imposing penalties for violation of this act.

Mr. MALIE from the Committee on Law and Order, reported with a negative recommendation House Bill No. 725, entitled:

An Act providing for the registration of social or other clubs or organizations furnishing vinous, spirituous, malt or brewed liquors among the members thereof, prohibiting the furnishing of same any unregistered clubs, societies or organizations, and providing for violation of the act.

Mr. HOFFMAN from the Committee on Public Roads reported as committed House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth.

Mr. REESER, from the Committee on Public Roads, reported as committed, House Bill No. 865 (Senate Bill No. 57), entitled:

An act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof, conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement and maintenance and repair of township or country roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township, borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affcted by provisions of this act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, House Bill No. 857, entitled:

An act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the Court of Common Pleas, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace.

Mr. McCAIG, from the Committee on Public Roads, reported as committed, House Bill No. 1090, entitled:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads; authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compesation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Phamplet Laws two hundred and forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases.

Mr. BITTLES, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 145, entitled:

An Act providing for the selection of county depositories in each county and relating to the personal liability of the county treasurer.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1025, entitled:

An act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine, entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates, to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of October in each year as the time on or before which the City Controller shall be required to furnish to Councils the estimate provided for by such act, and the first of December in each year as the time on or before which the tax rate for for the ensuing year shall be fixed.

Mr. MURPHY, from the Committee on Mines and Mining, reported as committed, House Bill No. 1114, entitled:

An act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act

Mr. GRABE, from the Committee on Counties and Townships, reported as committed, House Bill No. 1137, entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

Mr. LANIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 847, entitled:

An act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents or duly incorporated Societies or Associations for the Prevention of Cruelty to Animals to carry out the provisions of the act.

Mr. PETERS, from the Committee on Counties and Townships, reported as committed, House Bill No. 1116, entitled:

An act authorizing and empowering County Commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the Board of Managers of Juvenile school or farm as heretofore established by the Act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain school for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment, maintenance, and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not les than ten thousand dollars ($10,000) at any one time

Mr. PETERS, from the Committee on Fisheries, re-reported as committed House Bill No. 157, entitled:

An act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

Mr. STRAUSS, from the Committee on Judiciary General, reported with a negitave recommendation, House Bill No. 200, entitled:

An act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties wtih half pay for their unexpired terms and the filling of vacancies caused by such removal approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives"

Mr. BENSON, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 1030, entitled:

An act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

Mr. BECKER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1143, entitled:

An act to authorize townships of the first class to provide for fire protection

Mr. DONNALLY, from the Committee on Counties and Townships, reported as committed, House Bill No. 1150, entitled:

An Act to amend sections one and two of the act of April twenty-three nineteen hundred and three (Pamphlet Laws, 292) entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their preceipts to assessors to make the triennial assessment, and the reassessment between the periods of the triennial assessments, of property, and fixing the time for the return thereof" by directing that the county commissioners shall issue their precepts for the triennial assessments and intermediate reassessments on or before the first Monday of July.

Mr. E. G. M. KUHNS, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1128, entitled:

An Act relating to the assessment of real estate for county purposes; providing for an affidavit and return of the amount and value of real estate by taxables; prescribing the form and method of such return; and providing penalties for violation thereof.

Mr. KLEPPER, from the Committee on Municipal Corporations, reported as amended House Bill No. 921, entitled:

An Act authorizing cities, boroughs and townships to enact ordinances regulating pipes or tubes used to convey gas.

Mr. PRICE, from the Committee on Forestry, re-reported as amended, House Bill No. 559, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes.

Mr. PRICE, from the Committee on Forestry, re-reported as amended, House Bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Mr. PRICE, from the Committee on Forestry, re-reported as amended, House Bill No. 558, entitled:

An act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

Mr. KLEPPER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1037, entitled:

An Act to amend section one of an act approved the twenty-fourth day of June one thousand eight hundred and eighty-five entitled "An act relative to costs in suits before aldermen and justices of the peace and the collection of the same" as amended by an act approved the twenty-ninth day of May one thousand nine hundred and seven entitled "An Act relative to costs in suits before aldermen and justices of the peace and the collection of the same' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and eighty-five providing that when an appellant shall enter good and sufficient bail absolute for the payment of debt interest and costs on affirmation of the judgment in which case the appellant shall not be required to pay the costs before taking such appeal"

Mr. KLEPPER, from the Committee on Judiciary Special, reported as amended, House Bill No. 357, entitled:

An act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence"

Mr. KITTS, from the Committee on Judiciary General, reported as amended, House Bill No. 835, entitled:

An act relating to the service of notices and summons in landlord and tenant cases

Mr. NEWBAKER, from the Committee on Public Health and Sanitation, rereported as amended, House Bill No. 210, entitled:

An act to amend the title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to prace medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof repealing all acts or parts of acts inconsistent therewith approved the third day of June one thousand nine hundred and eleven"

Mr. GOOD, from the oCmmittee on Mines and Mining, reported as committed, House Bill No. 598, entitled:

An act to prohibit the employment at any work or labor or any minor child under the age of twenty-one years and over the age of sixteen years in or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may ascertain such and providing a penalty for non-compliance with the provisions of this act

Mr. ULMAN, from the Committee on Insurance, reported as committed, House Bill No. 697, entitled:

An act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowering corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violation of this act

Mr. HUMES, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 330, entitled:

An act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such return to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 176, entitled:

An act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penaltis for the violation of the provisions thereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

Mr. BLELOCH, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 295, entitled:

An act to provide a method by which it may be determined whether a judgment entered in any of the courts in this Commonwealth is a lien upon any particular real estate

Mr. JACKSON, from the Committee on Education, reported with a negative recommendation, House Bill No. 238, entitled:

An act amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by repealing section two thousand eight hundred and twenty-four (2824) of Article twenty-eight of said act which provides for and fixes the millage for the levy of a special tax in any school district of any former school district sub-school district or ward school district within its limits

Mr. GLENN, from the Committee on Education, reported as committed, House Bill No. 479, entitled:

An act to amend section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

Mr. AMBLER, from the Committee on Counties and Townships, re-reported as committed House Bill No. 648, entitled:

An act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

Mr. GEORGE A. BALDWIN, from the Committee on Law and Order, re-reported as amended, House Bill No. 195, entitled:

An act to enjoin and abate houses of lewdness assignation and prostitution to declare the same to be nuisances to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purposes and to assess a tax against the person maintaining said nuisance and against the building and owner thereof

Mr. NEELY, from the Committee on Judiciary Special, reported as amended, House Bill No. 1013, entitled:

An act to amend the tenth section of an act entitled "An Act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one by changing the procedure for reviving and continuing the liens of municipal and tax claims

Mr. Hobbs, from the Committee on Public Roads, reported as committed, House Bill No. 946, entitled:

An act to amend section five of an act approved the twenty-seven day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fine imposed thereunder"

Mr. H. B. DUNN, from the Committee on Counties and Townships, reported as committed, House Bill No. 1082 (Senate Bill No. 157), entitled:

An act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of this Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

REASON FOR VOTING ON HOUSE BILL NO. 232.

Representative John R. K. Scott, of the 8th District, assigns as his reason for voting against the Steele Prohibition amendment, as follows:

"For the same reason that I voted against Local Option I vote against this amendment.

"It is undoubtedly the fundamental right of the majority to enact laws to govern. If it is the desire of a state to exclude the sale of liquor, then that is their right. The sale of liquor is a right permitted by our laws. Under these laws there has grown up a large industry in the manufacture and sale of vinous, spiritous and malt liquors. Many millions of dollars are invested by individuals in this industry. The right to possess property is inherent in an individual. The right to own that property free from confiscation without compensation is the inherent right of an individual. This right of the individual is as sacred as is the right of the many to make laws for its self-government. To vote for the above bill permitting the many by constitutional amendment to deprive the individual of his property at the command of the many, and this without any compensation to the individual, would be unfair and but a taking by the many the property of the few. This would be without the color of right. For this reason my vote in the negative was given."

CONCURRENT RESOLUTION TO FIX THE MINIMUM WAGES FOR UNITED STATES ARSENAL EMPLOYEES.

Mr. JAMES A. DUNN. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. James A. Dunn.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was twice read by the Clerk, as follows:

A CONCURRENT RESOLUTION.

Whereas, In the United States Arsenal located at Frankford, Philadelphia County, Pennsylvania, over twelve hundred women and men are employed in the manufacture of ammunition and explosives; and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day, and the wages paid such men one dollar and fifty cents per day, except where those who work at piece work, which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men; and

Whereas, It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country, especially for those who are employed on work that is extremely hazardous; therefore

Be It Resolved, (if the Senate concur), That the President of the United States is respectively urged to recommend to the Congress of the United States, as soon as practicable, the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men; and

Be It Further Resolved, That each senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended; and

"Be It Further Resolved, That a copy of these resolutions be duly prepared, certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each senator and member of Congress from this State.

The SPEAKER. The resolution will lie over for printing.

RESOLUTION TO PLACE BILL ON CALENDAR.

Mr. KEEPORT. Mr. Speaker.

The SPEAKER. The gentleman from Berks, Mr. Keeport.

Mr. KEEPORT. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was twice read by the Clerk, as follows:

Resolved, That House Bill number seven hundred and thirty-nine entitled "An Act providing for the reimbursing of persons partnerships and corporations for loss sustained by deprivation of privilege of selling or manufacturing vinous spirituous malt or brewed liquors regulating such reimbursement and providing for the levying of a tax in the proper county city borough town township or ward" be placed upon the calendar notwithstanding the fact that it has been negatively recommended to this House by the Committee in Law and Order to which it was committed

The SPEAKER. Is the resolution seconded?

Mr. MOORE. Mr. Speaker, I second the resolution.

On the question,

Will the House agree to the resolution?

Mr. KEEPORT. Mr. Speaker, the object of this resolution is to reimburse the men who are complying with the law which the State has recognized for years—closing them without being violators. It is not fair and just between man and man that they should be closed without being reimbursed for the loss that they have sustained. I therefore ask to have this bill placed on the calendar for action, notwithstanding the negative recommendation of the committee.

Mr. ULERICH. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Berks. Mr. Keeport, permit himself to be interrogated?

Mr. KEEPORT. Yes, sir.

Mr. ULERICH. Mr. Speaker, I would like to ask the gentleman this question: Suppose up in Lawrence County, where the judge has decided that there shall be no licensing, whether that county or some other county will be required to pay these hotel men up there that are supposed to have lost money?

Mr. KEEPORT. Mr. Speaker, No, sir. This bill does not go back of the time of its passage.

Mr. ULERICH. Mr. Speaker, I could not hear the gentleman.

The SPEAKER. Will the gentleman repeat his answer?

Mr. KEEPORT. No, sir. It does not go back of the time of its passage.

Mr. ULERICH. Mr. Speaker, I would like to ask the gentleman further just exactly what people are to be reimbrused—I would like to know who is to be reimbursed.

Mr. KEEPORT. Mr. Speaker, the wholesaler and the retailer. Te bill, as it is now written, includes the manufacturer, but it was my thought to have it amended and I have the amendments in my pocket now. I had a little talk with the chairman of the committee and I told him that possibly I would not be able to get through to get these amendments in the committee and when I returned this morning, he told me that the bill was reported. For that reason I am now for the reconsideration of this resolution.

The SPEAKER. The question is upon the adoption of the resolution to place this bill upon the calendar notwithstanding the negative recommendation. The Clerk will call the roll.

The yeas and nays were as follows:

YEAS—29.

Allen,	Dickinson,	Lenker,	Piper,
Bass,	Dunn, J. A.,	Lowers,	Sassaman,
Becker,	Eichenberger,	Mannion,	Steedle,
Campbell, J.J.	Heyburn,	McArdle,	Stein,
Carter,	Keegan,	Missimer,	Ulman,
Conner,	Keeport,	Perry, S. J.,	Wettach,
Curry,	Kuhns, E.G.M.,	Peters,	Wildman,
Davis,			

NAYS—119.

Adams,	Flynn,	Mather,	Robinson,
Alworth,	Foster, J. D.,	Matt,	Rothenberger,
Ambler,	Geiser,	McAleer,	Runk,
Baldwin, G. A.,	Gibson,	McAllister,	Schaeffer, A. C
Barner,	Glenn,	McCaig,	Schuck,
Beininger,	Good,	McClintock,	Scott, S. B.,
Benson,	Grabe,	McDermott,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McKay,	Shaffer, I. E.,
Bigger,	Hackett,	Mellott,	Smith, J. W.,
Bittles,	Haggerty,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Heidinger,	Miller,	Snavely,
Bleloch,	Hemminger,	Mitchell,	Snyder,
Body,	Herman,	Morrow,	Spillinger,
Brosius,	Hess,	Moulthrop,	Steele,
Brown,	Hobbs,	Murphy,	Strauss,
Brownlee,	Howard, J.,	Musser,	Swartz,
Burnett,	Howard, R.,	Neel,	Swift,
Caldwell,	Jackson,	Neely,	Thomas,
Campbell, C.M.,	Jones, E. E.,	Newbaker,	Trach,
Carson,	Jones, J. R.,	Newton,	Ulerich,
Cheeseman,	Kaiser,	Peachey,	Walnut,
Claycomb,	Kaufman,	Pennock,	Watson,
Cleary,	Kennedy,	Perry, H. L.,	Whitaker,
Conniff,	Kern,	Post,	Whitman,
Conrade,	Klepper,	Ramsey,	Williams,
Currier,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
DeFrees,	Latshaw,	Reeser,	Wultbank,
Donahoe,	Leslie,	Rex,	Zimmerman,
Donnally,	Light,	Rhoads,	Alter,
Down,	Martin,		Speaker.
Ehrhardt,			
Ely,			

Less than the number required by the rule having voted in the affirmative.

The motion was not agreed to.

COMMUNICATION FROM PRESIDENT WILSON.

The SPEAKER. The Chair desires to report to the House that in compliance with the resolution passed a few days ago, the Chair telegraphed said resolution to the President of the United States and that a reply has been received, which the Clerk will read.

The Clerk read the communication as follows:

IN THE WHITE HOUSE.

Washington, D. C., March 7, 1913.

My Dear Mr. Speaker:—The resolution of congratulation adopted by the Pennsylvania House of Representatives as embodied in your kind telegram of March 6th, is very gratifying to the Pesident, and he would be glad to have you convey to you colleagues an expression of his warmest thanks.

Sincerely yours,

J. P. TUMULTY,
Secretary to the President.

Honorable George E. Alter,
Speaker, House of Representatives,
Harrisburg, Pennsylvania.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read, as follows, viz:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—A resolution adopted by the House of Representatives reads as follows:

"Whereas it is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered.

Therefore be it

Resolved, That a committee of five members of the House of Representatives, to be appointed by the Speaker of the House, two of whom shall be Democrats, shall be and are hereby constituted a committee to inquire into the facts and to make report of their finding to the House within thirty days. Such committee shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a Committee of the House of Representatives."

Pursuant to this one House resolution, Mr. Walter H. Gaither, holding the office of Private Secretary to the Governor, a subordinate in the Executive Department of the Commonwealth, has been served with a subpoena, commanding him to appear before said committee.

I have directed Mr. Gaither to refuse to obey the command of the said subpoena for the following reasons:

Having in view the powers and duties of the three co-ordinate branches of the State goernment, a proper regard for the Executive Department and the prerogatives, powers and duties vested in that department by the people, under the Constitution of the Commonwealth, impeals me respectifully to express my dissent from the proposition that it lies within the power of either branch of the General Assembly to compel the Governor, or the head of any department included by the Constitution within the Executive Department, and their subordinate, subject to the supreme executive power vested in the Governor by that Constitution, by its subpoena, to appear and testify concerning, or produce books, papers and documents relating to, the administration of the Executive Department, before a legislative committee created by it, in any case where, in the judgment of the Governor of the Commonwealth, it would be incompatible with the public interest, to obey such summons.

The Constitution provides that:

"The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed."

and that

"He may require information in writing from the officers of the executive department, upon any subject relating to the duties of their respective offices."

and that

"He shall, from time to time, give to the General Assembly information of the State of the Commonwealth, and recommend to their consideration such measures as he may judge expedient."

The same fudamental principle in our organic law, which exempts the Governor and his subordinate, while engaged in performing the duties pertaining to their respective offices, from the subpoena of the judicial department of the State government, likewise exempts the Governor and his subordinates from the compelling power of a subpoena of an investigating committee created by a resolution adopted by but one branch of the General Assembly.

I have never declined, nor shall I decline, to communicate to the General Assembly, all the information which, under the Constitution, or the law, of this Commonwealth, it is my duty to give or which my judgment as the Governor of the State may suggest to me, or a request from the legislature may indicate to me, will be useful in the discharge of the appropriate duties and functions committed to the law-making branch of the government

I do not find, however, in the Constitution of the Commonwealth, the authority given to the House of Representative to require the Governor, or his subordinates, constituting an independent co-ordinate branch of the State government, created by that instrument, to submit to the compelling power of such a subpoena, as is purported to be authorized by the resolution referred to.

If the information attempted to be compelled, without limitation, as to propriety or relevancy, by this resolution, and required by means of the unrestricted subpoenas of the House Committee thereby created, and now served upon my Secretary and other subordinates of the various Executive Departments of the government, be sought instead through a proper request or inquiry of the legislature, addressed to the Governor, concerning the subject matter of the resolution, in a way which does not strike at the above fundamental principles of our frame of govenment, or violate any other provision of the organic or statutory law of the Commonwealth, I shall unhesitatingly see to it, that all such information shall be promptly furnished. Meanwhile and until such request is preferred to the Governor, I have directed the heads of the several Executive Departments and their subordinates to decline to respond to the subpoena.

(Signed) JOHN K. TENER.

QUESTION OF PERSONAL PRIVILEGE.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. S. B. SCOTT. Mr. Speaker, on behalf of not only myself but on behalf of every member of this House, I desire to state that the Constitution in Article II, section eleven, says, "Each House shall have power to enforce obedience to its process". Since the Governor of the State

has in a formal message refused obedience to the process of the House, not directed to him but to a mere subordinate in his office, I feel that a very serious question of the Constitutional privilege of the House has been raised. Therefore, Mr. Speaker,

I move that this message of his Excellency, the Governor, be referred to the Committee on Judiciary General for the purpose of advising the House on what steps it ought to pursue.

Mr. HUMES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. HUMES and Mr. ALLEN, were as follows:

YEAS—163.

Adams,	Down,	Latshaw,	Rothenberger,
Allen,	Dunn, H. B.,	Lenker,	Runk,
Alworth,	Dunn, J. A.,	Letzkus,	Sassaman,
Ambler,	Ehrhardt,	Light,	Savacool,
Baldwin, G. A.,	Fahey,	Malie,	Schaeffer, A. C
Barner,	Flynn,	Mannion,	Scott, J. R. K.,
Bass,	Forster, I. G.,	Martin,	Scott, S. B.,
Becker,	Foster, J. D.,	Mather,	Shaffer, C. A.,
Benninger,	Frey,	Matt,	Shaffer, I. E.,
Benson,	Geary,	McAleer,	Shern,
Bergey,	Geiser,	McClintock,	Sherwood,
Berntheizel,	Gibson,	McDermott,	Showalter,
Bigger,	Glenn,	Mechling,	Smith, J. W.,
Bittles,	Good,	Mellott,	Smith, L.,
Blair, W. A.,	Grabe,	Metzenbacher,	Snavely,
Blair, W. F.,	Gramley,	Miller,	Snyder,
Body,	Gray, Frank,	Mitchell,	Speiser,
Brosius,	Haggerty,	Moulthrop,	Spillinger,
Brown,	Heidinger,	Murphy,	Steedle,
Brownlee,	Hemminger,	Musser,	Steele,
Burnett,	Herman,	Neely,	Stein,
Caldwell,	Hess,	Newbaker,	Stone,
Campbell, C.M.,	Heyburn,	Newton,	Strauss,
Campbell, J.J.	Hobbs,	O'Neill,	Swift,
Carson,	Howard, J.,	Peachey,	Thomas,
Carter,	Howard, R.,	Pennegar,	Trach,
Cheeseman,	Humes,	Pennock,	Ulerich,
Claycomb,	Isler,	Perry, H. L.,	Ulman,
Cleary,	Irwin, H. H.,	Peters,	Walnut,
Cochran,	Jackson,	Piper,	Walton,
Collins,	Jones, E. E.,	Post,	Watson,
Conner,	Jones, J. R.,	Price,	Wettach,
Conniff,	Kaiser,	Ramsey,	Whitman,
Conrade,	Kaufman,	Redfield,	Williams,
Cox,	Keeport,	Reese,	Wilson, J. H.,
Currier,	Kennedy,	Reeser,	Wilson, W. H.,
Curry,	Kern,	Rex,	Young, G. K.,
Davis,	Kitts,	Rhoads,	Young, J. H.,
DeFrees,	Klepper,	Richards,	Zimmerman,
Dickinson,	Kuhns, E.G.M.,	Robinson,	Alter,
Donahoe,	Lanius,	Roney,	Speaker.
Donnally,			

NAYS—24.

Eichenberger,	Kuhn, H. P.,	Missimer,	Perry, S. J.,
Ely,	Leslie,	Moore,	Schuck,
Gans,	Lowers,	Morrow,	Walsh,
Gray, Joseph,	McAllister,	Moses,	Whitaker,
Hackett,	McArdle,	Neel,	Wildman,
Keegan,	McCaig,	North,	Wiltbank,

So the question was decided in the affirmative.

LEAVES OF ABSENCE.

Mr. CURRY asked and obtained leave of absence for Mr. GRANSBACK indefinitely on account of illness.

Mr. REX asked and obtained leave of absence for himself from Thursday of this week until Tuesday of next week.

Mr. HEMMINGER asked and obtained leave of absence for Mr. LOHR for the balance of the week.

Mr. GEISER asked and obtained leave of absence for Mr. Goss for the balance of the week.

Mr. SPILLINGER asked and obtained leave of absence for himself for the balance of the week.

BILLS ON SECOND READING.

The SPEAKER. When the House adjourned yesterday it had under consideration on second reading Bill No. 118, file folio 1409, the question being on the adoption of the amendment offered to the third section by the gentleman from Allegheny, Mr. Neely, and the question of the adoption of that amendment was under discussion. The Clerk will read the amendment so as to refresh the memory of the members of the House as to the contents thereof.

The amendment was read as follows:

Amend section 3, line 5, by striking out the word "Saturday" and inserting the word "Tuesday."

Mr. NEELY. Mr. Speaker, I wish to offer additional amendments to the same section.

The SPEAKER. The gentleman from Allegheny, Mr. Neely offers three other amendments to the same section each of the amendments being for the same purpose—to strike out the word "Tuesday" and insert the word "Saturday." These several amendments can be acted upon together since they are all of the same nature.

The amendments were read as follows:

Amend section 3 line 6 by striking out the word "Saturday" and inserting the word "Tuesday."

Amend section 3 line 7 by striking out the word "Saturday" and inserting the word "Tuesday."

Amend section 3 line 8 by striking out the word "Saturday" and inserting the word "Tuesday."

On the question,

Will the House agree to the amendments?

Mr. JOHN ROBERT JONES. Mr. Speaker, just a moment. I want to clearly explain the position of the committee on this bill. It was given careful consideration and there is no question but what a change to Tuesday would be a convenience to some people, but the thought of the committee was this, that Saturday is the day that is most convenient to the greatest number of people, most convenient to the farmer, most convenient to the laboring man, for the reason that the tendency of all labor legislation is toward a Saturday half holiday; and also for the traveling man. There are good reasons for the gentleman from Allegheny to support this change, but my contention is, and the contention of the committee is, that Saturday is the most convenient for the great majority of the voters, and I therefore ask the members to vote "no" on these proposed amendments.

Mr. ALLEN. Mr. Speaker, at the time of the motion for adjournment made on yesterday, I had the floor and was arguing in favor of the proposed amendment. In answer to all that has been said and briefly summing up what I had said on yesterday, to sum up the purpose of these proposed amendments and their effect, I still maintain that, inasmuch as the primaries held on Saturday oftentimes require the counting of various extensive tickets and requires election judges and clerks to serve the entire night Saturday and oftentimes and in many sections—in large cities—part of the whole day on Sunday, that the matter of the change should be made and Tuesday ought to be inserted instead of Saturday, thereby obviating those features which are very distasteful to many people. The suggestion has been made oftentimes in this House, in relation to election judges and clerks, that you could not get certain people to serve for various purposes, indicating that one of the strongest purposes and strongest obstacles that has stood in the way of having this very respectable element act as election judges and clerks has been due to the fact that much of their work had to be done on the Sabbath day, to which they were averse. Further than that, as was suggested, there are various religious sects and nationalities that will not participate in elections held on Saturday, and it will meet their purposes to have the election held on Tuesday; and for that and various other reasons that could be mentioned at this time, I feel that the amendments should be sustained and have the time changed from Saturday until Tuesday.

Mr. W. F. BLAIR. Mr. Speaker and Gentlemen of the House, I hate to take issue at this time with my friend from Allegheny, Mr. Neely, and my big friend at my right, Mr. Allen, but it is a remarkable fact that to take the rural districts as a whole, to change the time of holding the primaries from Saturday until Tuesday would be a great disadvantage. You take the traveling men, the thousands of traveling men in this State, and start them out on Monday and get them back on Tuesday, if you please; it is almost impossible to do it. You take the working man who goes out to the small towns in the rural districts on Monday and bring him back on Tuesday to vote and then get him back on Wednesday to his labor, and if you can do that, you can do better than ever I could. It is almost impossible to do it. We know that it costs a lot of money to do this and I am opposed to this bill from the very ground up. There are only a few classes of people that are favored in the proposed law, but it does have a little merit in that the merchants can thereby divide the business between Saturdays and Tuesdays. But take the people as a whole, there is nothing to it. You take the farmers,—to get them to go out in the first part of the

week and on the second day, get them to attend an election is almost an impossibility to get them out anywhere as a whole. You cannot do it in the rural districts, and to pass a law like this or to pass this amendment would be very dangerous to the farmers and the traveling men and the working men that go out of town over Monday. Try and get them back; you could not do that, I don't think at all; and therefore, gentlemen—I am not in the habit of howling on the floor of this House,—but I earnestly ask you to vote this amendment down.

Mr. CLAYCOMB. Mr. Speaker, I do not agree with what the gentlemen said who just had the floor. There are many industries throughout the Commonwealth that regards Saturday afternoon as a holiday, the farmers especially. I come from the city of Altoona, where there are 13,000 shop men who take Saturday afternoon as a holiday. To them this amendment would be very disadvantageous. I will say that I protest in behalf of them against this amendment.

Mr. JOSEPH GRAY. Mr. Speaker, if all these arguments against changing the time from Saturday to Tuesday are so valid, I do not see why we do not change the general election from Tuesday to Saturday.

Mr. GRAMLEY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Allen.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. ALLEN. Certainly, Mr. Speaker.

Mr. GRAMLEY. It has been said there are people in our State who would refuse to attend the primaries on Saturday because of their religious faiths. I would like to ask the gentleman from Allegheny to say to me whether or not the same people refrain from other work the same day because of that religious belief.

Mr. ALLEN. Mr. Speaker, in answer to the gentleman, I would say that they do.

Mr. BROSIUS. Mr. Speaker, I am opposed to this amendment for the reason that a great many of the working or laboring people go to their work on Monday and do not return until Saturday evening. Now, if this bill should be changed so that the election would be on Tuesday, instead of going to work on Monday, they would possibly lose the whole week. In all sections of the State, Saturday is almost always regarded as a holiday, there being no work on Saturday afternoon, and in that way our people can cast their ballots and lose no time whatever. If the change is made, at least two days will be lost, and we have also a considerable army who are engaged in farming and it suits them much better to attend the primary election on Saturday afternoon than it does on Tuesday afternoon. For this reason I am opposed to this change and ask the Gentlemen of the House to vote it down.

Mr. ADAMS. Mr. Speaker, for the reason that some of the wards whose politics are very corrupt in Luzerne county, the corrupt politicians would have all day Sunday to arrange the ballots to suit themselves, and Tuesday is the day set aside for the general election, and in my opinion it serves as a better day for the primaries than Saturday.

Mr. HESS. Mr. Speaker and Gentlemen of the House, just a word in answer to a portion of the argument that has offered in favor of the amendment. I am informed, and I think the information is correct, that several of the religious societies or religious faiths that observe Saturday as their Sabbath, observe that Sabbath from six o'clock Friday evening until six o'clock Saturday evening. Now, the primaries under this act will close at eight o'clock, so that members of those faiths will have the two hours from six to eight o'clock on Saturday evening to exercise their franchise. There is absolutely no question but that to at least seventy-five per cent. of the voters of this State Saturday will be decidedly preferable, and much more convenient to hold the primary election than Tuesday, and I trust this amendment will be voted down.

Mr. MITCHELL. Mr. Speaker and Gentlemen of the House, it seems to me to be a mistake to change the time. If the gentleman from Luzerne county suggests that there are corrupt politicians in Luzerne county and that they have to take all day Sunday, they will still have Wednesday to fix up the ballots if it is changed. It seems to me to be a mistake to change the day for the reasons that have already been set forth. Especially the traveling men, those who live in commercial centers, it seems to me they would have better opportunities to get home. There are few enough people who participate in elections now, and it would not be a good change, it would result in less voting than is done now. The gentlemen from Blair suggested that he thought it was inconvenient for the shopman. I can hardly agree with him. I come from an industrial city, and I believe that the laboring men in my city would favor Saturday. It gives more people an opportunity to participate, and I therefore hope that it will not be changed. It takes a man only two or three minutes to cast a ballot, and therefore it would not take much time away from the day.

Mr. KENNEDY. I come from a district where we employ a great number of men and I believe that I speak the feelings of our employes when I say that they all would prefer that the election day be changed from Saturday to Tuesday. When they get through with their work and go home and get washed up it is almost impossible to get them back again, to get them out of the house. We make arrangements with our men to let them off earlier on election day and the gentlemen coming out on the other turn come out a little bit earlier and let the men on the day turn off so that they can attend the election; and I am sure it would be a move in the right direction; and it is an impossibility to get anybody to serve on the Board at the present time for the simple reason that they are kept there for such a long period; and I think that the amendment ought to be carried. We have about 7,000 men and I do not think there is one of those men but what would be in favor of having this amendment adopted.

Mr. ROCKWELL. Mr. Speaker, I move the previous question.

The motion was seconded by the following members:

Messrs. Berntheisel, Hess, Ramsey, Heyburn, Humes, Metzenbacher, J. H. Wilson, Charles A. Shaffer, Matt, Snavely, Be'och, Kuhns, Donnelly, Musser, Bergey, Bittles, Wettach, Robinson, Newton, Carson, Latshaw, Brownlee, Adam C. Shaeffer, Mather, Stone, Walsh, Bass and others.

The SPEAKER. More than twenty members having joined in moving the previous question the question is

Shall the previous question now be put?

It was agreed to.

On the question,

Will the House agree to the amendments?

A division was called for, 43 voting in the affirmative and 108 in the negative.

And the question was determined in the negative.

On the question,

Will the House agree to the third section?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 On or before the ninth Saturday preceding the spring primary the Secretary of the Commonwealth shall send to the County Commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nominating petitions in the office of the Secretary of the Commonwealth including that of President of the United States and that of United States Senator and shall also in said notice set forth the number of Representatives in Congress and officers of the Commonwealth to be elected at the next succeeding election by a vote of the electors of the State at large and the number to be elected by a vote of the electors of the county or of any district therein or any district of which such county forms a part

On or before the ninth Saturday preceding the fall primary the Secretary of the Commonwealth shall send to the County Commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nominating petitions in the office of the Secretary of the Commonwealth and designating how many persons are to be elected to such offices respectively at the next succeeding election and also designating the number of aldermen and justices of the peace to be nominated therein at the ensuing primary and also the political divisions in which said aldermen and justices of the peace are to be nominated therein at the ensuing primary and also the political divisions in which said aldermen and justices of the peace are to be nominated On or before the ninth Saturday preceding the spring primary the chairman of the State committee of each political party herein defined to be a political party within the State shall send to the county commissioners of each county a written notice setting forth the number of delegates and alternate delegates to the national convention of such party which are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates which are to be elected at said primary in such county or in any district of which such county forms a part The said notice shall also set forth the number of members of the national committee which under the party rules are to be elected at the said primary in the State at large and the number of members of the

State committe which under the party rules are to be elected at the said primary in such county or in any district of which such county forms a part

On or before the ninth Saturday preceding the spring primary the chairman of the county committee of each party shall send to the County Commissioners of such county a written notice setting forth the names of all party offices within the county to be filled by election at the ensuing primary

On or before the ninth Saturday preceding the fall primary the clerks or secretaries of the various cities boroughs townships and school districts shall respectively send to the County Commissioners of their respective counties a written notice setting forth the names of all city borough township and school district offices for which candidates are to be nominated at the ensuing primary

Beginning not earlier than nine weeks nor later than eight weeks before the primary the county commissioners of each county shall publish the number of delegates and alternate delegates to the national convention of each party which are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates which are to be elected at said primary in such county or in any district of which such county forms a part and shall also publish the names of all offices for which nominations are to be made and the names of all party offices including that of a number of the national committee for which candidates are to be elected at said primary in said county or in any district of which such county forms a part or in the State at large Said notice shall contain the date of the primary and shall be inserted in two newsppers of general circulation published within the county wherever such course is possible at least once each week for three successive weeks Such newspapers so far as practicable shall be representative of the two different political parties polling the highest vote in such county at the last preceding November election the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

House Bill No. 118, File Folio 1409, Printer's No. 328. Amend Section 4, page 7, line 65, strike out the words "a number" and insert in lieu thereof the word, "member."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth section of the bill was read as follows:

Section 5 Official primary ballots for each party shall be prepared by the County Commissioners These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance The ballot for each party shall be in the following form

.....PRIMARY BALLOT

(Name of Party)

.....District ..... Ward City of .....
County of .....State of Pennsylvania
Primary held on the ..... day of ..... 191..

Make a cross (X) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

PRESIDENT OF THE UNITED STATES

(Vote for One)

John Doe .....
Richard Doe .....
John Stiles .....

UNITED STATES SENATOR

(Vote for One)

John Doe .....
Richard Doe .....
John Stiles .....

GOVERNOR

(Vote for One)

John Doe .....
Richard Doe .....
John Stiles .....

REPRESENTATIVE IN CONGRESS AT LARGE

(Vote for .....)

John Doe .....
Richard Doe .....
John Stiles .....

REPRESENTATIVE IN CONGRESS .... DISTRICT

(Vote for One)

John Doe .....
Richard Doe .....
John Stiles .....

DELEGATES AT LARGE TO NATIONAL CONVENTION

(Vote for .....)

John Doe (Promises to support popular choice of party in the State for President) .....
Richard Roe .....
John Stiles (Does not promise to support popular choice of party in the State for President).....

DELEGATES TO NATIONAL CONVENTION .... DISTRICT

(Vote for .....)

John Doe (Promises to support popular choice of..... party in .....district for President).....
Richard Roe .....
John Stiles (Does not promise to support popular choice of party in .... district for President)...

State Senator ..... District

John Doe (Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes at the election) .....
Richard Roe .....
John Stiles (Refused to sign statement promising to vote for the candidate for the United States Senator who receives the highest number of votes cast at the election) .....

DISTRICT ATTORNEY

(Vote for One)

John Doe .....
Richard Doe .....
John Stiles .....

PARTY COMMITTEEMEN

(Vote for .....)

John Doe .....
Richard Doe .....
John Stiles .....

Under each group of names of candidates shall be printed as many blank spaces defined by light lines or rules three-eighths of any inch apart as there are to be candidates nominated for such office

(On the back of such ballot shall be printed in prominent type the words "Official primary ballot of .... Party" and there shall also appear on the back of such ballot the face simile signature of the County Commissioners of the county)

The ballot shall vary in form only as the names of districts offices candidates or the provisions of this act may require

The names of candidates shall appear in alphabetical order under the respective offices opposite or under the name of each candidate except candidate for the office of President of United States who is to be voted for by the electors of more than one county shall be printed the name of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county or any Congressional Senatorial or Representative district within the county shall be printed the name of the township borough or ward and city as the case may be in which such candidate resides

The voter may designate his choice as is indicated by the instructions shown on the form of ballot above set forth If he shall vote for more persons for any office than there are candidates to be nominated for such office or if for any reason it be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 5, page 8, lines 17, 23, 28, 33 and 38, strike out words "Richard Doe" and insert in lieu thereof the words "Richard Roe."

Amend section 5, page 9, lines 41 and 48, strike out the word "Delegates" and insert in lieu thereof the word, "Signatures."

Amend section 5, page 10, line 87, strike out the word, "Signature" and insert in lieu thereof the word, "Signatures."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The sixth section of the bill was read as follows:

Section 6 The names of candidates for nomination as President of the United States and as United States Senator and the names of all other party candidates shall be printed upon the official ballot of a designated party upon the filing of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made or election is to be held and the filing of affidavits by the candidates as provided in this act and the names of no candidates shall be printed upon an official ballot of a political party to be used at any primary unless such petitions shall have been filed and unless such candidates except they be candidates for office of President of the United States shall have filed affidavits as hereinafter provided

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a member of the party designated and in such petition Provided however that where there are to be elected two or more persons to the same office each signer may sign petition for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county therein

named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district or division therein named in which the nomination is to be made or the election is to be held He shall add his occupation and residence giving city borough village or township with street and number of any and shall also add the date of signing No nomination petition shall be circulated prior to sixty (60) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within sixty (60) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the State or of the political district or division as the case may be referred to in said petition his residence giving city borough or township with street and number if any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date set opposite his name and that to the best of affiant's knowledge and belief the signers are qualified electors of the State or of the political district or division as the case may be

(b) Each candidate shall file with his nomination petition his affidavit stating his residence with street and number if any and his postoffice address his election district the name of the office for which he desires to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the postoffice address of such candidate shall be stated in such nomination petition

(c) Each candidate seeking nomination to the office of State Senator at any primary and each candidate seeking nomination to the office of member of the State House of Representatives at the primary next preceding the election of a United States Senator may include with his affidavit the statement hereinafter set forth in this section and subdivision but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition

Such statement if any be made shall be in substantially the following form

STATEMENT

I hereby declare to the people of Pennsylvania and to the people of ..... (Senatorial Representative district that during my term of office I will always vote without regard to my individual or party preference for that candidate for United States Senator who shall receive the highest number of votes cast in the State for that position at the general election next preceding the election of such United States Senator

.....

Signature of candidate for nomination

On the ballot used at the primary after or under the name of each candidate for State Senator or Member of the State House of Representatives shall appear the words

Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" or "Refused to sign statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" according as the candidate included or failed to include the above statement with his affidavit"

(d) Each candidate for election as delegate or alternate to a national party convention may include with his affidavit the statement hereinafter set forth in this section but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition Such statement if any be made shall be in substantially the following form

DELEGATE'S STATEMENT

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large otherwise insert ".....District") that if elected and in attendance as a delegate to the national convention of the party I shall with all fidelity to the best of my judgment and ability in all matters coming before the convention support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") by the voters of my party for said office at the ensuing primary and shall use all honorable means within my power to aid in securing the nomination for such candidate for President

.....

Signature of candidate for delegate or alternate delegate

On the ballot used at the primary after or under the name of each candidate for delegate or alternate delegate to a national party convention shall appear the words "Promises to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert "..... District") for President" or "Does not promise to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert "..... District") for President" according as the candidate included or failed to include the above statement with his affidavit

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 6, page 12, line 18, strike out the word "and".

Amend section 6, page 14, line 80, strike out the word, representative" and insert in lieu thereof the word, "Representative" and insert after said inserted word, "Representative", a parenthesis, ")".

Amend section 6, page 15, line 106, insert quotation marks " before the word, "Signed".

Amend section 6, page 15, line 111, strike out quotation marks " after the word, "Affidavit".

Amend section 6, page 16, line 129, after the word "Support" strike out the word, "support".

On the question,

Will the House agree to the amendments?

It was agreed to.

The section as amended was then agreed to.

The seventh section of the bill was read as follows:

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a national party convention and for the office of member of the state or national committee shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least three weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States the office of delegate or alternate at large to a national party convention or for the office of member of the national committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a member of the House of Representatives of the United States to be filled by a vote of the electors of a Congressional district or of delegate or alternate to a national party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of State Senator by at least two hundred qualified electors

(d) If for the office of a member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by at least one hundred qualified electors

(e) If for inspectors of election by at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 7, page 17, line 18, insert after the word "or" at beginning of line the word "for."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighth section of the bill was read as follows:

Section 8 No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the Court of Common Pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In the case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceeding including all witness fees"

On the question,
Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 8, page 19, line 30, strike out quotation marks " after the word "fees."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The ninth and tenth sections of the bill were then read and agreed to as follows:

Section 9 The Secretary of the Commonwealth immediately after the last day fixed for the filing of said petitions with him shall forward to the county commissioners of each county a correct list of candidates of each party for the various offices as shown in such petitions with their respective residences and postoffice addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners In the case of each candidate for nomination to the office of State Senator at any primary or a member of the State House of Representatives at the primary next preceding the election of a United States Senator the Secretary of the Commonwealth shall certify as to whether such candidate has included with his affidavit provided for in subdivision of Section six of this act

The county commissioners shall have on file in their office on and after the Tuesday preceding the primary open to public inspection forms of the ballots with the names and such statements and notations as may be required by the provisions of this act printed thereon which shall be used in each election district within such county

Section 10 The county commissioners shall prepare and furnish to the election officers for use at the primaries as many official ballots of each party as are equal to double the largest entire vote cast for any candidate of said party within the election district at any of the last three preceding general elections Provided that the county commissioners upon request made in writing by any candidate of any party within four weeks prior to the primary shall furnish such additional number of ballots in any election district as said county commissioners may deem necessary

The county commissioners shall also furnish specimen ballots for the use of electors at the polls equal in number to one-fourth the whole number of official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballot On the back of each specimen ballot for the primary next preceding the election of a United States Senator or for any primary at which a State Senator is to be nominated the County Commissioners shall print subdivision C of Section six of this act

On the back of each specimen ballot for the primary next preceding the edection of a President of the United States the county commissioners shall print subdivision (d) of section six of this act

The official ballots shall be bound in books of one hundred each in the same manner as ballots at elections and shall be delivered to the officers of election in the same manner as ballots are or hereafter may be required by law to be delivered to officers of election for use at elections

The County Commissioners shall prepare and furnish to the election officers at the primaries such ballot boxes properly numbered for each election district lists of voters forms including forms of affidavits for obtaining assistance in marking ballots and for voters challenged as to identity residence and bribery blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them in the same manner as at elections The said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries They shall also provide for the opening of the polling places for the compensation of the owners thereof shall see that they are in proper order and provided with voting booths as at elections

The eleventh section of the bill was read as follows:

Section 11 The primaries shall be conducted by the regular election boards duly elected under existing laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies in election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as he is now required by law

The polls shall be open between the hours of eight o'clock ante meridian and eight o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary only between the hours of seven o'clock ante meridian and eight o'clock post meridian

Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided however that no elector shall be permitted to receive any assistance in marking his ballot except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by such election officer or clerk as the said voter may select who shall mark his ballot for him in acordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical condition as to make it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot It shall be the duty of the judge of election to decide whether or not such physical disability exists and according to such decision to grant or refuse to grant a voter the right to have assistance If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form "I (name of voter) do solemnly swear (or affirm) that I am unable to mark by ballot without assistance because" and after the word "because" shall be left a blank in which shall be written the specific disability which must be a "physical disability" within the meaning of this act The judge of election shall reduce said oath to writing shall together with inspectors of election certify the same and return it to the County Commissioners with other papers required by law to be so returned The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list

On the question,
Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 11, page 22, line 35, insert quotation marks " after the word "disability".

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections of the bill were then read and agreed to as follows:

Section 12 The County Commissioners shall keep an accurate account of the entire expense of holding such primaries including the preparation and delivery of supplies voting materials et cetera and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated

Section 13 The qualifications of electors entitled to vote at a primary shall be the same as the qualifications of electors entitled to vote at elections within the election district where the primary is held except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid within two years before the next succeeding election a State or county tax which shall have been assessed at least two months and paid at least one month before the said election and on or before the day of the primary and in cases where personal registration is required on or before the registration day day or which the elector registers Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on election day and may be challenged as to identity as to bribery and as to any matter arising since registration

Each elector shall have the right to receive the ballot of the party for which he asks Provided That if he is challenged he shall be required to make oath or affirmation that at the last preceding election at which he voted he voted for a majority of the candidates of the party for whose ballot he asks

If such last preceding election at which such elector voted was a general election at which Presidential electors were voted for he shall in determining the number of candidates for which he voted at such last preceding election count the group of Presidential electors as two candidates

Upon executing such affidavit the voter shall be entitled to receive the ballot for which he has called and to cast his vote according to law If he is unable or unwilling to take such affidavit he shall be denied the right to receive such ballot but he shall not be deemed thereby to be guilty of any violation or attempted violation of this law

Section 14 The ballot boxes lists of voters (a copy of which shall be posted outside of the polling place) and other records shall be delivered into the custody of the officers who are or hereafter may be required by law to keep similar records of elections

Upon the closing of the polls at such primary the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number cast for each party and make a record thereof and then count the vote cast for the different persons named upon said party ballots and make a record thereof and when said count is finally completed they shall certify in due and proper form to the number of votes cast for each person upon the respective party tickets They shall then place the ballots so counted and canvassed together with all stubs and unused ballots in an envelope or package to be furnished by the County Commissioners and forthwith seal the same and they shall also place the returns of votes and the register of voters aforesaid for each party together with affidavits made pursuant to the provisions of this act in separate envelopes and forthwith seal the same all of said envelopes and packages shall then be kept by the judge of election and shall on or before noon of the Tuesday following be deposited by him in person or by registered mail with the County Commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the Court of Common Pleas for the use of its processes to enforce the provisions of this act in relation to the returns of the election officers

All the ballots together with the stubs and unused ballots and all returns of votes registers of votes and affidavits returned to the County Commissioners as aforesaid shall be carefully preserved by them for a period of at least one year

Section 15 Upon the sworn petition of ten qualified electors of any county setting forth that they believe fraud or error has been committed in any election precinct division or district of or in said county or of which said county forms a part the County Commissioners shall open the envelopes or packages containing the ballots of such election precinct division or district and recount the votes It shall not be necessary for the petitioners to set forth in their petition or to establish the grounds of their belief that such fraud or error has been committed

An appeal may be taken within ten days from any decision of the County Commissioners in the matter aforesaid to the Court of Common Pleas of the proper county whose duty it shall be to forthwith hear said appeal The Court on said appeal shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in said election precinct division or district and to make such decree as right and justice shall require and in making such decree the Court may reject any or all of the votes cast in said election precinct division or district

Section 16 The County Commissions shall make the proper certification of returns of votes cast for the candidates for nomination for the office of President of the United States Senator of the United States member of the House of Representatives of the United States and for all State offices for the office of delegate and alternate delegate to a national party convention and member of the national committee to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners of the respective counties the result of the computation of the vote for all such offices as shall be voted for at the succeeding election including that of United States Senator at least twenty-days prior to the date of such election and shall also certify within said time to said county commissioners the names of the Presidential electors chosen and certified to him as hereinafter provided

The Secretary of the Commonwealth shall forthwith prepare a statement from said returns showing the total number of votes cast in the State and in each Congressional district of the State for each candidate of each political party for nomination as President of the United States and shall make public announcement thereof He shall also forthwith send a duplicate of such statement to the County Commissioners of each county

The Secretary of the Commonwealth shall also forthwith ascertain from said returns the persons in each political party who have been duly elected as delegates and alternate delegates to the national convention of such party and the person in each party who has been duly elected a member of the national committee of the party and shall forthwith issue to each of such persons a certificate of election which certificate of election in the case of delegate and alternate delegate to a national party convention shall show the number of votes received in the State or in the political district of the State as the case may be by each candidate of such delegate's and alternate delegate's political party for nomination as President of the United States

The seventeenth section of the bill was read as follows:

Section 17 Candidates of the various political parties for nomination as herein provided for except for the office of the President of the United States who receive a plurality of votes of their party electors in the State or in the political district or division as the case may be at a primary together with the candidates for the office of Presidential elector nominated as hereinafter provided shall be the candidates of their respective parties and it shall be the duty of the proper officers to print their names upon the official ballots for use at the succeeding election as is now or may hereafter be required by law

The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator shall be printed upon the official ballot for use at the succeeding election as the candidate of his party for said office under the heading "United States Senator"

Candidates of the various political parties for the office of delegate and alternate delegate at large to a national party convention who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the national convention of their respective parties Candidates of the various political parties for the office of delegate and alternate delegate other than delegate and alternate delegate at large who receive a plurality of the votes of their party electors in the political district or division in which they are candidates shall be the duly elected delegates and alternate delegates and alternate delegates to the national convention of their respective parties

Candidates of the various political parties for the office of member of the national committee in cases where the rules of the party provide that such office shall be filled by a vote of the party electors who receive a plurality of the votes of the party electors at a primary shall be the duly elected members of the national committee of their respective parties

Candidates for other party offices who receive a plurality of the votes of the party electors at a primary shall be the party officers of their respective parties

In cases of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be on the third Wednesday after the primary and the one to whom the lot shall fall shall be entitled to the nomination or election Provided however That in any case where the fact of a tie vote is not authoritatively determined until after the third Monday after the primary the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the County Commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Vacancies happening or existig after the date of the primary may be filled in accordance with the party rules as is now or may hereafter be provided for by law

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 17, page 29, line 41, strike out the word "Wednesday" and insert in lieu thereof the word "Monday"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighteenth section of the bill was read as follows:

Section 18 The nominee of each political party for the office of President of the United States shall within thirty days after his nomination by the National Convention nominate as may persons to be the candidates of his party for the office of Presidential elector as the State is then entitled to If for any reason the nominee of any political party for the office of President of the United States fails or is unable to make the said nominations within the time herein provided then the nominee of such party for the office of Vice-President of the United States shall as soon as may be possible after the expiration of said thirty days make the nominations

The names of such nominees shall be certified immediately to the Secretary of the Commonwealth by the nominee for the office of President or Vice-President as the case may be making the nominations

Vacancies happening or existing after the date of nomination shall be filled by the nominee for the office of President or Vice-President making the original nomination Nominations made to fill vacancies shall be certified to the Secretary of the Commonwealth in the manner herein provided for in case of original nominations

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 18, page 30, at end of line 20 add the word "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The nineteenth and twentieth sections of the bill were then read and agreed to as follows:

Section 19 Any of the candidates for nomination including candidates for President of the United States and United States Senator to be voted for at a primary under this act may at any time before four o'clock of the Wednesday next succeeding the last day fixed for filing nomination petitions withdraw his name as a candidate by a request in writing signed by him and acknowledged before a notary public or justice of the peace and filed with the Secretary of the Commonwealth if such candidate filed his

nomination petition with the Secretary of the Commonwealth and in all other cases with the County Commissioners

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the County Commissioners of the proper county a correct list of candidates filing such requests

Section 20 Upon the petition of five or more citizens who are lawful voters of any election district setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the primary in said district it shall be the duty of the Court of Common Pleas of the proper county to appoint two overseers of election in said district who shall be entitled to remain within the polling place during casting and counting of the ballots

The twenty-first section of the bill was read as follows:

Section 21 Each candidate shall be entitled to appoint one watcher at the primary in each election district in which such candidate is to be voted for who shall be a qualified elector of the county but need not be a resident of the district in which he is authorized to act as such watcher and who shall serve without compensation Each watcher shall be provided with a certificate from the county commissioners stating his name the district in which he is authorized to act and the name of the candidate appointing him and shall have the right to remain in the room outside of the enclosed space Watchers shall be required to show their certificates when required to do so

If any election officer officiating at any primary shall refuse to permit a watcher appointed under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment no exceeding one year or both in the discretion of the court"

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 21, page 33, line 12, strike out the word "officer" and insert in lieu thereof the word "officers".

Amend section 21, page 33, line 16, strike out the word, "co" and insert in lieu thereof the word "to."

Amend section 21, page 34, line 18, strike out quotation marks " after the word "Court".

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-second, twenty-third and twenty-fourth sections of the bill were then read and agreed to as follows:

Section 22 If said watchers or overseers shall be driven away from the polls by violence or intimidation all the votes polled in such election district may be rejected by the proper tribunal making a recount of the votes cast therein or a part or portion of such votes aforesaid may be counted as such tribunal may deem necessary to a just and proper disposition of the case and any person or persons who by violence or intimidation shall threaten or drive away said watchers or overseers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars to undergo imprisonment for a period not exceeding one year or both in the discretion of the court

The twenty-fifth section of the bill was read as follows:

Section 25 That the following acts of Assembly namely An Act of Assembly entitled "An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six and

An Act of Assembly approved the twenty-second day of May Anno Domini one thousand nine hundred and seven entitled "An Act to amend Section twelve of an act entitled 'An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nomination for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six" and

An Act of Assembly approved the sixth day of April Anno Domini one thousand nine hundred and eleven entitled "An Act to amend Sections two three ten and eleven of an act entitled 'An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing for only one primary election each year in place of two fixing the time for holding the same providing what political party shall be entitled to participate therein and what voter shall be entitled to participate in such primary fixing the time for the election of party officers and changing time for the certifying by the Secretary of the Commonwealth of the computation of the vote for State offices"

And all other cast or parts of acts inconsistent with this act be and the same are hereby repealed provided however that the repeal of said acts shall not in any way interfere with or affect any proceeding pending at the date of the approval of this act

"This act shall not affect any nominations of candidates for borough and township officers which have been made prior to the time of the passage of this act"

On the question,

Will the House agree to the section?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 25, page 40, line 28, strike out the word "violations" and insert in lieu thereof the word "violation."

Amend Section 25, page 40, line 41, strike out quotation marks before the word "this."

Amend Section 25, page 40, line 43, strike out quotation marks after the word "act."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title of the bill was read as follows:

An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of certain party officers the appointment of delegates and alternate delegates to national party conventions a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator the payment by the several counties and their reimbursement by the State Treasurer of the expenses of the same including the payment of compensation of watchers herein authorized to be appointed by the court the payment by the State Treasurer of the expenses of said delegates and alternate delegates incurred in attendance upon said conventions prescribing the time and manner in which the nominees of such political parties for certain offices shall formulate the State platform of their parties and elect a State Committee and a chairman thereof and certify the same to the Secretary of the Commonwealth and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for here

On the question,

Will the House agree to the title?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

In line three of the title, after the word "of" insert the words "delegates and alternate delegates to National Party Conventions and of"

In line three of the title, strike out "the ap" after the word "officers."

Strike out line four of the title.

In line five of the title, strike out the word "Conventions."

In line eight of the title, after the letters "tor" insert the word "and."

In line nine of the title, strike out the word "Treasurer."

Strike out lines ten to seventeen inclusive, of the title.

In line eighteen of the title, strike out the words "Secretary of the Commonwealth and" and insert in lieu thereof the words "Authorizing the State Committee of a political party to make and to alter, amend and revoke party rules."

In line twenty of the title, after the word "herein" insert the words "and repealing inconsistent legislation."

Ordered, To be transcribed for a third reading.

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 31, as follows:

An Act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of

May one thousand eight hundred and ninety-nine entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereto are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 504, entitled:

An act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens and providing for the violation thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all corporations associations companies firms or individuals employing persons who are not citizens of the United States shall immediately upon their employement obtain the name age and place of residence or intended residence of said persons and on or before the first day of October of each year furnish under oath to the assessor or assessors of the districts in which said aliens reside a full and complete list of the same

On the question,

Will the House agree to the section?

Mr. GEORGE A. BALDWIN: Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER: The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section one line seven by striking out the word "Their" and inserting in lieu thereof the word "the" also by inserting after the word "employment" the words "of such persons"; also in line eight strike out the word "said persons" and insert in lieu thereof the words "each of them"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 The proper authorities of any county borough township or school district or other authority for the levying of any tax may upon the levy of any tax serve written notic upon any such mployer of aliens such notice containing the names of such aliens and the tax assessed against each and such employer is hereby authorized to deduct such taxes from the wages of such employes In all cases where such notice shall be duly served the employer shall be liable to such tax levying authority for the taxes assessed each and every of the employes mentioned in said notice who shall at the time of the service of said notice and for fifteen (15) days thereafter be in the employ of such employer

On the question,

Will the House agree to the section?

Mr. GEORGE A. BALDWIN: Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER: The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 2, line 9, by inserting after the word "assessed" the word "against."

On the question,

Will the House agree to the amendment.

It was agreed to.

The section as amended was then agreed to.

The third section was read as follows:

Section 3 All such employers of aliens upon notice and certificate from the county treasurer or any collector of county State borough or township taxes are hereby required to deduct from the wages or earnings of each alien named in such notice the taxes thus certified and pay the same to such treasurer or collector within thirty (30) days after the service of such notice and certificate

On the question,

Will the House agree to the section?

Mr. GEORGE A. BALDWIN: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section 3, line 7, by inserting after the word "certificate" the words "provided, however that at the time of the levying of said taxes, the tax levying authority shall have mailed to each of the said taxables a notice setting forth the fact of the levy of said tax, amount of same, where payable and that the same is liable to be deducted from his wages."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section of the bill was read as follows:

Section 4 Any corporation association company firm or individual failing to make such statement of names and payment as above described shall forfeit and pay double the amount of the tax for each and every taxable whose name is not returned as above required and whose taxes are not withheld and paid over as herein directed to be recovered by action of assumpsit as debts of like amount are now receivable and when collected shall be paid into the treasury of the county in which such alien laborer was employed for the use of such county

On the question,

Will the House agree to the section?

Mr. GEORGE A. BALDWIN: Mr. Speaker, I desire to offer amendments to the section.

The SPEAKER: The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section four, line 2, by striking out the words "make such statement" and insert in lieu thereof the words, "furnish the list;" also strike out the words "and payment" and insert in lieu thereof the following: "or to deduct to pay their taxes;" also in line 3, by striking out the words "above described" and insert in lieu thereof "required by this act"; also in line 5, by striking out the word "and" and inserting in lieu thereof the word "or;" also by striking out all after the word now in line 7, and inserting in lieu thereof the following; "recoverable at the suit of the county, borough, township, school-district or other tax levying authority to which such taxes are payable."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The preamble was read and agreed to. as follows:

Whereas Aliens residing within the State are liable to taxation equally with citizens and

Whereas The act of June seven one thousand eight hundred and ninety-seven prescribes a method of collecting taxes from aliens and the act of March thirty one thousand nine hundred and eleven makes an unnaturalized foreign born resident subject to taxation in the same manner as citizens of this Commonwealth and

Whereas Said act of June seven one thousand eight hundred and ninety-seven requiring employes of aliens to deduct from their wages when notified by the tax collector the taxes assessed against such alien employes is not practically effective for the reason that the collector is required to furnish the names of such taxables and often neither the collector nor the assessor is able to thus designate such alien or aliens therefore

The title was read and agreed to as follows:

An Act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 221, as follows:

An Act fixing the salary on register of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the salary of registers of wills in every county within which is or may be located a city of the first class of this Commonwealth shall be ten thousand ($10,000) dollars a year

Section 2 The register of wills in said counties shall pay into the county treasury all fees or commissions of any kind earned by them for services performed either for the county or for the State or otherwise

Section 3 This act shall not affect the compensation of any register of wills elected prior to the enactment hereof during the term for which he shall have been elected

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 642, as follows:

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon State highways and turn-pike roads in such townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners in every township of the first class in this Commonwealth shall whenever and whenever they may deem it expedient to do so establish lights on and along State highways and turnpike roads running through such township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 596, as follows:

An Act relative to contracts containing compulsory arbitration provisions entered into in advance of any controversy affecting the question of ultimate liability thereon and attempting to oust the jurisdiction of the courts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all compulsory arbitration provisions of contracts heretofore or hereafter entered into in advance of any controversy affecting the question of ultimate liability upon such contracts and attempting to oust the jurisdiction of the courts whereby the constitutional right of trial by jury is impaired be and the same are hereby declared to be against public policy and void

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 384, entitled:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violation of this act

The first section was read as follows:

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to practice medicine or surgery who is an habitual drunkard or who at the time is under the influence of alcohol or who

On the question,

Will the House agree to the section?

Mr. CHARLES A. SHAFFER: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one by striking out all of line nine and substituting instead the following "is the habitual user of drugs"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections were then read and agreed to, as follows:

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred nor more than one thousand dollars For a subsequent offense such person in addition to paying such fine shall forfeit the right to practice medicine or surgery in this Commonwealth until such time as the State Bureau of Medical Education and Licensure shall judge that he has fully recovered from his impairment

Section 3 All acts and parts of acts inconsistent with this act are repealed

The title was read and agreed to as follows:

An act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcirbed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 737, entitled:

Providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen but who by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania were required to serve an additional year

The first section was read as follows:

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That district attorneys serving an additional year in accordance with the schedule to the amendments to the Constitution of this Commonwealth and the laws enacted in pursuance thereof shall be paid for such additional year the salary for the proper county as computed by the Federal census of one thousand nine hundred and ten under the schedule provided by section two of an act approved April seventeenth one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for all services"

On the question,

Will the House agree to the section?

Mr. NORTH: Mr. Speaker, I desire to offer amendments to the section.

The SPEAKER: The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section 1 page 2 line 5 after the first "the" insert "said;" also page two line 15, strike out "all" and insert "their;" also page two line 15.

After "services" insert "and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The Preamble was read as follows:

Whereas District attorneys whose terms of office expired on the first Monday in January one thousand nine hundred and thirteen were required to serve an additional year by virtue of an amendment of article fourteen section two of the Constitution of Pennsylvania and

Whereas The joint resolution of the General Assembly provided "In the case of officers elected by the people all terms of office fixed by act of assembly at an odd number of years shall be lengthened one year" therefore

On the question,

Will the House agree to the Preamble?

Mr. NORTH: Mr. Speaker, I desire to offer an amendment to the preamble.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend the preamble page one line six after "whereas" strike out "The joint resolution of the General Assembly provided" and insert "The schedule to the amendments of November second one thousand nine hundred and nine provided"

Also page one line nine after "shall" insert "each"

The title was read and agreed to as follows:

An act providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen but who by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania were required to serve an additional year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the proved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act

entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

The first, second and third sections were then read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "linseed oil" as used in this act shall mean an oil wholly the product obtained from pure flaxseed and conforming to the following requirements

First Its specific gravity at a temperature of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315) nor greater than nine thousand three hundred and sixty ten-thousandths (.9360)

Second Its acid value not exceed six (6)

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187) nor greater than one hundred and ninety-five (195)

Fourth It shall not contain more than one and one-half per centum of unsaponificable matter

Fifth Its iodine value (Hanus number) shall be not less than one hundred and seventy (170) nor greater than one hundred and ninety (190)

The words "boiled linseed oil" as used in this act shall mean linseed oil as above defined which has been heated to a temperature of at least one hundred and seven degrees centigrade and conforming to the following requirements

First It shall not contain free rosin or rosin oil nor shall it contain rosin as resinates in excess of one per centum

Second It shall not contain more than two per centum of unsaponificable matter

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185) nor greater than one hundred and ninety-five (195)

Fourth Its iodine value (Hanus number) shall be not less than one hundred and sixty (160) nor greater than one hundred and ninety (190)

Fifth Its specific gravity at a temparture of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and twenty-five ten-thousandths (.9325) nor greater than nine thousand four hundred and fifty ten-thousandths (.9450)

Section 2 The word "container" as used in this act shall mean any tank barrel keg can bottle jug or other vessel in which raw or boiled linseed oil or any compound or imitation thereof shall be stored sold or offered for sale

The word "person" as used in this act shall mean any individual partnership or corporation acting directly or acting indirectly through the agent servant or employe of such person

The word "marked" as used in this act shall mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words may be indicated in or on a container or on any label attached thereto

Section 3 It shall be unlawful for any person to store or sell or offer for sale any of the following commodities in a container having therein or thereon marked the words "linseed oil" or "flaxseed oil" or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flaxseed oil" namely

One Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Two Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Three Any imitation of linseed oil

The fourth section was read as follows:

Section 4 It shall be unlawful for any person to sell or offer for sale any compound or imitation of linseed oil without notifying the purchaser thereof in writing at the time of such sale that the oil so sold is a compound or imitation of linseed oil

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 4, line 2 after the word "sale" by inserting "as linseed oil" so as to read "sell or offer for sale as linseed oil any compound or imitation."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth an sixth sections were read and agreed to as follows:

Section 5 Any person who shall violate any of the provisions of this act shall upon conviction thereof before any alderman magistrate or justice of the peace of the county wherein the offense shall have been committed be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or in default thereof shall be committed to the jail of the proper county for a period of not less than thirty days nor more than sixty days

Section 6 It shall be the duty of the Secretary of Agriculture to cause the provisions of this act to be enforced All fines recovered in pursuance of this act shall be paid to or to the order of the Secretary of Agriculture and by him paid into the State Treasury

The seventh section was read as follows:

Section 7 Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination The results of such examination shall be reported to such person within fifteen days from the receipt by the Department of such sample The fee for said examination shall be one dollar which shall be paid before such examination shall be made All moneys received from such examination shall be paid into the State Treasury

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend after section 6 by inserting an additional section No 7 as follows Any person refusing to sell any oil to the Secretary of Agriculture or his agent or agents or in any way interfering with the enforcement of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars or more than one hundred dollars together with the costs of prosecution" Also by striking out the original numeral 7 and inserting the numeral 8

On the question,

Will the House agree to the substitute section and amendment?

They were agreed to.

The eighth section was read as follows:

Section 8 The Secretary of Agriculture may from time to time cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eight by striking out the numeral 8 and inserting in lieu thereof the numeral 9

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The ninth section was read as follows:

Section 9 This act shall go into effect on the first day of June Anno Domini one thousand nine hundred and thirteen

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section nine by striking out the numeral 9 and inserting in lieu thereof the numeral 10

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The tenth section was read as follows:

Section 10 All necessary expenses incurred in the enforcement of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section ten by striking out the numeral 10 and inserting in lieu thereof the numeral 11

On the question,

Will the House agree to the amendments?

It was agreed to.

The section as amended was then agreed to.

The eleventh section was read as follows:

Section 11 The act approved the twenty-third day of April Anno Domini one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April Anno Domini one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one providing for the payment of expenses for the enforcement of the provisions of said act" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the section?

Mr. E. E. JONES: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eleven by striking out the numeral 11 and inserting in lieu thereof the numeral 12

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read as follows:

An act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

On the question,

Will the House agree to the title?

Mr E. E. JONES. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title in line 7 after the word "adulteration" by inserting the word "of" also in line eight after "linseed" strike out the word "oil"

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 774, as follows:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the county of Adams leading to the scene of the cavalry fight"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the county of Adams leading to the scene of the cavalry fight" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 218, entitled:

An Act for the better protection of wild birds game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

The first and second sections were then read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person residing within this Commonwealth to hunt for wild birds or wild animals protected by the game laws of this Commonwealth with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or except in the defense of person or property to shoot at or kill or pursue with intent to take kill or wound any such wild birds or wild animals found within this Commonwealth without first securing a license to so do in accordance with the provisions of this act

Section 2 Whenever the word "person" is used in this act such word shall be taken to include every person all words or terms in this act which refer to person in the singular number shall be taken to include the plural number All words of the plural number shall include the singular number and all words of the masculine gender shall be taken to include the feminine gender

The third section was read as follows:

Section 3 For the purposes of this act any person born in the United States of America or any person fully naturalized under the laws of the United States or the son of any such naturalized person under the age of twenty-one years who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application shall be entitled to the license herein referred to upon the further fulfillment of the requirements of this act

On the question,

Will the House agree to the section?

Mr. DAVIS: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section three line 6 by striking out the word "proceeding" and inserting in lieu thereof the word "preceding."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section was read as follows:

Section 4 Each and every resident of this Commonwealth such resident being a citizen of the United States upon application made verbally or in writing to any prothonotary within the Commonwealth and the presentation of one dollars shall be entitled to what is herein designated fide resident of this Commonwealth under the requirements of this act and the payment to said prothonotary of one dollar shall be entitled to what is herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian which shall be issued on a form prepared and supplied by the Board of Game Commissioners at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal fire-arms for the purpose of hunting and killing any of the wild animals or game birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void upon the thirty-first day of December next following the date of issue the Game Commission shall also furnish free of charge and the prothonotary shall issue with each license a tag bearing the license number in figures at least one inch in heighth which tag said license is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the prothonotary of the county in which he is located and having received and receipted for the necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any prothonotary upon payment of twenty-five cents to said justice by the license in addition to the one dollars prescribed at the cost of said license said twenty-five cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the prothonotary of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said prothonotary shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein probably filled out and showing the names of such licensee and the number of the license issued to him

On the question,
Will the House agree to the section?
Mr. WILDMAN. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section four lines 3, 7, 24, 27, 32, 35 and 41 by striking out the word "Prothonotary" and inserting in lieu thereof the words "County Treasurer."

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. NEELY. Mr. Speaker, I wish to offer a further amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section four, line 45, by striking out the word "Prothonotary" and inserting in lieu thereof the words "County Treasurer."

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. DAVIS. Mr. Speaker, I wish to offer a further amendment to this section.
Mr. SPEAKER. The Clerk will read the amendment.
The Clerk then read the amendment as follows:

Amend section four, line 50, by striking out the word "probably" and inserting in lieu thereof the word "properly;" also strike out the word "and."

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. HERMAN. Mr. Speaker, I wish to offer a further amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section four pages 3 and 4, lines 36 and 38 by striking out the word "twenty-five" and inserting in lieu thereof the word "fifteen;" also in line 13, after the word "guardian" insert the following words, "provided further, that no person under fourteen years of age shall be granted a license."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The fifth section was read as follows:

Section 5 Any citizen of the United States resident within this Commonwealth who shall excepting in defense of person or property attempt through the use of a gun or mechanical device before described in this act to hunt for or to take or wound or kill any of the wild birds or animals protected by the laws of this Commonwealth without first being possessed of a "Resident Hunter's License" lawfully issued to him in his name shall be liable to a penalty of twenty dollars for each offense and each day upon which said gun or device is used shall be considered a separate and distinct offense Provided That nothing in this act shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or property from shooting at targets or at anything not protected by the laws of this Commonwealth or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family of such owner or lessee such person being a citizen of the United States residing upon and cultivating lands of not less than ten acres in extent from hunting thereon or by and with the written consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this act it being distinctly understood that no right is conveyed by this act to hunt upon either private or public property in this Commonwealth contrary to the wishes of those who may own or control such property

On the question,
Will the House agree to the section?
Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section five line 22 by striking out the word "conevyed" and inserting in lieu thereof the word "conveyed".

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. PRICE. Mr. Speaker, I desire to offer further amendments to this section.
The SPEAKER. The amendments will be read by the Clerk.
The Clerk then read the amendments as follows:

Amend section five line 13 by striking out the word "at" between the word "or" and the word "anything" and insert in lieu thereof the following "from hunting for or shooting at in any place in this Commonwealth," so as to make it read "at targets or from hunting for or shooting at in any place in this Commonwealth anything not protected by the law," etc.

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. HERMAN. Mr. Speaker, I desire to offer a further amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section five, line 19, by striking out the word "written"

On the question,
Will the House agree to the amendment?
It was agreed to.
Mr. PRICE. Mr. Speaker, I desire to offer a further amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section five by adding after the word "property" in line 24 the following: "and nothing in this act shall be construed to prevent any citizen of this Commonwealth either with or without a gun from passing over either public or private land for the purpose of reaching adjoining property."

On the question,
Will the House agree to the amendment?
It was not agreed to.
Mr. HOBBS. Mr. Speaker, I desire to offer a further amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk then read the amendment as follows:

Amend section five by striking out all that part of the section after the word "or" in line 18, and insert in lieu thereof the following: "upon lands of his negihbor or neighbors, unless the owner or owners of said lands object, and in case of such objection such citizen shall be permitted to retire from said premises without molestation."

On the question,
Will the House agree to the amendment?
Mr. DAVIS. Mr. Speaker and Members of the House, if you adopt this amendment you will destroy the purpose of the bill and I ask you members of this House to vote this amendment down.
The question recurring,
Will the House agree to the amendment?
It was not agreed to.
The section as amended was then agreed to.

The sixth section was read as follows:

Section 6 For the purpose of this act the fact that any person shall be found in possession of a gun or of a mechanical device of any description possessing the power to propel with force a leaden or metal bullet or pellet either in the field in the forests or on the waters of this Commonwealth shall be considered prima facie evidence that such person is hunting and shall render him liable to display his license tag as aforesaid and to show his "Resident Hunter's License" upon demand made by any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth or upon demand by the owner or the lessee or by the employe or representatives of such owner or lessee upon whose lands such person may be found in this Commonwealth and for refusing or neglecting to comply with such request such person neglecting or refusing to display his license tag as aforesaid and exhibit his Resident Hunter's License" shall upon conviction be liable to a penalty of twenty dollars and the fact that any person may be found upon the highways of the Commonwealth in possession of a gun and the dead body of any bird or animal protected by the laws of this Commonwealth shall be considered prima facie evidence that such person is hunting and such person upon demand made by any officer of the Commonwealth whose duty it is to protect the wild birds and game of the State shall be required to display his license tag as aforesaid and

exhibit his "Resident Hunter's License" and for refusing to so do shall upon conviction be liable to a penalty of twenty dollars Provided That all penalties collected for violation of any of the provisions of this section shall be paid into the State Treasury to be applied to the purposes otherwise provided for in this act

On the question,
Will the House agree to the section?

Mr. WILDMAN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section six line 11 by striking out the words "or by the employe or representative of such owner or lessee."

On the question,
Will the House agree to the amendment?

Mr. DAVIS. Mr. Speaker and Gentlemen of the House, this amendment will also destroy the purpose of the bill and I ask the gentlemen of the House to vote it down.

The question recurring,
Will the House agree to the amendment?
It was not agreed to.

Mr. PRICE. Mr. Speaker, I desire to offer a further amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section six by inserting in line 26 between the word "provided" and the word "that" the following: "that in all cases of arrest for violation of any of the provisions of this act the affidavit of any person charged with such violation denying the charge made shall in every instance over balance what is termed prima facie evidence in any of the provisions of this act and."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The seventh section was read as follows:

Section 7 Each and every prothonotary of this Commonwealth shall in a book to be supplied by the Board of Game Commissioners at the cost of the Commonwealth a correct and complete record of all "Resident Hunter's License" issued by him Such book shall be in the form of an alphabetical index and it shall be the duty of each prothonotary to have entered therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward immediately to the Game Commission a complete list of licenses granted with names and addresses of licensees and numbers of their respective license on blanks to be furnished by the Game Commission and this index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the wild birds and game of the Commonwealth

On the question,
Will the House agree to the section?

Mr. WILDMAN. Mr. Speaker, I desire to offer an amendment to this section.

Mr. SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section seven page 5 line 1 and page 6 line 6 by striking out the word "prothonotary" and inserting in lieu thereof the words "County Treasurer"

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The eighth section was read as follows:

Section 8 Said prothonotaries are herewith authorized to retain for services rendered the sum of fifteen cents from the amount paid by each licensee which amount shall be full compensation for services rendered by him in each case under the provisions of this act and shall remit all balances arising from this source at least once a month to the State Treasurer for the purposes otherwise provided for in this act Each prothonotary shall make his return to the State Treasurer upon a form to be supplied by the Board of Game Commissioners at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary of the Board of Game Commissioners at Harrisburg

On the question,
Will the House agree to the section?

Mr. HERMAN. Mr. Speaker, I desire to offer an amendment to this section.

Mr. SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eight page 7 line 2 by striking out the word "fifteen" and inserting in lieu thereof the word "ten"

On the question,
Will the House agree to the amendment?
It was agreed to.

Mr. WILDMAN. Mr. Speaker, I desire to offer a further amendment to this section.

Mr. SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eight, page 7, line 7, by striking out the word "Prothonotary" and inserting in lieu thereof the words "County Treasurer"; also in lines 1, 2, 3, 4, 5, 6 and 7 strike out the words "said prothonotaries are herewith authorized to retain for services rendered the sum of fifteen cents from the amount paid by each licensee, which amount shall be full compensation for services rendered by him in each case under the provisions of this act and shall remit all balances arising from this source at least once a month to the State Treasurer for the purposes otherwise provided for in this act," and insert in line 8 after the word "return" the following words "and shall remit the funds arising from this source at least once a month"; and further, in line 8, after the word "treasurer" insert the following words, "for the purposes otherwise provided for in this act."

On the question,
Will the House agree to the amendment?
It was not agree to.

Mr. NEELY. Mr. Speaker, I desire to offer further amendment to this act.

Mr. SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eight, line 1, by striking out the word "prothonotary" and inserting in lieu thereof the word County Treasurer."

On the question,
Will the House agree to the amendment?
It was agreed to.

The section as amended was then agreed to.
The ninth section was read as follows:

Section 9 Any officer of the Commonwealth whose duty it is to protect the wild birds or game of the Commonwealth or to preserve the peace of the Commonwealth shall have the right to arrest without warrant any person caught in the act of violating any provision of this act or in a pursuit immediately following such violation and to seize all guns shooting paraphernalia dogs boats decoys or other appliances used in violation of any provision of this act also all wild birds or animals game or otherwise found either in possession or under control of the suspected person within this Commonwealth All birds and animals or parts thereof not classed as game in this Commonwealth thus seized shall be held subject to the order of the Board of Game Commissioners All guns boats decoys dogs game and shooting paraphernalia seized when such arrest is made shall be held subject to the determination of the proceedings instituted and where the party accused is convicted all game seized shall be forfeited to the Commonwealth of Pennsylvania and as soon as may be shall be forwarded to the most convenient hospital for the use of the sick or injured therein All guns boats decoys dogs and shooting paraphernalia of every description thus seized shall be held subject to the payment of the penalty imposed and the costs of prosecution and unless security be given as required by section thirteen of this act all such seized guns boats decoys dogs and shooting paraphernalia shall be sold at public auction after advertising the same for five days by at least five public handbills conspicuously posted in the city borough or township wherein the conviction was secured Any fund thus arising shall be applied First to the payment of the costs of prosecution then to the payment of the penalty imposed and the remainder if any shall be returned to the owner of the property seized Where game dogs boats decoys or shooting paraphernalia of any description shall be seized and the owners thereof escape arrest and refuse to present themselves and make claim to said property all such game after the lapse of three days after the seizure shall be declared forfeited to the Commonwealth and shall be sent to the most convenient hospital for the purpose before indicated in this section All guns dogs boats decoys and other shooting paraphernalia thus seized shall be held for a period of ten days after which time if the owner thereof fails to appear and defend himself against the charges made such property of all description shall be sold in the manner prescribed for the sale of seized property after conviction and the fund arising from such sale be applied as in the case of the sale after conviction Provided That the fact that imprisonment suffered by any person convicted of violating any provision of this act shall not prevent the sale of guns dogs boats decoys or shooting paraphernalia of any description held as the property of the imprisoned party and the application of the fund thus realized to the payment of the costs and the penalty imposed

On the question,
Will the House agree to the section?

Mr. HERMAN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section nine, line 8, after the word "or" by inserting the word "game" and after the word "animals" strike out the words "game or otherwise" and in line 10 strike out the words "all birds and animals or parts thereof not classed as game in this act."

On the question,

Will the House agree to the amendment?

It was not agreed to.

The section was then agreed to.

The tenth, eleventh and twelfth sections were then read and agreed to as follows:

Section 10 Each and every person resisting arrest for violation of any of the provisions of this act or refusing to go with an officer after an arrest has been made or interfering with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be liable to a penalty of one hundred dollars which penalty when collected shall be applied as are other penalties under the provisions of this act

Section 11 Whenever because of the violation of any of the requirements of this act any person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to at once pay said amount together with the costs of prosecution in lawful money of the United States he shall at once be committed to the common jail of the county in which the conviction is secured for a period of one day for each dollar of penalty imposed unless he shall enter into good sufficient recognizance to either pay the penalty and costs within a period of ten days after the date of said conviction or to certiorari the proceedings under the forms of law or to carry the case to a higher court on appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto For the second or any additional offense after the first offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any of the provisions of this act wherein the defendant suffers imprisonment in lieu of a cash payment of the penalty imposed or fails to pay the costs of prosecution all traps guns boats decoys shooting paraphernalia or other appliances used in violation of the law and found in his possession at the time of arrest or proven to have been used in violation of law shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be either destroyed or sold as the Board of Game Commissioners may consider best and the money secured through such sale shall be applied by said board first to the payment of the costs incurred and the remainder if any be deposited with the State Treasurer to be used for the purposes herein otherwise provided the defendant being entitled for the first offense only to the credit of one day off his imprisonment for each dollar so deposited with the State Treasurer

Section 12 All licenses fees collected under the provisions of this act and all fines and penalties imposed and collected for violation of any of its provisions shall be paid to the State Treasurer as hereinbefore designated who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and approagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the General Appropriation act or by separate appropriation for the payment of bounties It being specifically provided that fifty per centum of any kind returned to the State through or because of the provisions of this act or so much of said fifty per centum as may be needed shall be applied by the Legislature at its beinnial sessions to the payment of bounties at the rate of one dollar for each mink killed two dollars for each weasel killed two dollars for each fox killed and four dollars for each wild cat killed and such bounty upon other animals or birds as may hereafter have a bounty placed upon them by the Legislature of the State such bounties to be paid upon proof of such killing as is now provided by the law of this Commonwealth

The thirteenth section was read as follows:

Section 13 Each and every magistrate justice of the peace and alderman within this Commonwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions of this act excepting where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrended by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall except as provided for in section six of this act belong to such prosecutor and shall be paid to him by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer to be applied to the purposes otherwise provided for in this act Each and every defendant convicted on appeal before any court of this Commonwealth shall be sentenced to pay the penalty imposed by the section violated or to undergo imprisonment in the common jail of the county for one day for each dollar of penalty imposed and unpaid Provided that any person charged with violating any provision of this act may sign an acknowledgment of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector deputy or special deputy game protector the penalty in full as fixed by the act together with the costs accuring to the State to that date and the printed receipt therefor which shall in every instance bear the imprint of the Seal of the Board of Game Commissioners of Pennsylvania and the signature of its secretary shall be evidence of full satisfaction of the offense committed

On the question,

Will the House agree to the section?

Mr. HERMAN: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section thirteen page 13 by adding to this section the following: "provided, further, that when any person or persons are arrested for any violation of the provisions of any section of this act, the party or parties making such arrest shall immediately forthwith take or cause to be taken the parties so arrested to the nearest justice of the peace magistrate or alderman for a hearing upon the charge said person or persons were arrested."

On the question,

Will the House agree to the amendment?

Mr. HERMAN: Mr. Speaker and Gentlemen of the House, I do not think the gentlemen of this House know what this amendment means. I wish to explain this before it is voted on. I do not know what has been the custom of the game wardens in your county, but I do know what has been the custom in our county. And it is this: that the game wardens in our county have been in the habit of arresting people back here ten or twelve miles right back in the country and then taking them down to the county seat or some other place past three or four justices of the peace and taking them before a certain magistrate for action. Now I contend that the parties in the premises have some rights and that they have a right to be heard without being lugged out of the community and away from their homes. If it will suit the gentlemen who are objecting to this amendment I will agree to take the word immediately out of there.

Mr. DAVIS. That same thing applies to the gentleman from the city who goes hunting and is arrested in the country and has no chance to get home. I think this is a bad amendment.

Mr. LOWERS. Mr. Speaker, I want to be fair in this matter, but it seems to me that with the passage of this amendment you would place in the hands of a rural justice of the peace the governing of the hunting of game in that particular district, because he could so regulate his action that it would destroy the intent of this law.

Mr. HERMAN. Mr. Speaker, I think that probably this amendment would be injurious and would destroy the intent of this measure. Certain magistrates are made game wardens by this bill. I understand that the bill itself does that.

Mr. HUMES. Mr. Speaker, it strikes me that there ought to be some amendment to this section. You will find as to the jurisdiction in the county where the offense is committed that there may be some merit in the contention of the gentleman that the jurisdiction should not be confined to the nearest Justice of the Peace. But why should a man in the northwestern part of the State who hunts there illegally be held in the County of Philadelphia or in Pittsburgh or in some other County? Under this act you are extending the jurisdiction to other justices in the State of Pennsylvania and not confining it to the County where the offense is committed. I think the point of the gentleman from Wyoming is very well taken. Possibly this amendment should be enlarged so as not to confine it but to keep it within the County where the offense is committed.

On the question,

Will the House agree to the amendment?

It was agreed to.

The SPEAKER. Are there any other amendments to be offered to the thirteneth section?

Mr. DAVIS. Mr. Speaker, I desire to offer an amendment to the thirteenth section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section thirteen, line five, by striking out "defendant" and insert the word "dependent."

On the question

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read and agreed to as follows:

Section 14 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title was read as follows:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

On the question,

Will the House agree to the title?

Mr. HERMAN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The Clerk will read the amendment.

The amendment was read as follows:

Amend the title by striking out after the word "an act" "for the better protection of wild birds and game within the Commonwealth of Pennsylvania.'

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, as I understand the attempt by this amendment is to strike out after the words "an act" "for the better protection of wild birds and game within the Commonwealth of Pennsylvania." That is the title and the subject matter set forth within this act; if the title does not conform to this act, the act is killed. It certainly ought to stay in as the title unless you want to kill the act. If you want to kill the act at this time, adopt the amendment. If you want it to live vote down the amendment.

Mr. ROCKWELL. Mr. Speaker, as I read the act I don't see anything in it that protects game in this Commonwealth. It strikes me that it is simply an act to compel a hunter to pay one dollar a year to take out a license for hunting and that is all. If these words are stricken out it does not destroy the effect of the bill.

Mr. HERMAN. Mr. Speaker, the gentleman from Tioga, Mr. Rockwell, has stated just my view in this matter. I cannot find anywhere in this bill anything to show me why it is gotten up for the purpose of protecting game. It must be the object of this bill to tax the sportsmen of this Commonwealth who are willing to pay it. It is a tax of one dollar on the person that wants to go out in the woods and kill game. I don't object to that but I do object to passing a bill as one thing and embodying within the bill another thing. Let the bill read just as it reads. It is a hunter's license bill. We have other laws that tells us how to protect game. This bill does not tell us that but it tells us that we can take out a license to hunt for game.

Mr. ALLEN. Mr. Speaker, I simply wish to say this: That it is clearly the intent and purpose of this bill to protect game for the reason that they are the only things under the provisions of this bill to be adjusted when certain conditions have been complied with. As I take it, and I haven't gone carefully into the penalizing part of this bill,—but as I take it the penalties which will be imposed will not be from the fact that a man goes out or that he hunts game, as it is if he destroys animals and game. Under the provisions of this act, the penalty is for the destruction of game—birds and animals that the penalties will be imposed. I say further, in relation to that, as I understand it, the department which has prepared this bill, has had the very best counsel they could secure in drafting the bill. It seems to me as the body of the bill and title that it is only a hunter's license bill, yet inasmuch as these words are written in the title, it can be clearly shown that such is the secondary purpose of the bill, at least. That if the title be added these words would not be defective, but if left out, might vitally effect the purpose of the bill and its standing in court. I think the title, as it is written into the bill, should remain.

Mr. E. G. M. KUHNS. Mr. Speaker and Gentlemen of the House, I think that there is no great danger done if we amend this bill, even if it does kill the bill. Is it not a fact, strictly speaking, that it is a just revenue producing bill. Is there any one in the real estate business in the Commonwealth of Pennsylvania who objects to any city brother if he goes out like a gentleman to traverse his field during the hunting season? I, as a real estate owner, just a small owner, just a few acres, don't object to any one, as long as they are gentlemen, but I do object to have somebody else grant them a license to traverse my acres at any time they see fit during the season. Adopt the amendment and if you kill the bill, so much the better.

Mr. LANIUS. Mr. Speaker, I don't object to a gentleman coming out and hunting on our land but what we do object to is to paying a license for the shooting of birds and game which we actually raise and feed. York county is largely agricultural; her people are thorough and just and as a representative of the agricultural district of York county, we ask you not to authorize anything which we don't want.

The SPEAKER. The question is on the adoption of the amendment to the title. On the subject of the merits of the bill, debate on that will come properly and is in order when the question is before the House on agreeing to the bill on second reading.

On the question,

Will the House agree to the amendment to the title?

Whereupon,

A division was called for, sixty-six gentlemen voted in the affirmative and seventy in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the title?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. RUNK. Mr. Speaker.

The SPEAKER. The gentleman from Franklin, Mr. Runk.

Mr. RUNK. Mr. Speaker and Gentlemen of the House. There is no State in the Union which presents a greater variety of surface than Pennsylvania. Its mountains spread over about one fourth of the State in parallell ridges, in a direction generally northwest and southwest. These mountains do not rise to a great height. They are separated by valleys, now contracted within narrow limits, and now spreading out to a width of from fifteen to thirty miles. In these fertile valleys and wooded mountain ranges are to be found ideal preserves for wild game which was the meat of our forefathers, without money and without price.

The climate of Pennsylvania is variable enough for the

propagation of game birds and game animals, liable however to extremes, having some times the heat of the Carolinas, and at others the cold of Canada, but in periods of only three days, intermingled in summer with sharp winds from the northwest, and mitigated in winter by breezes from the southwest. Periods of warm weather sometimes occur in January and February.

This State, therefore as I have said, is an ideal one for the habitation of game. From the time William Penn came to Pennsylvania, there has never been an obstruction placed upon the freedom of those who would seek wild game in the mountains and valleys during these 231 which have elapsed since civilization began to drive the redman to the far off west. The only restriction has been an open and closed season and a daily and season limit of the amount of game that shall be taken.

Penn's treatment of the indians was noble and Christian-like, and the savage, who were the rightful owners of the wild game gradually left for the west leaving multitudes of all species of game and game animals to multiply in the ages to come. In this age when men are anxious to study the moral sublimity in the lives and character of the pioneers of these Pennsylvania hills and valleys, it seems to me that that to compel the poor man who has yet in his viens some of the redman's love for wild game, to pay a license to have the privilege to pursue and kill game for his use, is the very acma of folly and unfairness.

This dollar tax is the beginning of the end of the poor man's hunting pleasure, his liberty to secure cheap meat for his almost starving family. We might be able to scrape up one dollar for the first license, but when the fee goes up as it will for the benefit of the rich man of the cities and towns, who can pay dollars where the poor man, the shop man, the clerk and the farmer can pay pennies, away goes the liberty of our forefathers with a crime akin to theft. The poor man will then be down and out as surely as the man went down and out when John L. Sullivan in his palmy days landed squarely on the jaw. The farmer and the poor man who have fed and protected the game must lay down their guns forever, if such a law as this bill provides is placed upon our statute books.

Isn't it grand, noble, patriotic, liberal in a rich man to offer to pay one dollar to become one of the few who shall have a privilege to hunt in special game preserves? The tendency of Game Commissions all over the country is to correl the game in a number of preserves, where only those who are favorites with the management, by reason of their official position, wealth and social qualities, can have the sport all to themselves while the poor man must be content with merely the goose bone. Only the rich can afford the expense of railroad fare, board, and a guide to take them exactly where the game can be found. The shopman, the poor man, the clerk, all hard-working men must remain at home, only to remember the pleasure of happier days which they have spent in recreation from their daily toils.

In the valleys of Pennsylvania, squirrel, rabbits, quail, woodcock and other game multiply, and are cared for by the farmer and the poor hunter, while the rich man who is now so anxious to contribute one dollar for the exclusive privilege to hunt and kill, remains in his office, gathering in the daddy dollars. He appears only once on the scene of slaughter; he spends not one cent to help protect and propagate game.

Pass this dollar tax, compelling the farmer to take out a license to hunt the birds which he has raised on his farm, fed with his own grain, and which have flown onto the farm of his neighbor, after he has fired one shot at them, his neighbor having refused him the right to hunt on his farm, then this farmer will close his land from all hunters, keeping the game on his farm for his own use. Pass a law that requires a man to own as much as ten acres, must live thereon, cannot live in town and hunt on his own farm without a license? Would that be giving the poor man a square deal? Would it be a square deal to the owner? Oh they say this bill will permit a man who owns as much as ten acres to hunt on his farm and his neighbor's farm by permission from the owner without a license. Well now would it be fanciful to conclude that the farmers would form a kind of endless chain, each agreeing that his neighbor who joins lands with him may hunt on his farm, none of them take out license, tell me ye, who are spoiling to contribute one dollar for personal privilege, if any but the farmer will hunt over the farms of our beautiful valleys?

Men with plenty of money can lease farms to have the exclusive right to hunt on said lands, just as is the case in other states where a hunters' license is in force. Several years ago I made yearly trips to a southern state to hunt quail. I had little trouble to hunt on farms when I offered the owners $2.00 per day for that privilege. Three years ago I wanted to go into this same locality that I might enjoy the hospitality of those good southern people, who had sheltered and fed me in the past, but was informed that 50,000 acres of that prolific quail country had been leased by a club of wealthy men of New York City, and that none but they or their friends could hunt thereon. That is just what will happen in this great State if this Hunters' License is made a law to begin the downfall of the poor man's hunting freedom. Do you want it? Do your constituents want this?

Just now I remember that a beautiful stream not far from Harrisburg, in Cumberland county, has been leased by several rich men of the State Capital, and no one can fish in that stream but them and their friends, not even the farmers whose lands touch these waters. Many more of the streams in Pennsylvania are leased by clubs and some of the men who are enjoying the exclusive right to fish, are strong advocates of this Hunter's License Bill, which means exclusive right to hunt in the near future. Why not tax them $1.00 for the privilege to fish as well as hunt?

Let one farmer take out a license to hunt on any land where he can obtain the consent of the owner and what will happen? If his neighbor who dislikes the license law, gives his neighbor, who has a license the right to hunt on his premises, he is indeed a very unselfish man. But suppose the neighbor refuses to let the man with a license hunt on his land, what then? There are days when the neighbor who does not hunt does not want his birds killed, is absent from home. Is it casting an undeserved reflection to say that the farmer with a license may slip in and shoot much of his neighbor's birds while he has gone to mill? Or would it be possible for the town man, who owns an automobile and trained dogs, observing that the neighbor is in town, is away from home, he jumps into his auto with dog and gun, and is soon after the farmer's birds? In an hour or two he has cleaned up a whole covey of quail, and is back at his desk. The next morning this good-hearted farmer listens in vain for the familiar whistle of his pets at the break of day and wonders what has happened, unmindful of the fact that some one is feasting at that moment on quail and toast. He makes a trip over the feeding grounds and the scattered feathers tell in mournful tones, the sad fate of his little darlings which he has fed so long. A great wrong has been done him. Finally he accuses his neighbor, who has a license of having killed his birds. A quarrel takes place, may be a fight or shooting match, for the provocation is almost justifiable.

Gentlemen you must have received letters from people living in your district, requesting you to vote for this license. These letters are of recent date. Consider that requests went out from interested parties in Harrisburg for such inducements to be hurled at you. A letter from a Justice of the Peace to a member, says he was requested from Harrisburg to write to him, and while it had been held out to him that his income would be increased if this license was passed, because there would be many more arrests, yet he was not in favor of this imposition on the poor man, and advised the member from his county to vote against the measure if he would represent his constituents. It is but natural that Departments desiring appropriations, expect a larger sum if the Game Commission is supplied by a license fund, hence their interest. Remember gentlemen with a vengeance a letter which you have received from Pittsburg from a man who calls the farmers "dog hunters." His compliments of a certain Game Warden, whose character is known to the Dauphin County courts, puts the brand on this man, who has suddenly taken himself out of the 3 per cent. class, and is willing to contribute a paltry dollar for special privileges.

On my desk are petitions containing 52,000 names of poor men, shop men, farmers, ministers, lawyers, physicians, men in every walk of life. These petitions were not circulated in the heat of this Hunters' License Contest, but

during the campaign when candidates made promises. If an active canvass were to be made like that now on by those deeply interested and who will be most benefitted by such a license, one million of names could be secured against this oppressive measure. These petitions on my desk came from 53 counties in Pennsylvania, ranging from a few hundred to 9,000. These counties are: Allegheny, Armstrong, Adams, Butler, Berks, Bedford, Bradford, Blair, Columbia, Crawford, Cumberland, Chester, Clarion, Cambria, Cameron, Centre, Clearfield, Clinton, Dauphin, Elk, Erie, Fulton, Huntingdon, Franklin, Indiana, Juniatta, Jefferson, Lackawanna, Lancaster, Lawrence, Lehigh, Lycoming, Lebanon, McKean, Miffilin, Mercer, Montour, Montgomery, Northampton, Northumberland, Potter, Pike, Philadelphia, Perry, Sullivan, Schuylkill, Snyder, Tioga, Union, Wayne, Warren, Westmoreland and York. I believe members have petitions from the other 13 counties. They have all been secured since May 1912. If you have been thinking over the letters or petitions you have recently received, which came in answer to urgent requests sent out from Harrisburg by those who will be benefitted, you owe it to your constituents to examine these petitions from you respective before you vote. I did not secure any of these petitions, my name is not on any one, but the gentlemen who placed these petitions on my desk will be glad to submit to you the one most interesting to you. If these men were good enough to vote for you, they are good enough to have your consideration.

The advocates of this license argue that only 3 per cent. of the people hunt, and that half of the license money will go to pay bounties on noxious animals, hawks, owls, etc., which destroy game and the farmers' poultry and eggs. If the mink, weasel, wild cat, fox, hawks and owls are lessened by the vigilance of the boys, men and mountaineers, who go after them, believing that they will get a bounty on each scalp, is it any thing but fair that all who are benefited shall pay this bounty? Certainly it is unfair to require it all from the 3 per cent. who hunt and go for recreation, when the farmer and owner of poultry are the most benefitted, in fact the entire 100 per cent. are benefitted alike.

I do not now, in my declining years, like to see this grand old State where freedom was born, go in record against the poor man's pleasure and cheap meat, after an unobstructed privilege of 231 years to the people who have lived and gone to their last resting places. Such a law as this is un-American, unfair and not in the spirit of the Constitution for it is class legislation pure and simple. I repeat if the poor man is good enough for us to accept his vote, he is good enough to command our protection in one of his most sacred rights which has come down to him from generation to generation. We should treat him fairly, manly, not oppressively. Have you thought how the million boys under sixteen years, who will be prevented from hunting if this monster License Bill is made a law, will strike back when they vote a few years hence? Most of these boys at the age of thirteen are capable of handling guns, they as well as most of the farmers do not shoot $1.00 worth of ammunition during the hunting season, while the expert gunner will use 1000 shells, and if given special privileges, he will use 2000 shells in one season. Just think of the game he will kill. The farmers are glad to see their boys go hunting, rather than to town to fall in with bad influences. Deprive the farmer's boy of the right to hunt the game he has protected during the summer, and his father will become all the more determined to close his farm aganist all hunters.

The Committee of Game heard read to it from a Harrisburg newspaper a few days ago, how some innocent foreigners, who are not permitted to have fire arms, were arrested and fined each $25.00 for carrying fire arms to the homes of the owners, after they had used the guns in a drill at a play that had been given by these foreigners for some charitable purpose. The Game warden of Harrisburg was on the job all night when the play was produced, and the next morning he brought several of these poor fellows before an Alderman and secured his share of the several hundred dollar's fine.

A member of this House has told me this one. A hotel keeper of Lebaonon was approached during the hunting season by a Game Warden with seven Pheasants, which he said had been killed in Virginia. He offered to sell them to this Hotel man, who knowing that he could buy game which had been killed in Virginia, bought these birds and gave his guests a royal dinner. A few days later this same Game Warden of Dauphin County went to Lebanon and arrested this hotel man, declaring that the Pheasants he purchased were killed in Pennsylvania and he demanded $25.00 for each bird, a total of $175.00. The Hotel man stood trial before a Justice who set him free, on the firm belief as produced in evidence that it was a set up job on his good neighbor to secure fines.

The Game Commission proposes if this License Tax is made a law to employ thirty more such Game Wardens as the one who made the two arrests mentioned. Are you going to help along such a scheme? Is there a member of this House who would serve as a Game Warden, even if he did get a large salary and half of the fines when he secured convictions. Have any of you recollections of the kind of Game and Fish Wardens who have been sent into your locality?

You ask me how I would enforce the Game and Fish Laws? I would place at the disposal of some one, may be the Game and Fish Commissioners, two State Police, three if need be to each county, and there would be little if any violations, no reports of leading men and boys into committing crimes and then arrest them for doing so to secure part of the fines imposed, charges like these having frequently been made against irresponsible Game and Fish Wardens. People always respect soldier looking men, and these State Police go at their duties without fear or favor.

It would be a tremendous saving if the Game and Fish Departments were consolidated. Liberal appropriations could be made and by using the State Police only to guard these interests for the good of all the people, Pennsylvania will become one of the finest game and fish preserves in the Union.

I would protect the farmer from reckless gunners, who tear down fences, kill poultry, cripple animals, and some times pepper the farmer with shot while he is husking his corn, by requiring every person who would hunt or fish on a farm to secure from the owner or the tenant who controlled the farm. This is the successful plan used in Indiana and other western States where small game is plentiful. If the privilege of hunting and fishing on a man's farm is not worth asking for it is not worth having. Printed cards are furnished in the Western States so that all the farmer or tenant has to do is to write the name on the card of the person who desires privilege, and then sign his name.

I was one of the organizers of the Pennsylvania State Sportsmen's Association. This Association is formed for the preservation of our forests, the protection and propagation of our song and insectiverous birds, game birds, game mammals, and game fish; for aiding in the enforcement of laws of this Commonwealth governing the same; for the promotion of kindly intercourse and generous emulation among sportsmen; to unite the efforts and influence of all law-abiding citizens within the State in securing such legislation for the future preservation of our game mammals and game fish, as will be best suited to the interests of all the people of our Commonwealth at large."

For ten years I was Secretary of this Association which grew in my time to over 100 separate organizations, with a total membership of many thousand, including ex-Governors, Governor, United States Senators and many other influential men. I well remember the struggles made by the Game and Fish Commissions to secure appropriations to use in these respective Departments. While the Game Commission got pennies the Fish Commission got dollars, owing to certain influences which I need not mention.

Let me tell you I can select from the trap shooters of Pennsylvania more men who can qualify as sharp shooters than the whole army of the Potomac had during the Civil War. Would it be a fair contest to pit these men who could shoot the eyes out of a gnat in the top of a tree, against the poor man, the farmer, the shop man, as such a License as this would impose?

Let us make a condition of peace and plenty for the poor man, your friend and my friend, not one of luxury for the rich or the trap shooters to have all the game and fish because they have the money to lease for exclusive rights, have all the pleasure for themselves and their friends, while the poor man sits with his face bowed between his honest hands which he washes with his tears

when he thinks of those happy days in the field and mountains, along the clear waters, now closed to him forever by a nefarious Hunters' License Law.

Pass this measure and

The poor man turns in sadness and in gloom,
The world he left behind, is of his hope the tomb;
Though heaviness is in his heart, hope kindles not his eye;
Behind is a world of change, before an changeless sky.

Mr. DAVIS. Mr. Speaker and Gentlemen of the House. I just wish to make a statement. There has been enough time already consumed on this subject. I wish to state that I presented this bill on behalf of the United Sportsmen of Pennsylvania, a lot of men whom I consider equal to us all, and I wish to further make a statement and to correct an impression that seems to exist that this bill will affect the trespass act. There is nothing in this bill which affects the trespass act. I wish it understood, and the correction is made on account of the gentleman on my left that it would not allow people to go on his land. There is nothing in the act which dwells on the trespass act.

Mr. KUHN. Mr. Speaker and Gentlemen of the House, just one word. I want to call your attention to one fact: Is it not true that our city brothers have been appealing to us during the session on public bills, relative to not licensing their clubs in the cities. We men from the country don't ask the city clubs to pay any license and we men from the country dont' want you people to pay any license to come out to hunt. I ask you men to give us a loud "no" on the second reading of this bill.

Mr. LOWERS. Mr. Speaker and Gentlemen of the House, I do not desire to tire you by an extended discussion on this measure. I want to say to you that as a member of the Game Committee, I can assure you that all those interested in this measure, for and against, had an ample hearing before that committee, at which time a number of amendments were offered. The spirit of the committee has been one of fairness towards all those interested. At all times we have been open to suggestion, and upon the suggestions of a great many of those who are opposing this bill on the floor of the House to-day we made amendments to this measure to meet their objections. We come to you this afternoon representing something like 200,000 true sportsmen of this great Commonwealth, who believe in the propagation of our wild animal life and who not only believe in it but are willing to contribute the necessary finances to propagate that game. This measure would bring in something like $200,000. We have agreed that half of this fund should be spent for the purpose of propagating game and the other half to be used for the purpose of paying bounties on varmints. We believe it is a fair measure. It is a measure that sportsmen throughout the entire State are heartily in favor of. At the present time our Game Commission is handicapped, due to the fact that we have refused to appropriate to them for their use and for the purposes for which they were appointed a sufficient sum of money to handle it. With the amount of money received from this tax, it will be possible for our Game Commission to stock our wild mountain land with wild animals. At the present time they have brought into this State, with the small fund in their possession, a great many deer and, as you know, have established preserves throughout the State. We have brought in the elk from the West and this House has already passed a measure protecting that elk until the year 1921, and following that time we believe it will be possible for any man who enjoys the sport of hunting to bring home with him an elk, deer and a wild turkey. We believe that we men who are interested in this bill are not selfish. We will accord to the farmers in the rural districts all the courtesies that we would desire to be extended to us. We have been fair in the treatment of the farmer, in our cities and towns. We have made concessions to him all along the line. He is allowed to come into our cities and towns, to use our paved streets, enjoy police protection, et cetera, without any special tax, and, gentlemen, we have protected him by placing a tax on the professional huckster, and in many other ways we have accorded the farmer special privileges. We do not ask any special privileges; we do not ask to tear down the barrier of the trespass law. We do not ask to go over a man's farm and destroy the products of that farm. All we ask is that we be allowed to contribute a sufficient fund to our Game Commission to insure to us the pleasure of a day's hunting when we can find the time to enjoy that pleasure, and in the name of the 200,000 sportsmen of this great Commonwealth, I ask you to place this law upon the statute books, in order that the wild life may be preserved and that the hunters and true sportsmen may have the pleasure of a day's hunting. Now, in connection with the stack of petitions which you see presented to you by my friend, Mr. Runk, we had these petitions before the committee, at which time I asked when these petitions had been secured, and I was informed that most of them had been secured prior to the preparation of this act which is under consideration. Now, gentlemen, is it a fair proposition? In looking over these petitions you will observe that they deal with from six to eight subjects. Many of these subjects appeal to all sportsmen, they appeal to me, but they have embodied in with those subjects that appeal to the sportsmen a hunter's license tax which is unfair. We have made concessions with the men who were opposed to the measure, we have listened to them and accepted their amendments. We thought that they would no longer oppose this measure, but just as soon as we adopted their suggestions and embodied them in this act, then they came along with other amendments. And from this I say to you that we should as men consider these matters wisely and well and vote for this measure at this time.

Mr. KITTS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Matt. Caldwell, Newbaker, Savacool, W. F. Blair, Mannion, Donnally, Donahoe, Mellott, Ulerich, Neel, Whittaker, Martin, Berntheizel, Hess, Wiltbank, Connor, Letzkus, W. A. Blair, Moses, Snyder, Kennedy and others.

On the question,

Shall the previous question now be put?

It was agreed to.

On the question,

Will the House agree to the bill on second reading?

A division was called for, 82 voting in the affirmative and 69 in the negative, and the bill was agreed to.

Mr. KITTS. Mr. Speaker, I move you that the House take a recess until eight o'clock this evening.

Mr. NORTH. Mr. Speaker, I would ask unanimous consent to call up a bill on second reading for the reason that I have a committee meeting this afternoon and I would like to offer an amendment to House Bill No. 464, file folio 1509, page 6 of to-day's calendar.

The SPEAKER. Is there objection? The Chair hears none and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 464, entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more gallaries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fire proof construction public or private institutions sanatorium surgical institute asylum hospital schooldhouse academy dormitory college theatre public hall lodge hall or place of public resort and every building in which

persons are usually employed above the second story in a factory workshop or mercantile establishment every hotel restaurant apartment house boarding house or lodging house in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire-escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the eternal doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto" be and the same is hereby amended as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more gallaries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fire-proof construction public or private institution sanatorium surigcal institute asylum hospital schoolhouse academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercantile establishment every hotel restaurant apartment-house boarding-house or lodging-house in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by ten or more persons above the first story shall be provided with proper ways of egress of means of escape from fire sufficent for the use of all persons accomodated assembled employed lodged or residing therein and such way of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress of escape from fire shall be placed as near as practical at opposite ends or sides of the room and leading to fire-escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto

Mr. NORTH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER: The amendment will be read.

The amendment was read as follows:

Section 1, line 57, strike out "or" insert "of".
Section 1, line 73, strike out "of" and insert "or."

On the question,
Will the House agree to the amendments?
They were agreed to.
Will the House agree to the section as amended?
It was agreed to.
The title of the bill was read as follows:

An act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

On the question,
Will the House agree to the title?
Mr. NORTH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Line ten stroke out "to those"

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, to be transcribed for a third reading.

Mr. SHERN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 399, file folio 1231, on page 3, of to-day's Calendar, known as the "Workman's Compensation act".

The SPEAKER: The gentleman asks unanimous consent to call up at this time.

Is there any objection?

The Chair hears none and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 399, entitled:

An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

The first, second and third sections of article I were read and argeed to as follows:

ARTICLE I

Damages by Action at Law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That in any action brought to recover damages for personal injury to an employee in the course of his employment or for death resulting from such injury it shall not be a defense

(a) That the injury was caused in whole or in part by the negligence of a fellow employee or

(b) That the employee had assumed the risk of the injury or

(c) That the injury was caused in any degree by the negligence of such employee unless it be established that the injury was caused by such employee's intoxication or by his reckless indifference to danger The burden of proving such intoxication or reckless indifference to danger shall be upon the defendant and the question shall be one of fact to be determined by the jury

Section 2 The employer shall be liable for the negligence of all employees while acting within the scope of their employment including engineers chauffeurs miners mine-foremen fire-bosses mine superintendents plumbers officers of vessels and all other employees licensed by the State or other governmental authority if the employer be allowed by law the right of free selection of such employees from the class of persons thus licensed

Section 3 An employer who permits the entry upon premises occupied by him or under his control of a laborer or of an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to such employee or contractor shall be liable to such laborer or assistant in the same manner and to the same extent as to his own employee

The fourth section of article 4 was read as follows:

Section 4 No agreement composition or release of damages made before the happening of any accident except the agreement defined in Article two of this act shall be valid or shall bar a claim for damages for the injury resulting therefrom and any such agreement other than that defined in Article two herein is declared to be against the public policy of this Commonwealth The receipt of benefits from any association society or fund to which the employee shall have been a contributor shall not bar the recovery of damages by action at law nor the recovery of compensation under article two hereof and any release executed in consideration of such benefits shall be void

On the question,
Will the House agree to the section?
Mr. RONEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER: The amendment will be read by the Clerk.

The amendment was read as follows:

Amend article one section four page three and add after the word "Void" in line twelve "Provided however that where an employer maintains or where an employer and employees jointly maintain relief organizations whose compensatory benefits fully equal or exceed the compensation provided for in article two then the agreement or releases that have been made between such employers and employees shall constitute a basis of compensation in lieu of the compensation provided for in article two

On the question,
Will the House agree to the amendments?
Mr. RONEY. Mr. Speaker, I only introduced this amend-

ment to article 1 after giving the matter careful thought. It appears that in some establishments the employers and employees maintain a beneficial association where in case of sickness from natural causes, benefits are paid in excess or in greater amounts than are fixed by this compensation act. So I provide in this amendment that where the benefits from the fund established and maintained by the employer and employees are equal the compensatory damages allowed under this act, then the relationship which exists between the employer and employees with reference to the beneficial fund shall be undisturbed by the compensation fixed in Article 2. I think it means that if a man is injured or is sick and belongs to an association which is maintained by an employer and his employees—if it means more money to him, he should be permitted to maintain and keep that higher rate in case he meets with any misfortune.

Mr. SHERN. Mr. Speaker, the Gentleman from Philadelphia's amendment is absolutely contrary to the provisions of this act. As is well known by the members of this House, two years ago a commission was appointed to investigate these very facts. The Commission held many hearings all over this State, Pittsburgh, Scranton, Harrisburg and Philadelphia. They heard from every known employer of labor and employees. The Judiciary General Committee held a meeting and there appeared before that committee the proponents for this legislation and the opponents, and I may safely say to this House that the labor representatives of 850,000 people asked that this bill go from the committee to this House and from this House to the Senate without amendment. These beneficial associations that my friend desires to maintain in his amendment, if it is deemed advisable by the employer and the employees, have absolutely nothing to do so far as compensation is concerned. They are independent entirely of this compensation act and there can be no objection by employers or employees if they maintain beneficial associations among themselves. But this act is positive and it is practically compulsory so far as the Constitution of Pennsylvania permits, and therefore, surpasses the defences of the common law. As I said a few moments ago, there is absolutely no objection to an employer and employees or a number of employees maintaining a beneficial association, as far as health and illness is concerned, but this is something that has been desired and required in Pennsylvania for some time. Other states of the Union have adopted it and adopted it with great success, notably New Jersey, Illinois, Massachusetts and a great many of the western states. I sincerely hope that this amendment will be voted down. I do this because this committee has given careful consideration to this bill.

Mr. ADAMS. Mr. Speaker, I move that we postpone further action on this bill until to-morrow.

Mr. SHERN. Mr. Speaker, I request that we continue this action as far as this amendment is concerned. I am perfectly willing then to postpone further action until this evening, under Mr. Kitt's motion.

The SPEAKER. Perhaps the House is about ready to vote on this amendment.

Mr. RONEY. Mr. Speaker and Gentlemen of the House, the sponsor of this bill seems to misunderstand the purport of my amendment. He knows full well that no agreement with reference to compensation is permitted between employers and employees that disturbs the mandatory compensation features of this act, so the only way we can permit an employee to get more money in case of accident, in case of injury, in view of the mandatory provisions of this act, whatever agreement shall exist, is by this amendment. I offer this amendment because I think it means more money to employees in case of accident. And it makes provision in Section 4, of Article one, so that this agreement might be recognized as a valid substitute for what otherwise would be a mandatory proposition against such agreement. I ask the House to support that amendment because it provides that this agreement shall only be in force and effect where the compensatory benefits from the beneficial fund shall equal ar exceed the compensatory amounts fixed by this act. And I think, gentlemen, it is a very fair amendment.

Mr. McALLISTER. Mr. Speaker, if the amendment proposed by the gentleman from Philadelphia, Mr. Roney, should prevail, it would take out the principal feature of this act. If a man pays dues of any kind into a beneficial association and he should become injured or sick, and gets compensation from that beneficial association, he is simply getting back what he has paid for and that is not the intention of this act, and even though the employer is a contributor to that beneficial fund, I do not think that we should take out the principal feature of this act by permitting such an amendment to prevail. Now, I am an employer of labor and I don't think there would be any hardship at all in the passage of this act as it stands. I don't think there should be anything to prevent its going through exactly as it is written.

Mr. RONEY. Mr. Speaker, I do not like to be continually talking on this matter, but I don't like my position on this measure to be misunderstood. This amendment provides that where the employer maintains or where the employer does not maintain a beneficial fund, and it so happens in Philadelphia that there are a number of firms who put into a beneficial fund a dollar for each dollar contributed by the employees and there are others there where the employers have in the beginning or the inception of a beneficial fund, laid aside thousands of dollars in order that the fund might be put on a sound financial basis. I do not intend that where the employes themselves maintain the fund that this joker should go in. I only say that where the employer and employees maintain a beneficial fund that this amendment should apply. I am not asking that what he pays in himself shall be a substitute for the mandatory compensation features of this act, but only when the employer and the employees jointly maintain such a beneficial fund for the payment of benefits. Then, if it means more money to the employee, he shall have the election, and I offer this amendment in order that that may be possible.

Mr. SHERN. Mr. Speaker, as has been said by the gentleman from Philadelphia, Mr. McAleer, if this amendment were to prevail, it would practically defeat the intent and purpose of this bill. There can be no objection, gentlemen, if the employer and the employee have their own beneficial fund, but if I understand the intent of the gentlemen from Philadelphia's amendment, then if it were a separate fund it would defeat absolutely the intent and purpose of this act.

Now, as far as the employer and the employees are concerned, they can make an agreement in writing and record the same with the Bureau of Industrial Statistics, but if they do the employes takes his chances of going to common law, and there he is absolutely deprived of the defense which he has to-day.

Mr. RONEY. Mr. Speaker, can you conceive of any employer of labor contributing a dollar to a beneficial fund and continuing to pay a dollar into the fund if he is also compelled to obey the provisions of this act?

Mr. BERGEY. Mr. Speaker, the amendment offered by Mr. Roney was thoroughly discussed by me with the gentleman who was responsible for the amendment arrangement on Monday. Now, I contend that if this amendment is adopted, that the employee will be forced to carry his own compensation and that the large employers and manufacturers would force their employees to join a so-called relief association which is now enforced by a great many corporations, and the cost of this relief association is borne by the product that is manufactured, but the employee has no chance whatever to raise his compensation in that relief fund. I therefore object to this amendment.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

RECESS.

Mr. KITTS. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

The motion was agreed to and (at 1.40 P. M.) the House took a recess until 8 o'clock.

AFTER RECESS.

The House reconvened at 8:00 o'clock p. m.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate Bill No. 100, (House Bill No. 1328).

An act to establish a State Fair Commission to provide for holding an annual State fair and making an appropiation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

Which was referred to the Committee on Agriculture.

Senate Bill No 46, (House Bill No.1329).

An act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list protected birds and by further regulating the sale of feathers of protected birds

Referred to Committee on Game.

Senate Bill No. 68, (House Bill No. 1330).

A joint resolution proposing an amendment to Article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

Referred to Committee on Public Roads.

Senate Bill No. 69, (House Bill No. 1331).

A joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

Referred to the Committee on Ways and Means.

Senate Bill No. 73, (House Bill No. 1332).

An act to amend sections two and three of an act entitled "An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" approved the second day of May one thousand eight hundred eighty-nine extending the same to other cases of escheat

Referred to Committee on Ways and Means.

Senate Bill No. 75, (House Bill No. 1333).

An Act regulating reports for the purposes of taxation by corporations joint stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

Referred to the Committee on Ways and Means.

Senate Bill No. 76, (House Bill No. 1334).

An act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money deposits of money stocks bonds notes papers and other securities and all other valuables of the same or any other kind for safe keeping and stock and dividends and the principal and interest of bonds notes certificates and of all and any other kinds of indebtedness of corporations limited partnerships and partnership associations and providing for the enforcement of the same

Referred to the Committee on Ways and Means.

Senate Bill No. 77, (House Bill No. 1335).

An act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity

Referred to the Committee on Ways and Means.

Senate Bill No. 121, (House Bill No. 1336).

An act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severaly either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

Referred to Committee on Judiciary General.

Senate Bill No. 169, (House Bill No. 1337).

An Act relating to the competency as evidence of certain findings in poceedings in lunacy

Referred to the Committee on Judiciary General.

Senate Bill No. 215, (House Bill No. 1338).

An act to authorize any borough now incorporated or that may hereafter be incroporated to purchase electricity from any corporation individual partnership or any persons manufacturing electricity for commercial purposes and for the use of the inhabitants of said borough and for said purpose to erect apparatus and to pass ordinances regulating the same and making valid the acts of any borough which he heretofore received the sanction of said borough or boroughs or incurred any indebtedness thereby in accordance with the provisions of this act

Referred to Committee on Municipal Corporations.

Senate Bill No. 265, (House Bill No. 1339).

An act to amend section eighteen of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions" by further regulating the killing of deer

Referred to the Committee on Game.

Senate Bill No. 276, (House Bill 1340).

An act to amend an act approved the fourth day of June one thousand nine hundred one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power coal air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" as amended

Referred to the Committee on Judiciary General.

Senate Bill No. 328, (House Bill No. 1341).

A further supplement to an act approved the seventh day of June one thousand eight hundred seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

Referred to the Committee on Ways and Means.

Senate Bill No. 333, (House Bill No. 1342).

An act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred eleven (Appropriation Acts page two hundred fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

Referred to Committee on Appropriations.

Senate Bill No. 366, (House Bill No. 1343).

An act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof

Referred to the Committee on Municipal Corporations.

Senate Bill No. 370, (House Bill No. 1344).

An act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mt. Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred eleven

Referred to the Committee on Appropriations.

Senate Bill No. 372, (House Bill No. 1345).

An act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

Referred to the Committee on Judiciary General.

Senate Bill No. 386, (House Bill No. 1346).

An act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

Referred to the Committee on Counties and Townships.

Senate Bill No. 517, (House Bill No. 1347).

An act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

Referred to Committee on Judiciary General.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the folowing bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 24:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to

hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

House Bill No. 88:

An act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An Act to amend sections one and sixteen of an act entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditors in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred and one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants

House Bill No. 89:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

House Bill No. 248:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five entitled "An Act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult"

PETITIONS.

ASKING FOR IMPEACHMENT OF JUDGES.

The SPEAKER. The Chair has received a petition addressed to the House from Cornelius F. Foley, asking that proceedings be instituted for the impeachment of the Honorable C. N. Brumm, one of the pudges of the 21st Judicial District.

This petition is referred to the Judiciary General Committee with request that said Committee advise the House whether there seems to be sufficient evidence to indicate that a Committee be appointed to investigate the charges therein contained.

Also a petition from George M. Miller, asking that proceedings be instituted for the impeachment of Honorable W. F. Sadler, President Judge of the 9th Judicial District, which is referred to the same Committee for the same purpose.

BILL ON SECOND READING.

The SPEAKER. When the House adjourned this morning it had under consideration on second reading Bill No. 399, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

and had proceeded to the end of the first article.

The Clerk will read the first section of Article two.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections of Article two were then read and agreed to as follows:

ARTICLE II

Election Compensation

Section 1 When employer and employee shall by agreement either expres or implied as hereinafter provided accept the provisions of Article two of this act compensation for personal injury to or for the death of such employee by an accident in the course of his employment shall be made in all cases by the employer without regard to negligence according to the schedule contained in sections five and six of this Article provided that no compensation shall be made when the injury or death be intentionally self-inflicted but the burden of proof of such fact shall be upon the employer

The terms "injury" and "personal injury" as used in this Article shall be construed to mean only violence to the physical structure of the body and such disease or infection as naturally results therefrom and wherever death is mentioned as a cause for compensation under this article it shall mean only death resulting from such violence and its resultant effects and occurring within three hundred weeks after the accident The term "injury" by an accident in the course of his employment" as used in this article not include an injury caused by an act of a third person intended to injure the employee because of reasons personal to him and not directed against him as an employee or because of his employment but shall include all other injuries sustained while the employee is actually engaged in the furtherance of the business or affairs of the employer whether upon the employer's premises or elsewhere and shall include all injuries caused by the condition of the premises or by the operation of the employer's business or affairs thereon sustained by the employee who though not so engaged is injured upon the premises occupied by or under the control of the employer or upon which the employer's business or affairs are being carried on the employee's presence thereon being required by the nature of his employment

Section 2 Such agreement shall be an acceptance of all the provisions of article two of this act and shall operate as a surrender by the parties thereto of their rights to any form or amount of compensation or damages for any injury or death occurring in the course of the employment or to any method of determination thereof other than as provided in article two of this act Such agreement shall bind the employer and his personal representatives and the employee his or her wife or husband widow or widower next of kin and other dependents

Section 3 (a) In every contract of hiring made after June thirty one thousand nine hundred and thirteen and in every contract of hiring renewed or extended by mutual assent expressed or implied after said date it shall be conclusively presumed that the parties have accepted the provisions of article two of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article two of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service theerof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed within ten days after service in the Bureau of Industrial Statistics of this Commonwealth Every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before June thirty one thousand nine hundred and thirteen shall be conclusively presumed to continue subject to the provisions of article two hereof unless either party shall on or before June thirty one thousand nine hundred and thirteen in writing have notified the other party to such contract that the provisions of article two hereof are not intended to apply and unless there shall be filed in the Bureau of Industrial Statistics a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed provided however that the provisions of this section shall not be so construed as to impair the obligation of any contract now in force In the employment of minors article two shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employee of the State or of such governmental agency

(b) After June thirty one thousand nine hundred and thirteen an employer who permits the entry upon premises occupied by him or under his control of a laborer or an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to that employee or contractor shall be conclusively presumed to have agreed to pay to such laborer or assistant compensation in accordance with the provisions of article two unless the employer shall post in a conspicuous place upon the premises where the laborer's or assistant's work is done a notice of his intention not to pay such compensation and unless there be filed with the Bureau of Industrial Statistics within ten days thereafter a true copy of such notice together with proof of the posting of the same setting forth upon oath or affirmation the time place and manner of such posting and after June thirty one thousand nine hundred and thirteen any such laborer or assistant who shall enter upon premises occupied by or under the control of such employer for the purpose of doing such work shall be conclusively presumed to have agreed to accept the compensation provided in article two in lieu of his right of action at common law or under article one unles he shall have given notice in writing to the employer at the time of entering upon such employer's premises for the purpose of doing his work of his intention not to accept such compensation and unless within ten days thereafter there shall have been filed with the Bureau of Industrial Statistics a true copy of such notice accompanied by proof of service thereof upon such employer setting forth under oath on affirmation the time place and manner of such service And in such cases where article two binds such employer and such laborer or assistant it shall not be in effect between the intermediate employer or contractor and such laborer or assistant unless otherwise expressly agreed

Section 4. The contract for the operation of the provisions of article two of this act may be terminated prior to any accident by either party upon sixty days' notice to the other in writing if a copy of such notice with proof of service be filed in the Bureau of Industrial Statistics as provided in section three of this article

Section 5 The following schedule of compensation is hereby established for injuries resulting in disability

(a) For the first three hundred weeks after the fourteenth day of total disability fifty per centum of the wages received at the time of injury but the compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receves wages of less than five dollars per week then he shall receive the full amount of such wages per

week as compensation And after the first three hundred weeks of total disability for the remainder of the life of the employee forty per centum of the wages received at the time of the injury but the compensation shall not be more than eight dollars per week nor less than four dollars per week Provided that if at the time of the injury the employee received wages of less than four dollars per week then he shall receive the full amount of such wages as compensation Nothing in this clause shall require the payment of compensation after disability shall cease should partial disability be followed by total disability the period of three hundred weeks mentioned in this clause during which compensation was paid for such partial disability

(b) For disability partial in character (except the) particular cases mentioned in clause (c) fifty per centum of the difference between the wages received at the time of injury and the earning power of the employee thereafter but such compensation shall not be more than ten dolllars per week This compensation shall be paid during the period such paritial disability not however beyond three hundred weeks after the fourteenth day of such disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for such total disability

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand fifty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm fifty per centum of wages during two hundred and fifteen weeks

For the loss of a foot fifty per centum of wages during one hundred and fifty weeks

For the loss of a leg fifty per centum of wages during two hundred and fifteen weeks

For the loss of an eye fifty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more of such members not constituting total disability fifty per centum of wages during the aggregate of the periods specified for each

The loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation

(d) No compensation shall be allowed for the first fourteen days after disability begins except as hereinafter provided in clause (e) of this section

(e) During the first fourteen days after disability begins the employer shall furnish reasonable surgical medical and hospital services medicines and supplies as and when needed not to exceed twenty-five dollars in value unless the employee refuses to allow them to be furnised by the employer

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section 6 of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and hospital services and medicines nor for the expenses of the last sickness and burial Should the employee die from some other cause than the injury the liability for compensation shall cease

Section 6 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation twenty-five per centum of wages of deceased with ten per centum additional for each child in excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children twenty-five per centum of wages

3 To the widow or widower if there be one child forty per centum of wages

4 To the widow or widower if there be two children forty-five per centum of wages

5 To the widow or widower if there be three children fifty per centum of wages

6 To the widow or widower if there be four children fifty-five per cetnum of wages

7 To the widow or widower if there be five children or more sixty per centum of wages

8 If there be neither widow widower nor children then to the father and mother or the survivor of them if dependent to any extent upon the employee for support at the time of his death twenty per centum of wages

9 If there be neither widow widower children nor dependent parent then to the brothers and sisters if actually dependent to any extent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

10 Whether or not there be dependents as aforesaid the reasonable expenses of last sickness and burial not exceeding one hundred dollars (without deduction of any amounts theretofore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include step-children and adopted children if members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or should the widow or widower remarry or should the widower become capable of self-support the right of such dependent or such widow or widower to compensation under this section shall cease If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week This compensation shall be paid during three hundred weeks and in the case of chidren entitled to compensation under clause 1 of this section the compensation of each child shall (if the other parent be dead or have abandoned such child) continue until such child reach the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum

Section 7 Except as hereinafter provided all compensation payable under this article shall be payable in periodical installments as the wages of the employee were payable before the accident

Whenever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include board lodging or similar advantages received from the employer unless the money value of such advantages shall have been fixed by the parties at the time of hiring In occupations involving seasonal employment or employments dependent upon the weather the employee's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional cases such method of computation does not ascertain fairly the earnings of the employee in which case the period of calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings In continuous employments if immediately prior to the accident the rate of wages was fixed by day or hour or by the output of the employee his weekly wages shall be taken to be five and one-half times his average earnings at such for a working day of ordinary length excluding earnings from overtime and using as the basis of calculation his earnings during so much of the preceding six months as he worked for the same employer Where the employee is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

Section 8 Compensation under this article to alien dependent widows children and parents not residents of the United States shall be the same in amount as is provided in each case for residents except that at any time within one year after death of the injured employee the employer may at his option commute all future installments of compensation to be paid to alien dependents not residents of the United States by paying to such alien dependents two-thirds of the total amount of such future installments of compensation Alien widowers brothers and sisters not residents of the United States shall not be entitled to any compensation

Section 9 Unless the employer shall have actual knowledge of the occurrence of the injury or unless the employee or some one on his behalf or some of the dependent or some one on their behalf shall give notice thereof to the employer within fourteen days after the accident no compensation shall be due until such notice be given or knowledge obtained If notice be given or the knowledge obtained after fourteen days but within thirty days after the accident the delay shall not bar compensation unless the employer shall show that he was prejudiced thereby and then only to the extent of such prejudice If the notice be given or the knowledge obtained after thirty days but within ninety days after the accident and if the employee or other beneficiary shall show that his delay in giving notice was due to his mistake or ignorance of fact or of law or to his physical or mental inability or to fraud misrepresentation or deceit or to any other reasonable cause or excuse then compensation shall be allowed except to the extent that the employer shall show that he was prejudiced by such delay Unless knowledge be obtained or notice given within ninety days after the accident no compensation shall be allowed

Section 10 The notice referred to in section nine thereof shall be substantially in the following form

To (name of employer)

You are hereby notified that an injury of the following character ( ) was received by (name of employee injured) who was in your employment at (place) while engaged as (kind of employment) on or about ( ) the ( ) day of ( ) Anno Domini

( ) and that compensation will be claimed therefor
Date Signed ( )
but no variation from this form shall be material if the notice be sufficient to inform the employer that a certain employees name received an injury the charactr of which is described in ordinary language in the course of his employment on or about a time specified and at or near a place specified

Section 11 The notices referred to in section three and section nine hereof may be served personally upon the employer or upon the manager or superintendent in charge of the works or business in which the accident occurred or by sending them through the registered mail to the employer at his or its last known residence or place of business or if the employer be a corporation either foreign or domestic then upon the president vice-president secretary or treasurer thereof Knowledge of the occurrence of the injury on the part of any of said agents shall be the knowledge of the employer

Section 12 After an injury the employee if so requested by him employer must submit himself for examination at some reasonable time and place and as often as may be reasonably requested to a physician or physicians legally authorized to practice under the laws of such place who shall be selected and paid by the employer If the employee requests he shall be entitled to have a physician or physicians of his own selection to be paid by him present to participate in such examination For all examinations after the first the employer shall pay the reasonable traveling expenses and loss of wages incurred by the employee in order to submit to such examination The refusal of the employee to submit to such examination shall deprive him of the right to compensation under this article during the continuance of such refusal and the period of such refusal shall be deducted from th period during which compensation would otherwise be payable

Section 13 In case of failure to agree upon a claim for compesation under this article between the employer and employee or the dependents of the employee either party may submit the claim as to questions of fact nature and effect of the injuries and the amount of compensation due therefor according to this article to the Court of Common Pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the Court of Common Pleas of any other county which courts shall hear and determine such disputes in a summary manner and their decisions as to all questions of fact shall be conclusive

Section 14. In case of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the acident one of the parties shall have filed a petition as provided in section fifteen hereof In cases of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a peititon as provided in section fifteen hereof Where however payments of compensation have been made in any case said limitation shall not take effect until the expiration of one year from the time of the making of the last payment

Section 15 Procedure in case of dispute shall be as follows

Either party may present a petition to said court or any judge thereof setting forth the names and residences of the parties and the facts relating to employment at the time of the accident the extent and character of the injury the amount of wages received at the time of the acident the knowledge of the employer or notice of the occurrence of the injury and such other facts as may be necessary and proper for the information of the said court shall state the matter or matters in dispute and the contention of the petitioner with reference thereto This petition shall be verified by the oath or affirmation of the ptitioner

Upon the presentation of such petition the same shall be filed with the prothonotary of the Court of Common Pleas and the court shall fix a time and place for the hearing thereof not less than three weeks after th date of the efiling of said petition A cory of said petition and order shall be served upon the adverse party as a summons in a civil action may be served Within seven days after the service of such notice (unless the time be extended by the court for cause shown) the adverse party shall file an answer to said petition which shall admit or deny the substantial averments thereof and shall state the contention of the answering party with reference to the matters in dispute The answer shall be verified in like manner as the petition If no answer be filed as aforesaid evidence shall be offered at the hearing by the petitioner only The court shall in every case have authority to allow amendments of the petition or answer and to suspend the proceedings during the refusal of the employee to submit to the examination required by section twelve hereof

At the time fixed for hearing or any adjournment thereof the said court or any judge thereof shall hear the witnesses and in a summary manner decide the merits of the controversy This decision called an award shall be in writing and filed with the prothonotary of the Court of Common Pleas and shall contain a brief statement of the facts as determined by said court Costs may be awarded by said court in its discretion and when so awarded the same costs shall be allowed taxed and collected as are allowed taxed and collected for like services in the same court After petition filed the Court of Common Pleas may in its discretion upon motion of either party or of its own motion appoint one or more impartial physicians or surgeons to examine the injuries of the claimant and to report thereon to the court Said court shall have power to fix the compensation of such physicians or surgeons and to tax the same as a part of the costs of the proceedings The report of any physicians or surgeons appointed by the court as aforesaid shall be filed with the prothonotary and shall be a part of the record and shall be open to inspection by both parties Such report shall not be conclusive of the facts therein stated but shall be advisory only Appeals may be taken from the award of the Court of Common Pleas to the Supreme or Superior Court in such manner and upon such terms as the Supreme Court shall by rule prescribe but no appeal shall operate as a supersedeas unles allowed by trial or appelate court except where the compensation shall have been commuted as provided in section sixteen of this article Cases arising under this article shall have precedence both in the Courts of Common Pleas and in the appellate courts over all other civil cases

Section 16 The compensation contemplated by this article may be compensated by said Court of Common Pleas at its present vaue when discounted at six per centum interest with annual rests disregarding the probability of the beneficiary's death (except in commuting payments due under clause (a) section five of this article) upon application of either party with due notice to the other if it appear that such commutation will be for the best interest of the employee or the dependents of the deceased employee or that it will avoid undue expense or undue hardship to either party or that such employee or dependent has removed or is about to remove from the United States or that the employer has sold or otherwise disposed of the whole or the greater part of his business or assets Except as provided in section eight hereof and in this section no commutation of compensation shall be made

An agreement or award of compensation may be modified at any tim by a subsequent agreement or may be reviewed by said court upon the application of either party on the ground that the incapacity of the injured employee has subsequently increased or diminished or that the status of the dependent has changed In such case the provisions of section twelve and fiftee of this article with reference to medical examination shall apply

At any time after the entry of the award a sum equal to all future installments of compensation may (where death or the nature of the injury renders the cmount of future payyments certain) by leave of court be paid by the employer to any savings bank trust company or life insurance company in good standing and authorized to do business in this State and having an office in the county in which the award was entered and such sum together with all interest thereon shall thereafter be held in trust for the employee or the dependents of the employee who shall have no further recourse against the employer The payments of such sum by the employer evidenced by the receipt of the trustee noted upon the prothonotary's docket shall operate as a satisfaction of said award as to the employer Payments from said fund shall be made by the trustee in the same amounts and at the same periods as are herein required of the employer until said fund and interest shall be exhausted in the appointment of the trustee preference shall be given in the discretion of the court to the choice of the employee or the dependents of the deceased employee

The seventeenth section was then read as follows:

Section 17 The right of compensation granted by this article of this act shall have the same preference (without limit of amount) against the assets of the employer as is now or may hereafter be allowed by law for a claim for unpaid wages for labor Claims or payments due under this article of this act shall not be assignable and (except as provided in section two of article III hereof) shall be exempt from all claims of creditors and from levy execution or attachment which exemption may not be waived

On the question,

Will the House agree to the section?

Mr. WATSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Article II by striking out section 17 and renumbering the remaining section of Article II.

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker and Gentlemen of the House,

Several of the members have consulted me before this bill was called up for second reading as to whether or not the first lien of mortgage would be impaired by a judicial sale of the property belonging to the employer under this act.

My answer to that is that by the Act of May 12, 1891, P. L. 54, Section one, it is provided that an unpaid claim for wages to be a lien on real estate must be entered in the Prothonotary's office like a judgment or mechanic's lien. By the Act of April 9, 1872, P. L. 47, Section four, it is provided that no lien of a mortgage or judgment entered before the labor is performed shall be affected by the lien of wages. Therefore any mortgage or any judgment that is entered before a claim for wages or labor could not possible be impaired by judicial sale under this act in case the employer cannot pay the employee what is due him.

Mr. WATSON. I offered this amendment, not that I am opposed to the bill, but to let it be understood whether or not it would effect the mortgages on property or judgments that had been entered. I had inquiry from some of our bankers as to the matter and if that is the interpretation of

the bill as stated by my friend from Philadelphia, why I have no objection to the section and I withdraw my amendment with that understanding.

Sections eighteen, nineteen, twenty and twenty-one were then read and agreed to as follows:

Section 18 Where the employer and the employee or the dependents of the employee shall after any accident agree upon the compensation payable hereunder for such accident a memorandum of such agreement signed by the parties may be filed with the prothonotary of said Court of Common Pleas The costs of the prothontary for such service shall be allowed taxed and collected as heretofore upon a confession of judgment When thus filed such agreement shall have the same effect as if it were an award of the court as provided in section fifteen hereof but shall be subject to review by the court for fraud mistake or other cause shown provided however that nothing in this Section shall be construed to permit a commutation of payments except as provided in sections eight and sixteen hereof and provided further that no agreement relating to compensation shall be valid if made within fourteen days of the accident nor shall any such agreement be valid of it vary the percentage of wages payable as compensation or the period during which compensation is to be paid as stated in sections five and six hereof

Section 19 If default shall be made by the employer for thirty days after demand in the payment of any amount due under any of the provisions of this article then upon petition of any person interested and after ten days notice thereof to the employer served in the same manner in which a summons may be served the court or any judge thereof shall if the default still exists enter judgment thereon for the amount or amounts due together with interest thereon and costs Upon such judgment no stay of execution shall be allowed except in the discretion of the court

Section 20 It shall be the duty of the prothonotary of each Court of Common Pleas to make report monthly to the Bureau of Industrial Statistics of all proceedings begun in such court under this article of this act classifying such report in such manner as to show whether the proceedings are brought for the settlement of a dispute as to liability for compensation for a modification thereof for a commutation of payments for a judgment in default of payment or for fixing of counsel fees and such report shall state the number and term of each proceeding but neither names nor further detail need be given unless required by the Bureau of Industrial Statistics

Section 21 Where a third person is liable to the employee or the dependents for the injury or death the employer shall be subrogated to the right of the employee or the dependents against such third person but only to the extent of the compensation payable under this article by the employer Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employee or to the dependents and shall be treated as an advance payment by the employer on account of any future installments of compensation

Article three. Section one and two were read and agreed to as follows:

ARTICLE III
General Provisions

Section 1 Wherever in this act the singular is used the pural shall be included where the masculine gender is used the feminine and neuter shall be included

Employer is declared to be synonymous with master and includes natural persons partnerships joint stock companies corporations for profit corporations not for profit municipal corporation the Commonwealth and all governmental agencies created by it Employee is synonymous with servant and includes all natural persons who perform service for another for a valuable consideration exclusive of casual employees and exclusive of persons not employed in the course of the regular busines or domestic affairs of the employer and exclusive of persons to whom articles or materials are given out to be made up cleaned washed altered ornamented finished or repaired or adapted for sale in the workers own home or on other premises not under the control or management of the employer

The exercise and performance of the powers and duties of a local or other public authority shall for the purposes of this act be treated as the trade or business of the authority

Section 2 No claim or agreement for legal services or disbursements in support of any demand made or suit brought under the provisions of any article of this act shall be an unforceable lien against the amount to be paid as damages or compensation or be valid or binding in any other respect unless the same be approved in writing by the judge presiding at the trial or in case of settlement without trial by a judge of the Common Pleas Court of the county in which the accident occurred After such approval if notice in writing be given to the employer of such claim or agreement for legal services and disbursements the same shall be a lien against any amount thereafter to be paid as damages or compensation Provided however That where the employee's compensation is payable by the employer in periodical installments the court shall fix at the time of approval the proportion of each installment to be paid on account of legal services and disbursements

The third section was read as follows:

Section 3 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of this act except that articles one and two are hereby declared to be inseparable and as one legislative thought and if either article be declared by such court void or inoperative in an essential part so that the whole of such article must fall the other article shall fall with it and not stand alone

On the question,

Will the House agree to the section?

Mr. WATSON. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Article III by inserting after Section 3, the following:

Section 4. Nothing in this act shall affect any agricultural employer or any agricultural employe, but claims for personal injuries to an agricultural employe shall be claimed and asserted under the laws of this Commonwealth as they exist immediately before the approval of this act.

Amend Article III House bill 399 by renumbering the remaining sections of said article accordingly.

On the question,

Will the House agree to the amendments?

Mr. SHERN. Mr. Speaker, and Gentlemen of the House, that reminds me of the Session of 1906, when the Civil Service Act applying to Philadelphia was under discussion, and there was inserted into that act provision exempting soldiers and the sons of veterans, and of course the Supreme Court declared that unconstitutional. It is not necessary to explain to the House that this would be class exemption and all the members in this House that are lawyers and members of the Bar, know that is class legislation. This would be exempting a special class of individuals and our Constitution does permit that. All men stand equally before the law, and the farmers must stand upon the same footing as other men.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogated the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHERN. I will.

Mr. ROCKWELL. I desire to ask the gentleman if he has carefully read section 1 in Article 3. Then I would like to know whether or not section one of article three of this bill does not exempt domestic employees.

Mr. SHERN. It does not.

Mr. ROCKWELL. It does not exempt them?

Mr. SHERN. No, sir.

Mr. ROCKWELL. The line I refer to in section 1 begins with line 10 and reads in this way: "employee is synonymous with servant and includes all persons who perform service for another for a valuable consideration exclusive of casual employees and exclusive of persons not employed in the course of the regular service or domestic affairs." If the gentleman's contention is that you cannot exempt any class of servants, does not that make the bill unconstitutional?

Mr. SHERN. No, sir. This only exempts a person who is a casual employee and not a permanent one, a person who simply comes in to work for an hour or two in a day and who is not a permanent employee and of course is not a permanent employee within the meaning of this act. This act is for a specific purpose and a permanent employee within the meaning of this act means one who is employed for a definite space of time, and of course an employee that is not employed for a definite space of time would not be considered a permanent employee within the provisions of this act. When this matter was before the Committee of which the gentleman from Tioga is the Chairman, that subject was thoroughly gone into and explained.

Mr. ROCKWELL. There is another question that I would like to ask the gentleman. If a domestic servant employed by the gentleman from Philadelphia was injured, would he so construe it that this section would exempt him from liability to that servant or not.

Mr. SHERN. I would not, I would consider myself liable to that servant.

Mr. ROCKWELL. Would you consider that the same servant is a casual employee.

Mr. SHERN. I would not.

Mr. ROCKWELL. What do you construe the expression "casual employee" to mean?

Mr. SHERN. A man engaged by the week, or month or year would not be considered a casual employee. It means somebody that simply comes in to shovel snow from the street or sweep the steps or sweep a room, and in that way to be casually employed and not permanently. It would also have reference to a washerwoman.

The question recurring,

Will the House agree to the amendment?

Mr. WATSON. Mr. Speaker and Gentlemen of the House, as I read this bill it is only for an exclusion of casual employees and the exclusion of persons not employed in the course of regular business or domestic affairs. And that makes it a distinction without a difference. My friend from Philadelphia may not be familiar with the employees on a farm. They work by the day, they work by the half day, and by the week and by the month. And I say, Mr. Speaker and gentlemen of this House, that this is a very important feature of this bill. At the same time I will say that I am emphatically in favor of this bill. I am in favor of protecting all character of labor and I think it is our duty as representatives of this Commonwealth to look after the man who earns his bread by the sweat of his brow. And, gentlemen, if we do not do that we will have a day of reckoning and we see the cloud on the horizon now of the discontent of labor. I will go as far as my friend from Philadelphia or any other man in the protection of labor but we must not lose sight of the character of labor we want to protect. Now, take it, for instance, take your farmer who may have his farm; possibly he has toiled for sixteen hours a day for that home, because the eight hour law does not apply to the farmers. He has built his house and has his home and family there and he has a hired hand working for him, maybe by the day and maybe by the half day, and some accident happens to him, and his earnings probably of years are swept away to pay the damages that might be incurred by his casually employed farm-hand. I want to say, in addition to that, Mr Speaker, that the toiler of the soil from the days of the Creation and of the Earth and the Garden of Eden to the present time is the line of demorcation between civilization and barbarism. The farmers who till the soil are the foundation of every industry of the State of Pennsylvania and the United States of America. Without the farmer, where would we land? In the poor house, with nothing in the poor house to eat? Yet, I say to the members of this House, while I want this bill to pass, that the farmer can be exempted here just as well as the casually employed domestic servant. I want this bill to pass, and I am anxious that it should, but I want this House to think seriously of it. I want them to say that we are all dependent for our sustenance upon the man who tills the soil and works sixteen hours a day, and I want you to think of this. If this bill exempts the farmer, I have nothing more to say. The man who is raised on the farm goes out at the dawn to work and works as long as he can see, for what? A bare existence, yet one of the happiest existences on the face of the earth. The farm is where the boys grow up in touch with nature, and the girls grow up in touch with nature and they are nearer nature's god than the people born in the city. That is the field and place from which the cities draw their new life. The farmer boy goes into the city and takes his place in some business house. The son of his employer when he reaches the zenith of his life is left a fortune. He starts down hill and the farmer boy takes his father's place. Hence I say that this is one class that has asked for very little protection, and it should not be mulcted in damage money of the homes that are the result of years of toil, and I hope that the members of this House will consider this matter very carefully. I do not see why if you can exempt the house servant, why the farm employee, who is a casual employee, cannot be exempted. This amendment can be adopted so that the farm hand can be exempted and the farmer given some protection. This is a serious matter that you have before you tonight. The farmer earns his money by hard work, and many times the boys and the girls and sometimes the wife in the family work in the field and yet if the farmer is not given this protection, and an accident might happen to one of the hired hands through a mere matter of carelessness his home may be swept away from him, and he and his family may be turned out into the world.

Mr. SHERN. Mr. Speaker and Gentlemen of the House, I think we are all in sympathy with the farmer. We all realize of what import he is to the citizenship of this State of Pennsylvania, but yet we must not forget the eight hundred and fifty thousand employees of this State. One of the members of the Labor Institution appeared before this committee, and other members of the Federation of Labor, who told us that there were over eight hundred and fifty thousand laboring men in the State of Pennsylvania who would be affected by this act. One of the representatives of the Grange was in communication with me yesterday, and I was in consultation with other members of this order, and they unanimously came to the conclusion that if a section were inserted in this act in accordance with the one offered by the gentleman from Indiana that it would make the act unconstitutional. We have provided for a mutual employers liability company, and the farmers intend to take advantage of the act to be called up after this one, and have it adopted for the purpose of giving them power to form a mutual farmers' liability company, and they will then be in a position to incorporate themselves into that company, as they are now incorporated into the Mutual Farmers' Fire Association, and the farmer will be able to take care of himself by taking a portion of his profits and applying them to insurance premiums as he now applies them to his bonds and stables and horses. I am in sympathy with the farmer, but the thousands of laboring men in this State of Pennsylvania ought to be protected, and I, therefore, ask you for the sake of the bill and for the sake of the eight hundred and fifty thousand working men in the State of Pennsylvania who earn their bread by the sweat of their brow by that labor which brings to them and to us happiness and content, and I ask you to give them this protection.

Mr. NORTH. Mr. Speaker, as this act is drawn, I am opposed to it. I believe that any person that understands the provisions of this act is opposed to it absolutely. When you speak of the high cost of living, if this act becomes a law, the high cost of living, as I understand it now, will be a pink tea in comparison to what it will be two years after this law is enforced. It is almost impossible, Mr. Speaker and Gentlemen of the House, for farmers and those engaged in agricultural pursuits to obtain the necessary help to carry on their industries to-day. If such a law as we have now before us is enacted, it will certainly be a great disadvantage to the farmers. No farmer to-day, to my knowledge, would undertake to employ labor under this drastics measure that is provided for in this bill or undertake to produce crops for a livelihood. It would simply put them out of business and no intelligent farmer would take the risk of following that kind of a business.

Mr. McALEER. Mr. Speaker and Gentlemen of the House, I have so far refrained from saying a word in favor of the men of Philadelphia who are manufacturers but since farmers want to be exempt, I just want to give you a few words on the side of the manufacturers and their plea. When I talked to some of them about the proposed measures that are before this House now along this line they said "For Heaven's sake, whatever you do, don't put any more burdens on the manufacturers." If you are going to exempt farmers you should also exempt manufacturers; exempt everybody that is affected. We all want to be exempted from provisions that might entail a little hardship upon ourselves and that may be proposed for the benefit of somebody. When a farmer loses his farm, what becomes of the manufacturer, who, if he has not provided for something of this kind, what is to become of him? Let us protect labor from top to bottom and not one class or the other. Let everybody have protection and not one and have the other go scott free.

Mr. STONE. Mr. Speaker, the sponsor of this bill says that if this amendment is carried that it will be an unconstitutional bill. If that proposition is true, then I am opposed to the whole bill; then I will say to the gentlemen that it should be defeated. Let me say to you that it is a square deal that this House should give to the people. I am not counsel for any manufacturing interests and yet I do say that the manufacturers interest should be looked to as well as the laborers and the farmers interest. I don't care if there is eight hundred and forty thousand laborers looking to us for their interests in this Legislature—make it ten hundred thousand if you please. We must look at both sides of this question. I want to say to you I have one instance that came to my mind that should be considered by the members of this House when they vote. I defended a case for a manufacturer whereby the act of one of the employes (They were manufacturing rollers) and one single roller dropped on the floor; a company employe came along and stepped on the roller and fell against a saw and it was a woman and she lost her hand. There is not a member of this House that will say that that manufacturing company was liable for that accident.

It is simply what should be recognized that it was fully the act of an employe. I am in favor of this amendment whether it applies to a farmer or not. I own a farm myself. I have a number of employes on that farm. Simply because some of the employes there have been guilty of negligence and carelessness, you don't think that I should be obliged to mortgage my farm to support a man who is injured there during my life-time. I say it is a shame. I am in favor of the amendment and I think every gentleman of this House should make this a square deal and as for this amendment I don't care; if it does make the bill unconstitutional, then if we are going to vote for the bill, vote it down.

Mr. SHERN. Mr. Speaker, during the last preseidential campaign, ex-President of the United States, Theodore Roosevelt, went from one end of this country to the other and he held up in his speeches the judicial bearing of the United States Judges. He mentioned one particular case, that he constantly harped on and appealed to the passions of those whom he addressed. It was the case of a poor brakeman on a railroad in Missouri who went before a jury and recovered a verdict of fifteen thousand dollars. The lower courts sustained the verdict and it was sent to the Supreme Court of the State and they reversed. A new trial was granted and he recovered twenty thousand dollars. Again the lower court sustained the verdict and it went from that to a higher court and they reversed the third time and that poor brakeman received no aid or compensation for the leg that was taken from him. That was the case that was held up to the passions of the people of the United States until they felt that the judges of this country were absolutely corrupt. If you pass this bill no more arguments of this character can appeal to the people of this great country. The great difficulty with the people to-day is that they felt that they were oppressed by the forces and power of great corporations and the employers and that they were deprived of their just deserts, when they went before a court and could not get justice before a jury. That is why laboring people of this State and other states are demanding the passage of such a measure as this, so that they might preserve the good name of the judiciary as it was before these numerous accidents happened on the railroads and in the employment shops. I realize, my friends and members of the House, that this effects the farmer to a certain extent but the farmer can apply a portion of his earnings with advantage by going into these Farmers Liability Companies and he can be protected as he can take out insurance upon his farm, or his implements or his horses. My friend from Jefferson, Mr. North, says, "The high cost of living will go forth." Of course there may be a little extra price upon potatoes, or upon asparagus or cabbage or celery, but let the people pay for that and protect themselves so that we may grow in these United States and give the great majority of the laboring men an opportunity such as they deserve.

Mr. WATSON. Mr. Speaker, I endorse all the gentleman has said in regard to taking care of the employes of this country. I will do anything to protect them in every particular, in every way that it is possible to do but gentlemen, the only question between the Gentleman from Philadelphia and myself is this; I say this amendment can be adopted here and this bill will be just as strong as it is today. What does it say? It says "casual employes" instead of making it exclusive. There are no more "casual employes" upon the farm than there are any where else. He may do a day's work on the farm. If he work to noon and it is wet, the man will say to him, "Well here is a half a day; you can go home." He comes back in the morning. That is a casual employe, all the time. It may be a month, sometimes it may be a week. My contention is this, that the farmer can be excluded here and this bill is constitutional with or without that amendment. With the amendment it would be constitutional, if it is constitutional now. That is the point, Mr. Speaker, and I favor every particle of this bill and I sincerely hope that it can be amended and passed, but, Mr. Speaker, if they are going to take the home of the farmers, there are, I think, at least two hundred and fifty thousand of them in the Commonwealth. He does what? The farmer feeds you and he feeds the members of this House and they will feed every employe in the State and it is the first source of industry and the first source of citizenship and I say that this is a serious proposition and I say again, that this bill will be just as constitutional with that amendment as it is without it, with this exception of the exclusion of casual employes.

Mr. S. B. SCOTT. Mr. Speaker, this bill is the expression of a great public policy. We have now come to a point when we believe that it is not right that the risks which always are inherent to industry should fall upon a particular man who happens to be injured. There are risks in the occupation of farming just as there are risks in the machine shop and the farm employee has just as much right to be protected under this public policy as any other kind of employee, and the farmer has just as much duty to respond to his share of the public risks as any other employer. There ought to be no exceptions in this bill. It ought to bear alike on all and it ought to protect all alike. Therefore, I think it would be a great mistake to amend the bill in the way which has been proposed.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Shern.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Shern, permit himself to be interrogated?

Mr. SHERN. Yes, sir.

Mr. E. G. M. KUHNS. Mr. Speaker, I should like to have the gentleman from Philadelphia tell us what he means when he says "the farmer."

Mr. SHERN. Mr. Speaker, I mean the farm hand who is employed by the owner of the farm.

Mr. E. G. M. KUHNS. Mr. Speaker, but when you say "the farmer"—who is the farmer?

Mr. SHERN. Mr. Speaker, the gentleman will have to interrogate Mr. North and Mr. Watson who know more about farms and farmers than I do. I don't live on a farm; I live in the city and I don't know anything about the farm, from actual experience, because I have never been, practically, on a farm.

Mr. E. M. G. KUHNS. Mr. Speaker, and Gentlemen of the House, we must not forget when we use the words "the farmer" today that there is quite some difference, that we have got to settle upon in passing this bill, in deciding finally who the farmer is. When we want to talk of the constitutionality of this bill, we want to know one way or the other and we will have to know what we have got in this respect and be mighty, mighty careful. When you say "the farmer" who is he? Ninety per cent of the men on farms in the Commonwealth of Pennsylvania—are they employers or are they employes? I say they are employes, and I feel sure that I am not mistaken when I tell you gentlemen of the House that there are quite a few men on the floor of this House who own farms but are they farmers or are they employing somebody on that farm who is going to bear the burden of this bill, the way it stands, so that only the employee is paying some other employee which you will find in many cases will be one of the impositibilities because many of our tenants are not worth five pennies. The majority of our farmers who work the farm are backed up by the owner of the farm himself and he simply has the title of farmer or some other fellow backs him up and has put him there. Now, the question is, which is constitutional in this bill? If we put the amendment in as it is presented, or if we leave it out? Satisfy yourselves.

The yeas and nays were required by Mr. WATSON and Mr. WILLIAMS.

The SPEAKER. The roll will be verified.

The roll was verified and was as follows:

YEAS—88.

Barner,	Foster, J. D.,	Martin,	Sassaman,
Bayle,	Frey,	Mather,	Savacool,
Benninger,	Gans,	Matt,	Schuck,
Benson,	Gibson,	McAllister,	Shaffer, C. A.,
Bittles,	Good,	Mechling,	Sherwood,
Body,	Grabe,	Mellott,	Showalter,
Brosius,	Gramley,	Metzenbacher,	Snavely,
Burnett,	Hess,	Moulthrop,	Spangler,
Caldwell,	Heyburn,	Musser,	Stone,
Campbell, C.M.,	Hibshman,	Neel,	Strauss,
Carson,	Hobbs,	Newbaker,	Swartz,
Cheeseman,	Howard, R.,	Newton,	Trach,
Claycomb,	Humes,	North,	Ulerich,
Cochran,	Jackson,	Peachey,	Ulman,
Cox,	Keegan,	Peters,	Walsh,
Currier,	Kern,	Post,	Watson,
Curry,	Klepper,	Price,	Whitaker,
Donnally,	Kuhns, E.G.M.,	Reeser,	Whitman,
Dunn, H. B.,	Lanius,	Rhoads,	Williams,
Ely,	Latshaw,	Rockwell,	Wilson, J. H.,
Fahey,	Light,	Rothenberger,	Wilson, W. H.,
Flynn,		Runk,	Zimmerman,

NAYS—92.

Adams,	Ewing,	Lowers,	Richards,
Allen,	Forster, I. G.,	Mannion,	Robinson,
Alworth,	Geary,	McAleer,	Roney,
Baldwin, G. A.,	Geiser,	McArdle,	Schaeffer, A. C
Bergey,	Glenn,	McCaig,	Shafer, I. E.,
Bigger,	Gray, Joseph,	McClintock,	Scott, J. R. K.,
Blair, W. A.,	Hackett,	McDermott,	Scott, S. B.,
Bleloch,	Haggerty,	McKay,	Shaffer, I. E.,
Brownlee,	Heidinger,	McNichol,	Shern,
Campbell, J.J.	Hemminger,	Miller,	Smith, J. W.,
Carter,	Howard, J.,	Missimer,	Smith, L.,
Cleary,	Isler,	Mitchell,	Snyder,
Collins,	Irwin, G. C.,	Moore,	Speiser,
Conner,	Irwin, H. H.,	Morrow,	Steedle,
Conniff,	Jones, J. R.,	Moses,	Steele,
Conrade,	Kaiser,	Murphy,	Stein,
Davis,	Keeport,	Neely,	Swift,
DeFrees,	Kennedy,	O'Neill,	Thomas,
Dickinson,	Kitts,	Pennegar,	Walnut,
Donahoe,	Lenker,	Pennock,	Wildman,
Down,	Leslie,	Piper,	Wiltbank,
Dunn, J. A.,	Letzkus,	Ramsey,	Young, G. K.,
Ehrhardt,		Redfield,	Young, J. H.,
Eichenberger,		Reese,	Alter,
			Speaker.

So the question was determined in the negative.

REASONS FOR VOTE.

Mr. GIBSON. Mr. speaker, I desire to file reasons for my vote.

I am heartily in favor of an employer's liability and workingman's compensation act and if I were certain that this amendment made the act unconstitutional I would have voted no but as there appears to be a difference of opinion among the lawyers of the House on this point I believe it would be well for the amendment to go in so that the amended act can be considered more carefully and if it should be then considered to be unconstitutional the amendment can be receded from.

On the question,

Will the House agree to the section?

It was agreed to.

The fourth section of Article three was read as follows:

Section 4 Nothing in this act shall affect or impair any right of action which shall have accrued before this act shall take effect

Mr. PRICE. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment will be read.

The amendment was read as follows:

Article III, section 4, line 3, add the following:
"Nothing in this act shall affect any employer of labor in and about a hotel or restaurant, or any employe in and about any hotel or restaurant, but claims for personal injuries to any employee in and about any hotel or restaurant shall be claimed and asserted under the laws of this Commonwealth as they exist immediately before the approval of this act."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The fifth section of the bill was then read and agreed to as follows:

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The sixth section of the bill was read as follows:

Section 6 This act shall take effect on the first day of July next succeeding its passage and approval and shall be known as the "Workmen's Compensation Law of one thousand nine hundred and thirteen"

On the question,

Will the House agree to the section?

Mr. SHERN. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section 6, Article III by striking out all of line number one and the following words in line number two "July next succeeding its passage and approval" and inserting in lieu thereof the following: Section 6, This act shall not apply in the case of an accident occuring prior to the first day of July next succeeding its passage and approval"

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker, the purpose of this amendment is not to have the act apply to any accident occurring prior to its passage. As the act now reads it is possible that it might have application to an accident occurring prior to its passage.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was then read and agreed to as follows:

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. SHERN. Mr. Speaker, In order to keep these bills in consecutive number, I would ask unanimous consent to take up at this time House Bill No. 401, File Folio 1209.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection, and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 401, as follows:

A Joint Resolution proposing an amendment to Section twenty-one of Article three of the Constitution of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

Amend section twenty-one article three of the Constitution of the Commonwealth of Pennsylvania which reads as follows

"No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death or for injuries to persons or property and in case of death from such injuries the right of action shall survive and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property or for other causes different from those fixed by general laws regulating actions against natural persons and such acts now existing are avoided" so that it shall read as follows

"The General Assembly may enact laws requiring the payment by employers or employers and employes jointly of reasonable compensation for injuries to employes arising in the course of their employment and for occupational diseases of employes whether or not such injuries or diseases result in death and regardless of fault of employer or employe and fixing the basis of ascertainment of such compensation and the maximum and minimum limits thereof and providing special or general remedies for the collection thereof but in no other cases shall the General Assembly limit the amount to be recovered for injuries resulting in death or for injuries to persons or property and in case of death from such injuries the right of action shall survive and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property or for other causes different from those fixed by general laws regulating actions against natural persons and such acts now existing are avoided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHERN. Mr. Speaker, I would ask unanimous consent to take up at this time House Bill No. 404, File Folio 1213.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection, and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 404, as folows:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employees and prescribing a penalty for non-compliance therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within thirty days after the begin-

ning of the disability of an employee because of any personal injury caused by an accident occuring in the course of his employment the employer whether a person firm or corporation shall make report of such accident to the Bureau of Industrial Statistics Such report shall set forth the name address and nature of the business of the employer name address sex age nationality and occupation of the employee date day of week hour place and character of the accident and the nature of the injury and the duration of the disability or probable disability as far as the same can be ascertained Such employer shall also upon request of the Bureau of Industrial Statistics make such further report as may reasonably be required by it

Section 2 Any person firm or corporation having knowledge of the occurrence of such personal injury to an employee in the course of employment who shall fail to make report as aforesaid shall be liable to the Commonwealth for a penalty of one hundred dollars to be recovered by action brought by said Bureau

Section 3 Reports made in accordance with this act shall not be evidence against the employer in any proceeding either under the Workmen's Compensation Law of one thousand nine hundred and thirteen or otherwise

Section 4 No employer who has made the report required by this act shall be required to make any other or further report of such accident to any other department of the government of the Commonwealth

Section 5 This act shall not apply to casual employments nor to accidents resulting in disability continuing less than two days

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHERN. Mr. Speaker, I ask unanimous consent to take up at this time House Bill No. 402, File Folio 1215.

The SPEAKER. Will the House give unanimous consent to consideration of the bill at this time?

The Chair hears no objection, and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 402, as follows:

An Act regulating policies of insurance against liability arising under Article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no policy of insurance against liability arising under article two of The Workmen's Compensation Law of one thousand nine hundred and thirteen shall be made unless the same shall contain the agreement of the insurer that in the event of the failure of the insured promptly to pay any installment of compensation insured against the insurer will forthwith make such payments to the injured employee or the dependents of the deceased employee and that the obligation shall not be affected by any default of the insured after the accident in the payment of premiums or in the giving of any notices required by such policy or otherwise Such agreement shall be construed to be a direct promise to such injured employee and to such dependents enforceable by action brought in the name of such injured employee and in the name of such dependents

Section 2 No suit shall be maintained for the collection of premiums upon any such policy of insurance unless said covenant is contained in said policy

Section 3 No policy of insurance against liability arising under said article of said law shall contain any limitation of the liability of the insurer to an amount less than that payable by the insured under said article of said law nor shall any such policy contain any limitation of the total liability of the insurer because of injuries to two or more persons in a single accident nor shall any action be maintained for the collection of premiums on any policy violating this section

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHERN. Mr. Speaker, I ask unanimous consent to take up at this time House Bill No. 403, File Folio 1219.

The SPEAKER. Will the House give unanimous consent to consideration of the bill at this time? The Chair hears no objection, and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 403, entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Associations

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any twenty or more employers who have in the aggregate not less than five thousand employes in the State of Pennsylvania and who have accepted the provisions of article two of the workmen's compensation law of one thousand nine hundred and thirteen may form an incorporated employers' mutual liability insurance association for the purpose of insuring themselves and such other employers as may become subscribers to the association against liability for the compensation payable under the terms of article two of such act

On the question,

Will the House agree to the section?

Mr. SHERN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend House Bill 403, File Folio 1219, Section 1, by adding at the end of line eleven thereof, the words "provided, however, that in the case of Associations engaged only in insurance of employers engaged in agriculture, the minimum number of employers shall be two hundred and the minimum number of employes shall be five hundred.

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker, this amendment is offered after consultation with members of the Commission and with the representatives of the Grange, Mr. Creasy and Mr. Leonard Rhone, ex-Master.

Mr. NORTH. Mr. Speaker, as a member of the Grange, I protest against that amendment. If that bill is going to be drawn on constitutional lines, let every faction, every interest, bear their proportional share of the burden.

Mr. SHERN. Mr. Speaker, I desire to say in answer to the gentleman from Jefferson, that this is for the purpose of permitting the incorporation of mutual liability companies and he wi l get the benefit of them. It is referable to employers' mutual companies.

Mr. NORTH. Mr. Speaker, the reason I made the remark I did about the reference to the Grange I want to say to the Gentlemen of the House that this title of the Grange is being used in this House as a footba l or something similar, to attract attention and I want right here to say as a member of the Grange, we recognize no politics.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The section as amended was then agreed to.

The second, third' fourth, fifth, sixth, seventh, eighth and ninth sections of the bill were then read and agreed to as follows:

Section 2 The articles of association thereof shall state
(a) The name of the association
(b) The place of its principal office
(c) The duration of the association
(d) The name and address of its treasurer

Any name not in use by an existing association may be adopted but must clearly designate the object and purpose of the association

Section 3 The subscribers to said articles of agreement shall acknowledge the same before some person empowered to take acknowledgements of deeds and forward the same in duplicate to the Commissioner of Insurance who shall certify in duplicate to the Governor whether all of the requirements hereof have been rompiled with Whereupon the Governor shall in case be approves the application endorse his approval thereon in duplicate and cause letters patent to issue creating the subscribers and their associates a body corporate under the name designated in said articles but such association shall not engage in business until the further provisions of this act have been complied with

Section 4 Such association shall not begin to issue policies until a list of the subscribers with the number of employes of each together with such other information as the Commissioner of Insurance may require shall have been filed at the Insurance Department nor until the president and secretary of the association shall have certified under oath that every subscription in the list so filed is genuine and made with an agreement of all the subscribers that they will take the policies subscribed for within thirty days of the granting of a license by the Commissioner of Insurance

Section 5 Upon the filing of the certificate provided for in the preceding section the Commissioner of Insurance shall make such investigations as he may deem proper and if his findings warrant it grant a license to the association to issue policies

Section 6 Charters under this act may be perpetual or limited in time as the articles of agreement shall specify

Section 7 Such association shall have the power to make by-laws for the government of its officers and the conduct of its affairs and the same to alter and amend and adopt a common seal

Section 8 The annual meeting for the election of directors shall be held at such time in the month of January as the by-laws of the association may direct Of the time and place of said meeting at least thirty days' previous written or printed notice shall be given to the subscribers or each notice may be given by publication not less than three times in at least two daily or weekly newspapers publisned in the city

or county wherein the association has its principal office and legal periodical if any designated by the rules of court of the proper county for the publication of legal notices Subscribers who during the preceding calendar year have paid into the treasury of the association premiums amounting to more than one-half of the total premiums received by it during that year shall constitute a quorum At such annual meeting the subscribers shall elect by ballot from their own number not less than five directors a majority of whom shall be residents of this Commonwealth to serve for at least one year and until their successors are duly chosen Provided however that such association may provide in its by-laws for the division of its board of directors into two three or four classes and for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year Vacancies may be filled by election by the board until the next annual meeting In the choice of directors and in all meetings of the association each subscriber shall be entitled to one vote for every one hundred dollars or any fraction thereof paid by him in premiums into the treasury of the association during the preceding calendar year Subscribers may vote by proxy and the record of all votes shall be made by the secretary and shall show whether the same were cast in person or by proxy and shall be evidence of all such elections Not less than three directors shall constitute a quorum The directors shall annually choose by ballot a president who shall be a member of the board a secretary a treasurer who may also be either the president or secretary and such other officers as the by-laws may provide and they shall fix the salaries of the president and secretary as well as the salaries or compensation of such other officers and agents as the by-laws prescribe Vacancies in any office may be filled by the directors or by the subscribers as the by-laws shall prescribe

Section 9 Policies of insurance issued by any such association may be made either with or without the seal thereof and they shall be signed by the president or such other officers as may be designated by the directors for that purpose and attested by the secretary

The tenth section of the bill was read as follows:

Section 10 If at any time the number of subscribers falls below twenty or the number of the subscribers' employes within the State falls below five thousand no further policies shall be issued until the total number of subscribers amounts to not less than twenty whose employes within the State are not less than five thousand

On the question,

Will the House agree to the section?

Mr. SHERN. Now, Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section ten by striking out all of the present section and inserting a new section as follows:

Section 10 If at any time the number of subscribers or the number of the subscribers employers within the State are below the minimum stated in section one hereof no further policies shall be issued until the total number of subscribers and the total number of employees within the State are not less than such minimum

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker, just one word of explanation in regard to this amendment. Before the prior amendment was offered, section one read as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any twenty or more employers who have in the aggregate not less than five thousand employes in the State of Pennsylvania and who have accepted the provisions of article two of the workmen's compensation law of one thousand nine hundred and thirteen may form an incorporated employers' mutual liability insurance association for the purpose of insuring themselves and such other employers as may become subscribers to the association against liability for the compensation payable under the terms of article two of such act"

Now the amendment that I offered lowers that to five hundred and two hundred, respectively, and agricultural interests can form a mutual liability company. To meet that requirement I have offered this amendment to the tenth section.

And the question recurring,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections and the title of the bill were then read and agreed to as follows:

Section 11 The board of directors shall be entitled to inspect the plant work-room shop farm or premises of any subscriber and for such purpose to appoint inspectors who shall have free access to all such premises during the regular working hours and the board of directors shall likewise from time to time be entitled to examine by their auditor or other agent the books records and payrolls of any subscriber for the purpose of determining the amount of premium chargeable to such subscriber

The board of directors shall make reasonable rules and regulations for the prevention of injuries upon the premises of subscribers and they may refuse to insure or may terminate the insurance of any subscriber who refuses to permit such examinations or disregards such rules or regulations and forfeit all premiums previously paid by him but such termination of the insurance of any subscriber shall not release him from liability for the payment of assessments then or thereafter existing at the termination of his insurance

Section 12 Every subscriber to such association shall be under a contingent mutual liability for the payment of losses and expenses in excess of the cash funds of the association to an amount equal to the premium paid by him during the current year

Section 13 The board of directors shall determine the amount of the premiums which the subscribers of the association shall pay for their insurance in accordance with the nature the business in which such subscribers are engaged and the probable risk of injury to their employes under existing conditions and they shall fix premiums at such amounts as in their judgment subject to the approval of the Commissioner of Insurance shall be sufficient to enable the association to pay to its subscribers all sums which may become due and payable to their employes under the provisions of article two of the workmen's compensation law of one thousand nine hundred and thirteen and also the expenses of conducting the business of the association In fixing the premium payable by any subscriber the board of directors may take into account the condition of the plant work-room shop farm or premises of such subscriber in respect to the safety of those employed therein as shown by the report of any inspector appointed by such board and they may from time to time change the amount of premiums payable by any of the subscribers as circumstances may require and the condition of the plant work-room shop farm or premises of such subscriber in respect to the safety of their employes may justify and they may increase the premiums of any subscriber neglecting to provide safety devices required by law or disobeying the rules or regulations made by the board of directors in accordance with the provisions of section eleven of this act No policy of insurance issued to any subscriber shall be effective until he shall have paid in cash the premium so fixed and determined

Section 14 If the association be not possessed of cash funds over and above its unearned premiums on undetermined risks sufficient for the payment of incurred losses and expenses it shall make an assessment for the amount needed to pay such losses and expenses upon the subscribers liabel to assessment therefor in proportion to their several liabilities

Section 15 The board of directors may from time to time fix and determine the amount to be paid as dividends upon policies expiring each year after retaining the unearned premiums upon undebtermined risks and sufficient sums to payy all the compensation then payable or which may become payable on account of injuries received by employes of the subscribers and to pay the expenses incurred in the operation of the busisness of the association

Section 16 The board of directors may divide the subscribers into groups in acordance with the nature of their business and the probable risk of injury therein In such case they shall fix all premiums make all assessments and determine and pay all dividends by and for each group in accordance with the experience thereof but all funds of the association and the contingent liability of all the subscribers shall be available for the payment of any claim against the association Provided however that (as between the association and its subscribers) until the whole of the contingent liability of the members of any group shall be exhausted the general funds of the association and the contingent liability of the members of other groups shall not be available for the payment of losses and expenses incurred by such group in excess of the earned premiums paid by the members thereof

Section 17 A statement of any proposed premium assessment dividend or distribution of subscribers into groups shall be filed with the Insurance Department and shall not take effect until approved by the Commissioner of Insurance

Section 18 If any officer of the association shall falsely make oath to any certificate required to be filed with the Commissioner of Insurance he shall be guilty of perjury

Section 19 Any subscriber of the association who has complied with all its rules and regulations may withdraw therefrom by written notice to that effect sent by such subscriber by registered mail on the first day of the month immediately following the tenth day after the receipt of such notice but such withdrawal shall not release such subscriber from liability for the payment of assessments thereafter made by the board of directors to make up deficiencies existing at the date of his withdrawal and such subscriber shall be entitled to his share of any dividends earned at the date of his withdrawal

Section 20 If the Commissioner of Insurance shall find that more than fifty per centum of the contigent liability of all the subscribers is required to pay accured losses after charging against the funds in hand the unearned premiums on undetermined risks no further insurance shall be issued until the subscribers have made good such deficiency

Section 21 Such association shall invest and keep invested all its funds of every description excepting such cash as may be required in the transaction of its business as follows

First In such real estate as it is authorized to hold by section twenty-two of this act

Second In bonds of the United States or the District of Columbia or of any State or territory of the United States

Third In the legally authorized bonds or notes of any city county township municipality school or water district

of this Commonwealth or of any other State or territory of the United States or Canada

Fourth In the bonds or notes of any solvent railroad or street railway corporation upon which no default in interest has been made

Fifth In loans upon improved and unincumbered real estate provided that no loan on such real estate shall exceed sixty-six and two-thirds per centum of the fair market value thereof at the time of making such loan

Section 22 No association shall purchase hold or convey real estate except for the purpose and in the manner herein set forth to wit

First Such as shall be requisite for its convient accommodation in the tranastion of its business

Second Such as shall have been mortgaged to it to secure loans previously contracted or for moneys due

Third Such as shall have been conveyed to it in satisfaction of debts

Fourth Such as shall have been purchased at sales upon judgments decrees or mortgages obtained or made for debts due the association or for debts due other persons where said association may have liens or incumbrances of the same

Any real estate purchased under the second third or fourth paragraphs of this section which has been held for a period of more than five years from the date of its purchase shall be sold and disposed of within a period of six months after notice to the association from the Insurance Commissioner to sell and convey the same Provided however that the Commissioner may extend the time for such disposition if he believes the interest of the association will suffer materially by a forced sale

Section 23 Any money of such association over and above the unearned premiums on undertermined risks and such sums as are required to pay all accrued losses may be invested in the securities above enumerated or loaned upon the security of the same or in the stock or other evidence of indebtedness of any solvent dividend-paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon the Pledge of the same except its own stock or the stock of any other insurance company Provided the current market value of such security shall be at least twenty per centum more than the sum loaned thereon But no such association shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof of any assessment except for taxes not more than one-fifth of its capital shall be invested in a single mortgage nor shall any of its funds be loaned on personal security alone No such association shall invest in acquire or hold directly or indirectly more than ten per centum of the securities of any single company nor shall more than ten per centum of its assets be invested in the stock of a single company No such association shall enter into an agreement to withhold from sale of any of its property but the disposition of its property shall be at all times within the control of its board of directors If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

An Act to provide for the incorporation of Employer's Mutual Liability Insurance Association.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 791, as follows:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the board of auditors in any county shall under the advice of its attorney surcharge according to law any county officer or board of county officers with any sum or sums of money deemed by said auditors to have been unlawfully improvidently or recklessly expended and any court of such county shall cancel or annul such surcharge the board of auditors may at its option appeal from the decree or order of such court to the Superior Court whose decision therein shall be final unless an appeal therefrom to the Supreme Court be allowed specially by the Superior Court or by any one justice of the Supreme Court In no case shall the board of auditors or any of them be personally liable for the costs of any such appeal If the final decision of the Superior or Supreme Court be adverse to such surcharge officer or officers he or they shall each be individually liable for all the costs of such appeal If such final decision shall be in favor of such surcharge officer or officers the proper county shall pay the costs of such appeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 593, entitled:

An act relating to contracts of insurance relief benefit of indemnity in case of injury or death entered into prior to the injury between a servant and his master or any person or association acting for or on behalf of such master

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no contracts of insurance relief benefit or indemnity in case of injury or death heretofore or hereafter entered into prior to the injury between the servant so injured and any master or between the servant so injured and any person corporation or association acting for such master shall constitute any bar or defense to any cause of action brought against any master for negligence by such servant his legal representatives widow children or parents neither shall the acceptance of any insurance relief benefit or indemnity by the injured servant his legal representatives or beneficiary after the injury from such master or any person corporation or association whether acting for such master or not constitute any bar or defense to any cause of action brought by any servant his legal representatives widow children or parents against the master for negligence nor shall the making of any claim or the bringing of any action for negligence by a servant his legal representatives widow children or parents against such master or any compromise of such claim or suit or any verdict judgment or decision in such suit rendered in favor of either plaintiff or defendant in such suit or the acceptance of damages for such negligence by the servant his legal representatives widow children or parents preclude or bar any claim by the servant his legal representatives or beneficiary upon such insurance relief benefit or indemnity under such contract on account of the injury or death of such servant

Will the House agree to the section?

Mr. CALDWELL: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 1, line 10, by inserting after the word "widow" the word "widower"; in line 16 after the word "widow" insert the word "widower in line 19 after the word "widow" insert the word "widower"; in line 24 after the word "widow" insert the word "widower."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was then read and agreed to as follows:

Section 2 This act shall apply in every respect to pending actions and all waivers by servants or employes of the benefits of this act be and the same are hereby declared to be against public policy and null and void.

The title was read and agreed to as follows:

An act relating to contracts of insurance relief benefit or indemnity in case of injury or death entered into prior to the injury between a servant and his master or any person or association acting for or on behalf of such master

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 753. as follows:

An Act prescribing what elective or appointive offices positions or employments of profit shall be incompatible with the office of a member of either branch of councils in cities of the first class in this Commonwealth and providing a method for its enforcement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person who holds any elective or appointive office position or employment of profit under the United States or under the Commonwealth of Pennsylvania or any county city borough township school district poor district or other government agency thereof or under any institution trust board or commission connected therewith except that of notary public commissioner or deeds attorney at law master auditor or examiner shall hereafter be nominated for elected to or hold the office of a member of either branch of councils in any city of first class in this Commonwealth

Section 2 Any member of either branch of councils of any city of the first class who shall accept or hold any such public office position or employment of profit shall immediately forfeit his office as councilman and it shall be the duty of the attorney general of the Commonwealth upon the application of any ten citizens resident in such city to proceed by quo warranto against the said councilman to remove him from his said office as councilman

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 701, entitled:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of Commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

The first and second sections were then read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough who shall be known as Commissioners of Water Works

Section 2 Any borough within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

The third section was read as follows:

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any borough as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarily expended in the performance of their duty

On the question,

Will the House agree to the section?

Mr. NEWBAKER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section three line 2 by inserting the word "council" after the word "borough."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were then read and agreed to as follows:

Section 4 It shall be the duty of the commissioners of water works in each borough of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred and twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough and the penalties imposed thereby shall be collected in the same manner as penalties imposed by borough ordinances are now by law collected

Section 11 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough until the authorities thereof shall by appropriate ordinance accept the provisions of this act

The title was read and agreed to as follows:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1005 (Senate No. 279), entitled:

An Act authorizing the State Treasurer to endorse over to the Ladies' Memorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies' Memorial Association

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1106, as follows:

An Act to change and fix the terms of guardians of the poor and auditors authorized to audit settle and adjust accounts of said guardians of the poor in incorporated poor districts where the number of said guardians and auditors respectively is four and two and said guardians and auditors are required to be elected in blocks of three fixing the times when the terms of present guardians and auditors shall expire their successors be elected and assume office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms of office of all guardians of the poor and auditors authorized to audit settle and adjust accounts of said guardians in incorporated poor districts where the number of said guardians and auditors are required to be elected in blocks of three shall be four years and that two of the said guardians and one auditor shall

be elected at the Municipal election in each odd numbered year hereafter and said guardians and auditors so elected hereunder shall assume their office on the first Monday of January following their election

Section 2 That in all said incorporated poor districts referred to in the first section hereof the terms of the two guardians and one auditor respectively at the present comprising the Senior block shall expire on the first Monday of January one thousand nine hundred and fourteen and their successors shall be elected at the election in November one thousand nine hundred and thirteen to serve for four years as provided in section one that the terms of the two guardians and one auditor comprising at present the Junior block shall expire on the first Monday of January one thousand nine hundred and sixteen and their successors shall be elected at the election in November one thousand nine hundred and fifteen to serve for four years as provided in section one

Section 3 All acts or parts of acts general special or local inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 519, entitled:

An Act to change and fix the terms of Managers of the Poor and Auditors authorized to audit settle and adjust accounts of said Managers of the Poor in incorporated poor districts where the number of said Managers and Auditors respectively is nine and said Managers and Auditors are required to be elected in blocks of three fixing the times when the terms of present Managers and Auditors shall expire their successors be elected and assume office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms of office of all managers of the poor and auditors authorized to audit settle and adjust accounts of said managers in incorporated poor districts where the number of said managers and auditors are required to be elected in blocks of three shall be six years and that three of said managers and auditors respectively shall be elected at the municipal election in each odd numbered year hereafter and said managers and auditors so elected hereunder shall assume their offices on the first Monday of January following their election

Section 2 That in all said incorporated poor districts referred to in the first section hereof the terms of the three managers and auditors respectively at present comprising the senior block shall expire on the first Monday of January one thousand nine hundred and fourteen and their successors shall be elected at the election in November one thousand nine hundred and thirteen to serve for six years as provided in section one that the terms of the three managers and auditors respectively comprising at present the intermediate block shall expire on the first Monday of January one thousand nine hundred and sixteen and their successors shall be elected in November one thousand nine hundred and fifteen to serve for six years as provided in section one that the terms of the three managers and auditors respectively at present comprising the junior block shall expire on the first Monday of January one thousand nine hundred and eighteen and their successors shall be elected at the election in November one thousand nine hundred and seventeen to serve for six years as provided in section one and thereafter the terms shall commence end and elections be held for said offices as provided in section one

Section 3 All acts or parts of acts general special or local in conflict with this act are hereby repealed

And said bill having been read at length the second time and agreed to:

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 465, as follows:

An Act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation without a license as provided in this act to conduct any business the whole or greater part of which shall consist of the sale of goods which shall be held forth or represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods that have been damaged in any way Providing that nothing in this act shall prohibit the sale of any such goods by any assignee trustee receiver or other officer appointed by any court of this Commonwealth or of the United States acting for the estate of any such bankrupt or other person firm or corporation within the limits of the city borough or township wherein the said person firm or corporation conducted said business or had the goods immediately before the appointment of such assignee trustee receiver or other officer and provided further nothing in this act shall prohibit the sale of any goods damaged in any way if the same are sold within the limits of the city borough or township wherein said owner conducted business or had the said goods at the time the said goods became damaged

Section 2 A license to conduct business under this act shall be issued by the treasurer of the proper city borough or township wherein the said business is conducted The fees for cities or boroughs shall be fixed by ordinance of the proper city or borough In cities and boroughs the license fee shall not be less than one hundred dollars ($100) nor more than two hundred dollars ($200) for each calendar month or fraction thereof In townships the license fee shall be twenty-five dollars ($25) for each calendar month or fraction thereof and shall be for the use of the school fund of the township. The license shall be renewed monthly during the time such person firm or corporation shall conduct such business This license shall be in addition to all license fees and taxes imposed by this Commonwealth and the proper city borough or township

Section 3 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay for each day such business shall be conducted without a license a fine of not more than two hundred dollars ($200)

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 388, entitled:

An Act entitled an act authorizing and empowering all cities and boroughs within its Commonwealth to regulate by ordinance or by-laws the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the legally constituted authorities of every city borough and townships of the first class within this Commonwealth be and they are hereby authorized and empowered to ordain and enact by city borough or townships of the first class ordinance or ordinances duly passed rules regulations and by-laws governing regulating and controlling the mining out and removing of the coal and other minerals beneath the surface of the ground within its corporate limits so far as such mining out and removing of the coal and other minerals beneath the surface may affect or is likely to affect the safety security property and life of the inhabitants thereof or sojourners and travellers therein and where the coal and other minerals have already been mined out or removed to such an extent as to endanger or threaten to endanger the security of the property and life of the inhabitants thereof or sojourners therein to require the person firm or corporation which has mined out and removed the said coal or other minerals to provide all needful means for artificial support for the said surface or in the event of the death of the person or the members of the firm or the dissolution of the corporation that mined out the said coal or other minerals the said municipality may provide the necessary support for the said surface and to create by ordinance or ordinances resolution or resolutions or by-laws all necessary bureaus offices or officers to be charged with the enforcing of such rules and regulations and such municipal officers or agents are hereby authorized and empowered in the discharge of their duties at any time to enter and inspect all such mines mine workings or underground operations as in their judgment may affect or threaten to affect the support and stability of the surface overlying or adjacent to such underground operations and said municipal officers in the discharge of their duties shall also have access at all times to and be permitted to inspect all maps drawings and records of or relative to such underground operations owned or in the possession of any person firm or corporation engaged in or interested in or carrying on any such mining or mine operations within the corporate limits of the said municipalities and it shall be the duty of all mine owners mine superintendent mine foreman or other official employed in or about and by person firm or corporation engaged in or concerned in any such mining or underground operations to offer and afford to such municipal officers or agents all needful information and assistance within their power necessary to enable such municipal officers or agents to perform the duties of their offices and any mine owner mine superintendent mine foreman or other officers of any firm person or corporation engaged in or interested in such mining or underground operations refusing to comply with the provisions of this act shall be guilty of a misdemeanor and upon the conviction thereof shall be sentenced to pay a fine of not more than five thousand dollars or undergo imprisonment in the county jail of the proper county for a term and period of not more than one year either or both at the discretion of the court before whom such person shall be convicted

The title was read as follows:

An Act entitled an act authorizing and empowering all cities and boroughs within this Commonwealth to regulate by ordinance or by-laws the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits

On the question,

Will the House agree to the title?

Mr. HAGGERTY: Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER: The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend the title in line 1, by striking out "entitled an act," strike out the word "and" before the word "boroughs" and insert after the word "boroughs" the words "and townships of the first class."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 945, entitled:

An Act to amend the first and second sections of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by extending its provisions to all bituminous mines in which explosive gas has been generated or is being generated or may be generated after the date of the approval of this act

The first section was read as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Should a mine or a portion of a mine that has at any time generated explosive gas in quantities sufficient to be detected by an approved safety lamp after the passage of this act not so generate explosive gas during any one period of one year then such mine or portion of a mine shall not be governed or controlled by the provisions of this act for mines or portions of mines generating explosive gas" be and the same is hereby amended to read as follows

'Section 1 Should a mine or portion of a mine that has at any time or may hereafter generate explosive gas in quantities sufficient to be detected by an approved safety lamp such mine or portion of said mine shall at all times thereafter be considered a gaseous mine and be governed and controlled by this act so that the health and safety of those employed therein may be property protected

On the question,

Will the House agree to the section?

Mr. JOSEPH GRAY: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one line 24 by striking out the word "property" and inserting the word "properly."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

Section two of article twenty-eight of said act which reads as follows

"Section 2 The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall not apply to any mine wherein explosive gas is being generated only in live entries" be and the same is hereby amended to read as follows

Section 2. The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall after the date of approval of this act apply to all bituminous mines wherein explosive gas has been is being or may be in future generated in any part of said mine Provided however that the act shall not apply to any mine employing less than ten persons inside the mine in any one period of twenty-four hours

The title was read as follows:

An Act to amend the first and second sections of article twenty-eight of an act enttiled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by extending its provisions to all bituminous mines and to all parts of bituminous mines in whcih explosive gas has been generated or is being generated or may be generated after the date of the approval of this act

On the question,

Will the House agree to the title?

Mr. JOSEPH GRAY. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend the title in line 6 after the word "eleven" by striking out the remainder of the title.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act further amending section two of the act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by section two of the act of May fourteenth Anno Domini one thousand nine hundred and nine authorizing and requiring second and third class cities of this Commonwealth to provide for the appointment and payment of a plumbing inspector

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business of work of plumbing or ..... house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by Section two of the act of May fourteeth Anno Domini one thousand nine hundred and nine (Pamphlet Laws eight hudred and forty) which reads as so amended as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five

dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any other advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the boad of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or boad o bueau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provisions for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license to the department or board or bureau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class cities of this Commonwealth to engage in or work at the business of plumbing and work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. MOSES: Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. JOSIAH HOWARD: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1099, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriatio for the salaries of eight Orphans' Court Judges in districts other than that Philadelphia and Allegheny Counties

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand two hundred nine dollars and eighty-two cents ($6,209.82) be and the same is hereby specifically appropriated to cover the deficiency in the appropriation made in the general appropriation act approved June fourteenth Anno Domini one thousand nine hundred and eleven to pay the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

The title was read as follows:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

On the question,
Will the House agree to the title?

Mr. MOULTHROP. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend line five, strike out the word "that."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than breast chamber or other working-face in any anthracite coal mine and providing a penalty for the violation thereof

The first, second, third and fourth sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm co-partnership or corporation to place any miner in charge of more than one breast chamber or other working-face as a miner or for any miner to accept and have charge of as a miner any more than one breast chamber or other working-face in any anthracite coal mine in this Commonwealth

Section 2 It shall be the duty of the mine inspector in each district during his visits to the mines of the district to ascertain whether or not this law is being violated and if he finds that the law is being violated he shall immediately order the parties offending to cease the violation If a complaint is made by ten or more miners to the inspector of any district to the effect that this law is being violated it shall be his duty to investigate the case and in all cases where he finds the complaint to be correct shall immediately order the violation stopped If the person in authority in any mine or the miner offending shall refuse to obey the order of the mine inspector to cease violating this law the inspector shall request the district attorney of the county in which his district is situated to prosecute such pary or parties for a violation of this act and it shall be the duty of the district attorney to do so In case a complaint is made to the district attorney by ten miners employed in any mine that a violation of this act exist and that the mine inspector has failed to do his duty in connection therewith it shall be his duty to investigate the cause of complaint and prosecute all parties found violating this act but nothing herein contained shall prevent any citizen a resident of this Commonwealth from prosecuting any party or parties for a violation of this act with power to employ private counsel to assist in the prosecution of the same

Section 3 Any person firm co-partnership or corporation violating any of the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars

Section 4 All fines imposed under this act shall be paid into the county treasury for the use of the county

The title of the bill was read as follows:

An act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than one breast chamber or other working-place in any anthracite coal mine and providing a penalty for the violation thereof

On the question,
Will the House agree to the title?

Mr. MURPHY. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend title, line four, after the word "than" insert "one."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 570, entitled:

An Act requiring individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at every anthracite coal mine in this Commonwealth where coal is mined and paid for by the car by record of all cars of coal mined shall be kept at the miners' chutes or at the most convenient and practical of said chutes where said coal is loaded in cars which record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or other refuse that may be loaded on said car or cars in the usual and natural course of mining and loading coal and which record be open at all times for the inspection of all miners

On the question,
Will the House agree to the section?

Mr. LENKER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one, line five, after "car" strike out "by" and insert "a"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second and third sections and the title were read and agreed to as follows:

Section 2 Any individual firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall for each offence be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars

Section 3 That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1032, as follows:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all traction engines shall be liable to taxation for county city borough town township school and

poor purposes and shall be assessed by the several county assessors at their fair cash value In the same manner as personal property now by law taxable for county purposes is assessed

Section 2 The act approved the first day of June one thousand nine hundred and eleven entitled "An Act to tax traction engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal etsate liable for taxation are assessed" is repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1102, as follows:

A Further Supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth section of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth section of said act

The first, second, third and fourth sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic shall be devoted to the segregation care maintenance treatment training and education of epileptic idiotic imbecile or feeble-minded persons of both sexes and shall provide separate classification for the various grades of patients For male patients especial attention shall be given to providing an agricultural training and their employment in the cultivation of the land raising stock fruits vegetables et cetera in accordance with such regulations as the board may prescribe

Section 3 That section nine of an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor approved the fifteenth day of May Anno Domini one thousand nine hundred and three which reads as follows

"Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name and style of the State Institution for Feeble-Minded of Eastern Pennsylvania They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager" be and the same is hereby amended so as to read as follows

Section 9 The said commissioners upon the completion of the said insttution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be apointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate for the name and style of the State Institution for Feeble-Minded of Eastern Pennsylvania They shall manage control and direct all the affairs of the institution appoint and remove at pleasure all officers and employes thereof make all necessary regulations not herein otherwise specifically provided and not contrary to the Constitution and laws of this Commonwealth for the detention care treatment maintenance employment and subsistence of the inmates of the institution assign such duties as they may deem proper to the several officers and employes and exercise such other powers as are elsewhere conferred upon them by this act Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Govrnor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee

Section 3 That section thirteen of said act which reads as follows

"Section 13 Said board shall receive as inmates of said institution feeble-minded children residents of this State under the age of twenty years who shall be incapable of receiving instruction in the common schools of this State Said Board shall prescribe and cause to be printed instructions and forms of application for the admission of such children and shall include therein interrigartories to which they shall require answers under oath showing such facts as may be needed for the information of the said trustees Such printed instructions and forms shall be furnished to all applicants for the admission of any person or patient in whole or in part as a State beneficiand shall be endorsed by the board of commissioners or directors of the poor of the county in which he or she resides at the time of the making of the application" be and the same is hereby amended so as to read as follows

Section 13 Said board of trustees shall receive as inmates of said institution only such idiotic feeble-minded or epileptic persons as may be committed thereto in the manner hereinafter provided by any of the courts of quarter sessions of the following named counties in the Commonwealth namely

Adams Berks Bradford Bucks Carbon Chester Columbia Cumberland Dauphin Delaware Franklin Lackawanna Lancaster Lebanon Lehigh Luzerne Lycoming Monroe Montgromery Montour Northampton Northumberland Perry Philadelphia Pike Schuylkill Snyder Sullivan Susquehanna Tioga Union Wayne Wyoming and York

It shall be lawful for the husband wife parent guardian or other person standing in loco parentis to such idiotic feeble-minded or epileptic person his or her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic feeble-minded or epileptic person shall be resident setting forth in said petition the age sex and residence of such person the address of his or her parents and the address of the petitioner praying for the commitment of such person to The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic which said petition shall be accompanied by a certificate made under oath after a personal examination of such idiotic feeble-minded or epileptic person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idict of feeble-mind or an epileptic and a proper subject for commitment to said institution Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is an idiot of feeble-mind or an epileptic and a proper subject for commitment to said institution and that the best interests of the said person or the welfare of society require such commitment the court shall make an order committing such idiotic feeble-minded or epileptic person to the said Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and direct his or her removal thereto by a proper officer or person at the cost of the said county

At the said hearing the said court or judge shall inquire as to the estate of such idiotic feeble-minded or epileptic person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said institution otherwise that such payment be made by the husband or parent of such idiotic feeble-minded or epileptic person if it appear that the circumstance of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforcable in the same manner in which orders in desertion cases are now enforcable by law Where the estate of said idiotic feeble-mined or epileptic person is insufficient and the circumstances of her husband or his or her parent are not such as to warrant an order for maintenance on either of them the said idiotic feeble-minded or epileptic person shall be maintained and cared for in the said institution at the cost of the Commonwealth

The costs of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fees shall be paid by the county

The said board of trustees shall also receive all such idiotic feeble-minded or epileptic persons as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

When in the opinion of the board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that his or her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing him or her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of his or her commitment the time of his or her detention the history of his or her case in the institution and the opinion of the superintendent and medical staff as to his or her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said board to discharge the said inmate from the said institution

Section 4 That sections eleven twelve fourteen and fifteen of the said act entitled "An Act to provide for the selection of a site and erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three and section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an ap-

propriation therefor' by abolshing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the of June Anno Domini one thousand nine hundred and eleven and all acts and parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

A Further Supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act

On the question,

Will the House agree to the title?

Mr. WHITAKER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend title by adding after the word "act" last line, the following, and repealing section two of an act entitled

"An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for he Feeble-Minded and Epilepic to be called the Eastern Pennsylvania State Instituion for he Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the comission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

Amend title by adding after the word "act" last line, the following, and repealing section two of an act entitled,

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time ang agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1009, as follows:

"An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act of Assembly approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 711, as follows:

An Act relating to the management of penitentiaries jails prisons houses of correction work houses houses of refuge and reformatories

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the proper authorities of each penitentiary jail prison house of correction work house house of refuge and reformatory are authorized at their discretion to have any or all of the persons confined in such respective institution congregated for the several purposes of worship labor learning and recreation

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 964, as follows:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminate

Section 2 The township supervisor shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places in the district benefited thereby based upon the assessment for county purposes Such tax shall become a lien against such property and shall be collected in the same manner as other taxes the collector of taxes to receive the same commission as on the road tax Provided that no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway

Section 3 The township treasurer shall receive all taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only on orders signed by the chairman of the township supervisors attested to by the secretary and shall make a report to the auditors of the township annually

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 508, as follows:

An Act regulating the business of making certain loans or buying or receiving assignments of wages or salaries and providing penalties for violation of the provisions thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall engage generally regularly or collaterally in the business of making loans on household furniture or household goods wearing apparel sewing machines musical instruments wages salaries or in the business of buying wages or salaries without first obtaining a license for carrying on such business

Section 2 The license under which said business shall be conducted shall be obtained from the county treasurer of the county wherein said business is sought to be conducted upon the payment of a fee to the county treasurer of one hundred dollars ($100) who shall thereupon issue the license aforesaid and give each license a separate number and keep a record of the same

Section 3 The applicant for license shall before the same is issued file with the county treasurer a sworn statement giving the location where such business is to be conducted the name and the private and business address of the applicant if the licensee is an individual and the name and the private and business address of each of the partners if the licensee is a firm and the name and private addresses of each of the officers if the licensee is a corporation and in case of a corporation the name of the state in which it is incorporated

Section 4 The license when issued shall not be transferable and should the licensee change the location of his business the license shall immediately become void unless the licensee shall within ten days before changing the location of this business file with the county treasurer issuing the license a notice of the proposed change of location and upon so changing the location the licensee shall have

the county treasurer endorse upon it a permit authorizing the change in default of compliance with these provisions the license shall be null and void The license shall at all times be kept publicly exposed by the licensee on his licensed premises

Section 5 No license shall issue to any person firm corporation to carry on the business as specified in this act until the applicant shall file with the county treasurer of the county weherin said business is to be conducted a bond with good security in the penal sum of five thousand dollars ($5,000) conditions for the faithful performance by the licensee of the duties and obligations pertaining to the business so licensed and the prompt payment of any judgment which may be recovered against said license on account of damages or other claim arising directly or collaterally from any loan of money or sale of wages or salary Said bond shall not be valid until it shall be approved by the treasurer of said county

Section 6 Any person who shall have a cause of action against said licensee for the violation of any legal duty or obligation arising collaterally or directly out of any loan of money or sale of wages or salary provided for in this act may join in the said suit the surety or sureties on said bond and shall have the right to recover from the licensee and the said surety or sureties as though the plaintiff were the obligee in the bond Should any surety on such bond become insolvent the county treasurer shall immediately require the licensee to file an additional bond with good security and on failure to do so within ten days' notice the license shall stand ipso facto revoked

Section 7 Every licensee governed by the provisions of this act shall keep on the premises where such business is conducted a book in which shall be recorded consecutively (a) the number of the license legibly written in English at the time of making the loan (b) the name and residence of the borrower (c) the amount of the loan (d) the time of maturity (e) the rate of interest (f) the fees charged in connection with the loan (g) and a full description of the security for such loan and the licensee shall at the time give to the borrower legibly written in English a duplicate statement of the entry on said book which statement shall be signed by the licensee or a duly authorized agent or employe together with the number of the license under which said license is operating The said book shall at all times during usual business hours be open to the inspection of the county treasurer or the grand jury of the county in which said business is conducted and to any person authorized in writing by the county treasurer or grand jury to inspect said book Any licensee who shall fail to keep the book provided for by this act or shall fail to keep the same faithfully and correctly or who shall refuse to allow any inspection by any person authorized or shall hinder or delay such person from said inspection shall be guilty of a misdemeanor and the license granted to such licensee shall stand ipso facto revoked

Section 8 Any person firm or corporation that shall engage regularly or collaterally in the business of making loans or purchasing wages or salaries as prescribed in this act without first obtaining a license from the county treasurer or who shall continue to conduct such a business after forfeiture of the license under which the same was conducted shall forfeit all interest and charges that have been charged upon any loan and every such person every member of such firm and every officer of such corporation shall be guilty of a misdemeanor Any licensee that shall violate any of the provisions of this act or shall charge for making any loan any interest in excess of the amount hereinafter provided or any fee or bonus in excess of those provided for in this act shall be guilty of a misdeanor and the license of such licensee shall stand ipso facto revoked

Section 9 Any person firm or corporation that shall make to any person an advance of money or loan on account of salary or wages due or to be earned in the future by such person upon an assignment or note covering such loans or advances shall not acquire any right to collect or attach the same while in the possession or control of the employer unless such note or assignment is dated on the same day on which said loan is actually made and the amount therein is a definite specified sum and unless within a period of three days after such loan is actually made the party making said loan shall file with the employer of said person a duly authenticated copy of such assignment or note under which said claim is made The date of making a loan or advancement within the meaning of this act shall be deemed to be the date when the money is delivered by the borrower and the subsequent execution of an instrument by virtue of a power of attorney shall not be deemed to affect the time of the actual making of such loan or advancement

Section 10 Any person firm or corporation that shall make to any person a loan on any household or kitchen furniture household goods wearing apparel sewing machines or musical instruments shall not acquire any right to collect or attach the same while in the possession or control of the borrower unless if such employe be married written consent of his wife or if the borrower be a married woman the written consent of her husband to the making of such assignment or order is attached thereto provided where a man or woman is living separate and apart from his wife or husband for a period of six months prior to said assignment then such consent shall not be required Any person firm or corporation who shall purchase or lease any household or kitchen furniture or household goods wearing apparel sewing machines or musical instruments with the purpose of again selling or leasing to the purchaser on re-sale or release or assignment shall be deemed a loan from all the intents and purposes of this act and all the provisions and penalties herein contained shall be applicable and enforced after the same manner as loans directly made in accordance with the provisions of this act

Section 11 No person firm or corporation or association shall make a loan upon any household furniture or household goods wearing apparel sewing machines or musical instruments of any kind whatsoever or purchase the salary or wages of another or purchase and re-sell or re-assign as provided in section ten of this act any household goods wearing apparel sewing machines or musical instruments salary or wages and charge therefor a rate of interest in excess of the rate of ten per centum per annum upon the principal sum or the amount actually advanced to the borrower such interest to be reckoned for the actual time loaned In addition to such ten per centum per annum a reasonable charge may be made for investigating examination collection and all other charges of whatsoever kind or description not to exceed ten per centum upon the principal sum of all loans not exceeding fifty dollars ($50) seven and one-half per cent on principal sum of all loans not exceeding one hundred dollars ($100) and of five per centum on the principal sum of all loans exceeding one hundred dollars ($100) and any loan upon chattels or personal property whatsoever or upon any wages or salary which provided for or contemplates the payment of any amount or sum in excess of the rates or charges herein provided for or when any provision of section six of this act has been disregarded or violated shall be void and of no effect In case any loan or contract of any kind provided for in the preceding section is not paid when due interest of ten per centum per annum reckoned as above may be charged on such balance when due but no extra charge may be made for any renewal or extension of such loan or contract as a fee for examination collection or otherwise within one year from the date of the loan or any renewal or extension thereof providing that any loan or extension made after the expiration of one year from the date to the original loan may be considered as an original loan subject to the regulations and provisions of this act and providing that any loan made by any third party not a party to the original loan or any renewal thereof which loan shall be for the purpose of paying off any such original loan or renewal thereof shall be considered a renewal within the meaning and provisions of this act Any person firm or corporation acting as agent or solicitor of or for a borrower for the purpose of making any loan or renewal of any loan as provided in this act shall receive any compensation or commission other than that herein provided to be paid to the lenders or such services shall be guilty of violation of this act and subject to its penalties

Section 12 From and after the passage of this act it shall be unlawful for any person firm or corporation to receive or collect any interest or charges on any loan heretofore made on any household or kitchen furniture or household goods wearing apparel sewing machines musical instruments wages or salaries as set forth in sections nine and ten of this act which interest and charges shall together with the interest and charges already paid on such loan exceed the interest and charges herein provided and allowed in section nine and ten of this act

Section 13 Any person firm or corporation or any agent officer or employe thereof violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) and to undergo an imprisonment in the jail of the county not exceeding six months for the first offense and for the second offense shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than two thousand dollars ($2,000) and to undergo an imprisonment of not less than sixty days nor more than two years

Section 14 The provisions of this act shall not apply to regularly licensed pawn brokers duly licensed under the laws of the State of Pennsylvania or to any bank or trust company or building or loan association incorporated and doing business under the laws of Pennsylvania

Section 15 All acts and parts of acts inconsistent with this act are repealed

On the question.

Will the House agree to the bill on second reading?

BILL RECOMMITTED.

Mr. LOWERS. Mr. Speaker, I move you that this bill just read be referred to the Committee on Banks and Banking.

Mr. KEEPORT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 834, as follows:

An Act defining foreign corporation authorizing the acquisition and conveyance of real estate and regulating the manner thereof and providing for the validating of titles to real estate now held by foreign corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That the term "foreign corporations" as used in this act shall include all corporations joint stock companies partnerships limited partnership associations and all other associations having any of the powers and privileges of corporations organized by virtue of the laws of any other state or government

Section 2 Hereafter foreign corporations doing business in this Commonwealth shall subject to the provisions of this act have the same power and authority to own and convey real estate as have corporations organized under the laws of this Commonwealth

Section 3 Each foreign corporation doing business in this Commonwealth before acquiring title to any real estate shall comply fully with the laws of this Commonwealth relating to foreign corporations and in addition thereto shall file in the office of the recorder of deeds of each county in which such foreign corporation shall acquire any real estate a copy of its articles of incorporation and charter or instrument by which it was organized or the statute by which it was created duly certified by the proper officer of the state or government in which such foreign corporation was organized

Section 4 Upon complying with the provisions of section two of this act and the laws of the Commonwealth relating to foreign corporations and upon the payment of the bonus upon its capital stock and all taxes interest and penalties assessed against it by this Commonwealth the title to any real estate now held by or in trust for any foreign corporation shall be validated with the same effect as if said real estate had been acquired in accordance with the provisions of this act

Section 5 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

and agreed to,

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 917, as follows:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to shoot or trap or snare or poison any fox within the limits of Delaware county

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall for the first offense be sentenced to pay a fine of not more than five dollars and for each subsequent offense a fine of not less than ten nor more than fifty dollars

Section 3 Provided however nothing in this act shall be construed to prevent any person or persons from shooting a fox or foxes destroying their property

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 751, entitled:

An act to provide for the appointment of janitors in and for the various courts of counties having a population of one million and over and for the compensation and payment thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the judges of the several courts of counties having a population of one million and over may appoint such janitor or janitors as may be necessary for the care of the respective court rooms with power of removal and the said janitor or janitors shall be paid by the respective counties such sum or sums for monthly service as the said judges shall fix and determine and that where the said counties are co-extensive with cities the councils of such cities shall annually appropriate the sums necessary for the payment of all janitors

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section 1, line 5, by inserting after the word "million" the words "two hundred thousand."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section of the bill was read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million and over and for the compensation and payment thereof

On the question,

Will the House agree to the title?

Mr. RONEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend the title in line 2 by adding after the word "million" the words "two hundred thousand."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 859, entitled:

An act to amend the ninety-first section of an act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March one thousand eight hundred and sixty as supplemented by the first section of an act approved the nineteenth day of May Anno Domini eighteen hundred and eighty-seven entitled "A supplement to an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty amending the ninety-first section thereof defining rape and carnal knowledge of female children and prescribing the penalty therefor" by increasing the age of consent to twenty-one years and changing the penalty

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the ninety-first section of an act entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March one thousand eight hundred and sixty as supplemented by the first section of an act approved the nineteenth day of May Anno Domini eighteen hundred and eighty-seven entitled "A supplement to an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty amending the ninety-first section thertof defining rape and carnal knowledge of female children and prescribing penalty therefor" which reads as follows

"Section 91 If any person shall have unlawful carnal knowledge of a woman forcibly and against her will or who being of the age of sixteen years and upwards shall unlawfully and carnally know and abuse any woman child under the age of sixteen years with or without her consent such person shall be adjudged guilty of felonious rape and on conviction be sentenced to pay a fine not exceeding one thousand dollars and undergo an imprisonment by separate or solitary confinement at labor or by simple imprisonment not exceeding fifteen years Provided however That upon the trial of any defendant charged with the unlawful carnal knowledge and abuse of a woman child under the age of sixteen years if the jury shall find such woman child was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of the felonious rape and convicted of fornication only" is hereby amended to read as follows

Section 91 If any person shall have unlawful carnal knowledge of a woman forcibly and against her will or who being of the age of sixteen years and upwards shall unlawfully and carnally know and abuse any woman child under the age of twenty-one years with or without her consent such person shall be adjudged guilty of felonious rape and on conviction be sentenced to pay a fine not ex-

ceeding one thousand dollars and undergo an imprisonment by separate or solitary confinement at labor or by simple imprisonment for a period of years not less than one and not more than ten Provided however That upon the trial of any defendant charged with the unlawful carnel knowledge and abuse of a woman child under the age of twenty-one years if the jury shall find that such woman child was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of the felonious rape and convicted of fornication only

On the question,

Will the House agree to the section?

Mr. HORACE B. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend Section 1, line 35, by striking out the word "twenty-one" and inserting in lieu thereof the word "eighteen."

On the question,

Will the House agree to the amendment?

Mr. S. B. SCOTT. Mr. Speaker, the purpose of this bill is to, if possible, tide over the age at which women go into the business of prostitution. It is introduced by me at the special request of the Pennsylvania Society for the Prevention of Social Diseases. I admit that there are indifferences of opinion as to what the age should be. My belief is that the age ought to be twenty-one years and I hope that the House will concur with me in that view, because I am advised by those who know that after the age of twenty-one very few women ever enter that life, and if it can be made a crime before that age, it may be possible to save much of the disease and disaster which is now inflicted on society.

Mr. HORACE B. DUNN. Mr. Speaker and Gentlemen of the House. The law at the present time is sixteen years. This amendment makes it eighteen. Now, I think it should be eighteen and not twenty-one. Three years of grace do not make much difference and therefore I ask you to support this amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. SCOTT and Mr McALEER and were as follows:

YEAS—68.

Adams,	Moore,	Morrow,	Shern,
Ambler,	Gans,	Moulthrop,	Sherwood,
Barner,	Good,	Newbaker,	Spangler,
Body,	Gramley,	Peachey,	Speiser,
Brosius,	Gray, Joseph,	Pennegar,	Stone,
Brown,	Heidinger,	Pennock,	Strauss,
Caldwell,	Heyburn,	Piper,	Swartz,
Carson,	Hibshman,	Reeser,	Swift,
Conner,	Humes,	Robinson,	Thomas,
Conrade,		Rockwell,	Trach,
Cox,	Kern,	Roney,	Walsh,
Currier,	Light,	Rothenberger,	Walton,
Dunn, H. B.,	McClintock,	Runk,	Watson,
Dunn, J. A.,	Mechling,	Schaeffer, A. C	Wilson, W. H.,
	Miller,	Schuck,	Young, G. K.,
Forster, I. G.,	Missimer,	Scott, J. R. K.,	Young, J. H.,
Frey,	Mitchell,		Zimmerman,

NAYS—95.

Allen,	Donahoe,	Kitts,	Post,
Alworth,	Donnally,	Klepper,	Ramsey,
Baldwin, G. A.,	Ehrhardt,	Kuhns, E.G.M.,	Redfield,
Benninger,	Eichenberger,	Latshaw,	Reese,
Benson,	Fahey,	Lenker,	Rhoads,
Bergey,	Geary,	Leslie,	Richards,
Bigger,	Geiser,	Letzkus,	Scott, S. B.,
Bitties,	Gibson,	Martin,	Shaffer, C. A.,
Blair, W. A.,	Grabe,	Mather,	Shaffer, I. E.,
Bleloch,	Hackett,	Matt,	Showalter,
Brownlee,	Haggerty,	McAleer,	Smith, L.,
Burnett,	Hemminger,	McAllister,	Snavely,
Campbell, C.M.,	Hobbs,	McCaig,	Snyder,
Campbell, J.J.	Howard, J.,	McDermott,	Steedle,
Carter,	Howard, R.,	Mellott,	Steele,
Cheeseman,	Isler,	Metzenbacher,	Ulerich,
Claycomb,	Irwin, G. C.,	Moses,	Ulman,
Cleary,	Jackson,	Murphy,	Walnut,
Cochran,	Jones, J. R.,	Musser,	Whitaker,
Collins,	Kaiser,	Neel,	Wildman,
Conniff,	Keegan,	North,	Williams,
Curry,	Keeport,	O'Neill,	Wilson, J. H.,
Davis,	Kennedy,	Peters,	Wiltbank,
DeFrees,			Alter,
Dickinson,			Speaker.

So the question was determined in the negative.

On the question,

Will the House agree to the section?

It was agreed to.

The title of the bill was read and agreed to as follows:

An act to amend the ninety-first section of an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March one thousand eight hundred and sixty as supplemented by the first section of an act approved the nineteenth day of May Anno Domini eighteen hundred and eighty-seven entitled "A supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty amending the ninety-first section thereof defining rape and carnal knowledge of female children and prescribing the penalty therefor" by increasing the age of consent to twenty-one years and changing the penalty

On the question,

Will the House agree to the bill on second reading?

Mr. KITTS. This bill, Mr. Speaker and Gentlemen of the House, was quite thoroughly gone over in the Judiciary General Committee. It is a delicate question for anybody to rise up and speak on for fear he might be misunderstood or misinterpreted. I feel, after careful consideration of this bill,—what little experience I have had as an attorney,—that it should not pass. The age of consent constituting statutory rape has been set at sixteen. At that period the female, it appears to my mind, has enough development and common sense to guard her person against any unlawful inducement of the opposite sex. If the penalty was so fixed, Gentlemen of the House and Mr. Speaker, that the gravity of the offense or the penalty would be equally incumbent upon both sexes I could see my way clear to support this bill. For instance, the argument advanced by some of those favoring the bill was that it would raise the standard of morals and, as some said who argued in the Judiciary General Committee, would prevent the spreading and infection of venereal diseases. If that were done, Gentlemen of the House, by raising the penalty for fornication or making the gravity of the offense fall equally upon the male and female, there might be some merit in it; but when you take a bill of this kind and allow a set of standards of this order to come into effect that where the girl of less than 21 years would consent willingly and probably be more of seducer than the boy of 16 or 17 years of age and then turn around and prosecute the boy and put him in prison for one of the highest known crimes, except murder, that has ever been written on the statute books. I say it is a bill that ought to be considered carefully before it is taken up. It might, on the other hand, place in the hand of a designing female of 18, 19, or 20 years of age a serious matrimonial handle. I think that is a point that ought to be considered. It is different, Gentlemen of the House. Don't confuse the idea of ordinary forcible rape with statutory rape they are two distinct matters. They are distinct offenses, so to speak, and in the consideration of this bill they are entirely separate. No matter what age women may have, or what age a boy may have after a certain age, fourteen or sixteen years, if it is a forcible intercourse it is rape, opso facto. But this bill provides even if the intercourse be solicted on the part of the female that it shall be rape on the part of the male. I think the bill ought to be voted down. I cannot see how it will raise the morals I cannot see how legislation will prevent a thing of this kind or see how we will legislate venereal disease out of the race if we place the whole burden of the offense on the male and allow the girl to go with impunity.

Mr. ALLEN. Mr. Speaker, I quite agree with all that has been said by the gentleman from Erie and in addition to that the bill, fixing the different ages as it does at 16 on the part of men, and 21 on the part of women, is a serious reflection upon the mental development of woman kind, as I think men of experience, men of observation in any walk of life, will admit that a woman at 16 years of age is as fully devoloped mentally as the ordinary boy of that age and to endow that boy by statute with a statutory development mentally that would influence her to do that which her moral training and her moral nature shows her is repulsive and not only repulsive, but wrong, is absolutely absurd. I think now is the time to kill this bill on second reading.

Mr. JOSEPH GRAY. Just so my vote may not be misunderstood, I will state that I do not think that the age

should be raised over 18 years for the statutory offense. It is that in many states. I don't know of any state where they have raised the age to 21 years. When the bill was under discussion in committee, there was a great lack of any good reason why the bill should be passed as it now is. The men who argued for it, seemed to avoid the subject. They talked about the breeding of mules and stock. This is an important bill and I believe we should give thorough consideration to the age.

Mr. CLAYCOMB. Mr. Speaker, it does seem to me that at least two of the gentlemen who have spoken on this matter have not read the history of human nature aright. I believe this is a serious matter. Now we are men legislating here for the Commonwealth and we ought to use brains and common sense of men and not act hastily, but cautiously. It is not the sisters of the Commonwealth of this nature that seduces mankind; we know that as men and it seems to me that if the motherhood, the girlhood of the Commonwealth it to be propertly protected, and we know that in most states, especially where the age of consent is low, that there is a condition that ought not to be. Medical experience and the testimony from physicians is to the effect that there is a condition that if known to the mankind of Pennsylvania and of the Nation, that they will rise as one man and use some cautious means to stem the tide of illicit intercourse in the Commonwealth. We are here men, as men to legislate. We must remember that we have sisters at home and who here, what one man will say that his sister will be likely, by her seductive art to lead astray some man of the same age. I say that men of 16 and 17 years of age are more capable and are of stronger will power than girls ordinarily of 20 to 21, and you must consider these things and the effect of these influences brought by the men in this Commonwealth upon the female sex when you consider this question. I am going to support this bill and I hope and believe that the manhood in this legislative chamber will heartily give their voice to it.

Mr. ALWORTH. It seems to me, Mr. Speaker and Gentlemen of the House, that this is a very important subject for this House to consider very carefully. I am reminded, in the course of this discussion, of a case that arose in our county, involving a young man who had a reputation previous to indictment on a charge of rape, a good reputation,—and notwithstanding that, he was convicted of statutory rape and he was sentenced by the Court to 12 years in the penitentiary; and the case was appealed and reversed by the Supreme Court, tried again, and the young man was convicted and again he was sentenced to twelve years in the penitentiary. The case was again appealed to the Supreme Court and again reversed and I think he was tried the third time and convicted and sentenced the third time to twelve years in the penitentiary. They finally got a change of venue and the case was tried in an adjoining county and the young man was acquitted. This simply shows the possiblity of a very dangerous complication in matters of this kind, not only for the young man who happens to get into trouble, but for the parents and all people concerned and I believe, with the gentleman who has proceeded me, that the statutory period at 16 is placed plenty high enough.

Mr. S. B. SCOTT. Mr. Speaker, there is one element that has not been brought out. That is, that statutory rape only refers to cases where the woman is of good reputation. That is to say, the crime is committed when the woman is of good reputation and it is an offense and that is the law now. There is no such thing as statutory rape where the woman is of bad reputation; and therefore all the suggestion that men might be enticed, and so forth is entirely off the subject, because if a woman does that she is not of good reputation and therefore does not come under the protection of the act.

Now there is one other point I want to bring out: At the age of 21 years, it is comparatively easy to tell the woman is of adult age. Between the ages of 15 and 17 years it is very difficult to tell that and therefore the persons who may come under this act have not the notice and not the same opportunity to protect themselves as they would have if the act places the age at 21 years. At twenty-one years he has notice and if he transgresses the law it is his own fault and he ought to be amenable to the provisions of this act.

Mr. KITTS. Mr. Speaker, I do not like to be heard so often upon this subject, but I want to call the attention of the Gentlemen of the House to this fact, that in the trial of a case of this nature which is one of the delicate and serious cases, gentlemen, can you concieve in your mind's eye of twelve men sitting in court on a case of this kind and saying by their verdict that a woman is of bad repute and so brand the girl and acquit the defendant. They would convict an innocent man rather than by their verdict stamp upon the brow of that women that she was a woman of bad reputation, and men are convicted in court on that idea because the jurymen, although sworn to their duty, although the defendant is not guilty would convict him rather than brand the girl as one of bad character. I remember a case that was tried not long ago. The case was tried, and tried well. I had assistance in the case, and as I remember it, the jury was out all night. I felt cheap after my argument to the jury when I was compelled in the defense of that young man to try to prove that this girl was a woman of bad repute. I was told afterwards by one of the jurymen who said that they battled nearly the whole night on that one particular question, that they did not think the young man was guilty of the crime, but that they could not see their way clear to stamp upon the brow of that woman the fact that she was of ill repute, and they found the defendant guilty although they believed him to be innocent. I will not agree to any bill in which the age is to be raised any higher. It has worked out all right where the age has been sixteen, and there have not been so many cases where a girl has been proven to be of bad repute. From sixteen to twenty-one is an age where you will find cases of ill repute among the women more numerous.

Mr. JOSIAH HOWARD: Mr. Speaker, I am in favor of this bill as it is an attempt to raise the moral standard of men and women. We have before us the picture of William Penn shaking hands with his red brother. It is represented that the red brother is perfectly able to take care of his family and women. Let us follow the example of William Penn and say we will take care of our families. I am in favor of this bill because it is a step in the right direction, and it is an attempt to meet the red men.

The quesion recurring,

Will the House agree to the bill on second reading?

HOUSE 56.

The yeas and nays were required by Mr. S. B. SCOTT and Mr. McALEER, were as follows:

YEAS—46.

Baldwin, G. A.,	Down,	Latshaw,	Rhoads,
Benson,	Eichenberger,	Martin,	Richards,
Blair, W. A.,	Gibson,	McAleer,	Rockwell,
Bleloch,	Glenn,	Moses,	Scott, S. B.,
Brownlee,	Grabe,	Neel,	Shaffer, I. E.,
Burnett,	Hemminger,	Newton,	Smith, J. W.,
Campbell, C.M.,	Howard, J.,	North,	Smith, L.,
Cheeseman,	Irwin, G. C.,	Pennegar,	Snyder,
Claycomb,	Irwin, H. H.,	Pennock,	Ulerich,
Conniff,	Jones, J. R.,	Post,	Ulman,
Curry,	Keeport,	Ramsey,	Walnut,
Dickinson,			Wildman,

NAYS—115.

Adams,	Ewing,	Lowers,	Rothenberger,
Allen,	Fahey,	Mannion,	Runk,
Alworth,	Flynn,	Mather,	Schaeffer, A. C
Ambler,	Forster, I. G.,	Matt,	Schuck,
Barner,	Foster, J. D.,	McAllister,	Shaffer, C. A.,
Benninger,	Frey,	McArdle,	Shern,
Bigger,	Gans,	McCaig,	Sherwood,
Body,	Good,	McClintock,	Showalter,
Brosius,	Gramley,	McDermott,	Spangler,
Brown,	Gray, Joseph,	McKay,	Speiser,
Caldwell,	Hackett,	McNichol,	Steedle,
Campbell, J.J.	Haggerty,	Mellott,	Steele,
Carson,	Heidinger,	Missimer,	Stone,
Carter,	Hepburn,	Mitchell,	Strauss,
Cleary,	Hobbs,	Moore,	Swartz,
Cochran,	Howard, R.,	Morrow,	Swift,
Collins,	Humes,	Moulthrop,	Thomas,
Conner,	Isler,	Murphy,	Tracy,
Conrade,	Jackson,	Musser,	Walsh,
Cox,	Kaiser,	Newbaker,	Walton,
Currier,	Keegan,	O'Neill,	Watson,
Davis,	Kennedy,	Peachey,	Whitaker,
DeFrees,	Kern,	Peters,	Wildman,
Donahoe,	Kitts,	Piper,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Price,	Wiltbank,
Dunn, H. B.,	Lenker,	Redfield,	Young, G. K.,
Dunn, J. A.,	Leslie,	Reese,	Young, J. H.,
Ehrhardt,	Letzkus,	Reeser,	Alter,
Eichenberger,	Light,	Roney,	Speaker.
Ely,			

So the question was determined in the negative and the bill was not agreed to on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act

The first and second sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "domestic animal" as used in this act shall mean any equine animal or bovine animal or sheep or goat pig or dog or cat and shall be taken and include the singular or plural as may be necessary in any given case

Section 2 The word "owner" as used in this act shall mean any person owning any domestic animal or leasing any domestic animal from another or any person who allows a domestic animal habitually to remain about the premises inhabitated by such person

The third section was read as follows:

Section 3 The word "person" as used in this act shall mean any person co-partnership association or corporation and shall be taken and include the singular or plural as may be necessary in any given case

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 3, line 3, by striking out the word "and" and inserting the word "to".

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section was read and agreed to as follows:

Section 4 The word "permises" as used in this act is to be taken in its widest sense and is to include land any structure erected on land and any vehicle or vessel used in transporting passengers goods or animals by land or by water

The fifth section was read as follows:

Section 5 The State Livestock Sanitary Board shall remain as at present constituted The State Veterinarian shall be ex-officio Secretary of the State Livestock Sanitary Board For the proper performance of the work of the State Livestock Sanitary Board the State Veterinarian with the approval of the Board is authorized to appoint and employ for the Board such agents and employees legal clerical and otherwise as may be deemed necessary

For services as State Veterinarian and Secretary of the State Livestock Sanitary Board he shall receive an annual salay of five thousand dollars which shall be in lieu of all compensation now received by law

In the absence of incapacity of the State Veterinarian the Deputy State Veterinarian shall act as Secretary of the State Livestock Sanitary Board and as executive officer thereof and shall have in all respects the powers and duties of the State Veterinarian under this act except that said Deputy State Veterinarian shall not be a member of the Board

For his services as Deputy State Veterinarian and services in connection with the State Livestock Sanitary Board he shall receive an annual salary of four thousand dollars which shall be in lieu of all compensation now received by law Provided however That the provisions of this act shall not apply to the terms of office of the persons now occupying the offices of State Veterinarian and Deputy State Veterinarian

The compensation of agents and other employees shall be fixed by the State Veterinarian with the approval of the Board The State Veterinarian shall assign to each agent and employee such duties as may be deemed for the best interests of the work of the Board Each officer agent and employee shall be allowed expenses actually and necessarily incurred in the performance of the duties devolved upon him All salaries compensation and expense of officers agents and employees and all other expenses under this act shall after approval by the State Veterinarian be paid by the State Treasurer upon the warrant of the Auditor General in the manner now provided by law

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 5, line 24, by inserting after the word "at," the words "as to salaries."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The unnumbered section following section five was read as follows:

It shall be the duty of the State Livestock Sanitary Board to improve the quality of the domestic animals and poultry of this Commonwealth to prevent suppress control and eradicate any transmissable diseases of such animals or poultry and to enforce the laws of the Commonwealth relating to diseases of animals and poultry and the manufacture preparation storage sale and offering for sale of the food and food products derived from diseased animals and poultry Whenever and wherever deemed necessary to prevent the spread of disease the Board may regulate and prohibit the importation into this Commonwealth of animals or poultry may cause general or special quarantine of premises and animals and poultry to be established and maintained may cause the disinfection of any premises may cause the destruction of animals and poultry and of personal property and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this Commonwealth The State Livestock Sanitery Board may also cause such investigations to be conducted as may seem advisable regarding methods of improving the quality of domestic animals and poultry and regarding the causes and the methods of preventing controlling and eradicating diseases thereof

On the question,

Will the House agree to the unnumbered section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend this section by adding at the beginning of the section, the words "Section six."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The seventh and eighth sections were read and agreed to as follows:

Section 7 In the performance of the duties herein required by law the officers agents and employees of the State Livestock Sanitary Board may at any time enter any premises If permission so to enter shall be refused or delayed by any person any such officer or agent or employee may on oath or affirmation declare before any alderman magistrate or justice of the peace that he has reason to believe that diseased animals or poultry are or have been confined or kept in or on such premises and shall further declare that permission to enter and to investigate has been refused or delayed to an officer agent or employee of the Board whereupon such alderman magistrate or justice of the peace shall upon payment of a fee of one dollar issue a search warrant for such premises directed to the proper officer agent or employee Such search warrant shall describe as nearly as may be the premises which it is desired to search or investigate but need not describe the animal or animals or poultry which are alleged to be or have been diseased which are or have been confined or kept on such premises and such officer agent or employee armed with such search warrant shall have all the authority of a constable or other peace officer in the execution of such warrant It shall be unlawful for any person to refuse or delay admission to any premises to any officer agent or employee of the State Livestock Sanitary Board provided with a search warrant as herein authorized

Section 8 It shall be unlawful for any person to import or to bring into this Commonwealth any domestic animal or poultry affected with or that has been exposed to any transmissible disease of any kind in violation of the provisions of this act or to import or bring any domestic animal or poultry into this Commonwealth in violation of any of the provisions of this act

The ninth section was read as follows:

Section 9 It shall be the duty of every practitioner of veterinary medicine in Pennsylvania immediately upon receiving information thereof to report to the Secretary of the State Livestock Sanitary Board each case of any of the following diseases namely glanders anthrax blackleg or black quarter contagious pleuro-pneumonia or lung plague of cattle rinderpest or cattle plague hemorrhagic septicemit foot and mouth disease or aphthous fever of cattle southern cattle fever or Texas fever sheep scab mange of cattle or horses hog cholera or swine plague fowl cholera rabies or hydrophobias maladie du coit or dourine of horses advanced or generalized tuberculosis or tuberculosis of the udder or any other disease now or hereafter proclaimed by the State Livestock Sanitary Board to be a transmissible character or any domestic animal reacting to tuberculin or mallein test This report shall be in writing and shall include a description of each animal affected with the name and exact address of the owner or person in charge of the animal if known and the exact locality of the animal and the number of susceptible domestic animals that have been exposed to the disease

On the question,
Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendments as follows:

Amend section nine line 7 by striking out the word "septicemit" and inserting the word "septicemia;" also in line 7, insert after the word "be" the word "of."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The tenth section was read and agreed to as follows:

Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulations There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been trasported or moved The original of the certificate and of the chart shall be attached to the waybill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified at least one week before such animal shall be brought in The original certificate and the chart shall be in the possesion of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the Board on demand The duplicates thereof shall be sent to the Board as aforesaid Such notice to the Board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to steers spayed heifers and bovine animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper

The eleventh section was read as follows:

Section 11 If the State Veterinarian shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals or shall question the competency of the person of the State of export who shall have issued such chart or certificate he may on behalf of the State Livestock Sanitary Board decline to accept the same and refuse to permit the importation of the animals concerned unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States or unless the said Board shall otherwise determine

On the question,
Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eleven, line 6, by inserting after the word "and" the word "may."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The twelfth section was read and agreed to as follows:

Section 12 Each bull and heifer under six months of age except a young and apparently healthy calf accompanying a fresh cow that has passed a physical examination and the tuberculin test shall when brought into this Commonwealth be held in quarantine at the expense of the owner until it is six months old whereupon it shall be subjected to an examination and tuberculin test by an agent of the State Livestock Sanitary Board The expense of such examination test and quarantine may be recovered by the State Livestock Sanitary Board from the owner by an action at law in like manner as other debts are now recoverable

The thirteenth section was read as follows:

Section 13 Any bovine animal not accompanied by the health certificate and tuberculin test chart required by Section ten of this act may be brought into this Commonwealth under the direct supervision of a member officer or agent of the State Livestock Sanitary Board and subject to the following regulations

Each such animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the State Veterinarian and during the period of such quarantine shall be submitted to a physical examination and a tuberculin test by an agent of the Board The examininations and test shall be at the expense of the owner The fee for such examination and test shall be ten dollars for ten animals or less and fifty cents for each additional animal examined and tested at the same time During the continuance of such quarantine the animal shall be provided with proper quarters food and water by the owner or at his expense It shall be unlawful to remove any such animal from quarantine unless it shall have passed a satisfactory examination and test and unless the fee for examining and testing has been paid to the Board and unless the charges for the quarters feed water and attendance has been paid to the person entitled thereto Any animal that fails to pass such an examination and shall at the option of the owner be killed without compensation to the owner or continued in quarantine at the expense of the owner This section shall not apply to any animals brought into the State for immediate slaughter or to an animal for which an exhibition permit shall have been obtained as provided in Section ten of this act The fees for making such an examination and test and all expenses incurred in providing such animal or animals with proper quarters food and water may be recovered by the Board from the owner by an action at law as other debts are by law collectible It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animal brought into the State for immediate slaughter or to use or permit to be used any such animal for dairy or breeding purposes

On the question,
Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section thirteen line 23, by inserting after the word "and" the word "test;" also amend section thirteen, line 3, by inserting after the word "Commonwealth," the word "only."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
Sections 14, 15, 16, 17, 18, 19 and 20 were read and agreed to as follows:

Section 14 When notified by an officer or agent of the State Livestock Sanitary Board not to do so it shall be unlawful for any person to receive or keep or have in his keeping or possession any domestic animal imported or brought into this Commonwealth in violation of any of the provisions of this act or to allow any such domestic animal to come into contact with any other domestic animal

Section 15 Whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist anywhere in the State a quarantine of any locality or premises or of any infected or exposed animals or poultry may be established Quarantines shall be of two kinds special and general

A special quarantine shall mean a quarantine of a single animal or a quarantine of a single building structure pen coop car vessel vehicle field or enclosure or a quarantine of any number of animals or poultry when confined or

contained in the same building structure pen coop car vessel vehicle field or enclosure

A general quarantine shall include all quarantines not included under the term special quarantine as herein defined

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in Section nine of the act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or there shall be any animal or poultry which it is deemed necessary by the State Veterinarian or any other officer or agent of the State Livestock Sanitary Board to have examined or tested The State Veterinarian or any officer or agent of the State Livestock Sanitary Board shall have the power to establish and maintain any special quarantine It shall be the duty of the State Veterinarian or any officer or agent of the State Livestock Sanitary Board establishing a special quarantine to post on the building structure pen coop car vessel vehicle field or enclosure wherein the animal or animals or poultry quarantined are confined or contained a notice declaring the quarantine a description of the animal or animals or poultry quarantined and of the premises where quarantined and of the duration of such quarantine Such quarantine may continue for such time as the State Veterinarian or the officer or agent of the State Livestock Sanitary Board establishing the same may deem advisable to accomplish the purpose of quarantine

A general quarantine may be established and maintained whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist in any locality in the State larger in extent then that which may be included in a special quarantine A general quarantine shall be established and maintained by the State Livestock Sanitary Board only Such quarantine shall include such premises locality or territorial district and such animals and shall continue for such time as may be deemed necessary or advisable by the said Board In establishing and maintaining such quarantine the said Board may act through and by any member officer agent or employee of said Board to whom such power is delegated and the establishment and maintenance of such quarantine by any member officer agent or employee of said Board shall be prima facie the establishment and maintenance of quarantine by said Board Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said Board it shall be the duty of the member officer agent or employee of said Board by whom the order of said Board as to quarantine is executed to post notices within the premises locality or territorial district quarantined declaring the extent and limits of premises locality or territorial district so quarantined and the animals subject to such quarantine At least ten such notices shall be posted in the most public places within said quarantined area A copy of such notice shall be published in one newspaper published within such quarantined area or if there be no such newspaper then in one newspaper circulating generally within such area If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs so as to effectually prevent biting

Section 16 After the establishment of any quarantine authorized by this act and the posting of notices required by law it shall be unlawful for any person without a special permit in writing from the State Veterinarian or the State Livestock Sanitary Board as the case may be to remove from or to any premises within the limits of the quarantine any domestic animal or poultry or to remove from any quarantined area or premises any hay straw grain fodder or other food or animals or poultry or to remove any car or wagon or vessel so quarantined or to sell or exchange or give away or lease or lend or remove or allow to be removed any quarantined domestic animal or animals or poultry It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality unless such dog shall be muzzled so as to effectually prevent biting or for any person to remove or permit to be removed any dog from such quarantined area Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area not being muzzled as aforesaid may be secured and confined or may be shot or otherwise destroyed by any person without liability therefor

Section 17 It shall be unlawful for any person to tear down or deface or to destroy any notice of quarantine posted by any member officer agent or employee of the State Livestock Sanitary Board or to remove or destroy wholly or partially any portion of a building or tree or fence whereon the same shall have been posted

Section 18 When any quarantine shall be established under this act it shall be unlawful for the owner of any domestic animal within the limits of the quarantined area to allow such domestic animal to run at large during the continuance of the quarantine Any animal so found running at large shall be taken up by the proper constable and kept at the expense of the owner until the lifting of the quarantine For such service he shall be entitled to one dollar for each animal Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid If not paid within two weeks from the lifting of the quarantine the animal may be sold and after the deduction of all fees costs and expenses the residue shall be paid to the owner if known and if not known shall be paid into the State Treasury This section shall not apply to dogs or affect the special provisions of this act in reference to dogs

Section 19 Animals that shall be placed in quarantine by the authority of the State Livestock Sanitary Board or any member officer agent or employee of the same shall be provided with suitable quarters and fed and watered by or at the expense of the owner In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within ten days after the lifting of said quarantine the State Livestock Sanitary Board may sell any such animal at public sale to collect such expense Any surplus received at said sale over the expense aforesaid shall be paid to such owner No animal shall be removed from a quarantined area until such sale except upon payment of such expense

Section 20 Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods

First Complete cremation of the entire carcass with all its parts and products

Second Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water continuously during at least two hours

Third Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams and which shall be distant not less than one hundred feet from any water course well or spring public highway house or stable In burying such carcass it shall be covered with quick lime to a depth of not less than three inches and the top of such carcass shall not be within two feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface Such grave shall be so protected that the carcass may not be accessible to dogs or other animals

Section twenty-one was read as follows:

Section 21 Whenever to prevent the spread of disease it shall be deemed necessary by any member officer or agent of the State Livestock Sanitary Board to cause any domestic animal to be killed the State Veterinarian may cause to be paid to the owner of such animal two-thirds of the fair market value thereof taking into consideration the condition of the animal as to disease and the nature and extent of the disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal The amount paid by the State shall in no case exceed for a horse jack or mule the sum of sixty dollars for a non registered bovine animal the sum of forty dollars for a registered bovine animal the sum of seventy dollars for a sheep or pig the sum of ten dollars The amount paid by the State together with the estimated value of the carcass hide and offal shall not exceed ninety per centum of the fair market value of the animal When any animal is so killed the owner subject to such regulations as may be prescribed by the State Livestock Sanitary Board may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may tend to spread disease or affect the health of the public

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section twenty-one, line 21 by inserting after the word "may" the word "not."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Section twenty-two was read as follows:

Section 22 Whenever to prevent the spread of disease it shall be deemed necessary by the State Livestock Sanitary Board or any member officer or agent of the Board to cause any domestic animal to be killed and the proper member officer or agent of the Board cannot agree with the owner as to the value of such animal three appraisers shall be appointed one by the State Veterinarian or other member officer or agent of the Board one by the owner and the third by the two so selected If the owner shall refuse to appoint an appraiser the justice of the peace of the proper township borough or ward shall appoint such appraiser for the owner Each apraiser shall be sworn to perform faithfully his duties as appraiser The appraisers shall estimate the fair market value of each such animal taking into consideration the condition of the animal as to disease and the nature and extent of such disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal When such appraisement shall be made such animals shall be killed and two-thirds of the appraised value paid to the owner subject to the limitations imposed in Section twenty-two Each appraiser shall be entitled to one dollar for such appraisement irrespective of the number of animals appraised One-half of the expense of the appraisement shall be paid by the owner the other half by the State Livestock Sanitary Board

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section twenty-two, line 10, by inserting after the first word "the" the words "alderman, magistrate or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Sections 23, 24, 25, 26, 27, 28 and 29 were then read and agreed to, as follows:

Section 23 The State Veterinarian and any member officer or agent of the State Livestock Sanitary Board are authorized to administer oaths and affirmations to appraisers appointed under this act

Section 24 Whenever any animal affected with any of the diseases enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this act It shall be unlawful to sell such carcass or any part thereof or any hide or offal therefrom

Section 25 Whenever any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed and the owner thereof shall not within twenty-four hours dispose of the carcass and products as required by law it shall be the duty of the State Livestock Sanitary Board or any member officer or agent of the Board to cause the same to be destroyed or disposed of according to law at the cost of such owner The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible

Section 26 It shall be unlawful for any person to drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character except upon express permission in writing from the State Livestock Sanitary Board or any member officer or agent of the Board

Section 27 Without express permission in writing from the State Livestock Sanitary Board or a member officer or agent of the Board it shall be unlawful for any person to sell or offer for sale or to give away or allow to stray any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or any animal that has reacted to any tuberculin or mallein test or with such permission to sell or offer for sale or to give away any such animal without notifying the purchaser or prospective purchaser or the person to whom the animal shall be given that the animal is affected or has reacted as aforesaid

Section 28 The State Veterinarian may prescribe methods of making tests with tuberculin mallein or other recognized tests for the diagnosis of diseases of animals

Section 29 Each sale in this Commonwealth of tuberculin for use in testing cattle or of mallein for use in testing horses jacks or mules and each test made with tuberculin or mallein shall be reported in writing to the State Veterinarian within one week after such sale or test Each such report shall be signed by the person who shall have made the sale or test shall give the name of the purchaser of the tuberculin or mallein with the amount sold the date of sale the name and address of the owner of the cattle or horses or mules or jacks tested the locality where such test has been made a description of the animal or animals tested and a complete statement of the actual result of such test It shall be unlawful for any person whose duty it is hereby made to make such report to fail or refuse to do so

Section 30 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animals any virus or any pathogenic germs dangerous to such animal unless the express permission in writing of the State Veterinarian

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section thirty, line 4, by inserting after the word "unless" the word "by."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Sections 31, 32, 33, and 34 were read and agreed to as follows:

Section 31 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal tuberculin mallein or other biological product used for diagnostic purposes unless such tuberculin mallein or other biological product is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 32 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal any anthrax vaccine blackleg vaccine hog cholera serum or any other biological product used for prophylactic purposes in treating or preventing diseases unless the same is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 33 Any domestic animal affected with advanced or generalized tuberculosis or with tuberculosis of the udder or any animal which has reacted to the tuberculin test may be plainly branded by any member officer agent or employee of the State Livestock Sanitary Board upon the forehead or upon the right side of the neck from six to ten inches back from the jaw bone with a capital "T" not less than two inches high one and one-half inches wide with mark one-fourth of an inch wide Such branding shall not be construed as cruelty to animals within the meaning of the penal laws of the Commonwealth

Section 34 Milk produced by a cow which has reacted to a tuberculin test or is affected with a dangerous transmissible disease shall not be used as food for animals unless it has been previously heated to at least one hundred and seventy-5-eight degrees Farenheit except a special examination has been made under the direction of the State Veterinarian and written permission to use such milk has been given by him

Section thirty-five was then read as follows:

Section 35 Every owner operator or manager of a creamery cheese factory receiving station or skimming station shall before returning to delivering to any person or persons any skimmed milk or separator slop to be used for food or feeding purposes for calves or swine cause such skimmed milk to be thoroughly pasteurized by heating it to at least one hundred and seventy-eight degrees Farenheit

On the question,

Will the House agree to the section?

Mr. STONE: Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section thirty-five, line 3, by inserting after the words "returning to" the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Sections 36, 37, 38, 39, 40, 41, 42 and 43 were read and agreed to, as follows:

Section 36 To extend the efficiency of the State Livestock Sanitary Board said Board is authorized to co-operate with the proper authorities of the National Government in all matters relating to the diseases of domestic animals and poultry

Section 37 All fees and costs and mileage received by any member officer agent or employee of the State Livestock Sanitary Board in the performance of his duties shall be paid as soon as practicable to the State Veterinarian and by the State Veterinarian paid into the Treasury of this Commonwealth

Section 38 The Secretary of the State Livestock Sanitary Board shall render a report annually to the Governor of the Commonwealth concerning the work of the State Livestock Sanitary Board Such report shall be rendered oftener if so directed by the Governor Such report shall also contain such additional information and suggestions as may be requested by the Governor

Section 39 The Board of Commissioners of Public Grounds and Buildings shall provide adequate quarters for the State Livestock Sanitary Board and shall on requisition of the State Veterinarian furnish such stationery paper furniture and supplies as may be necessary in the performance of the work of the Board

Section 40 The Superintendent of Public Printing and Binding shall on requisition of the State Veterinarian furnish the State Livestock Sanitary Board with such printing and binding as may be necessary in the performance of the work of the Board

Section 41 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars For each subsequent offense such person shall be sentenced to pay a fine of not less than two hundred dollars nor more than five hundred dollars and in addition thereto such person or each of the members of the firm or each of the directors of the corporation as the case may be with guilty knowledge

of the fact shall be sentenced to undergo an imprisonment in the jail of the proper county for a period of not less than ten nor more than ninety days or either or both at the discretion of the court

Section 42 The State Livestock Sanitary Board shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof

Section 43 All acts and parts of acts inconsistent with this act are repealed

The title was read and agreed to as follows:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein, and other biological products for use in testing domestic animals and providing penalties for the violation of this act

And the said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAVIS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. DAVIS. Mr. Speaker, I find on page seventeen of today's Calendar in Bills Nos. 638 and 408, an error in the title and I ask unanimous consent of the House to call up these bills from the third reading Calendar for the purpose of amendment.

The SPEAKER: Will the House give unanimous consent for the consideration of the bills at this time? The Chair hears no objection consent is granted.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 638, as follows.

An act to provide for the health and safety of persons and for the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages et cetera begin to run and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person general manager superintendent or person in charge of the work of any person or persons or firm or association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath any property within this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof

Section 2 Where the coal rock earth or other minerals or materials beneath any property except unseated lands and lands the surface of which is unsettled unoccupoed and unimproved within this Commonwealth has been removed to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof thereby endangering the health security and safety of persons and the preservation of the property which would be occasioned by reason of the subsidence of the surface of said property it shall be the duty of the person lessee firm association or corporation operating the mine from which such coal work earth or other minerals were removed to erect and construct within six months from and after the approval of this act sufficient adequate and permanent artificial support under said property to protect the surface of said property against subsidence Provided however that where the person lessee firm association or corporation which caused the coal to be removed has died gone into liquidation or is for any other cause no longer engaged in the business of mining then in such case the proper municipal authorities may take such measures as may be necessary to prevent a subsidence of the surface

Section 3 Any person lessee owner general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act or failing to comply with its provisions shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace within the proper municipality shall be sentenced to pay a fine of one thousand dollars or undergo imprisonment in the county jail for a period not exceeding ninety days or both for each offense such fine shall be paid into the treasury of the respective municipal corporation in which said offense was committed all actions for violations thereof or failure to comply therewith shall be instituted by the Bureau of Mine Inspection and Surface Support where such bureau is created or where such bureau is not in existence by the legally constituted municipal authorities of such municipality in the name of the Commonwealth to the use of the proper municipal corporation wherein such offense occurred

Section 4 In all actions against persons firms associations or corporations for damages sustained by reason of injury done to life or property caused by the subsidence of the surface of lands overlying any coal mining or other underground operations within this Commonwealth. The limitation of actions both in law and equity shall not begin to run against any suit or actions for recovery until such subsidence and injury has actually occurred

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to insert the following amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend title—lines 5 and 6, strike out "et cetera"
Also, section 2, line 2, strike out "unceded" insert "unseated"
Also section 2, line 3, strike out "in" insert "is"
Also, section 3, line 4, after "provisions" insert "shall"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objections? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

Agreably to order.

The House proceeded to the consideration on third reading of H. R. Bill No. 408, as follows:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of mine inspection and surface support by any municipal corporation and giving such Bureau jurisdiction and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every municipal corporation within this Commonwealth may by ordinance create a Bureau of Mine Inspection and Surface Support which in cities of the first and second class shall be attached to the Department of Public Works and under the supervision and control of the Director of said Department

Section 2 Said Bureau shall consist of one practical mining engineer to be appointed by the Chief Executive of such municipal corporations with the consent of Councils and such other assistants clerks and employees as may be provided for by Councils and shall be paid such compensation as Councils may provide

Section 3 The members of the Bureau of Mine Inspection and Surface Support shall have the right and power to enter inspect examine and survey any mine or colliery within the limits of the municipality at all reasonable times either by day or night but not so as to impede or obstruct the workings of the mine or colliery and shall have power to take such other persons as may be necessary for the purpose of making such examination or survey and the owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination survey and exit

Section 4 The owner operator or superintendent of every coal mine or colliery shall within three months after the passage and approval of an ordinance by any municipal corporation in this Commonwealth creating a Bureau of Mine Inspection and Surface support authorized by this act make or cause to be made and furnished to the Bureau of Mine Inspection and Surface Support an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the Bureau of Mine Inspection and Surface Support The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 5 Every mine owner operator or superintendent shall place or cause to be placed upon the map of the bureau of mine inspection and surface support of each municipality at least once in every three months the plan of all extensions made in any mine within the limits of such municipality during the three months preceding except those made immediately within thirty days from the time

of placing such extensions upon said map

Section 6 It shall be unlawful for any person firm association or corporation to dig mine remove or carry away the coal rock each or other minerals or materials forming the natural support of the surface beneath the streets avenues thoroughfares courts alleys places and public highways of any municipal corporation within this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof to maintain uphold and preserve the stability of the surface of said streets avenues thoroughfares courts alleys places and public highways

Section 7 Any person being the general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace within such municipality shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment in the county jail for a period not exceeding ninety days or both for each offence each such fine shall be paid into the treasury of the proper municipal corporation

Section 8 The councils of the municipal corporations of this Commonwealth are hereby authorized to enact such ordinances as may be necessary for the proper enforcement of the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read as follows:

Title—Last line After "jurisdiction" insert "and providing for the filing of certain maps and plans"
Section 1, line 4, strike out "made" insert "may"
Section 6, line 12, strike out "placed" insert "places"

The SPEAKER. Will the House give unanimous consent to insert the amendmentsas read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

Mr. JAMES A. DUNN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 768, file folio 1073, on page 12 of to-day's Calendar.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time?

The Chair hears no objection, consent is granted.

Agreeably to order.

The House proceeded to the consideration on third reading of H. R. Bill No. 768, entitled:

An act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

On the question,

Will the House agree to the bill on third reading?

Mr. JAMES A. DUNN. Mr. Speaker, I ask unanimous consent to insert the following amendments at this time:

The SPEAKER: The amendment will be read by the Clerk.

The amendments were read as follows:

Amend title line four after "eight" insert "and"
Also, amend section three, line two, strike out "art" and insert "act"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read?

Is there any objection

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

Mr. McNICHOL. Mr. Speaker, I ask unanimous consent to call up House Bill No. 787, file folio 1081, on page thirteen of to-day's Calendar.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time.

The Chair hears no objection; consent is granted.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 787, entitled:

An act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due"

On the question,

Will the House agree to the bill on third reading?

Mr. McNICHOL. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER: The amendment will be read by the Clerk.

The amendments were read as follows:

Title, last line, after "due" insert "approved the third day of May, Anno Domini one thousand nine hundred and nine."
Section 1, line 13, after "due" insert "approved the third day of May Anno Domini one thousand nine hundred and nine."
Section 1, strike out lines 14 to 24 inclusive.
Section 1, strike out lines 42 to 52 inclusive.
Section 1, line 59, strike out "office" and insert "officer,"
Section 1, line 70, after "officer of the" insert "said."
After "department" insert "to make or."
After "department" insert "to make or"
After "solicitor," strike out "make and."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

Mr. ISLER. Mr. Speaker, I ask unanimous consent to call up House Bill No. 861, file folio 77 (Senate Bill No. 30), on page 15 of to-day's Calendar.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time.

The Chair hears no objection, consent is granted.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 861, (Senate Bill No. 30), entitled:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the offce of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

On the question,

Will the House agree to the bill on third reading?

Mr. ISLER. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section nine line 54, by striking out the word "instant" and inserting "instance"

Amend section eleven, line 34, by striking out the word "superceedas" and insert the word "supersedeas"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill be prepared for final passage.

Mr. CURRIER. Mr. Speaker, I call up House Bill No. 72, file folio 1149, on page 9 of to-day's Calendar, bills on final passage postponed for the present.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 72, as follows:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation co-partnership or company and every association (other than state and national banks trust companies real estate mortgage companies dealing exclusively in real estate mortgages building and loan associations and corporations not organized for profit) organized or which shall be hereafter organized in this Commonwealth whether incorporated or unincorporated which shall sell or negotiate for the sale of any securities of any kind whatsoever other than bonds of the United States the Commonwealth of Pennsylvania or of some municipality of the Commonwealth of Pennsylvania and mortgages on real estate located in the Commonwealth of Pennsylvania to any person corporation co-partnership or company in the Commonwealth of Pennsylvania other than those specifically exempted herein shall be known for the purpose of this act as a domestic investment company Every such investment company organized in any other state territory or government shall be known for the purpose of this act as a foreign investment company

Section 2 Before offering or attempting to sell any securities of any kind other than those specifically exempted in section one of this act to any person corporation co-partnership or company or transacting any business whatever in this Commonwealth except that of preparing the documents hereinafter required every such investment company domestic or foreign shall file in the office of the Commissioner of Banking of this Commonwealth together with a filing fee of two dollars and fifty cent ($2.50) the following documents to wit A statement showing in full detail the plan upon which it proposes to transact business A copy of all contracts and other securities which it proposes to make or sell to its contributors A statement which shall show the name and location of the investment company and an itemized account of its actual financial condition and the amount of its property and liabilities and such other information touching its affairs as said Commissioners of Banking may require If such investment company shall be a co-partnership or an unincorporated association it shall also file with the Commissioner of Banking a copy of its articles of co-partnership or association and all other papers pertaining to its organization and if it be a corporation organized under the laws of the Commonwealth of Pennsylvania it shall also file with the Commissioner of Banking a copy of its articles of incorporation constitution and by-laws and all other papers pertaining to its organization If it shall be an investment company organized under the laws of any other state territory or government incorporated or unincorporated it shall also file with the said Commissioner of Banking a copy of the laws of such state territory or government under which it exists or is incorporated and also a copy of its charter articles of incorporation constitution and by-laws and all amendments thereof which have been made and all other papers pertaining to its organization

Section 3 All of the above-described papers shall be verified by the oath of a member of a co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or unincorporated association All such papers however as are recorded or are on file in any public office shall be further certified to by the officer of whose records they form a part as being correct copies of such records

Section 4 Every foreign investment company shall by a duly executed instrument filed in the office of the Commissioner of Banking constitute and appoint the Commissioner of Banking or his successor its true and lawful attorney upon whom all lawful process in any action rule order or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon him as its said attorney shall be of the same force and validity as if served on the company and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this Commonwealth The service of such process shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commisioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorny shall be deemed valid service upon such company The Commissioner of Banking shall upon process being served upon him as attorney for a foreign inevtment company forthwith forward one of the duplicate copies of the process served upon him as attorney for a foreign investment company fortheign country to its resident manager in the United States As a condition of valid and effective service and of the duty of the Commissioner of Banking in the premises the plaintiff in each such process shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Commissioner of Banking shall keep a record of all such processes which shall show the day and hour of service

Section 5 It shall be the duty of the Commissioner of Banking to examine the statements and documents so filed and if said Commissioner of Banking shall deem it advisable he shall make or have a detailed examination of such investment company's affairs which examination shall be at the expense of such investment company as hereinafter provided and if he finds that such investment company is solvent that its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract contain and provide for a just and equitable plan for the transaction of business and in his judgment promises a fair return on the securities by it offered for sale the Commissioner of Banking shall issue to such investment company a statement reciting that such company has complied with the provisions of this act that detailed information in regard to the company and its securities is on file in the Commissioner of Banking's office for public inspection that such investment company is permitted to do business in this Commonwealth and such statement shall also recite in bold type that the Commissioner of Banking in no wise recommends the securities to be offered for sale by such security company But if said Commissioner of Banking finds that such articles of incorporation or association charter constitution and by-laws plan of business or proposed contract contain any provision that is unjust or inequitable to any class of contributors or if he decides from his examination of its affairs that said investment company is not solvent and does not intend to do a fair and honest business and in his judgment does not promise a fair return on the securities by it offered for sale then he shall notify such investment company in writing of his findings and it shall be unlawful for such company to do any further business in this Commonwealth until it shall so change its constitution and by-laws articles of incorporation or association its proposed plan of business and proposed contract and its general financial condition in such manner as to satisfy the Commissioner of Banking that if it is solvent and its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract provide for a just and equitable plan for the transaction of business and does in his judgment promise a fair return on the securities by it offered for sale provided that all expenses paid or incurred and all fees or charges received or collected for any examination made under the provisions of this section of this act shall be reported in detail by the Commissioner of Banking and a full report and record thereof made in detail

Section 6 It shall not be lawful for any investment company either as principal or agent to transact any business in form or character similar to that set forth in section one of this act except as is provided in section two of this act until it shall have filed the papers and documents above provided for No amendment of the charter articles of incorporation constitution and by-laws of any such investment company shall become operative until a copy of the same has been filed with the Commissioner of Banking as provided in regard to the original filing of charters articles of incorporation constitution and by-laws nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the Commissioner of Banking in like manner as provided in regard to the original plan of business and proposed contract and the such proposed new plan of transacting business and proposed new contract

Section 7. Any investment company may appoint one or more agents but no such agent shall do any business for said investment company in this State until he shall first register with the Commissioner of Banking as agent for such investment company and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar Such registration shall entitled such agent to represent said investment company as its agent until the first day of January following unless said authority is sooner revoked by the Commissioner of Banking and such authority shall be subject to revocation at any time by the Commissioner of Banking for cause appearing to him sufficient.

Section 8. Every investment company domestic or foreign shall file at the close of business on December thirty-first and June thirtieth of each year and at such other times as required by the Commissioner of Banking a statement verified by oath of a member of the co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or an unincorporated association setting forth in such form as may be prescribed by the Commissioner of Banking its financial condition and the amount of its assets and liabilities and furnishing such other information concerning its affairs as said Commissioner of Banking may require Each regular statement of December thirty-first and June thirtieth shall be accompanied by a filing fee of two dollars and fifty cents Any investment compuny failing to file its report at the close of business December thirty-first or June thirtieth of each year within ten days of that date or failing to file any other or special report

herein required within thirty days after receipt of request or requisition therefor shall forfeit its right to do business in this Commonwealth.

Section 9. The general accounts of every investment company domestic or foreign doing business in this Commonwealth shall be kept by double entry and such company its co-partners or managing officers shall at least once in each month make a trial balance of such accounts which shall be recorded in a book provided for that purpose such trial balances and all other books and accounts of such company shall at all times during business hours except Sundays and legal holidays be open to the inspection of stockholders and investors in said company or investors in the securities by it offered for sale and to the Commissioner of Banking and his deputies.

Section 10 The Commissioner of Banking shall have general supervision and control as provided by this act over any and all investment companies domestic or foreign doing business in this Commonwealth and all such Investment companies shall be subject to examination by the Commissioner of Banking or his duly authorized deputies at any time the Commissioner of Banking may deem it advisable and in the same manner as is now provided for the examination of State banks The powers of the Commissioner of Banking in connection with such examinations shall be the same as is now provided with reference to examination of State banks and such investment company shall pay a fee for each of such examination of not to exceed five dollars for each day or fraction thereof plus the actual traveling and hotel expenses of said Commissioner of Banking or deputy that he is absent from the capitol building for the purpose of making such examination and the failure or refusal of any investment company to pay such fees upon the demand of the Commissioner of Banking or deputy while making such examination shall work a forfeiture of its rights to do business in this Commonwealth.

Section 11 Whenever it shall appear to the Commissioner of Banking that the assets of any investment company doing business in this Commonwealth are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe inequitable or unauthorized manner or is jeopardizing the interest of its stockholders or investors in securities by it offered for sale or whenever any investment company shall fail or refuse to file any papers statements or documents required by this act without giving satisfactory reasons therefor said Commissioner of Banking shall at once communicate such facts to the Attorney-General who shall thereupon apply to the Court of Common Pleas of Dauphin County or to the court of any county in which the principal office of such company is located or is doing business or to a judge of either of said courts for the appointment of a receiver to take charge of and wind up the business of such investment company and if such fact or facts be made to appear it shall be sufficient evidence to authorize the appointment of a receiver and the making of such orders and decrees in such cases as equity may require.

Section 12 Any person who shall willfully subscribe to or make or cause to be made any false statements or false entry in any book of such investment company or exhibit any false paper with the intention of deceiving any person authorized to examine into the affairs of such investment company or shall make or publish or cause to be made or published any false statement of the financial condition of such investment company or the securities by it offered for sale shall be deemed guilty of a felony and upon conviction thereof shal lbe sentenced to pay a fine of not less than two hundred dollars ($200) nor more than ten thousand dollars ($10,000) and undergo an imprisonment by separate and solitary confinement at labor of not less than one year nor more than ten years.

Section 13 Any person or agent who shall sell or attempt to sell the securities of any investment company or the securities by such company offered for sale who has not complied with the provisions of this act or any investment company which shall do any business or offer or attempt to do any business except as provided in Section one of this act which shall not have complied with the provisions of this act or any agent who shall do or attempt to do any business for any investment company which agent is not at the time duly registered and has fully complied with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($,000) or undergo an imprisonment in the county jail of the proper county not exceeding ninety days or both at the discretion of the court.

Section 14 All fees herein provided for shall be collected by the Commissioner of Banking and by him shall be turned into the State Treasury.

Section 15. Should the courts declare any section of this act unconstitutional or unauthorized by law or in conflict with any other section or provision of this act then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act.

Section 16 All acts or parts of acts inconsistent with this act are repealed.

Section 17. This act shall take effect and be in force from and after the first day of January one thousand nine hundred and fourteen.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. CURRIER. Mr. Speaker, I move that the vote by which bill passed third reading be reconsidered.

The motion was agreed to.

Mr. CURRIER. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Section 1, line 5, strike out "real estate."

Section 1, line 6, strike out "mortgage" before the word "companies."

Section 1, line 6, insert after the word "estate" the words "and real estate."

Section 6, line 20, insert at the end thereof the following: "consent of the Commissioner of Banking obtained as to making."

Section 8, line 2, strike out "at" and insert in lieu thereof "within sixty days after."

Section 8, line 2, strike out "and June thirtieth."

Section 8, line 12, strike out "of" December thirty-first and June thirtieth."

Section 8, lines 14, 15 and 16, strike out the following: "at the close of business December thirty-first or June thirtieth of each year within ten days of that date," and insert in lieu thereof "as herein provided."

Section 8, line 19, add after the word "Commonwealth" the following: "The Commissioner of Banking may, upon satisfactory cause shown by any investment company, extend the time for filing any report herein required."

Amend the bill by inserting new sections 12 and 13, as follows:

"Section 12 Any foriegn investment company which has complied with the provision of this act and has obtained from the Commissioner of Banking the statement and certificate of authority mentioned in section five hereof, may withdraw from this State by surrendering the said statement to the Commissioner of Banking and by giving to said Commissioner of Banking ninety days notice, in writing, of its intention to withdraw; and thereafter such foreign investment company shall not sell or negotiate for the sale of any stocks, bonds or other securities of any kind or character which are not exempted by this act."

"Section 13. Any investment company that deems itself aggrieved by any order or decision of the Commissioner of Banking under the provisions of this act, may appeal therefrom to the Court of Common Pleas of Dauphin County. Pending such appeal all proceedings shall be stayed."

Renumber the following sections of the bill accordingly,

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McDERMOTT. I call up House Bill No. 234, file folio 1573, on page 10 of to-day's Calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of bituminous mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies

in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which he is appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said board respectively to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a minor in any bituminous coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a minor except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dolllars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncomplaince or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. McDERMOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MOULTHROP. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section 2, line 19, by striking out the words "he is" and insert in lieu thereof the words "they are."

Section 5, line 1, strike out the words "board respectively" and insert in lieu thereof the word "boards."

Section 7, line 3, after the word "compliance" insert the word "with."

Amend by inserting a new section 9 as follows:

Section 9 This act shall apply only to mines that come under the regulation of the mine inspector.

Amend section 9 by striking out the figure "9" and inserting in lieu thereof the figure "10."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. NORTH. Mr. Speaker, I ask unanimous consent to call up House Bill No. 1117, File Folio, 1667, on page 20 of today's Calendar, bills on first reading.

The SPEAKER. Is there any objection? The Chair hears none and consent is granted.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1117, entitled:

An Act to provide for the ordinary expenses of the Executive Judicial and Legislature departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining upaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CLAYCOMB. Mr. Speaker, I ask unanimous consent to call up House Bill No. 918, File Folio, 1047, on page 11 of today's Calendar, bills on third reading.

The SPEAKER. Is there any objection? The Chair hears none and consent is granted.

BILL RECOMMITTED.

Mr. NORTH. Mr. Speaker, I move that House Bill No. 1117, File Folio 1667, be recommitted to the Committee on Appropriations.

Mr. MARTIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on thrid reading of House Bill No. 918, entitled:

An Act to validate private sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An Act relating to orphans' court sales" which were not advertised in accordance with said act as amended

On the question,

Will the House agree to the bill on third reading?

Mr. CLAYCOMB. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Section 1, line 11, strike out "to be sold."
Section 1, line 16, strike out "effect" and insert "affect."
Section 1, line 17, strike out "hereby" and insert "as."
Section 1, line 8, strike out "scales" and insert "sales."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MARTIN. I rise to a question of person privilege.

The SPEAKER. The gentlemen will state his question.

Mr. MARTIN. On March 6 I introduced a bill which is not yet on the pink Calendar. The bills introduced on March 7th are on the pink Calendar. Why not this one? I may be mistaken in the date, but it was last Thursday night that the bill was introduced.

The SPEAKER. What was the title of the bill?

Mr. MARTIN. It is an act reimbursing the County of Dauphin for money expended extraordinarily during the Capitol graft trial.

The SPEAKER. Such a bill did not come before the Chair; at least, the Chair has no recollection of seeing such a bill. The clerks will be directed to look for the bill.

Mr. HEIDINGER. I ask unanimous consent to call up House Bill No. 173, File Folio 1387, on page 12 of today's Calendar, bills on third reading.

The SPEAKER. Is there any objection? The Chair hears none and consent is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 173, as follows:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed mortgage or other instrument of writing of and concerning any land tenements hereditaments or any estate right title or interest therein required by law to be acknowledged which purports to have been acknowledged by husband and wife before any judge justice of the peace alderman notary public commissioner of deeds or other person authorized by law within this State or within any other of the United States or without the United States to take acknowledgments of deeds et cetera shall be deemed held or adjudged invalid or defective or insufficient in law or avoided or prejudiced by reason by informality or omission in setting forth the particulars of the acknowledgment made before such person as aforesaid in the certificate thereof where the acknowledgment bears date prior to the fourth day of April in the year of our Lord one thousand nine hundred and one but all and every such deed mortgage or other instrument of writing where the acknowledgment thereof bears such prior date and purports to have been made by husband and wife as aforesaid or the record of such deed mortgage or other instrument of writing duly made in the proper office for recording of deeds in this Commonwealth shall be as good valid and effectual in law for transferring and conveying the estate right title and interest of such husband and wife of in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars of such acknowledgment mentioned in the act enttiled "An Act for the better confirmation of the estate of persons holding or claiming under feme convert and for establishing a mode by which husband and wife may hereafter convey their estates" passed the twenty-fourth day of February one thousand seven hundred and seventy were particularly set forth in the certificate thereof and the record of such deed mortgage or other instrument of writing made in the proper county as aforesaid or exemplifications of such record duly certified shall be legal evidence in all cases in which the original would be competent evidence This act shall not apply to suits now pending and undetermined

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section 1, line 14, by striking out the word "or" after the word "reason" and insert in lieu thereof the word "of."

Also, in line 30, by striking out the word "convert" and insert in lieu thereof the word "covert."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. WALTON. Mr. Speaker, I ask unanimous consent to call up House Bill No. 745, File Folio 1383, on page 11 of today's Calendar.

The SPEAKER. Will the House give unanimous consent for consideration of the bill at this time? The Chair hears no objection. Consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 745, as follows:

An Act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wards in cities of the third class may be divided consolidated new wards created or all the wards therein reapportioned by a commission of three to be appointed by the president judge of any court of common pleas of any county in which said city or cities are located Upon application being made to said president judge for the appointment of said commission by the petition of at least one hundred qualified electors of the ward wards or city affected or the councils thereof praying for the division of a ward the creation of a new ward or wards out of two or more wards or out of parts of two or more wards or of new territory annexed for the consolidation of wards or for the reapportionment of all wards of said city the said president judge may appoint a commission consisting of three electors of said city freeholders therein for the purpose of considering and carrying out the prayer of the petitioner or petitioners and it shall be the duty of said Commission to make a draft of the ward wards or city to be divided consolidated apportioned o reapportioned into wards showing the divisions thereof or of the new ward or wards proposed to be created as the case may be and such commission shall make a report by a majority of its members to the said president judge of said court of common pleas together with their recommendation concerning the same Provided however That no ward provided for in said report shall contain a population of less than three thousand inhabitants according to the last decennial United States census

Section 2 If the said commission or a majority of the members thereof shall make a report recommending such division creation consolidation apportionment or reapportionment and attach to said report a draft or map of the ward or wards to be divided created consolidated or apportioned showing the divisions thereof or of the new ward or wards proposed to be created and case of reapportionment of all the wards of said city showing said apportionment or reapportionment and said report is approved and confirmed finally by said president judge it shall be the duty of the councils to prepare an ordinance for carrying said report so approved and confirmed into effect which ordinance when introduced into councils shall be published in the newspaper or newspapers having the contract for the city advertising once a week for two successive weeks before the final consideration and passage thereof

Section 3 In case the said report is carried into effect by the passing of an ordinance as provided in the foregoing section all councilmen aldermen constables and other elective officers affected by said report and said ordinance shall continue in office and perform their respective duties until the expiration of the terms for which they were severally elected and their successors shall be elected under the provisions of the law regulating the election of said officers in cities of the third class

Section 4 Proceedings under this act may be instituted at any time after the passage of this act but afterward not oftener than once after the taking of each decennial United States census

On the question,

Will the House agree to the bill on third reading?

Mr. WALTON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section two, line six, after the word "and" insert the word "in."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to call up House Bill 845, file folio 1053, page 12 of to-day's calendar.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845, entitled:

An act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Wesern Disrict

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend secion one, line five, after the word "and" insert the word "live."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. WILDMAN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 290, file folio 1005, on page 20 of to-day's calendar.

The SPEAKER. Will the House give unanimous consent for the consideration at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 290, entitled:

An act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. WILDMAN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Section one, strike out all after the enacting clause and insert in lieu thereof the following:

Section 1 Robert Stewart a citizen of Dauphin County Pennsylvania is hereby authorized to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Robert Stewart by the said Commonwealth of Pennsylvania for work done and performed and material furnished in and about the improvement of Capitol Park heretofore done performed and furnished at the request of the Superintendent of Public Grounds and Buildings

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

REPORT OF QOMMITTEE APPOINTED TO INVESTIGATE DUAL OFFICE HOLDING.

Mr. GEISER asked and obtained unanimous consent to present the preliminary report of the Committee appointed under resolution No. 10 to inquire into the facts of persons employed in more than one position in the several departments of the Commonwealth, which was read as follows:

TO THE HONORABLE THE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA.

Your committee, consisting of Honorable F. E. Geiser, Chairman; Hon. Charles J. Roney, Jr., Secretary, Hon. J. H. De Frees, Hon. Charles A. Schaffer and Hon. William D. Walton, appointed by your Honorable Body by virtue of a resolution adopted by the House of Representatives on the 19th day of February, 1913, as folllows:

"Whereas, It is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered.

"Therefore, Be it Resolved, That a Committee of five members of the House of Representatives be appointed by the Speaker of the House, two of whom shall be Democrats shall be and are hereby constituted a committee to inquire into the facts and to make report of their finding to the House within thirty days. Such Committee shall have full power to administer oaths and to compel attendance of witnesses and the production of all books and papers, to issue all necessary processes and to exercise all the powers belonging to a committee of the House of Representatives," reports:

The Committee regularly organized and selected one of its members, to wit, Honorable Charles J. Roney, Jr., its Secretary.

In the performance of its duties under the above resolution, the Committee directed its subpoena of the following form:

COMMONWEALTH OF PENNSYLVANIA, SS:

THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA TO

.....

Greeting:—We command you that setting aside all manner of business and excuses whatsoever you be and appear in your proper person before the Special Commission of this House appointed to investigate the matter of persons holding more than one position under any department or office of this Commonwealth, at a meeting of the said Commission to be held on the 12th day of March, 1912, at Room 508, State Capitol, Pennsylvania, at 5.00 P. M. o'clock, to testify all and singular those things which you shall know concerning the matter under investigation, and that you bring with you

.....

and this you are not to omit under penalty.

Witness the said Special Commission by hand and seal of the Secretary thereof this 12th day of March, 1913.

(Signed,) CHARLES J. RONEY, JR., (Seal.))
Secretary.

to issue and be served by the Sergeant-at-Arms of the House of Representatives and his several assistants upon various witnesses, commanding them to appear in their proper person before this Committee at 5.00 o'clock P. M. Wednesday the 12th day of March, 1913, in Room 508, Capitol Building, Harrisburg.

The Committee had its subpoena lawfully served by the Sergeant-at-Arms of the House of Representatives and his several assistants upon the following persons, to wit:

Walter Gaither, Secretary to the Governor.
George Thorn, Secretary of the Commonwealth's office.
George Kendlehart, Secretary of the Commonwealth office.
John F. Whitmore, Secretary of the Commonwealth office.
H. D. Jones, State Treasurer's Department.
James Craig, Deputy Secretary Internal Affairs.
Cassius A. Dunn, Executive Department.
Harry McDevitt, Controller's Department.
Samuel P. Todd, Controller's Department.
M. B. Eisenhart, Department of Internal Affairs.
James N. Robin, Adjutant General's Department.
E. T. Oswald, Office of Supt. Bldgs. & Grounds, commanding their presence before this Committee to testify all and singular those things which they may know concerning the matter under investigation at the above hour and place.

The Committee convened and sat at the above place and hour for the purpose of its appointed duty, but was not attended by any of the said witnesses so commanded to appear.

Your Committee therefore reports to your Honorable Body the failure and refusal of the said persons duly subpoened to appear before your said Committee as commanded of them so to do by the authority given this Committee by resolution of your Honorable Body.

Your Committee reports these facts to the House of Representatives that your Honorable Body may do as in its wisdom and power it deems wise, and your Committee awaits the further action of your Honorable Body before making report to the House of Representatives of its findings as commanded by the resolution.

(Signed,) FREDERICK E. GEISER,
Chairman.
W. D. WALTON,
J. H. De FREES,
C. A. SHAFFER,
CHARLES J. RONEY, JR.,
Secretary.

Mr. WALTON. Mr. Speaker, as the Governor's message in connection with this matter is in the hands of the Judiciary General Committee for consideration, I move you that this report be committed to the Judiciary General Committee.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. WALNUT, from the Committee on Labor and Industry, reported as amended, House Bill No. 105, entitled:

An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Chief Factory Inspector and other, by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof, and by repealing all acts and parts of acts inconsistent with the provisions thereof

Mr. WALNUT from the Committe on Labor and Industry, reported as amended, House Bill No. 119, entitled:

An Act to provide for the health, safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages, by restricting their hours of labor and regulating certain conditions of their employment, by requiring employment certificates and badges for certain children and prescribing rules for the issuance, re-issuance, filing return and recording thereof, by providing that the chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by officers of the department of Factory Inspection and the Department of Mines, by the superintendent of public instruction by officers of the boards of School Directors and by Police Officers; prescribing penalties for violations of the provisions of this act; and defining private prosecutions for violations thereunder; prohibiting suspensions of sentence for second and subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith.

Mr. ULERICH, from the Committee on Banks and Banking, reported with a negative recommendation, House Bill No. 1220, entitled:

An act requiring the stamping of checks when presented for payment but where there shall be no funds or not sufficient funds to pay same and providing a penalty

Mr. NEEL, from the Committee on Appropriations, report as committed House Bill No. 607, entitled:

An act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety five and fifty-one hundredths dollars inadvertently and erroniously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company.

Mr. McCLINTOCK, from the Committee on Elections, reported as amended, House Bill No. 223, entitled:

An Act to amend an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" as amended by an act approved the sixteenth day of April one thousand nine hundred and three entitled "An Act amending an act entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers"

Mr. FREY, from the Committee on Judiciary General, reported as committed House Bill No. 684, entitled:

An Act to repeal section 2 of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made"

Mr. FREY, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 572, entitled:

An Act providing for the relocating and marking at the expense of the proper county of the corners of all original warrantee tracts, and for the survey of lands in connection therewith.

Mr. COX, from the Committee on Judiciary Local, reported as committed, House Bill No. 1167, entitled:

An Act authorizing the appointment by the County Commissioners in counties having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants a Board of Assessors consisting of not less than six (6) nor more than twelve (12) assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

Mr. COX, from the Committee on Judiciary Local, reported as committed, House Bill No. 1234, entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association, society person or family by the Courts of this Commonwealth

Mr. ELY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1125, entitled:

An Act to prevent the polution of the waters of the rivers streams and lakes of this Commonwealth by requiring manufacturers to post upon the premises in a public and conspicuous place a permit to discharge refuse sewage offal or other matter in said rivers streams and lakes and such permit to be signed by the Commissioner of Health of this State and countersigned by the President of the local Board of Health providing for penalties for any violation thereof

Mr. WALSH, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 201, entitled:

An Act to amend section one and repeal section two of an act entitled "An Act to further define the police power of cities of the third class and boroughs with reference to electric light wires" approved April twenty-eight Anno Domini one thousand nine hundred and three extending its provisions to telegraph and telephone companies and empowering municipalities to purchase or condemn conduits

Mr. McALEER, from the Committee on Banks and Banking, reported as committed, House Bill No. 1105, entitled:

An Act to amend the first section and the second section of an act entitled "An Act constituting County Commissioners County Controller and County Treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a Board having the power to appoint depositories of county funds defining the powers of said Board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of Acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the County Commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

Mr. O'NEIL, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 643, entitled:

An act to regulate the practice of Natural or Drugless methods of healing in the State of Pennsylvania and to provide for a State Board of Naturopathic or Drugless Examiners to define the powers and duties of said Board to provide for the examiing and licensing of Naturopathic Natural or Drugless practitioners in the State and to provide penalties for the violation of this act

Mr. O'NEIL, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 429, entitled:

An act to regulate the practice of Neuropathy in the State of Pennsylvania to provide for the establishment of a State Board of Neuropathic Examiners to define the powers and duties of said Board of Neuropathic Examiners to provide for the examining and licensing of neuropaths in this State and to provide penalties for the violation of this act

Mr. WILTBANK, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 620, entitled:

An act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one etitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-room and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine and other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure"

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as amended, House Bill No. 962, entitled:

An act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approvtd the eighteenth day of April one thousand nine hundred and five

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1201, entitled:

An act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eighyt-five entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marriage" as amended

Mr. WALTER ALLEN BLAIR, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1153, entitled:

An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

Mr. DAVIS, from the Committee on Judiciary Local, reported as committed, House Bill No. 1199, entitled:

An act to prohibit the clerk of Orphans' Court from issuing a marriage license to persons of Caucasian and Ethiopian descent who desire to intermarry

Mr. STEEDLE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 937, entitled:

An act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

Mr. SWARTZ, from the Committee on Judiciary Local, reported as committed, House Bill No. 1147, entitled:

An act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants

Mr. ISLER, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 899, entitled:

An act to amend an act entitled "An Act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violation of its provisions to be a misdemeanor and providing penalties for violations thereof' approved the fifth day of March one thousand nine hundred and six

Mr. DOWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1145, entitled:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 554, (Senate Bill No. 14), entitled:

An act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paving compensation and damages therefore" as amended by the first section of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

Mr. KITTS, from the Committee on Judiciary General, reported as committed, House Bill No. 1083, (Senate Bill No. 160), entitled:

An act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed, House Bill No. 562, entitled:

An act to fix the salaries of the clerks of the State Department in the office of the County Treasurer of any County of this Commonwealth having a population of one million or over

Mr. FOSTER, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 940, entitled:

An act defining and regulating the occupation of barbering providing for the licensing of persons engaged in barbering providing for the regulation of students of barbering and the regulation of barber shops barber schools and barber colleges and fixing penalties for violation of this act.

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 793, entitled:

An act providing for the establishment of standard paper ink typewriter ribbons and stamping pads by the Division of Public Records and requiring the use of the same by all departments or offices of the Commonwealth and of each county city and borough in the keeping of public records and providing penalties for the violation of this act

Mr. HUMES, from the Committee on Elections, reported as amended, House Bill No. 461, entitled:

An act to further amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at 11:25 P. M., the House adjourned until tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

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HOUSE OF REPRESENTATIVES

THURSDAY, March 13th, 1913.

The House met at 10:00 A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, we are coming toward the close of another legislative week, a week in which earnest and faithful work has been wrought; great questions have been submitted to us; stirring interests have demanded our attention and our thought. We have sincerely and honestly tried to solve the problems presented to us. We have used the faculties with which Thou hast gifted us, our reason, our judgment and our will. We have called upon our conscience to serve us, and have tried to descriminate between the true and false, between the right and the wrong. If we have made mistakes, dear Lord, or committed indiscretions, through inadvertance we have wandered from the path and have said or have done the thing which was wrong, wilt Thou graciously forgive us, remembering the infirmities to which we are subject. Hold us not too strictly to account for we are fallible men, liable to mistake, prone to err. Let us know that forbearing and generous love which our Lord so beautifully illustrated when here on earth, let none of us at any time deliberately go wrong. Keep back Thy servants from the presumptuous sins; let them not have dominion over us. We ask all this in the name and for the sake of Jesus Christ, our Saviour and Lord, Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of yesterday's proceeding when on motion of Mr. JAMES A. DUNN, the further reading of the Journal was dispenesed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BENSON. House Bill No. 1348.

A joint resolution proposing an amendment to the constitution of Pennsylvania providing for the Initiative and Referendum.

Referred to the Committee on Constituitonal Reform.

By. Mr. J. J. CAMPBELL. House Bill No. 1349.

An Act to regulate the temperature of milk and cream intended to be shipped, sold or offered for sale.

Referred to Committee on Agriculture.

By Mr. CLEARY. House Bill No. 1350.

An Act to amend an act, entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding," approved the eighth day of May, one thousand eight hundred and seventy-six, with its amendments providing for service of notice of attachment upon persons, firms, associations and corporations.

Referred to the Committee on Judiciary Local.

By Mr. MARTIN. House Bill No. 1351.

An Act permitting boards of school directors to reimburse certain teachers taking a special courts of instruction during the annual vacation.

Referred to Committee on Education.

By Mr. DeFREES. House Bill No. 1352.

An Act amending the second section of an act approved the thirteenth day of June, one thousand eight hundred thirty-six entitled "An Act relating to roads, highways and bridges," by designating the termini of all roads and highways and authorizing the laying out of roads and highways with a single terminus on a highway or place of public resort.

Referred to Committee on Public Roads.

By Mr. DeFREES. House Bill No. 1353.

An Act making an appropriation of two hundred dollars per year, for a period of two years, for the purpose of maintaining a public road through the Cornplanter Indian Reservation, and the bridges on said road, in Elk township, Warren County, Pennsylvania.

Referred to Committee on Public Roads.

By Mr. HEIDINGER. House Bill No. 1354.

An Act making it a misdemeanor to sell or offer for sale, any ticket or tickets for admission to, or for a seat or seats in any theatre or place of public amusement or entertainment for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement or entertainment; and providing the penalty for violations of the provisions of such act.

Referred to Committee on Judiciary Special.

By Mr. WALNUT. House Bill No. 1355.

An Act to make the letting or leasing or locating of a building or premises for use as a bawdy house or place of prostitution or assignation a misdemeanor, by the owner or agent of the owner of such premises, and to provide for the termination of all lettings and leases of buildings and premises used or occupied for such purposes, and for the recovery of possession thereof.

Referred to Committee on Law and Order.

By Mr. MANNION. House Bill No. 1356.

An Act to amend section 2 of an act enttiled "An Act to authorize the erection of a poor house by the city of Carbondale in the County of Luzerne approved the 9th day of March A. D. 1860, so as to increase the real estate holdings of said poor district for almshouse.

Referred to Committee on Judiciary Local.

By Mr. AMBLER. House Bill No. 1357.

An Act concerning building regulation and inspection in townships of the first class.

Referred to the Committee on Counties and Townships.

By Mr. AMBLER. House Bill No. 1358.

An Act to prevent the wanton or unnecessary destruction of paved and macadamized highways, requiring certain vehicles to be provided with brake, and authorizing municipal authorities to make rules as to the use of traction engines, catamarans and like vehicles and generally to regulate heavy hauling.

Referred to Committee on Public Roads.

By Mr. BROSIUS. House Bill No. 1359.

An Act to repeal the first section of an act approved the third day of June, one thousand nine hundred eleven, entitled "An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds, and prescribing penalties for violation of its several provisions.

Referred to Committee on Game.

By Mr. JOHN H. YOUNG. House Bill No. 1360.

An Act amending sections fifty-two and fifty-three of an act approved the twenty-ninth day of March, one thousand eight hundred thirty-two, entitled "An Act relating to Orphan's Courts," providing that service of notice be given by registered mail where service cannot be had personally.

Referred to Committee on Judiciary General.

By Mr. JOSEPH GRAY. House Bill No. 1361.

An Act prohibiting the selling or furnishing of intoxicating liquors on certain days, and providing a penalty.

Referred to Committee on Law and Order.

By Mr. JOSEPH GRAY. House Bill No. 1362.

An Act authorizing H. W. Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodman Lumber Company, to bring suit in the Court

of Common Pleas of Cambria County against the Commonwealth of Pennsylvania.

Referred to Committee on Judiciary General.

By Mr. SNAVELY. House Bill No. 1363.

An Act to give owner of a stallion or jack a lien on certain property for service rendered; and providing a method for enforcing such lien.

Referred to Committee on Agriculture.

By Mr. JOHN H. YOUNG. House Bill No. 1364.

An Act relative to changing names of persons in this Commonwealth, regulating the practice thereof, and fixing the costs to be taxed.

Referred to the Committee on Judiciary General.

By Mr. JACKSON. House Bill No. 1365.

An Act to amend an act approved the eighth day of May, one thousand nine hundred and one, entitled "An Act to incorporate the Milanville Bridge Company, in Wayne County, Pennsylvania."

Referred to the Committee on Judiciary Local.

By Mr. CLEARY. House Bill No. 1366.

An Act making an appropriation to the Nesbit West Side Hospital of Dorrenceton, Luzerne County, Pennsylvania.

Referred to Committee on Appropriations

By Mr. STEELE. House Bill No. 1367.

An Act empowering County Controllers to designate a clerk in his office, other than the chief clerk to countersign warrants on the County Treasurer when properly drawn during such periods as any said County Controller may have so designated such clerk in writing to the County Treasurer, in Counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants.

Referred to the Committee on Judiciary General.

By Mr. STEELE. House Bill No. 1368.

An Act authorizing the Water Supply Company of Pennsylvania to locate, construct, maintain and operate a reservoir at, or in the vicinity of the head waters of the Youghiogheny River, upon lands situate wholly in this State or partly in this State ,and partly in the State of Maryland, for the purpose of controlling and regulating the flow of the said Youghiogheny river, and the river or rivers to which it is tributary, defining the powers of said Commission for the purpose; providing for the payment of damages for property and rights taken in exercise of the right of eminent domain herein conferred, and making an appropriation for carrying out the provisions of this act.

Referred to Committee on Judiciary Local.

By Mr. CLAYCOMB. House Bill No. 1369.

An Act to appropriate the sum of fifty thousand dollars as a part contribution toward the erection of a memorial building in the City of Altoona, in the County of Blair and State of Pennsylvania, in commemoration of the Conference of the Governors of sundry loyal States, held September twenty-fourth and twenty-fifth, eighteen hundred and sixty-two, to adopt measures for a more efficient support of the Government in suppressing the rebellion.

Referred to the Committee on Appropriations.

PETITIONS.

PROTESTING AGAINST THE CLUB LICENSE BILL.

The SPEAKER presented the petition of citizens of Philadelphia County, protesting against Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. CLAYCOMB presented the petition of citizens of Blair County, protesting against Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. EWING presented the petition of citizens of Philadelphia County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING AMENDMENT TO SPROUL ROAD BILL.

Mr. WHITMAN presented the petition of citizens of Venango County, praying for the amendment to the Sproul Road Law Act May 31, 1911, Section 6.

Which was referred to the Committee on Public Roads.

FAVORING SENATE BILL NO. 28.

The SPEAKER presented the petition of the Grand Army Association of Allegheny County, praying for the passage of Senate Bill No. 48 and for reading and filing in the House of his preamble and resolutions.

Which was referred to the Committee on Appropriations.

FAVORING TENURE OF OFFICE BILL.

Mr. MANNION presented the petition of citizens of Carbondale, Lackawanna County, praying for the passage of the School Teachers' "Tenure of Office Bill."

Which was referred to the Committee on Education.

FAVORING PROTECTION OF GAME.

Mr. BLAIR presented the petition of citizens of Greene County, asking for the protection of the skunk and red fox against the fur hunters.

Which was referred to the Committee on Agriculture.

RELATIVE TO FISH AND GAME.

Mr. ULERICH presented the petition of citizens of Westmoreland County, relating to Fish and Game.

Which was referred to the Committee on Game.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOL

Mr. CLAYCOMB presented the petition of citizens of Blair County, praying for the passage of bill in reference to providing for reading of the Bible in the Public Schools.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Lehigh County, praying for the passage of bill requiring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Philadelphia County, praying for the passage of the bill for the reading of the Holy Bible in the schools of the Commonwealth.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of citizens of Montgomery County, protesting against appropriating State monies for Sectarian institutions; also endorsing reading of the Bible in Public Schools.

Which was referred to the Committee on Education.

FAVORING HUNTER'S LICENSE BILL.

Mr. SWIFT presented the petition of citizens of Beaver County, praying for the passage of Resident Hunters' License Bill.

Which was referred to the Committee on Game.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Lorenzo Smith for the balance of the week.

Mr. McKAY asked and obtained leave of absence for Messrs. Kenna and Wettach for the balance of the week.

Mr. W. H. WILSON asked and obtained leave of absence for Mr. Frank Gray for the balance of the week.

Mr. MARTIN asked leave of absence for Mr. Lenker for the balance of the week.

RESOLUTION TO INVESTIGATE THE SERVICE AND EFFICIENCY OF OFFICERS AND EMPLOYES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Mr. HUMES. Mr. Speaker, I offer the following resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows

Whereas, This House by its action on the concurrent resolution introduced in the Senate and presented here for concurrence on January 21," expressed its desire that an investigation be had as to the number and compensation of officers and employes of the House and Senate, and

Whereas, That resolution required a report of the Committee to be appointed for the purpose of making the investigation on the twelfth day of March, and

Whereas, That date having passed without consideration having been given the resolution by the conference committee of the two Houses,

Therefore, Be it resolved,

That a commission consisting of five members of the House of Representatives be appointed to investigate as to the necessity for efficiency, number and salaries of the officers and employes of the Senate and House of Representatives, and to report to the House not later than April first; such commission shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers, to issue all necessary processes and to exercise all of the powers belonging to a committee of the House.

Mr. HUMES. Mr. Speaker, I move the suspension of rule 66, for the purpose of the consideration of this resolution at this time.

Mr. WALNUT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Chair declared itself in doubt,

Whereupon, a rising vote was taken, sixty-six gentlemen having voted in the affirmative and forty-seven in the negative, the question was decided in the affirmative and the motion adopted.

Mr. SPEAKER. Rule 66 will be suspended for the purpose of permitting the consideration of the resolution offered by the gentleman from Crawford.

Mr. HUMES. Mr. Speaker, both houses of this Assembly have declared a necessity for such an investigation as is called for by this resolution. The necessity was expressed in the adoption of the concurrent resolution which carried with it an investigation of all of the other departments of the State Government and requiring a report from the Commission on the 12th day of March. That resolution is now in the hands of a Conference Committee of the two Houses by reason of the difference of opinion between the Houses as to whether or not the investigation should include all the departments of the State Government or be confined to the officers and employes of House and Senate. It was apparent to all of us that investigation could not be had of all the departments of the State Government and a report made during the present session of the General Assembly. Consequently, it was a watste of effort to pass that resolution in its original form, as viewed, at least, by this House and refused to concur in the Senate contention that the investigation should extent to other departments than the House and Senate.

That resolution died yesterday by reason of the fact that the Conference Committee failed to make a report on it so that it could be acted upon and a commission appointed to report by the 12th day of March. The date of the report of that Commission was not a subject of difference between the two Houses and consequently that conference committee had no control over it in order to change that date. I think we have expressed ourselves heretofore as being in favor of just the investigation that this resolution calls for and that it is incumbent upon us to adopt this resolution in order that we may intelligently investigate and legislate upon the House and Senate employes before the end of this Session. It is no new action on the part of this House to adopt this resolution. It is in keeping with the action already taken. I trust that every member of the House will support this resolution.

Mr. ROCKWELL. Mr. Speaker, I came in a little late and I did not catch the full force of this resolution.

The SPEAKER. The Clerk will read the resolution for information.

On the question,

Will the House agree to the adoption of the resolution?

It was unanimously agreed to.

The SPEAKER. Under the resolution, the appointment will be made by the Chair at this time. The Chair appoints on this Committee: the gentleman from Crawford, Mr. Humes; the gentleman from Westmoreland, Mr. Ulerich; the gentleman from Philadelphia, Mr. Forster; the gentleman from Allekheny, Mr. Kennedy; and the gentleman from Perry, Mr. Donnally.

Granting use of Hall of the House to Committee on Labor and Industry.

Mr. BIGGER. Mr. Speaker, I desire to offer the following resolution.

The SPEAKER. The resolution will be read.

The resolution was read as follows:

Resolved, That the Committee on Labor and Industry be given the use of the hall of the House of Representatives for the purpose of holding a public hearing on the "Minimum Wage Bill" on Wednesday, March 19, at 2:30 P. M.

The SPEAKER. The gentlemen will bear in mind that the House itself is going to have a good deal of use of the hall of the House after this week. If hearings could be held in the House Caucus room, it might be better, unless they are too large.

On the question,

Will the House agree to the resolution?

Mr. MALIE. Mr. Speaker, I would suggest that we change that to the House Caucus room, provided that the Appropriation Committee will let us have it.

The SPEAKER. The Chair would suggest, for the information of the members, that it is not necessary for a resolution to be presented for the use of the hall of the House At a time that the House is not in session, the Speaker has authority to permit a committee to hold a session in this hall without a resolution. If the House is not in session at that time, there will be no difficulty about the Committee holding a session here.

Mr. MALIE. Well, that will be satisfactory.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Judiciary Local, reported as committed, House Bill No. 1065, entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie, at or near the mouth of Indian Creek in the State of Ohio, with all appurtenances necessary or convenient for the purpose, and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain Counties in the State of Pennsylvania, Ohio and West Virginia, or any of them, and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a Canal Board to have charge of said work; prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement, in the manner provided in this act, of said Counties contributed to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and Treasurer of this Commonwealth; authorizing the said Canal Board to make certain rules and regulations for the use of said canal, and making violations thereof misdemeanors and providing penalties therefor, and making an appropriation for carrying out certain provisions of this act.

Mr. McCAIG, from the Committee on Judiciary Local, reported as committed, House Bill No. 1066, entitled:

An Act providing for the creation of a Commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania, to Lake Erie at or near the mouth of Indian Creek in the State of Ohio, and such appurtenances, exclusive of a harbor on Lake Erie, as may be deemed necessary or convient for the purpose and to prepare estimates of the cost of constructing, completing and installing the same, defining the powers and duties of such commission, and making an appropriation to defray its expenses.

Mr. G. A. BALDWIN, from the Committee on Judiciary General, reported as amended, House Bill No. 610, (Senate Bill No. 47), entitled:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An Act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien.

Mr. HERMAN, from the Committee on Education, reported as committed, House Bill No. 690, entitled:

An Act to confer upon the School Board in each public school district of this Commonwealth authority to establish and maintain an auxiliary teachers' Board, defining the duties of auxiliary teachers and providing for their compensation.

Mr. GIBSON, from the Committee on Public Roads, reported as committed, House Bill No. 203, entitled:

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of State Highways therein.

Mr. JACKSON, from the Committee on Education, reported as committed, House Bill No. 908, entitled:

An Act prohibiting the giving or soliciting or receiving of tips and providing a penalty.

Mr. SAVACOOL, from the Committee on Education, reported as amended, House Bill No. 88, entitled:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth, and fixing a day for the observance of the same.

Mr. LANIUS, from the Committee on Judiciary Local, reported as committed, House Bill No. 1176, entitled:

An Act to amend an act approved the fourth day of April, one thousand eight hundred and sixty-eight, entitled "An Act authorizing the erection of a poor house by the townships of North Abington, South Abington and Newton, in the County of Luzerne," by enabling the boroughs of Clark Summit, Dalton, Glenburn and La Plume and the township of West Abington each to elect a poor director of the Lake View district.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 928, entitled:

An Act authorizing the Commissioners of Water Works, of any City of the third class, where in the title to the Water Works therein located is in the name of the Commissioners of Water Works, to extend their pipes and improvements beyond the City Limits, and supply water to persons, corporations and municipalities within the county, and regulating the supply of water.

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1067, entitled:

An Act conferring certain powers upon municipalities of this Commonwealth in and on the public wharves within the limits of such municipalities.

The SPEAKER. The Calendars for today have not been received from the printer. However, the House can work just as well with yesterday's Calendar.

Mr. HUMES. Mr. Speaker, I would like to call up House Bill No. 1051, file folio 1563, on page 8, of yesterday's Calendar.

BILL ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1051, as follows:

An Act making it a misdemeanor for any officer or employe of any of the departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any salaried officer or employe of any of the departments boards or commissions of the State Government to practice as an attorney-at-law directly or indirectly either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government

Section 2 That any such officer or employe violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) which shall be turned into the State Treasury and to imprisonment in the county jail not exceeding one year

Section 3 That all acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage House Bill No. 877, as follows:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be received by the sheriffs of this Commonwealth in all the counties which according to the United States decennial census taken last before the beginning of the term of the said sheriff which contained a population of less than one hundred and fifty thousand inhabitants shall be as follows:

For receiving making endorsements thereon docketing and making returns thereof to each writ rule process decree order bill in equity citation statement or notice issued out of any court one dollar.

For service personally or by copy each writ of scire facias replevin foreign attachment attachment attachment execution injunction mandamus quo warranto partition inquisition or other writ each bill in equity summons rule process decree citation subpoena in divorce statement of claim series of interrogatories proclamation one dollar for the first service and twenty-five cents for every other party or defendant served and twenty-five cents for each copy served or posted in addition to mileage or for serving the same by publication in one or more newspapers when required by law or order of court two dollars and seventy-five cents in each case in addition to the printer's bill

For each service of a subpoena fifty cents for the first name and fifteen cents for each additional name together with mileage.

For executing landlord's warrants writs of levari facias fieri facias venditioni eponas venire facias habeas corpus retorno habendo and replevin one dollar and mileage on each writ in addition to the following For each levy on personal property one dollar and mileage for levying on land each writ one dollar and mileage for advertising personal property to public sale two dollars and seventy-five cents and mileage for advertising real estate to public sale by publication in newspapers two dollars and seventy-five cents each case in addition to the printer's bill for advertising real estate to public sale by handbills one dollar for each case and mileage for summoning and swearing jury and making returns to inquisitions held on said writs four dollars in addition to the jury fees and fee for serving notices and mileage where the inquisition is held on the premises for crying any sale of personal property one dollar and when the same continues longer than three hours three dollars per day for crying sale of land one dollar in each case for clerk hire at said sales when necessary two dollars per day for watchman taking charge of personal property levied when necessary two dollars per day also reasonable expenses for insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense for delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and no commission in such cases to be taken.

For executing writs of habere facias liberari facias dower possession or any necessary process requiring the delivery of possession of real estate or the ejectment or dispossessing of any person or persons of their effects two dollars and mileage and reasonable costs for help when absolutely necessary.

For executing writs of partition inquisition appraisement of real estate or similar writs issued out of any court the following costs for receiving docketing and making returns thereto one dollar for each service fifty cents and mileage for each copy served twenty-five cents for advertising notice two dollars and seventy-five cents in addition to the printer's bill for holding inquisitions four dollars per day and mileage in addition to the jury fees and expenses for executing writs three dollars in addition to artist's or surveyor's fee.

For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For each arrest one dollar and mileage for transportation of each prisoner three cents per mile in addition to necessary help and expenses.

For paying out money made or received on any writ process order or sentence of court two cents on every dollar awarded and applied on any judgment mortgage encumbrance or other claim Provided That the amount does not exceed five hundred dollars in which case one-half cent on every dollar in excess of this amount awarded and applied or paid as aforesaid said commission to be allowed whether the money is paid with or without sale If paid without sale no commission shall be allowed for more than is paid over or received by the creditor.

For levying or paying out fines three cents per dollar to be paid by the party receiving the fine.

For advertising general or special election two dollars and seventy-five cents and mileage in addition to printer's bill to be paid by the county.

For each commitment in any criminal matter including charge of disorderly conduct fifty cents.

For discharging prisoners in any criminal or civil case fifty cents each.

For executing bail-piece one dollar.

For executing death warrant twenty-five dollars in addition to all necessary expenses the same to be paid by the county.

For drawing juries in each general or special term or session of court three dollars in addition to one dollar for executing each venire and for summoning each juror to attend court thirty cents without mileage the same to be paid by the county.

For fee on indictment on every capital case three dollars in every other criminal case one dollar and twenty-five cents the same to be paid by the county.

For appraisement of personal property by virtue of any act of Assembly four dollars for each appraisement this to include fees of apraisers if they are not employed over one day.

For making and acknowledging deeds three dollars to be paid by the purchaser and to include fee of prothonotary for acknowledging the deed but not to including fee for recording.

For traveling expenses or mileage in serving or executing any of the writs rules orders decrees processes or performing any of the duties or services herein specified and intended to be done or authorized by law the sheriff shall be entitled to receive and have taxed as costs six cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order process or service performed Provided that he shall not receive more than one mileage where the plaintiff and the defendant or plaintiffs and defendants in two or more contemporaneous writs to processes are the same Provided further For conveying prisoners to the penitentiary house of correction or reformatories or any insane person to an asylum he shall receive the sum of three dollars per day for each day necessarily spent with mileage of six cents per mile circular for each miles necessarily traveled and for each assistant allowed by the court two dollars and fifty cents per day with same mileage to be paid by the county.

For services performed in his capacity as conservator of the peace or police officer in suppressing riots and insurrections and where discharging the duties requiring the summoning of a posse comitatus or special deputy sheriffs the said sheriff shall receive a per diem compensation of three dollars per day together with mileage and necessary expenses including subsistence for himself and those under him the same to be paid by the county.

For all services performed by the sheriff but more properly belonging to the jurisdiction of a constable he shall receive the same fees as a constable is entitled to according to law.

For serving any rule process decree or order of court not hereinbefore specifically provided for the sheriff shall receive one dollar and mileage.

For the execution of any matter directed to the sheriff or authorized by law or rule of court for services not herein provided for the sheriff shall receive the same fees as for similar services herein provided for.

Section 2 All sheriff's costs and fees shall be due and payable when the services are performed and it shall be lawful for him to demand and receive from the party instituting the proceedings or any party liable for the costs thereof all unpaid sheriff's fees and costs on the same before he shall be obliged by law to make return thereof and in case he does not choose to collect his fees in that manner he shall file with each return he makes a correct itemized list of his costs on or before the return day thereof which costs shall be taxed by the clerk of the court or prothonotary

Section 3 The several sheriffs in this Commonwealth affected by this act shall be and are hereby required to make fair and correct tables of their respective fees according to this act and to publish and keep a copy of the same in their respective offices in some conspicuous place for the inspection of all persons who have business in said offices and it shall be the duty of every sheriff their deputy or agent if a demand for that purpose shall be made at the time of or immediately after receiving any of their fees or any written security therefor to deliver an itemized statement or bill of particulars specifying the several items contained therein and the amount thereof and to give the party paying such fees a receipt in full therefor or to indorse on such written security when taken that the same was given for fees and to sign the endorsement so made

Section 4 All acts or parts of acts in force at the date of the passage of this act inconsistent with the provisions are hereby repealed Provided The provisions of this act shall not apply to any sheriff holding office at the time of the approval of this act Provided further that the provisions of this act shall not be construed to repeal any local or special laws

On the question,

Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker and Gentlemen of the House, just a word of explanation as to the character of this bill. Under the general sheriffs' fee bill of 1901, there arose a great agitation throughout the smaller counties as to the high cost of the sheriff's fees, and after considerable agitation the General Assembly of 1911 passed a sheriff's fee bill applying to counties of 130,000 and under. Some of the courts held that we could not classify counties in that relation, less than 150,000 population. Thus we had some of the counties going under the act of 1911 and some of them not, making a discrepancy in the different counties. This bill was introduced, word for word, as the Act of 1911, and simply changes the classification from 130,000 up to 150,000 population, making it constitutional.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 144

Adams,	Dunn, J. A.,	Latshaw,	Rockwell,
Allen,	Ehrhardt,	Leslie,	Roney,
Baldwin, G. A.,	Eichenberger,	Letzkus,	Runk,
Barner,	Ely,	Light,	Sassaman,
Bass,	Ewing,	Lohr,	Savacool,
Bayle,	Flynn,	Lowers,	Schaeffer, A. C
Benninger,	Foster, J. D.,	Malie,	Schuck,
Benson,	Geary,	Mannion,	Scott, J. R. K.,
Bergey,	Geiser,	Matt,	Scott, S. B.,
Berntheizel,	Glenn,	McAleer,	Shaffer, I. E.,
Bigger,	Grabe,	McAllister,	Shern,
Bittles,	Gramley,	McArdle,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McClintock,	Showalter,
Bleloch,	Haggerty,	McDermott,	Smith, J. W.,
Body,	Heidinger,	McKay,	Snyder,
Brosius,	Herman,	Mechling,	Spangler,
Brown,	Hibshman,	Mellott,	Steedle,
Brownlee,	Hobbs,	Metzenbacher,	Steele,
Burnett,	Howard, J.,	Moses,	Stein,
Caldwell,	Howard, R.,	Moulthrop,	Stone,
Campbell, C.M.,	Humes,	Murphy,	Strauss,
Campbell, J.J.	Isler,	Musser,	Swartz,
Carson,	Irwin, G. C.,	Neel,	Swift,
Cheeseman,	Irwin, H. H.,	Neely,	Thomas,
Claycomb,	Jackson,	Newbaker,	Trach,
Cleary,	Jones, E. E.,	Newton,	Ulerich,
Cochran,	Jones, J. R.,	North,	Ulman,
Collins,	Kaiser,	O'Neill,	Walton,
Conner,	Keegan,	Pennegar,	Whitman,
Conniff,	Keeport,	Pennock,	Williams,
Conrade,	Kern,	Piper,	Wilson, J. H.,
Cox,	Kitts,	Post,	Wilson, W. H.,
Currier,	Klepper,	Price,	Wiltbank,
Curry,	Kuhn, H. P.,	Ramsey,	Young, J. H.,
Davis,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Donnally,	Lanius,	Rhoads,	Alter,
Dunn, H. B.,			Speaker.

NAYS 5

Blair, W. F.,	Good,	Hemminger,	Miller,
	Whitaker,		

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 483, as follows:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entiled "An Act imposing additional taxes for State purposes and to abolish the revenue board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purpose and to abolish the revenue board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the revenue board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purposes and to abolish the revenue board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts" which as amended reads as follows

"Section 4 That the treasurer of each school district county and city the burgess or other chief officer of each incorporated district of borough of this Commonwealth within ninety days after the passage of this act shall make return under oath or affirmation to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding by said county city incorporated district school district borough or incorporation as the same existed on the first day of January one thousand eight hundred and sixty-four and of each succeeding year thereafter together with the rates of interest thereon at each of those periods under the penalty of five thousand dollars the amount to be settled by the Auditor General and the amount thereof sued for and collected as debts due by defaulting public officers are collected Provided That on the receipt of said returns the Auditor General shall proceed to settle the accounts of each county city incorporated district school district and borough with the Commonwealth fix the State tax due and unpaid and transmit notice of the amount by mail to officers making said returns and that if the amount so found due shall not be paid within sixty days the Attorney General shall sue and collect the same with interest from the date of such settlement and hereafter it shall be the duty of the treasurer of every county city borough school district and incorporated district in this Commonwealth to deduct the said State tax on payment of any interest or dividend on debts due by the county city borough school district or incorporated district and pay the same over to the State Treasurer within thirty days after the said interest or dividend has fallen due" is hereby further amended to read as follows

Section 4 That the treasurer of each school district county and city the burgess or other chief officer of each incorporated district or borough of this Commonwealth within ninety days after the passage of this act shall make return under oath or affirmation to the Auditor General of the amount of scrip bonds or certificates of indebtedness outsanding by said county city incorporated district school district borough or incorporation as the same existed on the first day of January one thousand eight hundred and sixty-four and of each succeeding year thereafter together with the rates of interest thereon at each of those periods under the penalty of five thousand dollars the amount to be settled by the Auditor General and the amount thereof sued for and collected as debts due by defaulting public officers are collected Provided That on the receipt of said returns the Auditor General shall proceed to settle the accounts of each county city incorporated district school district and borough with the Commonwealth fix the State tax due and unpaid and transmit notice of the amount by mail to officers making said returns and that if the amount so found due shall not be paid within sixty days the Attorney General shall sue and collect the same with interest from the date of such settlement and hereafter it shall be the duty of the treasurer of every county city borough school district and incorporated district in this Commonwealth to deduct the said State tax on payment of any interest or dividend on debts due by the county city borough school district or incorporated district and pay the same over to the State Treasurer within thirty days after the said interest or dividend has fallen due The State Treasurer shall within thirty days after the receipt of said State tax return seventy-five per centum thereof to the treasurer of the respective county city borough school district or incorporated district for the use thereof

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Adams,	Ely,	Leslie,	Rothenberger,
Allen,	Flynn,	Letzkus,	Runk,
Alworth,	Forster, I. G.,	Light,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Lohr,	Savacool,
Barner,	Frey,	Lowers,	Schaeffer, A. C
Bass,	Gans,	Mahle,	Schuck,
Bayle,	Geiser,	Mannion,	Scott, J. R. K.,
Benninger,	Gibson,	Martin,	Scott, S. B.,
Benson,	Glenn,	Mather,	Semmens,
Bergey,	Good,	Matt,	Shaffer, C. A.,
Berntheizel,	Grabe,	McAleer,	Shaffer, I. E.,
Bigger,	Gramley,	McAllister,	Sherwood,
Bittles,	Gray, Joseph,	McArdle,	Showalter,
Blair, W. A.,	Hackett,	McCaig,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McClintock,	Snavely,
Bleloch,	Heidinger,	McDermott,	Snyder,
Body,	Hemminger,	McKay,	Spangler,
Brosius,	Herman,	Mechling,	Steedle,
Brown,	Hibshman,	Mellott,	Steele,
Brownlee,	Hobbs,	Metzenbacher,	Stein,
Burnett,	Hoffman,	Miller,	Strauss,
Caldwell,	Howard, J.,	Mitchell,	Swartz,
Campbell, J.J.	Howard, R.,	Morrow,	Swift,
Carson,	Isler,	Moses,	Thomas,
Cheeseman,	Irwin, G. C.,	Moulthrop,	Trach,
Claycomb,	Irwin, H. H.,	Murphy,	Ulerich,
Cleary,	Jackson,	Neely,	Ulman,
Cochran,	Jones, E. E.,	Newbaker,	Walnut,
Conner,	Jones, J. R.,	Newton,	Walton,
Conniff,	Kaiser,	North,	Whitaker,
Conrade,	Keegan,	O'Neill,	Whitman,
Cox,	Keeport,	Pennegar,	Wildman,
Currier,	Kennedy,	Pennock,	Williams,
Curry,	Kern,	Piper,	Wilson, J. H.,
Davis,	Kitts,	Post,	Wilson, W. H.,
Dickinson,	Klepper,	Price,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Dunn, J. A.,	Lanius,	Rhoads,	Zimmerman,
Ehrhardt,	Latshaw,	Roney,	Alter,
Eichenberger,			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 82, as follows:

An Act authorizing and regulating the employment on highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every male person who has served an imprisonment of thirty days and still has a balance of his sentence to serve in the county jail or prison of any county may be employed by the county commissioners of such county but not for more than eight hours in any one day and not more than six days in any one week in the construction improving repairing maintaining or working of any highway or poor farm in such county

Section 2 The employment of such prisoners on the county highways or poor farms shall be under such regulations as the county commissioners may prescribe but the services of any such prisoner may not be let or leased or sold to any person or firm or corporation Such number of guards may be employed as the commissioners may deem necessary at a compensation not to exceed two dollars and fifty cents per day each

Section 3 If such employment shall render it impracticable to feed such prisoners in the jail or prison it shall be the duty of the person or persons directed by law to feed prisoners in the prison or jail to provide such prisoners while at work with such meals as may be necessary An extra compensation therefor may be paid by the county commissioners not to exceed ten cents per day for each prisoner so employed

Section 4 If any person guarding any prisoner so employed shall perform his duties so negligently as to permit any prisoner to escape or shall willfully permit or aid any prisoner to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the county jail of the proper county for a period not exceeding one year If any person not being on guard shall aid any prisoner so employed to escape he or she shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this section

Section 5 If any prisoner so employed shall escape or attempt to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the proper county jail for a period of one year Such prisoner so convicted shall not be released on probation or parole such sentence shall take effect upon the expiration of the term of the original sentence

Section 6 All acts and parts of acts inconsistent with this act are repealed

On the question.

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. KUHNS. Mr. Speaker, and Gentlemen of the House, on account of a mistake of the printer in copying the amendments I presented I would like to have the unanimous consent of the House to present further amendments to make the proper correction, and therefore I move that the vote by which this bill passed third reading be reconsidered.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. KUHNS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section one line ten, by inserting after the word "on" the word "County."

Also amend the title in line one by inserting after the word "on" the word "County"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 503, as follows:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all agreements and contracts in writing for the barter and sale or exchange of lands tenements or hereditaments situate in the Commonwealth of Pennsylvania may be recorded in the office of the recorder of deeds in and for the county where the subject of the agreement is situate provided such agreements or contracts have been duly executed and acknowledged in accordance with existing laws as to the acknowledgments of deeds by the owner or owners of the said lands tenements or hereditaments in person or by an attorney duly constituted and empowered by letter or attorney duly executed and acknowledged in accordance with existing statutes and recorded in the office of the recorder of deeds for the said county And provided further That where any such agreement or contract shall contain a stipulation that the said agreement or contract shall not be placed of record the same shall not be entitled to be admitted to record under the provisions hereof or any other act of Assembly of this Commonwealth

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, and Gentlemen of the House, there have been several members asking a few questions about this bill, and I think maybe it would be well to explain its real purpose. This is a bill regulatiing the method under which agreements for the sale of real estate may be recorded in the various counties of this Commonwealth. The law at this time permits an agreement of sale to be proven by a subscribing witness merely upon the affidavit that the vendor "cannot be had," thereby permitting an agreement of sale to be recorded and placing a cloud upon the title of the owner without any intention on the part of the vendor, and in consequence the owner is compelled to go into further equity to remove the cloud on the title. This bill provides that an agreement of sale for the purchase and sale of real estate shall be ackowledged only by the vendor or by an attorney in fact duly constituted by power of attorney.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Adams,	DeFrees,	Mather,	Schaeffer, A. C
Alworth,	Dickinson,	Matt,	Schuck,
Baldwin, G. A.,	Donnally,	McAleer,	Scott, J. R. K.,
Barner,	Dunn, H. B.,	McAllister,	Scott, S. B.,
Bass,	Eichenberger,	McCaig,	Shaffer, C. A.,
Bayle,	Flynn,	McClintock,	Shaffer, I. E.,
Benninger,	Forster, I. G.,	McDermott,	Shern,
Benson,	Frey,	McKay,	Showalter,
Bergey,	Gans,	Mitchell,	Smith, J. W.,
Berntheizel,	Geary,	Moulthrop,	Snyder,
Bigger,	Gibson,	Murphy,	Spangler,
Bittles,	Glenn,	Musser,	Steedle,
Bleloch,	Gramley,	Neel,	Steele,
Body,	Haggerty,	Newbaker,	Stone,
Brown,	Hemminger,	Newton,	Strauss,
Brownlee,	Hobbs,	North,	Swartz,
Burnett,	Howard, J.,	O'Neill,	Swift,
Caldwell,	Howard, R.,	Peachey,	Trach,
Campbell, J.J.	Irwin, G. C.,	Pennegar,	Ulerich,
Carson,	Jones, J. R.,	Pennock,	Ulman,
Cheeseman,	Keegan,	Perry, H. L.,	Walton,
Claycomb,	Kern,	Post,	Whitaker,
Cleary,	Kitts,	Ramsey,	Whitman,
Collins,	Klepper,	Reese,	Wildman,
Conner,	Latshaw,	Reeser,	Williams,
Conniff,	Leslie,	Rhoads,	Wilson, J. H.,
Conrade,	Light,	Rockwell,	Wilson, W. H.,
Cox,	Malie	Roney,	Wiltbank,
Currier,	Mannion,	Rothenberger,	Young, J. H.,
Curry,	Martin,	Sassaman,	Zimmerman,
Davis,			Alter,
			Speaker.

NAYS—14

Allen,	Hibshman,	Kennedy,	Neely,
Blair, W. A.,	Jackson,	Lowers,	Piper,
Blair, W. F.,	Kaiser,	Moses,	Price,
Campbell, C.M.,	Keeport,		

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 650, entitled:

An Act fixing a close season for quail and providing a penalty for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. GRABE: Mr. Speaker, I ask the unanimous consent of the House to insert amendments at this time.

The SPEAKER: The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section one, line 5, by inserting after the words "quail, commonly known as 'Bob White,'" the words "and pheasant of all kinds;" also amend the title by inserting after the words "quail, commonly known as 'Bob White,'" the words "and pheasants of all kinds."

The SPEAKER: Will the House give its unanimous consent to the insertion of the amendments as read? Is there any objection? The Chair hears objections, and the amendments will not be inserted.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Adams,	Eichenberger,	Mannion,	Rockwell,
Allen,	Ely,	Martin,	Roney,
Alworth,	Flynn,	Mather,	Rothenberger,
Barner,	Forster, I. G.,	Matt,	Runk,
Bass,	Foster, J. D.,	McAleer,	Sassaman,
Bayle,	Frey,	McAllister,	Savacool,
Benninger,	Gans,	McArdle,	Schuck,
Benson,	Geary,	McCaig,	Scott, S. B.,
Bergey,	Gibson,	McClintock,	Shaffer, C. A.,
Berntheizel,	Grabe,	McDermott,	Shaffer, I. E.,
Bigger,	Gramley,	McKay,	Shern,
Bittles,	Hackett,	Mechling,	Sherwood,
Blair, W. A.,	Haggerty,	Metzenbacher,	Showalter,
Body,	Hemminger,	Miller,	Smith, J. W.,
Brosius,	Hibshman,	[illegible]simer,	Snyder,
Brown,	Hobbs,	Mitchell,	Spangler,
Brownlee,	Howard, J.,	Moore,	Speiser,
Burnett,	Howard, R.,	Morrow,	Steedle,
Caldwell,	Humes,	Moses,	Steele,
Campbell, C.M.,	Isler,	Moulthrop,	Stein,
Campbell, J.J.	Irwin, G. C.,	Murphy,	Strauss,
Carson,	Jackson,	Musser,	Swartz,
Cheeseman,	Jones, E. E.,	Neely,	Swift,
Claycomb,	Jones, J. R.,	Newbaker,	Thomas,
Cleary,	Kaiser,	Newton,	Ulerich,
Cochran,	Keegan,	North,	Walnut,
Collins,	Keeport,	O'Neill,	Walsh,
Conner,	Kennedy,	Peachey,	Walton,
Conniff,	Kern,	Pennegar,	Whitaker,
Conrade,	Kitts,	Pennock,	Whitman,
Cox,	Klepper,	Peters,	Wildman,
Currier,	Kuhn, H. P.,	Piper,	Williams,
Curry,	Kuhns, E.G.M.,	Post,	Wilson, J. H.,
Davis,	Latshaw,	Price,	Wilson, W. H.,
DeFrees,	Leslie,	Ramsey,	Wiltbank,
Dickinson,	Light,	Reese,	Young, G. K.,
Donnally,	Lowers,	Reeser,	Young, J. H.,
Dunn, H. B.,	Malie,	Rhoads,	Zimmerman,
Dunn, J. A.,		Richards,	Alter,
			Speaker

NAYS—1.

Ulman,

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 956, entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that license continuing in business shall annually apply for new licenses

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, and Gentlemen of the House, this is a bill that is offered by the Director of the Department of Public Health of Philadelphia, and only applies to cities of the first class. It is a bill that gives the director the power to regulate slaughter houses where they have to get licenses, and comes directly within the jurisdiction of this Department.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Flynn,	Malie,	Roney,
Allen,	Forster, I. G.,	Mannion,	Rothenberger,
Alworth,	Foster, J. D.,	Martin,	Runk,
Baldwin, G. A.,	Frey,	Mather,	Sassaman,
Barner,	Gans,	Matt,	Savacool,
Bass,	Geary,	McAleer,	Schaeffer, A. C
Bayle,	Geiser,	McAllister,	Schuck,
Benninger,	Gibson,	McArdle,	Scott, J. R. K.,
Benson,	Good,	McCaig,	Scott, S. B.,
Bergey,	Grabe,	McClintock,	Shaffer, C. A.,
Berntheizel,	Gramley,	McDermott,	Shaffer, I. E.,
Bigger,	Hackett,	McKay,	Shern,
Bittles,	Haggerty,	Mellott,	Sherwood,
Blair, W. A.,	Heidinger,	Metzenbacher,	Showalter,
Blair, W. F.,	Hemminger,	Miller,	Smith, J. W.,
Bleloch,	Herman,	Missimer,	Snyder,
Body,	Hibshman,	Mitchell,	Spangler,
Brosius,	Hobbs,	Moore,	Speiser,
Brown,	Howard, J.,	Moses,	Steedle,
Brownlee,	Howard, R.,	Moulthrop,	Steele,
Burnett,	Humes,	Murphy,	Stein,
Caldwell,	Isler,	Musser,	Stone,
Campbell, C.M.,	Irwin, G. C.,	Neel,	Strauss,
Campbell, J.J.	Irwin, H. H.,	Neely,	Swartz,
Carson,	Jackson,	Newbaker,	Swift,
Cheeseman,	Jones, E. E.,	Newton,	Thomas,
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Kaiser,	O'Neill,	Ulerich,
Cochran,	Kaufman,	Peachey,	Ulman,
Collins,	Keegan,	Pennegar,	Walnut,
Conner,	Keeport,	Pennock,	Walsh,
Conniff,			Walton,

Conrade,	Kennedy,	Perry, H. L.,	Whitaker,
Cox,	Kern,	Peters,	Whitman,
Currier,	Kitts,	Piper,	Wildman,
Curry,	Klepper,	Post,	Williams,
Davis,	Kuhn, H. P.,	Price,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dickinson,	Lanius,	Redfield,	Wiltbank,
Donnally,	Latshaw,	Reese,	Young, G. K.
Dunn, H. B.,	Leslie,	Reeser,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Zimmerman,
Ehrhardt,	Light,	Richards,	Alter,
Eichenberger,	Lowers,	Rockwell,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmation.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 512, as follows:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person knowingly to make or cause to be made directly or indirectly or through any agency whatsoever any false statement in writing with intent that it shall be relied upon respecting the financial condition or means or present ability to pay of himself or of any other person firm or corporation in whom he is interested or for whom he is acting for the purpose of procuring in any form whatsoever either to himself or to the person firm or corporation in whom he is interested or for whom he is acting either the delivery of property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument for the benefit of either himself or of any such person firm or corporation

Section 2 It shall be unlawful for any person who knowing that a false statement in writing has been made respecting the financial condition or means or present ability to pay of himself or any person firm or corporation in whom he is interested or for whom he is acting to procure or receive upon the faith of such false statement for the benefit either of himself or of any person firm or corporation in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument

Section 3 It shall be unlawful for any person who knowing that a statement in writing has been made respecting the financial condition or means or present ability to pay of himself or of any person firm or corporation in whom he is interested or for whom he is acting to represent subsequently in writing that such statement theretofore made if again made would still be true when in fact such statement if then made would be false and to procure upon the strength thereof for the benefit of himself or of any person firm or corporation in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument

Section 4 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 5 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Flynn,	Martin,	Runk,
Allen,	Forster, I. G.,	Mather,	Sassaman,
Alworth,	Foster, J. D.,	Matt,	Savacool,
Baldwin, G. A.,	Frey,	McAleer,	Schuck,
Barner,	Gans,	McAllister,	Scott, J. R. K.,
Bass,	Geary,	McArdle,	Scott, S. B.,
Bayle,	Geiser,	McCaig,	Shaffer, I. E.,
Benninger,	Gibson,	McClintock,	Shern,
Benson,	Good,	McDermott,	Sherwood,
Bergey,	Grabe,	McKay,	Showalter,
Berntheizel,	Gramley,	Mechling,	Smith, J. W.,
Bigger,	Hackett,	Mellott,	Snavely,
Bittles,	Haggerty,	Metzenbacher,	Snyder,
Blair, W. F.,	Heidinger,	Mitchell,	Spangler,
Bleloch,	Hemminger,	Moore,	Speiser,
Body,	Herman,	Moses,	Steedle,
Brosius,	Hibshman,	Moulthrop,	Steele,
Brown,	Hobbs,	Murphy,	Stein,
Brownlee,	Howard, J.,	Musser,	Stone,
Burnett,	Howard, R.,	Neel,	Swartz,
Caldwell,	Humes,	Neely,	Swift,
Campbell, C.M.,	Isler,	Newbaker,	Thomas,
Campbell, J.J.	Irwin, G. C.,	Newton,	Trach,
Carson,	Irwin, H. H.,	North,	Ulerich,
Cheeseman,	Jackson,	O'Neill,	Ulman,
Claycomb,	Jones, J. R.,	Peachey,	Walnut,
Cleary,	Kaiser,	Pennegar,	Walsh,
Cochran,	Keegan,	Pennock,	Walton,
Collins,	Kennedy,	Perry, H. L.,	Wettach,
Conner,	Kern,	Peters,	Whitaker,
Conrade,	Kitts,	Piper,	Whitman,
Cox,	Klepper,	Post,	Wildman,
Currier,	Kuhn, H. P.,	Price,	Williams,
Curry,	Lanius,	Ramsey,	Wilson, J. H.,
Davis,	Latshaw,	Reese,	Wilson, W. H.,
DeFrees,	Leslie,	Reeser,	Wiltbank,
Dickinson,	Letzkus,	Rhoads,	Young, G. K.,
Donnally,	Light,	Richards,	Young, J. H.,
Dunn, H. B.,	Lowers,	Rockwell,	Zimmerman,
Dunn, J. A.,	Malie,	Roney,	Alter,
Ehrhardt,	Mannion,	Rothenberger,	Speaker.
Eichenberger,			
Ely,			

NAYS—4.

Conniff,	Gray, Joseph,	Miller,	Strauss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 510, as follows:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the open season for the grey and the black and fox squirrel also the open season for the wild turkey and for the ruffed grouse and for the Hungarian partridge and for the woodcock and for the English or Chinese ringneck pheasant shall be from the fifteenth day of October of each year to the thirtieth day of November of the same year days inclusive and the open season for the gray rabbit and the hare shall be from the first day of November to the thirty-first day of December of each year inclusive Provided That either game quadrupeds or game-birds raised strictly in captivity and killed within such place of confinement without being released in the Commonwealth at large may be killed at any time and may be sold within the Commonwealth at any time under the rules and regulations regarding the marking and tagging of game as now fixed by law relating to game raised in captivity

Section 2 Except as provided by the laws of this Commonwealth relating to the taking of quadrupeds and birds for scientific purposes Each and every person taking or killing or wounding or attempting to take or kill or wound any quadruped or bird named in section one of this act except during the time fixed by such section as the open season for such killing shall upon conviction be liable to a penalty of ten dollars for each squirrel or rabbit taken killed or wounded or attempted to be killed taken or wounded contrary to the provisions of this act Provided That the penalty for taking a squirrel or a rabbit in any manner excepting through the use of a gun is hereby fixed at ten dollars instead of fifty dollars as is now provided by law

Each and every person either taking or wounding or killing or attempting to take or wound or kill any game-bird named in section one of this act except during that time fixed as the open season for such bird shall be liable upon conviction to pay a penalty of twenty-five dollars for each bird taken wounded or killed or attempted to be taken wounded or killed or in default thereof to suffer an imprisonment in the common jail of the county for a period of one day for each dollar of penalty imposed for the first offence and for the second offence or for any other offence after the first offence shall in addition to the penalty imposed for the first offence undergo an imprisonment of one day for each dollar of penalty imposed

"Section 3 Provided That all violations of any provision of this act shall be enforced and all penalties collected be applied in the manner as is now provided for by section thirty-one of the act of May first one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and providing penalties for the violation of its several provisions"

Section 4 All acts or parts of acts inconsistent with this act or any of its provisions are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Adams,	Forster, I. G.,	Matt,	Runk,
Allen,	Foster, J. D.,	McAleer,	Sassaman,
Alworth,	Frey,	McAllister,	Savacool,
Ambler,	Gans,	McArdle,	Schaeffer, A. C
Baldwin, G. A.,	Geary,	McCaig,	Schuck,
Barner,	Geiser,	McClintock,	Scott, J. R. K.,
Bass,	Gibson,	McDermott,	Scott, S. B.,
Bayle,	Good,	McKay,	Shaffer, C. A.,
Benninger,	Grabe,	Mechling,	Shaffer, I. E.,
Benson,	Gramley,	Mellott,	Shern,
Bergey,	Gray, Joseph,	Metzenbacher,	Sherwood,
Berntheizel,	Hackett,	Miller,	Showalter,
Bigger,	Haggerty,	Missimer,	Smith, J. W.,
Bittles,	Heidinger,	Mitchell,	Snyder,
Blair, W. A.,	Hemminger,	Moore,	Spangler,
Blair, W. F.,	Herman,	Morrow,	Speiser,
Bleloch,	Hibshman,	Moses,	Spillinger,
Brosius,	Hobbs,	Moulthrop,	Steedle,
Burnett,	Howard, J.,	Murphy,	Steele,
Caldwell,	Howard, R.,	Musser,	Stein,
Campbell, C.M.,	Humes,	Neel,	Stone,
Campbell, J.J.	Isler,	Neely,	Strauss,
Carson,	Jackson,	Newbaker,	Swartz,
Cheeseman,	Jones, E. E.,	Newton,	Swift,
Claycomb,	Jones, J. R.,	North,	Thomas,
Cleary,	Kaiser,	O'Neill,	Trach,
Collins,	Keegan,	Peachey,	Ulerich,
Conner,	Keeport,	Pennegar,	Walnut,
Conniff,	Kennedy,	Pennock,	Walsh,
Conrade,	Kern,	Perry, H. L.,	Walton,
Cox,	Kitts,	Peters,	Whitaker,
Currier,	Klepper,	Piper,	Whitman,
Curry,	Kuhns, E.G.M.,	Post,	Williams,
Davis,	Lanius,	Price,	Wilson, J. H.,
DeFrees,	Latshaw,	Ramsey,	Wilson, W. H.,
Dickinson,	Leslie,	Reese,	Wiltbank,
Donnally,	Light,	Reeser,	Young, G. K.,
Down,	Lowers,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Malie,	Richards,	Zimmerman,
Ehrhardt,	Mannion,	Rockwell,	Alter,
Eichenberger,	Martin.	Roney,	Speaker.
Ely,			
Flynn,			

NAYS—1.

Body,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 850, entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Ehrhardt,	Lohr,	Roney,
Allen,	Eichenberger,	Lowers,	Rothenberger,
Alworth,	Ely,	Malie,	Runk,
Ambler,	Fahey,	Mannion,	Sassaman,
Arthur,	Flynn,	Martin,	Savacool,
Baldwin, G. A.,	Forster, I. G.,	Mather,	Schaeffer, A. C
Barner,	Frey,	Matt,	Scott, J. R. K.,
Bass,	Gans,	McAleer,	Scott, S. B.,
Bayle,	Geary,	McAllister,	Shaffer, C. A.,
Benninger,	Geiser,	McArdle,	Shaffer, I. E.,
Benson,	Gibson,	McCaig,	Shern,
Bergey,	Glenn,	McClintock,	Showalter,
Berntheizel,	Good,	McKay,	Smith, J. W.,
Bigger,	Grabe,	Mechling,	Snavely,
Bittles,	Gray, Joseph,	Mellott,	Snyder,
Blair, W. A.,	Haggerty,	Metzenbacher,	Spangler,
Blair, W. F.,	Heidinger,	Miller,	Spillinger,
Bleloch,	Hemminger,	Missimer,	Steedle,
Body,	Herman,	Mitchell,	Steele,
Brosius,	Heyburn,	Moore,	Stein,
Brown,	Hibshman,	Morrow,	Stone,
Burnett,	Hobbs,	Moses,	Strauss,
Caldwell,	Howard, J.,	Moulthrop,	Swartz,
Campbell, C.M.,	Howard, R.,	Murphy,	Swift,
Campbell, J.J.	Isler,	Musser,	Thomas,
Carson,	Irwin, G. C.,	Neel,	Trach,
Carter,	Irwin, H. H.,	Neely,	Ulerich,
Cheeseman,	Jackson,	Newbaker,	Ulman,
Claycomb,	Jones, E. E.,	Newton,	Walnut,
Cleary,	Jones, J. R.,	O'Neill,	Walton,
Cochran,	Kaiser,	Peachey,	Watson,
Collins,	Keegan,	Pennegar,	Whitaker,
Conner,	Keeport,	Pennock,	Whitman,
Conniff,	Kennedy,	Peters,	Wildman,
Cox,	Kern,	Piper,	Williams,
Currier,	Kitts,	Post,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Price,	Wilson, W. H.,
Davis,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
DeFrees,	Lanius,	Reese,	Young, G. K.
Dickinson,	Latshaw,	Reeser,	Young, J. H.,
Donahoe,	Leslie,	Rhoads,	Zimmerman,
Donnally,	Light,	Richards,	Alter,
Down,		Rockwell,	Speaker.
Dunn, H. B.,			
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 609, (Senate Bill No. 45), entitled:

An Act for the better protection of the wild birds known as the Turtle or Mourning Dove the Kill-deer Plover and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Adams,	Ely,	Lenker,	Roney,
Allen,	Ewing,	Leslie,	Rothenberger,
Alworth,	Flynn,	Letzkus,	Sassaman,
Ambler,	Forster, I. G.,	Light,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Schaeffer, A. C.
Barner,	Gans,	Malie,	Schuck,
Bayle,	Geary,	Mather,	Scott, J. R. K.,
Benninger,	Geiser,	Matt,	Scott, S. B.,
Benson,	Gibson,	McAleer,	Shaffer, C. A.,
Bergey,	Glenn,	McAllister,	Shaffer, I. E.,
Berntheizel,	Good,	McArdle,	Shern,
Bigger,	Grabe,	McCaig,	Sherwood,
Bittles,	Gray, Joseph,	McClintock,	Showalter,
Blair, W. A.,	Hackett,	McDermott,	Smith, J. W.,
Bleloch,	Haggerty,	McKay,	Snavely,
Body,	Heidinger,	Mechling,	Snyder,
Brosius,	Hemminger,	Mellott,	Spangler,
Brown,	Herman,	Metzenbacher,	Spillinger,
Burnett,	Heyburn,	Miller,	Steedle,
Caldwell,	Hibshman,	Mitchell,	Steele,
Campbell, C.M.,	Hobbs,	Moore,	Stein,
Campbell, J.J.	Hoffman,	Morrow,	Stone,
Carson,	Howard, J.,	Moses,	Strauss,
Carter,	Howard, R.,	Moulthrop,	Swartz,
Claycomb,	Isler,	Murphy,	Swift,
Cleary,	Irwin, G. C.,	Neel,	Thomas,
Collins,	Irwin, H. H.,	Neely,	Trach,
Conner,	Jackson,	O'Neill,	Ulman,
Conniff,	Jones, J. R.,	Peachey,	Walnut,
Conrade,	Kaiser,	Pennegar,	Walton,
Cox,	Keegan,	Pennock,	Watson,
Currier,	Keeport,	Perry, H. L.,	Whitaker,
Curry,	Kenna,	Peters,	Wildman,
Davis,	Kennedy,	Post,	Williams,
DeFrees,	Kern,	Price,	Wilson, J. H.,
Dickinson,	Kitts,	Redfield,	Wilson, W. H.,
Donahoe,	Klepper,	Reese,	Wiltbank,
Donnally,	Kuhn, H. P.,	Reeser,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Rhoads,	Young, J. H.,
Dunn, H. B.,	Lanius,	Richards,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rockwell,	Alter,
Ehrhardt,			Speaker.
Eichenberger,			

NAYS—1.

Martin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. MARTIN. Mr. Speaker, I voted entirely under a misapprehension on House Bill 609, (Senate Bill No. 45,) and I desire to be recorded as voting "aye."

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 3, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ROCKWELL. Mr. Speaker, In the absence of Mr. Hess, I move that the further consideration of this bill be postponed for the present.

Mr. MARTIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, (Senate Bill No. 34), entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Adams,	Ewing,	Mannion,	Runk,
Allen,	Fahey,	Martin,	Sassaman,
Alworth,	Flynn,	Mather,	Savacool,
Ambler,	Forster, I. G.,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	McAleer,	Schuck,
Bayle,	Frey,	McAllister,	Scott, J. R. K.,
Benninger,	Gans,	McArdle,	Scott, S. B.,
Benson,	Geary,	McCaig,	Shaffer, I. E.,
Bergey,	Geiser,	McClintock,	Shern,
Berntheizel,	Gibson,	McDermott,	Sherwood,
Bigger,	Good,	McKay,	Showalter,
Bittles,	Goss,	McNichol,	Smith, J. W.,
Blair, W. A.,	Grabe,	Mellott,	Snavely,
Blair, W. F.,	Haggerty,	Metzenbacher,	Snyder,
Bleloch,	Heidinger,	Miller,	Spangler,
Body,	Hemminger,	Mitchell,	Spillinger,
Brown,	Herman,	Moore,	Steedle,
Brownlee,	Hushman,	Morrow,	Steele,
Burnett,	Hobbs,	Moses,	Stein,
Caldwell,	Howard, J.,	Moulthrop,	Stone,
Campbell, C.M.,	Howard, R.,	Murphy,	Strauss,
Carson,	Humes,	Musser,	Swartz,
Carter,	Isler,	Neel,	Swift,
Claycomb,	Irwin, G. C.,	Neely,	Thomas,
Cleary,	Jackson,	Newbaker,	Trach,
Cochran,	Jones, J. R.,	O'Neill,	Ulerich,
Collins,	Kaiser,	Peachey,	Ulman,
Conner,	Keegan,	Pennegar,	Walnut,
Conniff,	Keeport,	Pennock,	Watson,
Conrade,	Kenna,	Perry, H. L.,	Wettach,
Cox,	Kennedy,	Peters,	Whitaker,
Currier,	Kern,	Piper,	Whitman,
Curry,	Kitts,	Post,	Wildman,
Davis,	Klepper,	Price,	Williams,
DeFrees,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Donahoe,	Lanius,	Reeser,	Wiltbank,
Donnally,	Latshaw,	Rhoads,	Young, G. K.,
Down,	Leslie,	Richards,	Young, J. H.,
Dunn, J. A.,	Lohr,	Rockwell,	Zimmerman,
Ehrhardt,	Lowers,	Roney,	Alter,
Eichenberger,	Malie,	Rothenberger,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 501, as follows:

An Act providing for the restricting of the lien of judgments to one or more parcels of real estate and relieving the balance of the real estate of defendant from the lien thereof and repealing an act entitled "Relating to the entry of bail upon an appeal to the Supreme or Superior Court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April one thousand nine hundred and nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a judgment shall have been entered of record against any person firm or corporation and such person firm or corporation shall be seized in fee of two or more parcels of real estate it shall and may be lawful for the defendant or defendants therein to file in the same proceedings his her or their petition verified by affidavit setting forth that the judgment had been obtained that they were seized of more than one parcel of real estate of a value considerably in excess of the amount of the judgment and praying that the judgment be restricted to certain parcels thereof with an accurate description showing the location by metes and bounds with the actual value the assessed value thereof and encumbrances against the same The court if satisfied that prima facia the defendant's interest in the property offered as security is at least double the amount of the judgment entered it shall grant a rule on the plaintiff to show cause why the judgment described in the petition of the defendant should not have its lien restricted to the real estate therein specifically described which rule shall be made returnable to the first day thereafter which the rules of that court provide for the hearing of arguments or motions and made absolute if the allegations of the petition are sustained Any question of law or fact raised by the petition and answer should one be filed shall be heard by the court before whom the proceedings are instituted in accordance with the equity rules of practice and procedure If the rule is made absolute by the court it shall enter a decree restricting the judgment mentioned to the real estate described in the petition and decreeing that all the remaining real estate of the defendant or defendants shall be relieved from the lien of said judgment

Section 2 That an act entitled "Relating to the entry of bail upon an appeal to the Supreme or Superior Court from an order judgment or decree directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree pending the appeal and re-entry of judgment if judgment be affirmed" approved the twenty-second day of April Anno Domini one thousand nine hundred and nine (Pamphlet Laws one hundred and three) be and the same is hereby repealed

Section 3 Any and all acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I would like to call your attention to the purpose of this bill. The purpose, as I look at it, is to change the entire practice and effect of a judgment lien and it is a bill that ought to interest every man in the legal profession, every man loaning money, and I think it ought to be pretty carefully examined. It seems to me that it is going in the wrong direction. The law is now that if I borrow money from any of you gentlemen and give you a judgment note, it is a lien against all my real estate in the county where that judgment is entered. If this bill becomes a law I can go into court and make a showing under the provisions of this bill and restrict your lien to certain pieces of land. Thus, if a little corruption takes place between myself and the witnesses and the judge, possibly I can defeat you from collecting the amount of money that you loaned me. It seems it is departing from a proper procedure of liens on land.

Mr. BLELOCH. The law is today that where a verdict or judgment is recovered and the defendant takes an appeal to the Superior or Supreme Court of this State and enters real estate security as he may in the lower court for the payment of the debt, interest and costs, that the prothonotary is directed to mark on the docket of that case "appeal perfected, lien discharged." Now what is the effect. After years of waiting to arrive at trial and the delays incident thereto the plaintiff, many times in need of the verdict and the money that would accompany it, is further confronted with the delay while the case is being heard in the Supreme or Superior Court and then if he succeeds in maintaining the verdict of the lower court and goes to recover his verdict against the defendant or the security on the bail-piece, he finds that both the defendant and the security have parted with all their real estate and his verdict is not worth the paper it is written on. This bill provides that in such cases where a verdict is recovered for a judgment and the defendant is the owner of more than one parcel of real estate, by petition to the court in which the proceedings were instituted, showing a sufficient amount of real estate for the payment of debt, interest and cost, in double the amount, I think it is, he may have the lien restricted to that particular piece of real estate to that value and the remaining amount of his real estate shall be released from the lien of the verdict. That absolutely keeps a sufficient real estate equity to pay his judgment while the case is being heard in the proper court.

I ask every man of common sense to support this bill.

Mr. WILTBANK. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BLELOCH. I will, Mr. Speaker.

Mr. WILTBANK. At the present time does not the real estate security which these gentlemen have given for the appeal, is not that security enough? On the appeal they have to give security for double the amount, that is real estate security. While it may reduce it at the present time, if this is to be thrown back it does not increase the present security.

Mr. BLELOCH. I think I understand the gentleman's question, although I did not hear it. I think that the gentleman from Philadelphia, (Mr. Wiltbank) is under the impression that all these bonds are entered as liens on the real estate, that is bonds entered on an appeal; but there is no provision on the statute which requires those bonds to be entered as liens on the real estate offered as security. Does that answer your question?

Mr. WILTBANK. Yes, that answers it.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, (Mr. Bleloch).

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. BLELOCH. Yes, sir, Mr. Speaker.

Mr. ROCKWELL. I desire to ask the gentleman if the bill does not cover two subjects? In the first section of the bill the subject relating to the restriction of liens, and in the second section of the bill a subject repealing an act entirely upon a different subject?

Mr. BLELOCH. No, it is all on the same subject. That act that is repealed regulated the question of liens of a verdict.

Mr. ROCKWELL. I raise this point of order as to the constitutionality of this bill, that the bill is unconstitutional and would be if enacted into law, for the reason that it covers more than one subject, which is prohibited by the constitution; the first section being an act relating to the restricting of liens of judgment to one or more pieces of real estate, and the second section of the act being the repealing of an act relating to an entirely different subject as follows:

"That an act entitled an act relating to the entry of bail upon an appeal to the Supreme or Superior Courts from an order judgment or fee directing the payment of money and the release of the appellant's real estate from the lien of said judgment order or decree, suspending the appeal and re-entry of judgment, if judgment be affirmed"

I cannot construe it but what there are two entirely different subjects to this proposed act and the constitution especially prohibits any bills being passed containing or pertaining to more than one subject.

The SPEAKER. In the opinion of the Chair, the point of order is not well taken, because both sections of the bill relate to the security to be afforded to the judgment creditor pending any further proceedings for the recovery of the judgment and it is the opinion of the Chair that both these sections relate to the same general purposes and therefore do not violate the provision of the constitution. The point of order is not sustained.

Mr. JOSEPH GRAY. Is it not a fact that this applies to judgments taken on confession as well as those taken on verdict?

Mr. BLELOCH. Mr. Speaker, this bill refers to all judgments, and if a man offered real estate security in the shape of a confessed judgment note, if he had a whole lot of property, ten or twelve parcels, or more than one parcel, he is not going to give a note as security and tie up the rest of the property unless he specifies in that judgment note the real estate by which that judgment is secured, by that particular parcel, and I do not see where a man holding a judgment security under those circumstances is going to be interfered with.

Mr. JOSEPH GRAY. Mr. Speaker, most ordinarily a man gives a judgment note as he does not give a reference of his real estate to the creditor. The creditor looks to that himself without any regard to a statement in the note. As I understand it, they do not generally designate their real estate security in the note. That is not the practice as I am acquainted with it. We do not require a man to mention anything about the security in the note, and if a man gives a note for a confessed judgment it has always been the practice that all his property shall be subject to the lien or the judgment.

Mr. SPANGLER. Mr. Speaker, there seems to be a great deal of misapprehension in respect to this bill, and I would, therefore, move that the further consideration of this bill be postponed for the present.

Mr. FREY. Mr. Speaker, I second the motion.

It was not agreed to.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—58.

Adams,	Claycomb,	Hemminger,	Peachey,
Alworth,	Collins,	Hibshman,	Pennegar,
Ambler,	Conner,	Hobbs,	Ramsey,
Barner,	Conrade,	Irwin, H. H.,	Roney,
Benninger,	Cox,	Jones, J. R.,	Schaeffer, A. C.
Bergey,	Curry,	Kaiser,	Shern,
Berntheizel,	Dickinson,	Keegan,	Showalter,
Bigger,	Donnally,	McAllister,	Smith, J. W.,
Bleloch,	Dunn, H. B.,	McClintock,	Walnut,
Brown,	Ehrhardt,	McDermott,	Wildman,
Brownlee,	Fahey,	McKay,	Wilson, J. H.,
Campbell, C.M.,	Gans,	Mitchell,	Wiltbank,
Campbell, J.J.	Good,	Moore,	Zimmerman,
Carson,	Haggerty,	Neel,	Alter,
Carter,	Heidinger,		Speaker.

NAYS—69.

Allen,	Gray, Joseph,	McNichol,	Sassaman,
Baldwin, G. A.,	Hoffman,	Mellott,	Savacool,
Bayle,	Howard, J.,	Metzenbacher,	Schuck,
Benson,	Humes,	Miller,	Scott, S. B.,
Bittles,	Isler,	Morrow,	Snavely,
Body,	Irwin, G. C.,	Moses,	Snyder,
Brosius,	Jackson,	Murphy,	Spangler,
Burnett,	Keeport,	Neely,	Stone,
Cleary,	Kern,	Newbaker,	Strauss,
Conniff,	Kuhns, E.G.M.,	Pennock,	Swartz,
Davis,	Lanius,	Perry, H. L.,	Swift,
DeFrees,	Letzkus,	Peters,	Trach,
Donahoe,	Light,	Post,	Ulerich,
Down,	Mannion,	Richards,	Watson,
Ely,	Martin,	Robinson,	Williams,
Flynn,	Mather,	Rockwell,	Wilson, W. H.,
Frey,	McCaig,	Rothenberger,	Young, G. K.,
Geiser,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SUPPLEMENTARY REPORT FROM COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT asked and received unanimous consent to present a supplementary report from the Committee on Committees, which was read, considered and agreed to as follows:

Resolved, That Paul R. Grissinger, of Harrisburg, Dauphin County, be elected Page to succeed Robert Seal, resigned, the same to take effect on March first, one thousand nine hundred and thirteen.

(Signed,) SAMUEL B. SCOTT,
Chairman.

J. M. FLYNN,
GEORGE W. ALLEN,
J. T. MATT,
EDWARD R. BENSON,
SAMUEL B. SCOTT,
W. H. WILSON,
JOHN ROBERT JONES,
A. S. MOULTHROP,
CHAS. A. AMBLER,
F. H. ROCKWELL,

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAM H. WILSON. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 949, entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAM H. WILSON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 950, entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAM H. WILSON. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 934, entitled:

An Act making all persons holding a mine foreman certificate under the law relating to the anthracite coal mines of this Commonwealth elegible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeab'y to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Ehrhardt,	Mannion,	Robinson,
Allen,	Eichenberger,	Martin,	Rockwell,
Alworth,	Ely,	Mather,	Roney,
Ambler,	Fahey,	Matt,	Rothenberger,
Baldwin, G. A.,	Flynn,	McAllister,	Runk,
Bayle,	Frey,	McArdle,	Sassaman,
Benninger,	Gans,	McCaig,	Savacool,
Benson,	Geary,	McClintock,	Schaeffer, A. C
Bergey,	Gibson,	McDermott,	Schuck,
Berntheizel,	Glenn,	McKay,	Scott, S. B.,
Bigger,	Good,	McNichol,	Shaffer, I. E.,
Bittles,	Grabe,	Mechling,	Showalter,
Blair, W. A.,	Gray, Joseph,	Mellott,	Smith, J. W.,
Bleloch,	Haggerty,	Metzenbacher,	Snyder,
Body,	Heidinger,	Miller,	Spangler,
Brosius,	Hibshman,	Missimer,	Speiser,
Brown,	Hobbs,	Mitchell,	Steedle,
Brownlee,	Hoffman,	Moore,	Steele,
Burnett,	Howard, J.,	Morrow,	Stein,
Campbell, C.M.,	Howard, R.,	Moses,	Stone,
Campbell, J.J.	Humes,	Moulthrop,	Strauss,
Carson,	Isler,	Murphy,	Swartz,
Carter,	Irwin, G. C.,	Musser,	Swift,
Cheeseman,	Irwin, H. H.,	Neel,	Thomas,
Claycomb,	Jackson,	Neely,	Trach,
Cleary,	Jones, E. E.,	Newbaker,	Ulman,
Cochran,	Jones, J. R.,	Newton,	Walnut,
Collins,	Keegan,	North,	Walsh,
Conner,	Kern,	Peachey,	Wettach,
Conniff,	Kitts,	Pennegar,	Whitaker,
Conrade,	Kuhn, H. P.,	Pennock,	Whitman,
Cox,	Kuhns, E.G.M.,	Perry, H. L.,	Wildman,
Currier,	Lanius,	Peters,	Williams,
Curry,	Latshaw,	Piper,	Wilson, J. H.,
Davis,	Leslie,	Post,	Wilson, W. H.,
Dickinson,	Letzkus,	Price,	Wiltbank,
Donahoe,	Light,	Ramsey,	Young, G. K.,
Donnally,	Malie,	Reese,	Young, J. H.,
Dunn, H. B.,		Reeser,	Zimmerman,
Dunn, J. A.,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 311, entitled:

An Act prohibiting certain promises or pledges by candidates for election or nomination or by others for such candidate and the asking demanding receiving or transmitting of such promises or pledges and providing a penalty for violation of this act

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeab'y to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Ehrhardt,	Leslie,	Richards,
Allen,	Eichenberger,	Letzkus,	Robinson,
Alworth,	Ely,	Mannion,	Rockwell,
Ambler,	Fahey,	Martin,	Roney,
Bass,	Flynn,	Mather,	Rothenberger,
Bayle,	Forster, I. G.,	Matt,	Runk,
Benson,	Foster, J. D.,	McAleer,	Sassaman,
Bergey,	Frey,	McAllister,	Schaeffer, A. C
Berntheizel,	Gans,	McCaig,	Scott, S. B.,
Bigger,	Geary,	McClintock,	Shaffer, I. E.,
Bittles,	Geiser,	McDermott,	Shern,
Blair, W. A.,	Gibson,	McKay,	Showalter,
Blair, W. F.,	Good,	McNichol,	Smith, J. W.,
Body,	Gray, Joseph,	Mellott,	Snyder,
Brown,	Hackett,	Metzenbacher,	Spangler,
Brownlee,	Haggerty,	Miller,	Speiser,
Burnett,	Heidinger,	Mitchell,	Spillinger,
Campbell, C.M.,	Hemminger,	Moore,	Steedle,
Campbell, J.J.	Hibshman,	Morrow,	Steele,
Carson,	Hobbs,	Moses,	Stein,
Carter,	Hoffman,	Moulthrop,	Stone,
Cheeseman,	Howard, J.,	Musser,	Swartz,
Claycomb,	Howard, R.,	Neely,	Swift,
Cleary,	Humes,	Newbaker,	Thomas,
Cochran,	Isler,	Newton,	Trach,
Collins,	Irwin, G. C.,	North,	Ulerich,
Conner,	Irwin, H. H.,	Peachey,	Ulman,
Conniff,	Jones, J. R.,	Pennegar,	Walnut,
Conrade,	Kaiser,	Pennock,	Whitaker,
Cox,	Kaufman,	Perry, H. L.,	Wildman,
Currier,	Keegan,	Peters,	Williams,
Curry,	Keeport,	Piper,	Wilson, J. H.,
Davis,	Kern,	Post,	Wilson, W. H.,
DeFrees,	Kitts,	Price,	Wiltbank,
Dickinson,	Klepper,	Ramsey,	Young, G. K.,
Donahoe,	Kuhn, H. P.,	Reese,	Zimmerman,
Donnally,	Kuhns, E.G.M.,	Reeser,	Alter,
Down,	Lanius,	Rhoads,	Speaker.
Dunn, H. B.,			
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EHRHARDT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. EHRHARDT. Mr. Speaker, on February 26th, the afternoon session of the House beginning at five o'clock, I offered a resolution or motion giving leave to the Committee on Judiciary Local to sit during that afternoon session. There are many members on that committee who attended and failed to be present in the House during its session to respond to some of the roll calls on some very important bills upon which they would like to have been recorded. They had leave granted and met with the committee where they remained while these roll calls were being taken. There is no record in the Journal on our desks, therefore I rise to this question in order that the members of that committee may have the benefit of the

excuse at that time given to them to sit with the committee while the House was in session.

The SPEAKER. The explanation is very proper and will be noted upon the Legislative Journal. It is of the utmost importance that leaves of absence obtained during the sessions of the House should appear in the Journal. The official stenographers will take notice.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, I fear that there is a mistake in the title of this bill. The bill ought to be entitled: "An act to create a perpetual series of jobs in the office of the Recorder of Deeds in the City of Philadelphia." And I make a brief appeal to my fellow legislators to extend some protection to the Treasurer of the City of Philadelphia. I only want to call your attention to one or two words contained in this bill.

In line 4, you will note it becomes the duty of the Recorder of Deeds to do certain things. Now, that means that the expense of doing such work becomes a subject of mandamus, so that the Recorder of Deeds can order this work done and the Councils of the City of Philadelphia must appropriate money for doing it, or otherwise they will be mandamused. It becomes a fact that if this bill is passed the appropriating of money for this purpose is taken away from the Councils of the City. In the second place, in line 7 you will notice that the copying of records is to be done whenever in the opinion of the Recorder of Deeds it shall become necessary. Now, you take both of these provisions into consideration at the same time and you will see that the Recorder of Deeds has an absolutely open door to the treasury of the City of Philadelphia. There is no need, whatsoever, for this legislation. At present, all the Recorder of Deeds needs to do when he desires to have some of his records copied is to make application to the court, and if the court, upon examination of the records, determines that the copying is necessary, the proper permission is given and the copying is done.

BILL POSTPONED.

Mr. GANS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McNICHOL. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 853, entitled:

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employees and providing a penalty for violation thereof

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MARTIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME OF NEXT MEETING.

Mr. SHERN. Mr. Speaker, I move that when this House adjourns, it adjourns to meet on Monday evening, March 17th, at 8 o'clock.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 790, entitled:

An Act to fix the salary of county solicitor in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 256, entitled:

An Act providing for the publication and distribution of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs making an appropriation for the work of revising copiling and proof-reading and an appropriation for printing binding and mounting the same and for paper

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 420, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State normal schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act prohibiting the doing of certain acts by persons who have been disbarred from practicing before the courts of any county and providing a penalty for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 371, entitled:

An Act for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS RECOMMITTED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act providing for the arrest and conviction of any person found visiting a gambling house and providing penalty for same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PARLIAMENTARY INFORMATION.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a question of parliamentary information.

The SPEAKER. The gentleman will state his question.

Mr. S. B. SCOTT. Mr. Speaker, Rule 12 of the House reads as follows:

"When a member is about to speak in debate or to communicate any matter to the House, he shall rise and re-

spectfully address himself to 'Mr. Speaker", confiing his remarks to the subject before the House and avoiding personal reflections."

For a number of session, and particularly in this session, I have heard members address themselves to "Mr. Speaker and Gentlemen of the House." It always seems to me that this is thoroughly unparliamentary, and therefore I rise to ask the Speaker whether my meaning and interpretation of this is not correct.

The SPEAKER. The gentleman's interpretation of the rule is entirely correct. The expression, "Mr. Speaker and Gentlemen of the House," originated in this House, to the best recollection of the Chair, during the session of 1911 by one or two members, and it has gradually spread over a great part of the House. It is contrary to the most elemantary rules of parliamentary procedure and probably could not be found in use in any other parliamentary body, large or small, outside of this House.

Mr. CHARLES. A. SCHAFFER. Mr. Speaker, I would like to ask unanimous consent to call up, for the purpose of amendment House Bill No. 465, which passed second reading yesterday.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time?

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to ask if the gentleman from Columbia has Mr. North's permission.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I consulted Mr. North and he agreed to it.

The SPEAKER. The Chair hears no objection and consent is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 465, entitled:

An Act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be readby the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, line 20, after the word borough insert "Incorporated town."

Section 2, line 5, after the word cities insert "Incorporated towns."

Also end of line 5 after the word city insert "Incorporated town."

In line 6, after the word cities insert "Incorporated towns."

Also in line 13 after the word borough insert "Incorporated town."

The SPEAKER. Will the House give unanimous consent to insert the amendments as made?

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 12.35 o'clock P. M.) the House adjourned until Monday, March 17, 1913, at eight o'clock P. M.

ERRATUM.

At the top of page 493, second column, immediately after the reconvening of the House the following should appear:

LEAVE FOR COMMITTEE TO SIT.

Mr. EHRHART asked and obtained unanimous consent to offer the following resolution which was twice read, considered and agreed to:

Resolved, That the Committee on Judiciary Local be granted leave to sit during the session of the House this afternoon.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MARCH 17, 1913. No. 32.

HOUSE OF REPRESENTATIVES

MONDAY, March 17, 1913.

The House met at 8.30 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer

O, God, as we gather again in our wonted places to take up the work of this week, we commend ourselves anew to Thee, asking for Thy presence and blessing and gracious help, according to our needs. Thou art the strength of our lives, the inspiration of our hearts, the energy of our wills. Thou art a great, immeasurable fountain of blessing and we constantly draw upon that fountain and receive of Thy fulness. We rejoice that this is so, for great questions shall confront us during the week, great problems shall perplex us, provoking thought, stimulating inquiry and demanding decision. If left to ourselves we will assuredly slip or stumble, or wander out of the way. Walk with us all along the way, during the week, reaching out Thy hand to help us. Bless Thy servant especially, upon whom the guidance and government of the affairs of this House comes. Give to him energy and strength and courage and resolution, and wisdom and altertness—everything that he needs. And may the men whose duty it is to devise the measures and frame the laws for the welfare of the people, look to Thee and receive Thy blessing; and may all who contribute in any way to the work which is here wrought be under Thy guidance and government.

We ask it in His name whose we are and whom we are trying to serve. Amen.

The Clerk proceeded to read the Journal of Thursday's, March 13th, 1913, proceedings, when on motion of Mr. Moses the further reading was dispensed with, and the Journal was approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 52, (House Bill No. 1386).

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating Lateral Railroads," extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers.

Referred to the Committee on Railroads.

Senate Bill No. 59, (House Bill No. 1387).

An Act to amend an act entitled "An Act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances," approved the second day of June Anno Domini one thousand eight hundred and seventy-four providing for increase of capital stock and amendment of the articles and continuing the terms existing associations and providing for certain additional officers in such associations.

Referred to the Committee on Judiciary General.

Senate Bill No. 67, (House Bill No. 1388).

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three.

Referred to the Committee on Judiciary Local.

Senate Bill No. 124, (House Bill No. 1389).

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents."

Referred to the Committee on Judiciary General.

Senate Bill No. 139, (House Bill No. 1390).

An Act providing what effect shall be given to admission to practice in the Supreme Court when the person so admitted applied for admission to practice in the other courts of this Commonwealth.

Referred to the Committee on Judiciary General.

Senate Bill No. 140, (House Bill No. 1391).

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses ro of one witness sustained by corrobating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree except in certain cases.

Referred to the Committee on Judiciary General.

Senate Bill No. 158, (House Bill No. 1392).

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon state highways in such townships.

Referred to the Committee on Public Roads.

Senate Bill No. 190, (House Bill No. 1393).

An Act to classify certain surface lands as auxiliary forest reserves to prescribe terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon.

Referred to the Committee on Forestry.

Senate Bill No. 191, (House Bill No. 1394).

An Act to provide for the assessment and taxation of auxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom.

Referred to the Committee on Forestry.

Senate Bill No. 192, (House Bill No. 1395).

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes.

Referred to the Committee on Forestry.

Senate Bill No. 210, (House Bill No. 1396).

An Act to amend Section ten of an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the twenty-fourth day of May one thousand eight hundred and eighty-seven providing for the sale of mixed paints, white leads and colors ground in oil and all lead products and painters materials used in the arts and industries without the necessity of labeling the same.

Referred to the Committee on Public Health and Sanitation.

Senate Bill No. 274, (House Bill No. 1397).

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensatior

and abolishing the office of Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and ninety-five."

Referred to the Committee on Public Buildings.

Senate Bill No. 275, (House Bill No. 1398).

An Act to amend an act approved the twenty-sixth day of March, one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies, fuel, furniture, furnishings, distribution of documents, repairs, alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers, authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same."

Referred to the Committee on Public Buildings.

Senate Bill No. 308, (House Bill No. 1399).

An Act authorizing the warden superintendent or person in charge of any penitentiary, jail, reformatory, workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

Referred to the Committee on Judiciary Special.

Senate Bill No. 405, (House Bill No. 1400).

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention," approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy.

Referred to the Committee on Judiciary Local.

Senate Bill No. 406, (House Bill No. 1401).

An Act to amend the fourth, fifth, eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent.

Referred to the Committee on Judiciary Local.

Senate Bill No. 421, (House Bill No. 1402).

An Act to repeal an act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington," approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington,' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labor Academy,'" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington, Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington County.

Referred to the Committee on Judiciary Local.

Senate Bill No. 556, (House Bill No. 1403).

An Act to permit of the relocation of certain portions of the track of Street Passenger Railway Companies with the consent of the local authorities.

Referred to the Committee on Municipal Corporations.

BILLS INTRODUCED AND REFERRED.

By Mr. SASSAMAN. House Bill No. 1370.

An Act to amend section five hundred and thirty-nine of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, A. D., one thousand nine hundred and eleven, so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city, shall consist of and the form in which the same shall be printed and indexed.

Referred to Committee on Education.

By Mr. LOWERS. House Bill No. 1371.

An Act empowering poor districts to establish and maintain an industrial home for the care and training of pauper children.

Referred to Committee on Judiciary Local.

By Mr. HORACE B. DUNN. House Bill No. 1372.

An Act to amend section two thousand two hundred and eight of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini, one thousand nine hundred and eleven.

Referred to Committee on Education.

By Mr. C. M. C. CAMPBELL. House Bill No. 1373.

An Act making an appropriation for the erection at Carlisle of a monument to commemorate the heroine of the battle field of Monmouth in 1778, known in history as "Molly Pitcher" and providing for the appointment of a commission to select a model for and supervise the erection thereof.

Referred to Committee on Judiciary Local.

By Mr. HORACE B. DUNN. House Bill No. 1374.

An Act to aid in the suppression of insect pests in Pennsylvania, by authorizing the Department of Agriculture to prepare a catalogue of the insects of Pennsylvania, giving their common and scientific names, dates, localities, food, enemies, remedies, habits, and other important points as far as can be ascertained, together with illustrations of some of the important types of insects, and providing for the publication of said book and the distribution of the same, and making an appropriation therefor.

Referred to Committee on Agriculture.

By Mr. GEARY. House Bill No. 1375.

An Act making an appropriation to the Industrial Home for Colored Working Girls, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HORACE B. DUNN. House Bill No. 1376.

An Act requiring the cleansing or sterilizing before use of glasses used in places where alcoholic liquors are sold at retail.

Referred to Committee on Public Health and Sanitation.

By Mr. BLELOCH. House Bill No. 1377.

An Act to prevent the person holding the office of President, Vice-President, Secretary or Treasurer of any Building and Loan Association, incorporated under the laws of this Commonwealth, or doing business herein from holding the office or rpeforming any of the duties of conveyancer for such building association and providing a penalty for the breach thereof.

Referred to Committee on Banks and Banking.

By Mr. LORENZO SMITH. House Bill No. 1378.

An Act providing for the licensing of persons firms and corporations buying, selling and dealing in second hand articles, junk, rope, scrap iron, lead, brass, copper or other metals and rags, bones and other materials commonly termed as junk, regulating the purchase, sale and disposal of the same, and providing for violations thereof.

Referred to Committee on Judiciary General.

By Mr. KAISER. House Bill No. 1379.

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers, sailors and marines of the Spanish-American war.

Referred to Committee on Military Affairs.

By Mr. LESLIE. House Bill No. 1380.

An Act to promote the safety of travelers and employes upon railroads by prohibiting common carriers by railroad to require certain duties of conductors, baggagemasters, brakemen and flagmen.

Referred to Committee on Railroads.

By Mr. O'NEILL (by request). House Bill No. 1381.

An Act prohibiting the sale or offering for sale within the Commonwealth of cooking utensils of agate or enamel ware containing antimony or other mineral substances melting at a low temperature and imposing a penalty therefor.

Referred to Committee on Public Health and Sanitation.

By Mr. O'NEILL. House Bill No. 1382.

An Act regulating the letting of certain contracts for the erection, construction and alteration of public buildings.

Referred to Committee on Public Buildings.

By Mr. NORTH. House Bill No. 1383.

An Act making an appropriation for the purpose of further carrying out the provisions of a joint resolution approved the fourteenth day of June, one thousand nine hundred and eleven, entitled "A joint resolution to provide for the participation of the State of Pennsylvania in the Panama-Pacific International Exposition, to be held in San Francisco, California, in nineteen hundred and fifteen, to celebrate the completion and opening of the Panama Canal, and the four hundredth anniversary of the discovery of the Pacific Ocean; and providing for the appointment of a commission, and making an appropriation to defray the expenses of the same.

Referred to Committee on Appropriations.

By Mr. NEEL. House Bill No. 1384.

An Act authorizing county commissioners to require constables to kill dogs not wearing a tax tag required by law, and imposing a penalty on constables for refusal to comply therewith.

Referred to Committee on Counties and Townships.

By Mr. WILTBANK. House Bill No. 1385.

An Act creating a commission to provide for the construction of a nautical school ship, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Judiciary Local.

By Mr. ISLER. House Bill No. 1404.

An Act authorizing police magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances, on certain terms and conditions, and providing for the appointment of probation officers.

Referred to Committee on Judiciary Local.

By Mr. BERGEY (by request). House Bill No. 1405.

An Act to prohibit experiments upon sentient animals and providing a penalty therefor.

Referred to Committee on Public Health and Sanitation.

By Mr. ROBINSON. House Bill No. 1406.

An Act to establish as a "State Highway" a certain section of public road, known as the Mercer and Clarksville road, beginning in the borough of Mercer, thence by Pearson's Mills, through the borough of Clarksville, thence to point of intersection of route number two hundred thirty-eight.

Referred to Committee on Public Roads.

By Mr. BENSON. House Bill No. 1407.

An Act for the regulation incorporation supervision and control of the business of banking and providing penalties for its violation and repealing all acts and parts of acts inconsistent herewith.

Referred to the Committee on Banks and Banking.

By Mr. ISLER. House Bill No. 1408.

An Act fixing the compensation of the reading clerks of the Senate and the House of Representatives.

Referred to the Committee on Judiciary Local.

By Mr. STEIN. House Bill No. 1409.

An Act to further amend Section 2 of an act, entitled "An Act to amend Section 2 of an act, entitled 'An Act to establish a County Court for the County of Allegheny and prescribing the powers and duties; regulating the procedure therein and providing for the expenses thereof;'" approved the sixth day of June, 1911, by increasing the salaries of the judges of said court from five thousand dollars per annum to six thousand dollars per annum, and the presiding judge from fifty-five hundred dollars to sixty-five hundred dollars per annum.

Referred to the Committee on Judiciary General.

By Mr. POST. House Bill No. 1410.

An Act making an appropriation to the Pennsylvania Training School formerly the Pennsylvania Reform School, at Morganza, Washington County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MANNION. House Bill No. 1411.

An Act to establish as a "State Highway" a certain section of public road, beginning at Peckville, on Route No. 6, in Blakely borough, Lackawanna County, passing through Green Grove, Brown Hollow Elm Brook School, Scott Post Office, Orvis School, Tompkinsville and Miller's School to Clifton, Susquehanna County, at the junction of Route No. 174.

Referred to the Committee on Public Roads.

By Mr. BITTLES. House Bill No. 1412.

An Act establishing a "State Highway" from New Castle to Ellwood City, Lawrence County, commencing at the east end of East Washington street, New Castle, running by way of East New Castle, Energy Slippery Rock Church, and Hazel Dell into Ellwood City, over what is known as the Pittsburgh Road.

Referred to the Committee on Public Roads.

By Mr. LATSHAW. House Bill No. 1413.

An Act prohibiting the drinking of intoxicating liquors on engines or cars propelled by steam or electricity, except in dining cars, cafe or other car with buffet or cafe attachment and providing punishment for violation thereof.

Referred to the Committee on Railroads.

By Mr. SPEISER. House Bill No. 1414.

An Act reorganizing the Attorney General's Department, designating the officers and employees thereof, and fixing their salaries.

Referred to the Committee on Judiciary Special.

By Mr. GEORGE A. BALDWIN. House Bill No. 1415.

An Act authorizing and empowering any city, borough or township in this State to impose an annual tax of one dollar per pole upon every person, partnership or corporation now or hereafter maintaining any pole or poles upon any avenue, street, lane, alley or highway in such city, borough or township; providing when such tax shall be due and payable; providing a penalty for non-payment; and providing for the collection of said tax and penalty.

Referred to the Committee on Judiciary Local.

By Mr. WHITAKER. House Bill No. 1416.

An Act providing for the election of councilmen in the several boroughs of this Commowealth divided into wards where the agregate number of councilmen in said borough is an even number not divisible by three and fixing the time of organizartion of town councils therein.

Referred to the Committee on Municipal Corporations.

By Mr. CLAYCOMB. House Bill No. 1417.

An Act requiring the heads of the Executive Department to issue bi-monthly reports and transmit the same to the Governor, members of the General Assembly and others.

Referred to the Committee on Judiciary General.

By Mr. CLAYCOMB. House Bill No. 1418.

An Act making it unlawful for members of the General Assembly to hold any other public office or employment under the Commonwealth, or to enter into any contract therewith or to be an officer or director of a partnership or corporation entering into any contract with the Commonwealth; and making the violation thereof a misdemeanor.

Referred to the Committee on Judiciary General.

By Mr. STEELE. House Bill No. 1419.

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth; and empowering the Commissioner of Health of the Commonwealth in certain cases, to let contracts for the erection of such stations at the cost of such cities and boroughs.

Referred to the Committee on Public Health and Sanitation.

By Mr. CHEESEMAN. House Bill No. 1420.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point in Slippery Rock Borough, Butler County, and extending northwest through Liberty and Pine Townships to Grove City, Mercer County.

Referred to the Committee on Public Roads.

By Mr. JOSEPH GRAY. House Bill No. 1421.

An Act relative to the admission of attorneys to practice in the Supreme Court of Pennsylvania.

Referred to the Committee on Judiciary General.

By Mr. SCHUCK. House Bill No. 1422.

An Act making an appropriation to the Charleroi-Monessen Hospital, Charleroi, Washington County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STRAUSS. House Bill No. 1423.

An Act to apportion the State into Congressional Districts.

Referred to the Committee on Congressional Apportionment.

By Mr. AMBLER. House Bill No. 1424.

An Act to amend an act "Providing for the appointment of a board of Visitation for Institutions, Societies and Associations careing for dependent,, negiected or delinquent children," approved the 26th day of February, A. D. 1903, and making it the duty of the Board of Visitation to visit

all institution within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly suppported and managed by any county, city, borough or township of the poorer district of the Commonwealth, and providing for the making of nominations of appointment on the Boards of Visitations.

Referred to the Committee on Judiciary Local.

By Mr. MORROW. House Bill No. 1425.

An Act for the better protection of Deer in this Commonwealth, prescribing a method through which deer may be hunted, and a penalty for violation of its provisions.

Referred to the Committee on Game.

By Mr. MILLER. House Bill No. 1426.

An Act amending section one of an act, entitled "An Act concerning liens of manufacturers and throwsters of cotton, woolen and silk goods," approved the twenty-third day of May, Anno Domini one thousand nine hundred and seven, by extending the provisions thereof to include dyers of cotton, wool and silk yarns.

Referred to the Committee an Manufactures.

By Mr. AMBLER. House Bill No. 1427.

An Act making an appropriation to the Home for Aged Couples and Old Men, at Bala, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. AMBLER. House Bill No. 1428.

An Act to establish a State Village for Feeble-Minded Women; providing for the appointment of a Board of Managers to purchase a tract of land for that purpose and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one thousand nine hundred and fifteen.

Referred to the Committee on Appropriations.

By Mr. McCLINTOCK. House Bill No. 1429.

An Act prohibiting any person to load, drive, ride, or work, or cause or permit any other person to lead, drive, ride, or work, any horse, mare, mule, ox, or any other animal whether belonging to himself or in his possession or control, for more than twelve hours in any twenty-four hour period, in any city of the first or second class; provided, that nothing in this act contained shall be construed to warrant any person's leading, driving, riding, or working any animal a less period than twelve hours when so [illegible] any way violate the laws against cruelty to animals; providing a penalty for the violations of this act, and authorizing policemen, constables, or agents of duly incorporated societies or associations for the prevention of cruelty to animals, in this Commonwealth, to make arrests, or view or by warrants, of offenders of this act.

Referred to the Committee on Agriculture.

By Mr. JAMES A. DUNN. House Bill No. 1430.

An Act making an appropriation to the German Baptist Home for the Aged of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALLEN. House Bill No. 1431.

An Act to amend an act, entitled "An Act requiring the Prothonotary of the several Courts of Common Pleas in this Commonwealth to keep separate dockets in certain cases," approved the 22nd day of May, 1878, by authorizing the Courts of Commmon Pleas to cause to be entered in the separate docket additional subjects, and authorizing the Common Pleas Court by its order to direct the Prothonotary to enter all the subjects herein provided for in one index which after such order, shall be kept in lieu of the separate ejectment and other indexes now provided by law, and providing that such indexes shall be notice.

Referred to the Committee on Judiciary Special.

By Mr. EWING. House Bill No. 1432.

An Act to amend section two thousand two hundred and eight of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establsh and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini, one thousand nine hundred and eleven.

Referred to the Committee on Education.

By Mr. HUMES. House Bill No. 1433.

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying, digging, excavating, manufacturing, buying and selling rock, stone, sand and gravel, to erect, and maintain buildings and manufacturing establishments, and to take, have and hold real estate within this Commonwealth necessary and proper for corporate purposes.

Referred to the Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 1434.

An Act to validate all sales, public and private, and all mortgages of real estate of decedents, heretofore made under authority of Orphans' Courts upon petition of Executors or Administrators for payment of debts, or for any other lawful purpose.

Referred to the Committee on Judiciary Special.

By Mr. WILDMAN. House Bill No. 1435.

An Act to amend section one of an act, entitled "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty thereof," approved the fourteenth day of April, Anno Domini, one thousand nine hundred and five, limiting the lands to which the provisions of said act shall apply.

Referred to Committee on Judiciary Local.

By Mr. MILLER. House Bill No. 1436.

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment.

Referred to the Committee on Judiciary General.

By Mr. HEMMINGER. House Bill No. 1437.

An Act regulating certain contracts for maintenance of inmates in county poor houses and hospitals for the insane, in counties containing less than one hundred and fifty thousand inhabitants.

Referred to Committee on Judiciary Local.

By Mr. WALNUT. House Bill No. 1438.

An Act to preven the evasion of the marriage laws of this Commonwealth by making void marriages solemnized in another state or country contrary to the provisions of the laws of this Commonwealth, and providing a penalty for licensing or solemnizing such marriages.

Referred to the Committee on Judiciary General.

By Mr. WALNUT. House Bill No. 1439.

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred; and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began December first, eighteen hundred and one; and placing the supervision and direction thereof under the care of the Legislative Reference Bureau.

Referred to the Committee on Judiciary General.

By Mr. DAVIS. House Bill No. 1440.

An Act to provide for the use of voting machines at any or all elections and primary elections within this State; creating a State Board of Voting Machine Examiners, and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines, and providing penalties for violations of the provisions of this act.

Referred to Committee on Judiciary Local.

By Mr. HUMES. House Bill No. 1441.

An Act to prevent the setting aside or reversal of judgments, orders or decrees of the Courts of this Commonwealth, or the granting of new trials by the Supreme Court or Superior Court, unless in the opinion of the Appellate Court it shall appear that the error complained of has resulted in a miscarriage of justice.

Referred to the Committee on Judiciary General.

By Mr. W. A. BLAIR. House Bill No. 1442.

An Act making an appropriation for the erection and dedication of a Soldiers' Memorial Monument in Pleasant Hill Cemetery, in Reade Township, Cambria County.

Referred to Committee on Appropriations.

By Mr. ALLEN. House Bill No. 1443.

An Act making an appropriation to the Children's Aid Society of Allegheny County, in the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 1444.

An Act to amend the second, third, fourth, fifth, sixth, seventh, eighth eleventh, twelfth, and fifteenth sections of

an act, entitled "An Act establishing the office of State Fire Marshal; defining his powers and duties, providing for his compensation and the maintenance of his office; giving courts the power to punish witnesses for contempt of his authority and to review his orders; and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste," approved the third day of June, one thousand nine hundred and eleven, by extending the powers and duties of the State Fire Marshal, his deputies and assistants and providing penalties for violations of said act as amended; and to repeal the fourteenth section of said act.

Referred to the Committee on Insurance.

By Mr. RONEY. House Bill No. 1445.

An Act creating a Department of Labor and Industry, defining its powers and duties, establishing an Industrial Board, prescribing a standard of resonable and adequate protection to be observed in the rooms, buildings and places where labor is employed, empowering the said Industrial Board to make, alter, amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board.

Referred to the Committee on Labor and Industry.

By Mr. RONEY. House Bill No. 1446.

A Supplement to an act, entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the preventions of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of very fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshal with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshal and providing a penalty for the violation of this act.

Referred to the Committee on Insurance.

By Mr. RONEY. House Bill No. 1447.

A further supplement to an act, entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred an deleven to provide revenue for the enforcement of the act to which this is a supplement by imposing a tax upon the premiums of all fire insurance companies and associations doing business in this Commonwealth.

Referred to the Committee on Insurance.

By Mr. SHERN. House Bill No. 1448.

An Act to give the status of a depositor as to preference over other creditors to persons, firms or corporations accepting from a bank or trust company its check in payment of a depositor's check.

Referred to Committee on Judiciary General.

By Mr. HACKETT. House Bill No. 1449.

An Act supplementing and amending an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the school visitors.

Referred to Committee on Education.

By Mr. HACKETT. House Bill No. 1450.

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school visitors in school districts of the first class may remove janitors of grammar and elementary schools in their district, for cause; shall have charge of all minor repairs to public school buildings, other than high schools in their respective districts.

Referred to Committee on Education.

By Mr. BIGGER. House Bill No. 1451.

An Act providing for the resignation or retirement of certain officers and employes of State institutions and under certain conditions allowing them half pay during the remainder of their lives, and making an appropriation therefor.

Referred to Committee on Judiciary Special.

By Mr. MELLOTT. House Bill No. 1452.

An Act to establish as a "State Highway" a certain section of public road, beginning on route number thirty-eight, near Webster Mills, thence south by way of Big Cove Tannery, Dickery's Mountain Damascus Church and Rheobeth Church, to the Maryland State line in Fulton County.

Referred to the Committee on Public Roads.

By Mr. MELLOTT. House Bill No. 1453.

An Act to amend article six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith;" by adding a new section thereto.

Referred to Committee on Education.

By Mr. MELLOTT. House Bill No. 1454.

An Act for the better protection of wild turkeys in this Commonwealth.

Referred to Committee on Game.

By Mr. MELLOTT. House Bill No. 1455.

An Act to establish as a "State Highway" a certain section of public road, beginning on route number one hundred and ninety-two in Fulton County, at Hustontown, Taylor Township, thence by way of Harrisonville , on route number thirty-nine, Need more on route Number thirty-eight, and Iakly Church to the Maryland State line in Fulton County.

Referred to the Committee on Public Roads.

By Mr. BIGGER. Houset Bill No. 1456.

An Act making an appropriation for the erection of a monument for the reception and preservation of certain relics of the Battleship Maine, commemorating the services of Lieutenant Friend W. Jenkins, and the sailors who were killed in the explosion of the Maine.

Referred to Committee on Appropriations.

By Mr. MOULTHROP. House Bill No. 1457.

An Act to amend the fourteenth section of an act, entitled "An Act to provide for the incorporation of Casualty Insurance Companies, and for the regulation of home and foreign Casualty Iusurance Companies, and providing penalties for the violation of any of the provisions of this act" approved the first day of June A. D., 1911, and providing for the incorporation of Casualty Companies for the insurance of glass against breakage upon the mutual plan.

Referred to the Committee on Insurance.

By Mr. SCHUCK. House Bill No. 1458.

An Act regulating the printing, binding and distribution of the public documents of this Commonwealth; and providing penalties for the violation of this act.

Referred to the Committee on Printing.

By Mr. HUMES. House Bill No. 1459.

An Act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly, and providing for their election, or appointment, and manner of filling vacancies.

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 1460.

An Act fixing the salary, and providing for the expenses of Township Commissioners of townships of the first class of this Commonwealth.

Referred to Committee on Counties and Townships.

By Mr. DeFREES. House Bill No. 1461.

An Act relating to sidewalks in cities of the third class and boroughs.

Referred to Committee on Municipal Corporations.

By Mr. KENNA. House Bill No. 1462.

An Act relating to appointment of deputy constables.

Referred to Committee on Judiciary General.

By Mr. DICKINSON. House Bill No. 1463.

A supplement to an act approved the sixteenth day of June, one thousand nine hundred and eleven, entitled "An Act to provide, within the following boundaries—namely: on the west, by the present eastern line of Capitol Park; on the north, by the southern line of North street; on the east, by the western line of the right of way of the Pennsylvania Railroad Company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the city of Harrisburg; and for the acquiring, taking and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and making an appropriation.

Referred to Committee on Appropriations.

By Mr. W. H. WILSON. House Bill No 1464.

An Act regulating the openings of buildings upon, over or under external fire escapes.

Referred to the Committee on Judiciary Special.

By Mr. BODY. House Bill No. 1465.

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven, entitled "An Act to authorize County Commissioners for the purpose of encouraging agriculture and the holding of county agriculture exhibitions to pay annually one thousand dollars to the incorporated agricultural associations, paying premiums on agricultural exhibits holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition: and providing for the repayment to the county by the State of the sum so paid," as amended.

Referred to Committee on Agriculture.

By Mr. E. E. JONES. House Bill No. 1466.

An Act to establish as a "State Highway" a certain section of public road, beginning in Tunkhannock and running thence to Meshoppen thence to a point on the line dividing the counties of Wyoming and Susquehanna Counties, thence by way of Auburn Four Corners, Rishboro, Lawton, Birchardsville, Saint Joseph's and Choconut to a point on the New York State line.

Referred to Committee on Public Roads.

By Mr. E. E. JONES. House Bill No. 1467.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point on route two hundred twenty at Greeley, Pike County, and running thence to Lackawaxen in said county connecting with route two hundred and fifty-five.

Referred to Committee on Public Roads.

By Mr. MILLER. House Bill No. 1468.

An Act exempting certain personal property from levy and sale on execution or distress for rent.

Referred to the Committee on Judiciary General.

By Mr. E. E. Jones. House Bill No. 1469.

An Act relating to roads, providing for the supervision, construction maintenance and repair of township roads, relating to road tax, making an appropriation and providing penalties for the violation thereof.

Referred to the Committe on Public Roads.

By Mr. JOHN ROBERT JONES. House Bill No. 1470.

An Act to repeal an act, approved the twelfth day of May, one thousand nine hundred and eleven, entitled "An Act empowering boroughs of this Commonwealth without petition of the property owners to grade, pave curb, macadamize, and otherwise improve public streets, or parts thereof, and assess a portion of the cost of the same on the owners of property abutting thereon; and providing for the collection of the same."

Referred to the Committee on Municipal Corporations.

By Mr. JAMES A. DUNN. House Bill No. 1471.

An Act providing that no self-playing piano, orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel, tavern, inn, saloon, restaurant, moving-picture parlor, dancing hall or other places frequented by the public, unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid, shall be paid for each and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano, orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act.

Referred to the Committee on Judiciary Local.

By Mr. MILLER. House Bill No. 1472.

An Act to promote the safety of the traveling public and employees on steam railroads by regulating, the construction of caboose cars.

Referred to the Committee on Railroads.

By. Mr. SASSAMAN. House Bill No. 1473.

An Act to amend an act approved the tenth day of May, one thousand eight hundred and eighty-one, entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age, for the purpose of obtaining intoxicating liquors."

Referred to the Committee on Law and Order.

By Mr. STONE. House Bill No. 1474.

An Act making an appropriation to the Green Home, of Roaring Branch, Pennsylvania, for the maintenance of said home.

Referred to the Commiteee on Appropriations.

By Mr. SNYDER. House Bill No. 1475.

An Act to amend Article two of the first section of an act entitled "An Act relating to the descent and distribution of the estates of intestates," approved the eighth day of April one thousand eight hundred and thirty-three (1833) as amended by an act, entitled 'An act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates', passed and approved April eight one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of said intestate', approved the first day of April, one thousand nine hundred and nine, so as to restrict the operations of the same to cases of actual intestacy.

Referred to Committee on Judiciary General.

By Mr. KERN. House Bill No. 1476.

An Act creating a Rebuilding and Insurance under the control of the Board of Commissioners of Public Grounds and Buildings for the restoration and repairing of any structure, building or equipment owned by the Commonwealth and accidentally destroyed or damaged, and for payment of premiums of insurance upon such property; and making an appropriation to carry out the provisions of this act.

Referred to the Committee on Public Buildings.

By Mr. PRICE. House Bill No. 1477.

An Act to establish as a "State Highway" a certain section of public road commencing at a point on route No. 169, at Steitz Bridge over Brodhead Creek, thence along Brodhead Creek by way of Spruce Cabin Inn to a point on State-aid road running from Canadensis to Cresco, to intersect with route No. 171, Mountain House, Monroe County.

Referred to the Committee on Public Roads.

By Mr. STEIN. House Bill No. 1478.

An Act to repeal an act approved the firt day of April, one thousand eight hundred and eighty-seven entitled "An Act to fix fees of sheriffs in counties containing over three hundred thousand inhabitants and of those performing duties under them, and the manner of collecting and paying the same."

Referred to the Committee on Judiciary General.

By Mr. BROWN. House Bill No. 1479.

An Act regulating the compensation of collectors of taxes in the several boroughs and townships of the second class in this Commonwealth.

Referred to the Committee on Counties and Townships.

By Mr. BROWN. House Bill No. 1480.

An Act amending section fourteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April one thousand eight hundred and ninety-nine, as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townships of each class' ", approved the seventh day of June, one thousand nine hundred and seven.

Referred to the Committee on Counties and Townships.

By Mr. Brown. House Bill No. 1481.

An Act amending section five hundred and fifty-four of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with provisions by which it shall be administered and prescribing penalties for the violation thereof; providing a revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini, one thousand nine hundred and eleven.

Referred to the Committee on Education.

By Mr. THOMAS. House Bill No. 1482.

An Act fixing compensation for the Chief Clerk and the five clerks in the Department of Mines.

Referred to the Committee on Mines and Mining.

By Mr. MILLER. House Bill No. 1483.

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment.

Referred to the Committee on Judiciary General.

By Mr. JAMES A. DUNN. House Bill No. 1484.

A Joint Resolution authorizing the appointment of a commission to investigate the operation of civil service laws in cities of the first class; defining the powers and duties of the commission, and making an appropriation.

Referred to the Committee on Municipal Corporations.

By Mr. JOHN ROBERT JONES. House Bill No. 1485.

An Act regulating the construction use and custody of ballot boxes, delivery of ballots return sheets and election stationery secured in the ballot boxes together with seals and memoranda of the contents and return of same and when and before whom ballot boxes are to be opened, contents emptied and after count replaced in ballot boxes sealed and returned together with the duties of the election officers, county commissioners, chief clerk for the county commissioners and the prothonotary with relation thereto

Referred to the Committee on Elections.

By Mr. GOOD. House Bill No. 1486.

An Act relative to commissioners of townships of the first class and regulating their term and election.

Referred to the Committee on Counties and Townships.

By Mr. MELLOTT. House Bill No. 1487.

An Act to establish as a "State Highway" a certain section of public road, being an extension of route number two hundred eighty-six, from a point at the intersection of the Bedford and Fulton County lines, through Union Township, Fulton County to Buck Valley; thence by way of Lashley, connecting with Route Number thirty-eight in Fulton County.

Referred to the Committee on Public Roads.

By Mr. STEIN. House Bill No. 1488.

An Act providing for the licensing of Stock Brokers, as therein defined, and for the regulation of the sale pledge or negotiation for sale of certain stocks, bonds and other securities, by such Stock Brokers, or the Agents, within this Commonwealth; providing for the winding up of the business of Stock Brokers licensed thereunder, and conferring certain powers and duties on the Commissioner of Banking, for the enforcement of the provisions of this act, and imposing penalties for the violation thereof.

Referred to the Committee on Judiciary General.

By Mr. J. H. WILSON. House Bill No. 1489.

An Act granting a pension to Emma C. Shadel, the widow of Sergeant Elmer E. Nadel, and authorizing the State Treasurer to place her name on the list of pensioners and pay said pension to her quarterly.

Referred to the Committee on Pensions and Gratuities.

By Mr. BROWN. House Bill No. 1490.

An Act regulating the Appointment, Confirmation, Duties, Salary and expenses of County Detectives in counties containing not less than three hundred thousand, nor more than seven hundred thousand inhabitants.

Referred to the Committee on Judiciary Local.

By Mr. BENSON. House Bill No. 1491.

A Joint Resolution proposing a constitutional amendment to the Constitution of Pennsylvania granting to the people the right of recall of public officers.

Referred to the Committee on Constitutional Reform.

By Mr. JOHN H. YOUNG. House Bill No. 1492.

An Act to amend section three of an act approved the thirty-first day of May, one thousand nine hundred and seven, entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers, defining their powers and duties, and fixing their compensation; and abolising the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and ninety-five.

Referred to the Committee on Public Buildings.

LEAVES OF ABSENCE.

Mr. HEIDINGER asked and obtained leave of absence for Mr. Bleloch indefinitely on account of illness in the family.

Mr. CONNIFF asked and obtained leave of absence for Mr. Brown for the remainder of the week.

Mr. GEISER asked and obtained leave of absence for Mr. De Frees on account of illness.

Mr. McCAIG asked and obtained leave of absence for Mr. Kenna for the remainder of the week.

Mr. RONEY asked and obtained leave of absence for Mr. McNichol indefinitely on account of illness.

RELATIVE TO PRINTING MEMORIAL ADDRESSES ON THE LATE HON. JOHN H. RIEBEL.

Mr. McARDLE presented the following resolution, which was twice read, considered and agreed to:

In the House of Representatives, March 12, 1913.

Resolved, (if the Senate concur), That five hundred (500) copies be printed containing the memorial addresses on the late Hon. John H. Riebel, delivered in this House, evening of March 11, 1913, and that every member of the House and Senate be supplied with one copy each.

BILL PLACED ON CALENDAR.

Mr. McALEER. Mr. Speaker, I move that House Bill No. 1030, entitled:

An Act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

be placed upon the Calendar notwithstanding the negative recommendation of the Law and Order Committee.

Mr. GANS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SWIFT. Mr. Speaker, I would like to know what this bill is before being required to vote on it.

Mr. McALEER. Mr. Speaker and Gentlemen of the House, this is a bill to license the dining cars of the railroads to sell liquor. Now, Mr. Speaker, this is about the only kind of a liquor bill that I would have anything to do with. The supposition is that a man should have the privilege of ordering or using liquor if he feels like it in his own private residence. The same right is granted to him in first class hotels. According to my thought, a train which carries a dining car is nothing more or less than a first class traveling hotel. I do not think that any objection has ever been raised particularly to the selling of liquor on dining cars, because it is a public place. There is no abuse of it, and I think it no more than right to have liquor on dining cars so that the man traveling from place to place who likes a bottle of beer for dinner, or a cocktail before breakfast, may have the chance to get it. The Pennsylvania Railroad Company has discontinued the use of liquor on the dining cars for the reason that they were doing it without any warrant of law. They are now desirous of having licenses granted for these cars, for which they propose to pay the sum of one hundred dollars for each car. The licenses are not transferable, and no liquor will be sold on Sunday, or in any terminal station. It is merely for the benefit of the public going from Chicago and Cincinnati in the West through our State to New York and Boston and other places in the East. I think it is perfectly proper bill, and I ask the gentlemen to support this motion to have the bill placed upon the calendar.

The question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. McALEER and Mr. GANS and were as follows:

YEAS—87.

Adams,	Ehrhardt,	Keeport,	Roney,
Allen,	Eichenberger,	Kitts,	Rothenberger,
Alworth,	Ely,	Kuhn, H. P.,	Savacool,
Ambler,	Ewing,	Kuhns, E.G.M.,	Schaeffer, A. C.
Baldwin, R. J.,	Fahey,	Lanius,	Shern,
Bayle,	Forster, I. G.,	Letzkus,	Sherwood,
Becker,	Foster, J. D.,	Mallie,	Smith, J. W.,
Benninger,	Frey,	Mannion,	Spangler,
Berntheizel,	Gans,	McAleer,	Speiser,
Body,	Geary,	McAllister,	Spillinger,
Caldwell,	Geiser,	McArdle,	Steedle,
Carter,	Good,	McCaig,	Strauss,
Cleary,	Goss,	McClintock,	Thomas,

Cochran,	Hackett,	McDermott,	Trach,
Collins,	Haggerty,	Missimer,	Ulman,
Conner,	Hibshman,	Mitchell,	Wettach,
Conniff,	Isler,	O'Neill,	Wildman,
Conrade,	Irwin, H. H.,	Perry, S. J.,	Wilson, W. H.,
Cox,	Jones, J. R.,	Piper.	Wiltbank,
Curry,	Kaiser,	Price,	Young, G. K.,
Davis,	Kaufman,	Ramsey,	Young, J. H.,
Dickinson,	Keegan,	Reeser,	Zimmerman,

NAYS—87.

Baldwin, G. A.,	Heidinger,	Matt,	Robinson,
Barner,	Hemminger,	McKay.	Rockwell,
Benson,	Herman,	Mechling,	Runk,
Bigger,	Hess,	Mellott.	Scott, J. R. K.,
Bittles,	Hobbs,	Metzenbacher,	Scott, S. B.,
Blair, W. F.,	Hoffman,	Miller,	Semmens,
Brosius,	Howard, J.,	Morrow,	Shaffer, C. A.,
Brownlee,	Howard, R.,	Moses,	Shaffer, I. E.,
Burnett,	Humes,	Moulthrop,	Showalter,
Campbell, C.M.,	Irwin, G. C.,	Musser,	Smith, L.,
Carson,	Jackson,	Neel.	Snavely,
Cheeseman,	Kennedy,	Newbaker,	Snyder,
Claycomb,	Kern,	Newton,	Stone,
Currier,	Klepper,	North,	Swartz,
Donnally,	Lenker,	Peachey,	Swift,
Down,	Leslie,	Pennegar,	Walnut,
Dunn, H. B.,	Light,	Pennock,	Walsh,
Gibson,	Lohr,	Perry, H. L.,	Watson,
Glenn,	Lowers,	Peters,	Whitaker,
Grabe,	Martin,	Post,	Whitman,
Gramley,	Mather,	Redfield,	Williams,
Gray, Frank,		Rhoads,	Alter,
		Riebel,	Speaker.

More than the majority required by the rule having voted in the affirmative, the question was determined in the affirmative, and the bill placed on the Calendar.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MALIE. Mr. Speaker I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MALIE. Mr. Speaker on last Thursday morning, I believe it was, or on Wednesday morning, I reported House Bill No. 709, entitled:

An Act regulating the sale or distribution of vinous spirituous malt or brewed liquors by any club society or organization formed for certain purposes and imposing penalties for violation of this act

from the Committe on Law and Order, inadvertently, negatively, that ought to have been reported affirmatively, as the action of the Committee. I would like to have the bill reported affirmatively and have the record corrected.

The SPEAKER. If there is no objection, the record will be corrected accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOSS. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The Gentlerman will state his point.

Mr. GOSS. Mr. Speaker, on page 747 of the Legislative Jounal of March 11th, my colleague, Mr. Geiser, is reported as asking leave of absecnce for myself for the balance of the week. On March 11th, on bills 169 and 183, I am recorded as voting Aye and as I was not here at that time, I will ask that the record be corrected.

The SPEAKER. If there is no objection, the correction will be made upon the Journal.

BILL RECOMMITTED.

Mr. GEORGE C. IRWIN. Mr. Speaker, I move that Bill No. 593, file folio 2597, entitled

An Act relating to contracts of insurance relief benefit of indeminity in case of injury or death entered into prior to the injury between a servant and his master or any person or association acting for or on behalf of such master

on page 27 of to-day's Calendar be re-committed to the Committee on Judiciary Special for a hearing.

Mr. SNYDER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. KITTS. Mr. Speaker, I should like to interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. GEORGE C. IRWIN. Yes, sir.

Mr. KITTS. Mr. Speaker, I should like to ask the gentleman what the purpose of the recommitment of this bill is?

Mr. GEORGE C. IRWIN. Mr. Speaker, this bill is an act relating to contracts of insurance relief benefit of indemnity in case of injury or death, and members of the relief associations who are associated with that organization desire to have a hearing on this bill.

On the question,

Will the House agree to the motion?

The motion was agreed to.

APPOINTMENT OF A COMMISSION TO INVESTIGATE SYSTEMS OF ASSESSMENT OF REAL AND PERSONAL PROPERTY.

Mr. McClintock. Mr. Speaker,

The SPEAKER. The gentleman from Philadelphia, Mr. McClintock.

Mr. McClintock. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. We have passed that order of business but if there is no objection the gentleman from Philadelphia, Mr. McClintock desires to offer a resolution. As there is no objection the resolution will be read by the Clerk.

The Resolution was read as follows:

Whereas, It is important that the assessment of real and personal property in the various counties of this Commonwealth should be made upon systems which protect the interest of the Commonwealth and which prevent discrimination between individuals and localities.

Therefore, Be it Resolved, (if the Senate concur), That the Speaker of the House of Representatives be and he is hereby authorized to appoint five members of the House of Representatives and that the President pro tempore of the Senate be and he is hereby authorized to appoint three Senators who together shall constitute a commission whose duty it shall be to investigate between the sessions of the Legislature the various systems of assessment of real and personal property in use in this Commonwealth. The chairman of said commission shall be elected by the members thereof and all subpoenas issued by said commission shall be signed by him. Said commission shall have full power to administer oaths and to compel the attendance of witnessses, the production of books, documents, records and papers as in its judgment will assist in the performance of its duties. Each member of said commission before entering upon his duties shall take and subscribe to the oath prescribed in the Constitution of the Commonwealth for the faithful performance of his duties. The commisssion shall hold such hearings, which shall be public, at such times and places as it may deem proper. The members of said commission shall serve without compensation but shall be allowed their actual necessary expenses. It shall have the right to employ such officers and employees as may be needed to enable it to properly perform its duties, and the expenditures thereof shall be limited to the amount provided for in the general appropriation bill. Said commission shall make a full and true report in writing of its investigations, together with such recommendations and suggestions as it may deem necessary to the next General Assembly of Pennsylvania at its first session in the year one thousand nine hundred and fifteen.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1049, entitled:

An Act providing a means of identifying certain persons in this Commonwealth requiring certain duties of employes and fixing penalties for violation hereof

And said bill having been read at length the first time.

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1151, entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish side walks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining parts of such expense from the public funds of the township

And said bill having been read at length the first time.

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven, entitled "An Act to establish a public schoool system in the Commonwealth of Pennsylvania together with the provisions by

which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training or orphans or other children

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1158, entitled:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension of branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 296, entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1144, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
The House proceeded to the first reading and consideration of House Bill No. 1039, entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 796, entitled:

An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protection of life and health and to permit the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and effieciency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishment and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 677, entitled:

An Act to amend section thirty-four of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1042, entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 387, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the prepagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the prepagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 41, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1094, entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act to relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1027, entitled:

An Act to amend section one of an act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" requiring the erection of medical rooms in the mines and on the surface.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 822, (Senate No. 103), entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1166, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 696, entitled:

An Act providing and requiring standard provisions in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1054, entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claim filed therefor the methods of preserving such lines and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act amending article two of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven by eliminating the Department of Collector of Delinquent Taxes and by providing for the duties of the Department of Collector of Delinquent Taxes to be transferred to the Department of City Treasurer.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 452, entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 865 (Senate Bill No. 57), entitled:

An Act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highaways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borouhg and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 857, entitled:

An Act to authorize the judges of separate Orphans' court at the request of the judges of the Common Pleas to hear and determine all issues and other matters in the court of Common Pleas courts of Oyer and Terminer and general jail delivery and the courts of Quarter Sessions of the peace.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1090, entitled:

A supplement to an act entitled 'An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven Pamphlet Laws two hundred and forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1025, entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of October in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed.

And said bill having been read at length the first time.

Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1116, entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act to authorize townships of the first class to provide for fire protection.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration House Bill No. 1150, entitled:

An Act to amend sections one and two of the act of April twenty-three nineteen hundred and three (Pamphlet Laws two hundred and ninety-two) entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assesors to make the triennial assessments and the reassessment between the periods of the triennial assessments of property and fixing the time for the return thereof" by directing that the county commissioners shall issue their precepts for the triennial assessment and intermediate reassessments on or before the first Monday of July.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 921, entitled:

An Act authorizing cities boroughs and townships to enact ordinances regulating pipes or tubes used to convey gas.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 357, entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 835, entitled:

An Act relating to the service of notices and summons in landlord and tenant cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 598, entitled:

An Act to prohibit the employment at any work or labor or any minor child under the age of twenty-one years and over the age of sixteen years on or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may ascertain such age and providing a penalty for non-compliance with the provisions of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 697, entitled:

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowering corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 176, entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 479, entitled:

An Act to amend section five hundred sixty-one of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1013, entitled:

An Act to amend the tenth section of an act entitled "An Act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one by changing the procedure for receiving and continuing the liens of municipal and tax claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennnsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No.1082, (Senate No. 157), entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of this Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to township of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a poulation of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 105, entitled:

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establshing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Chief Factory Inspector and other by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof anl by repealing all acts and parts of acts inconsistent with the provisions thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 119, entitled:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuance re-issuance filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posted providing for the enforcement of this act by officers of the department of Factory Inspection and the Department of Mines by the Superintendent of Public Instruction by officers of the boards of school directors and by police officers prescribing penalties for violations of the provisions of this act and defining private prosecutions for violations thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 607, entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act to amend an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" as amended by an act approved the sixteenth day of April one thousand nine hundred and three, entitled "An Act amending an act entitled 'An Act regulating the pay of eelction officers at all elections hereafter held within this Commonwealth' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act to repeal section two of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1167, entitled:

An Act authorizing the appointment by the county commissioners in counties having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants a board of assessors consisting of not less than six (6) nor more than twelve (12) assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act to prevent the polution of the waters of the rivers streams and lakes of this Commonwealth by requiring manufacturers to post upon the premises in a public and conspicuous place a permit to discharge refuse sewage offal or other matter in said rivers streams and lakes and such permit to be signed by the Commissioner of Health of this State and countersigned by the president of the local board of health providing for penalties for any violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1105, entitled:

An act to amend the first section and the second section of an act entitled "An Act constituting county commissioners county controller and coutny treasurer in any county now or hereafter containing not less than seven hnudred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 620, entitled:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and the method of procedure for its enforcement and regualte certain matters of evidence in such procedure"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. GRABE. Mr. Speaker, I move that House Bill No. 620, file folio 2411, be recommitted to the Committee on Agriculture.

Mr. CLAYCOMB. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act to amend the second and fourth sections of an act, entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine, and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1201, entitled:

An act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An act relating to marriage licenses providing for officers herein indicated to issue licences for parties to marry" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1153, entitled:

An act for the prevention of blindness by requiring the reporting of cases of ophalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1199, entitled:

An act to prohibit the clerk of orphans court from issuing a marriage license to persons of Caucasian and Eithiopian descent who desire to intermarry

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 937, entitled:

An act to establish a Bureau of Housing for the sanitary inspection and control of tentment boarding and lodging houses defining its powers and duties and providing certain penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1147, entitled:

An act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1145, entitled:

An act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 554 (Senate No. 14), entitled:

An act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled "An Act authorizing and empowering boroughs and incorporated towns to make use and oppropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred eleven entitled "An act to amend section one of 'An act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding any paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class' by extending the act to include townships of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1083, (Senate No. 160), entitled:

An act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 562, entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the County Treasurer of any county of this Commonwealth having a population of one million or over

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 940, entitled:

An act defining and regulating the occupation of barbering providing for the licensing of persons engaged in barbering providing for the regulation of students of barbering and the regulation of barber shops barber school and barber colleges and fixing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1065, entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a Canal Board to have charge of said work prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurer of this Commonwealth authorizing the said Canal Board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An act providing for the creation of a Commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio and such appurtenances exclusive of a harbor on Lake Erie as may be deemed necessary or convenient for the purpose and to prepare estimates of the cost of constructing completing and installing the same defining the powers and duties of such commission and making it an appropriation to defray its expenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 610 (Senate No. 47), entitled:

An act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An Act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 690, entitled:

An act to confer upon the school board in each public school district of this Commonwealth authority to establish and maintain an auxiliary teachers' board defining the duties of auxiliary teachers and providing for their compensation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 203, entitled:

An act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of State Highways therein

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 908, entitled:

An act prohibiting the giving or soliciting or receiving of tips and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1176, entitled:

An Act to amend an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington to each elect a poor director of the Lake View district

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 928, entitled:

An Act authorizing the commissioners of water works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1067, entitled:

An Act conferring certain powers upon municipalities of the Commonwealth in and on the public wharves within the limits of such municipalities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. S. B. SCOTT. Mr. Speaker, I move that House Bill No. 1067, file folio 2567, be recommitted to the Committee on Municipal Corporations.

Mr. McClintock. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 82, as follows:

An Act authorizing and regulating the employment on county highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every male person who has served an imprisonment of thirty days and still has a balance of his sentence to serve in the county jail or prison of any county may be employed

by the county commissioners of such county but not for more than eight hours in any one day and not more than six days in any one week in the construction improving repairing maintaining or working of any county highway or poor farm in such county

Section 2 The employment of such prisoners on the county highways or poor farms shall be under such regualtions as the county commissioners may prescribe but the services of any such prisoner may not be let or leased or sold to any person or firm or corporation Such number of guards may be employed as the commissioners may deem necessary at a compensation not to exceed two dollars and fifty cents per day each

Section 3 If such employment shall render it impracticable to feed such prisoners in the jail or prison it shall be the duty of the person or persons directed by law to feed prisoners in the prison or jail to provide such prisoners while at work with such meals as may be necessary An extra compensation therefor may be paid by the county commissioners not to exceed ten cents per day for each prisoner so employed

Section 4 If any person guarding any prisoner so employed shall perform his duties so negligently as to permit any prisoner to escape or shall willfully permit or aid any prisoner to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the county jail of the proper county for a period not exceeding one year If any person not being on guard shall aid any prisoner so employed to escape he or she shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this section

Section 5 If any prisoner so employed shall escape or attempt to escape he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment in the proper county jail for a period of one year Such prisoner so convicted shall not be released on probation or parole such sentence shall take effect upon the expiration of the term of the original sentence

Section 6 All acts and parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Adams,	Flynn,	Mannion,	Savacool,
Alworth,	Forster, I. G.,	Martin,	Schuck,
Ambler,	Foster, J. D.,	Mather,	Scott, J. R. K.
Baldwin, G. A.,	Frey,	Matt,	Scott, S. B.,
Baldwin, R. J.,	Gans,	McAleer,	Semmens,
Barner,	Geary,	McAllister,	Shaffer, C. A.,
Bayle,	Geiser,	McArdle,	Shaffer, I. E.,
Becker,	Gibson,	McClintock,	Shern,
Benninger,	Glenn,	Mechling,	Sherwood,
Benson,	Goss,	Mellott,	Showalter,
Bergey,	Grabe,	Metzenbacher,	Smith, J. W.,
Berntheizel,	Gramley,	Missimer,	Smith, L.,
Bigger,	Gray, Frank,	Mitchell,	Snavely,
Bittles,	Haggerty,	Moore,	Snyder,
Blair, W. F.,	Heidinger,	Moses,	Speiser,
Body,	Hemminger,	Moulthrop,	Spillinger,
Brosius,	Herman,	Musser,	Steedle,
Brownlee,	Hess,	Neel,	Stone,
Burnett,	Hibshman,	Newbaker,	Strauss,
Caldwell,	Hobbs,	Newton,	Swartz,
Campbell, C.M.,	Hoffman,	North,	Swift,
Carson,	Howard, J.,	O'Neill,	Tnomas,
Cheeseman,	Howard, R.,	Peachey,	Trach,
Claycomb,	Humes,	Pennegar,	Ulman,
Conner,	Jackson,	Pennock,	Walnut,
Conrade,	Jones, E. E.,	Perry, S. J.,	Walsh,
Cox,	Jones, J. R.,	Peters,	Walton,
Currier,	Kaiser,	Piper,	Watson,
Curry,	Kaufman,	Post,	Whitaker,
Davis,	Keeport,	Price,	Whitman,
Dickinson,	Kennedy,	Ramsey,	Wildman,
Donnally,	Kern,	Redfield,	Williams,
Down,	Klepper,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Kuhn, H. P.,	Rhoads,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.	Robinson,	Young, G. K.,
Ehrhardt,	Latshaw,	Rockwell,	Young, J. H.,
Eichenberger,	Lenker,	Roney,	Zimmerman,
Ely,	Lohr,	Rothenberger,	Alter,
Ewing,	Lowers,	Runk,	Speaker.
Fahey,			

NAYS—14.

Cleary,	Kitts,	Malie,	Murphy.
Good,	Lanius,	McCaig,	Perry, H. L.,
Irwin, H. H.,	Letzkus,	McKay,	Reese,
		Morrow,	Schaeffer, A. C

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 72, as follows:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation co-partnership or company and every association (other than state and national banks trust companies companies dealing exclusively in real estate and real estate mortgages building and loan associations and corporations not organized for profit) organized or which shall be hereafter organized in this Commonwealth whether incorporated or unincorporated which shall sell or negotiate for the sale of any securities of any kind whatsoever other than bonds of the United States the Commonwealth of Pennsylvania or of some municipality of the Commonwealth of Pennsylvania and mortgages on real estate located in the Commonwealth of Pennsylvania to any person corporation co-partnership or company in the Commonwealth of Pennsylvania other than those specifically exempted herein shall be known for the purpose of this act as a domestic investment company Every such investment company organized in any other state territory or government shall be known for the purpose of this act as a foreign investment company

Section 2 Before offering or attempting to sell any securities of any kind other than those specifically exempted in section one of this act to any person corporation co-partnership or company or transacting any business whatever in this Commonwealth except that of preparing the documents hereinafter required every such investment company domestic or foreign shall file in the office of the Commissioner of Banking of this Commonwealth together with a filing fee of two dollars and fifty cent ($2.50) the following documents to wit A statement showing in full detail the plan upon which it proposes to transact business A copy of all contracts and other securities which it proposes to make or sell to its contributors A statement which shall show the name and location of the investment company and an itemized account of its actual financial condition and the amount of its property and liabilities and such other information touching its affairs as said Commissioners of Banking may require If such investment company shall be a co-partnership or an unincorporated association it shall also file with the Commissioner of Banking a copy of its articles of co-partnership or association and all other papers pertaining to its organization and if it be a corporation organized under the laws of the Commonwealth of Pennsylvania it shall also file with the Commissioner of Banking a copy of its articles of incorporation constitution and by-laws and all other papers pertaining to its organization If it shall be an investment company organized under the laws of any other state territory or government incorporated or unincorporated it shall also file with the said Commissioner of Banking a copy of the laws of such state territory or government under which it exists or is incorporated and also a copy of its charter articles of incorporation constitution and by-laws and all amendments thereof which have been made and all other papers pertaining to its organization

Section 3 All of the above-described papers shall be verified by the oath of a member of a co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or unincorporated association All such papers however as are recorded or are on file in any public office shall be further certified to by the officer of whose records they form a part as being correct copies of such records

Section 4 Every foreign investment company shall by a duly executed instrument filed in the office of the Commissioner of Banking constitute and appoint the Commissioner of Banking or his successor its true and lawful attorney upon whom all lawful process in any action rule order or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon him as its said attorney shall be of the same force and validity as if served on the company and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this Commonwealth The service of such process shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commissioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorney shall be deemed valid service upon such company The Commissioner of Banking shall upon process being served upon him as attorney for a foreign investment company forthwith forward one of the duplicate copies of the process served upon him to its secretary the case of a company of a foreign country to its resident manager in the United States As a condition of valid and effective service and of the duty of the Commissioner of Banking in the premises the plaintiff in each such process shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Commissioner of Banking shall keep a record of all such processes which shall show the day and hour of service

Section 5 It shall be the duty of the Commissioner of Banking to examine the statements and documents so filed and if said Commissioner of Banking shall deem it advisable he shall make or have a detailed examination of such investment company's affairs which examination shall be at the expense of such investment company as hereinafter provided and if he finds that such investment company is solvent that its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract contain and provide for a just and equitable plan for the transaction of business and in his judgment promises a fair return on the securities by it offered for sale the Commissioner of Banking shall issue to such investment company a statement reciting that such company has complied with the provisions of this act that detailed information in regard to the company and its securities is on file in the Commissioner of Banking's office for public inspection that such investment company is permitted to do business in this Commonwealth and such statement shall also recite in bold type that the Commissioner of Banking in no wise recommends the securities to be offered for sale by such security

company But if said Commissioner of Banking finds that such articles of incorporation or association charter constitution and by-laws plan of business or proposed contract contain any provision that is unjust or inequitable to any class of contributors or if he decides from his examination of its affairs that said investment company is not solvent and does not intend to do a fair and honest business and in his judgment does not promise a fair return on the securities by it offered for sale then he shall notify such investment company in writing of his findings and it shall be unlawful for such company to do any further business in this Commonwealth until it shall so change its constitution and by-laws articles of incorporation or association its proposed plan of business and proposed contract and its general financial condition in such manner as to satisfy the Commissioner of Banking that if it is solvent and its articles of incorporation or association its constitution and by-laws its proposed plan of business and proposed contract provide for a just and equitable plan for the transaction of business and does in his judgment promise a fair return on the securities by it offered for sale provided that all expenses paid or incurred and all fees or charges received or collected for any examination made under the provisions of this section of this act shall be reported in detail by the Commissioner of Banking and a full report and record thereof made in detail

Section 6 It shall not be lawful for any investment company either as principal or agent to transact any business in form or character similar to that set forth in section one of this act except as is provided in section two of this act until it shall have filed the papers and documents above provided for No amendment of the charter articles of incorporation constitution and by-laws of any such investment company shall become operative until a copy of the same has been filed with the Commissioner of Banking as provided in regard to the original filing of charters articles of incorporation constitution and by-laws nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed by section two of this act or to make contracts other than that shown in the copy of the proposed contract required to be filed by section two of this act until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the Commissioner of Banking in like manner as provided in regard to the original plan of business and proposed contract and the consent of the Commissioner of Banking obtained as to making such proposed new plan of transacting business and proposed new contract

Section 7. Any investment company may appoint one or more agents but no such agent shall do any business for said investment company in this State until he shall first register with the Commissioner of Banking as agent for such investment company and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar Such registration shall entitled such agent to represent said investment company as its agent until the first day of January following unless said authority is sooner revoked by the Commissioner of Banking and such authority shall be subject to revocation at any time by the Commissioner of Banking for cause appearing to him sufficient.

Section 8. Every investment company domestic or foreign shall file within sixty days after the close of business on December thirty-first of each year and at such other times as required by the Commissioner of Banking a statement verified by oath of a member of the co-partnership or company if it be a co-partnership or company or by the oath of a duly authorized officer if it be an incorporated or an unincorporated association setting forth in such form as may be prescribed by the Commissioner of Banking its financial condition and the amount of its assets and liabilities and furnishing such other information concerning its affairs as said Commissioner of Banking may require Each regular statement shall be accompained by a filing fee of two dollars and fifty cents Any investment company failing to file its report as herein provided or failing to file any other or special report herein required within thirty days after receipt or request or requisition therefor shall forfeit its right to do business in this Commonwealth The Commissioner of Banking may upon satisfactory cause shown by an investment company extend the time for filing any report herein required

Section 9. The general accounts of every investment company domestic or foreign doing business in this Commonwealth shall be kept by double entry and such company its co-partners or managing officers shall at least once in each month make a trial balance of such accounts which shall be recorded in a book provided for that purpose such trial balances and all other books and accounts of such company shall at all times during business hours except Sundays and legal holidays be open to the inspection of stockholders and investors in said company or investors in the securities by it oeered for sale and to the Commissioner of Banking and his deputies.

Section 10 The Commissioner of Banking shall have general supervision and control as provided by this act over any and all investment companies domestic or foreign doing business in this Commonwealth and all such investment companies shall be subject to examination by the Commissioner of Banking or his duly authorized deputies at any time the Commissioner of Banking may deem it advisable and in the same manner as is now provided for the examination of State banks The powers of the Commissioner of Banking in connection with such examinations shall be the same as is now provided with reference to examination of State banks and such investment company shall pay a fee for each of such examination of not to exceed five dollars for each day or fraction thereof plus the actual traveling and hotel expenses of said Commissioner of Banking or deputy that he is absent from the capitol building for the purpose of making such examination and the failure or refusal of any investment company to pay such fees upon the demand of the Commissioner of Banking or deputy while making such examination shall work a forfeiture of its rights to do business in this Commonwealth.

Section 11 Whenever it shall appear to the Commissioner of Banking that the assets of any investment company doing business in this Commonwealth are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe inequitable or unauthorized manner or is jeopardizing the interest of its stockholders or investors in securities by it offered for sale or whenever any investment company shall fail or refuse to file any papers statements or documents required by this act without giving satisfactory reasons therefor said Commissioner of Banking shall at once communicate such facts to the Attorney-General who shall thereupon apply to the Court of Common Pleas of Dauphin County or to the court of any county in which the principal office of such company is located or is doing business or to a judge of either of said courts for the appointment of a receiver to take charge of and wind up the business of such investment company and if such fact or facts be made to appear it shall be sufficient evidence to authorize the appointment of a receiver and the making of such orders and decrees in such cases as equity may require.

Section 12 Any foreign investment company which has complied with the provisions of this act and has obtained from the Commissioner of Banking the statement and certificate of authority mentioned in section five hereof may withdraw from this State by surrendering the said statement to the Commissioner of Banking and by giving to said Commissioner of Banking ninety days' notice in writing of its intention to withdraw and thereafter such foreign investment company shall not sell or negotiate for the sale of any stocks bonds or other securities of any kind or character which are not exempted by this act

Section 13 Any investment company that deems itself aggrieved by any order or decision of the Commissioner of Banking under the provisions of this act may appeal therefrom to the court of common pleas of Dauphin county Pending such appeal all proceedings shall be stayed

Section 14 Any person who shall willfully subscribe to or make or cause to be made any false statements or false entry in any book of such investment company or exhibit any false paper with the intention of deceiving any person authorized to examine into the affairs of such investment company or shall make or publish or cause to be made or published any false statement of the financial condition of such investment company or the securities by it offered for sale shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) nor more than ten thousand dollars ($10,000) and undergo an imprisonment by separate and solitary confinement at labor of not less than one year nor more than ten years.

Section 15 Any person or agent who shall sell or attempt to sell the securities of any investment company or the securities by such company offered for sale who has not complied with the provisions of this act or any investment company which shall do any business or offer or attempt to do any business except as provided in Section one of this act which shall not have complied with the provisions of this act or any agent who shall do or attempt to do any business for any investment company which agent is not at the time duly registered and has fully complied with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) or undergo an imprisonment in the county jail of the proper county not exceeding ninety days or both at the discretion of the court.

Section 16 All fees herein provided for shall be collected by the Commissioner of Banking and by him shall be turned into the State Treasury.

Section 17 Should the courts declare any section of this act unconstitutional or unauthorized by law or in conflict with any other section or provision of this act then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act.

Section 18 All acts or parts of acts inconsistent with this act are repealed.

Section 19 This act shall take effect and be in force from and after the first day of January one thousand nine hundred and fourteen.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Foster, J. D.,	Lowers,	Robinson,
Alworth,	Gans,	Malie,	Rockwell,
Ambler,	Geary,	Mannion,	Roney,
Baldwin, G. A.,	Geiser,	Martin,	Rothenberger,
Baldwin, R. J.,	Gibson,	Mather,	Runk,
Barner,	Glenn,	Matt,	Savacool,
Bayle,	Good,	McAleer,	Schaeffer, A. C
Becker,	Goss,	McAllister,	Schuck,
Benninger,	Grabe,	McArdle,	Scott, J. R. K.,
Benson,	Gramley,	McCaig,	Scott, S. B.,
Bersey,	Gray, Frank,	McClintock,	Semmens,
Bigger,	Gray, Joseph,	McDermott,	Shaffer, C. A.,
Bittles,	Hackett,	McKay,	Shaffer, I. E.,

Blair, W. F.,	Haggerty,	Mechling,	Shern,
Body,	Hemminger,	Mellott,	Shellwood,
Brosius,	Herman,	Metzenbacher,	Showalter,
Brownlee,	Hess,	Miller,	Smith, J. W.,
Burnett,	Hibshman,	Missimer,	Smith, L.,
Caldwell,	Hobbs,	Mitchell,	Snavely,
Campbell, C.M.,	Hoffman,	Moore,	Snyder,
Campbell, J.J.	Howard, J.,	Morrow,	Spangler,
Carson,	Howard, R.,	Moses,	Speiser,
Carter,	Humes,	Moulthrop,	Spillinger,
Cheeseman,	Isler,	Murphy,	Steedle,
Claycomb,	Irwin, H. H.,	Musser,	Stein,
Cleary,	Jackson,	Neel,	Stone,
Cochran,	Jones, E. E.,	Neely,	Strauss,
Collins,	Jones, J. R.,	Newbaker,	Swartz,
Conniff,	Kaiser,	Newton,	Swift
Conrade,	Kaufman,	North,	Thomas,
Cox,	Keeport,	Peachey,	Trach,
Currier,	Kennedy,	Pennegar,	Walnut,
Curry,	Kern,	Pennock,	Walsh,
Dickinson,	Kitts,	Perry, H. L.,	Walton,
Donnally,	Klepper,	Perry, S. J.,	Watson,
Down,	Kuhn, H. P.,	Peters,	Wettach.
Dunn, H. B.,	Kuhns, E.G.M.,	Post,	Whitaker,
Dunn, J. A.,	Lanius,	Price,	Wildman,
Ehrhardt,	Lenker,	Ramsey,	Williams,
Eichenberger,	Leslie.	Redfield,	Wilson, W. H.,
Ely,	Letzkus,	Reese,	Wiltbank,
Ewing,	Light,	Reeser,	Young, G. K.,
Fahey,	Lohr,	Rhoads,	Young, J. H.,
Flynn,		Richards,	Zimmerman,
Forster, I. G.,			Alter,
			Speaker.

NAYS—1.

Davis,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the bituminous mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of bituminous mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which they are appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said boards to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a minor in any bituminous coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a minor except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncompliance or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 This act shall apply only to mines that come under the regulation of the mine inspectors

Section 10 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MOSES. Mr. Speaker in the absence of my colleague, Mr. W. A. Blair, the sponsor of this bill, I take the liberty of asking that this bill be postponed for the present.

Mr. LETZKUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 918, as follows:

An Act to validate private sales of real estate of decedents heretofore made under the provisions of an act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An act relating to orphans' court sales" which were not advertised in accordance with said act as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all private sales of real estate of decedents heretofore made by virtue of decree of the orphans' court in pursuance of the act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An act relating to orphans' court sales" which were not advertised in accordance with the provisions of said act as amended are hereby declared to be valid and effectual to vest in the purchasers thereof the title of such decedents in the real estate so owned Provided That adequate security conditioned for the faithful application of the purchase money shall have been given by such executors or administrators as the case may be in accordance with such decree Provided that this act shall not affect any litigation now pending in any court of this Commonwealth under the act as amended

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Adams,	Foster, J. D.,	Light,	Richards,
Allen,	Frey,	Lohr,	Robinson,
Alworth,	Gans,	Lowers,	Rockwell,
Ambler,	Geary,	[illegible],	Roney,
Baldwin, G. A.,	Geiser,	Mannion,	Rothenberger,
Baldwin, R. J.,	Gibson,	Martin,	Runk,
Barner,	Glenn,	Mather,	Sassaman,
Bass,	Good,	Matt,	Savacool,
Bayle,	Goss,	McAleer,	Schaeffer, A. C
Becker,	Grabe,	McAllister,	Scott, J. R. K.,
Benninger,	Gramley,	McArdle,	Scott, S. B.,
Benson,	Gray, Frank,	McCaig,	Semmens,
Bergey,	Hackett,	McClintock,	Shaffer, C. A.,
Bigger,	[illegible]erty,	McDermott,	Shaffer, I. E.,
Bittles,	Heidinger,	McKay,	Shern,
Blair, W. F.,	Hemminger,	Mechling,	Sherwood,
Body,	Herman,	Mellott,	Showalter,
Brosius,	Hess	Metzenbacher,	Smith, J. W.,
Brownlee,	Hibshman,	Miller,	Smith, L.,
Burnett,	Hobbs,	[illegible]ssmer,	Snavely,
Caldwell,	Hoffman,	Mitchell,	Snyder,
Campbell, C.M.,	Howard, J.,	Moore,	Spangler,
Campbell, J.J.	Howard, R.,	Morrow,	Speiser,
Carson,	Humes,	Moses,	Spillinger,
Carter,	Isler,	Moulthrop,	Steedle,
Cheeseman,	Irwin, G. C.,	Murphy,	Stone,
Claycomb,	Irwin, H. H.,	Musser,	Strauss,
Cleary,	Jackson,	Neel,	Swartz,
Collins,	Jones, E. E.,	Neely,	Swift,
Conner,	Jones, J. R.,	Newbaker,	Thomas,
Conniff,	Kaiser,	Newton,	Trach,
Conrade,	Kaufman,	North,	Ulman,
Cox,	Keegan,	Peachey,	Walnut,
Currier,	Keeport,	Pennegar,	Walsh,
Curry,	Kenna,	Pennock,	Walton,
Davis,	Kennedy,	Perry, H. L.,	Watson,
Dickinson,	Kern,	Perry, S. J.,	Wettach,
Donnally,	Kitts,	Peters,	Whitaker,
Down,	Klepper,	Piper,	Whitman,
Dunn, H. B.,	Kuhn, H. P.,	Post,	Wildman,
Dunn, J. A.,	Kuhns, E.G.M.,	Price,	Williams,
Ehrhardt,	Lanius,	Ramsey,	Wilson, J. H.,
Eichenberger,	Latshaw,	Redfield,	Wilson, W. H.,
Ely,	Lenker,	Reese,	Wiltbank,
Ewing,	Leslie,	Reeser,	Young, G. K.,
Fahey,	Letzkus,	Rex,	Young, J. H.,
Flynn,		Rhoads,	Zimmerman,
Forster, I. G.,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr R. J. BALDWIN. Mr. Speaker, I desire at this time to call up at this time House Bill No. 619, file folio 887, on page 22 of to-day's calendar.

BILLS ON FINAL PASSAGE POSTPONED.

Agreeably to order,

The House resumed the consideration on Final Passage of House Bill No. 619, as follows:

An act to amend the fourth paragraph of section seven of an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. BALDWIN. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading.

Mr. R. J. BALDWIN. Mr. Speaker, I ask the unanimous consent of the House to insert an amendment at this time.

The SPEAKER. The amendment will be read by the clerk.

The Clerk then read the amendment as follows:

Amend House Bill 619 by inserting in line 18, after the word "houses" the words "bone boiling establishments," also strike out the words "public health and" in line 23

The SPEAKER. Will the House give its unanimous consent the insertion of the amendment? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

Ordered, That the bill as amended lie over for printing.

RESOLUTION EXTENDING TIME OF THE COMMITTEE APPOINTED TO INVESTIGATE DUAL OFFICE HOLDING.

Mr. GEISER asked and received unanimous consent to offer a resolution at this time, which was read, considered and agreed to as follows:

Whereas, the Speaker of the House of Representatives has heretofore appointed the Honorable F. E. Geiser, Chairman, Honorable Charles J. Roney, Jr., Honorable J. H. DeFrees, Honorable Charles A. Schaffer and Honorable William D. Walton a committee by virtue of a resolution adopted by the House of Representatives on the 19th day of February, 1913, as follows:

"Whereas, it is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered.

Therefore, be it resolved that a committee of five members of the House of Representatives be appointed by the Speaker of the House, two of whom shall be Democrats, shall be and hereby are constituted a committee to inquire into the facts and to make report of their findings to the House within thirty days. Such committee shall have full power to administer oaths, and to compel the attendance of witnesses and to production of all books and papers, to issue all necessary processes and to exercise all the powers belonging to a committee of the House of Representatives.

and,

Whereas, the said Committee regularly organized and selected Charles J. Roney, Jr., its secretary and thereafter issued its subpoenas for the attendance of certain witnesses and,

Whereas, the said witnesses so subpoenaed by the said Committee neglected or refused to attend the said Committee and by reason thereof the said Committee has been unable to complete its labors within the time prescribed by the original resolution,

Therefore, be it resolved, that the said Committee appointed by virtue of the resolution of February 19th, 1913, heretofore recited, be continued for a further period of thirty days with such power as was originally conferred upon them.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 745, as follows:

An act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wards in cities of the third class be divided consolidated new wards created or all the wards therein reapportioned by a commission of three to be appointed by the president judge of any court of common pleas of any county in which said city or cities are located Upon application being made to said president judge for the appointment of said commission by the petition of at least one hundred qualified electors of the ward wards or city affected or the councils thereof praying for the division of a ward the creation of a new ward or wards out of two or more wards or out of parts of two or more wards or of new territory annexed for the consolidation of wards or for the reapprtionment of all wards of said city the same president judge may appoint a commission consisting of three electors of said city freeholders therein for the purpose of considering and carrying out the prayer of the petitioner or petitioners and it shall be the duty of said commission to make a draft of the ward wards or city to be divided consolidated apportioned or

reapportioned into wards showing the divisions thereof or of the new ward or wards proposed to be created as the case may be and such commission shall make a report by a majority of its members to the said president judge of said court of common pleas together with their recommendation concerning the same Provided however That no ward provided for in said report shall contain a population of less than three thousand inhabitants according to the last decennial United States census

Section 2 If the said commission or a majority of the members thereof shall make a report recommending such division creation consolidation apportionment or reapportionment and attach to said report a draft or map of the ward or wards to be divided created consolidated or apportioned showing the divisions thereof or of the new ward or wards proposed to be created and in case of reapportionment of all the wards of said city showing said apportionment or reapportionment and said report is approved and confirmed finally by said president judge it shall be the duty of the councils to prepare an ordinance for carrying said report so approved and confirmed into effect which ordinance when introduced into councils shall be published in the newspaper or newspapers having the contract for the city advertising once a week for two successive weeks before the final consideration and passage thereof

Section 3 In case the said report is carried into effect by the passing of an ordinance as provided in the foregoing section all councilmen aldermen constables and other elective officers affected by said report and said ordinance shall continue in office and perform their respective duties until the expiration of the terms for which they were severally elected and their successors shall be elected under the provisions of the law regulating the election of said officers in cities of the third class

Section 4 Proceedings under this act may be instituted at any time after the passage of this act but afterward not oftener than once after the taking of each decennial United States census

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ewing,	Kuhns, E.G.M.,	Robinson,
Allen,	Fahey,	Lenker,	Rockwell,
Alworth,	Flynn,	Leslie,	Roney,
Ambler,	Forster, I. G.,	Letzkus,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Light,	Runk,
Baldwin, R. J.,	Frey,	Lowers,	Savacool,
Barner,	Gans,	Malie,	Schaeffer, A. C
Bass,	Geary,	Mannion,	Semmens,
Bayle,	Geiser,	Martin,	Shaffer, C. A.,
Becker,	Gibson,	Mather,	Shaffer, I. E.,
Benninger,	Glenn,	Matt,	Shern,
Benson,	Good,	McAleer,	Sherwood,
Bergey,	Goss,	McAllister,	Showalter,
Bernthelzel,	Grabe,	McArdle,	Smith, J. W.,
Bigger,	Gramley,	McCaig,	Smith, L.,
Bittles,	Gray, Frank,	McClintock,	Snavely,
Blair, W. F.,	Hackett,	McDermott,	Snyder,
Body,	Heidinger,	McKay,	Spangler,
Brosius,	Hemminger,	Mellott,	Speiser,
Brownlee,	Herman,	Metzenbacher,	Spillinger,
Burnett,	Hess,	Moore,	Steedle,
Caldwell,	Heyburn,	Morrow,	Stone,
Campbell, C.M.,	Hibshman,	Moses,	Strauss,
Campbell, J. J.,	Hobbs,	Moulthrop,	Swartz,
Carson,	Hoffman,	Musser,	Swift,
Carter,	Howard, J.,	Neel,	Ulman,
Cheeseman,	Howard, R.,	Neely,	Walnut,
Claycomb,	Isler,	Newbaker,	Walsh,
Cleary,	Irwin, G. C.,	Newton,	Walton,
Cochran,	Irwin, H. H.,	North,	Watson,
Collins,	Jackson,	O'Neill,	Wettach,
Conner,	Jones, E. E.,	Peachey,	Whitaker,
Conniff,	Jones, J. R.,	Pennegar,	Whitman,
Conrade,	Kaiser,	Pennock,	Wildman,
Cox,	Keegan,	Perry, H. L.,	Williams,
Currier,	Keeport,	Perry, S. J.,	Wilson, W. H.,
Curry,	Kenna,	Post,	Wiltbank,
Davis,	Kennedy,	Price,	Young, G. K.,
Dickinson,	Kern,	Ramsey,	Young, J. H.,
Donnally,	Kitts,	Redfield,	Zimmerman,
Down,	Klepper,	Reese,	Alter,
Dunn, H. B.,	Kuhn, H. P.,	Reeser,	Speaker.
Dunn, J. A.,			
Ehrhardt,			
Eichenberger,			

NAYS—4.

Lanius,	Miller,	Mitchell,	Thomas,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 845, as follows:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

Whereas The Board of Inspectors of the Western Penitentiary under authority of law have purchased a farm of about four thousand acres in Centre County in connection with the new Western Penitentiary and

Whereas It is proper and economical to farm said land and thereby decrease the cost to the several counties of the maintenance of convicts therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Inspectors of the said Western Penitentiary are hereby authorized to purchase such farming implements and live stock as may be necessary from time to time for the purpose of farming the tract of land connected with the said Western Penitentiary in Centre County and charge the cost of the same to the several counties in the Western Penitentiary District in proportion to the number of convicts from each county in the said Western Penitentiary District

Section 2 That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed in so far as the same affect this act

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Fahey,	Light,	Richards,
Allen,	Flynn,	Lohr,	Robinson,
Alworth,	Forster, I. G.,	Lowers,	Rockwell,
Ambler,	Foster, J. D.,	Malie,	Roney,
Baldwin, G. A.,	Gans,	Mannion,	Rothenberger,
Baldwin, R. J.,	Geary,	Martin,	Runk,
Barner,	Geiser,	Mather,	Savacool,
Bass,	Gibson,	Matt,	Schaeffer, A. C
Bayle,	Glenn,	McAleer,	Schuck,
Becker,	Good,	McAllister,	Scott, J. R. K.,
Benninger,	Goss,	McArdle,	Scott, S. B.,
Benson,	Grabe,	McCaig,	Semmens,
Bergey,	Gramley,	McClintock,	Shaffer, C. A.,
Bernthelzel,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Bigger,	Hackett,	McKay,	Shern,
Bittles,	Haggerty,	Mechling,	Sherwood,
Blair, W. F.,	Heidinger,	Mellott,	Showalter,
Body,	Hemminger,	Metzenbacher,	Smith, J. W.,
Brosius,	Herman,	Miller,	Smith, L.,
Brownlee,	Hess,	Mosimer,	Snavely,
Burnett,	Hibshman,	Mitchell,	Snyder,
Caldwell,	Hobbs,	Moore,	Spangler,
Campbell, C.M.,	Hoffman,	Morrow,	Speiser,
Campbell, J.J.	Howard, J.,	Moses,	Spillinger,
Carson,	Howard, R.,	Moulthrop,	Steedle,
Carter,	Isler,	Murphy,	Strauss,
Cheeseman,	Irwin, G. C.,	Musser,	Swartz,
Claycomb,	Irwin, H. H.,	Neel,	Swift,
Cleary,	Jackson,	Neely,	Thomas,
Cochran,	Jones, J. R.,	Newbaker,	Trach,
Collins,	Kaiser,	Newton,	Ulman,
Conner,	Keegan,	North,	Walnut,
Conniff,	Keeport,	O'Neill,	Walsh,
Conrade,	Kenna,	Peachey,	Walton,
Cox,	Kennedy,	Pennegar,	Watson,
Currier,	Kern,	Pennock,	Wettach,
Curry,	Kitts,	Perry, H. L.,	Whitaker,
Davis,	Klepper,	Perry, S. J.,	Whitman,
Dickinson,	Kuhn, H. P.,	Post,	Wildman,
Donnally,	Kuhns, E.G.M.,	Price,	Williams,
Dunn, H. B.,	Lanius,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Redfield,	Wiltbank,
Ehrhardt,	Leslie,	Reese,	Young, G. K.,
Eichenberger,	Letzkus,	Reeser,	Young, J. H.,
Ely,		Rhoads,	Zimmerman,
Ewing,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 173, as follows:

An act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed mortgage or other instrument of writing of and concerning any land tenements hereditaments or any estate right title or interest therein required by law to be acknowledged which purports to have been acknowledged by husband and wife before any judge justice of the peace alderman notary public commissioner of deeds or other person authorized by law within this State or within any other of the United States or without the United States to take acknowledgments of deeds et cetera shall be deemed held or adjourned invalid or defective of ensufficient in law or avoided or prejudiced by reason of informality or omission in setting forth the particulars of the

acknowledgment made before such person as aforesaid in the certificate thereof where the acknowledgment bears date prior to the fourth day of April in the year of our Lord one thousand nine hundred and one but all and every such deed mortgage or other instrument of writing where the acknowledgment thereof bears such prior date and purports to have been made by husband and wife as aforesaid or the record of such deed mortgage or other instrument of writing duly made in the proper office for recording of deeds in this Commonwealth shall be as good valid and effectual in law for transferring passing and conveying the estate right title and interest of such husband and wife of in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars of such acknowledgment mentioned in the act entitled "An Act for the better confirmation of the estate of persons holding or claiming under feme covert and for establishing a mode by which husband and wife may hereafter convey their estates" passed the twenty-fourth day of February one thousand seven hundred and seventy were particularly set forth in the certificate thereof and the record of such deed mortgage or other instrument of writing made in the proper county as aforesaid or exemplifications of such record duly certified shall be legal evidence in all cases in which the original would be competent evidence This act shall not apply to suits now pending and undetermined

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Forster, I. G.,	Malie,	Rockwell,
Allen,	Foster, J. D.,	Mannion,	Roney,
Alworth,	Gans,	Martin,	Rothenberger,
Ambler,	Geary,	Mather,	Runk.
Baldwin, G. A.,	Geiser,	Matt,	Savacool,
Baldwin, R. J.,	Gibson,	McAleer,	Schaeffer, A. C
Barner,	Good,	McAllister,	Schuck,
Bass,	Goss,	McArdle,	Scott, S. B.,
Bayle,	Grabe,	McCaig,	Semmens,
Becker,	Gramley,	McClintock,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Berntheizel,	Hackett,	McKay,	Shern,
Bigger,	Haggerty,	Mellott,	Sherwood,
Bittles,	Heidinger,	Metzenbacher,	Showalter,
Blair, W. F.,	Hemminger,	Miller,	Smith, J. W.,
Body,	Herman,	Missimer,	Smith, L.,
Brosius,	Hess,	Mitchell,	Snyder,
Brownlee,	Hibshman,	Moore,	Spangler,
Burnett,	Hobbs,	Morrow,	Speiser,
Caldwell,	Hoffman,	Moses,	Spillinger,
Campbell, C.M.,	Humes,	Moulthrop,	Steedle,
Campbell, J.J.	Isler,	Murphy,	Strauss,
Carter,	Irwin, G. C.,	Musser,	Swartz,
Cheeseman,	Jackson,	Neel,	Swift,
Claycomb,	Jones, E. E.,	Neely,	Thomas,
Cleary,	Jones, J. R.,	Newbaker,	Trach,
Collins,	Kaiser,	Newton,	Ulman,
Conner,	Keegan,	North,	Walnut,
Conniff,	Keeport,	O'Neill,	Walsh,
Conrade,	Kenna,	Peachey,	Walton,
Cox,	Kennedy,	Pennegar,	Watson,
Currier,	Kern,	Pennock,	Wettach,
Curry,	Kitts,	Perry, H. L.,	Whitaker,
Davis,	Klepper	Perry, S. J.,	Whitman,
Dickinson,	Kuhn, H. P.,	Peters,	Wildman,
Donnally,	Kuhns, E.G.M.,	Post,	Williams,
Down,	Lanius,	Price,	Wilson, J. H.,
Dunn, H. B.,	Lenker,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Redfield,	Wiltbank,
Ehrhardt,	Letzkus,	Reese,	Young, G. K.,
Eichenberger,	Light,	Reeser,	Young, J. H.,
Ely,	Lohr,	Rhoads,	Zimmerman,
Ewing,	Lowers,	Robinson,	Alter,
Fahey,			Speaker.
Flynn,			

NAYS—5.

Benson,	Cochran,	Howard, J.,	Howard, R.,
	Lanius,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 768, as follows:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms of office of all directors of the poor and auditors authorized to audit settle and adjust accounts of said directors in incorporated poor districts where the number of said directors is fixed at eight and are required to be elected in blocks of four each year shall be four years and the terms of the auditors authorized to audit settle and adjust their accounts shall be fixed at two years and that four of such directors shall be elected at the municipal election in each odd numbered year hereafter and said auditors shall be elected at the municipal election in each odd numbered year hereafter and said directors and auditors so elected hereafter shall assume their office on the first Monday of January following their election

Section 2 In all said incorporated poor districts referred to in the first section herein there shall at the municipal election held in the fall of the year one thousand nine hundred and thirteen be elected eight such directors as above mentioned four of whom shall hold office for two years and four for four years to be regularly nominated and elected for such terms having reference to the locality from which they come in accordance with the provisions of the charter of such institution and at each succeeding regular municipal election held in the odd numbered years there shall be elected four such directors for a term of four years and such number of auditors as already provided for shall at each said regular municipal election be elected for a term of two years each and in all other respects the election of said poor directors and auditors shall be in accordance with the charter of said incorporated poor districts together with any amendments thereof

Section 3 All acts or parts of acts general special or local in conflict with this act are hereby repealed

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Geary,	Lohr,	Rockwell,
Alworth,	Geiser,	Lowers,	Roney,
Ambler,	Gibson,	Malie,	Rothenberger,
Baldwin, G. A.,	Glenn,	Mannion,	Runk,
Baldwin, R. J.,	Good,	Martin,	Savacool,
Barner,	Goss,	Mather,	Schaeffer, A. C.
Bass,	Grabe,	Matt,	Schuck,
Bayle,	Gramley,	McAleer,	Scott, S. B.,
Becker,	Gray, Frank,	McAllister,	Semmens,
Benson,	Gray, Joseph,	McArdle,	Shaffer, C. A.,
Bergey,	Hackett,	McCaig,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McClintock,	Shern,
Bigger,	Heidinger,	McDermott,	Sherwood,
Bittles,	Hemminger,	McKay,	Showalter,
Body,	Herman,	Mechling,	Smith, J. W.,
Brosius,	Hess,	Mellott,	Smith, L.,
Burnett,	Heyburn,	Metzenbacher,	Snavely,
Caldwell,	Hibshman,	Miller,	Snyder,
Campbell, C.M.,	Hobbs,	Missimer,	Spangler,
Campbell, J.J.	Hoffman,	Mitchell,	Speiser,
Carson,	Howard, J.,	Moore,	Spillinger,
Carter,	Howard, R.,	Morrow,	Steedle,
Cheeseman,	Humes,	Moses,	Stein,
Claycomb,	Isler,	Moulthrop,	Stone,
Cleary,	Irwin, G. C.,	Murphy,	Strauss,
Cochran,	Irwin, H. H.,	Musser,	Swartz,
Collins,	Jackson,	Neel,	Swift,
Conner,	Jones, J. R.,	Newbaker,	Thomas,
Conniff,	Kaiser,	Newton,	Trach,
Conrade,	Kaufman,	North,	Ulman,
Cox,	Keegan,	O'Neill,	Walnut,
Currier,	Keeport,	Peachey,	Walsh,
Curry,	Kenna,	Pennegar,	Walton,
Davis,	Kennedy,	Pennock,	Watson,
Dickinson,	Kern,	Perry, H. L.,	Wettach,
Donnally,	Kitts,	Perry, S. J.,	Whitaker,
Dunn, H. B.,	Klepper,	Peters,	Whitman,
Dunn, J. A.,	Kuhn, H. P.,	Post,	Wildman,
Ehrhardt,	Kuhns, E.G.M.,	Price,	Williams,
Eichenberger,	Lanius,	Ramsey,	Wilson, W. H.,
Ely,	Lenker,	Redfield,	Wiltbank,
Ewing,	Leslie,	Reese,	Young, G. K.,
Fahey,	Letzkus,	Reeser,	Young, J. H.,
Flynn,	Light,	Rhoads,	Zimmerman,
Forster, I. G.,		Richards,	Alter,
Foster, J. D.,		Robinson,	Speaker.
Gans,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 787, as follows:

An Act to amend an act entitled "An Act to amend Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit,' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act entitled "An Act to amend Section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgment for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine" which reads as follows

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by la wi nother cases" be and the same is hereby amended so that it shall read as follows:

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in such cases.

"In case of the failure or refusal of the director or chief office of the said department to make or of the city solicitor to make and file such affidavit the plaintiff may by proper petition to the court take deposition to establish if possible the fact as to whether or not any amount is due by the defendant to the plaintiff and if it appears from such depositions that any amount is due by defendant to plaintiff the court may thereupon enter judgment for the amount so admitted or thus shown to be due plaintiff by defendant."

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Forster, I. G.,	Letzkus,	Richards,
Allen,	Foster, J. D.,	Light,	Robinson,
Alworth,	Gans,	Lohr,	Rockwell,
Ambler,	Geary,	Lowers,	Roney,
Baldwin, G. A.,	Geiser,	Malie,	Rothenberger,
Baldwin, R. J.,	Gibson,	Mannion,	Runk,
Barner,	Glenn,	Martin,	Savacool,
Bass,	Good,	Mather,	Schaeffer, A. C
Bayle,	Goss,	Matt,	Schuck,
Becker,	Grabe,	McAleer,	Scott, J. R. K.,
Benninger,	Gramley,	McAllister,	Scott, S. B.,
Benson,	Gray, Frank,	McArdle,	Semmens,
Bergey,	Hackett,	McCaig,	Shaffer, C. A.,
Berntheizel,		McClintock,	Shaffer, I. E.,
Bigger,	Heidinger,	McDermott,	Shern,
Bittles,	Hemminger,	McKay,	Sherwood,
Blair, W. F.,	Herman,	Mechling,	Showalter,
Body,	Hess,	Mellott,	Smith, J. W.,
Brosius,	Heyburn,	Metzenbacher,	Smith, L.,
Brownlee,	Hibshman,	Miller,	Snavely,
Burnett,	Hobbs,	Missimer,	Snyder,
Caldwell,	Hoffman,	Mitchell,	Spangler,
Campbell, C.M.,	Howard, J.,	Moore,	Speiser,
Campbell, J.J.,	Howard, R.,	Morrow,	Springer,
Carson,	Humes,	Moses,	Steedle,
Carter,	Isler,	Moulthrop,	Stone,
Cheeseman,	Irwin, G. C.,	Murphy,	Strauss,
Claycomb,	Irwin, H. H.,	Musser,	Swartz,
Cleary,	Jackson,	Neel,	Swift,
Cochran,	Jones, E. E.,	Neely,	Thomas,
Collins,	Jones, J. R.,	Newbaker,	Tiach,
Conner,	Kaiser,	Newton,	Ulman,
Conniff,	Kaufman,	North,	Walnut,
Conrade,	Keegan,	O'Neill,	Walsh,
Cox,	Kedport,	Peachey,	Walton,
Currier,	Kenna,	Pennegar,	Watson,
Curry,	Kennedy,	Pennock,	Wettach,
Davis,	Kern,	Perry, H. L.,	Whitaker,
Dickinson,	Kitts,	Perry, S. J.,	Whitman,
Donnally,	Klepper,	Peters,	Wildman,
Down,	Kuhn, H. P.,	Post,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Price,	Wilson, W. H.,
Dunn, J. A.,	Lanius,	Ramsey,	Wiltbank,
Ehrhardt,	Latshaw,	Redfield,	Young, C. K.,
Eichenberger,	Lenker,	Reese,	Young, J. H.,
Ely,	Leslie,	Reeser,	Zimmerman,
Ewing,		Rhoads,	Alter,
Fahey,			Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 361, (Senate Bill No. 30), as follows:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and changing the practice in entry of judgment by default requiring the applicant in appeals to pay the costs in county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section four of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duty regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven which reads as follows

"Section 4 The county court shall have a seal for the use of said court which shall contain the name of the court and the word 'seal' which seal shall be affixed to all writs of summons transcripts and other official certificates issued by or under the direction of said court The seal of the court shall be in the custody of the clerk of said court The court may provide for the keeping of a seal at each place designated by it for the holding of court" be and the same is hereby amended and supplemented to read as follows

Section 4 The county court shall have a seal for the use of said court which shall contain the name of the court and the word "seal" which seal shall be affixed to all writs processes transcripts and other official certificates issued by or under the direction of said court The seal of the court shall be in the custody of the clerk of said court The court may provide for the keeping of a seal at each place designated by it for the holding of court

Section 2 That section six of the above mentioned act which reads as follows

Section 6 The court hereby created shall have jurisdiction

(a) In all civil actions wherein only a money judgment is sought to be recovered and in all actions of replevin in which the sum demanded or the value of the property repleived does not exceed six hundred dollars except in cases where the title to lands or testaments may come in question

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or court not of record as provided by law

(d) The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive" be and the same is hereby amended and supplemented to read as follows

Section 6 The court hereby created shall have jurisdiction

(a) In all civil actions wherein only a money judgment is sought to be recovered and in all actions replevin in which the sum demanded or the value of the property repleived does not exceeed fifteen hundred dollars except in cases where the

title to lands or tenements may come in question

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or court not of record as provided by law

(d) The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive

(e) In cases where money has been paid into court or the court acquires control over specific personal property and conflicting claims arise thereto the court may add to the record parties interested by voluntary intervention or by service of process and may cause the necessary parties to interplead for the purpose of determining their respective rights and the money or property in question shall thereupon be paid or delivered over to the person found to be entitled thereto The parties shall file such statements of their respective claims as may be necessary to define the issue as the court may by rule or otherwise prescribe The court shall have power to require the parties to such interpleader to stay proceedings in this or other courts until such interpleader is finally determined The court shall have power to order such sale or disposition or property or money within its control as may seem proper either pending such interpleader or after its determination

Section 3 That section seven of the above mentioned act which reads as follows

"Section 7 The procedure in said court in all civil actions shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff the said clerk shall thereupon issue a summons under the seal of the court requiring the defendant to appear at a time and place designated in said summons to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall not be less than ten days or more than twelve days from the date of said summons

(b) Upon the date fixed in said summons or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than seven days after service of the summons upon the defendant the parties shall attend with their witnesses and the case shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions for the recovery of money on any contract express or implied the defendant shall at least two days before the time fixed for hearing the summons or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth fully the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the court upon the trial shall enter such judgment as upon the plaintiff's statement plaintiff may be entitled to recover and if an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true In actions ex delicto the court shall enter such judgment as the plaintiff may be entitled to recover upon the evidence

(d) In the action of replevin desertion and support cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writ of summons and of copies of plaintiff's statement shall be made in the same manner as is now provided by law for the service of writs of summons in personal actions and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court" be and the same is hereby amended and supplemented to read as follows

Section 7 The procedure in said court in all civil action shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county-seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand vertified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not less than twelve nor more than fifteen days from the date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision or the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions of replevin enter judgment in the clerk's office in default of such answer and in actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true

(d) In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office as of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ or thereafter as the court may direct and shall be disposed of on the pleadings or evidence as the court may find necessary The court may require such additional pleadings as may be necessary to define the issue In desertion and non-suport cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statements and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the courts of common pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court

Section 4 That section nine of the above-mentioned act which reads as follows

"Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to the court of Common Pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay If such appeal be taken by the plaintiff he shall give bond with surety conditioned for the payment of all costs accured or likely to accrue and if the appeal be taken by the defendant he shall give bail absolute with surety for the debt and the interest and costs accrued and likely to accrue The sureties upon such bonds shall be approved by a judge of the county court Or within ten days after the entry of judgment in any civil action either party may apply to any court of Common Pleas of said county or any judge thereof for leave to appeal the case to the Common Pleas court And if such appeal be allowed then upon filing the certified copy of said order or allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the court of Common Pleas may grant to a writ of certiorari to remove the record to any court of Common Pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said Common Pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of Common Pleas from which such writ of certiorari issues" be and the same is hereby amended and supplemented to read as follows

Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to any court of Common Pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay The appellant shall give bail absolute in a sum and with surety or sureties to be approved as hereinafter provided for his compliance with any judgment that may be finally rendered against him and for payment of all interest and costs likely to accrue All costs accrued up to the time of filing the transcript shall be paid by appellant in the first instance and if the appellant shall finally recover judgment in the case appealed he shall be entitled to receive and collect from the adverse party the costs so aforesaid paid on appeal

The costs on appeals accruing at and from the time of filing the transcript shall abide the event of the suit and be paid by the unsuccessful party as in other cases provided that if the plaintiff be the appellant he shall pay all costs which may accrue on the appeal if in the event of the suit he shall not recover a greater sum or a more favorable judgment exclusive of interest than was rendered by the county court

And provided also That if the defendant either on the trial of the cause before the county court or before an appeal is taken shall offer to give the plaintiff a judgment for an

amount which the defendant shall admit to be due and if the said plaintiff shall not accept such offer then and in that case if the defendant shall appeal the plaintiff shall pay all the costs which shall accrue on the appeal if he shall not in the event of the suit recover a greater amount than that for which the defendant offered to give a judgment and in both cases the defendant's bill shall be taxed and paid by the plaintiff in the same manner as if a judgment had been rendered in court for the defendant but provided further that in all cases where the judgment of the county court shall be in favor of defendant on a counterclaim then the terms plaintiff and defendant in the foregoing provisions relating to costs on appeals shall be taken as inverted Any appellant shall have the right to appeal and demand and receive transcripts without payment of costs upon his making and filing with the judge approving the appeal bond an affidavit that he is unable through poverty to pay said costs provided said judge shall be satisfied of the truth of the statements in such affidavit All appeals taken and perfected in the manner above provided shall operate as a supersedeas The amounts of the penalties of and the sureties upon such bonds shall be approved by a judge of the county court

Or within ten days after the entry of judgement in any civil action either party may after such notice to the opposite party as the Common Pleas court shall require apply to any court of Common Pleas of said county or any judge thereof for leave to appeal the case to the Common Pleas court And if such appeal be allowed then after payment of costs in the county court as aforesaid unless the appeal be taken in forma pauperis and upon filing the certified copy of said order of allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the court of Common Pleas may grant to a writ of certiorari to remove the record to any court of Common Pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said Common Pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of Common Pleas from which such writ of certiorari issues

Section 5 That section ten of the above mentioned act which reads as follows

"Section 10 A defendant who shall neglect or refuse in any civil action brought in said court to set off his demand whether founded upon bond note penal or single bill writing obligatory book accounts or damages of assumption against a plaintiff which shall not exceed the sum of six hundred dollars shall be and is hereby forever barred from recovering against the party plaintiff by any after suit but in case of judgment by default the defendant if he has any account to set off against the plaintiff's demand shall be entitled to a rehearing before said court within thirty days on proof being made either on oath or affirmation of the defendant or other satisfactory evidence that the defendant was absent when the process was served and did not return home before the return day of such process or that he was prevented by sickness of himself or other unavoidable cause and the said court shall have power to render judgment for the balance in favor of the plaintiff or defendant as justice may require Each party shall have the same right of appeal or certiorari from judgment as though a separate suit had been brought therefor

It shall be the duty of the defendant desiring to avail himself by way of set-off defalcation or recoupment of his demand against the plaintiff to file a statement of such counterclaim with the proper clerk of the court on or before the date designated in the writ of summons for the trial of said action unless the time for the filing of such statement be extended by the court" be and the same is hereby amended to read as follows

Section 10 A defendant who shall neglect or refuse in any civil action brought in said court to set off his demand whether founded upon bond note penal or single bill writing obligatory book accounts or damages of assumption against a plaintiff which shall not exceed the sum of fifteen hundred dollars shall be and is hereby forever barred from recovering against the party plaintiff by any after suit but in case of judgment by default the defendant if he has any account to set off against the plaintiff's demand shall be entitled to a hearing before said court within thirty days on proof being made either on oath or affirmation of the defendant or other satisfactory evidence that the defendant was absent when the process was served and did not return home before the return day of such process or that he was prevented by sickness of himself or other unavoidable cause and the said court shall have power to render judgment for the balance in favor of the plaintiff or defendant as justice may require Each party shall have the same right of appeal or certiorari from judgment as though a separate suit had been brought therefor

It shall be the duty of the defendant desiring to avail himself by way of set-off defalcation or recoupment of his demand against the plaintiff to file a statement of such counterclaim with the proper clerk of the court on or before the time fixed by this act for the filing of his answer unless the time for the filing of such statement be extended by the court

A statement of counter-claim shall be replied to by plaintiff within such time and in such manner as the court may prescribe

Section 6 That section eleven of the above mentioned act which reads as follows

"Section 11 Upon rendition of the judgment of the county court the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of said county a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered on the judgment index of said county and from the date of such entry shall bind the real estate of the party against whom judgment is rendered and thereupon the judgment creditor shall be entitled to preserve and continue the lien of or enforce such judgment by execution attachment or other process in the same manner and to the same extent as though it had originally been entered in the office of the prothonotary upon confession The prothonotary shall apportion the said judgments among the several courts of Common Pleas of said county as nearly equally as practicable But upon perfection of an appeal from such judgment for the granting of a certiorari operating as a supersedeas as herein provided the lien of such judgment on real estate shall be thereby removed" be and the same is hereby amended and supplemented to read as follows

Section 11 Upon rendition of the judgment of the county court the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of said county a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of said county and from the date of such entry shall bind the real estate of the party against whom judgment is rendered and thereupon the judgment creditor shall be entitled to preserve and continue the lien of or enforce such judgment by execution attachment or other process in the same manner and to the same extent as though it had originally been recovered in the Common Pleas court But upon perfection of an appeal from such judgment or the granting of a certiorari operating as a supersedeas as herein provided the lien of such judgment on real estate shall be thereby removed

The county court may issue writs of fieri facias capias ad satisfaciendum or attachment execution upon its money judgments and writs de retorno habendo in replevin as provided by law relating to the enforcement of judgment of the Common Pleas courts These writs shall be executed by the sheriff of the county and the practice in the execution of writs of fieri facias capias ad satisfaciendum and de retorno habendo shall be the same as is provided by law in the case of writs issuing out of the courts of Common Pleas except that such writs shall be returnable as the county court may by rule prescribe In writs of attachment execution the practice shall be the same as in cases of other civil suits in the county court subject to such special rules as the court may prescribe No writ of fieri facias or attachment execution issuing out of the county court shall in any manner operate as a lien on or be used for the sale of real estate Provided however That when a transcript of the record of the county court shall have been filed in the office of the prothonotary as provided in this section no process of execution or attachment execution shall thereafter issue out of the county court but this provision shall not be taken to prevent the final disposition of any execution or attachment proceedings in the county court then pending

Section 7 That section twelve of the above mentioned act which reads as follows

"Section 12 The said court shall cause to be kept proper dockets in which a record of all proceedings in each case brought in said court shall be entered and which in all actions shall show the names of the parties their counsel if any and the addresses of the parties or their counsel where and upon whom service of notice may be made the date on which the complaint was made the manner and date of service of summons upon the defendant the date of trial the nature of the plaintiff's demand and of the plaintiff's answer and the kind of evidence upon which the same may be founded the judgment of the court and the date upon which the same was rendered" be and the same is hereby amended to read as follows

Section 12 The said court shall cause to be kept proper dockets in which a record of all proceedings in each case brought in said court shall be entered and which in all actions shall show the names of the parties their counsel if any and the addresses of the parties or their counsel where and upon whom service or notices may be made the date on which the complaint was made the manner and date of service of summons upon the defendant the date of trial the judgment of the court and the date upon which the same was rendered and the proceedings had on all execution or attachment process issued thereon

Section 8 That section seventeen of the above mentioned act which read as follows

"Section 17 Every party shall have a right to appear and to plead his cause in person or by counsel admitted to practice in the courts of Common Pleas of said county" be and the same is hereby amended to read as follows

Section 17 Every party shall have a right to appear and to plead his cause in person or by counsel admitted to practice in the courts of Common Pleas of said county but the county court shall have the right to suspend or exclude any attorney who has been guilty of improper conduct from further appearance in this court

Section 9 That section nineteen of the above mentioned act which reads as follows

"Section 19 The fees and costs for all witnesses writs entries and other service charged for shall be the same in amount as the charge for the corresponding fee writ entry or service in the courts of Common Pleas of said county and shall follow the judgment But no costs shall be required to be deposited or secured in advance except in the case of non-resident plaintiffs upon order of this court" be and the same is hereby amended to read as follows

Section 19 The fees and costs for all witnesses writs entries and other services charged for shall be the same in amount as the charge for the corresponding fee writ entry or service in the courts of Common Pleas and Quarter Sessions of said county and shall follow the judgment in civil cases as in the court of Common Pleas but regardless of the amount claimed or of the amount of said judgment but in case of tender before suit brought or payment of money into court the court may make such order as to payment of costs as shall be equitable But no costs shall be required to be deposited or secured in advance except in the case of non-resident plaintiffs upon order of this court

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, this is a Senate Bill and there has been some inquiry made in relation to the bill and its purposes. The old members of the House will remember, at the last session we authorized a county court for Allegheny County, limiting the jurisdiction of that court to six hundred dollars. After two years of experience we find that it has worked admirably and the lawyers and people of Allegheny County feel that the jurisdiction should be extended to fifteen hundred dollars. That is one of the provisions of this bill, one of the amendments that is made to the old law of 1911. The other matter set forth in this bill is only a matter of procedure in the various actions which are brought in that court, and meet with the approval of the lawyers and the bar association and affects nobody but Allegheny County. The bill should pass without an opposing vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Adams,	Forster, I. G.,	Leslie,	Rockwell,
Allen,	Foster, J. D.,	Letzkus,	Roney,
Alworth,	Gans,	Light,	Rothenberger,
Ambler,	Geary,	Lohr,	Runk,
Baldwin, G. A.,	Geiser,	Lowers,	Savacool,
Baldwin, R. J.,	Gibson,	Mannion,	Schaeffer, A. C
Barner,	Glenn,	Martin,	Schuck,
Bass,	Good,	Mather,	Scott, J. R. K.,
Bayle,	Goss,	Matt,	Scott, S. B.,
Becker,	Grabe,	McAleer,	Semmens,
Benninger,	Gramley,	McAllister,	Shaffer, C. A.,
Benson,	Gray, Frank,	McArdle,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	McCaig,	Shern,
Berntheizel,	Hackett,	McClintock,	Sherwood,
Bigger,	Haggerty,	McDermott,	Showalter,
Bittles,	Heidinger,	McKay,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mechling,	Smith, L.,
Body,	Herman,	Mellott,	Snavely,
Brosius,	Hess,	Metzenbacher,	Snyder,
Brownlee,	Heyburn,	Miller,	Spangler,
Burnett,	Hibshman,	Missimer,	Speiser,
Caldwell,	Hobbs,	Mitchell,	Spillinger,
Campbell, C.M.,	Hoffman,	Moore,	Steedle,
Carson,	Howard, J.,	Morrow,	Stein,
Carter,	Howard, R.,	Moses,	Stone,
Cheeseman,	Humes,	Musser,	Strauss,
Claycomb,	Isler,	Neel,	Swartz,
Cleary,	Irwin, G. C.,	Neely,	Swift,
Cochran,	Irwin, H. H.,	Newbaker,	Thomas,
Collins,	Jackson,	Newton,	Trach,
Conner,	Jones, E. E.,	North,	Ulman,
Conniff,	Jones, J. R.,	O'Neill,	Walnut,
Conrade,	Kaiser,	Peachey,	Walsh,
Cox,	Kaufman,	Pennegar,	Walton,
Currier,	Keegan,	Pennock,	Watson,
Curry,	Keeport,	Perry, H. L.,	Wettach,
Davis,	Kenna,	Perry, S. J.,	Whitaker,
Dickinson,	Kennedy,	Peters,	Whitman,
Donnally,	Kern,	Post,	Wildman,
Down,	Kitts,	Price,	Williams,
Dunn, H. B.,	Klepper,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Kuhn, H. P.,	Redfield,	Wiltbank,
Ehrhardt,	Kuhns, E.G.M.,	Reese,	Young, G. K.
Eichenberger,	Lanius,	Reiser,	Young, J. H.,
Ely,	Latshaw,	Rhoads,	Zimmerman,
Ewing,	Lenker,	Richards,	Alter,
Fahey,		Robinson,	Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 638, as follows:

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages begin to run and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person general manager superintendent or person in charge of the work of any person or persons firm or association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath any property within this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof

Section 2 Where the coal rock earth or other mineral or materials beneath any property except unseated lands and lands the surface of which is unsettled unoccupied and unimproved within this Commonwealth has been removed to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface of said property against subsidence without having placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof thereby endangering the health security and safety of persons and the preservation of the property which would be occasioned by reason of the subsidence of the surface of said property it shall be the duty of the person lessee firm association or corporation operating the mine from which such coal rock earth or other minerals or materials were removed to erect and construct within six months from and after the approval of this act sufficient adequate and permanent artificial support of said property to protect the surface of said property against subsidence Provided however that where the person lessee firm association or corporation which caused the coal to be removed has died gone into liquidation or is for any other cause no longer engaged in the business of mining then in such case the proper municipal authorities may take such measures as may be necessary to prevent a subsidence of the surface

Section 3 Any person lessee owner general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act or failing to comply with its provisions shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace within the proper municipality shall be sentenced to pay a fine of one thousand dollars or undergo imprisonment in the county jail for a period not exceeding ninety days or both for each offense such fine shall be paid into the treasury of the respective municipal corporation in which said offense was committed All actions for violations hereof or failure to comply therewith shall be instituted by the Bureau of Mine Inspection and Surface Support where such bureau is created or where such bureau is not in existence by the legally constituted municipal authorities of such municipality in the name of the Commonwealth to the use of the proper municipal corporation wherein such offense occurred

Section 4 In all actions against persons firms associations or corporations for damages sustained by reason of injury done to life or property caused by the subsidence of the surface of lands overlying any coal or other underground operations within this Commonwealth. The limitation of actions both in law and equity shall not begin to run against any suit or actions for recovery until such subsidence and injury has actually occurred

On the question,

Shall the bill pass finally?

Mr. DAVIS. Mr. Speaker, in compliance with a joint resolution approved the twenty-fourth day of March 1911, a commission was appointed by the Chief Executive of this Commonwealth to ascertain from investigation the legal rights of the owners of the surface, and the coal beneath the surface, in the anthracite region of this State, and also to ascertain what precaution in the mining of said coal was necessary to properly support the surface. This commission was further authorized to prepare a bill or bills for presentation to this General Assembly recommending a method or methods to protect the welfare of both the owners of coal and surface.

Mr. Speaker and Gentlemen of the House, this commission has presented its report but not in accordance with the provisions of the resolution creating this commission. In the report of the commission the coal companies agree to pay one-half the amount of damage done to buildings having a valuation of less than $5,000. Mr. Speaker and Gentlemen, the million or more people of the anthracite region are not asking for charity, but rather for legislation that will protect life, limb and property. The bills on the calendar for your consideration do nothing more than to extend the police powers of the State. We want nothing more than the assurance that our homes, our schools, our hospitals are protected from the greatest menace ever known to the people of the northwestern part of the Commonwealth. The Republican and Democratic parties at their conventions adopted a plank agreeing to give us this relief for which we are now asking the members of this House. I appeal to you in behalf of the people of our section to vote for these bills now up to you for consideration. Unless legislation is speedily passed, Mr. Speaker, to protect the surface from disturbance, wreck and ruin from mine caves, the tax problem in our county will become a serious question.

Already there is evidence of the need of protection, in the march of property owners to the office of the county commissioners demanding a decrease in property valuation because of damage done by mine caves. The surface in well built up sections of our counties have been disturbed by mine caves. Homes have been wrecked and the ground on which they stand ruined because of the greed for coal

and the desire to get out every pound by robbing pillars. All these property owners have suffered a loss in valuation through circumstances over which they have no control. During the time that the commission has been hearing appeals more than 4,000 property owners have come to the court houses of our counties, demanding a reduction in their assessment because of damages done by mine caves. As the mine cave danger is constantly growing, it is apparent that unless there is legislation to protect the surface the counties where anthracite coal is mined will suffer greatly from decreased taxes, and in the course of two years, or by the time the next legislature convenes, the valuation of property held by individuals will be decreased at least one-half.

Gentlemen, vote for the bill.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Flynn,	Lohr,	Richards,
Allen,	Forster, I. G.,	Lowers,	Robinson,
Alworth,	Foster, J. D.,	Malie,	Rockwell,
Ambler,	Gans,	Mannion,	Roney,
Baldwin, G. A.,	Geary,	Martin,	Runk,
Baldwin, R. J.,	Gibson,	Mather,	Savacool,
Barner,	Glenn,	Matt,	Schaeffer, A. C
Bass,	Good,	McAleer,	Schuck,
Bayle,	Goss,	McAllister,	Scott, J. R. K.,
Becker,	Grabe,	McCaig,	Scott, S. B.,
Benninger,	Gramley,	McClintock,	Shaffer, C. A.,
Benson,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	McKay,	Sherwood,
Berntheizel,	Hackett,	Mechling,	Showalter,
Bigger,	Haggerty,	Mellott,	Smith, J. W.,
Bittles,	Heidinger,	Metzenbacher,	Smith, L.,
Body,	Hemminger,	Miller,	Snavely,
Brosius,	Hess,	Missimer,	Snyder,
Brownlee,	Hobbs,	Mitchell,	Spangler,
Burnett,	Hoffman,	Moore,	Speiser,
Caldwell,	Howard, J.,	Morrow,	Spillinger,
Campbell, C.M.,	Humes,	Moses,	Steedle,
Campbell, J.J.	Isler,	Moulthrop,	Stein,
Carson,	Irwin, H. H.,	Murphy,	Stone,
Carter,	Jackson,	Musser,	Strauss,
Cheeseman,	Jones, E. E.,	Neel,	Swartz,
Claycomb,	Jones, J. R.,	Neely,	Swift,
Cleary,	Kaiser,	Newbaker,	Thomas,
Collins,	Kaufman,	Newton,	Trach,
Conner,	Keegan,	North,	Ulerich,
Conniff,	Keeport,	O'Neill,	Ulman,
Conrade,	Kenna,	Peachey,	Walnut,
Cox,	Kennedy,	Pennegar,	Walsh,
Currier,	Kern,	Pennock,	Walton,
Curry,	Kitts,	Perry, H. L.,	Wettach,
Davis,	Klepper,	Perry, S. J.,	Whitaker,
Dickinson,	Kuhn, H. P.,	Peters,	Whitman,
Donnally,	Kuhns, E.G.M.,	Post,	Wildman,
Down,	Lanius,	Price,	Williams,
Dunn, H. B.,	Latshaw,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Redfield,	Wiltbank,
Ehrhardt,	Letzkus,	Reese,	Young, G. K.,
Eichenberger,	Light,	Reeser,	Young, J. H.,
Ewing,		Rhoads,	Zimmerman,
Fahey,			Alter,
			Speaker.

NAYS—7.

Blair, W. F.,	Herman,	Rothenberger,	Watson,
Cochran,	Howard, R.,	Semmens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 408, as follows:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of mine inspection and surface support by any municipal corporation and giving such Bureau jurisdiction and providing for the filing of certain maps and plans and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every municipal corporation within this Commonwealth may by ordinance create a Bureau of Mine Inspection and Surface Support which in cities of the first and second class shall be attached to the Department of Public Works and under the supervision and control of the Director of said Department

Section 2 Said Bureau shall consist of one practical mining engineer to be appointed by the Chief Executive of such municipal corporations with the consent of Councils and such other assistants clerks and employees as may be provided for by Councils and shall be paid such compensation as Councils may provide

Section 3 The members of the Bureau of Mine Inspection and Surface Support shall have the right and power to enter inspect examine and survey any mine or colliery within the limits of the municipality at all reasonable times either by day or night but not so as to impede or obstruct the workings of the mine or colliery and shall have power to take such other persons as may be necessary for the purpose of making such examination or survey and the owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination survey and exit

Section 4 The owner operator or superintendent of every coal mine or colliery shall within three months after the passage and approval of an ordinance by any municipal corporation in this Commonwealth creating a Bureau of Mine Inspection and Surface support authorized by this act make or cause to be made and furnished to the Bureau of Mine Inspection and Surface Support an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the Bureau of Mine Inspection and Surface Support The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 5 Every mine owner operator or superintendent shall place or cause to be placed upon the map of the bureau of mine inspection and surface support of each municipality at least once in every three months the plan of all extensions made in any mine within the limits of such municipality during the three months preceding except those made immediately within thirty days from the time of placing such extensions upon said map

Section 6 It shall be unlawful for any person firm association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath the streets avenues thoroughfares courts alleys places and public highways of any municipal corporation within this Commonwealth to such an extent and in such a manner as to thereby remove the necessary adequate support of the surface against subsidence without having first placed built erected and constructed sufficient adequate and permanent artificial support in place and stead thereof to maintain uphold and preserve the stability of the surface of said streets avenues thoroughfares courts alleys places and public highways

Section 7 Any person being the general manager superintendent or person in charge of the work of any corporation firm or association violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace within such municipality shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment in the county jail for a period not exceeding ninety days or both for each offence each such fine shall be paid into the treasury of the proper municipal corporation

Section 8 The councils of the municipal corporations of this Commonwealth are hereby authorized to enact such ordinances as may be necessary for the proper enforcement of the provisions of this act

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Forster, I. G.,	Light,	Rockwell,
Allen,	Foster, J. D.,	Lohr,	Roney,
Alworth,	Gans,	Lowers,	Rotheuberger,
Ambler,	Geary,	Malie,	Runk,
Baldwin, G. A.,	Geiser,	Martin,	Savacool,
Baldwin, R. J.,	Gibson,	Mather,	Schaeffer, A. C
Barner,	Glenn,	Matt,	Schuck,
Bass,	Good,	McAleer,	Scott, J. R. K.,
Bayle,	Goss,	McAllister,	Scott, S. B.,
Becker,	Grabe,	McArdle,	Semmens,
Benninger,	Gramley,	McCaig,	Shaffer, C. A.,
Benson,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	McDermott,	Shern,
Berntheizel,	Hackett,	McKay,	Sherwood,
Bigger,	Haggerty,	Mechling,	Showalter,
Bittles,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Smith, L.,
Body,	Herman,	Miller,	Snavely,
Brosius,	Hess,	Missimer,	Snyder,
Brownlee,	Heyburn,	Mitchell,	Spangler,
Burnett,	Hibshman,	Moore,	Speiser,
Caldwell,	Hobbs,	Morrow,	Spillinger,
Campbell, C.M.,	Hoffman,	Moses,	Steedle,
Campbell, J.J.	Howard, J.,	Moulthrop,	Stein,
Carson,	Howard, R.,	Murphy,	Stone,
Carter,	Humes,	Musser,	Strauss,
Cheeseman,			Swartz,

Claycomb,	Isler,	Neel,	Swift,
Cleary,	Irwin, H. H.,	Neely,	Thomas,
Cochran,	Jackson,	Newbaker,	Trach,
Collins,	Jones, E. E.,	Newton,	Ulerich,
Conner,	Jones, J. R.,	North,	Ulman,
Conniff,	Kaiser,	O'Neill,	Walnut,
Conrade,	Kaufman,	Peachey,	Walsh,
Cox,	Keegan,	Pennegar,	Walton,
Currier,	Keeport,	Pennock,	Watson,
Curry,	Kenna,	Perry, H. L.,	Wettach,
Davis,	Kennedy,	Perry, S. J.,	Whitaker,
Dickinson,	Kern,	Peters,	Whitman,
Donnally,	Kitts,	Post,	Wildman,
Dunn, H. B.,	Klepper,	Price,	Williams,
Dunn, J. A.,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Ehrhardt,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Eichenberger,	Latshaw,	Reese,	Wiltbank,
Ely,	Lenker,	Reeser,	Young, G. K.,
Ewing,	Leslie,	Rhoads,	Young, J. H.,
Fahey,	Letzkus,	Richards,	Zimmerman,
Flynn,		Robinson,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 290, as follows:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Robert Stewart a citizen of Dauphin county Pennsylvania is hereby authorized to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Robert Stewart by the said Commonwealth of Pennsylvania for work done and performed and material furnished in and about the improvement of Capitol Park heretofore done performed and furnished at the request of the Superintendent of Public Grounds and Buildings

On the question,

Shall the bill pass finally?

Mr. S. B. SCOTT. Mr. Speaker, I think that a bill of this nature ought to have an explanation before the House votes on it.

Mr. WILDMAN. Mr. Speaker and Gentlemen of the House, Robert Stewart is a landscape gardener in a small way. Years ago he was instructed by the then Superintendent of Public Grounds and Buildings to perform certain services on the Capitol Grounds and deliver certain materials. He claims that he has only been partly compensated for the work so performed and the materials so delivered. He has made several ineffectual attempts to secure such legislation as is asked for here to-night but, being a poor colored man, had not had sufficient influence to have this accomplished. He simply asks, gentlemen, that you give him the right to present his claim to a proper tribunal for adjustment and I hope that every gentleman here will see his way clear to support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192.

Adams,	Flynn,	Letzkus,	Robinson,
Allen,	Forster, I. G.,	Light,	Rockwell,
Alworth,	Foster, J. D.,	Lohr,	Roney,
Ambler,	Gans,	Lowers,	Rothenberger,
Baldwin, G. A.,	Geary,	Malie,	Runk,
Baldwin, R. J.,	Geiser,	Mannion,	Savacool,
Barner,	Gibson,	Martin,	Schaeffer, A. C
Bass,	Glenn,	Mather,	Schuck,
Bayle,	Good,	Matt,	Scott, J. R. K.,
Becker,	Goss,	McAleer,	Scott, S. B.,
Benninger,	Grabe,	McAllister,	Semmens,
Benson,	Gramley,	McArdle,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McClintock,	Shern,
Bigger,	Hackett,	McKay,	Sherwood,
Bittles,	Haggerty,	McNichol,	Showalter,
Blair, W. F.,	Heidinger,	Mechling,	Smith, J. W.,
Body,	Hemminger,	Mellott,	Smith, L.,
Brosius,	Herman,	Metzenbacher,	Snavely,
Brownlee,	Hess	Miller,	Snyder,
Burnett,	Heyburn,	Missimer,	Spangler,
			Speiser,
Caldwell,	Hibshman,	Mitchell,	Spillinger,
Campbell, C.M.,	Hobbs,	Moore,	Steedle,
Campbell, J.J.	Hoffman,	Morrow,	Stein,
Carson,	Howard, J.,	Moses,	Stone,
Carter,	Howard, R.,	Moulthrop,	Strauss,
Cheeseman,	Humes,	Murphy,	Swartz,
Claycomb,	Isler,	Musser,	Swift,
Cleary,	Irwin, H. H.,	Neel,	Thomas,
Cochran,	Jackson,	Neely,	Trach,
Collins,	Jones, E. E.,	Newbaker,	Ulerich,
Conner,	Jones, J. R.,	Newton,	Ulman,
Conniff,	Kaiser,	North,	Walnut,
Conrade,	Kaufman,	O'Neill,	Walsh,
Cox,	Keeport,	Peachey,	Walton,
Currier,	Kenna,	Pennegar,	Watson,
Curry,	Kennedy,	Pennock,	Wettach,
Davis,	Kern,	Perry, S. J.,	Whitaker,
Dickinson,	Kitts,	Peters,	Whitman,
Donnally,	Klepper,	Post,	Wildman,
Down,	Kuhn, H. P.,	Price,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Lanius,	Redfield,	Wiltbank,
Ehrhardt,	Latshaw,	Reese,	Young, G. K.,
Eichenberger,	Lenker,	Reeser,	Young, J. H.,
Ely,	Leslie,	Rhoads,	Zimmerman,
Ewing,		Richards,	Alter,
Fahey,			Speaker.

NAYS—3.

Keegan,	McDermott,	Perry, H. L.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 465, as follows:

An act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation without a license as provided in this act to conduct any business the whole or greater part of which shall consist of the sale of goods which shall be held forth or represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporations about to go out of business or goods that have been damaged in any way Providing that nothing in this act shall prohibit the sale of any such goods by any assignee trustee receiver or other officer appointed by any court of this Commonwealth or of the United States acting for the estate of any such bankrupt or other person firm or corporation within the limits of the city borough or township wherein the said person firm or corporation conducted said business or had the goods immediately before the appointment of such assignee trustee receiver or other officer and provided further nothing in this act shall prohibit the sale of any goods damaged in any way if the same are sold within the limits of the city borough incoporated town or township wherein said owner conducted business or had the said goods at the time the said goods became damaged

Section 2 A license to conduct business under this act shall be issued by the treasurer of the proper city borough or township wherein the said business is conducted The fees for cities incorporated towns or boroughs shall be fixed by ordinance of the proper city incorporated town or borough In cities incorporated towns and boroughs the license fee shall not be less than one hundred dollars ($100) nor more than two hundred dollars ($200) for each calendar month or fraction thereof In townships the license fee shall be twenty-five dollars ($25) for each calendar month or fraction thereof and shall be for the use of the school fund of the township The license shall be renewed monthly during the time such person firm or corporation shall conduct such business This license shall be in addition to all license fees and taxes imposed by this Commonwealth and the proper city borough incorporated town or township

Section 3 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay for each day such business shall be conducted without a license a fine of not more than two hundred dollars ($200)

Section 4 All acts or parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192.

Adams,	Forster, I. G.,	Lohr,	Roney,
Allen,	Foster, J. D.,	Lowers,	Rothenberger,
Alworth,	Gans,	Malie,	Runk,
Ambler,	Geary,	Mannion,	Sassaman,
Baldwin, G. A.,	Geiser,	Martin,	Savacool,
Baldwin, R. J.,	Gibson,	Mather,	Schaeffer, A. C
Barner,	Glenn,	Matt,	Schuck,

Bass,	Good,	McAleer,	Scott, J. R. K.
Bayle,	Goss,	McAllister,	Scott, S. B.,
Becker,	Grabe,	McArdle,	Semmens,
Benninger,	Gramley,	McCaig,	Shaffer, C. A.,
Benson,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	McDermott,	Shern,
Berntheizel,	Hackett,	McKay,	Sherwood,
Bigger,	Haggerty,	McNichol,	Showalter,
Bittles,	Heidinger,	Mechling,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mellott,	Smith, L.,
Body,	Herman,	Metzenbacher,	Snavely,
Brosius,	Hess,	Miller,	Snyder,
Brownlee,	Heyburn,	Missimer,	Spangler,
Burnett,	Hibshman,	Mitchell,	Speiser,
Caldwell,	Hobbs,	Moore,	Spillinger,
Campbell, C.M.,	Hoffman,	Morrow,	Steedle,
Campbell, J.J.	Howard, J.,	Moses	Stein,
Carson,	Howard, R.,	Moulthrop,	Stone,
Carter,	Humes,	Murphy,	Strauss,
Cheeseman,	Isler,	Musser,	Swartz,
Claycomb,	Irwin, H. H.,	Neel,	Swift,
Cleary,	Jackson,	Neely,	Thomas,
Cochran,	Jones, E. E.,	Newbaker,	Trach,
Collins,	Jones, J. R.,	Newton,	Ulerich,
Conner,	Kaiser,	North,	Ulman,
Conniff,	Kaufman,	O'Neill,	Walnut,
Conrade,	Keeport,	Peachey,	Walsh,
Cox,	Kenna,	Pennegar,	Walton,
Currier,	Kennedy,	Pennock,	Watson,
Curry,	Kern,	Perry, H. L.,	Wettach,
Davis,	Kitts,	Perry, S. J.,	Whitaker,
Dickinson,	Klepper,	Peters,	Whitman,
Donnally,	Kuhn, H. P.,	Post,	Wildman,
Down,	Kuhns, E.G.M.,	Price,	Williams,
Dunn, H. B.,	Lanius,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Redfield,	Wilson, W. H.,
Ehrhardt,	Lenker,	Reese,	Wiltbank,
Eichenberger,	Leslie,	Reeser,	Young, G. K.,
Ely,	Letzkus,	Richards,	Young, J. H.,
Ewing,	Light,	Robinson,	Zimmerman,
Fahey,	Lohr,	Rockwell,	Alter,
Flynn,			Speaker.

NAYS—1.

Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PLACED ON CALENDAR.

Mr. STEIN. Mr. Speaker, I ask unanimous consent to offer a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved that House Bill No. 78 entitled An act supplementing and amending sections two hundred and two (202) and two hundred and fourteen (214) of Article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election in school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the courts of common pleas of the county in which such school district is situated be placed upon the calendar notwithstanding the negative recommendation of the Committee on Education

Mr. GEARY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. STEIN and Mr. GEARY.

YEAS—170.

Adams,	Geary,	Lowers,	Robinson,
Allen,	Geiser,	Malie,	Roney,
Alworth,	Gibson,	Mannion,	Rothenberger,
Ambler,	Glenn,	Martin,	Runk,
Baldwin, G. A.,	Good,	Mather,	Savacool,
Baldwin, R. J.,	Goss,	Matt,	Schaeffer, A. C
Barner,	Grabe,	McAleer,	Schuck,
Bass,	Gramley,	McAllister,	Scott, J. R. K.
Bayle,	Gray, Joseph,	McArdle,	Scott, S. B.,
Becker,	Hackett,	McCaig,	Semmens,
Benninger,	Haggerty,	McClintock,	Shaffer, C. A.,
Benson,	Heidinger,	McDermott,	Shaffer, I. E.,
Berntheizel,	Herman,	McKay,	Shern,
Bigger,	Hess,	Mechling,	Sherwood,
Bittles,	Hobbs,	Mellott,	Showalter,
Blair, W. F.,	Hoffman,	Miller,	Smith, J. W.,
Body,	Howard, J.,	Missimer,	Smith, L.,
Brosius,	Howard, R.,	Mitchell,	Snavely,
Brownlee,	Humes,	Moore,	Spangler,
Burnett,	Isler,	Morrow,	Speiser,
Caldwell,	Irwin, G. C.,	Moses,	Spillinger,
Campbell, J.J.	Irwin, H. H.,	Moulthrop,	Steedle,
Carson,	Jackson,	Murphy,	Stein,
Carter,	Jones, E. E.,	Musser,	Stone,
Cleary,	Jones, J. R.,	Neel,	Strauss,
Cochran,	Kaiser,	Neely,	Swift,
Conner,	Kaufman,	Newton,	Thomas,
Conniff,	Keegan,	North,	Trach,
Conrade,	Keeport,	O'Neill,	Walnut,
Cox,	Kenna,	Peachey,	Walsh,
Currier,	Kennedy,	Pennegar,	Walton,
Curry,	Kern,	Pennock,	Watson,
Davis,	Kitts,	Perry, H. L.,	Wettach,
Dunn, J. A.,	Klepper,	Perry, S. J.,	Whitaker,
Ehrhardt,	Kuhns, E.G.M.,	Peters,	Whitman,
Eichenberger,	Lanius,	Piper,	Wildman,
Ely,	Lenker,	Post,	Wilson, W. H.,
Ewing,	Leslie,	Price,	Wiltbank,
Fahey,	Letzkus,	Ramsey,	Young, G. K.,
Forster, I. G.,	Light,	Reese,	Young, J. H.,
Foster, J. D.,	Lohr,	Reeser,	Zimmerman,
Frey,		Rhoads,	Alter,
Gans,		Richards,	Speaker.

NAYS—7.

Campbell, C.M.,	Kuhn, H. P.,	Redfield,	Ulerich,
Cheeseman,	Newbaker,	Swartz,	Ulman,

More than the majority rejuired by the rule having voted in the affirmative, the question was determined in the affirmative, and the bill placed on the Calendar.

REASONS FOR VOTE.

(On Bill No. 78).

Mr. C. M. C. CAMPBELL. Mr. Speaker, in voting "Nay" on this motion, I do so not for the reason that I oppose an elective board in School Districts of the first class, for I am strongly in favor of an elective one, but I believe it is not expedient at this time to change the School Code in any of its important parts.

BILL PLACED ON CALENDAR.

Mr. MALIE asked and received the unanimous consent of the House to present a motion at this time, which read as follows:

Moved that the vote by which House Bill No. 620, file folio 2411 entitled:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure" was recommitted to the Committee on Agriculture, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. RICHARDS. House Bill No. 620 was presented to this House by himself and is known as the Oleomargarine Bill. During my absence to-night, or rather before I got here, the gentlemen in the rear of the House moved that this bill be recommitted to the Committee on Agriculture. Mr. Speaker, I believe that the members of the House being busy, did not really realize what they were voting for, and voted to have the bill recommitted to the Committee on Agriculture. I presented this bill to this House some six weeks ago. It was referred by you, Mr. Speaker, to the Committee on Public Health and Sanitation. We have had two public hearings, one in the interest of those who favored this measure, and the other in the interest of those who oppose this measure. After the last public hearing, the Committee still held the bill in the Committee for two weeks, listening for any further objections that might be presented to the bill. Last week the Committee unanimously voted to refer to bill back to the House as committed. Mr. Speaker, in my absence the gentlemen in the rear of the hall asked to have the bill recommitted to the Committee on Agriculture, and if I am in order, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Butler, Mr.

Grabe, permit himself to be interrogated?

Mr. GRABE. Mr. Speaker, I will.

Mr. RICHARDS. Mr. Speaker, I would like to ask the gentleman his reasons for wanting this bill recommitted to the Committee on Agriculture.

Mr. GRABE. Mr. Speaker, my reason for doing this was simply because I thought that was where the bill belonged. That is all the reason I had in mind.

Mr. RICHARDS. Mr. Speaker, I would like to know if the gentleman from Butler knows that the public hearings have been held on the advice of the Secretary of the Grange of the State of Pennsylvania, and that the day and the hour of the day was set to please him and not the Committee.

Mr. GRABE. Mr. Speaker, I did not hear the interrogation of the gentleman from Allegheny.

Mr. RICHARDS. Do you know, or do you not know, that the Secretary of the State Grange set the day and the hour of the day for the hearing on this bill?

Mr. GRABE. Mr. Speaker, I do not know that he set it, but I know that a hearing was held.

Mr. RICHARDS. Do you know that the Committee was in session until ten minutes to twelve?

Mr. GRABE. I know that it was a pretty late hour.

Mr. RICHARDS. Mr. Speaker, after the Committee meetings, the Secretary of the State Grange came to the Chairman of the Committee and thanked him for his kind and courteous treatment of the Grange. The Chairman of the Committee said to him, "Have you any further questions to ask, or any further remarks to make on this measure?" and he said, "No, Mr. Chairman, we are very well satisfied with this hearing."

Now, Mr. Speaker, I don't think it is fair to begin with, I don't think it is in accordance with the action of this Legislature to take such an undue advantage of the sponsor of a bill and especially on first reading. I did not know that such action would be taken or I perhaps would have made a greater effort to have been here and advocated the measure the best I could. If it is the desire of the gentleman to defeat this bill, then let him do it fair as on any other bill or as any other bill should be defeated, and that is on the floor of the House and not have it committed to the Committee that is in my opinion absolutely opposed to the measure and perhaps may keep it there until such time is passed to let the bill pass this House, and the Senate, if he is opposed to it. If he does not want to be unfair, then I think he should vote himself to have this vote reconsidered and let it remain on the calendar of the House and at the proper time he can oppose it, and I will assure him that I will take no snap judgment on him. Let him, at the proper time, then defeat the bill if he can, but at this time, I ask the Gentlemen of this House to sustain the motion and reconsider the vote by which this bill was referred to the Committee on Agriculture.

Mr. R. J. BALDWIN. Mr. Speaker, I have always considered it unfair to take action on a bill in the absence of the sponsor. I don't think any member who knew what he was doing or had experience in this House would take advantage of any member to defeat his bill and I hope that the House will place this bill back on the calendar. I am unalterably opposed to it and I don't believe this House will pass it, but I think the gentleman who had the bill recommitted didn't, perhaps through lack of experience, realize that it was the custom of the House to give every member a fair chance to present his own side on any measure when the action is taken to get it back on the calendar. I hope the Gentlemen of the House will vote to support the proposition suggested by Mr. Richards and place the bill again on the calendar.

Mr. GRABE. Mr. Speaker, I don't care to take any unfair means against any one here. I felt with my friends and with the advice of others that that was the proper Committee for that bill to go before and as it came up this evening without any further consideration, I made that motion. If I have not been going in accordance to the rules of practice that are provided for here, it is because I was unaware of them and because I didn't exactly understand the rules, and it was all without any intention of taking advantage of the sponsor. I didn't know that he was not in the House.

Mr. O'NEILL. Mr. Speaker, as a member of the Committee I think it is a reflection on it. I am not interested in this bill but I don't know of any man who asked more questions on the bill and on its various sides and I ask you gentlemen to let it remain where it is.

The SPEAKER. The question is on the motion to reconsider the vote by which this bill was recommitted to the Committee on Agriculture.

The motion to reconsider was agreed to.

Ordered, That the bill be restored to the Calendar.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 294, entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine, entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—193.

Adams,	Foster, J. D.,	Light,	Robinson,
Allen,	Frey,	Lohr,	Rockwell,
Alworth,	Gans,	Lowers,	Roney,
Ambler,	Geary,	Malie,	Rothenberger,
Baldwin, G. A.,	Geiser,	Mannion,	Runk,
Baldwin, R. J.,	Gibson,	Martin,	Sassaman,
Barner,	Glenn,	Mather,	Savacool,
Bass,	Good,	Matt,	Schaeffer, A. C
Bayle,	Goss,	McAleer,	Schuck,
Becker,	Grabe,	McAllister,	Scott, J. R. K.,
Benninger,	Gramley,	McArdle,	Scott, S. B.,
Benson,	Gray, Frank,	McCaig,	Semmens,
Bergey,	Gray, Joseph,	McClintock,	Shaffer, C. A.,
Berntheizel,	Hackett,	McDermott,	Shaffer, I. E.,
Bigger,	Haggerty,	McKay,	Shern,
Bittles,	Heidinger,	Mechling,	Sherwood,
Blair, W. F.,	Hemminger,	Mellott,	Showalter,
Body,	Herman,	Metzenbacher,	Smith, J. W.,
Brosius,	Hess,	Miller,	Smith, L.,
Brownlee,	Heyburn,	Missimer,	Snavely,
Burnett,	Hibshman,	Mitchell,	Snyder,
Caldwell,	Hobbs,	Moore,	Spangler,
Campbell, C.M.,	Hoffman,	Morrow,	Speiser,
Campbell, J.J.	Howard, J.,	Moses,	Spillinger,
Carson,	Howard, R.,	Moulthrop,	Steedle,
Carter,	Humes,	Murphy,	Stein,
Cheeseman,	Isler,	Musser,	Stone,
Claycomb,	Irwin, G. C.,	Neel,	Strauss,
Cleary,	Irwin, H. H.,	Neely,	Swartz,
Cochran,	Jackson,	Newbaker,	Swift,
Collins,	Jones, E. E.,	Newton,	Thomas,
Conner,	Jones, J. R.,	North,	Trach,
Conniff,	Kaiser,	O'Neill,	Ulerich,
Conrade,	Kaufman,	Peachey,	Ulman,
Cox,	Keegan,	Pennegar,	Walnut,
Currier,	Keeport,	Pennock,	Walsh,
Curry,	Kenna,	Perry, H. L.,	Walton,
Davis,	Kennedy,	Perry, S. J.,	Watson,
Dickinson,	Kern,	Peters,	Wettach,
Donnally,	Kitts,	Piper,	Whitaker,
Down,	Klepper,	Post,	Whitman,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Wildman,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Williams,
Ehrhardt,	Lanius,	Redfield,	Wilson, J. H.,
Eichenberger,	Latshaw,	Reese,	Wilson, W. H.,
Ely,	Lenker,	Reeser,	Wiltbank,
Ewing,	Leslie,	Rex,	Young, G. K.,
Fahey,	Letzkus,	Rhoads,	Young, J. H.,
Flynn,		Richards,	Zimmerman,
Forster, I. G.,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on third reading of House bill No. 862, entitled:

A further supplement to an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199.

Adams,	Foster, J. D.,	Lowers,	Roney,
Allen,	Gans,	Malie,	Rothenberger,
Alworth,	Geary,	Mannion,	Runk,
Ambler,	Geiser,	Martin,	Savacool,
Baldwin, G. A.,	Gibson,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Glenn,	Matt,	Schuck,
Barner,	Good,	McAleer,	Scott, J. R. K.,
Bass,	Goss,	McAllister,	Scott, S. B.,
Bayle,	Grabe,	McArdle,	Semmens,
Becker,	Gramley,	McCaig,	Shaffer, C. A.,
Benninger,	Gray, Joseph,	McClintock,	Shaffer, I. E.,
Benson,	Hackett,	McDermott,	Shern,
Bergey,	Haggerty,	McKay,	Sherwood,
Berntheizel,	Heidinger,	Mechling,	Showalter,
Bigger,	Hemminger,	Mellott,	Smith, J. W.,
Bittles,	Herman,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hess,	Miller,	Snavely,
Body,	Heyburn,	Missimer,	Snyder,
Brosius,	Hibshman,	Mitchell,	Spangler,
Brownlee,	Hobbs,	Moore,	Speiser,
Burnett,	Hoffman,	Morrow,	Spillinger,
Caldwell,	Howard, J.,	Moses,	Steedle,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Stein,
Campbell, J.J.	Humes,	Murphy,	Stone,
Carson,	Isler,	Musser,	Strauss,
Carter,	Irwin, G. C.,	Neel,	Swartz,
Claycomb,	Irwin, H. H.,	Neely,	Swift,
Cleary,	Jackson,	Newbaker,	Thomas,
Cochran,	Jones, J. R.,	Newton,	Trach,
Collins,	Kaiser,	North,	Ulerich,
Conner,	Kaufman,	O'Neill,	Ulman,
Conniff,	Keegan,	Peachey,	Walnut,
Conrade,	Keeport,	Pennegar,	Walsh,
Cox,	Kenna,	Pennock,	Walton,
Currier,	Kennedy,	Perry, H. L.,	Watson,
Curry,	Kern,	Perry, S. J.,	Wettach,
Davis,	Kitts,	Peters,	Whitaker,
Dickinson,	Klepper,	Piper,	Whitman,
Donnally,	Kuhn, H. P.,	Post,	Wildman,
Down,	Kuhns, E.G.M.,	Price,	Williams,
Dunn, H. B.,	Lanius,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Redfield,	Wilson, W. H.,
Ehrhardt,	Lenker,	Reese,	Wiltbank,
Eichenberger,	Leslie,	Reeser,	Young, G. K.
Ely,	Letzkus,	Rhoads,	Young, J. H.,
Ewing,	Light,	Richards,	Zimmerman,
Fahey,	Lohr,	Robinson,	Alter,
Flynn,	Lowers,	Rockwell,	Speaker.
Forster, I. G.,			

NAYS—1.

Cheeseman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 841, entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—195.

Adams,	Forster, I. G.,	Letzkus,	Robinson,
Allen,	Forster, J. D.,	Light,	Rockwell,
Alworth,	Frey,	Lohr,	Roney,
Ambler,	Gans,	Lowers,	Rothenberger,
Baldwin, R. J.,	Geary,	Malie,	Runk,
Barner,	Geiser,	Mannion,	Savacool,
Bass,	Gibson,	Martin,	Schaeffer, A. C
Bayle,	Glenn,	Mather,	Schuck,
Becker,	Good,	Matt,	Scott, J. R. K.,
Benninger,	Goss,	McAleer,	Scott, S. B.,
Benson,	Grabe,	McAllister,	Semmens,
Bergey,	Gramley,	McArdle,	Shaffer, C. A.,
Berntheizel,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McClintock,	Shern,
Bittles,	Hackett,	McDermott,	Sherwood,
Blair, W. F.,	Haggerty,	McKay,	Showalter,
Brosius,	Heidinger,	Mechling,	Smith, J. W.,
Body,	Hemminger,	Mellott,	Smith, L.,
Brownlee,	Herman,	Metzenbacher,	Snavely,
Burnett,	Hess,	Miller,	Snyder,
Caldwell,	Heyburn,	Missimer,	Spangler,
Campbell, C.M.,	Hibshman,	Mitchell,	Speiser,
Campbell, J.J.	Hobbs,	Moore,	Spillinger,
Carson,	Hoffman,	Morrow,	Steedle,
Carter,	Howard, J.,	Moses,	Stein,
Cheeseman,	Howard, R.,	Moulthrop,	Stone,
Claycomb,	Humes,	Murphy,	Strauss,
Cleary,	Isler,	Musser,	Swartz,
Cochran,	Irwin, G. C.,	Neel,	Swift,
Collins,	Irwin, H. H.,	Neely,	Thomas,
Conner,	Jackson,	Newbaker,	Trach,
Conniff,	Jones, J. R.,	Newton,	Ulerich,
Conrade,	Kaiser,	North,	Ulman,
Cox,	Kaufman,	O'Neill,	Walnut,
Currier,	Keegan,	Peachey,	Walsh,
Curry,	Keeport,	Pennegar,	Walton,
Davis,	Kenna,	Pennock,	Watson,
Dickinson,	Kennedy,	Perry, H. L.,	Wettach,
Donahoe,	Kern,	Perry, S. J.,	Whitaker,
Donnally,	Kitts,	Peters,	Whitman,
Down,	Klepper,	Piper,	Wildman,
Dunn, H. B.,	Kuhn, H. P.,	Post,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Price,	Wilson, J. H.,
Ehrhardt,	Lanius,	Ramsey,	Wilson, W. H.,
Eichenberger,	Latshaw,	Redfield,	Wiltbank,
Ely,	Lenker,	Reese,	Young, G. K.
Ewing,	Leslie,	Reeser,	Young, J. H.,
Fahey,		Rhoads,	Zimmerman,
Flynn,		Richards,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 794, entitled:

An act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor

On the question,

Will the House agree to the bill on third reading?

Mr. EHRHARDT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 1, line 9, by inserting after the word "purpose" the following: "tending to convey the impression that the business so advertised has official relation to any foreign government."

Amend the title by inserting after the word "for" in line 3 the following: "exhibition display or."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 953, entitled:

An act authorizing the Buerau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsisting acts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Adams,	Forster, I. G.,	Letzkus,	Rockwell,
Allen,		Light,	Roney,
Alworth,	Frey,	Lowers,	Rothenberger,
Ambler,	Gans,	Malie,	Runk,
Baldwin, G. A.,	Geary,	Mannion,	Savacool,
Baldwin, R. J.,	Geiser,	Martin,	Schaeffer, A. C
Barner,	Gibson,	Mather,	Schuck,

Bass,	Glenn,	Matt,	Scott, J. R. K.,
Bayle,	Good,	McAleer,	Scott, S. B.,
Becker,	Goss,	McAllister,	Semmens.
Benninger,	Grabe,	McArdle,	Shaffer, C. A.,
Benson,	Gramley,	McCaig,	Shaffer, I. E.,
Bergey,	Gray, Frank,	McClintock,	Shern,
Berntheizel,	Gray, Joseph,	McDermott,	Sherwood,
Bigger,	Hackett,	McKay,	Showalter,
Bittles,	Haggerty,	Mechling,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Mellott,	Smith, L.,
Body,	Hemminger,	Metzenbacher,	Snavely.
Brosius,	Herman,	Miller,	Snyder,
Brownlee,	Hess,	Missimer,	Spangler,
Burnett,	Hoyburn,	Mitchell,	Speiser,
Caldwell,	Hibshman,	Moore,	Spillinger,
Campbell, C.M.,	Hobbs,	Morrow,	Steedle,
Campbell, J.J.	Hoffman,	Moses,	Stein,
Carson,	Howard, J.,	Murphy,	Stone,
Carter,	Howard, R.,	Musser,	Strauss,
Cheeseman,	Humes,	Neel,	Swartz,
Claycomb,	Isler,	Neely,	Swift,
Cleary,	Irwin, H. H.,	Newbaker,	Thomas,
Cochran,	Jackson.	Newton,	Trach,
Collins,	Jones, E. E.,	North.	Ulerich,
Conner,	Jones, J. R.,	O'Neill,	Ulman,
Conniff,	Kaiser,	Peachey,	Walnut,
Conrade,	Kaufman,	Pennegar,	Walsh,
Cox,	Keegan,	Pennock,	Walton,
Currier,	Kenna,	Perry, H. L.	Watson.
Curry,	Kennedy,	Perry, S. J.,	Wettach,
Davis,	Kern,	Peters,	Whitaker,
Dickinson,	Kitts,	Piper,	Whitman,
Donnally,	Klepper.	Post,	Wildman,
Down,	Kuhn, H. P.,	Price,	Williams,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Redfield,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Reese,	Wiltbank.
Eichenberger,	Lenker	Reeser,	Young, J. H.,
Ely.	Leslie,	Richards,	Zimmerman,
Ewing,		Robinson,	Alter.
Fahey,			
Flynn,			Speaker.

NAYS—1.

Young, G. K.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 926, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title, line 11, strike out "authorities," insert "authority."

Section 13, line 1, strike out "is," insert "it."

Section 15, line 4, after "which" insert the words "shall be."

Strike out lines 17 and 18 of section 19 and add the following to Section 19:

"An Act to classify the species of fish in such parts of boundary lakes, of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish, which fish are food fish, and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act; and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances; and repealing all acts inconsistent herewith," approved April 4, 1907.

And in addition to the above all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection?

The Chairs hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 32, entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred any sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the Army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payment creating a commission to have charge of all matters and things appertaining to the same making an appropriation for the purpose of carrying out the provisions of this act and providing for punishments for the violations thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Adams,	Forster, I. G.,	Leslie,	Rockwell,
Allen,	Foster, J. D.,	Letzkus,	Roney,
Alworth,	Frey,	Light,	Runk,
Ambler,	Gans,	Lohr,	Savacool,
Baldwin, G. A.,	Geary,	Lowers,	Schaeffer, A. C.
Baldwin, R. J.,	Geiser,	Malie,	Schuck,
Barner,	Gibson,	Mannion,	Scott, J. R. K.,
Bass,	Glenn,	Martin,	Scott, S. B.,
Bayle,	Good,	Mather,	Semmens.
Becker,	Goss,	Matt,	Shaffer, C. A.,
Benninger,	Grabe,	McAleer,	Shaffer, I. E.,
Benson,	Gramley,	McAllister,	Shern,
Bergey,	Gray, Frank,	McArdle,	Sherwood,
Berntheizel,	Hackett,	McClintock.	Showalter,
Bigger,		McDermott,	Smith, J. W.,
Bittles,	Heidinger,	McKay,	Smith, L.,
Body,	Hemminger,	Mechling,	Snavely.
Brosius,	Herman,	Mellott,	Snyder,
Brownlee,	Hess,	Metzenbacher,	Spangler,
Burnett,	Hoyburn,	Miller,	Speiser,
Caldwell,	Hibshman,	Missimer,	Spillinger,
Campbell, C.M.,	Hobbs,	Moore.	Steedle,
Campbell, J.J.	Hoffman,	Morrow,	Stein,
Carson,	Howard, J.,	Moses,	Stone.
Carter,	Howard, R.,	Moulthrop,	Strauss,
Cheeseman,	Humes,	Murphy,	Swartz,
Claycomb,	Isler,	Musser,	Swift,
Cleary,	Irwin, G. C.,	Neel,	Thomas,
Cochran,	Irwin, H. H.,	Neely,	Trach,
Collins,	Jackson.	Newbaker,	Ulerich,
Conner,	Jones, E. E.,	North.	Ulman,
Conniff,	Jones, J. R.,	O'Neill,	Walnut,
Conrade,	Kaiser,	Peachey,	Walsh,
Cox,	Kaufman,	Pennegar,	Walton,
Currier,	Keegan,	Pennock,	Watson.
Curry,	Kenna,	Perry, H. L.,	Wettach,
Davis,	Kennedy,	Perry, S. J.,	Whitaker,
Dickinson	Kern,	Peters,	Whitman,
Donnally,	Kitts,	Piper,	Wildman,
Down,	Klepper.	Post,	Williams,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Wilson, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Lanius,	Reese,	Wiltbank.
Eichenberger,	Latshaw.	Rhoads,	Young, G. K.,
Ely,	Lenker,	Richards,	Young, J. H.,
Ewing,		Robinson,	Zimmerman,
Fahey,			Alter,
Flynn,			Speaker.

NAYS—5.

Gray, Joseph,	Mitchell,	Newton,	Redfield,
		Rothenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 588, as follows:

An Act to amend section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven, entitled "An Act to consolidate revise

and amend the laws of this Commonwealth relating to penal proceedings and pleadings" which now reads as follows

"Section 7 In all cases the party accuses on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder or alderman where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a court of common pleas Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the court of common pleas or any of the judges thereof or a mayor or recorder of a city" be and the same is hereby amended so that it shall read as follows

"Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorded alderman or magistrate where the offence charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth Provided That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a court of common pleas except that persons charged with manslaughter where it appears that no weapon was employed or used in the commission of the crime may be admitted to bail with the consent of the district attorney by one or more sufficient sureties to be taken before any judge justice mayor recorder coroner alderman or magistrate where the offense charged has been committed Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the court of common pleas or any of the judges thereof or with the approval of the District Attorney b ya mayor or recorder of a city or by a magistrate justice or alderman

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Forster, I. G.,	Light,	Roney,
Allen,	Foster, J. D.,	Lohr,	Rothenberger,
Alworth,	Gans,	Lowers.	Runk,
Ambler,	Geary,	Malie,	Savacool,
Baldwin, G. A.,	Geiser,	Mannion,	Schaeffer, A. C
Baldwin, R. J.,	Gibson,	Martin,	Schuck,
Barner,	Glenn,	Mather,	Scott, J. R. K.,
Bass,	Good,	Matt,	Scott, S. B.,
Bayle,	Goss,	McAleer,	Semmens,
Becker,	Grabe,	McAllister,	Shaffer, C. A.,
Benninger,	Gramley,	McArdle,	Shaffer, I. E.,
Benson,	Gray, Frank,	McCaig,	Shern,
Bergey,	Gray, Joseph,	McClintock,	Sherwood,
Berntheizel,	Hackett,	McDermott,	Showalter,
Bigger,	Haggerty,	McKay,	Smith, J. W.,
Bittles,	Hainger,	Mechling,	Smith, L.,
Blair, W. F.,	Hemminger,	Mellott,	Snavely,
Body,	Herman,	Metzenbacher,	Snyder,
Brosius,	Hess,	Miller,	Spangler,
Brownlee,	Hibshman,	Missimer,	Speiser,
Burnett,	Hobbs,	Mitchell,	Spillinger,
Caldwell,	Hoffman,	Moore,	Steedle,
Campbell, C.M.,	Howard, J.,	Morrow,	Stein,
Campbell, J.J.	Howard, R.,	Moses,	Stone,
Carson,	Humes,	Moulthrop,	Strauss,
Carter,	Isler,	Murphy,	Swartz,
Cheeseman,	Irwin, G. C.,	Musser,	Swift,
Claycomb,	Irwin, H. H.,	Neel,	Thomas,
Cleary,	Jackson,	Neely,	Trach,
Cochran,	Jones, E. E.,	Newbaker,	Ulerich,
Collins,	Jones, J. R.,	Newton,	Ulman,
Conner,	Kaiser,	O'Neill,	Walnut,
Conniff,	Kaufman,	Peachey,	Walsh,
Conrade,	Keegan,	Pennegar,	Walton,
Cox,	Keeport,	Pennock,	Watson,
Currier,	Kenna,	Perry, H. L.,	Wettach,
Curry,	Kennedy,	Perry, S. J.,	Whitaker,
Davis,	Kern,	Peters,	Whitman,
Dickinson,	Kitts,	Price,	Wildman,
Donnally,	Klepper,	Post,	Williams,
Down,	Kuhn, H. P.,	Price,	Wilson, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Lanius,	Redfield,	Wiltbank,
Ehrhardt,	Latshaw,	Reese,	Young, G. K.,
Eichenberger,	Lenker,	Reeser,	Young, J. H.,
Ely,	Leslie,	Richards,	Zimmerman,
Ewing,	Letzkus,	Robinson,	Alter,
Fahey,		Rockwell,	Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1079, (Senate Bill No. 63), entitled:

An act providing for another judge in each of the Courts of Common Pleas of Philadelphia County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Ely,	Leslie,	Richards,
Allen,	Ewing,	Letzkus,	Robinson,
Alworth,	Fahey,	Lowers,	Roney,
Ambler,	Flynn,	Malie,	Rothenberger,
Baldwin, R. J.,	Forster, I. G.,	Mannion,	Runk,
Bass,	Foster, J. D.,	Mather,	Schaeffer, A. C
Bayle,	Gans,	McAleer,	Scott, J. R. K.,
Becker,	Geary,	McAllister,	Shern,
Benninger,	Geiser,	McArdle,	Sherwood,
Bergey,	Glenn,	McCaig,	Smith, J. W.,
Berntheizel,	Goss,	McClintock,	Smith, L.,
Bigger,	Gramley,	McDermott,	Spangler,
Blair, W. F.,	Gray, Frank,	McKay,	Speiser,
Body,	Gray, Joseph,	Mechling,	Spillinger,
Brosius,	Hackett,	Mellott,	Steedle,
Brownlee,	Haggerty,	Missimer,	Stein,
Caldwell,	Herman,	Mitchell,	Stone,
Campbell, C.M.,	Hess,	Moore,	Strauss,
Campbell, J.J.	Heyburn,	Morrow,	Swartz,
Carson,	Hibshman,	Moses,	Thomas,
Carter,	Hoffman,	Moulthrop,	Ulerich,
Claycomb,	Howard, J.,	Murphy,	Ulman,
Cleary,	Humes,	Neel,	Walsh,
Collins,	Isler,	Neely,	Walton,
Conner,	Irwin, G. C.,	Newbaker,	Watson,
Conniff,	Jackson,	North,	Wettach,
Conrade,	Jones, E. E.,	O'Neill,	Whitaker,
Cox,	Kaiser,	Pennegar,	Whitman,
Currier,	Keeport,	Perry, H. L.,	Wildman,
Curry,	Kennedy,	Perry, S. J.,	Wilson, J. H.,
Davis,	Kern,	Peters,	Wilson, W. H.,
DeFrees,	Kitts,	Piper,	Wiltbank,
Dickinson,	Klepper,	Price,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Ramsey,	Zimmerman,
Dunn, H. B.,	Kuhns, E.G.M.,	Reese,	Alter,
Dunn, J. A.,	Lanius,	Reeser,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—40.

Baldwin, G. A.,	Hemminger,	Musser,	Semmens,
Barner,	Hobbs,	Newton,	Shaffer, C. A.,
Benson,	Jones, J. R.,	Peachey,	Shaffer, I. E.,
Bittles,	Kaufman,	Post,	Showalter,
Burnett,	Lenker,	Redfield,	Snavely,
Cheeseman,	Lohr,	Rhoads,	Snyder,
Gibson,	Martin,	Rockwell,	Swift,
Good,	Matt,	Savacool,	Trach,
Grabe,	Metzenbacher,	Schuck,	Walnut,
Heidinger,	Miller,	Scott, S. B.,	Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 31, entitled:

An act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof

On the question,

Will the House agree to the bill on third reading?

Mr. MARTIN. As sponsor for this bill, I earnestly and sincerely hope and trust that my motives for introducing the same shall not be misconstrued or in any way misunderstood.

I desire to frankly say to this House, that I have no selfish motive or motives whatsoever in asking for the repeal of our present Mercantile Tax Law, as it now appears on our statute books.

I am interested, however, from the standpoint of a representative of a people, whose wishes and welfare for future prosperity I am duly bound to respect.

For the past five or six years this Mercantile Tax law has been a source of continuous agitation, and has caused much

dissatisfaction not only among the merchants of my own county of Dauphin, which I have the honor of representing but it has caused dissatisfaction in other counties as well. Since at least three or four similar bills had been presented at this present session of the Legislature, it is self-evident fact, that other counties have been similarly affected.

If this Mercantile Tax law is just, uniform, and has been impartially enforced, and above all if it is absolutely necessary to FINE men who engage in business then it remains for this House to allow the law to remain on our statute books. But, if, on the other hand, this law, has been found to be unjust, unfair, unpopular, and to have been only partially enforced, because of political, favoritisms, and above all, if it is an unnecessary burden thrust upon our merchants then I say, the Mercantile Tax law should be repealed.

Through recent investigation and otherwise, it has come to me, that the vast majority of merchants are dissatisfied, throughout Dauphin County, and I have received protests from other counties also for various well founded reasons.

I have discovered the fact, to my astonishment, that in at least a number of the sixty-seven counties that comprises this great Commonwealth, this Mercantile Tax has become largely a menace to the various business interests that are being directly affected either by its enforcement or non-enforcement, and is it any wonder?

I have been told by those who ought to know, that there has been no uniformity some merchants were sworn, some were not sworn to their statements, some were partially exempt from the tax, because of political favoritism, others were not, some paid on all outstanding accounts and others did not.

Such conditions, gentlemen, should not exist, and there must be something radically wrong when they do exist, and are allowed to be continued to exist.

This tax, it appears to me, is unwise, unfair, and in my mind, is an imposition, thrust unnecessarily and unscrupulously upon our merchants, who are attempting to do business fairly and honestly and for these reasons the Mercantile Tax law has to a great extent become so unpopular.

Shall we, Mr. Speaker and gentlemen of this House, any longer continue to discourage busiess in our great state by inflicting upon our merchants a tax, or in other words, a fine, if you please, for engaging in that particular vocation? Would it not be far more encouraging to business interests, and commendable as well as commensurate with progressive ideas, to lift from the shoulders of our merchants, this seemingly unnecessary burden?

Would it not be better to encourage them than to discourage?

In fact, this tax is inflicted upon our merchants, it seems to me, as a class, and is nothing more than class legislation, directed against a certain class of business men large or small in our State.

The manufacturer, the architect, the engineer and general contractor, the lawyer, the doctor and many others, are not taxed for the business they do in our State, and rightly so. Why then shall we continue to tax the merchant unjustly?

Why has Pennsylvania become the greatest manufacturing State in our Union? Is it not largely due to the fact that our manufacturers are not taxed for the business they do in our State? Do any of our large and important neighboring States have a mercantile tax? Not one. It is not, therefore, reasonable that with this knowledge, dissatisfaction has originated or has been created in the minds of our merchants? There are but seven States in our Union that have such a tax. Only one small eastern State, Delaware, one central State, Kentucky, and only five of the smaller western States. Out of forty-eight States comprising this Union no really important state except Pennsylvania has such a law on its statute books.

Under this existing law, in our State, the gross receipts of a business are taxed, regardless of profits which surely must have a tendency to make this tax very unfair, as some do a big business on a very small margin of profit, much to the benefit of a community.

The merchant is not only taxed for the gross amount of business transacted, but all outstanding accounts are included regardless as to whether his outstanding accounts can be collected or not.

Here the merchant is again imposed upon, and is absolutely unprotected and helpless, since there is no law now on our statute books that will enable him to collect many of his outstanding accounts.

This tax, Mr. Speaker, I again reiterate, what I have formerly said, is unjust because it is levied on an intangible base the information for which must be furnished by the taxpayer himself. Such information is subject to all the varying forms and shades of judgment.

Just a few days ago, one man told me personally that he was exempt from paying a large portion of his tax, a certain year, because some little ward heeler (who probably calls himself a politician) had told him that he would see to it, and claimed the credit for same. If one, there are doubtless many others. This, gentlemen, is not only partial and non-uniform, but it is unjust and unfair, and I want to say right here on the floor of this House, that no man should be allowed to manipulate, or possess the power to override the law for purely selfish motives, at the expense of a number of merchants who pay their tax fairly and honestly.

Is it any wonder our merchants are displeased or that they should claim the tax to be unfair, unjust and unpopular? Take our present system for example. The merchants' tax is first of all based upon last year's business. He then pays his mercantile tax, as previously stated, on oustanding accounts, as well as on moneys collected. If he uses a team outside of the borough or city limits, he is liable for a peddler's license. If he delivers in a neighboring borough, he is again taxed by that borough for the privilege of delivering his goods in that borough, so you see, gentlemen, he is getting his continually.

These conditions actually exist in our State, and I ask you gentlemen in all sincerity and fairness does not the ultimate of this system of taxation tend to destroy or drive business out of our State, rather than encourage it? A man should certainly be protected and not fined when he engages in business. Then too, a very large percentage of this tax is collected from the small business man or dealer who has a hard time making ends meet, and who proportionately pays more than does the big dealer. He pays the same minimum tax of $2.00, as does the big dealer, and the extent of his business is far more readily obtainable and correctly judged than that of his more fortunate brother merchant. Here it becomes an imposition, and a gross injustice.

This mercantile tax, too, is inequitable.

First. Because the retail merchant pays double the tax that is paid by the wholesaler; in fact, it is estimated that the retail merchant pays three-fourths of the whole amount of taxes collected.

Second. Because it falls most heavy upon the merchant whose business is the smallest.

Third. Because the self-assessment system or feature is acknowledged to be radically wrong, so far as a system of taxation is concerned.

Fourth. Because it is a tax that apparently places a premium upon dishonesty and invites perjury among the less conscientious merchants.

Fifth. Because it exempts manufacturing plants and machinery from taxation, while the merchant is taxed.

Sixth. If a merchant wishes or seeks the privilege of incorporting his business, he is doubly taxed.

Seventh. Because it has been ascertained that favoritism is practiced, or at least has been heretofore.

Eighth. Mail orded houses from other states do an extensive business in our State, without paying one cent of tax. The merchant is everybody's servant, and this tax through the merchant affects every member of a community, more or less, and finally becomes a tax upon the consumer also.

There seems to be to much extravagance associated and connected with the collection of this mercantile tax. Exorbitant amounts are paid for printing or advertising, for collecting, for postage, and for other items, to such an extent that I do not beleive that any one would attempt to deny that the sum of $100,000 could not easily be saved,—either for the merchant, or for the State, every year, providing economy was strictly enforced, even made our present regime.

These useless evils including the maintenance of the mercantile appraiser's office, has become such common knowledge as to create a strong feeling throughout entire portions of our State against the paying of this tax.

In Dauphin County, for instance, the collector in fees and mileage receives annually from thirteen to fifteen hundred dollars for from two to three months' work. That would mean an average annual salary, if continued for a year, of not less than, from six to nine thousand dollars.

Then the County Treasurer gets twenty-five cents for

each person, or at least from six to seven hundred dollars.

The printing of the lists which seems entirely useless,—in 1911, cost our county, the County of Dauphin, $2,095.02 while it cost the entire State the sum of $73,108.00.

Postage in 1911 in Dauphin County cost $177.10, while it cost the entire State $7,090.05—mileage for Dauphin County, for appraiser cost, $72.00.

The Same item cost the State $6,723.99.

Attorney's fees throughout State $8,030.

Clerk Hire cost the State	$20,783.00
Other expenses including fees of mercantile appraisers cost Pennsylvania	34,571.35
Cost in suits against delinquents (where State is loser)—cost us	5,269.83
The gross amount of mercantile tax and other licenses assessed in Pennsylvania, in 1911 was	$1,604,426.78
Uncollectible licenses and exonerations amounted to	$56,062.69
The total amount collected 1911 was	$1,547,464.09
Total cost of collection	172,784.61
Net Amount	$1,374,679.48

My opponents will doubtless say we cannot afford to repeal this law. I want to say that I believe this State can afford to repeal the mercantile law; and if not, we should surely use economy in the administering of public affairs as well as in private business.

In conclusion, Mr. Speaker, I desire to ask for nothing more than for a fair and impartial consideration of this bill, its merits and demerits, or in other words, I trust for a square deal, for the merchant's of our State. The repeal of the Mercantile Tax law would not as one might erroneously be led to believe, keep over one million dollars out of our State treasury annually, because much of this amount collected is not wholesale or retail mercantile.

The repeal of this law, would not exempt the other licenses such as billiards, pool, theatres, etc. It would simply destroy the present machinery or system of collection, and necessitate a new method to be introduced or inaugurated, which could easily be done.

This tax furthermore is unnecessary. Pennsylvania is without debt, and the abolition of this tax, which has been a bone of contention for years among our merchants, because of irregularities, impositions, and injustices practiced upon them, should be removed, in this the only really important State in our great Union where it still exists.

Pennsylvania is the richest and most solvent state in the Union; she had in her State Treasury at the end of the fiscal year, Nov. 20, 1911, over ten millions of dollars. Shall we then, as a rich, progressive, prosperous state, continue to inflict this unjust discriminate tax upon our merchants or shall we repeal this law? I trust gentlemen of the House that you will vote to encourage business in our State, by supporting this bill to repeal the Mercantile law.

Remember the eyes of 500,000 merchants are upon us, who expect us to give them justice.

Mr. WASSON. Mr. Speaker, I rise here at the request of the business men in my community to endorse every word that the gentlemen from Dauphin has said. I am not going to detain this House to-night with a long speech but I do want to call your attention to one or two features of this tax. To start with, it is a direct and personal tax levied upon the citizens and the consumers of the Commonwealth of Pennsylvania by one law board or by two or three individuals without their consent. Who pays it? When my friend from Delaware (Mr. R. J. Baldwin) was making his earnest and eloquent speech the other night, I asked him, "who pays the mercantile tax in your business in Delaware County?" He said, "Eventually, it comes off the consumer." Now, how is the great State of Pennsylvania, this dignified Commonwealth, going to repay the tax that is paid by whom? Not by the merchants, not by the business men, but it starts with the bootblack; with the newsboy; with the washerwoman; and with every individual that purchases and consumes goods of any kind and every kind that is sold in this Commonwealth. I say we cannot afford to do that, to put a direct tax on the consumers and I defy any man in this House to refute that eventually that tax is paid by nobody except the consumer. I say it is a direct tax and I tell you that it is a direct tax on the consumer.

It does not tax the people who have burdens to carry but it puts a burden on the very class of people here whom we are talking about and not protecting and caring for, in the interest of whom we have long lists of bills introduced in order to legislate in every conceivable way and now to allow a mercantile tax to be paid by them is putting a tax where it should not be placed. Now, if you wish to place this tax upon the consumer, vote in favor of this bill. I think we ought to protect those people and that we are acting demagogic to some extent, let us protect them in an honest and straightforward and just way.

Mr. WILLIAMS. Mr. Speaker, This Legislature could do no one thing that would popularize itself with the property owners of the State as much as to relieve them from all tax obligations. But with the machinery of our State and local governments to be kept in motion, and being without mints for coining money as it is needed, and the great and wonderfully valuable natural resources once owned by the Commonwealth of Pennsylvania having been disposed of without making provisions for future revenue from them for the State, we must continue to derive our revenue with which to meet the expenses of our governments from the various forms of taxation.

The tendency of the times is to add to rather than to take from the list of taxable property that the burdens of taxation may be equalized, and to that end the bill introduced by the gentleman from McKean has been offered.

To pass this bill means a reduction of practically $1,200,000 or 4 per cent. of our annual revenues. With the demands that are being made for new and increased appropriations for the common schools and other educational institutions; for hospitals and other charitable institutions; for good roads and the health of the people; for pensions for the soldier and other purposes, together with a possible reduction in the revenues of $1,000,000 as a result of increasing the amount of the personal property tax to be turned over to the counties from 75 per cent. to 95 per cent., can we under such conditions with safety pass this bill? I think not, unless the members who are asking for liberal and in many instances increased appropriations for their districts are willing to have them reduced to a figure that will bring their total within the reduced revenues of the State suggested by this bill.

We hear more or less of the injustice of the mercantile tax. To my mind it is as just a tax as are many others that are levied against property in Pennsylvania. The farmer pays an average cash tax of from $20 to $25 on each $1,000 of his assessed valuation and the owner of city and village property pays as high a rate on his real estate holdings, a much higher rate than the merchant pays on his stock of goods under the present mercantile tax law which in many cases is the only property tax paid by the merchant.

It is true the cost of collecting the mercantile tax is unreasonably high, but this expense can easily be eliminated without the loss of this tax as a revenue to the State. Pass the bill introduced by my colleague from Tioga, Mr. Rockwell, to do away with the advertising expense and further amend the law under which this tax is levied to do away with the appraiser and place the duty of making the appraisement on the local assessor, his return to be on file in the office of the County Commissioners the same as is his assessment of other property. In this way you will overcome the objectionable feature of the mercantile tax as at present, the cost of collection, without removing it from the list of revenue producers.

At the time this bill was placed on the calendar the gentleman from Indiana remarked, and has just repeated, that the mercantile tax was paid by the consumer in the purchase of goods and consequently was a burden to him. If his position in this respect is correct then we must admit that the farmer and manufacturer must add to the price of what they produce; the coal operator to the coal he mines and the railroad company to its carrying charges because of the taxes they pay, and if you vote for this measure with the thought of lowering the cost of living to the consumer, then to be consistent should not a bill be introduced and passed to remove the different forms of liquor licenses that the price of the goods dealt in by the liquor dealer may be reduced to the consumer?

No Mr. Speaker, we should not begin reducing our revenues until we have before us a balance sheet prepared by the Auditor General showing the probable income under existing laws for the next two years, for until we are in possession of such information we are not in a position to act intelligently on matters looking to a reduction of our revenues a million and a quarter dollars in a single bill. If it is your verdict that this reduction be made then as I previously said the appropriations must be cut accordingly, unless our revenues are increased from other sources. In what direction can we turn for a new source of revenue? I would suggest to the members favoring the repeal of the mercantile tax law that a tax on manufacturing corporations and an increase in the amount of the liquor licenses under the Brooks law would be revenue producers worthy of their consideration.

Mr. WATSON. Mr. Speaker may I interrogate the gentleman?

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, with pleasure.

Mr. WATSON. Mr. Speaker, how does the farmer in any way recover the share of the mercantile tax that he indirectly pays in the purchase of commodities and merchandise?

Mr. WILLIAMS. Mr. Speaker, I don't understand the gentleman's question. It is too indefinite.

Mr. WATSON. Mr. Speaker, allow me to illustrate a little. How would he resort in any way to get back his share of that personal tax?

Mr. WILLIAMS. Mr. Speaker, I repeat in reply to the gentleman from Indiana, that if his suggestion to the effect that the consumer pays the mercantile tax is correct, then he must admit that the farmer the manufacturer and the mine-owner must add to their products and the railroad company must add to its transportation charges to the taxes they pay.

Mr. NEELY. Mr. Speaker, these merchants and manufacturers are for the repeal of the law. I have here resolutions passed by fifty-two different Boards of Trades and Trade organizations; representatives of the hardware trade, of the produce merchants, drug merchants, shoe merchants, builders supplies, drug stores and many others. I also say that the merchants are against this tax because it is levied only on certain classes of merchants. Take the druggist; he does not pay anything on his soda water or on his prescriptions or anything of that sort but only pays on what proprietary medicines he sells and on toilet articles and newspapers and small things which he does not manufacture on his premises.

Milliners pay no tax under this law. They manufacture the hats and bonnets and therefore don't come within the scope of this law. There are many other reasons against this law which I desire to refer to and I have here in the form of a brief some matter which I desire to submit:

The mercantile license tax is the most unjust, inequitable and unpopular tax now laid in Pennsylvania.

First—It is unjust for the following reasons:

(a) This tax is inflicted upon the merchants as a class, and thus becomes class legislation directed against a certain class of business men, large or small, in the State; the manufacturer, the architect, the engineer, the general contractor, the sub-contractor, the doctor, the layer, etc, are not taxed for the business they do in this State.

(b) Under the law, the gross receipts of a business are taxed, regardless of the profits, which makes this tax very unfair, as some do a large business on a very small margin of profit, much to the benefit of the community.

(c) The merchant is taxed for the gross business transacted, including outstanding accounts, regardless of whether his outstanding accounts are paid or not.

(d) This tax is unjust because it is levied on an intangible base, the information for which must be furnished by the taxpayer. This information is subject to all the varying shades of judgment, and moral rectitude as to what should be included and the amount to be named. Such taxes are invariably unpopular, unsatisfactory and subject to infinite difficulties of collection.

(e) The ultimate tendency of this system of taxation is to drive business out of the State. A man should not be fined, as he is under this tax, for engaging in business.

(f) A very large percentage of this tax is collected from the small dealers, whose business provides a scant substinence for the storekeeper and his family.

(g) All merchants pay taxes, either as owners of the property they occupy or in the form of rent, and the mercantile tax is an additional burden, which is fixed upon them exclusively as a class.

Second—This tax is inequitable because:

(a) The retail merchant pays double the tax that is paid by the wholesaler, and it is estimated that the retail merchant pay three-fourths of the whole amount of taxes collected

(b) It falls heaviest upon the merchant whose business is smallest because his income is the least, and the minimum charge is often a great hardship upon the poor merchants.

(c) The self-assessment feature is acknowledged to be a wrong system of taxation.

(d) It is a tax upon honesty, since the man most honorable bears the heaviest burden, and the system produces perjury and dishonesty among the less conscientious merchants, thereby placing the honest merchant at a disadvantage.

(e) The exemption of manufacturing plants and machinery from taxation has been a potent factor in making Pennsylvania the greatest manufacturing State in the Union, and the fact that the opposite policy is adopted in regard to the business men shows the inconsistency of the laying of this tax. In the collection of the tax it is often impossible to discriminate between manufactured articles, such as prescriptions, millinery, dresses, etc., and what is called merchandise.

(f) If the merchant seeks the privilege of incorporating his business, he is thus doubly taxed.

Third—It is a most unpopular tax because:

(a) The merchant is everybody's servant, and this tax, through the merchant, affects every member of the community and is finally a tax upon the consumer.

(b) The high expense of collection, including the maintenance of the mercantile apraiser's office and the useless advertising of the lists, has become such common knowledge as to create a strong feeling throughtout the entire community against the paying of this tax.

(c) None of our neighboring States has the mercantile tax, and this knowledge creates dissatisfaction in the minds of our merchants. Only seven States in the Union have this tax—one eastern State, Delaware; one central State, Kentucky, and five of the smaller western States: and no important State except Pennsylvania has a law of this kind on its statute books.

In conclusion, this tax is unnecessary. Pennsylvania it without debt, and the abolition of this tax will not in any way interfere with the business of the State, nor cripple the State treasury to any extent. There was in the State treasury at the end of the fiscal year, November 30th, 1911, a surprise of about $10,000,000, and Pennsylvania, as the richest and most solvent State in the Union, should not inflict this unjust discriminative tax upon its merchants.

Mr. DOWN. I do not want to make a speech in favor of repealing any revenue producing law, but when the backers of this bill almost unanimously ask for consideration, I think it is only fair that their appeal should be listened to. I do not think the best interests of the State of Pennsylvania are so strenuously objecting to this tax as they do object to it because it is an unfair, an unjust, or rather a discriminating tax. It is discriminating in that it practically is an income tax on the merchant. The merchant is not only asked to pay a tax or amount of money on that stock of goods on his shelves, but he is asked to pay a tax on his industry and energy in turning over that stock four or five times a year. He is asked to pay this tax on the amount of business he does in a year, which as I take it is practically paying a tax on his income. There are a good many other businesses and professions which have practically as much invested in their equipment, such as a physician in his medicines and instruments, and the lawyer in his law library, et cetera, on which they do not pay one cent of tax. It is true that he pays an occupation tax, but so does the merchant. The merchant is assessed on the basis of $250, the same as the doctor, the lawyer or any other professional men. Besides that, he pays a tax on the amount of business that he does. I do not think that the merchants of this Commonwealth would object to pay the tax if it were levied on the amount that he had invested, if there were a tax also levied on other professions and other businesses in the State.

Another thing is that the merchant has to come into competition with a great many of the catalogue houses. These catalogue houses do not pay one cent into our State Treasury, and, according to a statement made by one of the gentlemen here, in many of the states they have no mercantile tax. They might pay but a small amount, but yet that is not the question. In my mind it is a question of the justice of this tax, and I think there are better means by which we can raise revenue. I realize that revenue is necessary, but I do not advocate a law along that line. I would suggest that we tax the natural resources of this state, such as coal, oil, gas and lumber interests. They are the ones that are deriving a revenue from the natural resources of the State, and I, in preference would rather put the tax on them than on the merchant. I am not opposed to a tax on the amount of money that the merchant has invested in his business, I am opposed to a tax on the amount of business that he does.

Mr. MOSES. Mr. Speaker, the mercantile tax that we are talking about is a sham, a farce and a humbug. It is unjust and discriminatory. It is a tax upon industry and effort. It is a tax upon ignorance and honesty. It lowers the moral tone of business life. It rests upon the principle of self-assessment, which is fundamentally wrong. It puts the tax on the shoulders of the persons less able to bear

it—the consumer. To get rid of it, gentlemen, vote "aye" on this bill and you won't be bothered with it.

Mr. RONEY. Mr. Speaker, just a word with reference to this proposed bill. We take away from the State revenues, if it be enacted into law, at one step, $1,600,000. This is a very considerable amount of money. This tax has been enforced upon the theory that it is a very equitable kind of taxation. The Joint Tax Commission appointed by this General Assembly reported that real estate had about reached its limit for taxation, and I think that is agreed upon by all parties. The declaration by the State Grange made before the Ways and Means Committee just the other day was to the effect that the average real estate tax in this state is about sixteen and three-quarter mills. Now, a man is taxed on his land, whether or not it is productive. A man owning a farm worth $3,000 would have to pay a tax on that $3,000. A man only pays a mercantile tax upon the amount of business done. The talk about considerable costs only results where a person who has had adequate time for the payment of the mercantile tax refuses to pay it. Of course it then becomes a burden on the poor woman who has been assessed one dollar on the one thousand dollars worth business done in a year. Then the constable goes into her store and makes an assessment and in addition to the one dollar she must then pay three dollars and fifty cents, but if she would have gone to the Mercantile Tax Collector's Office when she received notice, she would have had to pay but one dollar under this tax regulation. Now, I think that before you should take off this tax which results in this State's giving up $1,600,000 a year and which if properly handled would bring in between four and five million dollars, you should hestitate. You should consider on the one hand the taxation of sixteen and three-quarter mills that is put on real estate and the one mill tax that is only put on productive business. I say, gentlemen, in view of those facts, the conclusion must be irresistible that we cannot abrogate this measure.

Mr. R. J. BALDWIN. Mr. Speaker, I had thought that I would not say anything more about this bill, but I think the best argument for defeating this bill has been made by the sponsors of it. They have told you that this tax falls upon the consumer. My friend from Indiana says that that was what he understood me to say some few days ago when we discussed the question. The gentleman was misinformed. I do not think that I said that. I did say that the question of where the tax falls cannot be fixed to any certainty. You cannot reduce it to a science. I understand that perhaps some of this tax may come off the consumer. I don't believe it does myself. I am frank to say that I do not know. I think the merchant pays it, because I do not see how any merchant in figuring out the profits of his business will take into consideration one-tenth of one cent. I do not think that a practical business man takes into consideration, when he is marking the price on his product, after it arrives in his store, bought from some producer or from some wholesale house, the question of one-tenth of one per cent. Now, if he does not, then the merchant pays the tax. He pays the tax, I think, because if we consider the tax laws of this State, he is one of the most lightly taxed citizens that we have. And, if that be true and I am correct, then certainly we will not vote to repeal the bill. Strange to say, those who come here and ask for the repeal of this tax do not give any actual data upon which to form an opinion. They come here with declarations and statements not backed up by facts, but expect you, when they themselves have not examined the subject, to vote the way they advise. They advise you without a knowledge of what they are talking about. I will venture to say that there is not one of them that can rise and answer this question, and I make this interrogatory to all those who spoke in favor of this bill. "Approximately what amount of property is there involved in this taxation question?" Now, any member that is opposed to this bill ought certainly to answer that question or else they ought not to discuss the question. I will answer it for you, from a personal experience. I know from experience that a country store carrying an average stock of six thousand dollars, and that means that I have six thousand dollars worth of property, and that six thousand dollars is invested in goods, wares and merchandise. My farmer neighbor has his six thousand dollars invested in horses and cattle. We all pay alike on our real estate, understand. Now, there is not a farmer in this State, I don't believe, that pays less than ten mills on six thousand dollars. Now, I know from experience that on six thousand dollars he ought to do twenty thousand dollars worth of business and this means that a man pays twenty dollars tax and that means three mills on six thousand dollars invested, and I am frank to say that so far as I have investigated the question—and I have asked a great many merchants the amount of stock they carry and the amount of mercantile tax they pay—they have never in a single instance shown me that they pay more than four mills on their property. I have not talked to a single merchant in my county that when I explained to him this taxation proposition that he has not frankly admitted that he was entirely willing to pay the tax and that it was a proper one and that instead of being taxed more than his share, he was rather under-taxed as compared to other people in various other businesses. Now, it is an uncontrovertible fact, and if it is a fact, why should you repeal that tax? To my mind it is almost silly to listen to the man who says, "I am in favor of this proposition to relieve the people of taxation because they want me to." Now, it is certainly silly to an intelligent man. There is no citizen in this great Commonwealth who pays tax on his vocation, his profession or his calling, that would not like to escape taxation, and yet there is not one intelligent man but knows that we cannot have organized government if we do not have taxation, and there is no intelligent, fair-minded man that asks to be relieved from his just share of the burden of government when he understands the proposition. And if the proposition is as I stated, and I don't believe it can be controverted successfully by any of those who take an opposite position, if I am correct, then this proposition to repeal taxation is absolutely a mistake. They rather should come here with a little increase. Now, I will admit that we do not tax merchants exactly in the same manner that we tax the farmer, nor do we tax the real estate man the same as we tax the farmer; nor do we tax either the carrying or transmission corporations in this State the same as we tax the farmer; nor do we tax any of them even alike. We do not tax a banking concern, nor do we tax a trust company alike. In the wisdom of those men who have stated this proposition, though I beleive they have always honestly tried to tax them justly, I think each should bear his own just share of the burden of government. This has not always been accomplished. Certain inequalities exist, and certain unfair conditions exist in all of our taxation problems, notwithstanding the fact that all the governments of the world have been struggling since the formation of government to make them equal.

You all know very well, perhaps, and better than I that we tax railroad corporations of this state four mills on their bonded indebtedness. We tax them five mills on their capital stock valuation, and we tax them eight mills on their gross receipts. I will not go deeply into this question of taxation, but I know and I feel certain that in the ten years experience that I have had on the Ways and Means Committee, hearing all of these various tax propositions, that I have naturally gotten a great deal of information, and I am thoroughly convinced in my mind. It is against my personal interests to oppose the repealing of this tax. As I told you, all of my sons and sons-in-law are engaged in the mercantile business. I was in it thirty years myself. I know just exactly what it means. I had an idea that because I was taxed in a different manner from my neighbor, the farmer, that I was suffering an unjust taxation, but when I found that it was simply believed in the wisdom of the Legislature that this was the best way to lay the tax, I was entirely satisfied; and I have always believed that I did not pay my just share in proportion to my neighbor, and those engaged in various other businesses. Now, if my friends who want this repeal feel that the method is wrong, why didn't they come here with a sister bill and show us a better method, if they think it necessary to ask this House—this House is not going to relieve those enormously wealthy wholesale and retail business concerns where they have their millions piled away on their shelves entirely free from taxation. Repeal this bill and you do it. This House will not do that. You have more wisdom than that. I think you ought to answer back to those who ask you to repeal this bill that if they will bring a proposition that looks to us fairer and more equitable, then we will repeal this bill, and pass the other. But they don't come here.

They only talk about the other bill. Let them produce it, then we will consider the proposition, but at the present time, considering the demands made upon the State from every source, do not take the tax off of these people who are amply able to pay. When they understand it they will not complain. The bill should not pass.

Mr. WATSON. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. With pleasure, Mr. Speaker.

Mr. WATSON. Mr. Speaker, he says here something about these men being in the mercantile business all these years. I do not want to inquire into his business, but I presume that he buys from the wholesale houses in the City of Philadelphia or elsewhere. Now if he can tell me the amount of mercantile tax that the wholesale houses in the City of Philadelphia or elsewhere pays, I will be very much obliged to him?

Mr. R. J. BALDWIN. Mr. Speaker, the tax that the gentleman proposes to repeal, strange to say, he knows nothing about; but I don't object to informing him that the tax on the wholesale merchant is one-half mill on the dollar.

Mr. WATSON. Mr. Speaker, I understand that, but how much does Young, Smithfield & Co. pay on their entire stock of goods. What is the sum total of money that they pay? Do you catch that?

Mr. R. J. BALDWIN. Mr. Speaker, I suppose when I answer that question, then he will keep on asking questions until I will be able to answer this House the individual business tax paid by the entire business houses of the State of Pennsylvania. If I understand the question it is, "Can I tell what mercantne tax Young, Smithfield & Company pay? Of course, I cannot answer that question. Why no, I did not examine Young, Smithfield & Company's records. I wouldn't pry into their private business.

Mr. WATSON. I would like him to inform me if he can.

Mr. R. J. BALDWIN. Mr. Speaker, I have no idea the amount of stock they carry or business they do.

Mr. WATSON. Do you know that of any of the wholesale houses you deal with?

Mr. R. J. BALDWIN. I have never inquired into their private business.

Mr. WATSON. Do you know whether they charge that tax off on their books toward the country merchant, or do they add that as a part of the first cost or cost of their goods?

Mr. R. J. BALDWIN. Mr. Speaker, I am thoroughly satisfied that any answer I may make to that question would be of no avail. If the gentleman wanted the information he could apply to Young, Smithfield & Company and give the House the benefit of the absolute facts.

Mr. WATSON. Mr. Speaker, if the gentleman paid part of it, did your customers pay part of it back to you?

Mr. R. J. BALDWIN. I am not dealing with Young, Smithfield & Company.

Mr. WATSON. The gentleman is a great evader.

Mr. R. J. BALDWIN. I merely want to answer the question. He asked me what I did with Young, Smithfield & Company. I didn't deal with them.

Mr. WATSON. Mr. Speaker, I would like the gentleman to tell how much the City of Philadelphia pays in mercantile taxes, if he can?

Mr. R. J. BALDWIN. No. Does the gentleman from Indiana know how much Philadelphia pays?

Mr. WATSON. Mr. Speaker, I would like to know then in the end if they charge it to the goods sold to the consumers?

Mr. R. J. BALDWIN. Mr. Speaker, I will answer the gentleman this question, since he wants to go into it. By way of illustration: Two farmers living each ten miles from the City and one comes in over a toll road and the other over a dirt road. They stand side by side in the market and sell equally good butter for the same price, who pays the toll? I will let the gentleman answer the question.

Mr. WATSON. The man that eats the butter.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the years and nays were taken.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—101.

Adams,	Flynn,	Martin,	Schuck,
Allen,	Geary,	Matt,	Scott, S. B.,
Alworth,	Good,	McAllister,	Semmens,
Ambler,	Goss,	McCaig,	Shaffer, C. A.,
Baldwin, G. A.,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bayle,	Haggerty,	McDermott,	Snyder,
Benson,	Herman,	McKay,	Spillinger,
Bergey,	Hobbs,	Miller,	Steedle,
Blair, W. F.,	Howard, R.,	Mitchell,	Stein,
Brownlee,	Humes,	Moses,	Swartz,
Caldwell,	Isler,	Moulthrop,	Swift,
Campbell, C.M.,	Irwin, G. C.,	Musser,	Thomas,
Campbell, J.J.	Irwin, H. H.,	Neely,	Trach,
Carson,	Kaiser,	Newbaker,	Ulman,
Carter,	Kaufman,	Newton,	Walnut,
Cheeseman,	Kennedy,	Pennegar,	Walton,
Cleary,	Kern,	Pennock,	Watson,
Cochran,	Kitts,	Perry, H. L.,	Wettach,
Conner,	Kuhn, H. P.,	Piper,	Whitaker,
Currier,	Lanius,	Post,	Wildman,
Davis,	Lenker,	Ramsey,	Young, G. K.
Dickinson,	Leslie,	Redfield,	Young, J. H.,
Down,	Letzkus,	Reese,	Zimmerman,
Dunn, J. A.,	Lowers,	Richards,	Alter,
Ehrhardt,	Mannion,	Robinson,	Speaker.
Ely,			

NAYS—75.

Baldwin, R. J.,	Foster, J. D.,	Keeport,	Reeser,
Barner,	Frey,	Klepper,	Rhoads,
Becker,	Geiser,	Kuhns, E.G.M.,	Rockwell,
Benninger,	Gibson,	Light,	Roney,
Berntheizel,	Glenn,	Lohr,	Rothenberger,
Body,	Grabe,	Malie,	Runk,
Brosius,	Gramley,	Mather,	Savacool,
Burnett,	Gray, Joseph,	McAleer,	Shern,
Claycomb,	Hackett,	Mellott,	Showalter,
Collins,	Hemminger,	Metzenbacher,	Smith, J. W.,
Conniff,	Hess,	Moore,	Snavely,
Conrade,	Heyburn,	Morrow,	Stone,
Cox,	Hibshman,	Murphy,	Strauss,
Curry,	Hoffman,	Neel,	Ulerich,
Donnally,	Howard, J.,	North,	Walsh,
Eichenberger,	Jackson,	O'Neill,	Williams,
Ewing,	Jones, E. E.,	Perry, S. J.,	Wilson, J. H.,
Fahey,	Jones, J. R.,	Peters,	Wilson, W. H.,
Forster, I. G.,		Price,	Wiltbank,

The majority required by the Constitution having voted in the negative, the question was determined in the negative and the bill falls.

Mr. ADAMS: Mr. Speaker, when the roll call was started, I happened to be out. I would like to be recorded as voting aye.

Mr. R. J. BALDWIN: Mr. Speaker, I object.

The SPEAKER: Under the Rules, gentlemen who are not present when the roll is called cannot vote if there are objections. The Chair hears objections, and the gentleman's vote cannot be recorded.

ADJOURMENT.

Mr. KITTS: Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 11:58 o'clock P. M., the House adjourned until morning at 10:00 o clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, MARCH 18, 1913. No. 33.

SENATE

TUESDAY, March 18, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Kline, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

The Chair presented petition from New London Council, No. 983, Jr. O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

The Chair presented petition of citizens of Germantown, Philadelphia, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

The Chair presented petition of citizens of Northampton County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. THOMPSON presented six petitions of citizens of Beaver County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MOORE presented petition of citizens of Allegheny County, praying compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUNTER presented fifteen petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. CLARK presented three petitions of citizens of Erie County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HALL presented two petitions of citizens of Clarion County, one petition of citizens of Clinton County and one petition of citizens of Elk County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HERBST presented three petitions of citizens of Berks County, and five petitions of citizens of Delaware County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. FARLEY presented thirteen petitions of citizens of Philadelphia County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

AGAINST CLUB LICENSES.

The Chair presented petition of Curwensville Lodge, No. 268, Loyal Order of Moose, against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was referred to the Committee on Law and Order.

The Chair presented petition of Hopedale Lodge No. 256, Loyal Order of Moose, against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was referred to the Committee on Law and Order.

Mr. CLARK presented petition of citizens of Erie County against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was referred to the Committee on Law and Order.

RESOLUTION OF VESSEL OWNERS' AND CAPTAINS' ASSOCIATION FAVORING FINANCIAL SUPPORT FOR PENNSYLVANIA NAUTICAL SCHOOL.

The Chair laid before the Senate communication, which was read as follows and referred to the Committee on Judiciary General:

VESSEL OWNERS' AND CAPTAINS' ASSOCIATION.
Organized 1869.
Incorporated.
111 Walnut Street.
Philadelphia, Pa., March 14th, 1913.

To Clerk, State Senate,
Harrisburg, Pennsylvania.

Sir:—Enclosed please find copy of Resolution adopted by the Board of Directors of the Vessel Owners' and Captains' Association at their meeting held on March 10th, 1913.

Very respectfully yours,
Vessel Owners' and Captains' Association,
L. A. DEMPSEY,
Secretary.

(Enclosure.)

At a meeting of the Board of Directors of the Vessel Owners' and Captains' Association of Philadelphia, held the 10th day of March, A. D. 1913, the following Preamble and Resolution was unanimously adopted:

Whereas, The Vessel Owners' and Captains' Association appreciates the great need of special, practical training required for seafaring careers, and

Whereas, The said Association is desirous of promoting and increasing the American Merchant Marine, and

Whereas, The said Vessel Owners' and Captains' Association recognizes and appreciates the good work accomplished by the Pennsylvania Nautical School in furnishing special training for seafaring careers, as well as its aid in the promotion of the American Merchant Marine.

Be it Resolved, That the Vessel Owners' and Captains' Association of Philadelphia, hereby endorses the past work of the Pennsylvania Nautical School, and urges and requests the Honorable Rudolph Blankenburg, Mayor of the City of Philadelphia, the Select and Common Councils of Philadelphia, and the Senate and House of Representatives of the State of Pennsylvania, to continue the financial support of the said Pennsylvania Nautical School so that the said school may by the continuance of its operations, proceed in the future with its good work in the promotion of the American Merchant Marine.

Be It Further Resolved, That copies of this Resolution be forwarded and presented to the Honorable Rudolph Blankenburg, Mayor of Philadelphia, to the Select and Com-

mon Councils of Philadelphia, and to the Senate and House of Representatives of the State of Pennsylvania.

Attest: A. F. BROWN,
L. A. DEMPSEY, Vice President.
Secretary.

Philadelphia, Pa., March 13, 1913.

LEAVE OF ABSENCE.

Mr. CROW asked and obtained leave of absence for the Senator from Delaware, Mr. Sproul, for the balance of the week on account of illness.

REPORTS FROM COMMITTEES.

Mr. KNAPP, from the Committee on Judiciary General, reported as committed, Senate Bill No. 212, entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

Mr. MILLS, from the Committee on Judiciary General, reported as committed Senate Bill No. 359, entitled:

An Act authorizing fraternal beneficial associations, organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 436, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 567, entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

Mr. JUDSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 571, entitled:

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

Mr. KLINE, from the Committee on Appropriations, reported as amended, Senate Bill No. 504, entitled:

An Act providing that a bronze medal be given to each honorably discharged soldier sailor or marine of the civil war who enlisted in a Pennsylvania organization and who resides in said State and making an appropriation therefor

Mr. SENSENICH, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 344 (House Bill No. 68), entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

Also, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 343 (House Bill No. 69), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

BILLS INTRODUCED.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 634, entitled:

An Act to provide for the purchase or condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined plane

Which was committed to the Committee on Municipal Affairs.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 635, entitled:

An Act abolishing joint tenancies and estate by entireties except trust estates

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 636, entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws 639) by defining more definiately the amount of money banks may loan on the security of bonds and mortgages on real estate

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 637, entitled:

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the road and highways building constructing repairing and maintaining permanent roads culverts and bridges purchasing machinery or lifting orders or payment of any contracts made therefor to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assesed valuation thereof and all coupon bonds or other securities issued therefor, and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities since the twentieth of April Anno Domini one thousand eight hundred and seventy-four

Which was committed to the Committee on Judiciary General.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 638, entitled:

A Supplement to an act, entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the 24th day of May, 1887, and the amendment to section 5 thereof adopted by the Legislature and approved the 24th day of March, A. D. 1905, amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education, and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board.

Which was committed to the Committee on Public Health and Sanitation.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 639, entitled:

An Act to establish as a "State Highway" a certain section of public road and a new road to be opened in the southern part of Columbus township; said public road beginning at Spring Creek, Warren County, going west to Corry on the north side of P. & E. R. R. to the beginning of the road to be opened thence up the proposed new road and a public road to the Erie County line, thence up Main Street, Corry, to First Avenue, thence up First Avenue to Pleasant Street, thence up Pleasant Street to Lemon Street, and thence south to Spartansburg.

Which was committed to the Committee on Public Roads and Highways.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 640, entitled:

An Act making an appropriation ta the German Baptist Home for the Aged of Philadelphia Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 641, entitled:

A Further Supplement to an act approved the 13th day of May 1887 entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt, or brewed liquors, or any admixture thereof," as amended and supplemented.

Which was committed to the Committee on Law and Order.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 642, entitled:

An Act providing for the expenses of county commissioners and county poor directors.

Which was committed to the Committee on Judiciary General.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act empowering all corporations, incorporated under the laws of the State of Pennsylvania to acquire, hold, use and enjoy real estate of the clear yearly rental, value or income of fifty thousand dollars.

Which was committed to the Committee on Corporations.

Mr. HERBST read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the 18th day of April, A. D. 1899, entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk, fix his compensation, and prescribe the term and duties of the clerk, except in counties where the clerk to the county commissioners is elected by the people.

Which was committed to the Committee on Judiciary General.

Mr. COOPER read in his place and presented to the Chair Senate Bill No. 645, entitled:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives, children, whether legitimate or illegitimate, or aged parents by directing that imprisonment in such cases be at hard labor in such institution as the court shall name with the wages payable to the wives, children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct; and providing for the payment of the expenses incident to the carrying out of this act.

Which was committed to the Committee on Judiciary General.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 646, entitled:

A Joint Resolution proposing an amendment to section eight of Article Nine of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 647, entitled:

An Act providing for the abatement of nuisances in private alleys in cities of the first class, and for the establishment of grades in and the grading, paving and repaving of such private alleys where necessary to abate such nuisances, and providing for the filing of liens for the cost thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 648, entitled:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways or transit purposes, or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city, which may be excluded in ascertaining the power of such city to increase its indebtednesss pursuant to the provisions of Article IX, Section 8, of the Constitution as amended; and to confer jurisdiction upon any of the courts of Common Pleas of the county in which such city is situated to determine the amount of any debt to be so excluded.

Which was committed to the Committee on Municipal Affairs.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 649, entitled:

An Act making an appropriation to carry further into operation the provisions of an act approved the 14th day of June, 1911, entitled "An Act to authorize the completion of a dike or dikes for the protection of property adjacent to the Delaware River, in Falls Township, Bucks County, and the payment of all monies still due for work heretofore done on the said dike or dikes, and making an appropriation therefor."

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 650, entitled:

An Act requiring an inquiry and report on the criminal insane patients committed to the institutions of the Commonwealth as to their personal history, mental and financial condition, and circumstances connected with the crime for which they are committed.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane, at Farview, Wayne County.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 652, entitled:

An Act requiring natural gas corporations to maintain a uniform charge for gas to consumers; prohibiting discrimination; and providing a penalty.

Which was committed to the Committee on Corporations.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 653, entitled:

An Act to regulate the practice of pharmacy and sale of poisons and drugs of all kinds and providing penalties for the violation thereof, defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality, strength and purity, and providing an appropriation for the enforcement of said law.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 654, entitled:

An Act regulating the sale, prescription and possession of opium, morphine, heroin, codeine, their salts, derivatives or compounds; or any substance or preparation containing opium, morphine, heroin, codeine, their salts, derivatives or compounds, providing penalties for the violation thereof and providing for the enforcement of said law and providing an appropriation for the enforcement of said law.

Which was committed to the Committee on Public Health and Sanitation.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 655, entitled:

An Act relating to the classification of school districts.

Which was committed to the Committee on Education.

REPORTS OF COMMISSION TO REVISE AND CODIFY THE PRESENT MINING LAWS OF PENNSYLVANIA.

Mr. CATLIN. Mr. President, I as unanimous consent to present reports of commission at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN presented the majority and minority reports of the Commission to Revise and Codify the present Anthracite Mining Laws of the State of Pennsylvania.

(For Reports see Appendix).

BILLS INTRODUCED.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 656, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines in the Commonwealth of Pennsylvania, and for the protection and preservation of property connected therewith.

Which was Committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 657, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith.

Which was Committed to the Committee on Mines and Mining.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 659, entitled:

An Act enabling the Board consisting of the State Treasurer, Secretary of the Commonwealth and Commissioner of Banking to authorize, on behalf of the Commonwealth, the satisfaction of record of any mortgage, judgment or lien, which has been, or may hereafter be accepted by the said Board, under the provisions of the act of June 19th, 1911, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof."

Which was committed to the Committee on Banks and Building and Loan Associations.

BILL RECONSIDERED AND RECOMMITTED.

Mr. NULTY. Mr. President, I move that the vote by which Senate Bill No. 16, entitled:

An Act to safeguard employee in certain industrial establishments by requiring warning in advance of the putting in motion of machinery and fixing a penalty for violation hereof

passed third reading be reconsidered.

Mr. FARLEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. NULTY. Mr. President, I move that this bill be recommitted to the Committee on Judiciary Special for amendment.

Mr. FARLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 65, as follows:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for the regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act of May eleventh of thousand eight hundred and eighty-nine entitled a further supplement to an act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes approved March twenty-ninth one thousand eight hundred and three and for regulating the rate of pilotage and number of pilots" which reads as follows

"Section 6 That each pilot holding a license from the Board of Wardens for the Port of Philadelphia at the time of the passage of this act shall be entitled to demand and receive a license as a first class pilot and to demand and receive renewals thereof from time to time thereafter but no other person shall receive a license as a first-class pilot till the number of first class pilots be reduced to less than forty so that the whole number of first class licensed pilots shall not exceed forty The whole number of second class licensed pilots shall not exceed ten at ay one time and the number of apprentices at any one time shall not exceeed five" shall be amended to read as follows

Section 6 That each and every pilot holding a license from the Board of Commissioners of navigation at the time of the passage of this act shall be entitled to demand and receive a license as a pilot and demand and receive renewals from time to time thereafter but no person shall receive a license as a first-class pilot till the number of first and second-class pilots be reduced to less than forty-two and that the whole number of first and second class pilots shall not exceed forty-two That the number of third-class pilots shall not exceed ten and that the number of apprentices indentured shall be wholly within the discretion of the Board of Commissioners of Navigation

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Hall,	Kurtz,	Salus,
Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Herbst,	Martin,	Sones,
Catlin,	Hilton,	McNichols,	Stineman,
Cooper,	Homsher,	Miller,	Thompson,
Crow,	Hunter,	Moore,	Vare,
Endsley,	Judson,	Morgan.	Washers.
Farley,	Kline	Nulty,	Gerberich,
Gyger,	Knapp,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 66, as follows:

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first-class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of comissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of commissions of navigation for the river Delaware and its navigable tributaries shall have jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries between Marcus Hook and Bristol in the State of Pennsylvania provided that such rules shall not extend to impair or in any way infringe on the mutual arrangements entered into by this State and the State of New Jersey

Section 2 That every master officer or other person or persons having charge of any vessel navigating the Delaware river and its navigable tributaries who shall violate any rule regulating the speed of vessels made and promulgated by the said commissioners he or they so offending shall forfeit and pay a sum not exceeding fifty dolllars for the first offense and not less than seventy-five dollars nor more than one hundred dollars for each subsequent offense to be sued for and recovered with costs of suit by the president of said commissioners for the use of the Commonwealth before any magistrate of the city of Philadelphia alderman or justice of the peace of the proper county

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Heacock,	Knapp,	Powell,
Beidleman,	Herbst,	Kurtz,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Hoke,	McIlhenny,	Sones,
Cooper,	Homsher,	McNichol,	Stineman,
Crow,	Huffman,	McNichols,	Thompson,
DeWitt,	Hunter,	Mills,	Vare,
Endsley,	Jones,	Moore,	Washers,
Farley,	Judson,	Morgan,	Gerberich,
Gyger,	Kline	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 151, as follows:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semi-monthly The first payment shall be made between the first and fifteenth day of each month and the second payment shall be made between the fifteen and the last day of each month

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dolllars ($100)

Section 3 Nothing in this act shall prohibit the payment of wages or earnings oftener than semi-monthly

Section 4 All acts or parts of acts inconsistent with the provisions of this act are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Herbst,	Kline	Sensenich,
Beidleman,	Hilton,	Kurtz,	Sheatz,
Catlin,	Hoke,	Martin,	Sones,
Cooper,	Homsher,	McNichol,	Stineman,
Crow,	Huffman,	McNichols,	Thompson,
Farley,	Hunter,	Miller,	Vare,
Gyger,	Jones,	Mills,	Wasbers,
Heacock,	Judson,	Moore,	Gerberich,
		Powell,	Pres. pro tem.

NAYS—3.

Buckman,	Knapp,	Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 316, as follows:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act the Board of Game Commissioners of this Commonwealth shall have the power and authority to close for a term of years to the purposes of hunting elk and deer found in a wild state in any of the territory that may to the residents of that territory appear necessary to the protection of elk and deer placed or found thereon such territory in no instance to be less than one county in area and in no instance to exceed four contiguous counties in any one tract in this Commonwealth

Section 2 That whenever at least two hundred citizens of any county in this Commonwealth shall through written petition certify to the Board of Game Commissioners that in their opinion an absolutely closed season is necessary to insure the better protection and consequent increase of elk and deer found in a wild state in that county in which such citizens may reside and asking that such county be closed to hunting for a period the Board of Game Commissioners shall forward to said petitioners and others a blank form setting forth such questions as they may consider best suited to determine the quantity of game and game conditions in the county in question which said forms with replies to entitle such answers to consideration before said Board of Game Commissioners shall be returned to said board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county to be closed the statement that such petition has been filed with its purpose and the return day for information as fixed by the Board of Game Commissioners and shall file with said board duly certified copies of such notices as published in each newspaper on or before said return day If the written answers as returned shall fail to satisfy said Board of Game Commissioners that such closed season is necessary or those opposing such action shall demand a hearing before said board then a hearing shall be had upon such date and at such place within the county to be affected as may be decided upon by the said Board of Game Commissioners the expense of such hearing to be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board of Game Commissioners shall be satisfied such closed season is necessary to insure the better protection of elk and deer found in a wild state and its consequent increase they are herewith empowered and directed to declare a closed season not to exceed five years for elk and deer found in a wild state as the investigation may demonstrate is needy in that county or in those several counties not exeeceding four in number and adjourning one another that through the separate action of its citizens has been in accord with the requirements of this act

The Board of Game Commissioners to make such closed season effective and binding shall be required to publish annually their decision and action regarding this matter in at least five newspapers if there be that many in each county affected thereby and to have notices of such ruling declaring such county closed to hunting printed upon cloth annually distributed in reasonable numbers throughout the affected territory

Each and every person violating the requirements of such ruling made by the Board of Game Commissions under the requirements of this act shall be liable to a penalty of two hundred dollars for each elk and one hundred dollars for each deer taken killed wounded or had in possession or attempted to be taken killed or wounded or had in possession upon said closed territory

Section 3 Each and every magistrate justice of the peace and alderman within this Comomnwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions this act except where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magristrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the general appropriation act or by separate apropriation for the payment of bounties Any defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provisions of this act may at his descretion either before or after the bringing of suit sign an acknowledgement of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Heacock,	Kurtz,	Powell,
Beidleman,	Herbst,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Hoke,	McIlhenny,	Sheatz,
Clark,	Homsher,	McNichol,	Sones,
Cooper,	Huffman,	McNichols,	Stineman,
Crow,	Hunter,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Gyger,	Kline,	Morgan,	Gerberich,
Hall,	Knapp,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 518, as follows:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the annual salary of each county solicitor appointed or elect-

ed by the board of county commissioners in the several counties of this Commonwealth having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand may be twenty-five hundred dollars ($2,500) per annum payable monthly The said salary herein fixed shall be in full and in lieu of all other compensation for the services of the county solicitor for the duties he is required to perform by law except traveling expenses necessarily incured in the discharge of his official duties Provided that the population of the counties be taken from the last United States census

Section 2 All general or special acts or parts thereof inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Heacock,	Kurtz,	Nulty,
Beidleman,	Herbst,	Magee,	Powell,
Buckman,	Hilton,	Martin,	Salus,
Catlin,	Homsher,	McNichol,	Sheatz,
Clark,	Hunter,	McNichols,	Sones,
Cooper,	Jones,	Miller,	Stineman,
Crow,	Judson,	Mills,	Thompson,
Farley,	Kline,	Moore,	Vare,
Gyger,	Knapp,	Morgan,	Gerberich, Pres. pro tem.

NAYS—2.

Hoke, Sensenich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 159, entitled:

An Act prohibiting the giving selling or funishing of cigarettes and tobacco to any person under the age of eighteen years and fixing the penalty for violation hereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Herbst,	Kurtz,	Powell,
Beidleman,	Hilton,	Martin,	Salus,
Buckman,	Hoke,	McNichol,	Sensenich,
Clark,	Homsher,	McNichols,	Sheatz,
Cooper,	Huffman,	Miller,	Sones,
Crow,	Hunter,	Mills,	Stineman,
Endsley,	Jones,	Moore,	Thompson,
Farley,	Judson,	Morgan,	Vare,
Gyger,	Knapp,	Nulty,	Gerberich,
Heacock,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 660, entitled:

A joint resolution proposing an amendment to the Constitution of this Commonwealth in accordance with provisions of the Eighteenth Article thereof

Which was committed to the Committee on Judiciary General.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 161, as follows:

An Act regulating appeals from the judgment of aldermen and justices of the peace

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any action in assumpsit or trespass hereafter brought before any alderman or justice of the peace having jurisdiction of the same upon the payment of costs and appeal to the court of common pleas shall be allowed from any judgment rendered by such alderman or justice of the peace irrespective of the amount of the claim in controversy or of the amount of the judgment rendered Such appeal shall be subject to such regulations as are now or hereafter may be prescribe by law relating to appeals from aldermen or justices of the peace

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Farley,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Heacock,	McNichol,	Stineman,
Catlin,	Herbst,	McNichols,	Thompson,
Clark,	Hilton,	Miller,	Vare,
Cooper,	Homsher,	Mills,	Washers.
Crow,	Huffman,	Moore,	Gerberich,
Endsley,	Hunter,	Nulty,	Pres. pro tem.

NAYS—2.

Hoke, Magee,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 178, as follows:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall furnish to any minor by gift sale or otherwise any cigarette or cigarete paper shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) and to undergo an imprisonment in the jail of the proper county for a period not less than thirty days nor more than six months

Section 2 Any minor being in possesion of a cigarette or of cigarette paper and being by any police officer constable juvinile court officer truant officer or teacher in any school asked where and from whom such cigarete or cigarette paper was obtained who shall refuse to furnish such information shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace such minor being of the age of sixten years or upwards shall be sentenced to pay a fine not exceding five dolars or to undergo an imprisonment in the jail of the proper county not exceeding five days or both If such minor shall be under the age of sixteen years he or she shall be certified by such alderman magistrate or justice to the juvenile court of the county for such action as to said court shall seem proper

Section 3 The act approved May seventh one thousand eight hundred and eighty-nine entitled "An Act to prohibit the sale of cigarettes to persons under the age of sixteen years and prescribing the punishment for the same" and the act approved April fourth one thousand nine hundred and three entitled "An Act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions" and the act approved the sixteenth of March one thousand nine hundred and five entitled "An Act to amend an act entitled 'An act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions' approved April fourth Anno Domini one thousand nine hundred and three" and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the Senate agree to the bill on third reading?

Mr. THOMPSON. Mr. President, I ask unanimous consent to amend the bill in section 1, line 8, by striking out the words "and to undergo," and by striking out lines 9 and 10 as follows: "and imprisonment in the jail of the proper county for a period of not less than thirty days nor more than six months."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. POWELL. Mr. President, I ask that Senate Bill No. 211, on third reading, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the President Judge of the court of common pleas or the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid and repealing certain acts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 273 (House No. 300), entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Hilton,	Magee,	Salus,
Beidleman,	Hoke,	Martin,	Sensenich,
Buckman,	Homsher,	McNichol,	Sheatz,
Cooper,	Hunter,	Miller,	Sones,
Crow,	Jones,	Mills,	Stineman,
Endsley,	Judson,	Moore,	Thompson,
Farley,	Kline,	Morgan,	Vare,
Gyger,	Knapp,	Nulty,	Wasbers,
Heacock,	Kurtz,	Powell,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 280, on third reading, entitled:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employe or keep in their employ as cooks waiters kitchen help chamber maids and other house servants any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes **pots pans finger bowls linens or other kitchen** or dining room utensils shall be used except as provided in this act **and providing a penalty for violation thereof**

be recommitted to the Committee on Corporations for the purpose of hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 322, as follows:

An Act to extend the time for commencing and the time for opening and completing of certain railroads and railways in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the time for commencing construction of any and all railroads and railways in this Commonwealth heretofore located by any railroad or railways companies incorporated subsequent to the year one thousand nine hundred and three under or in pursuance of any general law of this Commonwealth and the time for opening and completing any or all railroads and railways in this Commonwealth heretofore commenced by any such railroad or railway companies be and the same hereby are extended for the period of five years from and after the time limited for the commencement of the construction or for the opening and completing as the case may be of the same by any general law under or in pursuance or which any such companies respectively may have been incorporated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Beidleman,	Hilton,	McNichol,	Salus,
Buckman,	Hoke,	McNichols,	Sones,
Catlin,	Homsher,	Miller,	Stineman,
Cooper,	Hunter,	Mills,	Thompson,
Crow,	Knapp,	Moore,	Vare,
Farley,		Morgan,	Wasbers,
Gyger,	Magee,	Nulty,	Gerberich,
Heacock,	Martin,	Powell,	Pres. pro tem.

NAYS—1.

Sheatz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 360, entitled:

An Act relating to the organization and meetings of corporations not for profit incorporated under the laws of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Buckman,	Hoke,	Martin,	Sensenich,
Catlin,	Homsher,	McIlhenny,	Sheatz,
Cooper,	Hunter,	McNichol,	Sones,
Crow,	Jones,	Mills,	Stineman,
Endsley,	Judson,	Moore,	Thompson,
Farley,	Kline,	Morgan,	Vare,
Gyger,	Knapp,	Nulty,	Wasbers,
Heacock,	Kurtz,	Powell,	Gerberich,
Hilton,	Magee,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 362, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fol'ows, viz:

YEAS—33.

Alexander,	Hoke,	McIlhenny,	Powell,
Beidleman,	Hunter,	McNichol,	Salus,
Catlin,	Jones,	McNichols,	Sensenich,
Clark,	Judson,	Miller,	Sheatz,
Cooper,	Kline,	Mills,	Stineman,
Crow,	Knapp,	Moore,	Thompson,
Endsley,	Magee,	Morgan,	Wasbers,
Farley,	Martin,	Nulty,	Gerberich,
Gyger,			Pres. pro tem.

NAYS—6.

Buckman,	Heacock,	Hilton,	Sones,
	Herbst,	Huffman,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 410, on third reading, entitled :

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in or about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering therein providing for the enforcement and collection thereof and prohibiting the removal of said structures after notice of such lien

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 430, entitled:

An Act to amend an act approved the nineteenth day of March Ano Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven" entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitute a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Buckman,	Hoke,	McNichols,	Sheatz,
Catlin,	Homsher,	Miller,	Sones,
Clark,	Huffman,	Mills,	Stineman,
Cooper,	Hunter,	Moore,	Thompson,
Crow,	Jones,	Morgan,	Vare,
Farley,	Judson,	Nulty,	Wasbers,
Gyger,	Magee,	Powell,	Gerberich,
Heacock,	Martin,	Sensenich,	Pres. pro tem.
Herbst,	McIlhenny,		

NAYS—2.

Endsley,	Kurtz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 461, on third reading, entitled:

An Act declaring vacant seats of members of borough councils who fail to quality or who fail to attend to regular meetings of council and empowering councils to declare vacant the seats of such members and empowering councils to fill such vacancies

be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Herbst,	Martin,	Powell,
Buckman,	Hilton,	McIlhenny,	Salus,
Catlin,	Homsher,	McNichol,	Sensenich,
Clark,	Huffman,	McNichols,	Sheatz,
Cooper,	Hunter,	Miller,	Sones,
Crow,	Jones,	Mills,	Stineman,
Endsley,	Judson,	Moore,	Thompson,
Farley,	Kline,	Morgan,	Vare,
Gyger,	Knapp,	Nulty,	Gerberich,
Heacock,	Magee,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Hilton,	Magee,	Powell,
Beidleman,	Hoke,	Martin,	Salus,
Buckman,	Homsher,	McIlhenny,	Sensenich,
Catlin,	Huffman,	McNichol,	Sheatz,
Clark,	Hunter,	McNichols,	Sones,
Cooper,	Jones,	Miller,	Stineman,
Crow,	Judson,	Mills,	Thompson,
Gyger,	Kline,	Moore,	Vare,
Heacock,	Knapp,	Morgan,	Wasbers,
Herbst,	Kurtz,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, entitled:

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HERBST. Mr. President, we passed a similar bill just a few minutes ago. I do not have any objection to training schools. I like to see all the schools we can possibly have in the State of Pennsylvania, but I think these bills are unfair to the training that teachers get in our State normal schools and unfair to the country boys and girls that do not have these same schools. I do not object in the least that the certificate issued under the bill should apply to teachers in the very districts or in the cities in which they have the training schools. But to give them the general privilege to teach all over the State in competition with the normal graduates and the country boys and country girls who have to pass under the eye of the superintendent to get a provisional certificate, I think these bills are unfair under those circumstances, and therefore that is the reason that I am opposed to them. I have seen the letters of various county superintendents and they seem to be very diffident. All these school men seem to be very backward and modest to express their opinion on paper, but I have seen several in which they are strongly opposed to these bills. They say in the examinations they have had for provisional certificates that some of these scholars that are trained in these cities in the schools are not fit to teach in the public schools, because they have had no training in pedagogics and so on and are untrained in that branch. I have no objection to training schools in the cities and if they want teachers that they train themselves I think they ought to have them, but I do not think they ought to have the general privilege of teaching all over the State in competition with the graduates of the State normal schools and the country boys and girls.

Mr. McNICHOLS. Mr. President, in explanation of Senate Bill No. 519, that bill is drawn to correct an evil that we have in Scranton existing under the code. Under the code Scranton is prevented from the training of training schools. Prior to the code we trained our own city teachers and we believe that we should have the right to train them now, in fact we can train teachers for the use of the city schools of Scranton much better than the normal schools can. The bills as drawn limit the privilege to a population of twenty thousand school children, to districts of a school population of twenty thousand or over. It was drawn specially for the needs of the City of Scranton and I presume the City of Pittsburgh, but under the charter Pittsburgh has the right to maintain its city training school and Scranton, being in the second class, is prohibited. We are trying to correct that error.

Mr. HERBST. Mr. President, I may be under a misapprehension myself. Will the Senator from Lackawanna allow himself to be interrogated?

The PRESIDENT. Will the Senator from Leckawanna, Mr. McNichols, allow himself to be interrogated?

Mr. McNICHOLS. Mr. President, Certainly.

Mr. HERBST. Mr. President, does it only mean that teachers may teach in the district of Scranton or would it give them a general privilege to teach all over the State?

Mr. McNICHOLS. Mr. President, not at all, it gives them the right, as it did before the code, that they are examined under the conditions prescribed by the State Board of Education and are given diplomas to teach in any part of Pennsylvania.

Mr. HERBST. Mr. President, that is the only feature that I object to. I would like to see Scranton have the chance to get its own teachers.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Hilton,	Magee,	Salus,
Buckman,	Hoke,	Martin,	Sensenich,
Catlin,	Homsher,	McIlhenny,	Sheatz,
Clark,	Hunter,	McNichol,	Snyder,
Cooper,	Jones,	McNichols,	Stineman,
Crow,	Judson,	Moore,	Thompson,
Endsley,	Knapp,	Nulty,	Vare,
Farley,	Kurtz,	Powell,	Gerberich, Pres. pro tem.

NAYS—4.

Heacock,	Herbst,	Huffman,	Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 520, entitled:

An Act amending an act approved the ninth day of April one thousand eight hundred and sixty-two entitled "An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne" as amended by an act approved the twenty-eight day of April one thousand eight hundred and seventy-nine entitled "A Supplement to an act entitled 'An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne' approved April ninth one thousand eight hundred and sixty-two" by defining the Scranton poor board therein defining the powers and duties of such board and abolishing the present office of poor directors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Heacock,	Magee,	Sensenich,
Buckman,	Hilton,	McNichol,	Sones,
Catlin,	Hoke,	McNichols,	Stineman,
Cooper,	Homsher,	Moore,	Thompson,
Crow,	Hunter,	Morgan,	Vare,
Endsley,	Jones,	Nulty,	Gerberich,
Farley,	Judson,	Powell,	Pres. pro tem.
Gyger,	Knapp,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Gyger,	Kurtz,	Salus,
Buckman,	Hoke,	Magee,	Snyder,
Catlin,	Homsher,	Martin,	Sones,
Cooper,	Hunter,	McNichol,	Stineman,
Crow,	Jones,	Moore,	Vare,
Endsley,	Kline,	Morgan,	Wasbers,
Farley,	Knapp,	Nulty,	Gerberich,
		Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and

making such wife a competent witness against the husband in such case

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Catlin,	Hilton,	Kurtz,	Sensenich,
Clark,	Hoke,	Magee,	Sheatz,
Cooper,	Homsher,	Martin,	Sones,
Crow,	Huffman,	McNichol,	Stineman,
Endsley,	Hunter,	Moore,	Thompson,
Farley,	Jones,	Morgan,	Vare,
Gyger,	Judson,	Nulty,	Wasbers,
Heacock,	Kline,	Powell,	Gerberich,
Herbst,	Knapp,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEE

Mr. JONES. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committe on Municipal Affairs, reported as committed, Senate Bill No. 633, entitled:

An Act providing for the organization, enlistment, and enrolment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men; authorizing an increase in the medical, hospital, and ambulance corps of the National Guard for service in said regiment; providing for said regiment a regimental band.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 627, (House Bill No. 883), entitled:

A Supplement to an act, entitled "An Act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one, providing for the creation of a pension fund for municipal employees.

BILLS INTRODUCED.

Mr. SHEATZ. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 662, entitled:

A Bill entitled an act governing the time limit in which all tickets purchased for transportation must be accepted by transportation companies within this Commonwealth.

Which was committed to the Committee on Railroads.

Also read in his place and presented to the Chair Senate Bill No. 663, entitled:

A Bill entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first, second and third classes within this Commonwealth.

Which was committed to the Committee on Education.

Mr. CLARK. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 664, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at the intersection of the south line of North East Borough, at a point on route Number eighty-seven, at the station road leading north and south; thence south through a portion of North East Township and through Greenfield Township and through a portion of Venango Township to the Wattsburg plank road, connecting with route number eighty-three, in Erie County.

Which was committed to the Committee on Public Roads and Highways.

Mr. MARTIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 665, entitled:

An Act to enable certain owners of real estate to institute proceedings in the proper county wher such real estate has been damaged by change of grade of publi roads improved or reconstructed by the State Highway Department, and where the act under which the improvement was made has been amended or repealed.

Which was committed to the Committee on Judiciary General.

Mr. HEACOCK. Mr. President, I ask unanimous consent, to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hear none.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 666, entitled:

An Act to prohibit careless or negligent driving of vehicles whether drawn or propelled by animal power or mechanical device which endanger the safety of persons or property on the public highways and providing a penalty.

Which was committed to the Committee on Judiciary General.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 25, as follows:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth allowing counties cities boroughs townships school districts or other municipal or incorporated districts to increase their indebtedness

Be it Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section eight article nine of the Constitution of the Commonwealth of Pennsylvania reading as follows

"Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as herein provided shall never exceed seven per centum upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof at a public election in such manner as shall be provided by law but any city the debt of which now exceeds seven per centum of such assessed valuation may be authorized by law to increase the same three per centum in the aggregate at any one time upon such valuation' be amended in accordance with the provision of the eighteenth article of said Constitution so that section when when amended shall read as follows

"Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as herein provided shall never exceed the ten per centum upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof at a public election in such manner as shall be provided by law"

And said bill habing been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collectng such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the education of certain blind children under eight years of age

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain

the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is amended by adding to article XIV a new section which reads as follows

Section 1439 The State Board of Education is authorized to educate blind children residing in this Commonwealth under the age of eight years whenever from any cause the parent or parents thereof may be unable properly to educate them With the written consent of the proper parents parent or nearest relative if there be no parents or the poor authorities of the proper poor district if there be neither parents nor relatives the board may contract with any non-sectarian institution in this State or elsewhere established for the education of the blind whereby any such child may at a cost not exceeding one dolllar ($1.00) per day to be paid out of the State school fund be educated until it shall reach the age of eight years The contract may be cancelled and the child or children removed at any time by the board This act shall not repeal or modify any existing act relative to the education of the blind

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 149, as folows:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every appeal now authorized by law from a tax or other public accounts settlement of the fiscal officers of the Commonwealth an affidavit of the party appellant or if a corporation limited partnership or joint-stock association then of one of its chief officers shall be filed with said appeal stating the specifications of objections to the said settlement that said appeal is not taken for the purpose of delay but because appellant believes injustice has been done by the settlement appealed from and that the facts set forth therein are true to the best of affiants knowledge and belief

Section 2 On any appeal from a tax or other public accounts settlement of the fiscal officers of the Commonwealth no facts shall be admitted in evidence that were not brought to the attention of said fiscal officers in the report filed or in an application under oath for resettlement prior to said appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the said fiscal officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 223, (House Bill No. 116), entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 259, as follows:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An act defining the offense of the taking of human life through the willful malicious wrecking of cars and locomotives upon railroads in this Commonwealth' "

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the first day of June one thousand nine hundrede and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and reealing sections one hundred forty-two and one hundred and forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' " which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall willfuly and maliciously put place cast or throw upon or across any railroad in this Comonwealth any wood stone or other matter or thing or shall willfully and maliciously take up remove or displace any rail sleeper or other matter or thing belonging to any such railroad or shall willfully and maliciously turn move or divert any switch machinery or other appliance belonging to any such railroad or shall willfully and maliciously make or show hide or remove any signal or light upon or near any such railroad or shall willfully and maliciously cast throw or cause to fall or strike against into or upon any engine tender cariage car or truck upon any such railroad any wood stone or other matter or thing or shall willfully and maliciously attempt to do or cause to be done any other matter or thing in any of the cases aforesaid to obstruct upset derail overthrow injure or destroy any engine tender carriage car or truck used on any such railroad or to endanger the safety of any person or employe traveling or working or being upon any such railroad—every such offense shall constitute the offense of malicious injury to railroads and every such offender shall be guilty of a felony and upon conviction thereof in the proper court of this Commonwealth for the trial of felonies shall be sentenced to pay a fine not exceeding ten thousand dollars and to imprisonment at hard labor for a period not exceeding ten years and in every case where the life of a human being shall be destroyed by or as a result of any of the acts herein prohibited the offender shall be deemed guilty of murder in the first degree and upon conviction thereof shall suffer death" is hereby amended to read as folllows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall willfully and maliciously put place cast or throw upon or across any railroad in this Commonwealth by whomsoever owned or operated and whether public or private any wood stone or other matter or thing or shall willfully and maliciously take up remove or displace any rail sleeper or other matter or thing belonging to any such railroad or shall willfully and maliciously turn move or divert any switch machinery or other appliance belonging to any such railroad or shall willfully and maliciously make or show hide or remove any signal or light upon or near any such railroad or shall willfully and maliciously cast throw or cause to fall or strike against into or upon any engine tender carriage car or truck upon any such railroad any wood stone or other matter or thing or shall willfully and maliciously attempt to do or cause to be done any other matter or thing in any of the cases aforesaid to obstruct upset derail overthrow injure or destroy any engine tender carriage car or truck used on any such railroad or to endanger the safety of any person or employe traveling or working or being upon any such railroad—every such offense shall constitute the offense of malicious injury to railroads and every such offender shall be guilty of a felony and upon conviction thereof in the proper court of this Commonwealth for the trial of felonies shall be sentenced to pay a fine not exceeding ten thousand dollars and to imprisonment at hard labor for a period not exceeding ten years and in every case where the life of a human being shall be destroyed by or as a result of any of the acts herein prohibited the offender shall be deemed guilty of murder in the first degree and upon conviction thereof shall suffer death

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Bill No. 294, as follows:

An Act amending and supplementing Section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section nine of an act entitled

"An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven which reads as follows

"Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to the court of common pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay If such appeal be taken by the plaintiff he shall give bond with surety conditioned for the payment of all costs accrued or likely to accrue and if the appeal be taken by the defendant he shall give bail absolute with surety for the debt and the interest and costs accrued and likely to accrue The sureties upon such bonds shall be approved by a judge of the county court Or within ten days after the entry of judgment in any civil action either party may apply to any court of common pleas of said county or any judge thereof for leave to appeal the case to the common pleas court And if such appeal be allowed then upon filing the certified copy of said order or allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the courts of common pleas may grant to a writ of certiorari to remove the record to any court of common pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said common pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of common pleas from which such writ of certiorari issues" be and the same is hereby amended and supplemented to read as follows

Section 9 Either party may within ten days after the entry by said court of any judgment in any civil action appeal therefrom to the court of common pleas of said county by taking and perfecting an appeal in the manner following

The party appealing shall procure from the county court a transcript duly certified under the seal of the court showing the proceedings had in said cases and shall file the same in the office of the prothonotary of said county and at the time of filing the same shall also make affidavit that the said appeal is not taken for the purpose of delay The appellant shall give bail absolute in a sum and with surety or sureties to be approved as hereinafter provided for his compliance with any judgment that may be finally rendered against him and for payment of all interest and costs likely to accrue All costs accrued up to the time of filing the transcript shall be paid by appellant in the first instance and if the appellant shall finally recover judgment in the case appealed he shall be entitled to receive and collect from the adverse party the costs so as aforesaid paid on appeal

The costs on appeals accruing at and from the time of filing the transcript shall abide the event of the suit and be paid by the unsuccessful party as in other cases Provided That if the plaintiff be the appellant he shall pay all costs which may accrue on the appeal if in the event of the suit he shall not recover a greater sum or a more favorable judgment exclusive of interest than was rendered by the county court

And provided also That if the defendant either on the trial of the cause before the county court or before an appeal is taken shall offer to give the plaintiff a judgment for an amount which the defendant shall admit to be due and if the said plaintiff shall not accept such offer then and in that case if the defendant shall appeal the plaintiff shall pay all the costs which shall accrue on the appeal if he shall not in the event of the suit recover a greater amount than that for which the defendant offered to give a judgment and in both cases the defendant's bill shall be taxed and paid by the plaintiff in the same manner as if a judgment had been rendered in court for the defendant but provided further That in all cases where the judgment of the county court shall be in favor of defendant on a counter-claim then the terms plaintiff and defendant in the foregoing provisions relating to costs on appeals shall be taken as inverted Any appellant shall have the right to appeal and demand and receive transcripts without payment of cost upon his making and filing with the judge approving the appeal bond an affidavit that he is unable through poverty to pay said costs provided said judge shall be satisfied of the truth of the statements in such affidavit All appeals taken and perfected in the manner above provided shall operate as a supersedeas The amounts of the penalties of and the sureties upon such bonds shall be approved by a judge of the county court

Or within ten days after the entry of judgment in any civil action either party may after such notice to the opposite party as the common pleas court shall require apply to any court of common pleas of said county or any judge thereof for leave to appeal the case to the common pleas court And if such appeal be allowed then after payment of costs in the county court as aforesaid unless the appeal be taken in forma pauperis and upon filing the certified copy of said order of allowance the transcript shall be filed with the prothonotary as above provided but said appeal shall not operate as a supersedeas unless the court or judge allowing such appeal shall so order

Any party shall be entitled within ten days from the date of judgment or within such further time as the court of common pleas may grant to a writ of certiorari to remove the record to any court of common pleas of said county in the manner as now provided by law in regard to writs of certiorari issuing out of said common pleas but such certiorari shall not operate as a supersedeas unless bail absolute for said judgment interest and costs shall be given and approved by the court of common pleas from which such writ of certiorari issues

Provided that in all cases in said county court where judgment shall have been entered on the verdict of a jury no appeal to the common pleas court shall be perfected as above set forth until leave to take such appeal has first been obtained by the appellant from the court of common pleas or a judge thereof The application for leave to appeal shall be by petition to the common pleas court setting forth the reasons why a retrial of issues of fact is necessary to prevent an injustice This petition shall be heard after such notice to the adverse party as the common pleas court shall prescribe and if leave to take such appeal be granted a copy of the order allowing the appeal shall be filed in the office of the clerk of the county court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, as follows:

A Joint Resolution proposing an amendment to section ten article nine of the Constitution of Pennnsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with article eighteen thereof

That section ten of article nine which reads as follows "Section 10 Any county township school district or other municipality incurring any indebtedness shall at or before the time of so doing provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof within thirty years" be amended so as to read as follows

"Section 10 Any county township school district or other municipality incurring any indebtedness shall at or before the time of so doing provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof within fifty years"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 338, (House Bill No. 259), entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, (House Bill No. 170), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon county is located and providing for the disposition of the fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 356, (House Bill No. 260), entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorpor-

ated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increeasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 394, as follows:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any unnaturalized foreign-born resident to go fishing for or capture or kill in this Commonwealth any fish of any description Each and every person violating any provisions of this section shall upon conviction thereof be sentenced to pay a penalty of twenty dollars for each offense or undergo imprisonment in the common jail of the county for the period of one day for each dollar of penalty imposed

Section 2 For the purpose of this act any unnaturalized foreign-born person who shall reside or live within the boundaries of the Commonwealth of Pennsylvania for ten consecutive days shall be considered a resident and shall be liable to the penalties imposed for violation of the provisions of this act

Section 3 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated the provisions of this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suit the whole of said fine shall be paid over forthwith to the treasurer of the county in which the prosecution was brought and said county treasurer shall pay over the same forthwith to the Commissioner of Fisheries for the benefit of the Commonwealth Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for the period of one day for each dollar of fine so imposed and unpaid unless the defendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal if it be not sustained for execution of sentence Provided also that all actions for any violation of any of the provisions of this act must be taken within one year from the time the offense was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

Section 4 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating the provisions of this act and take such person or persons before any justice of the peace alderman or magistrate and thereupon make charge of such violation of this act and the justice of the peace alderman or maigstrate shall forthwith bear and determine the charge as provided in section three of this act and in case any Fish Commissioner fish warden or any officer named above fails to prove his case and the defendant or defendants are discharged or in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of fine or fines penalty or penalties the county in which the case is heard shall pay the costs such arrests may also be made on Sunday in which case the person or persons so arrested for safe keeping may be committed to the jail or lock-up for that day but shall be taken before the proper magistrate and proceeded against on a week day following the arrest

Section 5 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay the costs of prosecution in certain instances and repealing all acts inconsistent herewith

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in such part or parts of lakes of more than five thousand acres lying between this and any other State or foreign country as this Commonwealth has jurisdiction over and in any water or on any peninsula or on any bay adjacent to or connected with such like the following named species of fish are hereby made specifically within the provision of this act namely All species or varieties of black or yellow bass rock bass calico bass or strawberry bass crappie muscallonge and grass pike which for the purpose of this act are hereby classified and hereinafter designated as game fish and minnows and killifish which shall hereinafter be designated as minnows or bait fish and all other species of fish shall be called food fish

Section 2 That it shall be unlawful to fish for or capture any game fish in any waters within the jurisdiction of this Commonwealth described in the first section of this act in any manner or with any device or appliance or by any means whatsoever except a rod and line having not more than three hooks or with a hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling line with spoon hooks attached or for food fish with any device not specifically permitted in this act Any person violating any provision of this section shall on conviction thereof be subject to a penalty of twenty-five dollars or in default of payment undergo imprisonment in the county jail for a period of one day for each dollar of fine unpaid except where otherwise provided and any device appliance or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries

Section 3 That it shall be unlawful to fish for any kind of fish in any bay or in any waters on any peninsula described in the first section of this act with nets or devices or means of any kind except a rod and line having not more than three hooks attached or with a hand line having not more than three hooks attached or with a trolling-line with spoon hooks attached at any time of the year Provided That nothing in this section shall be so construed as to prohibit the use of minnow-nets for angling or scientific purposes or to prohibit the Department of Fisheries from catching fish at any time of the year with nets for the purpose of stocking the waters or for taking spawn or from removing by means of nets by contract or otherwise any fish which it may deem injurious to other game or food fish Any person violating any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars or in default of payment be imprisoned in the county jail for a period of thirty days and all nets devices appliances or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries

Section 4 That it shall be unlawful for any person to catch and kill in any waters within the jurisdiction of this Commonwealth described in the first section of this act or have in posession the same being killed more than twenty-five rock bass crappie strawberry or calico bass or more than twelve of any species of black bass grass pike or muscallonge and provided further That it shall be unlawful for any person to catch take or have in possession the same being killed any game fish from the first day of November to the twentieth day of May next ensuing both days inclusive Any person violating any of the provisions of this section shall on conviction be subject to a penalty of five dollars for each and every fish so unlawfully caught killed or had in possession or in default of payment be imprisoned

in the county jail for a period of one day for each dollar of fine unpaid

Section 5 That it shall be unlawful for any person to put or place in any waters described in the first section of this act over which this Commonwealth has jurisdiction any electricity or any explosive or poisonous substances whatsoever or any drug or any poison bait for purpose of catching taking killing or injuring fish or to allow any dead fish fish offal contents of tannery vats planing mill shavings dye-stuff coal or gas tar coal oil saw dust tan bark cocculus indicus (otherwise known as fish berries) lime vitriol or any of the compounds thereof refuse from gas-houses oil-tanks pipes or vessels or any deleterious destructive or poisonous substances of any kind or character to be turned into or allowed to run flow wash or be emptied into any of the waters aforesaid In case of the pollution of waters by any substances known to be injurious to fishes or fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish Any person violating any of the provisions of this section shall on conviction as provided in section seventeen of this act be subject to a fine of one hundred dollars

Section 6 That it shall be unlawful to fish in any waters described in the first section of this act and over which this Commonwealth has jurisdiction with dynamite nitroglycerine torpedoes electricity quick-lime or any kind of explosives or poisonous substances or to place such substances in any waters except for engineering purposes when written permission has been given therefor by the proper national State city or county official or officials Any person violating any of the provisions of this section shall on conviction be subject to a fine of one hundred dollars or imprisonment of six months in the county jail

Section 7 That in all cases of arrest made for the violation of any of the sections of this act the possession of the fishes prohibited by such section or the possession of a net nets or other device at or near a place where the use of such net nets or device is prohibited by such section shall be prima facie evidence of the violation of such section or sections

Section 8 Any person or persons catching or selling game or food fish or minor food fish from the waters of any part of any lake described in the first section of this act for the purpose of making compost or other fertilizing mixture or who makes use of fish for such purpose without the consent in writing of the Deuartment of Fisheries shall on conviction be subject to a penalty of one hundred dollars or an imprisonment of three months in the county jail or both at the discretion of the magistrate or court before whom conviction was had

Section 9 That no net of any description shall be set fastened drawn or used within two miles of the entrance of any bay described in the first section of this act nor within one-fourth miles from shore nor shall any gill-net be set within three-quarters of a mile of any other portion of the shore of the part of any lake over which this Commonwealth has jurisdiction described in the first section of this act nor shall any other net or nets other than gill-nets and nets fastened to and supported by poles driven in the ground be set fastened or drawn or used within seventen miles from such entrance to any bay described in the first section of this act measured in a direct line nor within half a mile from the entrance of any stream Any person violating any of the provisions of this section shall on conviction be subject to a penalty of one hundred dollars or in default of payment be imprisoned in the county jail for a period of three months

Section 10 That it shall be unlawful for any person or persons company or corporation operating nets or devices of whatever description or character in the waters of any part of any lake described in this act to capture and kill any sturgeon under three feet in length or to have in possession the carcasses or flesh of any sturgeon of less than three feet in length Any sturgeon of less than three feet in length which may be captured must be returned forthwith to the waters with care and least possible injury Any person or persons violating or any member of a partnership or officer of a corpoation that consents to or permits the violation of any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars for each sturgeon illegally captured killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

The eleventh section of the bill was read as follows:

Section 11 That it shall be unlawful to fish in any part of the waters described in this act over which this Commonwealth has jurisdiction with any gill-net having a mesh of less than three inches stretched mesh fishing measure and more than thirty meshes deep and all gill-nets used in fishing for trout shall have meshes at least five and one-half (5½) inches in size stretched mesh fishing measure or with any pround-net with the net at the back side of the crib having a mesh of less than two and one-half (2½) inches stretched mesh fishing measure and the net of the balance of the crib having a mesh of not less than two and one-half (2½) inches stretched measure fishing measure Any person or persons fishing at any time of the year with gill-nets or pound-nets having meshes of less size than those herein described shall on conviction be subject to a fine of one hundred ($100) dollars or in default of payment each person convicted shall be confined in the county jail for a period of three months and all boats nets and other appliances used together with any fish caught shall be forfeited to the Department of Fisheries Provided further That the provisions in regard to size of meshes in pound-nets shall not become effective until the year Anno Domini one thousand nine hundred and fourteen

On the question,

Will the Senate agree to the section?

Mr. CLARK. Mr. President, I move to amend section 11, line 21, by striking out the words "Anno Domini."

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth, thirteenth and fourteenth sections of the bill were read as follows and agreed to:

Section 12 That it shall be unlawful for any person persons company or corporation to operate for the purpose of catching fish any boat boats net nets or any device whatsoever except a rod and line having not more than three hooks or hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling-line with spoon-hooks attached in any part of any lakes described in this act over which this Commonwealth has jurisdiction without having first paid into the hands of the Department of Fisheries the following amounts as license fees to wit For each row or sail-boat used in fishing with gill-nets five dollars for each boat of any other kind under ten tons gross burden so used ten dollars for each boat of any kind of from ten to twenty tons gross burden so used fifteen dollars for each boat of any kind over twenty tons gross burden so used twenty dollars for each pound-net ten dollars for any other form of net or device not less than one dollar nor more than five dollars as the Department of Fisheries may determine and in addition to the license fees above set forth the operators of each boat so licensed shall permit a man so designated by the Commissioner of Fisheries to accompany such boat at any time when it is engaged in fishing under and by virtue of such license for the purpose of securing for the Department of Fisheries from the fish so caught so much of their spawn as the Department may desire to secure and any person operating or employing others to operate or any member of a partnership or officer of a corporation that employs or consents to the employment of any person to operate any boat net nets device or devices without having procured from the Department of Fisheries a license as provided in this section authorizing him them or it so to do shall on conviction be subject to a penalty of fifty dollars or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and all fish and nets shall be forfeited to the Department of Fisheries

Section 13 That it shall be unlawul for any person or persons save the owner or owners thereof or their lawful representatives to remove or take fish from any device which has been duly licensed and operated according to the provisions of this act Any person or persons violating any of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars for each fish so unlawfully taken provided the total amount of fine shall not exceed one hundred dollars for taking at any one time and in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in taking the fish unlawfully shall be forfeited to the Department of Fisheries

Section 14 That whenever any person persons or company or corporation shall apply to the Department of Fisheries for a license to operate any boat boats net or nets or other devices in any waters in which they may be used legally under the provisions of this act the Department of Fisheries shall upon receiving the fees provided in the twelfth section of this act issue such license duly signed by the Commissioner of Fisheries which license shall hold good from the time it is issued until the close of the calendar year in which it is issued and shall be carried by the operator or operators of said boat boats net nets device or devices while they are being used Provided That no license shall be issued to a resident of any State or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pensylvania Said license must be shown on demand by any fish warden constable deputy sheriff Fish Commissioner or any authorized representative of the Department of Fisheries Any person having such license in his possession and refusing to show it on demand shall be subject to a penalty of five dollars or be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and Provided further That any person or corporation operating any boat net nets device or devices under a license issued by the Department of Fisheries who shall fail to comply in every way with the provisions of this act shall have his license revoked by said Department of Fisheries

The fifteenth section of the bill was read as follows:

Section 15 That it shall be unlawful for all nets except gill-nets and pound-nets to be set fixed or fastened without having attached thereto a buoy of at least eighteen inches in diameter bearing a metalic tag on which is the owners name and address which buoy must be plaintly visible and above water at all times Any person violating any of the provisions of this section shall on conviction as provided in section seventeen of this act be liable to a penalty of twenty-five dollars and the confiscation of the net or nets and further provided That any net so required to be buoyed which

is found in the wates without a buoy as above provided and the owner or owners cannot be located shall be confiscated to the Department of Fisheries

On the question,

Will the Senate agree to the section?

Mr. CLARK. Mr. President, I move to amend section 15, line 4, by striking out the word "is" and inserting in lieu thereof the words "shall be."

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth, seventeenth and eighteenth sections of the bill were read as follows and agreed to:

Section 16 That all moneys collected as license fees and fines under the provisions of this act shall be paid as received into the State Treasury for the use of the Commonwealth accompanied by an itemized statement thereof a copy of which shall be filed in the office of the Auditor General and a duplicate thereof when receipted by the Auditor General and the State Treasurer shall constitute a settlement between the Commissioner of Fisheries and the Auditor General and the State Treasurer as to the aforesaid license fees and fines

Section 17 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any provision of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charge of such violation of the law or any of the provisions thereof and the magistrate shall forthwith hear and determine the charge as provided in this act And in case any Fish Commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs in the first instance without however relieving any defendant or defendants sentenced to pay the same Such arrests may be also made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall be forthwith be paid over by him to the Commissioner of Fisheries All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the money received therefore be paid into the general fund of the State Treasury. All illegal devices not preserved for exhibition purposes shall be destroyed

Section 18 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint being made before him by the affidavit of one or more persons charging any person with having violated any of the provisions of this act is hereby required and authorized to issue warant under his hand and seal directed to a constable police officer or warden requiring such person or persons to be arrested and brought before such justice of the peace alderman or magistrate who shall hear and determine the guilt or innocence of the person so charged and if convicted such justice of the peace alderman or magistrate shall sentence the person or persons so convicted severally to pay the fine or fines penalty or penalties provided in this act for such violation or violations together with the costs of suit and such fines and penalties shall be appropriated as provided in section (16) sixteen of this act

The nineteenth section of the bill was read as follows:

Section 19 That the following acts and parts of acts intended to be supplied by this act be and the same are hereby repealed

"An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which are game fish which are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and to provide penalties and punishments for any violation of any of the provisions of this act and to repeal all acts inconsistent herewith" Approved the twenty-second day of April Anno Domini one thousand nine hundred and five

And in addition to the above all acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. CLARK. Mr. President, I move to amend section 19, line 8, by inserting after the first word "which" the word "fish"; also in the same line, by inserting after the second word "which" the word "fish"; also, in line 9, by inserting after the first word "fish" the words "minor food fish", and also in the same line by striking out the words "which are"; and also, by adding after line 16 the following: "and also an act, entitled 'A Act to classify the species of fish in such parts of boundary lakes, of more than five thousand acres, as this Commonwealth has jurisdiction over, and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish, which fish are food fish, and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes, and prohibit the unauthorized taking of fish from devices used by authorities of such license; to provide penalties and punishments for the violation of any of the provisions of this act; and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances; and repealing all acts inconsistent herewith, approved April 4, 1907."

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishment for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

On the question,

Will the Senate agree to the title?

Mr. CLARK. Mr. President, I move to amend the title in line 10, by striking out the word "authorities" and inserting in lieu thereof the word "authority."

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 424, as follows:

An Act providing for the granting of Teachers' Training School Certificates and diplomas and defining the effect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any school district shall under the supervision and subject to the direction of the Superintendent of Public Instruction maintain a teachers' training school providing a course approved by the Superintendent of Public Instruction of two or more years of instruction beyond the regular four years' course in a high school of the first class any student thereof shall after completing such training school course and passing a satisfactory examination conducted under the direction and supervision of the Superintendent of Public Instruction or in such manner as he may prescribe be granted by him a teachers' training school certificate which shall be received as full evidence of the qualification of the holder thereof to teach any of the branches therein enumerated for two full annual school terms in any of the public schools of this Commonwealth without further examination and the holder of such teachers' training school certificate who shall upon presenting a certificate of good moral character and of successful teaching for two school terms from the board or boards of school directors under whose employment he or she has

taught counter-signed by the proper superintendent or superintendents shall be granted by the superintendent of Public Instruction a teachers' training school diploma which shall be received as full evidence of the qualification of the holder thereof to teach any of the branches therein enumerated in any public school of this Commonwealth without further examination

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 472, (House Bill No. 147), entitled:

An Act to provide for the protection and preservation of the wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, (House Bill No. 529), as follows:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred and twenty thousand dollars $720,000 or so much thereof as may be necessary is hereby specifically appropriated to pay for the deficit incurred in the care treatment and maintenance of the indigent insane in the Commonwealth during the five years beginning March first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

The said appropriation shall be paid on the warrant of the Auditor General on the basis of settlements by that officer and the State Treasurer but no warrant shall be drawn or settlement made until the trustees directors or managers of the several hospitals and asylums for the insane of the Commonwealth shall have made under oath or affirmation to the Auditor General a quarterly report setting forth the actual number of indigent insane persons received and maintained in said hospitals and asylums for the insane respectively during the quarter for which the report is made with the dates of their admission and discharge or death respectively and the actual time during which each of said indigent insane persons was treated maintained and cared for during said quarter

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act to amend section five hundred and two of an act approved May eighteenth one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establsh and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith so as to avoid the repeal of section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote to more cerain and equal assessment of taxes in Philadelphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city"

The first section of the bill was read as follows, and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and two of the act approved May eighteenth one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 502 There shall be but one levy of school taxes made in each school district in each year which shall be assessed levied and collected for all the purposes provided in this act and shall be uniforom throughout the territorial limit of each school district" be and the same is hereby amended so as to read as follows

Section 502 There shall be but one levy of school taxes made in each school district in each year which shall be assessed levied and collected for all the purposes provided in this act and shall be uniform throughout the territorial limit of each school district provided however that nothing in this section or in the repealing clause of this act shall be construed so as to repeal or in any way affect section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote the more certain and equal asessment of taxes in Philaedlphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city" which reads as follows

"That it shall be the duty of the board of revision mentioned in the act to which this is a supplement immediately after the annual assessment in each year to classify the real estate so assessed in such a manner and upon testimony adduced before them as to descriminate between the rural and built up portions of said city and they are hereby required to certify to the councils of said city on or before the first day of November in each year the valuations of the built up portions the valuation of the rural or suburban property and the valuation of lands exclusively used for agricultural and farming purposes respectively and it shall be the duty of said councils in determining the rate of taxation for each year to assess a tax upon said agricultural and farm land equal to one half of the highest rate of tax required to be assesser for said year and upon the rural or suburban portion of said city a tax not exceeding two-thirds of the highest rate of tax required to be assessed as aforesaid so that upon the real estate assessed in said city there shall be three rates of taxation and it shall be the duty of the assessors of said city to make assessments of property in conformity with the provisions of this act and to designate the class in which such property should be rated

The title of the bill was read as follows:

An Act to amend section 502 of an act approved May eighteenth on thousand nine hundred and eleven entitled an act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith so as to avoid the repeal of section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote to more certain and equal assessment of taxes in Philaedlphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm lands and the suburban portions of said city"

On the question,

Will the Senate agree to the title?

Mr. McILHENNY. Mr. President, I move to amend the the tit'e in line 12, by striking out the word "to" after the word "promote" and inserting in lieu thereof the word "the".

Mr. POWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, as follows:

An Act to repeal an act entitled "An Act for the erection of a poor house in Mercer county" approved the twenty-second day of March one thousand eight hundred and fifty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvaina in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act for the erection of a poor house in Mercer county" approved the twenty-second day of March one thousand eight hundred and fifty be and the same is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 558, as follows:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleventh one thousand eight hundred and sixty-two in relation to the county of Berks" approved the twenty-third day of April Anno Domini one thousand eighth undred and sixty-seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of the act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleven one thousand eight hundred and sixty two in relation to the county of Berks" approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted b the authority of the same That the Auditor General may allow for the advertising of the mercantile appraiser's list of the names and classification of each person subject to license in four newspapers in the county of Berks two of which shall be in the German language" shall be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General may allow for the advertising of the mercantile appraiser's list of the names and classification of each person subject to license in four newspapers in the county of Berks one of which may be in the German language

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 565, as follows:

An Act to amend the first section of an act approved the third day of June one thousand nine hundred and eleven entitled 'An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the wild animal known as the raccoon shall be classed as a game animal in this Commonwealth and it shall be unlawful to kill or capture such animal excepting during the months of September October November and December of each year Each and every person killing or capturing or attempting to kill or take a raccoon during any other month of the year except as above named shall upon conviction be liable to a penalty of ten dollars for each animal so illegally taken or killed or attempted to be taken or killed or in default thereof shall suffer an imprisonment of one day in jail for each dollar of penalty imposed and unpaid" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the wild animal known as the raccoon shall be classed as a game animal in this Commonwealth and it shall be unlawful to kill or capture such animal excepting from the fifteenth day of October to the fifteenth day of February both inclusive in each year Each and every person killing or capturing or attempting to kill or take a raccoon during any other month of the year except as above named shall upon conviction be liable to a penalty of ten dollars for each animal so illegally taken or killed or attempted to be taken or killed or in default thereof shall suffer an imprisonment of one day in jail for each dollar of penalty imposed and unpaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 569, as follows:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the City Treasurer of each of said ciies by virtue of his office shall be the collector of said several taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers now in office and those hereafter elected in cities of the third class of this Commonwealth by virtue of their office shall be the collectors of all city county school and poor taxes assessed and levied in their respective cities and shall perform the duties and be subject to the existing laws now in force for the collection of city county school and poor taxes in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 611, as follows:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the ninth day of June one thousand nine hundred and eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committted thereto" which reads as follows

"Section 3 Each hospital maintaining a psychopathic ward shall be entitled to receive from the Commonwealth the sum of two dollars per diem for each day during which each indigent persons comitted to or received in such ward under the provisions of this act shall be cared for and treated therein which amount shall be paid from the appropriation for the payment of the expenses of the care and treatment of the indigent insane in the same form and manner prescribed by law for the presentation approval and payment of bills for the care and treatment of indigent insane persons committed to State hospitals for the insane The expense of caring for and treating non-indigent persons or those not committed by a court received in or committed to such wards shall be paid or provided for to the satisfaction of the hospital authorities before admission

"Reports shall be made to the Committee on Lunacy of the State Board of Charities in the same manner as reports are now required by law to be made in the case of persons committed to State hospitals for the insane" is hereby amended to read as follows

Section 3 Each hospital maintaing a psychopathic ward shall be entitled to receive from the Commonwealth the sum of two dollars ($2,00) per diem for each day during which such person under observation diagnosis and treatment committed to or received in such ward under the provisions of this act shall be cared for and treated therein The expense of caring for and treating non-indigent persons or those not committed by a court received in or committed to such wards shall be paid or provided for to the satisfaction of the hospital authorities before admission

Reports shall be made to the Committee on Lunacy of the State Board of Charities in the same manner as reports are now required by law to be made in the case of persons committed to State hospitals for the insane

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 156, entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. POWELL. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 346, (House Bill No. 270), entitled:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

BILLS ON FIRST READING.

Mr. POWELL. Mr. President, I ask unanimous consent that Senate Bill No. 346, (House Bill No. 270), the bill just reported, be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 346, (House Bill No. 270), entitled:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act relating to the administrating of oaths or affirmations to administrators executors committees or guardians to qualify them for the performance of their respective duties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 224, (House Bill No. 271), entitled:

An Act to amend an act entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 264, entitled:

An Act to amend an act entitled "An Act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thiry-six of an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned' approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilots and pilotages in the bay and river Delaware in the board of commissioners of navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the board of commissioners of navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witnesses at any hearing or inquiry to to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 340, (House Bill No 85), entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred and ninety-seven entitled "An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 352, (House Bill No. 168), entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 390, entitled:

An Act amending section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine requiring the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of November of each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 473, (House Bill No. 245), entitled:

An Act making an appropriation to the State Board of Censors of moving pictures

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessments of the damages costs and expenses theeof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideraiton of Senate Bill No. 542, (House Bill No. 600), entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 542, (House Bill No. 600), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 620, (House Bill No. 107), entitled:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the services of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 620, (House Bill No. 107), the bill just read be recommitted to the Committee on Judiciary Special.

Mr. COOPER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 630, entitled:

An Act fixing the salary of the second assistant State librarian

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 264, entitled:

An Act to amend an act entitled "An Act to amend sections four seventeen eighteen nineteen twenty-one twenty-six thirty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned' approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilots and pilotages in the bay and river Delaware in the board of commissioners of navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the board of commissioners of navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witnesses at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots

which was read today the first time, be recommitted to the Committee on Judiciary General.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY

Miss Mary A. Barth, Pittsburgh.
James M. Stinson, Sewickley.

BLAIR COUNTY.

Charles J. McCullough, Altoona.

ERIE COUNTY.

Thomas W. Spofford, Erie.

MONTGOMERY COUNTY.

Miss Lelia Jenkins, Norrtistown.

NORTHAMPTON COUNTY.

Harry L. Short, Easton.

PHILADELPHIA COUNTY.

James B. McGrane, Philadelphia.
I. J. McGeogh, Philadelphia.

LANCASTER COUNTY.

H. K. Ober, Elizabethtown.

ALLEGHENY COUNTY.

Miss Emma L. Vandermast, Pittsburgh.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectfully:

ALLEGHENY COUNTY.

William J. White, Pittsburgh, March 27, 1913.
James G. Jenkins, McKeesport, April 4, 1913.
Oscar Beilstein, Pittsburgh, April 10, 1913.

PHILADELPHIA COUNTY.

F. H. MacMorris, Philadelphia, March 28, 1913.
David A. Hammond, Philadelphia, April 4, 1913.
Herbert C. Russell, Philadelphia, April 7, 1913.
Robert W. Lloyd, Philadelphia, May 11, 1913.

WASHINGTON COUNTY.

Mrs. Etta M. Underwood, California, April 9, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Miss Rose Danahey, Pittburgh.
Miss Mary C. Moran, Pittsburgh.

BRADFORD COUNTY.

Mrs. Jennie F. Cleveland, Canton.

CLEARFIELD COUNTY.

Harry T. Smith, DuBois.

ELK COUNTY.

A. G. Geuder, St. Marys.

ERIE COUNTY.

Leonard J. Kujawski, Erie.

JEFFERSON COUNTY.

H. B. McCullough, Brockwayville.

LANCASTER COUNTY.

Edward R. Miller, Columbia.

PHILADELPHIA COUNTY

Philip N. Arnold, Philadelphia.
Julius A. Bacher, Philadlephia
Mrs. Elizabeth J. Morton, Philadelphia.
Chas. J. Readdy, Philadelphia.
Edgar M. Stroud, Philadelphia.

SCHUYLKILL COUNTY

Jesse B. Davis, Shenandoah.

SOMERSET COUNTY

Irwin M. Hoover, Hooversville.

SUSQUEHANNA COUNTY

C. M. Epes, Susquehanna.

JOHN K. TENER.

SUPERINTENDENT OF DEPARTMENT OF PUBLIC PRINTING AND BINDING.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. Nevin Pomeroy, of Chambersburg, to be Superintendent of the Department of Public Printing and Binding, for the term of four years, to compute from February 8, 1913.

JOHN K. TENER.

COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph B. Braman, New York, N. Y., to be Commissioner of Deeds, for the term of five years, to compute from the date of confirmation.

JOHN K. TENER.

SENATE BILL NO. 31 RETURNED WITHOUT AMENDMENT.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 31, entitled:

A further supplement to an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven

with the information that the House has passed the same without amendment.

SENATE BILL NO. 63 RETURNED WITHOUT AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 63, entitled:

An Act providing for another judge in each of the courts of common pleas of Philadelphia County

with the information that the House has passed the same without amendment.

SENATE BILL NO. 34 RETURNED WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the bill be laid over one day under the rules.

SENATE BILL NO. 45 RETURNED WITHOUT AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 45, entitled:

An Act for the better protection of the wild birds known as the turtle or mourning dove the kill-deer plover and the bird commonly called the black-bird in Pennsylvania and prescribing penalties for violation of its provisions

with the information that the House has passed the same without amendment.

SENATE BILL NO. 30 RETURNED WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 30, entitled:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the bill be laid over one day under the rules.

CONCURRENT RESOLUTION FOR PRINTING MEMORIAL ADDRESSES ON THE LATE HON. JOHN H. REIBEL.

He also laid before the Senate concurrent resolution, which was read as follows and agreed to:

In the House of Representatives,
March 12, 1913.

Resolved, (if the Senate concur), That five hundred copies be printed containing the memorial addresess on the late Honorable John H. Reibel delivered in this House on the evening of March eleventh, and that every member of the Senate and House be supplied with one copy each.

CONCURRENT RESOLUTION FAVORING THE PASSAGE BY CONGRESS OF AN ACT ESTABLISHING A MINIMUM RATE OF WAGES FOR EMPLOYES IN THE UNITED STATES ARSENAL.

He also laid before the Senate for concurrence resolution which was read as follows and referred to the Committee on Judiciary General.

Whereas, In the United States Arsenal, located at Frankford, Philadelphia County, Pennsylvania, over twelve hundred women and men are employed in the manufacture of ammunition and explosives, and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day and the wages paid such men one dollar and fifty cents per day, except where those who work at piece work which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men, and

Whereas, It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country especially for those who are employed on work that is extremely hazardous, therefore

Be It Resolved, (if the Senate concur), That the President of the United States is respectively urged to recommend to the Congress of the United States as soon as practicable the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men, and

Be It Further Resolved, That each Senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended, and

Be It Further Resolved, That a copy of these resolutions be duly prepared, certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each Senator and member of Congress from this State.

REPORT FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at this morning's session, which were laid upon the table.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day, be dispensed with.

and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Martin,	Sensenich,
Beidleman,	Heacock,	McIlhenny,	Sheatz,
Buckman,	Herbst,	McNichol,	Snyder,
Catlin,	Hoke,	McNichols,	Sones,
Clark,	Homsher,	Miller,	Stineman,
Cooper,	Hunter,	Mills,	Thompson,
Crow,	Jones,	Morgan,	Vare,
Endsley,	Kline,	Nulty,	Wasbers.
Farley,	Kurtz,	Powell,	Gerberich,
Fisher,	Magee,	Salus,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. KLINE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having e'apsed, the Senate will be in order.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 24, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real esate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

House Bill No. 88, entitled:

An Act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolisning the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred and ninety-five as amended by the act entitled "An Act to amend sections one and sixteen of an act entitled 'An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolisning the office of county auditor in said county' approved June twenty-seventh one thousand eight hundred ninety-five so as to make it apply to all counties containing one hundred and fifty thousand inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand inhabitants

House Bill No. 89, entitled:

An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made

House Bill No. 248, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred ninety-five entitled "An Act to honor the United States flag as the National Emblem of a free people and to protect it from domestic and foreign insult"

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 32 (Senate Bill No. 667), entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payments creating a commission to have charge of all matters and things appertaining to the same making an appropriation for the purpose of carrying out the provision of this act and providing for punishments for the violations thereof

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 72 (Senate Bill No. 668), entitled:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 82, (Senate Bill No. 669), entitled:

An Act authorizing and regulating the employment on highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 173, (Senate Bill No. 670), entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

Which was committed to the Committee on Judiciary General.

House Bill No. 290, (Senate Bill No. 671), entitled:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of Common Pleas of Dauphin county against the Commonwealth of Pennsylvania

Which was committed to the Committee on Judiciary Special.

House Bill No. 294, (Senate Bill No. 672), entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine entitled 'An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole"

Which was committed to the Committee on Judiciary General.

House Bill No. 311, (Senate Bill No. 673), entitled:

An Act prohibiting certain promises or pledges by candidates for election or nomination or by others for such candidate and the asking demanding receiving or transmitting of such promises or pledges and providing a penalty for violation of this act

Which was committed to the Committee on Elections.

House Bill No. 408, (Senate Bill No. 674), entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of Mine Inspection and Surface Support by any municipal corporation and giving such Bureau jurisdiction and providing a penalty for violation thereof

Which was committed to the Committee on Mines and Mining.

House Bill No. 465, (Senate Bill No. 675), entitled:

An Act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 483, (Senate Bill No. 676), entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hun-

dred and eleven entitled "An Act amending section four of an act entitled "An Act imposing additonal taxes for State purposes and to abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

Which was committed to the Committee on Finance.

House Bill No. 503, (Senate Bill No. 677), entitled:

An Act prescribing the condition under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commomnwealth of Pennsylvania

Which was committed to the Committee on Judiciary Special.

House Bill No. 510, (Senate Bill No. 678), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violations of its several provisions

Which was committed to the Committee on Game and Fisheries.

House Bill No. 512, (Senate Bill No. 679), entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 588, (Senate Bill No. 680), entitled:

An Act to amend section seven of an act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings"

Which was committed to the Committee on Judiciary General.

House Bill No. 638, (Senate Bill No. 681), entitled:

An Act to provide for the health and safety of persons and the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages et cetera begin to run and providing a penalty for violation thereof

Which was committee to the Committee on Mines and Mining.

House Bill No. 650, (Senate Bill No. 682), entitled:

An Act fixing a close season for quail and providing a penalty for violation of this act

Which was committed to the Committee on Game and Fisheries.

House Bill No. 745, (Senate Bill No. 683), entitled:

An Act authorizing the creation division and consolidation of wards and a reappointment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

Which was committed to the Committee on Municipal Affairs.

House Bill No. 768, (Senate Bill No 684), entitled:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

Which was committed to the Committee on Judiciary Special.

House Bill No. 787, (Senate Bill No. 685), entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due"

Which was committed to the Committee on Judiciary Special.

House Bill No. 841, (Senate Bill No. 686), entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penatlies for its violation

Which was committed to the Committee on Agriculture.

House Bill No. 845, (Senate Bill No. 687), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said Penitentiary to charge the cost thereof against the several counties in the Western District

Which was committed to the Committee on Judiciary Special.

House Bill 850, (Senate Bill No. 688), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 877, (Senate Bill No. 689), entitled:

An Act to regulate and establish the fees to be charged by sheriffs in counties having a population of less than one hundred and fifty thousand in this Commonwealth and to provide for the taxation and collection of the same

Which was committed to the Committee on Judiciary General.

House Bill No. 918, (Senate Bill No. 690), entitled:

An Act to validate private sales of real estate of decendents heretofore made under the provisions of an act approved the ninth day of May one thousand eight hundred and eighty-nine entitled "An Act relating to orphans' court sales" which were not advertised in accordance with said act as amended

Which was committed to the Committee on Judiciary General.

House Bill No. 934, (Senate Bill No. 691), entitled:

An Act making all persons holding a mine foreman certificate under the law relating to the anthracite coal mines of this Commonwealth eligible to be a candidate for the office of mine inspector in any anthracite inspection district in this Commonwealth

Which was committee to the Committee on Mines and Mining.

House Bill No. 953, (Senate Bill No. 692), entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts

Which was committed to the Committee on Judiciary Special.

House Bill No. 956, (Senate Bill No. 693), entitled:

An Act to amend an act entitled, "An Act to provide for the licensing and regulating of slaughter houses shops wagons and places where meats poultry fish game and shellfish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that license continuing in business shall annually apply for new licenses

Which was committed to the Committee on Judiciary Special.

ADJOURNMENT.

Mr. McILHENNY. Mr. President I move that the Senate do now adjourn until to-morrow morning at 11 o'clock.

Mr. POWELL. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 1:20 o'clock P. M., until Wednesday morning, March 19, 1913, at 11 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, March 18th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, the blessed and only Potentate, the King of Kings and Lord of Lords, we humbly and reverently bow before Thee, with gratitude and thankfulness and earnest praise. We rejoice in our heritage, in this goodly land which Thou hast given us, so rich, so diversified, so extensive, with its Commonwealths and governments from coast to coast. We thank Thee for our civil and religious liberty, for our social and intellectual enlightenment and progress, for the fraternities of brotherhood, for all things good. May we show our thankfulness by living reverently before Thee, and by sacredly cherishing the good gifts of Thy hand. Wilt Thou bless all in legislative, judicial and executive authority, giving to them understanding and wisdom, courage and resolution, energy and strength, all that they need, that the people may have prosperity and peace and the entire land be blest, and Thy name shall have the praise of it for ever more. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journad of yesterday's proceedings, when on motion of Mr. Snyder, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. ULMAN asked and obtained leave of absence for Messrs. Howard, Klepper, Gibson and himself for a little while during the morning session.

Mr. BECKER asked and obtained leave of absence for Mr. Donahoe for tomorrow.

CONCURRENT RESOLUTION NO. 28.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to call up a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Whereas, In the United States Arsenal located at Frankford Philadelphia County, Pennsylvania, over twelve hundred women and men are employed in the manufacture of ammunition and explosives and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day and the wages paid such men one dollar and fifty cents per day except where those who work at piece work which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men and

Whereas It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country especially for those who are employed on work that is extremely hazardous therefore

Be it Resolved (if the Senate concur) That the President of the United States is respectively urged to recommend to the Congress of the United States as soon as practicable the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men and

Be it Further Resolved That each Senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended and

Be It Further Resolved That a copy of these resolutions be duly prepared certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each Senator and member of Congress from this State

Mr. JAMES A. DUNN. Mr. Speaker, I move the resolution be adopted.

Mr. HORACE B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. E. E. JONES. Mr. Speaker, I move that Bill No. 1125 entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

from page 21, of today's Calendar, be recommitted to the Committee on Public Roads.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I ask unanimous consent of the House to offer an amendment to House Bill No. 504, file folio 2001, on page one of to-day's Calendar, on third reading.

The SPEAKER. Will the House give unanimous consent? The Chair hears no objection and the consent is granted.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 504, as follows:

An Act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens and providing penalties for the violation thereof

Whereas Aliens residing within the State are liable to taxation equally with citizens and

Whereas The act of June seven one thousand eight hundred and ninety-seven prescribes a method of collecting taxes from aliens and the act of March thirty one thousand nine hundred and eleven makes an unnaturalized foreign born resident subject to taxation in the same manner as citizens of this Comonwealth and

Whereas Said act of June seven one thousand eight hundred and ninety-seven requiring employers of aliens to deduct from their wages when notified by the tax collector the taxes assessed against such alien employes is not practically effective for the reason that the collector is required to furnish the names of such taxables and often neither the collector nor the assessor is able to thus designate such alien or aliens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all corporations associations companies firms or individuals employing persons who are not citizens of the United States shall immediately upon the employment of such person obtain the name age and place of residence or intended residence of each of them and on or before the first day of October of each year furnish under oath to the assessor or assessors of the districts in which said aliens reside a full and complete list of the same

Section 2 The proper authorities of any county borough township or school district or other authority for the levying of any tax may upon the levy of any tax serve written notice upon any such employer of aliens such notice containing the names of such aliens and the tax assessed against each and such employer is hereby authorized to deduct such taxes from the wages of such employes In all cases where such notice shall be duly served the employer shall be liable to such tax levying authority for the taxes assessed against each and every one of the employes mentioned in said notice who shall at the time of the service of said notice and for fifteen (15) days thereafter be in the employ of such employer

Section 3 All such employers of aliens upon notice and certificate from the county treasurer or any collector of county State borough or township taxes are hereby required to deduct from the wages or earnings of each alien named in such notice the taxes thus certified and pay the same to such treasurer or collector within thirty (30) days after the service of such notice and certificate Provided however that at the time of the levy of such tax the tax-levying authority shall have mailed to each of said taxables a notice setting forth the fact of the levy of such tax the amount of same where payable and that the same is liable to be deducted from his wages

Section 4 Any corporation association company firm or individual failing to furnish the list of names or to deduct any pay over taxes as required by this act shall forfeit and pay double the amount of the tax for each and every taxable whose name is not returned as above required or whose taxes are not withheld and paid over as herein directed to be recovered by action of assumpsit as debts of like amount recoverable at the suit of the county borough township school district or other tax-levying authority to which such taxes are payable

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section one, line seven, strike out the word "person" and insert in lieu thereof the word "persons"

Also amend section four, line three, by striking out the word "any" and inserting in lieu thereof "and";

Also amend by striking out the word "taxes" and inserting in lieu thereof the words "any tax"

The SPEAKER. Will the House give unanimons consent to insert the amendments as read? Is there any objection? The Chair hear none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. HESS. Mr. Speaker, I ask unanimous consent to call up House Bill No. 3,

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 3, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws

On the question,

Will the House agree to the bill on third reading?

Mr. HESS. Mr. Speaker., I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend title, last line after "laws" insert "and abolishing certain claims."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 221, entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, this bill provides that a salary of $10,000 shall be paid to the Register of Wills in counties containing cities of the first class. The purpose of this bill is in the directon of economy. Under our present law the Register of Wills receives from the county $5,000; he also receives out of the amount of collateral inheritance tax collected a certain commission that averages about $30,000. I have a list of the receipts by the Register of Wills since 1908, and the highest year he received $33,000, the lowest year he received $22,000, the average being very close to $30,000. That makes the office of the Register of Wills of Philadelphia County average about $35,000 a year. In addition to the commissions and salary received, the Register receives out of the gross amount of collateral inheritance tax paid a considerable sum for the expenses of his office, about seven or eight hundred dollars a month and about nine hundred to one thousand dollars a month for attorneys' fees.

I spoke to the present Register of Wills, myself, and asked him his opinion as to the reasonableness of the salary fixed in this bill and he told me very emphatically that he considered $10,000 a reasonable compensation for the services performed by the Register of Wills in Philadelphia County; and he said he hoped the House would pass this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Geiser,	Mather,	Runk,
Alworth,	Gibson,	Matt,	Sassaman,
Baldwin, G. A.,	Glenn,	McAleer,	Savacool,
Baldwin, R. J.,	Goss,	McAllister,	Schaeffer, A. C
Barner,	Grabe,	McArdle,	Schuck,
Bass,	Gramley,	McDermott,	Scott, J. R. K.,
Becker,	Gray, Frank,	McKay,	Scott, S. B.,
Benninger,	Gray, Joseph,	Metzenbacher,	Semmens,
Benson,	Haggerty,	Miller,	Shaffer, I. E.,
Bergey,	Heidinger,	Missimer,	Sherwood,
Berntheizel,	Hemminger,	Mitchell,	Showalter,
Bigger,	Herman,	Moore,	Smith, J. W.,
Bittles,	Hess,	Morrow,	Smith, L.,
Blair, W. F.,	Heyburn,	Moses,	Snavely,
Body,	Hibshman,	Moulthrop,	Snyder,
Brosius,	Hobbs,	Musser,	Spangler,
Brownlee,	Hoffman,	Neel,	Speiser,
Burnett,	Howard, R.,	Neely.	Spillinger,
Caldwell,	Humes,	Newbaker,	Stein,
Campbell, C.M.,	Irwin, H. H.,	North,	Stone,
Campbell, J. J.,	Jackson,	O'Neill,	Strauss,
Cheeseman,	Jones, J. R.,	Peachey,	Swartz,
Claycomb,	Kaiser,	Pennegar,	Swift,
Cleary,	Kaufman,	Pennock,	Thomas,
Collins,	Keeport,	Perry, H. L.,	Trach,
Conniff,	Kennedy,	Perry, S. J.,	Ulerich,
Conrade,	Kern,	Peters,	Walnut,
Cox,	Kitts,	Piper,	Walsh,
Currier,	Klepper,	Post,	Walton,
Curry,	Kuhn, H. P.,	Price,	Watson,
Davis,	Kuhns, E.G.M.,	Ramsey,	Wettach.
Donnally,	Lanius,	Redfield,	Whitaker,
Down,	Latshaw,	Reese,	Whitman,
Dunn, H. B.,	Leslie,	Reeser,	Williams,
Dunn, J. A.,	Light,	Rex,	Wilson, W. H.,
Ehrhardt,	Lohr,	Richards,	Wiltbank,
Eichenberger,	Lowers,	Robinson,	Young, G. K.,
Ely,	Malie,	Rockwell,	Young, J. H.,
Ewing,	Mannion,	Roney,	Zimmerman,
Foster, J. D.,	Martin,	Rothenberger,	Alter,
Frey,			Speaker.
Gans,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 642, entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Gans,	Mannion,	Runk,
Alworth,	Geary,	Martin,	Sassaman,
Baldwin, G. A.,	Geiser,	Mather,	Savacool,
Baldwin, R. J.,	Glenn,	Matt,	Schaeffer, A. C
Barner,	Good,	McAleer,	Schuck,
Bass,	Goss,	McAllister,	Scott, J. R. K.,
Becker,	Grabe,	McArdle,	Scott, S. B.,
Benninger,	Gramley,	McCaig,	Semmens,
Benson,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Bergey,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Berntheizel,	Hackett,	McIlott,	Shern,
Bigger,	Haggerty,	Metzenbacher,	Sherwood,
Bittles,	Heidinger,	Miller,	Showalter,
Blair, W. F.,	Hemminger,	Missimer,	Smith, J. W.,
Body,	Herman,	Mitchell,	Smith, L.,
Brosius,	Hess,	Moore,	Snavely,
Brownlee,	Heyburn,	Morrow,	Snyder,
Burnett,	Hibshman,	Moses,	Spangler,
Caldwell,	Hobbs,	Moulthrop,	Speiser,
Campbell, C.M.,	Hoffman,	Musser,	Spillinger,
Carson,	Humes,	Neel,	Steedle,
Carter,	Irwin, G. C.,	Newbaker,	Steele,
Cheeseman,	Irwin, H. H.,	Newton,	Stein,
Claycomb,	Jackson,	North,	Stone,
Cleary,	Jones, E. E.,	O'Neill,	Strauss,
Cochran,	Jones, J. R.,	Peachey,	Swartz,
Collins,	Kaiser,	Pennegar,	Swift,
Conner,	Kaufman,	Pennock,	Thomas,
Conrade,	Keeport,	Perry, H. L.,	Trach,
Cox,	Kennedy,	Perry, S. J.,	Ulerich,
Currier,	Kern,	Peters,	Walnut,
Curry,	Kitts,	Piper,	Walsh,
Davis,	Klepper,	Post,	Walton,
Dickinson,	Kuhn, H. P.,	Price,	Watson,
Donnally,	Lanius,	Ramsey,	Whitaker,
Down,	Latshaw,	Redfield,	Whitman,
Dunn, H. B.,	Lenker,	Reese,	Wildman,
Dunn, J. A.,	Leslie,	Reeser,	Williams,
Ehrhardt,	Letzkus,	Rex,	Wilson, J. H.,
Eichenberger,	Light,	Rhoads,	Wilson, W. H.,
Ely,	Lohr,	Richards,	Wiltbank,
Ewing,	Lowers,	Robinson,	Young, G. K.
Flynn,	Malie,	Rockwell,	Young, J. H.,
Foster, J. D.,		Roney,	Zimmerman,
Frey,		Rothenberger,	Alter,
			Speaker.

NAYS—1.

Kuhns, E.G.M.,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. The Speaker, I desire to call up from page 9, of to-day's Calendar, House Bill No. 679, File Folio 619, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. Bill No. 679, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is one of three bills pertaining to the registration of voters in cities of the first class. The particular bill that is now called up provdes that one of the registrars will have the right to act as deputy poll tax collector. The gentlemen from Philadelphia know, and many of you gentlemen of the House know, that in Philadelphia, we have a deputy tax collector appointed under the Act of Assembly in proportion to the number of common councilmen in each one of the wards; but, under a recent decision, Judge Sulzberger of No. 2 Court found that the tax receipts could not be procured for the voters, because they must be procured direct by the voters. The obtaining of tax receipts by proxy or power of attorney has been declared to make registration illegal. This provides that the registrar will have the power of seling the tax receipt at the same time that the voters present themsleves to be registered. This, together with the other bills which are on the postponed Calendar, 678 and 680, will provide that the assessor of the division be abolished; the registrar will act as deputy poll tax collector, he will act as assessor for the purpose of making out the list of taxables, and then the other bill that accompanies this bill will make that list of taxables the list from which the jurors will be drawn. That will save the City of Philadelphia some hudnred thousand dollars a year. Now, I understand that these three bills have been sanctioned by all the political leaders, for it is a matter that all parties seek to have remedied. I also understand that the cities of the second class want to come in under this proposed legislation. Now, if the gentlemen will vote for this bill, it will then go to the Senate, and if the gentlemen of the cities of the second class desire to have an amendment, that amendment can be entered in the Senate and then the bill will come back here for us to agree in the amendments.

Mr. S. J. PERRY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I will.

Mr. S. B. PERRY. Mr. Speaker I would like to know under this act if that does not make the registrar a dual office holder?

Mr. JOHN R. K. SCOTT. Mr. Speaker I take it that it does not make a dual office holder. It merely gives the office holder an extra duty. There is no additional compensation.

Mr. S. J. PERRY. Mr. Speaker, there is ten cents for the receipt there.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Gibson,	Martin,	Runk,
Alworth,	Glenn,	Mather,	Sassaman,
Baldwin, R. J.,	Good,	Matt,	Savacool,
Barner,	Grabe,	McAleer,	Schaeffer, A. C
Bass,	Gramley,	McAllister,	Schuck,
Becker,	Gransback,	McArdle,	Scott, J. R. K.,
Benson,	Gray, Frank,	McClintock,	Scott, S. B.,
Bergey,	Gray, Joseph,	McDermott,	Semmens,
Berntheizel,	Hackett,	McKay,	Shaffer, I. E.,
Bigger,	Haggerty,	Mellott,	Shern,
Bittles,	Heidinger,	Metzenbacher,	Sherwood,
Blair, W. F.,	Hemminger,	Miller,	Showalter,
Body,	Herman,	Missimer,	Smith, J. W.,
Brosius,	Hess,	Mitchell,	Smith L.,
Brownlee,	Heyburn,	Moore,	Snavely,
Burnett,	Hibshman,	Morrow,	Snyder,
Caldwell,	Hobbs,	Moses,	Spangler,
Campbell, C.M.,	Hoffman,	Moulthrop,	Speiser,
Campbell, J. J.,	Humes,	Musser,	Spillinger,
Carson,	Isler,	Neel,	Steedle,
Carter,	Irwin, G. C.,	Neely,	Steele,
Cheeseman,	Irwin, H. H.,	Newbaker,	Stein,
Claycomb,	Jackson,	Newton,	Stone,
Cleary,	Jones, E. E.,	North,	Strauss,
Cochran,	Jones, J. R.,	O'Neill,	Swartz,
Collins,	Kaiser,	Peachey,	Swift,
Conner,	Kaufman,	Pennegar,	Thomas,
Conniff,	Keegan,	Pennock,	Trach,
Conrade,	Keeport,	Perry, H. L.,	Ulerich,
Cox,	Kennedy,	Peters,	Walnut,
Curry,	Kern,	Piper,	Walsh,
Davis,	Kitts,	Post,	Walton,
Donnally,	Klepper,	Price,	Watson,
Down,	Kuhn, H. P.,	Ramsey,	Whitaker,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Whitman,
Dunn, J. A.,	Lanius,	Reese,	Wildman,
Ehrhardt,	Latshaw,	Reeser,	Williams,
Ely,	Leslie,	Rex,	Wilson, J. H.,
Ewing,	Letzkus,	Rhoads,	Wilson, W. H.,
Flynn,	Light,	Richards,	Wiltbank,
Foster, J. D.,	Lohr,	Robinson,	Young, G. K.,
Frey,	Lowers,	Rockwell,	Young, J. H.,
Gans,	Malie,	Roney,	Zimmerman,
Geary,	Mannion,	Rothenberger,	Alter,
Geiser,			Speaker.

NAYS—2.

Eichenberger, Perry, S. J.,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I now desire to call up on page nine, of to-day's Calendar, Bills on Third Reading Postponed for the Preesnt, House Bill No. 678, entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 678, entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Adams,	Frey,	Malie,	Runk,
Allen,	Gans,	Mannion,	Sassaman,
Alworth,	Geary,	Martin,	Savacool,
Ambler,	Geiser,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Glenn,	Matt,	Schuck,
Baldwin, R. J.,	Good,	McAleer,	Scott, J. R. K.,
Barner,	Goss,	McAllister,	Scott, S. B.,
Bass,	Gramley,	McArdle,	Semmens,
Bayle,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Becker,	Gray, Joseph,	McClintock,	Shaffer, I. E.,
Benninger,	Hackett,	McDermott,	Shern,
Benson,	Haggerty,	McKay,	Sherwood,
Bergey,	Heidinger,	Mellott,	Showalter,
Berntheizel,	Hemminger,	Metzenbacher,	Smith, J. W.,
Bigger,	Herman,	Miller,	Smith, L.,
Bittles,	Hess,	Missimer,	Snavely,
Blair, W. F.,	Heyburn,	Mitchell,	Snyder,
Body,	Hibshman,	Moore,	Spangler,
Brosius,	Hobbs,	Morrow,	Speiser,
Brownlee,	Hoffman,	Moses,	Spillinger,
Burnett,	Howard, J.,	Moulthrop,	Steedle,
Caldwell,	Howard, R.,	Musser,	Steele,
Campbell, C.M.,	Humes,	Neel,	Stein,
Carson,	Isler,	Neely,	Stone,
Carter,	Irwin, G. C.,	Newbaker,	Strauss,
Cheeseman,	Irwin, H. H.,	Newton,	Swartz,
Claycomb,	Jackson,	North,	Swift,
Cleary,	Jones, E. E.,	Peachey,	Thomas,
Cochran,	Jones, J. R.,	Pennegar,	Trach,
Collins,	Kaiser,	Pennock,	Ulerich,
Conner,	Kaufman,	Perry, H. L.,	Walnut,
Conniff,	Keegan,	Peters,	Walsh,
Conrade,	Keeport,	Piper,	Walton,
Cox,	Kennedy,	Post,	Watson,
Currier,	Kern,	Price,	Wettach,
Curry,	Kitts,	Ramsey,	Whitaker,
Davis,	Klepper,	Redfield,	Whitman,
Dickinson,	Kuhn, H. P.,	Reese,	Wildman,
Donnally,		Reeser,	Williams.
Down,			

Dunn, H. B.,	Kuhns, E.G.M.,	Rex,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Leslie,	Richards,	Wiltbank,
Ewing,	Letzkus,	Robinson,	Young, G. K.,
Flynn,	Light,	Rockwell,	Young, J. H.,
Forster, I. G.,	Lohr,	Roney,	Zimmerman,
Foster, J. D.,	Lowers,	Rothenberger,	Alter, Speaker.

NAYS—4.

Campbell, J. J.,	Eichenberger,	O'Neill,	Perry, S. J.,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I now desire to call up on page 9, of to-day's Calendar, Bills on Third Reading Postponed for the Present, House Bill No. 680, entitled:

An Act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which peronal registration of electors is required and repealing acts or parts of acts inconsistent therewith

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 680, entitled:

An Act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which peronal registration of electors is required and repealing acts or parts of acts inconsistent therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Frey,	Lowers,	Rockwell,
Allen,	Gans,	Malie,	Rothenberger,
Alworth,	Geary,	Mannion,	Runk,
Ambler,	Geiser,	Martin,	Sassaman,
Baldwin, G. A.,	Gibson,	Mather,	Savacool,
Baldwin, R. J.,	Glenn,	Matt,	Schaeffer, A. C
Barner,	Good,	McAleer,	Schuck,
Bass,	Goss,	McAllister,	Scott, J. R. K.,
Bayle,	Grabe,	McArdle,	Scott, S. B.,
Becker,	Gramley,	McCaig,	Semmens,
Benninger,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Bergey,	Hackett,	McKay,	Shern,
Berntheizel,	Haggerty,	Mechling,	Sherwood,
Bigger,	Heidinger,	Mellott,	Showalter,
Bittles,	Hemminger,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Herman,	Miller.	Smith, L.,
Body,	Hess,	Missimer,	Snavely,
Brosius,	Heyburn,	Mitchell,	Snyder,
Brownlee,	Hibshman,	Moore,	Spangler,
Burnett,	Hobbs,	Morrow,	Speiser,
Caldwell,	Hoffman,	Moses,	Spillinger,
Campbell, C.M.,	Humes,	Moulthrop,	Steedle,
Campbell, J. J.,	Isler,	Musser,	Steele,
Carson,	Irwin, G. C.,	Neel,	Stein,
Carter,	Irwin, H. H.,	Neely,	Stone,
Cheeseman,	Jackson,	Newbaker,	Strauss,
Claycomb,	Jones, E. E.,	Newton,	Swartz,
Cleary,	Jones, J. R.,	North,	Swift,
Cochran,	Kaiser,	Peachey,	Thomas,
Collins,	Kaufman,	Pennegar,	Trach,
Conner,	Keegan,	Pennock,	Ulerich,
Conniff,	Keeport,	Perry, H. L.,	Walsh,
Conrade,	Kennedy,	Peters,	Walton,
Cox,	Kern,	Piper,	Watson,
Currier,	Kitts,	Post,	Wettach,
Curry,	Klepper,	Price,	Whitaker.
Davis,	Kuhn, H. P.,	Ramsey,	Whitman,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Wildman,
Donnally,	Latshaw,	Reese,	Williams,
Down,	Lenker,	Reeser,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Rex,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Wiltbank,
Ehrhardt,	Light,	Richards,	Young, G. K.
Ely,	Lohr,	Robinson,	Young, J. H.,
Ewing,			Zimmerman,

NAYS—4.

Eichenberger,	O'Neill,	Perry, S. J.,	Alter, Speaker.

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. ROCKWELL. Mr. Speaker, I desire at this time to call up from page 8 of today's Calendar, Bills on Third Reading Postponed for the Present, House Bill No. 184, File Folio 101.

Agreeably to order,

The House resumed the third reading and consideraton of H. R. Bill No. 184, entitled:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I want to say just a word as to this bill. One of the great faults found in the Mercantile Tax Law is that it costs so much for the collection. This bill, if enacted into a law, would do away with the advertising of the Mercantile Tax List, which is absolutely useless and would save in the cost of the collection from seventy-three to seventy-five thousand dollars annually, or about one-half of the cost of collecting the Mercantile tax.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Adams.	Foster, J. D.,	Leslie,	Rex,
Allen,	Frey,	Letzkus,	Rhoads,
Alworth,	Gans,	Light,	Robinson,
Ambler,	Geary,	Lohr,	Rockwell,
Baldwin, G. A.,	Geiser,	Lowers,	Savacool,
Baldwin, R. J.,	Glenn,	Malie,	Schaeffer, A. C
Barner,	Good,	Martin,	Schuck,
Bass,	Grabe,	Mather,	Scott, J. R. K.,
Bayle,	Gramley,	Matt,	Scott, S. B.,
Becker,	Gray, Frank,	McAleer,	Semmens.
Benninger,	Gray, Joseph,	McAllister,	Shaffer, C. A.,
Benson,	Hackett,	McCaig,	Shaffer, I. E.,
Berntheizel,	Heidinger,	McClintock,	Sherwood,
Bigger,	Hemminger,	McDermott,	Smith, J. W.,
Bittles,	Herman,	McKay,	Smith, L.,
Blair, W. F.,	Hess,	Metzenbacher,	Snavely,
Brosius,	Heyburn,	Miller,	Snyder,
Brownlee,	Hibshman,	Mitchell,	Spangler,
Caldwell,	Hobbs,	Moore,	Spillinger,
Campbell, C.M.,	Hoffman,	Moses,	Steedle,
Campbell, J. J.,	Howard, R.,	Moulthrop,	Steele,
Carson,	Humes,	Musser,	Stein,
Carter,	Isler,	Neel,	Stone,
Cheeseman,	Irwin, H. H.,	Neely,	Strauss,
Claycomb,	Jackson,	Newbaker,	Swartz,
Cochran,	Jones, E. E.,	Newton,	Swift,
Conner,	Jones, J. R.,	North,	Ulerich,
Conniff,	Kaiser,	O'Neill,	Ulman,
Conrade,	Kaufman,	Peachey,	Walton,
Cox,	Keegan,	Pennock,	Wettach,
Currier,	Keeport,	Perry, H. L.,	Whitaker,
Dickinson,	Kennedy,	Perry, S. J.,	Whitman,
Donnally,	Kern,	Peters,	Williams,
Down,	Kitts,	Piper,	Wilson, J. H.,
Dunn, H. B.,	Kuhn, H. P.,	Post,	Wilson, W. H,
Dunn, J. A.,	Lanius,	Price,	Wiltbank,
Ehrhardt,	Latshaw,	Ramsey,	Young, G. K.,
Eichenberger,	Lenker,	Redfield,	Alter, Speaker.
Ely,		Reeser,	
Forster, I. G.,			

NAYS—25.

Bergey,	Fahey,	McArdle,	Rothenberger,
Body,	Flynn,	Mechling,	Sassaman,
Burnett,	Haggerty,	Mellott,	Thomas,
Cleary,	Irwin, G. C.,	Morrow,	Trach,
Curry,	Kuhns, E.G.M.,	Pennegar,	Watson,
Davis,	Mannion,	Reese,	Wildman, Zimmerman,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. SCHUCK. Mr. Speaker, I desire to call up at this time House Bill No. 63, File Folio 233, on page 8 of today's Calendar, Bills on Third Reading Postponed for the present.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 63, as follows:

An Act relating to the furnishing of natural or artificial gas water or electricity by persons companies and corporations other than municipalities to be paid for by the consumers by meter measure prohibiting over-charges therefor and providing penalties for the violations of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person company or corporation now engaged or hereafter engaging in the business of furnishing natural or artificial gas water or electricity for any purpose to be used and paid for by consumers by meter measure shall furnish to each and every consumer a meter properly tested when requested by the consumer and in good order and shall arrange such meters so that the consumer can at any time see the meter dial and ascertain readily how much natural or artificial gas water or electricity he is consuming and how much he is liable to pay for

Section 2 It shall be unlawful for any person company or corporation engaged or hereafter engaging in furnishing natural or artificial gas water or electricity to consumers to be paid for by meter measure to charge or receive from any consumer pay for more natural or artificial gas water or electricity than the meter furnished by such person company or corporation shall indicate has been used by such consumer at the time to which payment is made and received

Section 3 It shall be unlawful for any person company or corporation engaged or hereafter engaging in furnishing natural or artificial gas water or electricity to consumers to be paid for by meter measure to charge or receive from any consumer for the use of said meter any greater sum than the actual cost of the installation of the same

Section 4 Any person company or corporation violating any of the provisions of this act shall be deemd guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than ten dollars and not more than one hundred dollars for each offense

Section 5 Nothing contained in this act shal be construed to affect municipalities engaged or hereafter engaging in the business of furnishing natural or artificial gas water or electricity to consumers

Section 6 This act shall take effect the thirtieth day of June one thousand nine hundred and thirteen and all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Geiser,	Mannion,	Rockwell,
Allen,	Gibson,	Mather,	Runk,
Alworth,	Goss,	Matt,	Savacool,
Ambler,	Grabe,	McAleer,	Schaeffer, A. C
Baldwin, G. A.,	Gramley,	McAllister,	Schuck,
Bass,	Gray, Frank,	McArdle,	Semmens,
Bayle,	Gray, Joseph,	McCaig,	Shaffer, C. A.,
Becker,	Hackett,	McClintock,	Shaffer, I. E.,
Benninger,	Haggerty,	McDermott,	Sherwood,
Benson,	Heidinger,	McKay,	Showalter,
Bigger,	Hemminger,	Mechling,	Smith, J. W.,
Bittles,	Herman,	Mellott,	Smith, L.,
Blair, W. F.,	Hibshman,	Metzenbacher,	Snavely,
Brosius,	Hobbs,	Miller,	Snyder,
Brownlee,	Hoffman,	Missimer,	Spangler,
Caldwell,	Howard, R.,	Mitchell,	Speiser,
Campbell, C.M.,	Humes,	Moore,	Spillinger,
Campbell, J. J.,	Isler,	Moses,	Steedle,
Carson,	Irwin, G. C.,	Moulthrop,	Steele,
Carter,	Irwin, H. H.,	Murphy,	Stein,
Cheeseman,	Jackson,	Musser,	Stone,
Claycomb,	Jones, E. E.,	Neel,	Strauss,
Cleary,	Jones, J. R.,	Neely,	Swartz,
Cochran,	Kaiser,	Newbaker,	Swift,
Collins,	Kaufman,	Newton,	Thomas,
Conner,	Keegan,	North,	Trach,
Conniff,	Kennedy,	O'Neill,	Ulerich,
Conrade,	Kern,	Peachey,	Ulman,
Cox,	Kitts,	Pennegar,	Walnut,
Currier,	Klepper,	Pennock,	Walsh,
Curry,	Kuhn, H. P.,	Perry, H. L.,	Walton,
Davis,	Kuhns, E.G.M.,	Perry, S. J.,	Watson,
Donnally,	Lanius,	Peters,	Wettach,
Down,	Latshaw,	Piper,	Whitman,
Dunn, H. B.,	Leslie,	Post,	Williams,
Dunn, J. A.,	Letzkus,	Price,	Wilson, J. H.,
Ehrhardt,	Light,	Ramsey,	Wilson, W. H.,
Eichenberger,	Lohr,	Redfield,	Wiltbank,
Ely,	Lowers,	Reeser,	Young, G. K.,
Fahey,	Malle,	Richards,	Young, J. H.,
Frey,		Robinson,	Zimmerman,
Gans,			Alter,
Geary,			Speaker.

NAYS—23.

Baldwin, R. J.,	Dickinson,	Martin,	Sassaman,
Barner,	Forster, I. G.,	Morrow,	Scott, S. B.,
Bergey,	Hess,	Reese,	Strauss,
Berntheizel,	Heyburn,	Rex,	Whitaker,
Body,	Keeport,	Rhoads,	Wildman,
Burnett,	Lenker,	Rothenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WHITMAN. Mr. Speaker, I desire to call up House Bill No. 276, file folio 1177, from page ten of today's calendar for the purpose of inserting an amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 276, as follows:

An Act regulating the deposit of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners treasurer and controller or auditors of each county having less than one million inhabitants shall constitute a depository board It shall be the duty of the board to designate a bank or trust company of the county as the official depository for county funds The board shall in the month of December in each year cause to be inserted in two newspapers of the county once a week for four successive weeks an advertisement soliciting from incorporated banks or trust companies of the particular county sealed proposals for the payment of interest on county funds The advertisement shall state the time and place when and where the proposals shall be opened and the probable maximum amount of money to be deposited with the depository All proposels shall be in writing and delivered or sent to the office of said treasurer sealed in envelopes Each proposal shall be accompanied by a bond in double the amount of the probable amount of county funds to be deposited in the county depository The bond shall be conditioned for the faithful performance of all the terms and conditions of the contract to be entered into between the successful bidder and said board The bond shall have as surety one surety company authorized to act as surety in this Commonwealth or at least two sureties to be approved by the Court of Common Pleas of the proper county On the first Monday of January next following such advertisement the proposals shall be opened in the office of the county treasurer in the presence of a majority of the board The bank or trust company that shall offer the highest rate of interest on the county funds deposited with it shall be designated as the county depository for one year from the said first Monday of January and a contract shall be entered into between said board and the depository providing for the payment of said interest on the funds so deposited unless for any reason the board shall reject any or all bids in which case the board may advertise again for proposals giving fifteen days' notice of the time and place and where the same shall be opened If two or more banks or trust companies offer the same rate of interest the board shall select the depository The bonds of all unsuccessful bidders shall be returned to the respective bidders The bonds of the sucessful bidder shall remain in the custody of the controller or auditor

Section 2 It shall be the duty of the county treasurer to deposit in the county depository all funds other than an amount actually necesary to meet current expenses This amount to be determined by the county commissioners and the county treasurer shall be notified of the same on the day when the depository is selected County funds exceeding one-half of the amount of the bond shall not be deposited in any depository but the bond of the depository may be increased from time to time subject to the terms of the contract of deposit If the depository shall refuse or neglect to furnish such increased bond the board may for the unexpired portion of the year designate another additional depository in the same manner and subject to the same conditions as the original designation The treasurer shall not be held liable for any county money that shall be lost by reason of the failure or insolvency of any bank or trust company designated as county depository

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. WHITMAN. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one, line five, by striking out the words "one million" and inserting "one hundred and fifty thousand."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objectian? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 596, entitled:

An Act relative to contracts containing compulsory arbitration provisions entered into in advance of any controversy affecting the question of ultimate liability thereon and attempting to oust the jurisdiction of the courts

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that this bill is a very doubtful measure. It is a very short bill and simply makes null and void any kind of contract that anybody may enter into for the purpose of arbitrating their disputes instead of going to court. There are a great many complicated contracts like building contracts where it is perfectly easy to realize in advance that any number of petty disputes will probably arise. When you read the long and technical specifications, this is apparent. I have seen specifications so long and not alone that but almost every word of those specifications was a word of technical and specific meaning—a meaning which is much better understood by the men in the trade than it would be possible to be understood by lawyers and a court and jury. It is the usual custom in these building contracts and technical contracts of a similar nature that in case a dispute arises as to the meaning of a term or the quality or nature or character of the dispute that such disputes shall be referred to a specially named arbitrator or arbitrators. If you name your arbitrator in advance you can get a dispute settled without going into court, but such an act would make that impossible. It would be an act to tie up forever a building contract and make the adjustment in this way of disputes impossible. As it is well known, it throws all the disputes and litigation into court and simply would help to clog and delay justice.

Mr. PIPER. Mr. Speaker, I desire to say a few words in behalf of this bill. For a long time. I was under a misunderstanding as to the nature of the bill, but after talking to the sponsor of it, Mr. Caldwell, I have received a better conception of its meaning. After trying to get a number of the members of the House to vote against the bill, I now feel inclined to believe that the bill should pass the House. My reasons, formerly, for trying to get the members of the Houes to vote against the bill was because I thought, with first sight, that it was going to be injurious to labor but after investigating and better understanding the bill I now ask the members of the House to vote in favor of this bill.

Mr. KITTS. Mr. Speaker, at the request of Mr. Caldwell I have given this bill some consideration. It strikes me that it is a desirable piece of legislation. I don't propose to take any of the time of the House in going into the merits of the bill, but I want to call attention of the members to the fact that it does not provide against arbitration of disputes that have already arisen but it tries to prevent an arbitration agreement to arbitrate something that may come up after the contract is put into effect and does away with trial by jury. I think the members of the House can readily see that this is a piece of legislation that we ought to have. I don't think that people ought to sign their rights away as some of them do and later be denied the right of trial by jury. That is what this bill is trying to prevent. I think it ought to pass.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—91.

Allen,	Donnally,	Lowers,	Shaffer, I. E.,
Ambler,	Dunn, H. B.,	Malie,	Shern,
Bass,	Dunn, J. A.,	Mather,	Sherwood,
Bayle,	Eichenberger,	Matt,	Snavely,
Becker,	Ewing,	McAllister,	Speiser,
Benninger,	Fahey,	McArdle,	Spillinger,
Benson,	Flynn,	McCaig,	Steedle,
Berntheizel,	Foster, J. D.,	McClintock,	Stein,
Bigger,	Gans,	Mechling,	Stone,
Brownlee,	Geiser,	Mellott,	Strauss,
Caldwell,	Good,	Neely,	Swartz,
Campbell, C.M.,	Gramley,	Newbaker,	Thomas,
Campbell, J. J.,	Hackett,	Pcachey,	Ulman,
Carter,	Hemminger,	Perry, S. J.,	Whitaker,
Cheeseman,	Humes,	Piper,	Wildman,
Cleary,	Jackson,	Price,	Williams,
Conner,	Kennedy,	Redfield,	Wilson, J. H.,
Cox,	Kern,	Richards,	Wilson, W. H.,
Currier,	Kitts,	Roney,	Wiltbank,
Curry,	Kuhn, H. P.,	Sassaman,	Young, G. K.,
Davis,	Kuhns, E.G.M.,	Savacool,	Zimmerman,
DeFrees,	Leslie,	Shaffer, C. A.,	Alter,
Dickinson,	Letzkus,		Speaker.

NAYS—78.

Alworth,	Heidinger,	McAleer,	Rex,
Baldwin, G. A.,	Herman,	McDermott,	Rhoads,
Baldwin, R. J.,	Heyburn,	McKay,	Robinson,
Barner,	Hibshman,	Miller,	Rockwell,
Bergey,	Hobbs,	Mitchell,	Rothenberger,
Blair, W. F.,	Howard, J.,	Morrow,	Scott, S. B.,
Brosius,	Howard, R.,	Moses,	Semmens,
Burnett,	Irwin, H. H.,	Moulthrop,	Smith, J. W.,
Carson,	Jones,	Murphy,	Smith, L.,
Claycomb,	Jones, J. R.,	Musser,	Snyder,
Cochran,	Kaiser,	Newton,	Spangler,
Collins,	Kaufman,	Pennegar,	Steele,
Conniff,	Keegan,	Pennock,	Swift,
Down,	Lanius,	Perry, H. L.,	Trach,
Ely,	Latshaw,	Peters,	Ulerich,
Glenn,	Light,	Post,	Walnut,
Goss,	Lohr,	Ramsey,	Walsh,
Grabe,	Mannion,	Reese,	Watson,
Gray, Frank,	Martin,	Reeser,	Young, J. H.,
Haggerty,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 384, as follows:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to practice medicine or surgery who is an habitual drunkard or who at the time is under the influence of alcohol or who is an habitual user of drugs

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred nor more than one thousand dollars For a subsequent offense such person in addition to paying such fine shall forfeit the right to practice medicine or surgery in this Commonwealth until such time as the State bureau of medical Education and Licensure shall judge that he has fully recovered from his impairment

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Adams,	Forster, I. G.,	Malie,	Runk,
Allen,	Frey,	Mannion,	Sassaman,
Alworth,	Gans,	Martin,	Savacool,
Ambler,	Geary,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Geiser,	Matt,	Schuck,
Baldwin, R. J.,	Gibson,	McAleer,	Scott, J. R. K.,
Barner,	Glenn,	McAllister,	Scott, S. B.,
Bass,	Good,	McArdle,	Semmens,
Bayle,	Goss,	McClintock,	Shaffer, C. A.,
Becker,	Grabe,	McDermott,	Shaffer, I. E.,
Benninger,	Gramley,	McKay,	Shern,
Benson,	Gray, Frank,	Mechling,	Sherwood,
Bergey,	Hackett,	Mellott,	Showalter,
Berntheizel,	Haggerty,	Metzenbacher,	Smith, J. W.,
Bigger,	Heidinger,	Miller,	Smith, L.,
Bittles,	Hemminger,	Missimer,	Snavely,
Blair, W. F.,	Herman,	Mitchell,	Snyder,
Body,	Hess,	Moore,	Spangler,
Brosius,	Heyburn,	Morrow,	Speiser,
Brownlee,	Hibshman,	Moses,	Spillinger,
Burnett,	Hobbs,	Moulthrop,	Steedle,
Caldwell,	Hoffman,	Murphy,	Steele,
Campbell, C.M.,	Howard, J.,	Musser,	Stein,
Carson,	Howard, R.,	Neel,	Stone,
Carter,	Humes,	Neely,	Strauss,
Cheeseman,	Isler,	Newbaker,	Swartz,
Claycomb,	Irwin, H. H.,	Newton,	Swift,
Cleary,			

Cochran,	Jackson,	North,	Thomas,
Collins,	Jones, E. E.,	O'Neill,	Trach.
Conner,	Jones, J. R.,	Peachey,	Ulerich,
Conniff,	Kaiser,	Pennegar,	Ulman,
Conrade,	Kaufman,	Pennock,	Walnut,
Cox,	Keeport,	Perry, H. L.,	Walsh,
Currier,	Kenna,	Perry, S. J.,	Walton,
Curry,	Kennedy,	Peters,	Watson,
Davis,	Kern,	Piper,	Wettach,
DeFrees,	Kitts,	Post,	Whitaker,
Dickinson,	Klepper,	Price,	Whitman,
Donnally,	Kuhn, H. P.,	Ramsey,	Wildman,
Down,	Kuhns, E.G.M.,	Redfield,	Williams,
Dunn, H. B.,	Lanius,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Reeser,	Wilson, W. H.,
Ehrhardt,	Leslie,	Rex,	Wiltbank,
Eichenberger,	Letzkus,	Rhoads,	Young, G. K.
Ely,	Light,	Richards,	Young, J. H.,
Ewing,	Lohr,	Robinson,	Zimmerman,
Fahey,	Lowers,	Rockwell,	Alter,
Flynn,		Roney,	Speaker.

NAYS—6.

Campbell, J. J.,	Foster, J. D., McCaig,	Gray, Joseph, Rothenberger,	Keegan.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 737, as follows:

An Act providing for the compensation of district attorneys whose terms expired on the first Monday in January nineteen hundred and thirteen but who by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania were required to serve an additional year

Whereas District attorneys whose terms of office expired on the first Monday in January one thousand nine hundred and thirteen were required to serve an additional year by virtue of an amendment of article fourteen section two of the Constitution of Pennsylvania and

Whereas The schedule to the amendments of November second one thousand nine hundred and nine provided "In case of officers elected by the people all terms of office fixed by act of Assembly at an odd number of years shall each be lengthened one year" therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennnsylvania in General Assembly met and it is hereby enacted by the authority of the same That district attorneys serving an additional year in acordance with the said schedule to the amendments to the Constitution of this Commonwealth and the laws enacted in pursuance thereof shall be paid for such additional year the salary for the proper county as computed by the Federal census of one thousand nine hundred and ten under the schedule provided by section two of an act approved April seventeenth one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services" and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county

And said bill having been read at length the third time, considered and agreed to.

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Adams,	Forster, I. G.,	Light,	Robinson,
Allen,	Foster, J. D.,	Lohr,	Rockwell,
Alworth,	Frey,	Lowers,	Roney,
Ambler,	Gans,	Malie,	Rothenberger,
Baldwin, G. A.,	Geary,	Mannion,	Runk,
Baldwin, R. J.,	Geiser,	Martin,	Sassaman,
Barner,	Gibson,	Mather,	Savacool.
Bass,	Glenn,	Matt,	Schaeffer, A. C
Bayle,	Good,	McAleer,	Schuck,
Becker,	Goss,	McAllister,	Scott, J. R. K.,
Benninger,	Grabe,	McArdle,	Semmens,
Benson,	Gramley,	McCaig,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McDermott,	Shern,
Bigger,	Hackett,	McKay,	Sherwood,
Bittles,	Haggerty,	Mechling,	Showalter,
Blair, W. F.,	Heidinger,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Snavely,
Brownlee,	Hess,	Missimer,	Snyder,
Burnett,	Heyburn,	Mitchell,	Spangler,
Caldwell,	Hibshman,	Moore,	Speiser,
Campbell, C.M.,	Hobbs,	Morrow,	Spillinger,
Campbell, J. J.,	Hoffman,	Moses,	Steedle,
Carson,	Howard, J.,	Moulthrop,	Steele,
Carter,	Howard, R.,	Murphy,	Stein.
Cheeseman,	Humes,	Musser,	Stone,
Claycomb,	Isler,	Neel,	Strauss,
Cleary,	Irwin, G. C.,	Neely,	Swartz,
Cochran,	Irwin, H. H.,	Newbaker,	Swift,
Collins,	Jackson,	Newton,	Thomas,
Conner,	Jones, E. E.,	North,	Trach,
Conniff,	Jones, J. R.,	O'Neill,	Ulerich,
Conrade,	Kaiser,	Peachey,	Ulman,
Cox,	Kaufman,	Pennegar,	Walnut,
Currier,	Keegan,	Pennock,	Walsh,
Curry,	Keeport,	Perry, H. L.,	Walton,
Davis,	Kennedy,	Perry, S. J.,	Watson,
DeFrees,	Kern,	Peters,	Wettach,
Dickinson,	Kitts,	Piper,	Whitaker,
Donnally,	Klepper,	Post,	Whitman,
Down,	Kuhn, H. P.,	Price,	Wildman,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Williams,
Dunn, J. A.,	Lanius,	Redfield,	Wilson, J. H.,
Ehrhardt,	Latshaw,	Reese,	Wilson, W. H.,
Eichenberger,	Lenker,	Reeser,	Wiltbank,
Ely,	Leslie,	Rex,	Young, G. K.
Ewing,	Letzkus,	Rhoads,	Young, J. H.,
Fahey,	Light,	Richards,	Zimmerman,
Flynn,	Lohr,	Robinson,	Alter,
	Lowers,	Rockwell,	Speaker.
	Malie,	Roney,	
	Mannion,	Rothenberger,	
	Martin,	Runk,	
	Mather,	Sassaman,	
	Matt,	Savacool.	
	McAleer,	Schaeffer, A. C	
	McAllister,	Schuck,	
	McArdle,	Scott, J. R. K.,	
	McCaig,	Semmens,	
	McClintock,	Shaffer, C. A.,	
	McDermott,	Shaffer, I. E.,	
	McKay,	Shern,	
	Mechling,	Sherwood,	
	Mellott,	Showalter,	
	Metzenbacher,	Smith, J. W.,	
	Miller,	Smith, L.,	
	Missimer,	Snavely,	
	Mitchell,	Snyder,	
	Moore,	Spangler,	
	Morrow,	Speiser,	
		Spillinger,	
		Steedle,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GRAMLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. GRAMLEY. Mr. Speaker, the Department of Public Instruction yesterday afternoon asked me to prepare a bill and to offer it to this House. We did so and took the bill to the Reference Bureau and they could not get it ready yesterday afternoon and the bill was not brought in.

Now, I ask unanimous consent of the House to present this bill.

The SPEAKER. Is there any objection? The Chair hears none, and the gentleman will file the bill with the Clerk

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 364, as follows:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "linseed oil" as used in this act shall mean an oil wholly the product obtained from pure flaxseed and conforming to the following requirements

First Its specific gravity at a temperature of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315) nor greater than nine thousand three hundred and sixty ten-thousandths (.9360)

Second Its acid value not exceed six (6)

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187) nor greater than one hundred and ninety-five (195)

Fourth It shall not contain more than one and one-half per centum of unsaponificable matter

Fifth Its iodine value (Hanus number) shall be not less than one hundred and seventy (170) nor greater than one hundred and ninety (190)

The words "boiled linseed oil" as used in this act shall mean linseed oil as above defined which has been heated to a temperature of at least one hundred and seven degrees centigrade and conforming to the following requirements

First It shall not contain free rosin or rosin oil nor shall it contain rosin as resinates in excess of one per centum

Second It shall not contain more than two per centum of unsaponificable matter

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185) nor greater than one hundred and ninety-five (195)

Fourth Its iodine value (Hanus number) shall be not less than one hundred and sixty (160) nor greater than one hundred and ninety (190)

Fifth Its specific gravity at a temparture of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and twenty-five ten-thousandths (.9325) nor greater than nine thousand four hundred and fifty ten-thousandths (.9450)

Section 2 The word "container" as used in this act shall mean any tank barrel keg can bottle jug or other vessel in which raw or boiled linseed oil or any compound or imitation thereof shall be stored sold or offered for sale

The word "person" as used in this act shall mean any individual partnership or corporation acting directly or acting indirectly through the agent servant or employe of such person

The word "marked" as used in this act shall mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words may be indicated in or on a container or on any label attached thereto

Section 3 It shall be unlawful for any person to store or sell or offer for sale any of the following commodities in a container having therein or thereon marked the words "linseed oil" or "flaxseed oil" or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flaxseed oil" namely

One Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Two Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Three Any imitation of linseed oil

Section 4 It shall be unlawful for any person to sell or offer for sale as linseed oil any compound or imitation of linseed oil without notifying the purchaser thereof in writing at the time of such sale that the oil so sold is a compound or imitation of linseed oil

Section 5 Any person who shall violate any of the provisions of this act shall upon conviction thereof before any alderman magistrate or justice of the peace of the county wherein the offense shall have been committed be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or in default thereof shall be committed to the jail of the proper county for a period of not less than thirty days nor more than sixty days

Section 6 It shall be the duty of the Secretary of Agriculture to cause the provisions of this act to be enforced All fines recovered in pursuance of this act shall be paid to or to the order of the Secretary of Agriculture and by him paid into the State Treasury

Section 7 Any person refusing to sell any oil to the Secretary of Agriculture or his agent or agents or in any way interferring with the enforcement of the act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars together with the cost of prosecution

Section 8 Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination The results of such examination shall be reported to such person within fifteen days from the receipt by the Department of such sample The fee for said examination shall be one dollar which shall be paid before such examination shall be made All moneys received from such examination shall be paid into the State Treasury

Section 9 The Secretary of Agriculture may from time to time cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act

Section 10 This act shall go into effect on the first day of June Anno Domini one thousand nine hundred and thirteen

Section 11 All necessary expenses incurred in the enforcement of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 12 The act approved the twenty-third day of April Anno Domini one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April Anno Domini one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one providing for the payment of expenses for the enforcement of the provisions of said act" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. E. E. JONES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 5, line 6, by striking out the word "shall" and inserting instead the word "may."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 774, entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled 'An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight"

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I desire to ask a little information relative to this bill and the purpose of the same. I see it repeals an act which ceded a certain road to the United States Government. I believe, if my memory serves me without having looked it up, the Government was to make certain improvements in relation to that road and connect it with certain other Government highways. What is the purpose of this bill?

The SPEAKER. The gentleman from Lancaster, Mr. Frey, does not seem to be in the hall.

BILL POSTPONED.

Mr. ALLEN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 118, as follows:

An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National Party Conventions and of certain party officers a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Seantor the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke party rule and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates of political parties as herein defined for the office of Representative in Congress for all elective State County City Ward Borough Township School District and election division offices and for all other elective public offices except that of Presidential elector shall be nominated and delegates and alternate delegates to national party conventions shall be elected at primaries held in accordance with the provisions of this act and in no other manner All such party officers including members of the national committee as are required by the rules of the several political parties to be are required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at primaries held in accordance with the provisions of this act

At the primary next preceding the election of a United States Senator every qualified elector of a political party herein defined to be a party within the State shall have opportunity at such primary subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for United States Senator

In the years when candidates for the office of President of the United States are to be nominated every qualified elector of a political party herein defined to be a political party within the State shall have opportunity at the primaries held in such years subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for president

This act shall not apply to the nomination of candidates to be voted at special elections to fill vacancies and nothing herein contained shall prevent any body of electors not constituting a political party from nominating candidates by nomination papers as is now or may hereafter be provided by law

The State committee of each political party may make such rules for the government of the party not inconsistent with law as it may deem expedient and may also revoke or alter or amend in any manner not inconsistent with law any present or future rules of the party

Section 2 Any party or body of electors one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State

not less than two per centum of the largest entire vote cast in each of said counties for any candidate and polled a total vote in the State equal to at least two per centum of the largest entire votes cast in the State for any candidate is hereby declared to be a political party within the State and shall nominate all its candidates for any of the offices provided for in this act and shall elect its delegates and alternate delegates to the national convention and also such party officers including members of the national committee as its rules provide shall be elected by a vote of the party electors in accordance with the provisions of this act

Any party or body of electors one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any candidate in any county is hereby declared to be a political party within said county and shall nominate all its candidates for office in such county and in all political districts within said county or of which said county forms a part and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors in accordance with the provisions of this act

Section 3 One primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates or alternate delegates to national party conventions or party officers elected as herein provided The said primaries shall be held on the third Saturday of September in all odd numbered years and on the third Saturday of May in all even numbered years The primary held on the third Saturday of September shall be known as the fall primary and the primary held on the third Saturday of May shall be known as the spring primary

Candidates for all offices to be filled at the general election shall be nominated at the spring primary Delegates and alternate delegates to national party conventions and such party officers including members of the national committee as are required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the spring primary

The vote for candidates for the office of President of the United States and for the office of United States Senator as herein provided for shall be cast at the spring primary

Candidates for all offices to be filled at the municipal election shall be nominated at the fall primary

Section 4 On or before the ninth Saturday preceding the spring primary the Secretary of the Commonwealth shall send to the County Commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nominating petitions in the office of the Secretary of the Commonwealth including that of President of the United States and that of United States Senator and shall also in said notice set forth the number of Representatives in Congress and officers of the Commonwealth to be elected at the next succeeding election by a vote of the electors of the State at large and the number to be elected by a vote of the electors of the county or of any district therein or any district of which such county forms a part

On or before the ninth Saturday preceding the fall primary the Secretary of the Commonwealth shall send to the County Commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nominating petitions in the office of the Secretary of the Commonwealth and designating how many persons are to be elected to such offices respectively at the next succeeding election and also designating the number of aldermen and justices of the peace to be nominated therein at the ensuing primary and also the political divisions in which said aldermen and justices of the peace are to be nominated therein at the ensuing primary and also the political divisions in which said aldermen and justices of the peace are to be nominated On or before the ninth Saturday preceding the spring primary the chairman of the State committee of each political party herein defined to be a political party within the State shall send to the county commissioners of each county a written notice setting forth the number of delegates and alternate delegates to the national convention of such party which are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates which are to be elected at said primary in such county or in any district of which such county forms a part The said notice shall also set forth the number of members of the national committee which under the party rules are to be elected at the said primary in the State at large and the number of members of the State committe which under the party rules are to be elected at the said primary in such county or in any district of which such county forms a part

On or before the ninth Saturday preceding the spring primary the chairman of the county committee of each party shall send to the County Commissioners of such county a written notice setting forth the names of all party offices within the county to be filled by election at the ensuing primary

On or before the ninth Saturday preceding the fall primary the clerks or secretaries of the various cities boroughs townships and school districts shall respectively send to the County Commissioners of their respective counties a written notice setting forth the names of all city borough township and school district offices for which candidates are to be nominated at the ensuing primary

Beginning not earlier than nine weeks nor later than eight weeks before the primary the county commissioners of each county shall publish the number of delegates and alternate delegates to the national convention of each party which are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates which are to be elected at said primary in such county or in any district of which such county forms a part and shall also publish the names of all offices for which nominations are to be made and the names of all party offices including that of members of the national committee for which candidates are to be elected at said primary in said county or in any district of which such county forms a part or in the State at large Said notice shall contain the date of the primary and shall be inserted in two newsppers of general circulation published within the county wherever such course is possible at least once each week for three successive weeks Such newspapers so far as practicable shall be representative of the two different political parties polling the highest vote in such county at the last preceding November election the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party

Section 5 Official primary ballots for each party shall be prepared by the County Commissioners These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance The ballot for each party shall be in the following form

.....PRIMARY BALLOT

(Name of Party)

.....District ..... Ward City of .....
County of .....State of Pennsylvania
Primary held on the ..... day of ..... 191..

Make a cross (X) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

PRESIDENT OF THE UNITED STATES

(Vote for One)

John Doe .....
Richard Roe .....
John Stiles .....

UNITED STATES SENATOR

(Vote for One)

John Doe .....
Richard Roe .....
John Stiles .....

GOVERNOR

(Vote for One)

John Doe .....
Richard Roe .....
John Stiles .....

REPRESENTATIVE IN CONGRESS AT LARGE

(Vote for .....)

John Doe .....
Richard Roe .....
John Stiles .....

REPRESENTATIVE IN CONGRESS .... DISTRICT

(Vote for One)

John Doe .....
Richard Roe .....
John Stiles .....

DELEGATE AT LARGE TO NATIONAL CONVENTION

(Vote for .....)

John Doe (Promises to support popular choice of party in the State for President) .....
Richard Roe .....
John Stiles (Does not promise to support popular choice of party in the State for President).....

DELEGATE TO NATIONAL CONVENTION .... DISTRICT

(Vote for .....)

John Doe (Promises to support popular choice of..... party in .....district for President).....
Richard Roe .....
John Stiles (Does not promise to support popular choice of party in .... district for President)...
State Senator ..... District
John Doe (Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes at the election) .....
Richard Roe .....
John Stiles (Refused to sign statement promising to vote for the candidate for the United States Senator who receives the highest number of votes cast at the election) .....

DISTRICT ATTORNEY

(Vote for One)

John Doe .....
Richard Roe .....
John Stiles .....

PARTY COMMITTEEMEN

(Vote for .....)

John Doe .....
Richard Roe .....
John Stiles .....

Under each group of names of candidates shall be printed as many blank spaces defined by light lines or rules three-eighths of any inch apart as there are to be candidates nominated for such office

(On the back of such ballot shall be printed in prominent type the words "Official primary ballot of .... Party" and there shall also appear on the back of such ballot the face simile signatures of the County Commissioners of the county)

The ballot shall vary in form only as the names of districts offices candidates or the provisions of this act may require

The names of candidates shall appear in alphabetical order under the respective offices opposite or under the name of each candidate except candidate for the office of President of United States who is to be voted for by the electors of more than one county shall be printed the name of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county or any Congressional Senatorial or Representative district within the county shall be printed the name of the township borough or ward and city as the case may be in which such candidate resides

The voter may designate his choice as is indicated by the instructions shown on the form of ballot above set forth If he shall vote for more persons for any office than there are candidates to be nominated for such office or if for any reason it be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

Section 6 The names of candidates for nomination as President of the United States and as United States Senator and the names of all other party candidates shall be printed upon the official ballot of a designated party upon the filing of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made or election is to be held and the filing of affidavits by the candidates as provided in this act and the names of no candidates shall be printed upon an official ballot of a political party to be used at any primary unless such petitions shall have been filed and unless such candidates except they be candidates for office of President of the United States shall have filed affidavits as hereinafter provided

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a member of the party designated in such petition Provided however that where there are to be elected two or more persons to the same office each signer may sign petition for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county therein named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district or division therein named in which the nomination is to be made or the election is to be held He shall add his occupation and residence giving city borough village or township with street and number of any and shall also add the date of signing No nomination petition shall be circulated prior to sixty (60) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within sixty (60) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the State or of the political district or division as the case may be referred to in said petition his residence giving city borough or township with street and number if any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date set opposite his name and that to the best of affiant's knowledge and belief the signers are qualified electors of the State or of the political district or division as the case may be

(b) Each candidate shall file with his nomination petition his affidavit stating his residence with street and number if any and his postoffice address his election district the name of the office for which he desires to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the postoffice address of such candidate shall be stated in such nomination petition

(c) Each candidate seeking nomination to the office of State Senator at any primary and each candidate seeking nomination to the office of member of the State House of Representatives at the primary next preceding the election of a United States Senator may include with his affidavit the statement hereinafter set forth in this section and subdivision but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition

Such statement if any be made shall be in substantially the following form

STATEMENT

I hereby declare to the people of Pennsylvania and to the people of ..... (Senatorial Representative district that during my term of office I will always vote without regard to my individual or party preference for that candidate for United States Senator who shall receive the highest number of votes cast in the State for that position at the general election next preceding the election of such United States Senator

.....

Signature of candidate for nomination

On the ballot used at the primary after or under the name of each candidate for State Senator or Member of the State House of Representatives shall appear the words

Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" or "Refused to sign statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" according as the candidate included or failed to include the above statement with his affidavit"

(d) Each candidate for election as delegate or alternate to a national party convention may include with his affidavit the statement hereinafter set forth in this section but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition Such statement if any be made shall be in substantially the following form

DELEGATE'S STATEMENT

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large otherwise insert ".....District") that if elected and in attendance as a delegate to the national convention of the party I shall with all fidelity to the best of my judgment and ability in all matters coming before the convention support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") by the voters of my party for said office at the ensuing primary and shall use all honorable means within my power to aid in securing the nomination for such candidate for President

.....

Signature of candidate for delegate or alternate delegate

On the ballot used at the primary after or under the name of each candidate for delegate or alternate delegate to a national party convention shall appear the words "Promises to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") for President" or "Does not promise to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert "..... District') for President" according as the candidate included or failed to include the above statement with his affidavit

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a national party convention and for the office of member of the state or national committee shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least three weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States the office of delegate or alternate at large to a national party convention or for the office of member of the national committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a member of the House of Representatives of the United States to be filled by a vote of the electors of a Congressional district or of delegate or alternate to a national party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of State Senator by at least two hundred qualified electors

(d) If for the office of a member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by at least one hundred qualified electors

(e) If for inspectors of election by at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

Section 8 No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the Court of Common Pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In the case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceeding including all witness fees"

Section 9 The Secretary of the Commonwealth immediately after the last day fixed for the filing of said pe-

titions with him shall forward to the county commissioners of each county a correct list of candidates of each party for the various offices as shown in such petitions with their respective residences and postoffice addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners In the case of each candidate for nomination to the office of State Senator at any primary or a member of the State House of Representatives at the primary next preceding the election of a United States Senator the Secretary of the Commonwealth shall certify as to whether such candidate has included with his affidavit provided for in subdivision (d) of Section six of this act

The county commissioners shall have on file in their office on and after the Tuesday preceding the primary open to public inspection forms of the ballots with the names and such statements and notations as may be required by the provisions of this act printed thereon which shall be used in each election district within such county

Section 10 The county commissioners shall prepare and furnish to the election officers for use at the primaries as many official ballots of each party as are equal to double the largest entire vote cast for any candidate of said party within the election district at any of the last three preceding general elections Provided that the county commissioners upon request made in writing by any candidate of any party within four weeks prior to the primary shall furnish such additional number of ballots in any election district as said county commissioners may deem necessary

The county commissioners shall also furnish specimen ballots for the use of electors at the polls equal in number to one-fourth the whole number of official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballot On the back of each specimen ballot for the primary next preceding the election of a United States Senator or for any primary at which a State Senator is to be nominated the County Commissioners shall print subdivision C of Section six of this act

On the back of each specimen ballot for the primary next preceding the edection of a President of the United States the county commissioners shall print subdivision (d) of section six of this act

The official ballots shall be bound in books of one hundred each in the same manner as ballots at elections and shall be delivered to the officers of election in the same manner as ballots are or hereafter may be required by law to be delivered to officers of election for use at elections

The County Commissioners shall prepare and furnish to the election officers at the primaries such ballot boxes properly numbered for each election district lists of voters forms including forms of affidavits for obtaining assistance in marking ballots and for voters challenged as to identity residence and bribery blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them in the same manner as at elections The said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries They shall also provide for the opening of the polling places for the compensation of the owners thereof shall see that they are in proper order and provided with voting booths as at elections

Section 11 The primaries shall be conducted by the regular election boards duly elected under existing laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies in election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as he is now required by law

The polls shall be open between the hours of eight o'clock ante meridian and eight o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary only between the hours of seven o'clock ante meridian and eight o'clock post meridian

Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided however that no elector shall be permitted to receive any assistance in marking his ballot except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by such election officer or clerk as the said voter may select who shall mark his ballot for him in acordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical condition as to make it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot It shall be the duty of the judge of election to decide whether or not such physical disability exists and according to such decision to grant or refuse to grant a voter the right to have assistance If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form "I (name of voter) do solemnly swear (or affirm) that I am unable to mark by ballot without assistance because" and after the word "because" shall be left a blank in which shall be written the specific disability which must be a "physical disability" within the meaning of this act The judge of election shall reduce said oath to writing shall together with inspectors of election certify the same and return it to the County Commissioners with other papers required by law to be so returned The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list

Section 12 The County Commissioners shall keep an accurate account of the entire expense of holding such primaries including the preparation and delivery of supplies voting materials et cetera and the total amount shall be paid in the first instance by the County Treasurer upon the order of the County Commissioners As soon as convenient thereafter the County Commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the money in the State Treasury not otherwise appropriated

Section 13 The qualifications of electors entitled to vote at a primary shall be the same as the qualifications of electors entitled to vote at elections within the election district where the primary is held except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid within two years before the next succeeding election a State or county tax which shall have been assessed at least two months and paid at least one month before the said election and on or before the day of the primary and in cases where personal registration is required on or before the registration day day or which the elector registers Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or identity on election day and may be challenged as to identity as to bribery and as to any matter arising since registration

Each elector shall have the right to receive the ballot of the party for which he asks Provided That if he is challenged he shall be required to make oath or affirmation that at the last preceding election at which he voted he voted for a majority of the candidates of the party for whose ballot he asks

If such last preceding election at which such elector voted was a general election at which Presidential electors were voted for he shall in determining the number of candidates for which he voted at such last preceding election count the group of Presidential electors as two candidates

Upon executing such affidavit the voter shall be entitled to receive the ballot for which he has called and to cast his vote according to law If he is unable or unwilling to take such affidavit he shall be denied the right to receive such ballot but he shall not be deemed thereby to be guilty of any violation or attempted violation of this law

Section 14 The ballot boxes lists of voters (a copy of which shall be posted outside of the polling place) and other records shall be delivered into the custody of the officers who are or hereafter may be required by law to keep similar records of elections

Upon the closing of the polls at such primary the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number cast for each party and make a record thereof and then count the vote cast for the different persons named upon said party ballots and make a record thereof and when said count is finally completed they shall certify in due and proper form to the number of votes cast for each person upon the respective party tickets They shall then place the ballots so counted and canvassed together with all stubs and unused ballots in an envelope or package to be furnished by the County Commissioners and forthwith seal the same and they shall also place the returns of votes and the register of voters aforesaid for each party together with affidavits made pursuant to the provisions of this act in separate envelopes and forthwith seal the same all of said envelopes and packages shall then be kept by the judge of election and shall on or before noon of the Tuesday following be deposited by him in person or by registered mail with the County Commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the Court of Common Pleas for the use of its processes to enforce the provisions of this act in relation to the returns of the election officers

All the ballots together with the stubs and unused ballots and all returns of votes registers of votes and affidavits returned to the County Commissioners as aforesaid shall be carefully preserved by them for a period of at least one year

Section 15 Upon the sworn petition of ten qualified electors of any county setting forth that they believe fraud or error has been committed in any election precinct division or district of or in said county or of which said county forms a part the County Commissioners shall open the envelopes or packages containing the ballots of such election precinct division or district and recount the votes It shall not be necessary for the petitioners to set forth in their petition or to establish the grounds of their belief that such fraud or error has been committed

An appeal may be taken within ten days from any decision of the County Commissioners in the matter aforesaid to the Court of Common Pleas of the proper county whose duty it shall

be to forthwith hear said appeal The Court on said appeal shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in said election precinct division or district and to make such decree as right and justice shall require and in making such decree the Court may reject any or all of the votes cast in said election precinct division or district

Section 16 The County Commissioners shall make the proper certification of returns of votes cast for the candidates for nomination for the office of President of the United States Senator of the United States member of the House of Representatives of the United States and for all State offices for the office of delegate and alternate delegate to a national party convention and member of the national committee to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners of the respective counties the result of the computation of the vote for all such offices as shall be voted for at the succeeding election including that of United States Senator at least twenty-days prior to the date of such election and shall also certify within said time to said county commissioners the names of the Presidential electors chosen and certified to him as hereinafter provided

The Secretary of the Commonwealth shall forthwith prepare a statement from said returns showing the total number of votes cast in the State and in each Congressional district of the State for each candidate of each political party for nomination as President of the United States and shall make public announcement thereof He shall also forthwith send a duplicate of such statement to the County Commissioners of each county

The Secretary of the Commonwealth shall also forthwith ascertain from said returns the persons in each political party who have been duly elected as delegates and alternate delegates to the national convention of such party and the person in each party who has been duly elected a member of the national committee of the party and shall forthwith issue to each of such persons a certificate of election which certificate of election in the case of delegate and alternate delegate to a national party convention shall show the number of votes received in the State or in the political district of the State as the case may be by each candidate of such delegate's and alternate delegate's political party for nomination as President of the United States

Section 17 Candidates of the various political parties for nomination as herein provided for except for the office of the President of the United States who receive a plurality of votes of their party electors in the State or in the political district or division as the case may be at a primary together with the candidates for the office of Presidential elector nominated as hereinafter provided shall be the candidates of their respective parties and it shall be the duty of the proper officers to print their names upon the official ballots for use at the succeeding election as is now or may hereafter be required by law

The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator shall be printed upon the official ballot for use at the succeeding election as the candidate of his party for said office under the heading "United States Senator"

Candidates of the various political parties for the office of delegate and alternate delegate at large to a national party convention who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the national convention of their respective parties Candidates of the various political parties for the office of delegate and alternate delegate other than delegate and alternate delegate at large who receive a plurality of the votes of their party electors in the political district or division in which they are candidates shall be the duly elected delegates and alternate delegates to the national convention of their respective parties

Candidates of the various political parties for the office of member of the national committee in cases where the rules of the party provide that such office shall be filled by a vote of the party electors who receive a plurality of the votes of the party electors at a primary shall be the duly elected members of the national committee of their respective parties

Candidates for other party offices who receive a plurality of the votes of the party electors at a primary shall be the party officers of their respective parties

In cases of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be on the third Monday after the primary and the one to whom the lot shall fall shall be entitled to the nomination or election Provided however That in any case where the fact of a tie vote is not authoritatively determined until after the third Monday after the primary the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the County Commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Vacancies happening or existig after the date of the primary may be filled in accordance with the party rules as is now or may hereafter be provided for by law

Section 18 The nominee of each political party for the office of President of the United States shall within thirty days after his nomination by the National Convention nominate as many persons to be the candidates of his party for the office of Presidential elector as the State is then entitled to If for any reason the nominee of any political party for the office of President of the United States fails or is unable to make the said nominations within the time herein provided then the nominee of such party for the office of Vice-President of the United States shall as soon as may be possible after the expiration of said thirty days make the nominations

The names of such nominees shall be certified immediately to the Secretary of the Commonwealth by the nominee for the office of President or Vice-President as the case may be making the nominations

Vacancies happening or existing after the date of nomination shall be filled by the nominee for the office of President or Vice-President making the original nomination Nominations made to fill vacancies shall be certified to the Secretary of the Commonwealth in the manner herein provided for in case of original nominations

Section 19 Any of the candidates for nomination including candidates for President of the United States and United States Senator to be voted for at a primary under this act may at any time before four o'clock of the Wednesday next succeeding the last day fixed for filing nomination petitions withdraw his name as a candidate by a request in writing signed by him and acknowledged before a notary public or justice of the peace and filed with the Secretary of the Commonwealth if such candidate filed his nomination petition with the Secretary of the Commonwealth and in all other cases with the County Commissioners

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the County Commissioners of the proper county a correct list of candidates filing such requests

Section 20 Upon the petition of five or more citizens who are lawful voters of any election district setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the primary in said district it shall be the duty of the Court of Common Pleas of the proper county to appoint two overseers of election in said district who shall be entitled to remain within the polling place during casting and counting of the ballots

Section 21 Each candidate shall be entitled to appoint one watcher at the primary in each election district in which such candidate is to be voted for who shall be a qualified elector of the county but need not be a resident of the district in which he is authorized to act as such watcher and who shall serve without compensation Each watcher shall be provided with a certificate from the county commissioners stating his name the district in which he is authorized to act and the name of the candidate appointing him and shall have the right to remain in the room outside of the enclosed space Watchers shall be required to show their certificates when required to do so

If any election officer officiating at any primary shall refuse to permit a watcher appointed under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment no exceeding one year or both in the discretion of the court"

Section 22 If said watchers or overseers shall be driven away from the polls by violence or intimidation all the votes polled in such election district may be rejected by the proper tribunal making a recount of the votes cast therein or a part or portion of such votes aforesaid may be counted as such tribunal may deem necessary to a just and proper disposition of the case and any person or persons who by violence or intimidation shall threaten or drive away said watchers or overseers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars to undergo imprisonment for a period not exceeding one year or both in the discretion of the court

Section 23 If any person shall sign any nomination petition without being qualified with respect to age sex residence and citizenship to be an elector of the State or of the political district or division as the case may be named in said petition and a resident of the county named on the sheet which he signs or if any person shall set oposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite a signature on a nomination petition a false statement of the signer's place of residence of if any person shal sign more nomination petitions than permitted by the provisions of this act he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars

If any person shall knowingly make a false statement in any affidavits required by the provisions of this act to be appended to or to accompany a nomination petition of if any person shall fraudulently sign any name not his own to any nomination petition or if any person shall fraudulently alter any nomination petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars and to undergo imprisonment for not less than three months nor more than one year

Any person who shall vote or attempt to vote more than once at a primary shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any person who votes or attempts to vote at a primary knowing that he does not possess the qualifications of a voter at such primary as indicated by this act or who shall have unlawfully in his possession an official ballot outside the polling place shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment for a period not exceeding one year or both in the discretion of the Court

Any voter who for the purpose of securing assistance in marking his ballot shall falsely make oath or declare that by reason of physical disability as defined in this act he is

unable to mark his ballot or who without having made the affidavit provided for in this act that he is physically unable to mark his ballot shall permit another to accompany him into the voting compartment or shall permit another person to mark his ballot for him or any person who shall assist a voter in marking his ballot contrary to the provisions of this act or any election officer or clerk who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period of not less than three months and not exceeding one year

No police officer in commission whether in uniform or in citizens' clothes shall be within one hundred feet of a polling place during the conduct of a primary unless in the exercise of his privilege of voting for the purpose of serving warrants or in case of disturbance of the peace and any police officer being so present within one hundred feet of a polling place during the conduct of a primary except for the purposes specified shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a term not exceeding one year or both at the discretion of the court

Any election officer or clerk who shall accompany a voter into a voting compartment without the said voter having first made affidavit as provided in this act that by reason of physical disability he is unable to mark his ballot or any judge of election who shall accompany or who shall permit any election officer or clerk to accompany a voter into the voting compartment when the affidavit which the voter has made is false to the knowledge of such judge of election or who shall permit any person to accompany a voter into the voting compartment in violation of the provisions of this act or who shall fail to properly file and return affidavits and other papers required by this act or by law to be filed and returned to the County Commissioners shall for each such offence be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars and to undergo imprisonment for a period not less than six months and not more than two years

Any election officer who permits a person to vote at any primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is entitled to vote shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any election officer or clerk who shall be guilty of any willful fraud in the conduct of his duties at a primary or who shall make a false return of the votes cast at such primary or who shall deposit fraudulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the lists of voters for the purpose of concealing the deposit of such fraudulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any election officer who refuses to permit a person to receive the party ballot for which he asks after having executed the affidavit herein provided for shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceding one thousand ($1,000.00) dollars or to undergo an imprisonment not exceeding two years or both in the discretion of the Court

Any person who shall directly or indirectly give or promise or offer to give any gift or reward in money goods or other valuable thing to any person with intent to induce him to vote or refrain from voting for any particular candidate or candidates at any primary or shall directly or indirectly procure for or offer or promise to procure for such person any such gift or reward with the intent aforesaid or shall with the intent to influence or intimidate such person to give his vote or to refrain from giving his vote for any particular candidate or candidates at any primary give to or obtain for or assist in obtaining for or offer or promise to give to or obtain for or assist in obtaining for such person any office place appointment or employment public or private or threaten such person with dismissal or discharge from any office place appointment or employment public or private then held by him the person so offending shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Except as modified by the terms of this act election officers and clerks shall be subject to the same pains and penalties for violations or neglect of their duties at a primary as they are or hereafter may be subject to for violation or neglect of such duties at elections In all other respects officers and clerks officiating at primaries shall be subject to the pains and penalties provided by law for offenses committed at primaries The existing laws relating to bribery at primaries except as modified by the terms of this act shall continue in force and shall apply to bribery at primaries as provided by this act

Section 24 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 25 That the following acts of Assembly namely An Act of Assembly entitled "An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six and

An Act of Assembly approved the twenty-second day of May Anno Domini one thousand nine hundred and seven entitled "An Act to amend Section twelve of an act entitled 'An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nomination for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six" and

An Act of Assembly approved the sixth day of April Anno Domini one thousand nine hundred and eleven entitled "An Act to amend Sections two three ten and eleven of an act entitled 'An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing for only one primary election each year in place of two fixing the time for holding the same providing what political party shall be entitled to participate therein and what voter shall be entitled to participate in such primary fixing the time for the election of party officers and changing time for the certifying by the Secretary of the Commonwealth of the computation of the vote for State offices"

And all other acts or parts of acts inconsistent with this that the repeal of said acts shall not in any way interfere with or affect any proceeding pending at the date of the act be and the same are hereby repealed provided however approval of this act

"This act shall not affect any nominations of candidates for borough and township officers which have been made prior to the time of the passage of this act"

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, this is the Uniform Primary Bill. This bill was prepared by the Republican Legislative Committee and Executive Committee in accordance with instructions of the Republican State Convention. It has been referred to this House and o the Committee on Elections and the bill as amended is in such form as is acceptable to the Committee and to all parties concerned and all political parties; by its provisions, taking care of such party rules as the different parties may provide so that the particular political machinery of those parties will be provided for in this act. I want to point out to you the main features of this bill in order that you may clearly understand what are really new, in the main points. It provides for what is in effect the direct election of United States Senators by providing for such candidates to become candidates at the primary; and furthermore candidates at the election; provides for the opportunity for all members of the Legislature to go upon record as to whether or not they will support the choice of the people of the State at the polls for the office of the United States Senator; to give the people of the State, the members of the different political parties, the opportunity to vote for the man whom they wish to have nominated by their political party for the office of President of the United States.

It therefore meets, so far as the United States Senatorship proposition is concerned, practically that which will be brought about by the proposed amendment to the United States Constitution for direction election of United States Senators. Of course, it follows, that if the specific required number of States ratify that proposed amendment, this requirement of the primary will not be needed; but until it is ratified this is an absolute necessity if you wish your direct election..

It includes within it the provisions of Bill No. 130, which passed this House, providing for voters assistance. These, in the main, are the provisions of this bill and I ask you as members of the House to give it your affirmative support.

Mr. R. J. BALDWIN. Mr. Speaker, I appreciate that there has been a great deal of money spent and a great deal of labor placed upon our general election and primary election laws. I really think that the voice goes up throughout the length and breadth of this State, almost unanimously demanding a simple ballot. It is true there

is a great deal of feeling over the question as to whether we should have a better method of expressing directly our wishes, or the people should have a better method or some method of expressing directly their wishes on the question of who shall be their candidate for President of the United States in the Presidential year and who shall be their choice for United States Senators at such times when they are candidates. Of course we differ as to whether the former method of giving our expression is better than the proposed new method, but over and above all of that, I think the burning question of the hour in the minds of the citizens of Pennsylvania and the great cry goes out, 'For gracious' sake give us a simple ballot, so that we may all know how we are voting!" It stands over and above the other proposition, however much you may believe in these other propositions. First give the people a simple method whereby they can express their opinions.

I had wanted to say—and confess that what I have to say may have but little weight on the passage of this bill—but I had earnestly hoped that the sponsor of this bill would give us more time to consider it. It is a voluminous bill, and I am sure that very few members of the House understand the provisions of the bill. I have spent, putting it together consecutively, from thirty-six to forty hours in the study of the bill, until I think I have a fair grasp of the subject matter. Many of the features in it are commendable, but the cumbersome condition that will result from this act will only aggravate instead of remedy the crying evil of the hour. But this is a cumbersome bill and gives us the most cumbersome ballot ever printed, and but a small per cent. of the voters will know how to vote, intelligently, and will be at the mercy of the politician. If you are going to give the people a more cumbersome ballot than what they have now and then restrict the assistance feature, are you not really going in the direction that the people don't want you to. If the people knew what you were doing here today, they would cry out against this bill. To my mind that is the first proposition that should be settled. Had I been a member of the Committee, I would have striven to have given the people a simple ballot first. Personally, I think we have gone the wrong way the last twenty years on the question of election laws. Instead of simplyfying them, we have made it more difficult for the people to understand the proposition and driven voters from the polls, thus making the so-called politician greater influence in party councils, and resulting in an awful waste of public money. The present primary law costs the State annually over $300,000. This bill will add another $100,000 annually. If the people only knew what you propose to do in this bill, they would cry out in just rage against such a cumbersome proposition and awful waste of public money. I must insist: Stop, look and listen! This is not progressivism and though I be the only member to oppose it, I know later on the people will know who threw them the husks.

Now, I will take up a few of the points I consider defects in it. I want to point them out to the House. I do not think the bill should pass in this form, for certain features in it, in my mind, do not clearly express what the intentions are and will not put the machinery in better shape, but are calculated to make it very uncertain.

For instance, we will begin with line 49 on page 6 of the bill, which reads thus:

"On or before the ninth Saturday preceding the fall primary the clerks or secretaries of the various cities, boroughs, townships and school districts shall respectively send to the county commissioners of their respective counties a written notice setting forth the names of all city, borough, township and school district offices for which candidates are to be nominated at the ensuing primary."

Now, there are no clerks in townships and there is no particular secretary. There is a secretary of the school board and a secretary of the township supervisors. Now, under that statute who is to furnish the information? There is no clerk in the township. It does not apply to him. There being two secretaries in the township, which does it apply to? The bill ought to be corrected in that feature. It is an important matter and we can take a little time to discuss it. I hate to take the time of the House, but there is no bill of more importance for your consideration if you agree in the main with the bill. I would have the bill amended, and I went to the sponsor and asked him this morning if he would not postpone the bill so that I could give it more study.

Now turn to page 1421 on line 57, the name of the officer who desires to be a candidate; he must say he is eligible for such office. A man may think he is eligible, but this act should provide, giving the age and how long a citizen of the State and then the question is answered.

Further on down, in line 60, the wording goes along—I mean lines 58 to 60:

"Any law regulating and limiting nominations and election expenses and prohibiting corrupt practices in connection therewith."

I would add to this: "And the name of the political party upon whose ticket he desires his name to be printed," which in my mind is very necessary.

Now, I will go to page 1427 and beginning at line 28 and reading on down to line 39—

Mr. ALLEN. Mr. Speaker, as a suggestion to the gentleman from Delaware, I would ask that he give the House the information that he is reading from the original and not from the reprint of this bill. It is confusing to the members.

Mr. R. J. BALDWIN. Mr. Speaker, I am sorry that I cannot make the change at this time. When the amendment came in I did not get the reprint of the bill. I carried this bill home with me and gave it several hours study and have my data on it. I would like to appeal to the gentleman who is sponsor for this bill to postpone it one more day and let these amendments be prepared. It certainly is a bill which is of such importance that it should not be rushed through here. We certainly can afford to wait until tomorrow. I will agree to have it made a special order tomorrow or any other time. There are some features in this bill still in the reprint that I think should be changed. I am very sorry that I have to apologize to the House that I have not got the reprint, but I cannot change at this time to the reprint.

The SPEAKER. The Chair will state that the file number of the copy of the bill from which the gentleman is reading is 1409.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, I will.

Mr. JOHN R. K. SCOTT. Mr. Speaker, in making this request for the postponement of this bill will the gentleman from Delaware state whether or not he opposes merely sections of this bill or whether he oposes the bill entirely, or whether he is merely using these arguments and specifying the various parts—whether he is merely using these various defects and claims as an indication of his opposition to the whole bill.

Mr. R. J. BALDWIN. Why, Mr. Speaker, I do not think that I can answer whether I will support the bill until I see it finished, until I see what I am going to vote on. I do not think that I can be fairly asked for my expression of opinion until I see it in its final form. That question will come up when these changes are made, which I think are absolutely necessary. I think the sponsor of the bill will agree with me—and I do not think any member of the House will disagree with me—that these points are absolutely necessary to be explained and made clear. I do not know whether I will agree with the bill as a whole or not, and I do not think it is pertinent to ask that question at this time. If the features I have pointed out are corrected, they ought to stand on their own bottom.

Mr. JOHN ROBERT JONES. Mr. Speaker, now the gentleman from Delaware is picking up little defects here and there, that are practically impossible to follow, as he is apparently reading from file folio 1409 and 1933.

Now, in the preparation of this bill careful thought was given to it by—

Mr. R. J. BALDWIN. Mr. Speaker, if the gentleman desires to make a speech, I object. I have the floor. I have not finished. If the gentleman desires to make some explanation in regard to the file folio, I would like to say to the House that for that purpose the Speaker has given notice that this bill is found on page 1409 of the Calendar, and according to what the gentleman from Philadelphia told me, the changes that I am speaking of exist in the present bill.

Now, if the members of the House or the member from Schuylkill desires to follow me, I wil begin over again, and

he can turn to file folio 1409 and see whether I am correct and whether my suggestions are not worthy of consideration.

Mr. SPEAKER, for the benefit of the House I will call attention to the defects in the bill which I have in my hand, and those who desire to follow can turn to file folio 1409 and then turn to page 6 of this bill. You will find in line 50 the objections that I name.

It reads this way: "On or before the ninth Saturday preceding the Fall Primaries, the Clerks or Secretaries of the various cities, boroughs, townships and school-districts." There being no clerks in townships, and two different secretaries, I ask you gentlemen whether that should not be made so that there would be no misunderstanding. I do not believe there is a member of the House who will disagree with me in this, that this particular part ought to be amended. If you will turn to page 13, file folio 1421, in line 57, I put in an amendment after the word "office". Beginning in line 55 the bill reads, "the name of the office for which he desires to be a candidate, that he is eligible for such office." In all probability every man who is a candidate feels that he is eligible to the office for which he is a candidate. Now after all of the work is gone over, you discover that he is not eligible. In the first place, he may not have been in the State long enough, and may not have the qualifications of the office for which he is candidate. Every member of this House knows that there are certain qualifications necessary for the office of Senator, that he must be of a certain age. It is true that to be a candidate for a member of the House requires only the voting qualifications, to be of the age of twenty-one. Therefore, there should be inserted at that point the following; "giving the age and how long a citizen of the State." Is it not important that that change should come in there. Now coming on down and finishing up with line 60 beginning with line 58 it reads: "any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith." At that point I would add: "and the name of the political party upon whose ticket he desires his name to be printed." Isn't that essential? Shouldn't that be added? Going over to page 19, of the bill on file folio 1427, the language is this: "in case the petition to set aside a nomination petition is dismissed, the petitioner shall pay the whole of the costs of the proceedings, including all witness fees," and there it stops. I would add the following: "and no petition shall be considered until the petitioners have filed a bond of good and sufficient endorsement in the opinion of the Court for the payment of said costs." Isn't that a very important matter? There is no provision for these penalties at all and while I am not objecting to the penalties, this is incomplete and the bill should provide for them.

On page 22, beginning with line 22 you read this: "if a voter by reason of physical disability"———but perhaps there will be a dispute there and I will not take it up at this time. I have no doubt but in time some other features,—perhaps there my be none,—may apear that will be necessary to be considered and changed and corrected to carry out the idea of the bill and make the bill complete and effective in all details. I do think that the sponsor of this bill ought to give us time to amend these features. It will be for his own benefit if he is in favor of the bill and may remove objections that may appear in the bill because of the state that it is in.

Mr. JOHN R. K. SCOTT: Mr. Speaker, and Gentlemen of the House, the remarks that have just been made by the gentleman from Delaware are not made with the frankness that remarks ought to be made by a person who on the floor of this House is representing the Republican administration. When he is interrogated as to his position on this bill, he gives to the members of this House no satisfactory reply. If the gentleman from Delaware is opposed to this legislation, he must appreciate his position here, and he ought to have the frankness to say that he opposes this legislation in its entirety. It is a mere subterfuge for him to point out various little defects which exist in every bit of legislation, and then use this as a means of attempting to defeat such important legislation as this or using it as a means of delay. The gentleman from Delaware is here representing the Republican Party as a party man. He has taken his position because of his seniority here in the House as a leader of the administration forces. For him to now attempt to voice against the bill which has been pledged to the people by the Republican Platform puts his party and himself and the administrations in a false light. This bill has been pledged to the people by the Republican Platform. Some of us forget that we are pledged in honor and some of us pledged in writing to the effect that we provide for the nomination by direct vote of all public officers and that we are pledged in honor and many of us pledged in writing to enable the people by direct vote to indicate their choice for United States Senator and make the result binding on the Members of the General Assembly That is all this bill does. This bill is the uniform Primary Act and in that act we give the people the right to bind this House in honor as to its selection of the United States Senator and we do away with the old convention system. For the gentleman who has been on the floor of this House for so many years to use these arguments for the purpose of defeating this bill without taking the manly stand of opposing it in its entirety, misleads us: Now, Mr. Speaker, I have been here this session and many other sessions and I have heard the gentleman from Delaware opposing legislation. I have heard him oppose legislation in the same manner. If he complains about this bill, or the sponsor of this bill or the committee who has prepared this bill then I ask him why he does not offer some better legislation. I have heard him stand on the floor of this House time and time again and complain about legislation, but I have yet in all my years of sessions to hear or see him advance any real legislation. If he has anything better, why doesn't he offer it to this House. If he complains because in boroughs or townships they have no clerks why didn't he go before the committee the same as the rest of us had to ,and voice his opinion or objections to the provision of the bill. I do not think that the gentleman from Delaware is overburdened with Committee work, nor do I think he is carrying around many chairmanships, nor do I see him working hard in the committee rooms when men are working at the midnight hour in our committees. Why could he not appear before the Election Committee and there bring to the attention of the sponsor of this bill the fact that there were no clerks in the township where he happens to be the political representative. Mr. Speaker and gentlemen of the House, do not let the arguments of the gentleman from Delaware deceiveyou. Do not let it deceive or mislead you in so important a piece of legislation. To vote down this bill means that we write ourselves out to the people as not keeping our pledges. If there are any defects in this legislation, we have the parlimentary means of correcting them. When the bill goes out of the House to the Senate the amendments can be offered there, and if the amendments are not satisfactory to the members of the House, we have still the third right under parlimentary proceedings of appointing a conference committee, with representatives from the House and representatives from the Senate, and we will then get there joint opinions of the amendments, which shall then be passed upon by the two Houses. This is probably the most important legislature within the years of our memories. Let us carry out our good work. Let us not be led away from the direct path. We are here entrusted with serving the people, and those of us who are Republicans are here entrusted to lead our party on to her place she so well deserves, to victory. We are pledged by the people to certain legislation. We are pledged in honor, and let us men of this House show to the people of the State of Pennsylvania, that we know how to keep the pledges of our party, and restore the party of Lincoln and the party of McKinley to power in this great nation.

Mr. R. J. BALDWIN. Mr. Speaker, and Gentlemen of the House, according to an ancient writer, it is always the goaded jade that winces. I have never seen it better exemplified than here today. Personally I thought we were discussing the Primary Election act? I have not changed my mind personally. There appears to be one member from the city of Philadelphia who has concluded that here today we are discussing one certain member from Delaware County. He may stoop just as low as he pleases and he may say what he pleases about the gentleman from Delaware County. He may interpret the remarks of the gentleman from Delaware and state them to this House as he pleases. There are some members in this House who can judge for themselves. They have been here for a number of years, and they are acquainted with both the member from Philadelphia and the member from Delaware. If I were to tell you new members of

the House the story and history of this so-called party that he boasts of as being great,—I only know of two great parties, the Republican party and the Democratic party,—if I were to tell you the history and the names of all the men who tried to destroy the belief in this party in the minds of the people, I would not stay outside of the city of Philadelphia to name some of them. I would not lower myself, I would not lower myself to name individuals in this House, much less a member in it. Personally nearly all,—mark what I say, nearly all,—the members with whom I have come in contact in this House have my entire confidence, and I believe when they take the floor they express their honest sentiments. Now neither party introduced this bill, no party introduced that bill, and nobody signed an obligation, unless he be a foolish man, that he would support a piece of legislation unless he had seen that piece of legislation, and especially this identical bill. Why I am not afraid to admit to the House that I not only answered a letter sent out by the State Chairman stating my position that I stood for progressive legislation, but I want to inform the gentleman from Philadelphia that I always stood for Progressive Legislation, at least I thought I did. Why I do not believe any man is worthy to sit in the House, in this House, if he does not do that which he believes stands for progressiveism yet conservative progress, thoroughly understanding just where each step leads you. Our progressivism does not belong to the party that simply takes the name. It belongs to every political party that was ever formed in this country. At least they always professed to stand for it and believed they were so doing. Now if any member in this House thinks that because I have affiliated myself with some political party that that means that I am opposed to the wishes of the people, he is entitled to that opinion, but it is an extremely narrow one, it is worse than that, it is an extremely ignorant one, and worse than that, it is not true. He talks about taking a manly stand in this House.

There are some members of this House, and I don't refer to new members; but there are some I have served with in this House when many times I thought they were pulling off schemes instead of legislating for the State and I differed with them radically and whether I deserved it or not, it comes with very ill grace from that gentleman from Philadelphia, whose history is such as his, to question the gentleman from Delaware. I am asking for changes in that bill because I believe those changes are important. When it comes to the question of final passage, if the House disagrees with me whether they are necessary, then vote on the bill. At the present time, if you think they are very necessary, vote for it. Talk to me about trying to kill the bill by unfair methods—when the charge is made that I take my position for delay, you know that is not correct. I believe every member of this House will agree to making a special order of this bill and I want to say that in all really careful legislative bodies, important measures and the time for considering them, is named sometime prior to their going before the House so that all parties can be fully prepared and have time to investigate and be prepared for it and understand it. It is a wise thing to do. Whether it is a political thing to do, the gentleman from Philadelphia may differ with me but it is the wise thing to do. No man can deny that a vote on this bill with no more knowledge than this House has on it at this time, if they want it correct, they will agree with me that it ought to be put off at least until to-morrow and it is not unfair but it is the thing to do by every member of this House who desires that legislation shall go through in proper form as it effects litigation and misunderstanding that may follow and that is the reason why I ask to put it off until tomorrow. I am willing to make the test tomorrow on a square issue.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I didn't intend to make any reply to the gentleman who is opposing this bill, but his remarks were such that compell me to make some reply, part of which is germain to this bill. Mr. Speaker, when the gentleman from Delaware (Mr. R. J. Baldwin) uses vituperation and makes accussations against myself as the means of answering as the representative of his party and owing to his position I say that that vituperation is but a subterfuge.

He has been called upon to answer and hold here on the floor a position that justifies an answer whether he is for this legislation or whether he is opposed to it; whether he stands by the republican platform or whether he voices the republican platform. The position he holds on the floor of this House requires such answers.

His reply is music to the ears of many who have been my friends, in the past. His reply is but abuse of myself when he says that some of the gentlemen from Philadelphia, pointing insinuatingly towards myself, have led the Republican party to defeat—to the defeat that the party now occupies. He speaks the truth; it was the foolish, fool-hardy positions that many of us took, standing side by side with the gentleman from Delaware in the past sessions of this House, that helped to bring defeat to the Republican party—a defeat of 175,000 votes—and it is just the action of the gentleman from Delaware, in expressing his views today on the floor of this House, that will keep his party in defeat, and when he stands as he does, in his position of blindness and merely uses vituperation in answering what I consider an honest logical position upon legislation, he does not speake strongly for his party.

Gentlemen of the House, I don't purpose to answer him in kind. I have not attempted in voicing this legislation to speak of the gentleman from Delaware in an individual position. I addressed myself to the House referring to him not only in his capacity as a legislator but as one of the senior members of this House, being the leader of his party on the floor of this House, I say, Mr. Speaker, that he does not voice the sentiments of the Republican party when he dodges the real issue or when he attacks another member of the House and merely answers argument by mere vulgar vituperation.

The SPEAKER. The Chair will suggest to the gentleman that the term "vulgar vituperation" is scarcely a proper expression with reference to another member of the House.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I think you are quite right, I, therefore, apologize to the House to the gentleman from Delaware and to the Chair.

The SPEAKER. The Chair is certain that the gentleman used the expression inadvertently.

Mr. JOHN R. K. SCOTT. Gentlemen, don't allow the position of the gentleman from Delaware or the position that I take change your view of the importance of the fact that this is part of the legislation that we of one party are pledged to pass in this House.

Mr. HUMES. Mr. Speaker, I just want to say a word in reply to the gentleman from Delaware. The members of the House will notice that there is inserted in section six to which he refers after the word Clerk the words "or secretary." The gentleman assumes to say that there is no such thing as a township clerk or secretary.

Mr. R. J. BALDWIN. Mr. Speaker, will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Crawford, permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I say there are two secretaries in the township, therefore after the word Clerk either the "Secretary of the School Board" or "Secretary of the Commissioner" should be defined, and that is what I mean.

Mr. HUMES. Mr. Speaker, the act of 1911 providing for the reorganization of Boards of Supervisors directs that they shall organize and elect a secretary and a treasurer. To verify this I refer you to page 943 of the Pamphlet Laws of 1911. The School Code also provides that the School Directors of every township shall organize by electing a secretary and it is not to be presumed that the secretary of the Board of Supervisors is in a better position to notify the Commissioners as to the vacancies in the School Board than the Secretary of the School Board. But this act expressly provides that the Secretary of both the township and the School Board shall render a report to the County Commissioners. I think that this is an imminently proper provision of this act. The gentleman from Delaware has also referred to the assistance feature of this bill. In the first place this question has been passed upon by this House and I believe that there is no reason why the House should reverse itself in the matter of the primary law, but I want to call the gentleman's attention to the fact that the assistance features of this primary law are not the underlying features of the primary law as it exists to-day with reference to assistance. You will remember that the features of the primary law, as it exists to-day, are much more drastic on the subject of assistance

than the election law and we have what are known as amended election laws corresponding with the existing primary law and the provisions in this bill are only in keeping with the existing law.

Mr. SPEAKER. There are two purposes in this bill and outside of these two purposes, there is little of importance in the measure. The first is that this bill provides for a state-wide primary, and the second is that it provides as completely as possible, under our existing Constitution limitations, for a direct expression of public sentiment on the question of the election of United States Senators. Outside of that there is little new in this bill, and I want to say to the gentlemen of the other side of the House who have undertaken to represent that this bill is the product of the Republican legislative committee, that that legislative committee, if it were to study this bill to-day, would never recognize their child. The bill has been so amended in committee—it has been so altered from the product of that Legislative Committee that it would not be recognized by its original drafter. The bill as presented didn't provide any effective method for securing an expression of public sentiment on the question of the election of United States Senators but it provided a rule to support the candidate of its own party. While this bill provides that the candidate must either pledge himself or refuse to pledge himself if a candidate is elected by the people of the State at large and that is the great progressive feature of this bill; it embodies the Oregon Plan for the election of United States Senators. I want to say to you, Mr. Speaker, that this bill, as it comes to us today, is not the original bill that was presented by the Republican party of this State but it is the bill that was contended for by the Democratic Legislative Committee of this State and is the bill for which the Democratic party pledged itself in its last State platform, when it pledged itself for state-wide primaries and the Oregon system for the election of United States Senators. We welcome you to the support of these provisions of the Democratic State platform and we welcome the support of the gentlemen on the other side of the House. I hope that every member of this House that has fought for progressive election and primary laws and in favor of state-wide primaries and that all parties who stand committed to and who are in favor of the Oregon system of electing United States Senators, for which the Democratic party has contended for years, will join in an effort to secure and place this law upon our statute books.

Mr. FLYNN. Mr. Speaker, I have listened with a great deal of interest to the controversy between the two gentlemen on the other side of the House. It seems to me that it has developed into one of personalities only. Let us consider for a moment the matter before us. We have in this bill an act which commends itself to my support for two reasons, namely: Principles which have been laid down in the Democratic State platform—the election of the United States Senators and the nomination of State officers at the primaries. Unfortunately, this matter was placed in the hands of a committee which is partisan and which I must say, to my mind, did not represent the true wishes of the Democratic party in this instance. Do not misunderstand me; I propose to support this bill as it stands, provided we are offered nothing better to carry out its two main features, but I want the gentleman from Philadelphia to understand that the people will know that this is only another attempt to throw sand in their eyes, that this is simply representing a fight between factions of the Republican party and means to an ultimate end. I would ask him to tell this House what provision they have made against party rating under this act. We all know that it has been a crying shame and abuse, the way the Republicans of this State have rated the Democratic party in districts where that party was weak. What has been done to cure that defect in the present primary system? Nothing. What has been done to fix the qualifications of an elector to vote this primary ballot? What has been done to prevent a Republican from walking into a primary and asking for a Democratic ballot? Let me ask him that. I say that this is a fake piece of legislation. this bill being simply to force it down our throats, and I hope that no one will claim that the Democratic party is responsible for this bill.

MOTION TO POSTPONE.

Mr. R. J. BALDWIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present and that we fix 11 o'clock to-morrow morning as a special order for the bill.

Mr. WILDMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN ROBERT JONES. Mr. Speaker, I don't wish to prolong the discussion of this bill on this motion, but I ask the House to vote this motion down.

A division was called for, 50 voting in the affirmative and 101 in the negative, and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading.

Mr. WILDMAN. Mr. Speaker, I do not wish to be misunderstood by seconding the motion of the gentleman from Delaware. I am a Republican and I am heartily in favor of this measure. During the debate I have not heard one word expressed as to the merits of the point the gentleman from Delaware had raised. The discourse has been entirely on the bill, but not on the question that the gentleman had raised as to the corrections that should be made. The bill is of great importance to the State of Pennsylvania, and I believe and agree with the gentleman from Delaware that it should be perfected in every particular. The gentlman from Delaware has not said that he opposes this bill, he has simply asked to have the matter postponed until 11 o'clock to-morrow morning, for the purpose of correcting certain errors that have developed, and I believe that the gentleman is perfectly right, and I believe that every fair-minded man in this House should agree to the postponement until 11 o'clock to-morrow morning.

Mr. ALLEN. Mr. Speaker as this is the only opportunity that I shall have to express my sentiments in relation to this bill I desire to say that, while I shall vote for the bill, I do feel that this method of jamming legislation through the House is absolutely wrong, because I quite agree with the gentleman from Delaware that there are many features in this bill that are bad. The other day I was compelled, in relation to another measure which was an amendment to the statute by the same election committee, or committee on drafting legislation, to record my vote against it, and in order to save the House time filed my reasons for voting against this bill. This bill is defective in many particulars, and it is to my mnd an absolute reflection upon the intelligence of this House to put legislation in the form that this bill stands, and yet, in order to keep party pledges, and not only to keep party pledges but pledges which I stand under to my people and which I announced as my platform prior to the primaries of last spring, I shall vote for this bill, as bad as the bill is.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The SPEAKER. For the sake of accuracy, this roll will be verified.

The roll was verified and was as follows, viz:

YEAS—170.

Adams,	Geary,	Mannion,	Savacool,
Allen,	Geiser,	Martin,	Schaeffer, A. C
Alworth,	Gibson,	Mather,	Schuck,
Ambler,	Glenn,	Matt,	Scott, J. R. K.,
Baldwin, G. A.,	Good,	McAleer,	Scott, S. B.,
Barner,	Goss,	McAllister,	Semmens,
Becker,	Grabe,	McCaig,	Shaffer, I. E.,
Benninger,	Gramley,	McClintock,	Shern,
Benson,	Gray, Frank,	McDermott,	Sherwood,
Bergey,	Haggerty,	McKay,	Showalter,
Berntheizel,	Heidinger,	Mechling,	Smith, J. W.,
Bigger,	Hemminger,	Mellott,	Smith, L.,
Bittles,	Herman,	Metzenbacher,	Snavely,
Blair, W. F.,	Hess,	Miller,	Snyder,
Brosius,	Hobbs,	Mitchell,	Spangler,
Brownlee,	Howard, J.,	Moore,	Speiser,
Burnett,	Howard, R.,	Moses,	Spillinger,
Caldwell,	Humes,	Moulthrop,	Steedle,
Campbell, C.M.,	Isler,	Murphy,	Steele,
Campbell, J. J.,	Irwin, G. C.,	Musser,	Stone,
Carson,	Jackson,	Neel,	Strauss,
Carter,	Jones, E. E.,	Neely,	Swartz,
Cheeseman,	Jones, J. R.,	Newbaker,	Swift,
Claycomb,	Kaiser,	Newton,	Thomas,
Cleary,	Kaufman,	North,	Trach,
Cochran,	Keegan,	O'Neill,	Ulerich,
Collins,	Keeport,	Peachey,	Ulman,
Conner,	Kennedy,	Pennegar,	Walnut,
Conniff,		Pennock,	Walsh,

Currier,	Kern,	Perry, H. L.,	Watson,
Davis,	Kitts,	Post,	Wettach,
Dickinson,	Klepper,	Price,	Whitaker,
Donnally,	Kuhn, H. P.,	Ramsey,	Whitman,
Down,	Kuhns, E.G.M.,	Redfield,	Wildman,
Dunn, H. B.,	Lanius,	Reese,	Williams,
Dunn, J. A.,	Latshaw,	Reeser,	Wilson, J. H.,
Ehrhardt,	Lenker,	Rex,	Wilson, W. H.,
Ely,	Leslie,	Rhoads,	Wiltbank,
Fahey,	Letzkus,	Richards,	Young, G. K.
Flynn,	Light,	Robinson,	Young, J. H.,
Forster, I. G.,	Lohr,	Rockwell,	Zimmerman,
Foster, J. D.,	Lowers,	Roney,	Alter,
Frey,	Malie,	Runk,	Speaker.

NAYS—16.

Baldwin, R. J.,	Eichenberger,	Hoffman,	Peters,
Body,	Ewing,	McArdle,	Rothenberger,
Conrade,	Hackett,	Missimer,	Sassaman,
Curry,	Heyburn,	Perry, S. J.,	Shaffer, C. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

BILLS POSTPONED.

Mr. SHERN. Mr. Speaker, I ask unanimous consent to postpone for the present, House Bill No. 401, file folio 1209, entitled:

A Joint Resolution proposing an amendment to section twenty-one of article three of the Constitution of Pennnsylvania

Also House Bill No. 404, file folio 1213, entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employees and prescribing a penalty for non-compliance therewith

Also House Bill 402, file folio 1215, entitled:

An Act regulating policies of insurance against liability arising under article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen

Also House Bill 403, file folio 2209, entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Insurance Association

Also House Bill 399, file folio 2571, entitled:

An Act refining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

on page 3 of to-day's Calendar, known as the "Compensation Act" and the accompanying acts.

The SPEAKER. Will the House give unanimous consent to the postponement of these bills.

Mr. SHERN. Mr. Speaker, the reason for asking for this is because the next bill in order is the Hunter's License bill which will probably provoke considerable discussion and take the balance of the day.

There are amendments to the bills as named to be discussed by members of the Industrial Commission and others in regard to protecting the rights of first mortgagees and these bills may not be called up until next week.

Mr. R. J. BALDWIN. Mr. Speaker, these are important bills and I suggest the gentleman fix a special order for the bills so that every member of the House will have notice and will be here to vote when they are called up.

Mr. SHERN. Mr. Speaker, I shall do so after the amendments have been made.

The SPEAKER. The Chair hears no objection and the request of the gentleman from Philadelphia is granted and the bills will be placed on the postponed Calendar.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON FINAL PASSAGE.

Mr. GANS. Mr. Speaker, I desire at this time to call up House Bill No. 53, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

on page eleven of today's calendar.

Bills on Final Passage Postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 53, as follows:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an exaimnation to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid into the Treasury of this Commonwealth the sum of fifty dollars ($50.00) and shall have exhibited the receipt of the State Treasurer therefor to the proper official in the Department of Agriculture A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter in such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof three (3) months dressed fowl drawn five (5) months dressed fowl undrawn six (6) months eggs eight (8) months butter eight (8) months and fish nine (9) months

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated care within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided further that nothing in this act shall be construed to prohibit the keeping of fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a suit for penalty or prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any such suit or prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such suit or prosecution immediately upon the commencement of the same stating the nature of the proceeding and the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such suit or prosecution and ssuch citizen shall upon complying with the provisions of this section be entitled to receive one-half (½) of any penalty or fine which may be recovered in such proceeding and paid to the Dairy and Food Commissioner and immediately upon the receipt and covering into the treasury of any such penalty or fine recovered and paid in any proceeding commenced by a citizen as aforesaid the Dairy and Food Commissioner shall pay the one-half (½) thereof to the said citizen so commencing the said proceedings and complying with the provisions of this section Such citizen shall also be entitled to recover from the defendant his witness fees and other legal costs as fixed by law in said proceeding

Section 22 That all fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than thirty (30) nor more than ninety (90) days

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

On the question,

Shall the bill pass finally?

Mr. W. H. WILSON. Mr. Speaker, the bill which is now before the House for consideration is known as the cold storage bill. It is the result of the combined efforts of the members of the Committee on Public Health and Sanitation. There were before the Committee some four or five bills dealing with this subject matter. The present bill now up for consideration contains all of the better provisions of those bills. It is a regulating measure and not a prohibitory measure. It is one which the Committee has deemed to be fair to those engaged in the cold storage business and at the same time affords a protection to the public. It contains provisions which provide that cold storage plants shall be licensed and kept in a sanitary condition and also regulates the time in which food stuffs can remain in cold storage. The time limit as expressed in section 16 of this Act is the lowest possible limit that can be put upon the storage of foods so as not to work a hardship upon those engaged in the business and at the same time render it next to impossible for manipulators in the necessities of life to so control those food stuffs and manipulate the market and sell them at outrageous prices to the public It also provides a guarantee that these cold storage goods sold to the public shall be wholesome and the public shall have knowledge of the exact length of time which they remained in cold storage.

The Committee considered this Bill one of the most important bills which has come before this House for its consideration. Those of us in this Commonwealth who can afford to pay fancy prices in all seasons of the year for all food stuffs which we desire are not affected by this bill, but this bill does materially affect the poor man and the wage earner in this Commonwealth. This guarantees to him that he is getting what he is paying for and that he is getting it at a reasonable price; and will prevent in so far as it is possible to prevent in legislation of this kind, manipulation of the market by gamblers in the necessities of life, so that fair prices can be had in favor of those engaged in the business and a reasonable price demanded by the consumers of this Commonwealth for these necessities of life. I would ask every gentleman in this House to support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Adams,	Foster, J. D.,	Lohr,	Robinson,
Allen,	Frey,	Lowers,	Rockwell,
Alworth,	Gans,	Malie,	Roney,
Ambler,	Geary,	Mannion,	Runk,
Baldwin, G. A.,	Geiser,	Martin,	Sassaman,
Baldwin, R. J.,	Gibson,	Mather,	Savacool,
Barner,	Glenn,	Matt,	Schaeffer, A. C
Bass,	Good,	McAleer,	Schuck,
Bayle,	Goss,	McAllister,	Scott, J. R. K.,
Becker,	Grabe,	McArdle,	Scott, S. B.,
Benninger,	Gramley,	McCaig,	Semmens,
Benson,	Gray, Frank,	McClintock,	Shaffer, J. E.,
Bergey,	Gray, Joseph,	McDermott,	Shern,
Berntheizel,	Hackett,	McKay,	Sherwood,
Bigger,	Haggerty,	Mechling,	Showalter,
Bittles,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Snavely,
Brownlee,	Hess,	Missimer,	Snyder,
Burnett,	Heyburn,	Mitchell,	Spangler,
Caldwell,	Hibshman,	Moore,	Speiser,
Campbell, C.M.,	Hobbs,	Morrow,	Spillinger,
Campbell, J. J.,	Hoffman,	Moses,	Steedle,
Carson,	Howard, J.,	Moulthrop,	Steele,
Carter,	Howard, R.,	Murphy,	Stein,
Cheeseman,	Isler,	Musser,	Stone,
Claycomb,	Irwin, G. C.,	Neel,	Strauss,
Cleary,	Irwin, H. H.,	Neely,	Swartz,
Collins,	Jackson,	Newbaker,	Swift,
Conner,	Jones, E. E.,	Newton,	Thomas,
Conniff,	Jones, J. R.,	North,	Trach,
Conrade,	Kaiser,	O'Neill,	Ulerich,
Cox,	Kaufman,	Peachey,	Ulman,
Currier,	Keegan,	Pennegar,	Walnut,
Curry,	Keeport,	Pennock,	Walsh,
Davis,	Kennedy,	Perry, H. L.,	Walton,
Dickinson,	Kern,	Perry, S. J.,	Watson,
Donnally,	Kitts,	Peters,	Wettach,
Down,	Klepper,	Piper,	Whitaker,
Dunn, H. B.,	Kuhn, H. P.,	Post,	Whitman,
Dunn, J. A.,	Kuhns, E.G.M.,	Price,	Wildman,
Ehrhardt,	Lanius,	Ramsey,	Williams,
Eichenberger,	Latshaw,	Redfield,	Wilson, J. H.,
Ely.		Reese.	Wilson, W. H.,
			Wiltbank

Ewing,	Lenker,	Reeser,	Young, G. K.
Fahey,	Leslie,	Rex,	Young, J. H.,
Flynn,	Letzkus,	Rhoads,	Zimmerman,
Forster, I. G.,	Light,	Richards,	Alter,
			Speaker.

NAYS—2.

Body,	Rothenberger,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. STEIN: Mr. Speaker, I desire to call up at this time House Bill No. 366, file folio 443, on page 8 of to-day's Calendar, Bills on Third Reading Postponed for the Present.

Agreeably to order,

The House proceeded to the consideration on third reading of H. H. Bill No. 366, entitled :

An Act authorizing the apppointment of a Commission to inquire into the subject of creating a public pension for dependent mothers defining its powers and duties and making an appropriation for the expenses therefor

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Adams,	Fahey,	Letzkus,	Rothenberger,
Allen,	Flynn,	Light,	Runk,
Alworth,	Forster, I. G.,	Lowers,	Sassaman,
Ambler,	Foster, J. D.,	Malie,	Savacool,
Baldwin, G. A.,	Frey,	Mannion,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	Martin,	Schuck,
Barner,	Geary,	Mather,	Scott, S. B.,
Bass,	Geiser,	Matt,	Semmens,
Bayle,	Gibson,	McAleer,	Shaffer, C. A.,
Becker,	Glenn,	McAllister,	Shaffer, I. E.,
Benninger,	Good,	McArdle,	Shern,
Benson,	Goss,	McCaig,	Sherwood,
Bergey,	Grabe,	McDermott,	Showalter,
Berntheizel,	Gramley,	Mechling,	Smith, J. W.,
Bigger,	Gray, Frank,	Metzenbacher,	Smith, L.,
Bittles,	Gray, Joseph,	Missimer,	Snyder,
Blair, W. F.,	Hackett,	Mitchell,	Spangler,
Body,	Haggerty,	Moore,	Speiser,
Brosius,	Heidinger,	Morrow,	Spillinger,
Brownlee,	Herman,	Moses,	Steedle,
Burnett,	Hess,	Moulthrop,	Steele,
Caldwell,	Heyburn,	Murphy,	Stein,
Campbell, C.M.,	Hibshman,	Musser,	Stone,
Campbell, J. J.,	Hobbs,	Neel,	Strauss,
Carson,	Hoffman,	Neely.	Swartz,
Carter,	Howard, J.,	Newbaker,	Swift,
Cheeseman,	Howard, R.,	Newton,	Thomas,
Claycomb,	Humes,	North,	Trach,
Cleary,	Irwin, G. C.,	Peachey,	Ulerich,
Cochran,	Irwin, H. H.,	Pennegar,	Ulman,
Collins,	Jackson,	Pennock,	Walnut,
Conner,	Jones, J. R.,	Perry, H. L.,	Walsh,
Conniff,	Kaiser,	Perry, S. J.,	Walton,
Conrade,	Kaufman,	Peters,	Wettach,
Cox,	Keeport,	Piper,	Whitaker,
Currier,	Kennedy,	Price,	Whitman,
Curry,	Kern,	Ramsey,	Wildman,
Davis,	Kitts,	Redfield,	Williams,
Dickinson,	Klepper,	Reese,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Rex,	Wiltbank,
Dunn, H. B.,	Lanius,	Rhoads,	Young, G. K.
Dunn, J. A.,	Latshaw,	Richards,	Young, J. H.,
Ehrhardt,	Lenker,	Robinson,	Zimmerman,
Eichenberger,	Leslie,	Rockwell,	Alter,
Ely,		Roney,	Speaker.
Ewing,			

NAYS—7.

Hemminger,	Keegan,	McClintock,	Miller,
Jones, E. E.,	Lohr,	Mellott,	

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 25.

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes

Also House Bill No. 454.

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

Also House Bill No. 564.

Joint Resolution directing the publication of the pamphlet containing the game fish and forestry laws

Also House Bill No. 352.

An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

Also House Bill No. 300.

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf"

With information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 301.

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said audi tors' report by said county thereof"

with information that the Senate had passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The amendment was read by the Clerk as follows:

In section one, line 47, after the word "two" strike out the words "daily and weekly."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Allen,	Gans,	Lowers,	Roney,
Baldwin, G. A.,	Geary,	Malie,	Rothenberger,
Baldwin, R. J.,	Geiser,	Mannion,	Runk,
Barner,	Gibson,	Martin,	Savacool,
Bass,	Glenn,	Mather,	Schaeffer, A. C
Bayle,	Good,	Matt,	Schuck,
Becker,	Goss,	McAleer,	Scott, J. R. K.,
Benninger,	Grabe,	McAllister,	Scott, S. B.,
Benson,	Gramley,	McArdle,	Semmens,
Bergey,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Berntheizel,	Hackett,	McClintock,	Shaffer, I. E.,
Bigger,	Haggerty,	McDermott,	Shern,
Bittles,	Heidinger,	Mechling,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mellott,	Smith, L.,
Body,	Herman,	Metzenbacher,	Snavely,
Brosius,	Hess,	Miller,	Snyder,
Brownlee,	Heyburn,	Missimer,	Spangler,
Burnett,	Hibshman,	Mitchell,	Speiser,
Caldwell,	Hobbs,	Moore,	Spillinger,
Campbell, C.M.,	Hoffman,	Morrow,	Steedle,
Campbell, J. J.,	Howard, J.,	Moses,	Steele,
Carson,	Howard, R.,	Moulthrop,	Stein,
Carter,	Humes,	Murphy,	Stone,
Cheeseman,	Isler,	Musser,	Strauss,
Claycomb,	Irwin, G. C.,	Neel,	Swartz,
Cleary,	Irwin, H. H.,	Neely,	Swift,
Cochran,	Jackson,	Newbaker,	Thomas,
Collins,	Jones, E. E.,	Newton,	Trach,
Conner,	Jones, J. R.,	O'Neill,	Ulerich,
Conniff,	Kaiser,	Peachey,	Ulman,
Conrade,		Pennegar,	Walnut,

Cox,	Kaufman,	Pennock,	Walsh,
Currier,	Keegan,	Perry, H. L.,	Walton,
Curry,	Keeport,	Perry, S. J.,	Watson,
Davis,	Kennedy,	Peters,	Wettach,
Dickinson,	Kern,	Piper,	Whitaker,
Donnally,	Kitts,	Post,	Whitman,
Down,	Klepper,	Price,	Wildman,
Dunn, H. B.,	Kuhn, H. P.,	Ramsey,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Ehrhardt,	Lanius,	Reese,	Wilson, W. H.,
Eichenberger,	Latshaw,	Reeser,	Wiltbank,
Ely,	Lenker,	Rex,	Young, G. K.
Ewing,	Leslie,	Rhoads,	Young, J. H.,
Flynn,	Letzkus,	Richards,	Zimmerman,
Forster, I. G.,	Light,	Robinson,	Alter,
Foster, J. D.,	Lohr,	Rockwell,	Speaker.
Frey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT.

Mr. EHRHARDT. Mr. Speaker, I move that this house no now adjourn.

The motion was agreed to and at one o'clock P. M. the House adjourned to meet to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, MARCH 19, 1913. No. 34.

SENATE

WEDNESDAY, March 19, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispersed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. MOORE presented four petitions of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HERBST presented petition of citizens of Berks County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. CROW presented three petitions of citizens of Fayette County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. DEWITT presented two petitions of citizens of Luzerne County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HEACOCK presented nine petitions of citizens of Montgomery County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. KURTZ presented five petitions of citizens of Jefferson County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MILLER presented eight petitions of citizens of Lehigh County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. WASBERS presented three petitions of citizens of York County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. FARLEY presented two petitions of citizens of Philadelphia County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MILLS presented five petitions of citizens of Bradford County, two petitions of citizens of Susquehanna County and one petition of citizens of Wyoming County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. SNYDER presented twenty-nine petitions of citizens of Schuylkill County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

The Chair presented petition of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

The Chair presented petition of East Freedom Council No. 405, Jr. O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. JUDSON presented petition of citizens of Washington County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented five petitions of citizens of Monroe County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING TEACHERS' RETIREMENT FUND AND TENURE OF OFFICE BILLS.

Mr. KURTZ presented petition of citizens of Jefferson County in favor of the passage of Teachers' Retirement Fund and Tenure of Office bills.

Which was referred to the Committee on Judiciary Special.

FAVORING LEGISLATION PERMITTING SUNDAY FISHING.

Mr. HEACOCK presented petition of citizens of Montgomery County favoring the passage of legislation permitting fishing on Sunday.

Which was referred to the Committee on Game and Fisheries.

AGAINST HOUSE BILL NO. 1069.

The Chair presented petition of citizens of Germantown, Philadelphia, Pa., against the passage of House Bill No. 1069.

Which was referred to the Committee on Public Roads and Highways.

FAVORING WOMAN SUFFRAGE.

Mr. MILLS presented petition of citizens of Wyoming County favoring woman suffrage.

Which was referred to the Committee on Judiciary General.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. WASBERS presented petition of citizens of York County favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. WASBERS presented petition of citizens of York County favoring the passage of bill providing for the erec-

tion of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. KNAPP, from the Committee on Judiciary General, reported as amended, Senate Bill No. 642, entitled:

An Act providing for the expenses of county commissioners and county poor directors.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the 18th day of April, A. D. 1899, entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk, fix his compensation, and prescribe the term and duties of the clerk, except in counties where the clerk to the county commissioners is elected by the people.

Mr. McNICHOLS, from the Committee on Municipal Affairs, re-reported as amended, Senate Bill No. 13, entitled:

An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municpal officers therein, and repealing, consolidating and extending existing laws in relation thereto.

Also from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 189, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State Forest Reserves and to improve and maintain the same.

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 547, (House Bill No. 723), entitled:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs," issued by the Department of Agriculture and making an appropriation therefor.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 637, entitled:

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the roads and highways; building, constructing, repairing and maintaining permanent roads, culverts and bridges; purchasing machinery or lifting orders, or payment of any contracts made therefor; to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof; and all coupon bonds or other securities issued therefor, and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities, since the 20th day of April, A. D. 1874.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 646, entitled:

A Joint Resolution proposing an amendment to section eight of article nine of the Constitution of Pennsylvania.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 647, entitled:

An Act providing for the abatement of nuisances in private alleys in cities of the first class, and for the establishment of grades in and the grading, paving and repaving of such private alleys where necessary to abate such nuisances, and providing for the filing of liens for the cost thereof.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 221, entitled:

An Act to continue the existence of commissioners for the Promotion of Uniformity of Legislation in the United States, provided for in the Act of General Assembly of the Commonwealth of Pennsylvania approved the 23rd day of May, A. D. 1901.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 548, (House Bill No. 758), entitled:

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain cases and authorizing the court to make orders in relation thereto.

Mr. HUFFMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 546, (House Bill No. 682), entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 538, (House Bill No. 438), entitled:

An Act to amend an act approved the 7th day of June, 1911, entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof."

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 687, (House Bill No. 845), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 688, (House Bill No. 850), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliance and material from the old penitentiary in Pittsburgh to the new penitentiary in Centre County for use in the erection and equipment thereof.

Mr. ALEXANDER, from the Committee on Forestry, reported as amended, Senate Bill No. 417), entitled:

An Act to amend the first, second and third sections of an act, entitled "An Act to provide efficient and practical means for the prevention, control and eradication of a disease affecting chestnut trees commonly called the chestnut-tree blight providing for the destruction of trees so affected, creating a commission to carry out the purpose of this act, fixing penalties for violation of the provisions hereof and making an appropriation therefor," approved June 14th, 1911, P. L., page 922, extending the provisions thereof in certain cases to other species of trees.

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 597), entitled:

An Act to amend the act approved the 29th day of May, 1901, entitled "An Act to prohibit the manufacture and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter, to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms and boarding houses; for the manufacture or sale of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter, and to regulate the manufacture and sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of this act, and the means and methods of procedure for its enforcement, and regulate certain matters of evidence in such procedure.

BILLS INTRODUCED.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 694, entitled:

An Act to amend section one of an act, entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such release," approved the 11th day of May, A. D. 1911.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 695, entitled:

An Act to amend section one of an act, entitled 'An Act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," approved the 29th day of March, A. D. 1899, authorizing the use of the title of Certified Public Accountants by certain co-partnerships and corporations.

Which was committed to the Committee on Judiciary Special.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 696, entitled:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department or bureau or branch thereof or any committee or Commission authorized by law.

Which was Committed to the Committee on Judiciary Special.

Mr. COOPER read in his place and presented to the Chair Senate Bill No. 697, entitled:

An Act regulating the passage of traction engines, motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 698, entitled:

An Act to amend an act approved the 3d day of May, 1909, entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire, by taking and appropriating under right of eminent domain and by gift, device, purchase, lease, and otherwise, private property for the purpose of making, enlarging, extending and maintaining public parks, parkways and play grounds; requiring the consent of the qualified electors to such acquiring in certain cases, and providing the procedure for obtaining such consent; authorizing the said townships and boroughs to improve, maintain and regulate such parks, parkways and playgrounds; and providing for the manner of securing, ascertaining, determining, awarding and paying compensation and damages where property is taken, used and appropriated for the said purposes."

Which was Committed to the Committee on Judiciary Special.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 699, entitled:

An Act regulating parades of associations of veteran soldiers.

Which was Committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 700, entitled:

An Act requiring and regulating instruction in the public schools in ways and means of preventing accidents.

Which was committed to the Committee on Education.

Mr. SHEATZ, by request, read in his place and presented to the Chair Senate Bill No. 701, entitled:

A joint resolution to provide for the appointment of a commission to carry into effect the work necessary for the participation of the State of Pennsylvania in the Panama-California International Exposition, to be held in San Diego, California, in 1915, to celebrate the completion and opening of the Panama Canal, and the 400th anniversary of the discovery of the Pacific Ocean; and making an appropriation to defray the expenses of the same.

Which was committed to the Committee on Appropriations.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 702, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Chambersburg, Franklin county, and thence by way of Scotland to Shippensburg, Cumberland county.

Which was committed to the Committee on Public Roads and Highways.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 703, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning near Water Street at the intersection of said road with route number fifty-five and passing through part of Huntingdon County by the way of Spruce Creek to Coleram, thence by route number fifty-six to Warrior's Mark in Huntingdon County, and passing through Halfmoon and Patton townships in Centre County, thence to Bellefonte, Centre County.

Which was committed to the Committee on Public Roads and Highways.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 704, entitled:

An Act making an appropriation for the purpose of acquiring and marking the site of Fort Morris, erected about 1755, at Shippensburg, Cumberland County, and providing a suitable memorial to the Pioneer Settlers of the Cumberland Valley.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 705, entitled:

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building.

Which was Committed to the Committee on Judiciary Special.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 706, entitled:

An Act to establish as a "State Highway" a certain section of public road commencing at Ellwood City, Lawrence County, and extending by way of Frisco and Lilleyville, in Beaver County, Zelienople, in Butler County.

Which was committed to the Committee on Public Roads and Highways.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 707, entitled:

An Act requiring all recorders of deeds, prothonotaries, county commissioners, county treasurers, county controllers, clerks of Orphans' Courts, Clerks of the courts of Quarter Session, sheriffs, and registers of wills in all counties having a population of one hundred and fifty thousand inhabitants or less in this Commonwealth to keep open hereafter their respective offices continuously from eight o'clock in the forenoon to five o'clock in the afternoon on all Mondays, Tuesdays, Wednesdays, Thursday and Fridays and on all Saturdays from eight o'clock to twelve o'clock in the forenoon, except on holidays.

Which was Committed to the Committee on Judiciary Special.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 708, entitled:

An Act to amend the first second and fourth sections of the Act of April, 1869, P. L. 90, entitled "An Act to create a Board of Public Charities," the second section of the act of 10th April, 1873, P. L. 68, entitled "A supplement to an act to create a Board of Public Charities, approved 24th April, A. D. 1869," the second section of the act 8th May, 1883, P. L. 21, entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention," the second section of the act 25th of May, 1907, P. L. 231, entitled "An Act authorizing the Board of Public Charities to appoint two Assistant General Agents and prescribing their duties," and to supplement the same."

Which was Committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls, to concert saloons, to theatres, and to places where theatrical, acrobatic or vaudeville performances or moving picture shows are given, and providing the punishment for a violation thereof.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 710, entitled:

An Act to regulate the public exhibition of pictures, picture shows and the production of plays and theatricals and to provide for public censorship of the same.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 711, entitled:

An Act punishing the writing, printing, posting, publication, circulation, or distribution of false statements, rituals, oaths, obligations, promises, ceremonials, ceremonies of any church, religious society, organization or corporation, fraternal, beneficial or secret society; and making competent certain testimony in regard thereto.

Which was committed to the Committee on Judiciary Special.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 712, entitled:

An Act further regulating transfers of licenses at wholesale or retail.

Which was committed to the Committee on Law and Order.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 713, entitled:

An Act providing for the apointment of district attorneys when vacancies occur.

Which was committed to the Committee on Judiciary Special.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 714, entitled:

An Act to amend the ninth section of an act, entitled "An Act for the establishment and government of a State Naval Militia approved the 15th day of May, A. D. 1893, by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory

rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the National Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes.

Which was committed to the Committee on Military Affairs.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 694, entitled:

An Act to amend section one of an act, entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing," approved the 11th day of May, A. D. 1911.

BILLS RETURNED FROM HOUSE WITH AMENDMENTS.

Agreeably to order the Senate resumed the consideration of Senate Bill No. 30, entitled:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauporis prescribing under what circumstances appeals shall operate as supersedes and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend entries in certain repects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs.

said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In section 4, line 54, by striking out the word "instant" and inserting in lieu thereof the word "instance"; also, in section 6, line 34, by striking out "supercedeas" and inserting in lieu thereof the word "supersedeas."

On the question.

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McNichol,	Snyder,
Cooper,	Hoke,	McNichols,	Sones,
Crow,	Homsher,	Miller,	Stineman,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,	Kline,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order

The Senate resumed the consideration of Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

In Section 1, line 12, by striking out the word "five" and inserting in lieu thereof the word "twelve".

On the question.

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Kline,	Sensenich,
Beidleman,	Fisher,	Knapp,	Sheatz,
Buckman,	Hall,	Kurtz,	Snyder,
Catlin,	Hilton,	McNichol,	Sones,
Clark,	Homsher,	Miller,	Stineman,
Cooper,	Huffman,	Mills,	Thompson,
Crow,	Hunter,	Moore,	Vare,
DeWitt,	Jones,	Morgan,	Washers,
Endsley,	Judson,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 178, as follows:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and fro mwhom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall furnish to any minor by gift sale or otherwise any cigarette or cigarette paper shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00)

Section 2 Any minor being in possession of a cigarette or of cigarette paper and being by any police officer constable juvenile court officer truant officer or teacher in any school asked where and from whom such cigarette or cigarette paper was obtained who shall refuse to furnish such information shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace such minor being of the age of sixteen years or upwards shall be sentenced to pay a fine not exceeding five dollars or to undergo an imprisonment in the jail of the proper county not exceeding five days or both If such minor shall be under the age of sixteen years he or she shall be certified by such alderman magistrate or justice to the juvenile court of the county for such action as to said court shall seem proper

Section 3 The act approved May seventh one thousand eight hundred and eighty-nine entitled "An Act to prohibit the sale of cigarettes to persons under the age of sixteen years and prescribing the punishment for the same" and the act approved April fourth one thousand nine hundred and three entitled "An Act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions" and the act approved the sixteenth of March one thousand nine hundred and five entitled "An Act to amend an act entitled 'An Act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions' approved April fourth Anno Domini one thousand nine hundred and three" and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Farley,	Jones,	Moore.
Beidleman,	Fisher,	Judson.	Morgan.
Buckman,	Gyger,	Kline,	Sensenich,
Catlin,	Hall.	Knapp,	Sheatz,
Clark,	Heacock,	Kurtz,	Stineman,

Cooper,	Herbst,	Magee,	Thompson,
Crow,	Hilton,	Martin,	Vare,
DeWitt,	Hunter,	McNichol,	Gerberich,
		Mills,	Pres. pro tem.

NAYS—3.

Miller,	Nulty,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 25, entitled:

A Joint resolution propsing an amendment to the Constitution of the Commonwealth allowing counties cities borough township school districts or other municipal or incorporated districts to increase their indebtedness

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Heacock,	Mills,	Stineman,
Buckman,	Homsher,	Moore,	Thompson,
Catlin,	Huffman,	Salus,	Vare.
Cooper,	Hunter,	Sensenich,	Wasbers,
Crow,	Jones,	Sheatz,	Gerberich,
Endsley,	Kline.	Snyder,	Pres. pro tem.
Gyger,	Martin,	Sones,	

NAYS—6.

DeWitt,	Fisher,	Herbst,	Nulty,
	Hall,	Judson.	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 50, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties of the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Heacock,	Kurtz,	Salus,
Buckman,	Herbst,	Magee,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Stineman,
Endsley,	Hunter,	Mills,	Thompson,
Farley,	Jones,	Moore,	Vare,
Fisher,	Judson,	Morgan,	Wasbers,
Gyger,	Kline,	Nulty,	Gerberich
Hall,	Knapp,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 147, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McIlhenny,	Snyder,
Cooper,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	Miller,	Stineman,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,	Kline,	Nulty,	Gerberich,
Gyger,	Knapp,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 211, on third reading, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the President Judge of the court of common pleas of the county wherein such borough or township of the first class is located providing for the election of a secretary and a health officer providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid and repealing certain acts

be recommitted to the Committee on Public Health and Sanitation.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 223, (House No. 116), entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Buckman,	Heacock,	Knapp,	Powell,
Catlin,	Herbst,	McIlhenny,	Salus,
Cooper,	Hoke,	McNichol,	Sensenich,
Crow,	Homsher,	Miller,	Snyder,
DeWitt,	Huffman,	Mills,	Thompson,
Farley,	Hunter,	Moore,	Vare,
Fisher,	Judson,	Morgan,	Wasbers,
Hall,	Kline,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—2.

Endsley,	Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 259, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth'"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Heacock,	Kurtz,	Powell,
Buckman,	Herbst,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Cooper,	Hoke,	McIlhenny,	Sheatz,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Stineman,
Farley,	Jones,	Mills,	Thompson,
Fisher,	Judson,	Moore,	Vare,
Gyger,	Kline,	Morgan,	Wasbers,
Hall,	Knapp,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 294, entitled:

An Act amending and supplementing section nine of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the Common Pleas Court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Hall,	Kurtz,	Salus,
Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Herbst,	Martin,	Sheatz,
Catlin,	Hilton,	McIlhenny,	Snyder,
Clark,	Hoke,	McNichol,	Sones,
Cooper,	Homsher,	McNichols,	Stineman,
Crow,	Huffman,	Miller,	Thompson,
DeWitt,	Hunter,	Mills,	Vare,
Endsley,	Jones,	Moore,	Wasbers,
Farley,	Judson,	Morgan,	Gerberich,
Fisher,	Kline,	Nulty,	Pres. pro tem.
Gyger,	Knapp,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to section ten article nine of the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Farley,	Jones,	Sensenich,
Beidleman,	Fisher,	Knapp,	Sheatz,
Buckman,	Gyger,	McIlhenny,	Snyder,
Catlin,	Heacock,	Miller,	Stineman,
Clark,	Hilton,	Moore,	Thompson,
Cooper,	Hoke,	Morgan,	Vare,
Crow,	Homsher,	Nulty,	Gerberich,
Endsley,	Hunter,	Salus,	Pres. pro tem.

NAYS—5.

DeWitt,	Hall,	Herbst,	Judson,
		Martin,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 338, (House Bill No. 259), entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the Courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kurtz,	Salus,
Beidleman,	Hall,	Magee,	Sensenich,
Buckman,	Heacock,	Martin,	Snyder,
Catlin,	Hilton,	McIlhenny,	Sones,
Clark,	Hoke,	McNichol,	Stineman,
Cooper,	Homsher,	McNichols,	Thompson,
Crow,	Hunter,	Mills,	Vare,
DeWitt,	Jones,	Moore,	Wasbers,
Endsley,	Judson,	Morgan,	Gerberich,
Farley,	Kline,	Nulty,	Pres. pro tem.
Fisher,	Knapp,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, (House Bill No. 170), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon county is located and providing for the disposition of the fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Stineman,
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Vare
Farley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich,
		Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 356, (House 260), entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by an act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Stineman,
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Vare,
Farley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich,
		Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 394, entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnauralized foreign-born residents and prescribing penalties for violation of its provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Jones,	Mills,
Beidleman,	Gyger,	Judson,	Moore,
Buckman,	Hall,	Kline,	Morgan,
Catlin,	Herbst,	Knapp,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Thompson,
DeWitt,	Homsher,	McIlhenny,	Vare,
Endsley,	Huffman,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	Gerberich,
			Pres. pro tem.

NAYS—3.

Clark,	Kurtz,	Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 410, entitled:

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in or about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering providing for the enforcement and collection thereof and prohibiting the reomval of said structures after notice of such lien

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gyger,	Knapp,	Nulty,
Beidleman,	Hall,	Magee,	Powell,
Buckman,	Heacock,	Martin,	Sensenich,
Catlin,	Hilton,	McNichols,	Sheatz,
Cooper,	Homsher,	Miller,	Stineman,
Crow,	Jones,	Mills,	Thompson,
DeWitt,	Judson,	Moore,	Vare,
Fisher,	Kline,	Morgan,	Gerberich,
			Pres. pro tem.

NAYS—7.

Endsley,	Hoke,	Salus,	Wasbers,
Herbst,	Huffman,	Sones,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, as follows:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in such part or parts of lakes of more than five thousand acres lying between this and any other State or foreign country as this Commonwealth has jurisdiction over and in any water or on any peninsula or on any bay adjacent to or connected with such lake the following named species of fish are hereby made specifically within the provision of this act namely All species or varities of black or yellow bass rock bass calico bass or strawberry bass crappie muscallonge and grass pike which for the purpose of this act are hereby classified and hereinafter designated as game fish and minnows and kill fish which shall herein after be designated as minnows or bait fish and all other species of fish shall be called food fish

Section 2 That it shall be unlawful to fish for or capture any game fish in any waters within the jurisdiction of this Commonwealth described in the first section of this act in any manner or with any device or appliance or by any means whatsoever except a rod and line having not more than three hooks or with a hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling line with spoon hooks attached or for food fish with any device not specifically permitted in this act Any person violating any provision of this section shall on conviction thereof be subject to a penalty of twenty-five dollars or in default of payment undergo imprisonment in the county jail for a period of one day for each dollar of fine unpaid except where otherwise provided and any device appliance or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries

Section 3 That it shall be unlawful to fish for any kind of fish in any bay or in any waters on any peninsula described in the first section of this act with nets or devices or means of any kind except a rod and line having not more than three hooks attached or with a hand line having not more than three hooks attached or with a trolling-line with spoon hooks attached at any time of the year Provided That nothing in this section shall be so construed as to prohibit the use of minnow-nets for angling or scientific purposes or to prohibit the Department of Fisheries from catching fish at any time of the year with nets for the purpose of stocking the waters or for taking spawn or from removing by means of nets by contract or otherwise any fish which it may deem injurious to other game or food fish Any person violating any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars or in default of payment be imprisoned in the county jail for a period of thirty days and all nets devices appliances

or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries

Section 4 That it shall be unlawful for any person to catch and kill in any waters within the jurisdiction of this Commonwealth described in the first section of this act or have in possession the same being killed more than twenty-five rock bass crappie strawberry or calico bass or more than twelve of any species of black bass grass pike or muscallonge and provided further That it shall be unlawful for any person to catch take or have in possession the same being killed any game fish from the first day of November to the twentieth day of May next ensuing both days inclusive Any person violating any of the provisions of this section shall on conviction be subject to a penalty of five dollars for each and every fish so unlawfully caught killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

Section 5 That it shall be unlawful for any person to put or place in any water described in the first section of this act over which this Commonwealth has jurisdiction any electricity or any explosive or poisonous substances whatsoever or any drug or any poison bait for purpose of catching taking killing or injuring fish or to allow any dead fish fish offal contents of tannery vats planing mill shavings dyestuff coal or gas tar coal oil saw dust tan bark cocculus indicus (otherwise known as fish berries) lime vitriol or any of the compounds thereof refuse from gas-houses oil-tanks pipes or vessels or any deleterious destructive or poisonous substances of any kind or character to be turned into or allowed to run flow wash or be emptied into any of the waters aforesaid In case of the pollution of waters by any substances known to be injurious to fishes or fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish Any person violating any of the provisions of this section shall on conviction as provided in section seventeen of this act be subject to a fine of one hundred dollars

Section 6 That it shall be unlawful to fish in any waters described in the first section of this act and over which this Commonwealth has jurisdiction with dynamite nitro-glycerine torpedoes electricity quick-lime or any kind of explosives or poisonous substances or to place such substances in any waters except for engineering purposes when written permission has been given therefor by the proper national State city or county official or officials Any person violating any of the provisions of this section shall on conviction be subject to a fine of one hundred dollars or imprisonment of six months in the county jail

Section 7 That in all cases of arrest made for the violation of any of the sections of this act the possession of the fishes prohibited by such section or the possession of a net nets or other device at or near a place where the use of such net nets or device is prohibited by such section shall be prima facie evidence of the violation of such section or sections

Section 8 Any person or persons catching or selling game or food fish or minor food fish from the waters of any part of any lake described in the first section of this act for the purpose of making compost or other fertilizing mixture or who makes use of fish for such purpose without the consent in writing of the Department of Fisheries shall on conviction be subject to a penalty of one hundred dollars or an imprisonment of three months in the county jail or both at the discretion of the magistrate or court before whom conviction was had

Section 9 That no net of any description shall be set fastened drawn or used within two miles of the entrance of any bay described in the first section of this act nor within one-fourth mile from shore nor shall any gill-net be set within three-quarters of a mile of any other portion of the shore of the part of any lake over which this Commonwealth has jurisdiction described in the first section of this act nor shall any other net or nets other than gill-nets and nets fastened to and supported by poles driven in the ground be set fastened or drawn or used within seventeen miles from such entrance to any bay described in the first section of this act measured in a direct line nor within half a mile from the entrance of any stream Any person violating any of the provisions of this section shall on conviction be subject to a penalty of one hundred dollars or in default of payment be imprisoned in the county jail for a period of three months

Section 10 That it shall be unlawful for any person or persons company or corporation operating nets or devices of whatever description or character in the waters of any part of any lake described in this act to capture and kill any sturgeon under three feet in length or to have in possession the carcasses or flesh of any sturgeon of less than three feet in length Any sturgeon of less than three feet in length which may be captured must be returned forthwith to the waters with care and least possible injury Any person or persons violating or any member of a partnership or officer of a corporation that consents to or permits the violation of any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars for each sturgeon illegally captured killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

Section 11 That it shall be unlawful to fish in any part of the waters described in this act over which this Commonwealth has jurisdiction with any gill-net having a mesh of less than three inches stretched mesh fishing measure and more than thirty meshes deep and all gill-nets used in fishing for trout shall have meshes at least five and one-half (5 1-2) inches in size stretched mesh fishing measure or with any pound-net with the net at the back side of the crib having a mesh of less than two and one-half (2 1-2) inches stretched mesh fishing measure and the net of the balance of the crib having a mesh of not less than two and one-half (2 1-2) inches stretched measure fishing measure Any person or persons fishing at any time of the year with gill-nets or pound-nets having meshes of less size than those herein described shall on conviction be subject to a fine of one hundred ($100) dollars or in default of payment each person convicted shall be confined in the county jail for a period of three months and all boats nets and other appliances used together with any fish caught shall be forfeited to the Department of Fisheries Provided further That the provisions in regard to size of meshes in pound-nets shall not become effective until the year one thousand nine hundred and fourteen

Section 12 That it shall be unlawful for any person persons company or corporation to operate for the purpose of catching fish any boat boats net nets or any device whatsoever except a rod and line having not more than three hooks or hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling-line with spoon-hooks attached in any part of any lakes described in this act over which this Commonwealth has jurisdiction without having first paid into the hands of the Department of Fisheries the following amounts as license fees to wit For each row or sail-boat used in fishing with gill-nets five dollars for each boat of any other kind under ten tons gross burden so used ten dollars for each boat of any kind of from ten to twenty tons gross burden so used fifteen dollars for each boat of any kind over twenty tons gross burden so used twenty dollars for each pound-net ten dollars for any other form of net or device not less than one dollar nor more than five dollas as the Department of Fisheries may determine and in addition to the license fees above set forth the operators of each boat so licensed shall permit a man so designated by the Commissioner of Fisheries to accompany such boat at any time when it is engaged in fishing under and by virtue of such license for the purpose of securing for the Department of Fisheries from the fish so caught so much of their spawn as the Department may desire to secure and any person operating or employing others to operate or any member of a partnership or officer of a corporation that employs or consents to the employment of any person to operate any boat net nets device or devices without having procured from the Department of Fisheries a license as provided in this section authorizing him them or it so to do shall on conviction be subject to a penalty of fifty dollars or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and all fish and nets shall be forfeited to the Department of Fisheries

Section 13 That it shall be unlawful for any person or persons save the owner or owners thereof or their lawful representatives to remove or take fish from any device which has been duly licensed and operated according to the provisions of this act Any person or persons violating any of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars for each fish so unlawfully taken provided the total amount of fine shall not exceed one hundred dollars for taking at any one time and in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in taking the fish unlawfully shall be forfeited to the Department of Fisheries

Section 14 That whenever any person persons or company or corporation shall apply to the Department of Fisheries for a license to operate any boat boats net or nets or other devices in any waters in which they may be used legally under the provisions of this act the Department of Fisheries shall upon receiving the fees provided in the twelfth section of this act issue such license duly signed by the Commissioner of Fisheries which license shall hold good from the time it is issued until the close of the calendar year in which it is issued and shall be carried by the operator or operators of said boat boats net nets device or devices while they are being used Provided That no license shall be issued to a resident of any State or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania Said license must be shown on demand by any fish warden constable deputy sheriff Fish Commissioner or any authorized representative of the Department of Fisheries Any person having such license in his possession and refusing to show it on demand shall be subject to a penalty of five dollars or be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and Provided further That any person or corporation operating any boat net nets device or devices under a license issued by the Department of Fisheries who shall fail to comply in every way with the provisions of this act shall have his license revoked by said Department of Fisheries

Section 15 That it shall be unlawful for all nets except gill-nets and pound-nets to be set fixed or fastened without having attached thereto a buoy of at least eighteen inches in diameter bearing a metalic tag on which shall be the owner's name and address which buoy must be plainly visible and above water at all times Any person violating any of the provisions of this section shall on conviction as provided in section seventeen of this act be liable to a penalty of twenty-five dollars and the confiscation of the net or nets and further provided That any net so required to be buoyed which is found in the water without a buoy as above provided and the owner or owners cannot be located shall be confiscated to the Department of Fisheries

Section 16 That all moneys collected as license fees and fines under the provisions of this act shall be paid as received into the State Treasury for the use of the Commonwealth accompanied by an itemized statement thereof a copy of which shall be filed in the office of the Auditor General and a duplicate thereof when receipted by the Auditor General and the State Treasurer shall constitute a settlement between the Commissioner of Fisheries and the Auditor General and the State Treasurer as to the aforesaid license fees and fines

Section 17 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff

deptuy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any provision of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commended to forthwith apprehend and arrest any person or persons who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charge of such violation of the law or any of the provisions thereof and the magistrate shall forthwith hear and determine the charge as provided in this act And in case any Fish Commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs in the first instance without however relieving any defendant or defendants sentenced to pay the same Such arrests may be also made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall be forthwith be paid over by him to the Commissioner of Fisheries All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the money received therefore be paid into the general fund of the State Treasury All illegal devices not preserved for exhibition purposes shall be destroyed

Section 18 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint being made before him by the affidavit of one or more persons charging any person with having violated any of the provisions of this act is hereby required and authorized to issue warrant under his hand and seal directed to a constable police officer or warden requiring such person or persons to be arrested and brought before such justice of the peace alderman or magistrate who shall hear and determine the guilt or innocence of the person so charged and if convicted such justice of the peace alderman or magistrate shall sentence the person or persons so convicted severally to pay the fine or fines penalty or penalties provide in this act for such violation or violations together with the costs of suit and such fines and penalties shall be appropriated as provided in section (16) sixteen of this act

Section 19 That the following acts and parts of acts intended to be supplied by this act be and the same are hereby repealed

"An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish minor food fish and minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and to provide penalties and punishments for any violation of any of the provisions of this act and to repeal all acts inconsistent herewith' Approved the twenty-second day of April Anno Domini one thousand nine hundred and five An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith" approved April four one thousand nine hundred and seven

And in addition to the above all acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gyger,	Kline	Salus,
Beidleman,	Hall,	Knapp,	Sensenich,
Buckman,	Heacock,	McIlhenny,	Sheatz,
Catlin,	Herbst,	McNichols,	Sones,
Clark,	Hilton,	Miller,	Stineman,
Cooper,	Homsher,	Mills,	Thompson,
Crow,	Hunter,	Moore,	Vare,
Endsley,	Jones,	Nulty,	Gerberich,
Fisher,	Judson,	Powell,	Pres. pro tem.

NAYS—1.

Martin.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 424, entitled:

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Endsley,	Magee,	Sensenich,
Beidleman,	Fisher,	Martin,	Sheatz,
Buckman,	Gyger,	McIlhenny,	Stineman,
Catlin,	Hoke,	McNichols,	Thompson,
Clark,	Homsher,	Morgan,	Vare,
Cooper,	Judson,	Nulty,	Wasbers,
Crow,	Kline,	Powell,	Gerberich,
DeWitt,	Knapp,	Salus,	Pres. pro tem.

NAYS—4.

Hall,	Herbst,	Huffman,	Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 472, (House Bill No. 147), entitled:

An Act to provide for the protection and preservation of the wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Heacock,	Kurtz,	Powell,
Beidleman,	Herbst,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Hoke,	McIlhenny,	Sheatz,
Cooper,	Homsher,	McNichol,	Snyder,
Crow,	Huffman,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Stineman,
Endsley,	Jones,	Mills,	Thompson,
Fisher,	Judson,	Moore,	Vare,
Gyger,	Kline,	Morgan,	Wasbers,
Hall,	Knapp,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 476, (House Bill No. 529), entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,

Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McIlhenny,	Snyder,
Cooper,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Fisher,	Kline,	Morgan,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 499, as follows:

An Act to amend Section 502 of an act approved May eighteenth one thousand nine hundred and eleven entitled an act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith so as to avoid the repeal of Section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight enttiled "A further supplement to an act entitled 'An Act to promote the more certain and equal assessment of taxes in Philadelphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments or agricultural and farm land and the suburban portions of said city"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and two of the act approved May eighteenth one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pensylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 502 There shall be but one levy of school taxes made in each school district in each year which shall be assessed levied and collected for all the purposes provided in this act and shall be uniform throughout the territorial limit of each school district" be and the same is hereby amended so as to read as follows

Section 502 There shall oe but one levy of school taxes made in each school district in each year which shall be assessed levied and collected for all the purposes provided in this act and shall be uniform throughout the territorial limit of each school district provided however that nothing in this section or in the repealing clause of this act shall be construed so as to repeal or in any way affect section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote the more certain and equal assessment of taxes in Philadelphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city" which reads as follows

"That is shall be the duty of the board of revision mentioned in the act to which this is a supplement immediately after the annual assessment in each year to classify the real estate so assessed in such a manner and upon testimony adduced before them as to discriminate between the rural and built up portions of said city and they are hereby required to certify to the councils of said city on or before the first day of November in each year the valuations of the built up portions the valuation of the rural or suburban property and the valuation of lands exclusively used for agricultural and farming purposes respectively and it shall be the duty of said councils in determining the rate of taxation for each year to assess a tax upon said agricultural and farm land equal to one half of the highest rate of tax required to be assessed for said year and upon the rural or suburban portion of said city a tax not exceeding two-thirds of the highest rate of tax required to be assessed as aforesaid so that upon the real estate assessed in said city there shall be three rates of taxation and it shall be the duty of the assessors of said city to make assessments of property in conformity with the provisions of this act and to designate the class in which such property should be rated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Hall,	Kurtz,	Salus,
Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Herbst,	Martin,	Sheatz,
Catlin,	Hilton,	McIlhenny,	Snyder,
Clark,	Hoke,	McNichol,	Sones,
Cooper,	Homsher,	McNichols,	Stineman,
Crow,	Huffman,	Miller,	Thompson,
DeWitt,	Hunter,	Mills,	Vare,
Endsley,	Jones,	Moore,	Wasbers,
Farley,	Judson,	Morgan,	Gerberich,
Fisher,	Kline	Nulty,	Pres. pro tem.
Gyger,	Knapp.	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McILHENNY. Mr. President, I ask that Senate Bill No. 551 on third reading entitled:

An Act to repeal an act entitled "An Act for the erection of a poor house in Mercer county approved the twenty-second day of March one thousand eight hundred and fifty

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 558, entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleventh one thousand eight hundred and sixty-two in relation to the county of Berks'" approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Herbst,	Knapp,	Nulty,
Catlin,	Hilton,	Magee,	Salus,
Cooper,	Hoke,	Martin,	Sones,
Crow,	Homsher,	McIlhenny,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Judson,	Mills,	Wasbers
Hall,	Kline,	Moore,	Gerberich,
		Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 565, entitled:

An Act to amend the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Kline,	Powell,
Beidleman,	Hall,	Knapp,	Salus,

Buckman,	Heacock,	Kurtz,	Sensenich.
Catlin,	Herbst,	Magee,	Sheatz,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	Miller,	Stineman,
DeWitt,	Huffman,	Mills,	Thompson,
Endsley,	Hunter,	Moore,	Vare,
Farley,	Jones,	Morgan,	Wasbers,
Fisher,	Judson,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. WASBERS. Mr. President, I ask that Senate Bill No. 569, on third reading, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Comonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred and eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and of the payment of the expenses of maintaining and treating persons committed thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Hall,	Knapp,	Nulty,
Beidleman,	Heacock,	Kurtz,	Powell,
Buckman,	Herbst,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sheatz,
Clark,	Hoke,	McIlhenny,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,	Kline,	Mills,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE BILL NO. 11 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and presented extract from the Journal of the House of Representatives which was read as follows:

In the House of Representatives, March 19, 1913.

Resolved, (If the Senate concur), That House Bill No. 11, entitled

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district be recalled from the Governor for the purpose of amendment.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Fred Waldschmidt, Pittsburgh.
Vincent S. Sisca, Sharpsburg.

BERKS COUNTY.

Geo. W. Bear, Hamburg.

CARBON COUNTY.

A. A. Ziegenfus, Lower Towamensing Twp.

MONTGOMERY COUNTY.

Rein C. Freed, Souderton.

NORTHAMPTON COUNTY.

W. A. Kemmerer, Easton.

PHILADELPHIA COUNTY.

Albert R. Warner, Philadelphia.
William Wilkie, Philadelphia.

SUSQUEHANNA COUNTY.

Wm. E. Barnes, Hallstead.

WYOMING COUNTY.

William S. Decker, Nicholson.
Henry M. Lewis, Tunkhannock.

ALLEGHENY COUNTY.

Cyril A. Pyros, Pittsburgh.
F. C. Miklinski, Pittsburgh.

FAYETTE COUNTY.

Alex Monteith, Fairchance.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

Miss Bessie L. McGratty, Pittsburgh, April 17, 1913.

BEAVER COUNTY.

E. Earl Aytenreith, New Brighton, March 23, 1913.

LEHIGH COUNTY.

John W. Sepp, Allentown, March 23, 1913.

PHILADELPHIA COUNTY.

Cornelius W. Van Artsdalen, Philadelphia, March 23, 1913.
Sydney Young, Philadelphia, March 26, 1913.

SCHUYLKILL COUNTY.

James A. Fessler, Cressona, March 23, 1913.

JOHN K. TENER.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 156, as follows:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where any owner or holder of a mortgage having legal power to satisfy the same has

heretofore executed and delivered or may hereafter execute and deliver a power of attorney authorizing the recorder of deeds of the county in which such mortgage is recorded in office at the time of such execution and delivery either by his official title or by his individual name to enter satisfaction of such mortgage upon the record and such satisfaction has not been entered such power of attorney when duly recorded shall be a sufficient authority to any subsequent recorder of deeds of the same county to enter satisfaction of such mortgage upon the record thereof and this power and authority conferred by this act to enter such satisfaction shall not in any way be impaired or affected by the fact that the person who executed and delivered such power of attorney or the person named or designated therein as attorney or both of them may have in the meantime died

All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 187, as follows:

An Act relating to the administering of oaths or affirmations to adminstrators executors committees or guardians to qualify them for the performance of their respective duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the oath or affirmation required by law to be administered to administrators executors committees or guardians to qualify them for the performance of their respective duties may be administered by any justice of the peace or notary public authorized by law to administer oaths and affirmative generally whether of this or any other State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 224, (House Bill No. 271), entitled:

An Act to amend an act entitled "An Act to amend the first section of an act enttiled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries" approved the first day of June Anno Domni one thousand nine hundred and eleven by further changing the limit of population of such counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 340, (House Bill No. 85), entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred and ninety-seven entitled "An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same"

And said bill having been read at length the cesond time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 352, (House Bill No. 168), entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the crganization of the courts of justice"

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill. No. 330, as follows:

An Act amending section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine requiring the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of November of each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" which reads as follows

"That it shall be the duty of the controllers of cities to the first class to furnish to the councils of said cities on or before the first day of December in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils to levy and fix a tax rate on or before the first day of October in each and every year for the next ensuing In default of said councils fixing the tax rate on or before the first day of October in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate" shall be amended to read as follows

That it shall be the duty of the controllers of the cities of the first class to furnish to the councils of said cities on or before the first day of November in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils to levy and fix a tax rate on or before the first day of December in each and every year for the next year ensuing In default of said councils fixing the tax rate on or before the first day of December in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 473, (House Bill No. 245), entitled:

An Act making an appropriation to the State Board of Censors of moving pictures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523, as follows:

A Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the Board of Viewers shall show net result only

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the several owners of property affected thereby This act shall not prevent said viewers if they so desire from making a separate report of the damages and benefits respectively but in the event of their making such separate report if the damages to the property of any person be greater than the benefits received or if the benefits be greater than the damages or if the damages and benefits be equal in either case they shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount if any is to be received or paid by the property owner and the difference only shall in any case be collectible of such property owner or paid to such property owner Appeals hereafter taken from the report of the Board of Viewers shall be from such net amount only This act shall apply to pending proceedings where the viewers report has not as yet been filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 524, as follows:

A Supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the corporate authorities of any county city borough township school district or other municipality or incorporated district shall have obtained or shall hereafter obtain the assent of the electors thereof in pursuance of the provisions of the act to which this is a supplement to increase the indebtedness thereof the authority to make such increase so conferred shall cease and determine to the extent that the same is not exercised within the period of three years from the date of the election at which such assent shall have been or shall be given unless the corporate authorities thereof by their ordinance or resolution within said period of three years shall resolve or enact that such power shall be extended for a further period not exceeding three years however in which case the power shall continue for such extended period and to the extent that such power is not exercised within such original and extended periods the same shall cease and determine Any power heretofore conferred to make such increase which would sooner cease and determine by reason of this act shall continue for a further period of one year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 630, as follows:

An Act fixing the salary of the Second Assistant State Librarian

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the Second Assistant State Librarian shall be two thousand dollars ($2,000) per annum

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 346 (House Bill No. 270), entitled:

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED.

Mr. POWELL. Mr. President. I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL read in his place and presented to the Chair Senate Bill No. 715, entitled:

An Act making an appropriation to the Home for the Good Shepherd, Lincoln Avenue, Pittsburgh.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 716, entitled:

An Act making an appropriation to the Philadelphia Osteopathic Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 718, entitled:

An Act making an appropriation to the City of Philadelphia toward the improvement of county roads in the suburban sections of said city.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Appropriations, reported as committed, Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton, Lackawanna County, Pennsylvania; providing for the transfer, under certain conditions of the said Oral School for the Deaf of the Commonwealth; regulating said school in the event of such transfer; and making an appropriation to carry out the purposes of this act.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane, at Fairview, Wayne County.

Mr. McILHENNY. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations for Notaries Public made by His Excellency. the Governor of the Commonwealth, at to-day's session, which were laid upon the table.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolves itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gyger,	Kurtz,	Powell,
Beidleman,	Hall,	Magee,	Salus,
Buckman,	Heacock,	Martin,	Sensenich,
Catlin,	Herbst,	Mellhenny,	Sheatz,
Clark,	Hilton,	McNichol,	Snyder,
Cooper,	Hoke,	McNichols,	Sones,
Crow,	Homsher,	Miller,	Stineman,
DeWitt,	Jones,	Mills,	Thompson
Endsley,	Judson,	Moore,	Vare,
Farley,	Kline,	Morgan,	Washers,
Fisher,	Knapp,	Nulty,	Gerberich, Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 626 (House Bill No. 735), entitled:

An Act to amend an act, entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been reconveyed to them approved the twenty-sixth day of May, Anno Domini one thousand eight hundred and ninety-one with its amendments, providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church, cemetery or burial associations and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 212, entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 343 (House Bill No. 69), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 344, (House Bill No. 68), entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health ad safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 359, entitled:

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act providing that a bronze medal be given to each honorably discharged soldier sailor or marine of the Civil War who enlisted in a Pennsylvania organization and who resides in said State and making an appropriation therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act to amend an act approved the twenty-eight day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 627 (House Bill No. 883), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for service in said regiment providing for said regiment a regimental band.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

BILLS ON FIRST READING.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 694, entitled:

An Act to amend section one of an act, entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such release," approved the 11th day of May, A. D. 1911.

Senate Bill No. 687, (House Bill No. 845), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said peni-

tentiary to charge the cost thereof against the several counties in the Western District

And Senate Bill No. 688, (House Bill No. 850), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new pentitentiary in Centre County for use in the erection and equipment thereof

reported from committee at this morning's session, be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 694, entitled:

An Act to amend section one of an act, entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such release," approved the 11th day of May, A. D. 1911.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 687, (House Bill No. 845), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 688, (House Bill No. 850), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 25, entitled:

An Act authorizing the Department of Forestry to lease portions of the State Forest for church school health and recreation purposes

House Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf

House Bill No. 301, entitled:

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

House Bill No. 352, entitled:

An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

House Bill No. 454, entitled:

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges or such travel

House Bill No. 564, entitled:

A joint resolution directing the publication of the pamphlet containing the game fish and forestry laws

Senate Bill No. 31, entitled:

A further supplement to an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven

Senate Bill No. 45, entitled:

An Act for the better protection of the wild birds known as the turtle or mourning dove the kill-deer plover and the bird commonly called the black-bird in Pennsylvania and prescribing penalties for violation of its provisions

Senate Bill No. 63, entitled:

An Act providing for another judge in each of the courts of common pleas of Philadelphia County

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

RECESS.

Mr. McILHENNY. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 53, (Senate Bill No. 719), entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for violation of the provisions thereof and providing for the enforcement thereof

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 63, (Senate Bill No. 720), entitled:

An Act relating to the furnishing of natural or artificial gas water or electricity to persons companies and corporations other than municipalities to be paid for by consumers by meter measurement prohibiting over-charges therefor and providing penalties for the violations of the same

Which was committed to the Committee on Corporations.

House Bill No. 118, (Senate Bill No. 721), entitled:

An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of certain part officers delegates and alternate delegates to National Party Conventions and of a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States and of United States Senator and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State Committee of a Political party to make and to alter amend and revoke party rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

Which was committed to the Committee on Elections.

House Bill No. 184, (Senate Bill No. 722), entitled:

An Act providing that the appraisers' lists of mercantile licenses shall not hereafter be published

Which was committed to the Committee on Judiciary Special.

House Bill No. 221, (Senate Bill No. 723), entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury

Which was committed to the Committee on Judiciary Special.

House Bill No. 366, (Senate Bill No. 724), entitled:

An Act authorizing the appointment of a Commission to inquire into the subject of creating a public pension for dependent mothers definin its powers and duties and making an appropriation for the expenses therefor

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 384, (Senate Bill No. 725), entitled:

An Act relating to practioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violation of this act

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 642, (Senate Bill No. 726), entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon state highways and turnpike roads in such townships

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 678, (Senate Bill No. 727), entitled:

An Act to provide for the assessment of poll taxes in cities of the first class by officers of registration of electors for the preparation and distribution of lists of taxables by the county commissioners and for the abolition of the office of assessor of electors for purposes of taxation in such cities

Which was committed to the Committee on Elections.

House Bill No. 679, (Senate Bill No. 728), entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

Which was committed to the Committee on Elections.

House Bill No. 680, (Senate Bill No. 729), entitled:

An Act relating to the selection of jurors making the registration lists the basis of selection in counties or portions of counties in which personal registration of electors is required and repealing acts or parts of acts inconsistent therewith

Which was committed to the Committee on Judiciary Special.

House Bill No. 737, (Senate Bill No. 730), entitled:

Providing for the compensation of district attorneys whose terms expired on the first Monday in January one thousand nine hundred and thirteen but who by virtue of an amendment to article fourteen section two of the Constitution of Pennsylvania were required to serve an additional year

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid.

BILL ON FIRST READING.

Mr. CROW. Mr. President, I move that Senate Bill No. 717, the bill just reported from committee, be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or time dividends out of net profits and prescribing the time within which the same shall be paid.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. KLINE. Mr. President, I move that the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. ALEXANDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:25 o'clock P. M. until Thursday morning, March 20, 1913, at ten o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 19th, 1913.

(MORNING SESSION.)

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, wilt Thou grant that this new day, given to us in Thy mercy, may be returned to Thee in service. As Thou hast guarded and kept us through the hours appointed to sleep, so wilt Thou guard and keep us through the hours appointed to labor. May we gladly and gratefully render to Thee every service, rejoicing in the dignity and privilege of working together with Thee. May we never forget that the cause which we serve is Thy cause for the people are Thy care, and in working for the people we are working for Thee. May we do nothing this day to displease Thee and dishonor ourselves or to injure our fellows; and wherein we fail or come short through ignorance or weakness, may Thy Fatherly love bring us again into the right attitude before Thee, and Thine infinite mercy forgive us, and Thy divine love amend our fault and overrule it, to Thy glory. We ask it for Thy name sake. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to the reading of the Journal of yesterday's proceedings, when, on motion of Mr. Snyder, the further reading was dispensed with, and the Journal was approved.

The SPEAKER. The Chair reports to the House, Bills 1493 to 1556 inclusive presented on Monday evening, which have been referred as noted thereon.

BILLS INTRODUCED AND REFERRED.

By Mr. JOHN H. YOUNG. House Bill No. 1493.

An Act to amend section seven of an act, approved the twenty-second day of April, Anno Domini one thousand nine hundred and five, entitled "An Act to preserve the purity of the waters of the State, for the protection of the public health."

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHN H. YOUNG. House Bill No. 1494.

An Act to amend section one of an act approved the nineteenth day of March, Anno Domini one thousand nine hundred and three, entitled "An Act amending section one of an act entitled 'An Act relating to mandamus, approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-three."

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHN H. YOUNG. House Bill No. 1494.

An Act to repeal an act, approved the twenty-second day of April, Anno Domini one thousand nine hundred and five, entitled "An Act to preserve the purity of the waters of the State, for the protection of the public health.

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHN H. YOUNG. House Bill No. 1496.

An Act to amend the fifth section of an act, approved the twenty-second day of April, Anno Domini one thousand nine hundred and five, entitled "An Act to preserve the purity of the waters of the State, for the protection of the public health."

Referred to the Committee on Public Health and Sanitation.

By Mr. RICHARDS. House Bill No. 1497.

An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and revision of Taxes for State and County and city purposes; prescribing the method of their appointment, their powers and duties, fixing their salary to be paid by the proper county; and abolishing the office of city, ward, borough and township assessors, in so far as respects the assessment of State and County, and city taxes.

Referred to the Committee on Judiciary Special.

By Mr. NEELY. House Bill No. 1498.

An Act to amend the eleventh, fifteenth and thirty-fourth sections of an act approved the 7th day of June A. D. 1895, entitled "An Act regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class."

Referred to the Committee on Municipal Corporations.

By Mr. SNAVELY. House Bill No. 1499.

An Act providing that it shall not be lawful for any city borough township or other municipality or any officer thereof or for any officer of this Commonwealth or for any School Board, Board of Health or any other Board created or authorized by law or any officer thereof to pass any law ordinance or rule or issue any order or demand for the vaccination of any person under any circumstances whatever.

Referred to the Committee on Public Health and Sanitation.

By Mr. MITCHELL. House Bill No. 1500.

An Act authorizing the Governor of Pennsylvania, State Treasurer and the Secretary of Internal Affairs to lease to the City of Erie for ninety-nine years certain lands owned by the State on the shores of Presque Isle Bay in the County of Erie, west of the city of Erie; providing a rental therefor and giving the city of Erie the right to sublet all or any part of the same or docks, landings terminals and other utilities, or to build upon the land such buildings and improvements for the aforesaid purposes.

Referred to the Committee on Judiciary Special.

By Mr. NEELY. House Bill No. 1501.

An Act amending section eighteen of an act entitled "An Act providing when, how upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims files therefor; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales," approved the fourth day of June, A. D. one thousand nine hundred and one, as the same was amended by an act approved the sixth day of May, A. D. one thousand nine hundred and nine, changing the method of service by advertisment of writs of scire facias issued upon municipal and tax claims.

Referred to the Committee on Judiciary Special.

By Mr. NEELY. House Bill No. 1502.

An Act to provide for the erection of a monument and memorial tablets to Battery Fl Ind' Penna, Artillery (known as the Hampton Battery) on the Battlefield of Antietam, and the dedication of the same, and of the expenses of the Commission appointed to select supervise and erect the same, and the transportation of the survivors of said Command to and from said Battlefield.

Referred to the Committee on Appropriations.

By Mr. NEELY. House Bill No. 1503.

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the Second Class, and providing a penalty for the violation thereof.

Referred to the Committee on Municipal Corporations.

By Mr. NEELY. House Bill No. 1504.

An Act to amend the eighth, ninth, tenth, thirteenth and twenty-ninth sections of an act approved the seventh day of June A. D. one thousand nine hundred and one, entitled "An Act providing for examination, licensure, and registration of persons, firms or corporations engaged in or engaging in the business or work of plumbing or house drainage ,and prescribing certain rules, regulations and requirments for the construction of plumbing, house drainage and cess-pools in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof" as amended by an act approved the fourteenth day of May A. D. 1909, extending the provisions of said act to cities of the third class having a system of water supply and sewerage, of this Commonwealth and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage and cesspools; and providing penalties and forfeitures for violation thereof.

Referred to the Committee on Municipal Corporations.

By Mr. NEELY. House Bi l No. 1505.

An Act to provide for the erection of a monument and memorial tablets to Battery F. Ind. Penna. Artillery (known as the Hampton Battery) on the Battlefield of Chancellorsville and the dedication of the same, and of the expenses of the Commission appointed to select, supervise and erect the same, and the transportation of the survivors of said Command to and from said battlefield.

Referred to the Committee on Appropriations.

By Mr. McARDLE. House Bill No. 1506.

An Act making an appropriation to Julia White Priscilla Home for aged colored people.

Referred to the Committee on Appropriations.

By Mr. JOHN R. K. SCOTT. House Bill No. 1507.

An Act to amend an act entitled "An Act creating and art jury for cities of the first class, and prescribing its powers and duties;" approved the 25th day of May A. D. 1907.

Referred to the Committee on Judiciary Special.

By Mr. GEARY. House Bill No. 1508.

An Act regulating the depth of private ponds or lakes whereon boats or skiffs are used for hire; and providing a penalty for violation of this act.

Referred to the Committee on Judiciary Local.

By Mr. RONEY. House Bill No. 1509.

An Act to further amend section sixteen of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," approved the first day of June, one thousand eight hundred and eighty-nine.

Referred to the Committee on Ways and Means.

By Mr. CLAYCOMB. House Bill No. 1510.

An Act relating to the reports of auditors of boroughs, townships and poor districts, and appeals therefrom, giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports.

Referred to the Committee on Judiciary General.

By Mr. BARNER. House Bill No. 1511.

An Act making an appropriation for the purpose of acquiring and marking the site of Fort Morris, erected about one thousand seven hundred and fifty-five, at Shippensburg, Cumberland County, and providing a suitable memorial to the Pioneer Settlers of the Cumberland Valley.

Referred to the Committee on Appropriations.

By Mr. WALNUT. House Bill No. 1512.

An Act requiring the holders of any mortgages made or assigned to two or more persons or to one or more persons and a body or bodies corpirate, on being tendered legal fees therefor to enter on the margin of the record thereof a receipt for the amount paid on account of the Principal of any mortgage and enter satisfaction upon the margin of the record thereof to the amount thus receipted for.

Referred to the Committee on Judiciary General.

By Mr. HORACE B. DUNN. House Bill No. 1513.

An Act to regulate all corporatins or companies of any kind or character whatsoever as general accident and health or both doing business within the Commonwealth in addition to any fund that is now required to be deposited in the office of the Insurance Commissioner.

Referred to the Committee on Insurance.

By Mr. WILDMAN. House Bill No. 1514.

An Act to regulate the sale of intoxicating liquors in social clubs, and providing a penalty for the violation thereof.

Referred to the Committee on Law and Order.

By Mr. WILLIAMS. House Bill No. 1515.

An Act providing for the payment of premiums on bonds required of public officers and for the discharge of sureties thereunder.

Referred to the Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1516.

An Act to amend section two of an act entitled "A supplement to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine, amending and extending the provisions thereof," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and ninety-nine.

Referred to the Committee on Ways and Means.

By Mr. KAUFMAN. House Bill No. 1517.

A supplement to an act approved the thirteenth day of May, one thousand eight hundred eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof.

Referred to the Committee on Law and Order.

By Mr. ALLEN. House Bill No. 1518.

An Act to amend the first section of an act approved the twenty-fourth day of March, one thousand nine hundred five, entitled "An Act establishing in counties containing a population of from three hundred thousand to one million, a Board for the Assessment and Revision of Taxes for State and county purposes; prescribing their powers and duties; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes."

Referred to the Committee on Judiciary Special.

By Mr. MITCHELL. House Bill No. 1519.

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," as amended

Referred to the Committee on Counties and Townships.

By Mr. GRAMLEY. House Bill No. 1520.

An Act to establish as a "State Highway" a certain section of public road beginning at a point known as Potter's Mills in Potter Township, Centre County, and passing along the south side of Penns Valley through Boalsburg to the borough of State College, Centre County.

Referred to the Committee on Public Roads.

By Mr. RONEY. House Bill No. 1521.

A Supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations, in the State of Pennsylvania," approved May twenty-fourth, Anno Domini one thousand eight hundred and eighty-seven.

Referred to the Committee on Public Health and Sanitation.

By Mr. SAMUEL B. SCOTT. House Bill No. 1522.

An Act relating to lynching, fixing the liability of police officers, constables, sheriffs and deputy sheriffs and the liability and rights of counties, cities, borough, towns and townships for injury or death of persons in custody and prescribing certain penalties.

Referred to the Committee on Judiciary General.

By Mr LANIUS: House Bill No. 1523.

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election.

Referred to the Committee on Judiciary Special.

By Mr. SAMUEL B. SCOTT: House Bill No. 1524.

A Joint Resolution extending the time for the making of the report by the Commission for the Investigation and Control of the Chestnut-tree Blight Disease in Pennsylvania.

Referred to Committee on Forestry.

By Mr. GEARY: House Bill No. 1525.

An Act regulating the safe-conveyance of passengers in cars of roller-coasters, by providing a guard for all openings; and providing a penalty for the violation hereof.

Referred to Committee on Judiciary Local.

By Mr. WILDMAN: House Bill No. 1526.

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred eleven, entitled 'An Act to provide for the ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and eleven, and for the payment of bills incurred an remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven.

Referred to Committee on Appropriations.

By GEORGE A. BALDWIN. House Bill No. 1527.

An Act relative to the collection of taxes in the boroughs and townships of this Commonwealth; providing that the county treasurer, by virtue of his office, shall be the collector of such taxes; prescribing his duties and fixing his compensation.

Referred to the Committee on Judiciary General.

By Mr. GEORGE A. BALDWIN. House Bill No. 1528.

A Supplement to an act entitled 'An Act fixing the salaries and providing for the expenses of county commissioners, in counties of this Commonwealth, approved the fourteenth day of April, Anno Domini one thousand nine hundred and five; providing for additional compensation in cases where county commissioners perform the duties of poor directors.

Referred to the Committee on Judiciary General.

By Mr. CONNIFF. House Bill No. 1529.

An Act regulating the pay of election officers hereafter to be held within this Commonwealth.

Referred to Committee on Elections.

By Mr. JOHN H. YOUNG. House Bill No. 1530.

An Act making delinquent state taxes assessed upon personal property a lien upon real estate of the person or corporation liable for such tax; directing the filing of such tax, and providing a method for its collection.

Referred to the Committee on Judiciary General.

By Mr. CHARLES A. SHAFFER. House Bill No. 1531.

A Supplement to an Act approved the eighteenth day of July, one thousand nine hundred and one, entitled "An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election, appointment and commissioning of judges learned in the law for the said districts in cases where such judges are not provided for by existing law.

Referred to the Committee on Judiciary Apportionment.

By Mr. GLENN. House Bill No. 1532.

An Act providing for an Industrial Home for Women, authorizing the purchase of a site and the erection thereon and equipment of necessary buildings, providing a method of governing said institution and making an appropriation to carry out the purposes of this act.

Referred to the Committee on Appropriations.

By Mr. WILDMAN. House Bill No. 1533.

An Act authorizing the governor to appoint a commission to devise a plan or plans for the government of the cities of the third class of this Commonwealth.

Referred to the Committee on Municipal Coroporations.

By Mr. AMBLER. House Bill No. 1534.

An Act providing for notification of taxables by township treasurers in townships of the first class; prescribing the contents of such notices ,and providing for the payment of the expenses thereof, and further providing a penalty for non-compliance therewith.

Referred to the Committee on Counties and Townships.

By Mr. AMBLER. House Bill No. 1535.

An Act authorizing and directing the Court of Common Pleas of each county of this Commonwealth, on due notice and hearing, to raise the valuation and assessment of any real estate or taxable property which, in the course of the hearing of any appeal from the assessment of other real estate or taxable property, may in the opinion of said court be assessed at a less rate than the generality of other like real estate or taxable property in the same county.

Referred to the Committee on Counties and Townships.

By Mr. LANIUS. House Bill No. 1555.

An Act authorizing counties to charge telephone telegraph, electric light or gas light companies or other public service corporations now maintaining poles on county roads, a reasonable license fee; providing for the removal of such poles in case of non-payment; requiring such companies hereafter occupying county roads to agree in writing with the county commissioners in relation to such occupancy and the compensation to be paid therefor, and providing for the use of all monies received under this act.

Referred to the Committee on Municipal Coroporations.

By Mr. HESS. House Bill No. 1537.

An Act prohibiting the charging by railroad companies of demurrage for certain private cars at certain times and providing a penalty.

Referred to the Committee on Railroads.

By Mr. FRANK GRAY. House Bill No. 1538.

An Act providing that it shall not be lawful for any municipality in this Commonwealth or any officer thereof or for any Board of Health or any officer thereof or for any Commissioner officer or Board created or authorized by law to quarantine restrain or coerce any person for not having been vaccinated or for refusing or neglecting to be vaccinated or to release from quarantine any person who has been quarantined on account of exposure to small-pox (variola or varioloid) because such person has been vaccinated or consents to be vaccinated.

Referred to the Committe on Public Health and Sanitation.

By Mr. AMBLER. House Bill No. 1539.

An Act empowering the Court of Common Pleas of each county of this Commonwealth, on an appeal made to it from the assessment of any real estate or taxable property, to raise the valuation of the said real estate or taxable property, in case the same may in the opinion of the Court be assessed too low.

Referred to the Committee on Counties and Townships.

By Mr. PIPER. House Bill No. 1540.

An Act to regulate the occupation of bartending, to create a Board of Examiners for the licensing of persons to carry on such occupation, to insure the better education of persons engaged in such occupation, to provide rules regulating persons engaged in such occupation and to provide penalties for violations of said rules.

Referred to the Committee on Labor and Industry.

By Mr. WETTACH. House Bill No. 1541.

Supplement to an act entitled, 'An Act for the government of cities of the second class, approved the seventh day of March A. D. one thousand nine hundred and one, changing the fiscal year in cities of the second class, and providing that appropriations shall be made, and taxes and water rents shall be levied, for such fiscal year.

Referred to the Committee on Municipal Corporations.

By Mr. WILDMAN. (By request). House Bill No. 1542.

An Act entitled an act to enable cities of the third class which receive an annual revenue from public utilities through taxation or otherwise, to hypothecate such annual revenue as security for loans, the proceeds of which to be applied to payment of such cities' floating debts, or to extension of their streets and seweage systems, or to the erection of sewage disposal plants.

Referred to the Committee on Municipal Corporations.

By Mr. CONNIFF. House Bill No. 1543.

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair, build or rebuild any county bridges, without due advertisement for sealed proposals, excepting contracts not amounting to two hundred and fifty dollars.

Referred to the Committee on Judiciary Special.

By Mr. KERN. House Bill No. 1544.

An Act to repeal section twelve of an act entitled 'An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth" approved the eighteenth day of June Anno Domini one thousand eight hundred and ninety-five.

Referred to the Committee on Public Health and Sanitation.

By Mr. AMBLER. House Bill No. 1545.

An Act authorizing any officer, board or tribunal in this Commonwealth, charged with the duty of levying taxes, to appeal to the Court of Common Pleas from the assessment of any real estate or taxable property within their jurisdiction, and regulating the proceeding on such appeal.

Referred to the Committee on Counties and Townships.

By Mr. SEMMENS. House Bill No. 1536.

An Act to amend section 5 of an act entitled "An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair, build or rebuild any county bridges, without due advertisement for sealed proposals, excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1906), by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dolllars.

Referred to the Committee on Counties and Townships.

By Mr. PENNEGAR. House Bill No. 1547.

An Act to amend section 2 of an act entitled An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have county bridges of their counties painted, and the bolts of the same tightened, as often as may be necessary, approved the twenty-first day of April Anno Domini one thousand nine hundred and three.

Referred to the Committee on Counties and Townships.

By Mr. KEEPORT. House Bill No. 1548.

An Act to amend sections fourteen and seventeen of an act approved June first, one thousand nine hundred and eleven, entitled "An Act to establish an insurance department; authorizing the appointment of an Insurance Commissioner, and prescribing his powers and duties; also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations, and for the licensing and regulation of insurance agents and insurance brokers; also providing for the collection of fees, and prescribing penalties for the violation of any of the provisions of this act; and repealing all existing acts.

Referred to Committe on Insurance.

By Mr. HOBBS. House Bill No. 1549.

An Act prohibiting the hunting capturing or killing of game birds with the aid of certain dogs, and providing a penalty.

Referred to the Committee on Game.

By Mr. STEIN. House Bill No. 1550.

An Act to further amend secton 2 of an act entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties; regulating the proceedings therein and providing for the expense thereof"; approved the fifth day of May, one thousand nine hundred and eleven, as amended by an act entitled "An Act to amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof" approved the fifth day of May, one thousand nine hundred and eleven, and changing the election of judges therein mentioned from the genral election to the municipal election, as now provided by law, in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven, by increasing the salaries of the judges of the said court.

Referred to Committee on Judiciary General.

By Mr. WILTBANK. House Bill No. 1551.

An Act authorizing cities of the first class to remit taxes owing by any public charity hospital where a dispute has arisen as to the right of the city to assess and collect such taxes.

Referred to the Committee on Municipal Corporations.

By Mr. CARSON. House Bill No. 1552.

An Act providing for the regulation and licensing of auctioneers.

Referred to the Committee on Judiciary Local.

By Mr. GEORGE C. IRWIN. House Bill No. 1553.

An Act to protect the lives of persons employed in or about mines, factories, or other places and buildings, in which stationery engines and boilers are installed, by requiring every such boiler to be equiped with an automatic feed water regulator; making it the duty of the Chief Factory Inspector to see that this Act is enforced, and providing a penalty for violation thereof.

Referred to Committee on Judiciary Local.

By Mr. McCAIG. House Bill No. 1554.

An Act relating to the liability of corporations, individuals and other employers, in actions for damages caused by the negligence of said employers in providing defective and insufficient machinery, appliances tools, instruments, etc, and placing upon the employer the burden of disproving negligence.

Referred to Committee on Judiciary General.

By Mr. PENNEGAR. House Bill No. 1546.

An Act to provide for the public safety by making it incumbent on railroads or railways to furnish watchmen at grade crossings, and to give signals of the approach of trains in boroughs with one thousand or more inhabitants.

Referred to the Committee on Railroads.

By Mr. CHEESEMAN. House Bill No. 1556.

An Act to provide for the creation of a Department of Fish and Game.

Referred to the Committee on Game.

By Mr. R. J. BALDWIN. House Bill No. 1557.

An Act to amend section 18 of an act entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvements of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation opening straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary providing that the County Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads: authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," approved the 11th day of May Anno Domini one thousand nine hundred and eleven, by authorizing counties to aid boroughs in the improvement of a borough street connecting with a county road, providing for the cost thereof; prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough.

Referred to the Committee on Public Roads.

By Mr. ISLER. House Bill No. 1558.

An Act empowering cities of the second class to levy, assess and collect taxes for general revenue purposes on street railway, telegraph, electric light or power, water, gas and heat companies or corporations.

Referred to the Committee on Municipal Corporations.

By Mr. GEORGE C. IRWIN. House Bill No. 1559.

An Act dividing the counties of this Commonwealth into classes, for the purpose of providing a more suitable and equitable government therefor.

Referred to the Committee on Counties and Townships.

By Mr. LANIUS. House Bill No. 1560.

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers, or policemen for incorporated or unincorporated Association heretofore or hereafter organized, for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five.

Referred to the Committee on Judiciary Special.

By Mr. CLEARY. House Bill No. 1561.

An Act imposing on all steam railroads and railways operating in this Commonwealth a duty to erect and operate safety devices at all grade crossings with a public highway and making the non-performance of such duty a misdemeanor and providing a penalty for the same.

Referred to the Committee on Railroads.

By Mr. BIGGER. House Bill No. 1562.

An Act to amend section nine of an act entitled "An Act regulating the construction, maintenance, alteration and inspection of buildings and party walls in Cities of the Second Class" approved June 7th, 1895, by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro-rata share of the cost of said wall from adjoining owner. Preserving however, all the rights given by statute to owners of party walls erected under said act.

Referred to Committee on Municipal Corporations.

By Mr. McDERMOTT. House Bill No. 1563.

An Act making it unlawful to use any electric current, for any purpose in any room, breast or entry, where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pennsylvania, generating gases, and providing a penalty.

Referred to the Committee on Mines and Mining.

By Mr. FREY. House Bill No. 1564.

An Act regulating the government of county jails or prisons, and fixing penalties for violation of this act.

Referred to Committee on Judiciary General.

By Mr. KLEPPER. House Bill No. 1565.

An Act making an appropriation for a road through the State Forest Reserves along the West Branch of the Susquehanna River.

Referred to the Committee on Appropriations.

By Mr. CALDWELL. House Bill No. 1566.

An Act to amend an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax" as amended.

Referred to the Committee on Ways and Means.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 65, (House Bill No. 1804).

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices.

Referred to Committee on Insurance.

Also Senate Bill No. 66, (House Bill No. 1805).

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkhead dock slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof.

Referred to Committee on Insurance.

Also Senate Bill No. 151, (House Bill No. 1806).

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof.

Referred to the Committee on Labor and Industry.

Also Senate Bill No. 159, (House Bill No. 1807).

An Act prohibiting the giving selling or furnishing of cigarettes and tobacco to any person under the ages of eighteen years and fixing the penalty for violation hereof.

Referred to the Committee on Law and Order.

Also Senate Bill No. 161, (House Bill No. 1808).

An Act regulating appeals from the judgment of aldermen and justices of the peace.

Referred to Committee on Judiciary General.

Also Senate Bill No. 316, (House Bill No. 1809).

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions.

Referred to the Committee on Game.

Also Senate Bill No. 322, (House Bill No. 1810).

An Act to extend the time for commencing and the time for opening and completing of certain railroads and railways in this Commonwealth.

Referred to Committee on Railroads.

Also Senate Bill No. 360, (House Bill No. 1811).

An Act relating to the organization and meetings of corporations not for profit incorporated under the laws of Pennsylvania.

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 362, (House Bill No. 1812).

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof.

Referred to Committee on Education.

Also Senate Bill No. 430, (House Bill No. 1813).

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteophy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled "An Act to amend sections nine and ten of an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

Referred to Committee on Public Health and Sanitation.

Also Senate Bill No. 490, (House Bill No. 1814).

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same.

Referred to Committee on Judiciary General.

Also Senate Bill No. 502, (House Bill No. 1815).

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of idebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 518, (House Bill No. 1816).

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Comonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population.

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 519, (House Bill No. 1817).

An Act authorizing the establishment and maintenance of teachers' training schools in certain school districts and extending certain privileges to the certain graduates therefrom.

Referred to Committee on Education.

Also Senate Bill No. 520, (House Bill No. 1818).

An Act amending the act approved the ninth day of April one thousand eight hundred sixty-two entitled "An Act to authorize the erection of a Poor House by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne" as amended by an act approved the twenty-second day of April one thousand eight hundred seventy-nine entitled "A supplement to an act entitled 'An Act to authorize the erection of a poor house by the borough of Dunmore borough of Scranton and township of Providence in the county of Luzerne' approved April ninth eighteen hundred and sixty-six" by defining the Scranton Poor District providing for the election of the Poor Board therein defining the powers and duties of such Board and abolishing the present office of poor directors.

Referred to Committee on Judiciary Local.

Also Senate Bill No. 588, (House Bill No. 1819).

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

Referred to Committee on Judiciary Special.

Also Senate Bill No. 590, (House Bill No. 1820).

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case.

Referred to the Committee on Judiciary General.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, March 19th, 1913.

To the House of Representatives,
Hon. George Alter,
Speaker:

There seems to be some misunderstanding as to my attitude in the Dual Office Resolution inquiry. This moves me to write you.

In my recent message to the House I indicated my entire willingness to communicate any and all information, not incompatible with the public interest in the possession of the Executive and the heads of the several executive departments or their subordinates, which the Legislature might request as useful in the discharge of its law-making functions and duties. I wish to reiterate this willingness and to express my desire and purpose at all times to cordially cooperate with the Assembly.

Duel office holding has long been in vogue in the Commonwealth. In my judgment, it makes for economy and efficiency in administration. Men better qualified can thus be obtained for a less expenditure by the State than if an appointee is restricted to the holding of a single office The Constitution recognizes duel office holding; e. g., the Lieutenant Governor, Secretary of the Commonwealth and Attorney General are members of the Board of Pardons, and, as such members, receive a salary of $500.00 a year.

For many years, dual offices have likewise been held by certain subordinates in the several executive departments. These offices, with a few exceptions, and the salaries attached to them have from time to time been created and fixed by the Legislature itself. For this reason, and, as a matter of common knowledge, my feeling was that the House Committee, as evidenced by its subpoena, had knowledge of these duel offices, as well as of the appointees to the same and of their salaries.

With reference to the proposed inquiry by the House Committee as to the "duties" of such appointees, the resolution provided that "such committee shall have full power to administer oaths and compel the attendance of witnesses and the production of all books and papers, to issue all necessary processes and to exercise all the powers belonging to a committee of the House of Representatives. It will at once be recognized that, by reason of the wide scope of the proposed investigation, and the full power given to the Committee to inquire, not only as to the duties of these appointed, but to compel "the production of all books and reports" inquiries might be made and information demanded inadvertently or designedly of the several subordinate officers subpoenaed, the disclosure of which would be incompatible with the public interests. I am sure that the members of the House and the Committee will recognize the limitations which, as a matter of public policy, should be placed upon such inquiries and disclosures. Certain information can properly be given by the subordinates; certain other information should, just as properly, be withheld—I mean, of course, information as to the performance of duties in the scope of their employment, reflecting the exercise of executive discretion and concerning matters over which the Executive Department has, and should, exercise exclusive discretion and control. Many of the duties, for example, of my Secretary and of the Clerk of the Board of Pardons, who were subpoenaed, are of this confidential nature. This observation applies also to many of the books, papers and records in their custody and control.

I have said enough to again indicate and call your attention to the thought expressed in my message—that an unrestricted examination of these subordinates under subpoena would not be compatible with the public interests; and therefore I suggested in my message that, instead, a proper request or inquiry by the Legislature or its Committee concerning the subject-matter of the resolution and the information desired, should be addressed to the Governor. As I have said above, there seems to be some misunderstanding between the House and the Governor, and the impression seems to prevail among certain Members of the House that I have counseled defiance of its process. I repeat that this was furthest from my intention. At this time, when we are all interested and should co-operate in the enactment of much useful and highly desired legislation, there ought to be no unnecessary or unseemly wrangle or controversy between the House and the Executive over the subject-matter of this inquiry, which, as I now understand, it is proposed to confine within the proper limitations above referred to

If, therefore, with this purpose in view, the Committee will send me a communication, making a detailed inquiry as to the information desired, or will honor me with a visitation, I shall be very glad to give them, or procure for them, such information. And if the Committee should deem it proper or useful to supplement this information by direct inquiry, within the proper limitations referred to, of the subordinates in the several Executive departments, I shall request these persons to attend before your Committee.

Yours very truly,

JOHN K. TENER.

Mr. SHERN. Mr. Speaker, I move that the report be received and a Committee appointed by this House to confer with the Governor as to its further action in the matter and the suggestions contained in this communication.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that such a motion is entirely out of order until the report of the Judiciary General Committee, which was instructed by the House to inform the House as to what its rights, duties, obligations and privileges are in the matter. If the gentleman from Philadelphia will withdraw his motion until that report is rendered, I think it will put a different phase upon the matter.

The SPEAKER. Perhaps that would be better.

Mr. SHERN. Mr. Speaker, No, I will not withdraw my motion. I stand upon my motion. It is idle to waste so much time in this House when we have such important legislation—over 1,400 bills reposing in the committees of this House—to quibble over such a small matter as this. The Governor in his communication states frankly to every member of this House that he does not desire any discord nor does he throw defiance to the members of the House, but what he says is to the effect that if the committee will honor him with a visit, he will give all the information they may require. And he goes further than that and says if they are not satisfied with that visit, he will instruct his subordinates to obey the process of this House in a formal subpoena and compel them to appear before them. In other words, he is willing to do just exactly what this House demands—give them information in regard to dual office holding. Do not play peanut politics in this matter, my friends. Do not be narrow and so indiffernt to what we are requiring. We have been wasting too much time on this matter. We have a great deal of legislation and a great many other duties of importance to our constituents and to the people of the State of Pennsylvania, and I ask you and demand now, Mr. Speaker, a roll call upon my motion, that this committee appointed by the House, to investigate dual office holding honor the Chief Executive with a visit, and if they cannot agree, then under the process of subpoena he tells you in his message that he will compel his subordinates to appear before that committee. I press my motion, Mr. Speaker.

Mr. S. B. SCOTT. Mr. Speaker, I move that the motion of the gentleman from Philadelphia, Mr. Shern, be laid upon the table. I do that, Mr. Speaker, with a thorough apprehension of what it means, and with the feeling that in the present state of affairs it is the only right thing to do. We are building history this moment. There has been a perfectly clear and definite issue raised upon the record as to what the legal rights of a House subpoena, addressed to a subordinate in the Executive Department, are. That issue is as clear as day, and the House has instructed its committee to inform the House exactly what its rights are and how far it may go. There will be occasion after occasion in the subsequent history of this session and future sessions when it will be of the utmost moment that the House know whom it can subpoena and whom it cannot, and now when the House has appointed this committee, for instruction, and that committee has not had an opportunity to report to this House its carefully found opinion on that question, by a message from the Governor, which at best is a skillfully constructed evasion of the issue, it is proposed to act upon that before you have been informed of your rights and duties here. Now, all that I have moved is this: that this motion made by the gentleman from Philadelphia, which will prevent the issue from being determined —all that I ask is that such a motion be laid upon the table until we have been put in the possession of the legal counsel which you, yourselves, have requested, and your properly appointed committee is now ready to give you.

Mr. KITTS. Mr. Speaker, I am sorry to be compelled to take issue with my friend from Philadelphia, Mr. Scott, but I cannot see any sound logic in making a scapegoat out of our Chief Executive, when he has come forward to the House of Representatives in a communication that is open in every particular, and willingly submitted his office and those under his authority for any information that that committee may want if they came to him. Now, the whole question of laying this matter over seems to be whether the House will thresh out the legal standing or legal meaning of the issuing of subpoenas and the compulsion of witnesses appearing before an investigating committee. That matter is not needed. We can go with the committee to the Governor and secure that information, and I hope that this House will stand with Mr. Shern's motion.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this motion now to lay the motion of the gentleman from Philadelphia, Mr. Shern, on the table is not a disrespect to the Governor. In fact, the whole tendency of the proceedings of both the Judiciay General Committee and the sub-committee of the Judiciary General Committee has been to have the issue which has been raised by the Governor's communication to the House handled in a dignified manner, and dignifiedly submitted to the House. The Chairman of the Judiciary General Committee now awaits his opportunity to make the presentment—

Mr. SHERN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. SHERN. My point of order is that there is nothing germane to the subject except the laying upon the table of this motion, and I am not so sure, and I raise the further point of order, that this is not debatable—a motion to lay upon the table.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I agree with the gentleman on his last point of order that there should not be any debate on this motion, but I do not think it should be pressed upon me and I trust my friend will withdraw that.

Mr. SHERN. Mr. Speaker, I withdraw that point of order, so far as the motion is concerned, but the discussion should be confined to the motion to lay upon the table, and to nothing outside of the record.

The SPEAKER. The Chair is of the opinion that the remarks which had been made prior to the raising of the point of order have seemed to the Chair to bear upon the question. The Chair will not sustain the point of order.

Mr. JOHN R. K. SCOTT. The motion of the gentleman from Philadelphia, Mr. S. B. Scott, is merely that this question take an ordinary course. This motion to lay the question upon the table does not mean indefinite delay of the question as to a committee going to see the Governor. The orderly proceeding is to have a report from the Judiciary General Committee to this House and see what that report is and then take the position that has been advised by the gentleman from Philadelphia, Mr. Shern. Surely there can be no disrespect to the Governor such as the gentleman from Erie has spoken of. Surely this cannot be called peanut politics, as stated by the gentleman from Philadelphia, Mr. Shern. A matter of very grave importance has been raised by this House, and that is whether the subordinates of the Executive or the subordinates of the heads of departments are exempt from the subpoena of the legislative body. That is the whole question before the House. When the report comes from the Judiciary General Committee, then the motion as made by the gentleman from Philadelphia, Mr. Shern, would undoubtedly be in order, just as the Chair suggested. It would be better that we take that course. Now, why should we treat the Chief Executive without the dignity that his personality or his office deserves, or why should we treat this House as we ourselves, as individuals and as members of the House deserve? The course, as laid down by the gentleman from Philadelphia and as suggested by the Speaker, is the proper course to take. Let us hear the report of the Chairman from the Committee on Judiciary General and then vote on the motion of the gentleman from Philadelphia. But I hope that this House will sustain the motion now to lay the motion on the table.

The SPEAKER. So that the House may understand the motion, the Chair understands the purpose of the motion of the gentleman from Philadelphia to be that the action upon this motion be postponed until after the report of the Judiciary General Committee has been received.

Mr. S. B. SCOTT. Mr. Speaker, if I understand, "laying upon the table" means to postpone until somebody makes a resolution to take from the table, and the time of doing so is entirely within the discretion of the House.

Mr. SHERN. Mr. Speaker, the gentleman does not seem to comprehend my motion. The message as received from the Governor is not a message of evasion or equivocation. As the gentleman from Philadelphia who sits upon my right mentioned a few minutes ago, it is a direct admission that if the House will honor the Chief Executive with a visit and confer on this little unpleasantness that has ensued within the last few weeks, he will instruct his subordinates

to answer the subpoena and apear before them. Now, that is what is in this message, and what more can this body require or demand than the fact that if they are not satisfied he will instruct his subordinates to obey the process of the subpoena of this body. That is, I believe, his answer and admission, that he recognizes that process to be effective. Therefore, Mr. Speaker, I do press my motion and ask a roll call upon it.

The SPEAKER. The question before the House is upon the motion of Mr. S. B. Scott, that the motion of the gentleman from Philadelphia, Mr. Shern, be laid upon the table for the present.

Mr. ROCKWELL. Mr. Speaker, the thought that comes to my mind, and I believe to the ordinary man of any legislative experience, is that when a motion is made to lay a proposition on the table, that that means an indefinite postponement or the killing of the measure. Now, I am perfectly willing to support the motion to suspend the motion of the gentleman from Philadelphia, (Mr. Shern), until the Judiciary General Committee's report shall come in.

Mr. S. B. SCOTT. Mr. Speaker, I hope that the motion to lay the motion of the gentleman from Philadelphia on the table is sustained and that that motion be postponed until the report of the Judiciary General Committee is received by the House. I believe, however, that the motion to lay upon the table is a technical motion—that the motion puts it in the charge of the House and you can lift it from the table whenever the House is willing.

Mr. ROCKWELL. To continue, Mr. Speaker, I have in my hand the report of the Judiciary General Committee upon this subject, and if this motion to suspend the motion of the gentleman from Philadelphia is adopted, I propose to offer this report and bring the whole matter before the House, and then they will have a complete and definite knowledge upon the position that the Committee on Judiciary General takes, and their construction to the House of what they think the law is.

The SPEAKER. The motion, as the Chair will state it,—the Chair understands the purpose of the gentleman from Philadelphia, (Mr. S. B. Scott), to be that action upon the motion of the gentleman from Philadelphia, (Mr. Shern) be postponed until after the reading of the report about to be submitted by the gentleman from Tioga, Mr. Rockwell. Is that motion seconded?

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SHERN. Mr. Speaker, I trust the members will vote down this amendment and I call for a roll call.

Mr. SCHUCK. Mr. Speaker, from one on the side lines it would appear that we have wasted a great deal of time on this question. I think it should be voted down—that this amendment should be voted down. Perhaps sixty days have been quibbled away here on the question of dual positions. There has not been an issue raised in any of the Governor's messages which can be construed in itself as defying the subpoenas of this House, and we will be enabled to secure the information if we will go there to get it. It doesn't appear to me that the issue has been raised as to whether or not the duties of the appointees are being fulfilled, or the State is getting value received. From one on the side lines, again I say, it might not appear as peanut politics, but it does appear as buncombe. In the old days, when we had political parties, we had buncombe, and today we have individuals here in this House who are playing politics. Lack of party lines has permitted this to occur. Not only thirty or sixty days, but ninety days or the length of the session this little quibbling will waste. The issue which we ought to recognize is whether or not they are doing their duties, and which has not been raised.

Mr. ULERICH. Mr. Speaker, there is a goodly portion of men in this House that are in the same position in which I am in, and that is that I have absolute confidence in his Excellency, the Governor of this Commonwealth, and furthermore that I have absolute confidence in this committee. Now, I think this Committee—the Judiciary General—should have its opportunity to report to this House, and furthermore I think that the motion made by Mr. Shern in the first place should prevail. I think we ought not to vote it down—in my judgment, I may be wrong— but I think we ought to vote down this motion to postpone this matter indefintely, as the gentleman from Philadelphia, Mr. S. B. Scott, says, and have an opportunity to recognize the Governor and recognize this committee—the Judiciary General. That is the way I feel about it. I do not care a snap of my fingers about the political phase or the parliamentary phase of this matter; we want to get down to just what is right in the matter. I think we ought to vote it down.

Mr. ALLEN. Mr. Speaker, it seems to me, that on this matter each party has had his day in Court. At the beginning of this session a resolution was offered asking for certain information which I feel under the provisions of the Constitution this House had a right to demand. Not on individual judgment, but as was recited in that report as I recall now, upon the best advice which this State pays for, legal advice, an open defi was hurled into the face of this House, which said you have have no right —the doors are closed. The House chose by its action to refer to the appropriate committee for the matter of obtaining advice, the best legal judgment as to the right of your House, that same question. That committee has given its honest time, its honest effort, its honest and thorough investigation as to what the rights of this House are. There are men in this House who would like to know whether their individual judgment has been sustained by the committee or whether it has been overruled by the legal judgment of this State, and I am one of those. The House took its stand, and I do not think, Mr. Speaker, that that stand was taken for political purposes; but simply for the purposes of doing those things which this House believes to be right; and I think that this House at this time should insist upon its stand. I believe that as matters stand before us now that the report of the Judiciary General Committee, which is ready, is a matter which should go upon the record of this House, voicing the judgment of that committee. Whether or not this House may sustain that judgment is another matter. If there be any supplemental reports from anybody else or any other deportment following upon the heels of that report, let us receive them. As I said, it is not just to this House, it is not just to the individual members of this committee, it is not just to you, nor to me, Mr. Speaker, nor to anyone else, that this thing should be stifled. As it appears to me, from what has been said in relation to holding out the report of the committe based on what has come in here this morning, and which I did not have the opportunity of hearing, I take it that now an invitation has been extended either to this committee or to the members of the House to call upon the Governor and if he cannot persuade them that they should go no further, or cannot persuade them as to what the position is in relation to the matter inquired about, then in that event, he may allow you to go further. Now what is the necessity of that? The report—I do not know what is in the report—there has been intimated even on the floor of this House, that it was being attempted to bring out a certain report. I do not know what that report is, but I would like to know what that report is. I think every member here is justified in knowing, and the one way we can do that is to hold in abeyance the motion of the gentleman from Philadelphia (Mr. Shern) and receive the report of the committee at this time.

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to present the report of the Judiciary General Committee at this time.

Mr. COX. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection. The suggestion from the gentleman from Tioga would be a very practical solution of this matter, but the Chair hears objections.

Mr. ALLEN. Mr. Speaker, I move you that the rule of order under which we are now acting be set aside for the purpose of receiving the report of the Committee on Judiciary General.

The SPEAKER. The Chair could not entertain that motion because there is a motion before the House. The motion before the House is that action upon the message of the Governor be suspended pending the receiving of the report of the Judiciary General Committee.

Mr. SHERN. Mr. Speaker, I ask that the roll be called, and I insist that the roll be called.

Mr. ALLEN. Mr. Speaker, I second the call.

The SPEAKER. The gentleman from Philadelphia (Mr. Shern) has requested a roll call and the call has been seconded by the gentleman from Allegheny (Mr. Allen), there-

fore the roll must be called. The question being—

Mr. FLYNN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FLYNN. Mr. Speaker, my point of order is that the motion just stated by the chair cannot supersede a motion to lie on the table.

The SPEAKER. The motion stated by the Chair is in the form in which the gentleman from Philadelphia (Mr. S. B. Scott) agreed that the motion to lie on the table might be put.

Mr. FLYNN. Mr. Speaker, as I understood the motion of the gentleman from Philadelphia, it was a motion to lie on the table, which cannot be amended.

The SPEAKER. The gentleman from Philadelphia withdrew his motion to lie on the table substantially by agreeing that the motion might be stated as a motion to postpone consideration until the receiving of the report of the Committee on Judiciary General. That is the matter before the House.

Mr. SHERN. Mr. Speaker, in order that I may not be misunderstood, I want to say that I have no intention of stifling the report of the Committee on Judiciary General. I know what that report is, I was a member of the subcommittee to whom was given the power to draft the report and we went over it with the Judiciary General Committee and after the motion that I made is either adopted or rejected I have absolutely no opposition to the report being presented by the Chairman of the Judiciary General Committee. I have no desire or intention to attempt to stifle that report and will welcome its presentation after the motion of Mr. Scott is either accepted or rejected.

Mr. COX. Mr. Speaker, I have no desire to stop the report of the committee going in, but I believe that before this body there is a message that should be considered one way or the other and that is the reason that I objected to any further consideration of any other business.

The SPEAKER. The Clerk will call the roll. The question being, Will the House postpone action on the message of the Governor until the report of the Judiciary General Committee shall be received and read.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to know whether or not it is not the thought of the gentleman on the side of the committee and also the thought of the gentleman on the side of sustaining the gentleman from Philadelphia (Mr. Shern) that after we vote to decide upon the message first that we can immediately take up the question with the committee report?

Mr. SHERN. Mr. Speaker, immediately, immediately.

Mr. R. J. BALDWIN. Mr. Speaker, that is what I want to know.

Mr. SHERN. Mr. Speaker, I will move that the report of the Judiciary General Committee be taken up immediately after the passage or rejection of this motion. If the motion that Mr. Scott made is defeated and the motion I made is accepted, then immediately after the House votes upon my motion I will move that the report of the Judiciary General Committee be immediately taken up.

The SPEAKER. The Clerk will call the roll.

The calling of the roll was started.

Mr. FLYNN. Mr. Speaker, I rise for information. I wish to know what we are doing. I do not understand what we are voting on here and I do not believe that this House is proceeding with any degree of order. I hear other men around me who say they do not know what we are voting on. What is the issue before the House?

The SPEAKER. The Chair was as elaborate as the Chair knew how to be in stating the question. It is certainly not in order to interrupt the calling of the roll and yet it is important that the House fully understand what it is voting upon. The Governor sent a message to the House. Thereupon the gentleman from Philadelphia, (Mr. Shern) moved that in compliance wtih a suggestion contained in the Governor's message, the Committee of Inquiry or Dual Office Committe call on the Governor to confer. The gentleman from Philadelphia, (Mr. S. B .Scott) moved that action upon the motion be postponed until the report of the Judiciary General Committee, now in the hands of the Chairman of that Committee, ready to be presented, shall have been presented and read. The present roll call is upon the motion of the gentleman from Philadelphia. (Mr. Scott), the question being shall action on the motion of the gentleman from Philadelphia, (Mr. Shern), be postponed until the report of the Judiciary General Committee has been received.

Mr. ULERICH. Mr. Speaker, then we are to understand that when we vote on the Gentleman's motion from Philadelphia that the report of the Judiciary General Committee will come up following that. Is that the idea?

The SPEAKER. The Chair is of the opinion that will be the next order of business.

Mr. FLYNN. Mr. Speaker, perhaps some one will explain why it will be necessary to postpone the motion of the gentleman from Philadelphia in order to present this report. Would not the report still be in order?

Mr. SHERN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SHERN. Mr. Speaker, my point of order is that there is nothing in order except the calling of the roll.

The SPEAKER. The Chair cannot permit discussion of the question. While it was hardly parliamentary practice and it may be out of order to interrupt the calling of the roll for explanation the Chair tried to make a full explanation, because in the opinion of the Chair an intelligent understanding is more important than parlimentary technicalities.

The roll call will proceed and begin de novo.

The question recurring,

Will the House agree to the motion?

Mr. S. B. SCOTT asked for a verification of the roll.

This was done as follows:

The yeas and nays were required by Mr. SHERN and Mr. ALLEN.

YEAS— 93.

Adams,	Donnally,	Lenker,	Price,
Allen,	Dunn, H. B.,	Light,	Redfield,
Ambler,	Geary,	Lohr,	Rex,
Baldwin, G. A.,	Geiser,	Malie,	Rockwell,
Barner,	Gramley,	Martin,	Roney,
Benninger,	Gray, Frank,	Mather,	Rothenberger,
Benson,	Heidinger,	Matt,	Runk,
Bergey,	Hemminger,	McAleer,	Scott, J. R. K.,
Bigger,	Herman,	McClintock,	Scott, S. B.,
Bittles,	Howard, R.,	McDermott,	Shaffer, I. E.,
Bleloch,	Humes,	McKay,	Showalter,
Body,	Isler,	Mellott,	Smith, J. W.,
Brosius,	Irwin H. H.,	Metzenbacher,	Smith, L.,
Brownlee,	Jackson,	Miller,	Snyder,
Burnett,	Jones, E. E.,	Moulthrop,	Spillinger,
Caldwell,	Jones, J. R.,	Musser,	Stone,
Campbell, C.M.,	Keegan,	Neely,	Swift,
Carson,	Keeport,	Newton,	Trach,
Cheeseman,	Kennedy,	Peachey,	Walnut,
Claycomb,	Kern,	Pennock,	Whitman,
Cochran,	Klepper,	Perry, H. L.,	Wilson, W. H.,
Collins,	Kuhns, E.G.M.,	Peters,	Young, G. K.
Conniff,	Latshaw,	Post,	Alter,
DeFrees,			Speaker.

NAYS—100.

Alworth,	Frey,	McNichol,	Semmens,
Baldwin, R. J.,	Gans.	Mechling,	Shaffer, C. A.,
Bass,	Gibson,	Missimer,	Shern,
Bayle,	Good,	Mitchell,	Sherwood,
Becker,	Gramley,	Moore,	Spangler,
Blair, W. A.,	Gray, Joseph,	Morrow,	Speiser,
Blair, W. F.,	Hackett,	Moses,	Steedle,
Campbell, J. J.,	Haggerty,	Murphy,	Steele,
Carter,	Hess,	Neel,	Stein,
Cleary,	Heyburn,	Newbaker,	Strauss,
Conner,	Hibshman,	North,	Swartz,
Conrade,	Hobbs,	O'Neill,	Thomas,
Cox,	Hoffman,	Pennegar,	Ulerich,
Currier,	Howard, J.,	Perry, S. J.,	Ulman,
Curry,	Irwin, G. C.,	Piper,	Walton,
Davis,	Kaiser,	Ramsey,	Watson,
Dickinson,	Keegan,	Reese,	Wettach,
Donahoe,	Kitts,	Reeser,	Whitaker,
Down,	Kuhn, H. P.,	Rhoads,	Wildman,
Dunn, J. A.,	Leslie,	Richards,	Williams,
Ehrhardt,	Lowers,	Robinson,	Wilson, J. H.,
Eichenberger,	Mannion,	Sassaman,	Wiltbank,
Ely,	McAllister,	Savacool,	Young, J. H.,
Ewing,	McArdle,	Schaeffer, A. C.	Zimmerman,
Flynn,	McCaig,	Schuck,	
Foster, J. D.,			

So the question was determined in the negative and the motion is not agreed to.

The SPEAKER. The question is on the motion of the gentleman from Philadelphia, (Mr. Shern), that the Committee on Inquiry be directed to confer with His Excellency, the Governor in pursuance of the invitation contained in the Governor's message.

Mr. S. B. SCOTT. Mr. Speaker, it seems to me to be an absurd parliamentary procedure to attempt to decide an

issue of the magnitude which is now before us without having the advice of your committee constituted for that very purpose. Since you, Gentlemen of the House, have refused to accept the instructions and information which the Committee has labored to prepare for you, all that can be done is to permit members of the Committee a few moments for debate in an attempt to try to tell you what you are doing and how you are trying to destroy for all time to come the honor and dignity of the Legislative branch of the Government. Now, Mr. Speaker, this issue has been prepared with wonderful clarity. Up until this morning every step was duly and properly taken. This House appointed its Committee of Investigation with full power. That Committee prepared and served its subpoena upon a subordinate of the Governor. That subpoena was ignored and the Governor made the issue his own in a message written with great clarity and distinctness and said "I have directed Mr. Gaither to refuse to respond to this subpoena of the House." Mr. Speaker that raises a question of enormous magnitude. I ask you to consider for a moment the situation in which the State of Pennsylvania found itself a few years ago when this Capitol was constructed. It was then believed that enormous frauds had been committed in the construction of this building and the Legislature proceeded to appoint a committee to find out whether or not such fraud had been committed. That joint Committee of the two Houses was clothed with full power to subpoena and it did subpoena subordinates of the Executive Department and every department that might by any posibility have any information on the subject; and on the basis of the information which was thus brought out, facts were established, prosecutions were commenced and convictions were obtained. I don't for a moment suggest that there may be any necessity for any such proceedings again and I also say that the particular matter of this subject itself holding an investigation is within itself of the slightest possible moment, but the question—the bland question is whether the subpoena of the House has any compelling power upon the subordinates of the Executive? That is the question and that is a momentus question. It will make a precedent which will be cited every time there is any hitch in the State Government. I don't mean only now—that is of no importance but every time in the future, through all the history of the State, where the Executive may have something to hide from the Legislature, through that whole course of history, this precedent that you are now making in the absence of information that your Committee can give you—that precedent will be cited as the action of the House and will have its bearing in every legislative department. I say it is the most insane action that you should proceed to the vote upon such a subject after you have turned your back on the Committee which has been appointed to look into this matter. I say the issue is clear. You vote no to this motion which will simply have its effect, that is that for the moment you have refused to vote with your Committee. We recommend then after you have heard the Committee and what it has to tell you might be able to consider and you might intelligently act and then decide after what has been done by the Governor.

Mr. WILLIAMS (in the Chair).

Mr. SHERN. Mr. Speaker, as far as the process of this House is concerned, I am as jealous of it as a member, as my friend from Philadelphia. Mr. S. B. Scott, but at the same time, Gentlemen of the House, if you pay attention to the message of His Excellency, the Governor, you will observe that he absolutely and unqualifiedly reported to you that if the members of this committee desired the appearance of Mr. Gaither and the rest of his subordinates, he would bow in obedience to the process of the subpoena of this House. Now, if that is not a complete admission and answer by him that he admits the prerogatives of this House by which this process must be obeyed, I cannot comprehend or understand the English language. If he writes to this House: "I recognize the fact that you are right; would you show me the courtesy and give me an opportunity to see if I can satisfy you with the information you desire, and if not, I will bow to the inevitable and recognize your subpoena." I think the Chief Executive of this great Commonwealth of Pennsylvania should be shown that much courtesy. I don't expect this committee to be satisfied after calling upon the Governor, because if I were a member of that committee, I would stand on my dignity, notwithstanding the message of the Governor, and would still demand that Mr. Gaither and the other subordinates be served with a subpoena of this House in order to establish a precedent. I would suggest to the committee calling upon him, that they would impress upon His Excellency that we must have the process of this House obeyed. After that is done the matter is disposed of and my friends' agony about what may appear as a precedent in the future will disappear.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I don't understand His Excellency, the Governor's, message like my friend Mr. Shern understands it. On the contrary, it appears to me that the Governor's message evaded the whole issue here which has been so completely and succinctly told by my firend. Mr. S. B. Scott. We don't know from it whether or not the subordinates of the Executive Department can be made to accept service of the subpoenas of this House. If the message of His Excellency were reread, it will be discovered that the Governor does not undertake to promise to furnish these witnesses at the request of the committee, because it is a matter of right on the part of the House but as a matter of grace on the part of the Executive. Therefore, the whole speech of my friend, Mr. Shern, is quite beside the question. The Governor does not recede from the position which he took originally but he says, "If you want to hear these witnesses and have this matter brought out and desire to be informed upon the law as a matter of grace, I will direct them to appear." The subject remains as it stood before the Governor's message was received.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the gentleman from Philadelphia, Mr. Shern, in his speech put the cart before the horse. He is anticipating what the report of the Judiciary General Committee will be. Possibly he as a member of the sub-committee and a member of the Judiciary General Committee itself might know, but how are we of this House going to anticipate the report here, if the report of that Committee is that the Executive has the power to refuse to require his subordinates to appear before the Legislative Committee. Then, of course, the message of the Governor and the motion of the gentleman from Philadelphia, Mr. Shern, amounts to nothing. If the report is that it is the duty of these witnesses to appear before the Legislative Committee, then the orderly procedure would be first to hear the report from the committee and after the House has been informed by its legal committee and what the view of that committee is upon the law and if it is adverse to the position taken by the Governor in his message of March 12th, then it is quite orderly for us to take up the motion that is made by the gentleman from Philadelphia, Mr. Shern, and then await the pleasure of the Governor. Mr. Speaker, if the Governor recedes from the position that he has taken in refusing to allow the witnesses to appear before the committee, why undoubtedly that ends the whole thing,—the whole discussion. Why should my friend from Philadelphia, Mr. Shern, rush in with his motion anticipating the report of the Judiciary General Committee—he really anticipates the whole question. Why is it that he is so ardent to have a committee of this House to wait upon the Governor upon the question which this House has not as yet been informed as to the view of the Judiciary General Committee? Why all this haste? Why all this roll call? Why all this discussion upon the part of the gentleman from Philadelphia pressing his motion? Why don't we allow the proper suggestion made by the Chairman of the Judiciary General Committee when he asks unanimous consent to stop all discussions and make his report? Why don't we follow the very sensible suggestion made by the Speaker of this House, when this motion was put, when he said: "The orderly way is to receive the report, then after we have received their report, after the House has been advised as to what the Judiciary General Committee presents, and accordingly at that time is the time for whatever action is taken by the House."

The members of the Committee on Judiciary General will not only be too pleased to join with the gentleman from Philadelphia, Mr. Shern, and do anything that we possibly can to allay the troubled waters. I suggest that we act on the suggestion of the Speaker of the House and the sensible suggestion made by the Chairman of the Judiciary General Committee and give unanimous con-

sent to the Chairman of that committee to offer his report when he asks unanimous consent for the report.

Mr. ROCKWELL. Mr. Speaker, a few days ago, a communication was received from the Governor in relation to a committee report from this House. Soon after that message from His Excellency was received it was referred to the Judiciary General Committee with instructions to report to the House what action the House should take. Immediately thereafter, this committee made a report to the House and asked instruction of the House what to do. That report was referred to the same committee and I have them both here. Then, this morning, His Excellency comes in with a message and the motion is made to accept the message and instruct this committee what to do before the house gets the advice from the Judiciary General Committee as to what this other committee should do. Mr. Speaker, in view of that situation I renew my request for unanimous consent to present the report of the Judiciary General Committee on this subject.

Mr. COX. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Cox.

Mr. COX. Mr. Speaker, I object.

Mr. R. J. BALDWIN. Mr. Speaker, in spite of all that has been said and in spite of all the disavows that there is no politics in this, each and every member has his own opinion and most likely they are all correct. The truth of the matter is this that we are now forced, if we refuse to pass this motion offered by the gentleman from Philadelphia, Mr. Shern, of going into the question of the powers of the various departments of this government—one over the other. This has occurred a number of times but not more than eight or ten times in the national government. The first instance that you will find that that question was raised in the national government was during the Presidency of General Jackson, and for the purpose of showing the House that there is a difference of opinion whether or not a legislative body has the power to issue subpoenas and demand information without limit from an Executive, has been well threshed out. It is true that a decision on both sides of that question could not be determined here without some preparation and have to prove and satisfy you that this is no new proposition as to where the powers of the Executive and the powers of the legislative body end. These chiefly are questions that have necessarily arisen in this government of ours, almost from its beginning. We find here the question discussed as to the powers of the House and the powers of the Senate. Now, the members on the one side say that the Senate has no right to do this, and over on the other side you will hear them saying that the House has no right to do this. When we come down to facts in both houses, we find that they call our House the slower House and we call theirs the slower House. That conflict has been going on since this government has been organized and created with three bodies, legislative executive and judicial, but I think if you go into that proposition, that the form of the resolution should be carefully studied. If you will examine the talks that have occurred in Congress on this subject, they are divided by a very fine line, and it is important to the best interests of the government that we should study the form that resolutions of this character take when they are presented in the United States Congress. I do not think that the language contained in this resolution gives you the power to subpoena individuals in the Executive Department, nor in any other department of this State. I am not going to disucss it any further than to read you an issue that occurred in Congress in President Jackson's administration—

Mr. SHERN. Mr. Speaker, I think my friend from Delaware will have the opportunity to discuss that when the report from the Judiciary General Committee comes in.

I rise to the point of order that he is out of order: that at this particular time he is out of order. The question is whether or not this committee shall call upon the Governor and request the information, and if dissatisfied, to subpoena the witnesses if it so desires. Now, the gentleman from Philadelphia, Mr. John R. K. Scott—because we have to use names to distinguish them—seems to misunderstand the proposition. We understand in the communication just received in the House from the Governor that he does say that he will obey the process of this body by ordering his subordinates to appear before this committee, and if that is not a complete receding from the original message, I do not know what is. I still maintain my point of order.

The SPEAKER. The point of order is well taken; the point of order raised by the gentleman from Philadelphia is correct.

Mr. R. J. BALDWIN. Mr. Speaker, I agree that the point of order is well taken, but I raise the point of order that the past speaker has spoken on it, and I do not think he is justified in raising his point of order now. I agree with him that the point of order is properly taken, but it should have been insisted upon before. It has led off into this condition, and I am very willing to stop if the gentleman is satisfied to desist.

Mr. MOSES. Mr. Speaker, I do not intend to make any extended remarks on this question. If I understand the message from His Excellency, the Governor, and I think I do, I consider it a fair, square and manly proposition to this House and should be accepted as such. I will support Mr. Shern's motion and trust every member of the House will do the same.

Mr. ALTER. Mr. Speaker, the situation, as I understand it at the present time, before the House is the simple question of whether the House, in response to a courteous invitation from the Governor, is willing that the House committee shall confer with the Governor for the purpose of seeing whether the apparent issue between the Governor and the House may properly be avoided. I thought, Mr. Speaker, that it would have been better to have the report of the Judiciary General Committee read to the House before action upon this motion, and I voted accordingly; but the House in its wisdom decided that the motion to accept the Governor's invitation for a conference should be acted upon first, and therefore we have now before us the plain issue, will the House agree to accept the Governor's invitation to confer with him by adopting this motion? The House doesn't give up one iota of any prerogative which it now has. No man in this House is more jealous of the prerogatives of this House than I am, whatever may be the rights and prerogatives of the House in this matter. When anything brings them up, it is our duty to take such action as will pass those rights and prerogatives on to our successors unimpaired. We must concede likewise, that whatever the rights and prerogatives of the administrative department may be, it is the duty of His Excellency, the Governor, to pass them to his successors likewise undiminished. Now, we do not have the report of the committee before us, and therefore let us assume for the purpose of this present discussion that the report of the committee advises the House that it has full power to subpoena those witnesses. Assuming that to be the case, why, nevertheless, should the motion not be adopted. What does this motion involve? Simply this. Here is an issue which has been raised between the Executive and the House, between two coordinate branches of the government, an issue involving a serious constitutional question. Suppose the Governor stands upon his position and suppose the House stands upon its position, and suppose the House directs that attachments be issued for these witnesses, and suppose the Speaker issues those attachments, and he would not hestitate one moment to issue them if such should be the will of the House. The witnesses who are attached for contempt will go down to the Dauphin County court and there obtain a writ of habeas corpus. After deliberation and delay the Dauphin County court decides that question, and then it is appealed to a higher court, and sometime long after the adjournment of this House the question is decided. In the meantime, what information has our committee obtained? In the meantime, all through this session, we have a constant feeling of irritation which is bound to result from a pending lawsuit between the Executive and this House. His Excellency very properly showed in the message that was read this morning that he and the Legislature have duties of great importance to the people, which he and we are trying to accomplish, and why endanger the successful accomplishment of those duties by having a controversy of this kind between the House and the Governor. Now, does he suggest that we recede from our position? Not at all. The purpose of the motion of the gentleman from Philadelphia, Mr. Shern, is simply this: That the House accept the invitation of the Governor. If the motion were that the House should go over and wait upon the Governor without an invitation from him, I would oppose it, because it would be

inconsistent with the dignity of this House. But he has taken the initiative, because he has sent us the invitation asking that our committee confer with him and see whether a lawsuit cannot be avoided. No good lawyer would fail to advise his clients to confer and try to avoid a lawsuit. Let the committee confer with the Governor and if, as the result of that conference, it be found that the information desired by the House may be obtained consistently with what the Governor deems his duty with reference to his executive prerogative, if in fact, as the result of that conference it be found that there is no substantial controversy, then why have a controversy; but if that Committee comes back to this House recommending anything that would abate in the smallest degree the rights and prerogatives of this House, I for one would vote against it. The simple proposition here is, will the House in response to the invitation of the Governor, confer in order to see whether a most regrettable controversy may honorably be avoided?

Mr. JOHN R. K. SCOTT. Mr. Speaker,—

Mr. R. J. BALDWIN. Mr. Speaker, I rise to a point of order. The gentleman has already addressed the House three or four times on this subject.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I think the gentleman is mistaken upon that. I did not address the House at all upon this question.

The SPEAKER. The point of order is not well taken.

Mr. R. J. BALDWIN. I withdraw it.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the words of the Speaker of this House on the floor of the House are words of undoubted wisdom. He is to be congratulted that, as the presiding officer of this House, he has taken so manly a stand in the protection of the prerogatives of the members; that he has protected the dignity of the House. I would gladly join with him in voting for the motion offered by the gentleman from Philadelphia if I did not anticipate that this is but a preliminary motion for other motions to follow and prevent the question that the Speaker says he would defend even to the extent of issuing attachments and enforcing imprisonment. I feel, Mr. Speaker, that if the motion which is now before the House, the motion which has been urged to be decided before the report comes from the Judiciary General Committee, the motion which has been protected by the objection of the friends of the motion to the reading of the report of the Judiciary General Committee by unanimous consent, I fear that that motion is but a preliminary to the plan that has been laid out by those who attempt to stifle the expression of right in this House. Mr. Speaker, if this motion that is now offered is not for the purpose of keeping from this House the report of the Judiciary General Committee, then why all this haste? Then why all this rushing in before the orderly course of business? There has not been none of us who are members of the Judiciary General Committee or of its sub-committee who have by act or word indicated that we want to create differences between this House and the Executive, or that we want to take from the Executive any of the dignity that belongs to his great office, or that we want to stop the friendly relations that exist now and will exist in the future, but what we do say to the House is that the House has sent to the Judiciary General Committee the message of the Governor, and the report from the sub-committee, the one declining to allow witnesses to appear and the other asserting that the witnesses did not appear, and to us, a committee, then left the question to be reported back to this House. In view of the law, we have now prepared the report. We are your committee. We have the right as your committee to ask that the report of the committee be laid before the members of the House so that we can meet the conciliatory motion that has been made by the gentleman from Philadelphia, Mr. Shern, and none of us on either the general or the sub-committee of the Judiciary General Committee recedes one whit or step from the position taken by the distinguished Speaker of this House. We want to join with him upon this motion; we want to remove strife; but we will remove no strife, Mr. Speaker, if we stultify the decision on this question. We will remove no strife between the Executive and this House. We will not be stulaifying the House. We wont exalt, we wont raise the position of the Executive by lowering our own position. We wont build up any friendly relations between the Executive and the Legislative Branch by merely having this preliminary motion now placed on the record of the House and never have the report of the Judiciary General Committee placed upon the records. We will have in the future this precedent; a report from a specially appointed committee declaring that their subpoena was ignored. We will have on the record the message from His Excellency, the Governor, defying the subpoena so far as his subordinates are concerned. Then we will have upon the record that these two questions were referred to the Judiciary General Committee and that is the end of the record, if we anticipate or read the meaning of this motion by the gentleman from Philadelphia. I would gladly join, and I dare say every one who helped draft that report, every one who rushed to the defence of the dignity of this House, would join with the distinguished Speaker of the House if we thought that mere question of time, mere question of precedence of the motion before the report meant nothing but precedence. But we anticipate that the objection that comes when the distinguished gentleman of the Judiciary General Committee offers his report to be read, we anticipate that this motion is but a preliminary skirmish and when the motion is disposed of and if successful when the report is to be offered, when the report is to be placed before the House, when the adoption of the report is asked, we anticipate that then the real purpose of this motion will be disclosed.

If the distinguished Speaker of this House voices aright that this motion now is a mere feeling between the Executive and the House, I dare say that I express the thought of every one on the committee that they would join with him in his manly position; but we anticipate, Mr. Speaker, that this motion now is the motion that will stop the deciding of the question, which is not the question for to-day, but the question for many sessions to come. I therefore, Mr. Speaker, urge all the friends of this report, urge all who would speak to sustain the dignity of this House, given us by the Constitution and by the acts of the various Legislatures, that we all join and vote down at this time the motion of the gentleman from Philadelphia.

Mr. WILDMAN. Mr. Speaker, I call for the previous question.

Mr. STEIN. Mr. Speaker, I second the call.

The SPEAKER. The previous question has been called for.

The motion was seconded by the following members: Messrs. North, Walton, Ulerich, Dickinson, Bayle, Neel, Heyburn, Fahey, Frey, Spangler, Frank Gray, McArdle, S. J. Perry, Ely, Goss, Hess, Conner, Kitts, Body, Becker, Donahoe, Kitts, Lowers, Isler, Morrow, George C. Irwin, Miller, Schuck, Gans, Meckling, Adam C. Schaeffer, Swift, Adams, H. H. Irwin, Semmens, Strauss and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the previous question be now put?

It was agreed to.

The SPEAKER. The question now before the House is the motion of the gentleman from Philadelphia (Mr. Shern).

Mr. RONEY. Mr. Speaker, I rise for information. I would ask that the Governors' message be read.

The SPEAKER. There is nothing in order but the decision of the question now before the House.

Mr. SHERN. Mr. Speaker, I ask that the roll be called on this motion.

The SPEAKER. The roll will be called. I would ask the gentleman from Philadelphia (Mr. Shern), to state his motion again.

Mr. SHERN. Mr. Speaker, my motion is that in pursuance of the message of the Governor to this House, that the Special Committee appointed to investigate dual office holding, be requested to call upon the Governor in regard to his invitation and report back to the House their findings at the earliest opportunity.

The SPEAKER. The roll will now be called. The Clerk will proceed.

The yeas and nays were required by Mr. SHERN and Mr. COX and were as follows:

YEAS—125.

Adams,	Forster, J. G.,	Mather,	Sassaman,
Alworth,	Foster, J. D.,	McAllister,	Savacool,
Ambler,	Frey,	McArdle,	Schaeffer, A. C.
Baldwin, R. J.,	Gans,	McCaig,	Schuck,
Bass,	Geary,	McNichol,	Semmens,
Bayle,	Gibson,	Mechling,	Shaffer, C. A.,

Becker,	Good,	Missimer,	Shern,
Blair, W. A.,	Gramley,	Mitchell,	Sherwood,
Blair, W. F.,	Gray, Joseph,	Moore,	Showalter,
Body,	Hackett,	Morrow,	Spangler,
Caldwell,	Haggerty,	Moses,	Speiser,
Campbell, C.M.,	Hess,	Murphy,	Steele,
Campbell, J. J.,	Heyburn,	Neel,	Stein.
Carter,	Hibshman,	Neely,	Stone,
Cheeseman,	Hobbs,	Newbaker,	Strauss,
Cleary,	Hoffman,	North,	Swartz,
Conner,	Howard, J.,	O'Neill,	Thomas,
Conrade,	Isler,	Pennegar,	Ulerich,
Cox,	Irwin, G. C.,	Pennock,	Walsh,
Currier,	Jones, E. E.,	Perry, S. J.,	Walton,
Curry,	Kaiser,	Price,	Watson,
Davis,	Keegan,	Ramsey,	Wettach,
Dickinson,	Keeport,	Redfield,	Whitaker,
Donahoe,	Kern,	Reese,	Whitman,
Down,	Kitts,	Reeser,	Wildman,
Dunn, J. A.,	Klepper,	Rhoads,	Williams,
Ehrhardt,	Kuhn, H. P.,	Richards,	Wilson, J. H.,
Eichenberger,	Leslie,	Robinson,	Wiltbank,
Ely,	Lowers,	Rockwell,	Young, J. H.,
Ewing,	Malie,	Roney,	Zimmerman,
Fahey,	Mannion,	Runk,	Alter,
Flynn,			Speaker.

NAYS—72.

Allen,	Donnally,	Latshaw,	Peters,
Baldwin, G. A.,	Dunn, H. B.,	Lenker,	Piper,
Barner,	Geiser,	Light,	Post,
Benninger,	Goss,	Lohr,	Rex,
Benson,	Grabe,	Martin,	Rothenberger,
Bergey,	Gray, Frank,	Matt,	Scott, J. R. K.,
Bigger,	Heidinger,	McAleer,	Scott, S. B.,
Bittles,	Hemminger,	McClintock,	Shaffer, I. E.,
Bleloch,	Herman,	McDermott,	Smith, J. W.,
Brosius,	Howard, R.,	McKay,	Smith, L.,
Brownlee,	Humes,	Mellott,	Snyder,
Burnett,	Irwin, H. H.,	Metzenbacher,	Spillinger,
Carson,	Jackson,	Miller,	Steedle,
Claycomb,	Jones, J. R.,	Moulthrop,	Swift,
Cochran,	Kaufman,	Musser,	Trach,
Collins,	Kennedy,	Newton,	Walnut,
Conniff,	Kuhns, E.G.M.,	Peachey,	Wilson, W. H.,
DeFrees,	Lanius,	Perry, H. L.,	Young, G. K.

So the question was determined in the affirmative and the motion prevails.

The SPEAKER, (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

The SPEAKER: The Chair recognizes the gentleman from Tioga, Mr. Rockwell.

Mr. ROCKWELL: Mr. Speaker I desire to offer a report from the Committee on Judiciary General.

The SPEAKER: The report will be read by the Clerk.

The Clerk then read the report as follows:

TO THE HONORABLE THE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA.

THE JUDICIARY GENERAL COMMITTEE OF THE HOUSE OF REPRESENTATIVES, to which was submitted the message of His Excellency, the Governor, Honorable John K. Tener, declining to permit the attendance of certain witnesses before a Committee of this House, and also the preliminary report of the aforesaid Committee seeking the attendance of the said witnesses

REPORTS:

First. The said Committee of the House of Representatives, consisting of Honorable F. E. Geiser, Chairman, Honorable Charles J. Roney, Jr., Secretary, Honorable J. H. DeFrees, Honorable Charles A. Schaffer and Honorable William D. Walton, was established and empowered to act by the following resolution adopted by the House of Representatives February 19th, 1913:

"Whereas, it is currently reported that there are persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered,

"Therefore, be it resolved, That a Committee of five members of the House of Representatives to be appointed by the Speaker of the House, two of whom shall be Democrats, shall be and hereby are constituted a committee to inquire into the facts to to make report of their findings to the House within thirty days. Such Committee shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers, to issue all necessary processes, and to exercise all the powers belonging to a Committee of the House of Representatives."

This Committee after organization lawfully issued its subpoena of the following form:

"Commonwealth of Pennsylvania, ss:

The House of Representatives of the General Assembly of the Commonwealth of Pennsylvania to

Greeting:—We command you that setting aside all manner of business and excuses whatsoever you be and appear in your proper person before the Special Commission of this House appointed to investigate the matter of persons holding more than one position under any department or office of this Commonwealth, at a meeting of the said Commission to be held on the 12th day of March, 1913, at Room 508, State Capitol, Pennsylvania, at 5.00 o'clock, to testify all and singular those things which you shall know concerning the matter under investigation, and that you bring with you.....

.....

and this you are not to omit under penalty.

Witness the said Special Commission by hand and seal of the Secretary thereof this 12th day of March, 1913.

(Sgd.) CHARLES J. RONEY, JR., (Seal.)
Secretary."

At the direction of the said Committee a supboena in the form above recited was regularly and personally served by the Sergeant-at-Arms and his assistants upon the following persons: Walter Gaither, George Thorn, George Kendelhart, John F. Whitmore, H. D. Jones, James Craig, Cassius A. Dunn, Samuel F. Todd, Harry McDevitt, M. B. Eisenhart, James N. Robbin and E. T. Oswald.

On the 12th day of March, 1913, at the time set forth in the subpoena issued, the Committee sat for the purpose of performing its appointed duty, but the said persons subpoened as aforesaid to appear before the Committee neglected or refused to attend as witnesses. No reason was communicated to the Committee by any of the persons subpoened as to why they had not appeared and the Committee knows of no reason given by the said persons why they should not have appeared in compliance with the terms of the subpoenas served upon them

Prior to the time fixed by the Committee for the appearance of the said persons as witnesses before it, to wit, on the 12th day of March, 1913, received from the Governor of the State of Pennsylvania, the following communication addressed to the House of Representatives of Pennsylvania:

March 12, 1913.

"To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—A resolution adopted by the House of Representatives reads as follows:

"Whereas, It is currently reported that there are persons in the employ of the several departments of this Comonwealth holding more than one position under the administration, the duties of which are nominal and the combined salaries greatly in excess of the services rendered,

Therefore, be it Resolved, That a Committee of five members of the House of Representatives, to be appointed by the Speaker of the House, two of whom shall be Democrats, shall be and are hereby constituted a committee to inquire into the facts and to make report of their findings to the House within thirty days. Such Committee shall have full power to administer oaths and to compel the attendance of witnesses and the production of all books and papers; to issue all necessary processes, and to exercise all the powers belonging to a committee of the House of Representatives."

"Pursuant to this one House resolution, Mr. Walter H. Gaither, holding the office of Private Secretary to the Governor, a subordinate in the Executive Department of the Commonwealth, has been served with a subpoena, commanding him to appear before said Committee.

"I have directed Mr. Gaither to refuse to obey the command of the said subpoena for the following reasons:

"Having in view the powers and duties of the three coordinate branches of the State government, a proper regard for the Executive Department and the prerogatives, powers and duties vested in that department by the people, under the Constitution of the Commonwealth, impels me respectfully to express my dissent from the proposition that it lies within the power of either branch of the General Assembly to compel the Governor, or the head of any department included by the Constitution within the Executive Department, and their subordinates, subject to the supreme executive power vested in the Governor by that Constitution, by its subpoena, to appear and testify concerning, or produce books, papers and documents relating to, the administration of the Executive Department, before a legislative committee created by it, in any case where, in the judgment of the Governor of the Commonwealth, it would be incompatible with the public interest, to obey such summons.

"The Constitution provides that:

'The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed,'

and that

'He may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices,'

and that

'He shall from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may judge expedient.'

"The same fundamental principle in our organic law which exempts the Governor and his subordinates, while engaged in performing the duties pertaining to their respective offices, from the subpoena of the judicial department of the State Government, likewise exempts the Governor and his subordinates from the compelling power of a subpoena of an investigating committee created by a resolution adopted by but one branch of the General Assembly,"

"I have never declined, nor shall I decline, to communicate to the General Asembly, all the information which, under the Constitution, or the law, of this Commonwealth, it is my duty to give, or which in my judgment as the Governor of the State may suggest to me, or a request from the Legislature may indicate to me, will be useful in the discharge of the appropriate duties and functions committed to the law-making branch of the government.

"I do not find, however, in the Constitution of the Commonwealth, the authority given to the House of Representatives to require the Governor, or his subordinates, constituting an independent co-ordinate branch of the State Governoment, created by that instrument, to submit to the compelling power of such a subpoena, as is purported to be authorized by the resolution referred to.

"If the information attempted to be compelled without limitation as to propriety or relevancy, by this resolution, and required by the unrestricted subpoena of the House Committee thereby created, and now served upon my Secretary and other subordinates of the various Executive Departments of the government, be sought instead through a proper request or inquiry of the Legislature, addressed to the Governor, concerning the subject matter of the resolution, in a way which does not strike at the above fundamental principles of our frame of government, or violate any other provision of the organic or statutory law of the Commonwealth, I shall unhesitatingly see to it, that all such information shall be promptly furnished. Meanwhile and until such request is preferred to the Governor, I have directed the heads of the several Executive Departments and their subordinates to decline to respond to the subpoena.

(Signed.) JOHN K. TENER.

Third. The power of the House of Representatives to appoint a committee with the powers of the committee by virtue of the above resolution is given by the 11th Section, Article 2, of the Constitution of Pennsylvania in the following language:

> "Each house shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence, to enforce obedience to its process, to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two third, to expel a member, but not a second time for the same cause, and shall have all the powers necessary for the Legislature of a free State. A member expelled for corruption shall not thereafter be eligible to either House and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense."

The power of either branch of the Legislature to issue its subpoena for the attendance of witnesses is given by the Act of the 13th of June, 1842, P. L. 491, (Purdon's Digest, 13th Edition, 4th Vol. 5187):

> "Each branch of the Legislature shall have the power to issue their subpoena as heretofore practiced, into any part of the Commonwealth and by attachment to compel the attendance of all persons summoned as witnesses; and in case any witness brought to the bar of either House shall refuse to be sworn or affirmed or having been sworn or affirmed shall refuse to render an answer to all legal questions duly propounded, the Speaker of the House before which such refusal shall be made, shall have full power, by the direction of the said House to issue to the Sergeant-at-Arms a warrant of commitment to the prison of Dauphin County, the inspectors and keepers whereof are hereby authorized and required to receive and confine such delinquents so committed until discharged in due course; and the expense of such imprisonment shall be paid out of any money in the State treasury not otherwise appropriated."

The refusal to appear before a legislative committee of either house during session is further punishable by the Act of the 14th day of March 1872, P. L. 25 (Purdon's Digest 13th Edition 4th Vol. Page 5187) as follows:

> 'Any person or persons who shall willfully neglect or refuse to appear and testify before any committee of either branch of the Legislature of this State, or before any joint committee thereof after he, she or they shall have been duly served with a subpoena to so appear and any person or persons who is or shall be in contempt by reason of such neglect or refusal so to appear and testify or either, shall be held and deemed to be guilty of a misdemeanor and on conviction thereof, shall be punished by imprisonment not exceeding six months, and by fine not exceeding one thousand dollars, or either at the discretion of the Court trying the same."

Fourth. Your Committee therefore finds that the constitution, Aritcle 2, Section II, together with the acts of 1842 and 1872 gives ample power to the House of Representatives to apppoint a committee by virtue of the resolution passed 19th day of February 1913 and heretofore recited, to issue its subpoena and compel the attendance of witnesses before it.

Your Committee further finds that under the provision of the Constitution and the Acts of Assembly above recited the House of Representatives has ample power to issue attachments for the attendance of witnesses before its body and the power to adjudge those who fail to purge themselves of contempt for disobedience to its lawful order and command to appear as witnesses in contempt and punish such contempt by imprisonment.

Fifth. The question now before the Committee for determination and report is whether or not the above-named persons subpoenaed to appear before the Committee appointed by the Speaker of the House during its session by virtue of the above-mentioned resolution adopted by the House on the 19th day of February, 1913, are exempt from obeying its subpoena to appear before it as witnesses.

His Excellency, the Governor, in his message to the House of March 12, 1913, that he has advised the heads of the several executive departments and their subordinates to refuse obedience to the subpoena of the Committee of this House on the ground that:

> "The same fundamental principal in our organic law which exempts the Governor and his subordinates while engaged in performing the duties pertaining to their respective offices from the subpoena of the judicial department of the State government, likewise exempts the Govenor and his subordinates from the compelling power of a subpoena of an investigating committee created by resolution adopted by but one branch of the General Assembly."

And again

> "I do not find however in the Constitution of the Commonwealth the authority given to the House of Representatives to require the Governor or his subordinates, constituting an independent co-ordinate branch of the State government, created by that instrument to submit to the compelling power of such a subpoena as is purported to be authorized by the resolution referred to."

The law is clear that the House and its properly appointed committees have the power to subpoena and compel the attendance of witnesses before them. All persons, whether holding public office or not, are subject to subpoena of either branch of the Legislature or their committees. There are, however, certain recognized exceptions wherein a person cannot be compelled to testify, instances being that a person is not bound to give testimony that will tend to incriminate him. Persons in the performance of their duties in the State or national Legislature cannot be compelled to obey a subpoena where answer to the same would cause a conflict with their officials duties, nor can the executive or his subordinates be compelled to give testimony which they have learned in their official capacity and the giving of which would be detrimental to the public service and injurious to the interests of the Commonwealth.

The laws seems to be that the President of the United States, the Governors of the several states, and the heads of executive departments are not bound to produce papers or disclose information in a judicial or legislative inquiry.

The law in the State of Pennsylvania is nowise different upon this question than that of the United States. In the case of the Commonwealth vs. John F. Hartranft, Governor of Pennsylvania et al. 85th Pa. 433, the Governor and heads of his departments were held by the supreme court not to be compelled to appear before the Grand Jury of Allegheny County and there disclose knowledge had by themselves pertaining to the conflict between the strikers and the militia in the famous Pittsburgh riots. A close examination of this case will clearly show that it in nowise rules the question now reported on. In that case the grand jury petitioned the Court of Quarter Sessions of Allegheny County as follows:

> "That the citizens of said County are greatly concerned in having a careful investigation of the late riots of July 21st and 22nd, 1877, and all facts and particulars incident and relative thereto and connected therewith, and the grand jury do respectfully pray your Honor to give this matter in charge to them to inquire concerning, and to furnish them compulsory process to secure the attendance of such witnesses as they may consider necessary to examine."

A subpoena was issued to the Governor and the heads of his departments. They refused to appear and application for attachment was made to the Court. The Attorney-General appeared before the Court representing the Commonwealth, said:

> "The Governor as Commander-in-Chief of the army and navy of the State, Adjutant-General Latte, General R. M. Brtinton, and Major A. Wilson Norris, against whom attachments have been applied for, to compel their obedience to a subpoena to appear and testify before said grand jury, have no knowledge of the late riots in Allegheny County except that which they learned in their military and official capacities and which are privileged communications.———They declared to him that in the exercise of their official discretion an examination into these acts in connection with the said riots would be detrimental to the public service and injurious to the interestts of the Commonwealth."
>
> The Attorney-General further averred that the Governor and heads of his departments:
> Absent themselves on the ground that such matters as they could testify to are privileged communications and not the subject of inquiry before a grand jury; that John F. Hantranft, Governor of the Commonwealth of Pennsylvania and James W. Latta, Adjutant General, are in constant correspondence with the army in the field in disorderly and riotous regions of the State and in daily expectation of being required at the front."

And also that:

> "He is of the opinion that the interest of the State will be best subserved by their absence."

A careful reading of the Attorney General's argument to the Appellate Court shows that it was these same reasons that were advanced by the Attorney General for the Executive's non-compliance with the subpoena of the Court, wherein he said:

> "The President of the United States and the Governors of the several States are not bound to produce powers or disclose information communicated to them when in their own judgment the disclosure would be on public consideration inexpedient."

The Hartranft case was clearly decided upon this exemption given to the executive. Governor Hartranft was not compelled to testify before the grand jury to matters which he received as Governor and the disclosure of which would be detrimental to the people. Justice Gordon said in his opinion:

> "It will be observed that these persons are subpoenaed for the purpose of compelling a revelation of such things as have come to their knowledge in their official capacity and which strictly belongs to their several departments as officers of the Commonwealth. This is clearly set out in the answer of the Attorney General to the application for the attachment and there has been no denial thereof upon the argument before us."

Showing clearly that the exemption to the executive from disclosing confidential communications as Justice Gordon sets forth in this language:

> "In like manner he is constituted the judge of what things knowledge or information coming into his department through himself personally or from his subordinates may or may not be revealed, then such subordinates without his permission cannot be compelled to disclose in court any such matters or information."

The decision in the Hartranft case can clearly be distinguished and differentiated from the question presented to this Committee to report upon your Honorable Body. The Hartranft case does not hold that anyone, be he the chief executive, head of an executive department, or a subordinate therein, is exempt from appearing in answer to a subpoena lawfully issued except in case where the presence of the executive, the executive head of a department or a subordinate therein, is by stress or extraordinary circumstances compelled to be present at a place other than the one to which he has been subpoenaed to appear in the performance of his official duties.

The privilege of refusing to testify given to the persons subpoenaed in the Hartranft case was solely because it appeared affirmatively of record and was not denied that the information which was sought to be secured from the witnesses was information which "they learned in their military and official capacities and which are privileged communications," and that "In their official discretion an examination into the secrets in conection with the said riots would be detrimental to the public service and injurious to the interests of the Commonwealth."

In refusing to appear before the Committee appointed by this House the witnesses subpoenaed have not excused themselves, nor does the communication of His Excellency the Governor, sent to this House, wherein he advises their nonattendance as witnesses, attempt to excuse them on the ground that at the time they were requested to attend before the Committee in answer to the subpoena they would be by stress of circumstances engaged in the performance of their official duties, nor do the witnesses subpoenaed nor the Governor in his communication aver that the persons subpoenaed are excused from testifying on the grounds that the only testimony which they could offer was that "which they learned in their official capacity and which is in the nature of privileged communications," and that the giving of such testimony "would be detrimental to the public service and injurious to the interests of the Commonwealth."

That neither the Governor nor those holding positions under him nor under the heads of executive departments can determine in advance of an examination whether testimony sought is to be had "would be detrimental to the public service and injurious to the interest of the Commonwealth," needs no argument to demonstrate. In this connection a reference to the case of:

Eckstein's Appeal, 148 Pa., Page 549, is apropos.

In that case John Eckstein, who was a Clerk of Common Councils of Philadelphia, was subpoenaed to appear as a witness before a sub-committee of Councils, which was then conducting an investigation into the affairs of the office of the City Treasurer. He appeared in answer to the subpoena but refused to be sworn, basing his refusal, on the ground that he had been indicted with the City Treasurer on charge of conspiracy and that the giving of testimony before the Committee might tend to incriminate him. In disposing of this question and enunciating the law on this question of obedience of witnesses to subpoenaes issued by a committee similar to the one appointed and authorized to act by your Honorable Body, the Supreme Court said:

> "The investigation which was in progress before the Councils was a lawful investigation. The subpoena was lawfully issued, and it was his duty to obey it. Upon his refusal to do so, it was lawful for the Court of Common Pleas to compel such obedience. It cannot be tolerated for a moment that a man may be allowed to disobey a lawful subpoena upon his mere opinion that the subpoena had ben improperly issued, or that the particular tribunal before which he is summoned to appear has no lawful jurisdiction to proceed. It was time enough for the appellant to have raised any objection after he had obeyed the subpoena, and had been sworn as a witness. If a question had been asked which tended to criminate him, or which was in violation of any of his rights as a citizen, under the Constitution and the Laws of this Commonwealth, he could have declined to answer the same, and any questions touching his rights as a witness could have been disposed of in a legal and orderly manner."

So in the present matter, if in the course of the investigation conducted in obedience to the resolution of this House, it shall appear that testimony is sought from witnesses which they have derived solely by virtue of their official connection with the department of the executive, and that the giving of such testimony would in the discretion of the executive be detrimental to the public service and injurious to the interests of the Commonwealth, it might well be that the witness would be justified in refusing to give such testimony and that the refusal to testify under such circumstances could not be held to amount to contempt.

But this question has not as yet been raised and is not before this House for decision. The sole and only question before this body at the present time is whether under any circumstances a subpoena may issue effectively to the Governor, the head of an executive department, or a subordinate in the department. If this is so it must appear clear when attention is given to the circumstances under which the witnesses have neglected or refused to appear and when regard is paid to what the Governor has stated as to his reason for advising the non-attendance of the witnesses. In the course of his communication, he states:

> "The same fundamental principle in our organic law which exempts the Governor and his subordinates while engaged in performing the duties pertaining to their respective offices from the subpoena of the judicial department of the State Government likewise exempts the Governor and his subordinates from the compelling power of a subpoena of an investigating committee created by a resolution adopted by but one branch of the General Assembly."

In this the Governor enunciates it as a general proposition that the chief executive and his subordinates are exempt from the effective service of a subpoena in a judicial or legislative investigation.

This Committee is of the opinion, and so reports, that no such exemption from the service or subpoena exists in favor of the Governor and his subordinates in other than the cases of the exemptions heretofore noted, and that the matter of the obedience of the witnesses to the subpoena issued by the Committee and served upon them does not dall within the exemptions so noted.

In United States vs. Burr, 25th Federal Cases, 14692—D

A subpoena ducestecum was issued to the President of the United States, directing him to produce certain papers, and there it was held that where it did not appear affirmatively that the testimony sought would be detrimental and injurious to public interest, the subpoena was effective and would have to be obeyed.

In United States vs. Smith, 27th Federal Cases, 16342, it was held that members of the Cabinet of the President of the United States might be compelled to appear as witnesses in a Federal Court.

In Volume 3, Hong's Precedents, of the House of Representatives of the United States, Page 190, etc., there appears a report of the controversy arising by reason of the refusal of the Attorney-General to transmit certain papers called for by the Senate and in the report of the Honorable George F. Edmunds, of Vermont, from the Committee on the Judiciary, it appears that it is clearly the duty of the head of an executive department to produce such information as is requested in the course of a legislative inquiry, and it further there appears that the Senate of the United States adopted a resolution wherein there was a condemnation of the action of the Attorney-General as "in violation of his official duty and subversive of the fundamental principles of the government and of a good administration thereof," because he had failed to produce the papers called for.

For the reasons heretofore given on the precedents herein set forth this Committee reports to your Honorable Body that the Committee of the House of Representatives, consisting of the Honorable F. E. Geiser, Chairman, Honorable Charles J. Doney, Jr., Secretary, Honorable J. H. De Frees, Honorable Charles A. Schaffer, and Honorable William D. Walton, appointed and empowered by the resolution adopted February 19th, 1913, by this House, had authority to legally issue subpoenas for the attendance before them as the Committee appointed by this House of Representatives to conduct the investigation authorized by the said resolution of February 19th, 1913, and report thereon their findings, of the following persons, Walter Gaither, George Thorn, George Kendelhart, John F. Whitmore, H. D. Jones, Cassius A. Dunn, Samuel P. Todd, Harry McDevitt, M. B. Eisenhart, James H. Robbin, and E. T. Oswald.

That the said Committee, consisting of the members heretofore named, appointed by virtue of a resolution of February 19th, 1913, did so issue his legal subpoena for the attendance of the above-named persons as witnessses to appear before the said Committee on the 12th day of March, 1913, at Room 508, State Capitol Harrisburg, Pennsylvania, at 5:00 o'clock P. M.

That on the said 12th day of March, 1913, at five o'clock P. M. the said Committee convened in Room 508 State Capitol, Pennsylvania, for the purpose of examining the said witnesses so subpoenaed to appear and hearing what they might testify to in the premises.

That on the said 12th day of March, 1913, at five o'clock P. M. in Room 508, State Capitol, Pennsylvania, none of the persons, to-wit: Walter Gaither, George Thorn, George Kendlehart, John F. Whitmore, H. D. Jones, Cassius A. Dunn, Samuel P. Todd, Harry McDevitt, M. B. Eisenhart, James N. Robbin and E. T. Oswald, so subpoenaed to appear at the time and place appeared in obedience to the subpoena so served upon them and no sufficient reason has been given to the said Committee for the failure or neglect or the said witnesses to appear in obedience to the said subpoena so served upon them.

That by virtue of the failure or neglect of the said Walter Gaither, George Thorn, George Kendlehart, John F. Whitmore, H. D. Jones, Cassius A. Dunn, Samuel P. Todd, Harry McDevitt, M. B. Eisenhart, James N. Robbin, and E. T. Oswald to so answer and obey the said subpoena served upon them and appear before the Committee apppointed by virtue of the resolution of February 19th, 1913, they and each of them have acted in contempt and defiance of the lawful order and subpoena of the Committee of the House of Representatives and are by virtue thereof in contempt of the House of Representatives of the State of Pennsylvania.

All of which is respectfully submitted.

F. E. GEISER,
Chairman.

Mr. S. B. SCOTT. Mr. Speaker, I move the adoption of the report.

Mr. HUMES. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the motion of the gentleman from Philadelphia that the report of the Judiciary General Committee be adopted.

It was unanimously agreed to.

RESOLUTION RECALLING BILL FROM THE GOVERNOR.

Mr. MOSES. Mr. Speaker, I ask unanimous consent to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The Resolution was read as follows:

Resolved, (if the Senate concur), That House Bill No. 11, file folio 61, entitled:

An Act to provide for an additonal law judge of the several courts of the Forty-seventh judicial district

be recalled from the Governor for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent for the consideration of the resolution? The Chair hears no objection.

On the question,

Will the House agree to the resoluiton?

It was agreed to.

REPORTS FROM COMMITTEES.

Mr. COX, from the Committe on Judiciary Local, reported as committed, House Bill No. 1440, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State; creating a State Board of Voting Machine Examiners, and defining its powers and duties; providing rules and regulations for the conduct of elections and primary elections held with voting machines, and providing penalties for violation of the provisions of this act.

Mr. ULERICH, from the Committee on Judiciary Sepcial, reported with a negative recommendation House Bill No. 1174, entitled:

An Act fixing the time within which indictments for any crime or misdemeanor (murder or voluntary manslaughter excepted) shall be brought or exhibited, and repealing all acts or parts of acts inconsistent with the provisions thereof.

Mr. WALTON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1154, entitled:

A Supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March Anno Domini one thousand nine hundred one, creating a Bureau of Public Utilities in the Department of Public Safety, defining the powers and duties thereto, and of the offices thereunder, prescribing rules, regulation and laws respecting public utilities and authorizing and imposing fines, penalties and punishment for violation thereof.

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 1264, entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the Act of April 14, 1851 and its supplements, and under the Act of April 1, 1909, and making legal all exemptions thereunder heretofore allowed.

Mr. SPANGLER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1246, entitled:

An Act providing for the releasing on parole of certain prisoners who have been sentenced for life.

Mr. WATSON, from the Committee on Railroads, reported with a negative recommendation, House Bill No. 495, entitled:

An Act prohibiting Railroad Corporations from placing in passenger trains a wooden car in front of a steel car and fixing a penalty for violation of this act.

Mr. W. H. WILSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 23, entitled:

An Act providing for the creation and regulation of municipal liens, and the proceedings for the collection thereof, in the several boroughs of this State.

Mr. WALSH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1077, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class," approved the 7th day of March Anno Domini, one thousand nine hundred and one, creating and regulating a Forestry Department; defining its jurisdiction; providing a method for the collection of the cost of planting, removing and changing shade trees along the highways from the abutting property or property owners, and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board.

Mr. MATHER, from the Committee on Game, reported as committed, House Bill No. 1329, (Senate Bill No. 46), entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game, game quadrupeds and game-birds and song insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds.

Mr. McALEER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1142, entitled:

An Act to protect the public health and safety by regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation and condemnation of dwellings, two-family dwellings, rooming houses and tenements by regulating the use, maintenance and sanitation of the grounds surrounding the same, the adjoining buildings and all vacant land in cities of the first class, providing for their inspection; creating a division of housing and sanitation; providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith.

Mr. LOHR, from the Committee on Agriculture, reported as amended, House Bill No. 1374, entitled:

An Act to aid in the suppression of inset pests in Pennsylvania by authorizing the Department of Agriculture to prepare a catalogue of the insects of Pennsnylvania, giving their common and scientific names, dates, localities, food, enemies, remedies, habits, and other important points as far as can be ascertained, together with illustrations of some of the important types of insects, and providing for the publication of said book and the distribution of the same, and making an appropriation therefor.

Mr. CHEESEMAN, from the Committee on Education, reported as committed, House Bill No. 1196, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1490, entitled:

An Act regulating the appointment, confirmation, duties, salary and expenses of County Detectives in Counties containing not less than three hundred thousand, nor more than seven hundred thousand inhabitants.

Mr. CHEESEMAN, from the Committee on Game, reported with a negative recommendation, House Bill No. 509, entitled:

An Act to amend section one of an act, entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds, and prescribing penal ties for violation of its several provisions," approved the third day of June Anno Domini, one thousand nine hundred and eleven.

Mr. ULERICH, from the Committee on Education, reported with a negative recommendation, House Bill No. 824, entitled:

An Act to amend section eight hundred and four of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven.

Mr. ALWORTH, from the Committee on Judiciary Sepcial, reported as committed, House Bill No. 1321, entitled:

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered, the reason or reasons for the order of court shall be stated of record and if such reason

or reasons be only that the damages awarded by the verdict are excessive or inadequate, the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects.

Mr. EHRHARDT, from the Committee on Appropriations, reported as committed, House Bill No. 1344, (Senate Bill No. 370), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county, Penneylsvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven.

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as committed, House Bill No. 1350, entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers, and authorizing the attachment of wages of persons indebted for boarding," approved the eighth day of May, one thousand eight hundred and seventy-six, with its amendments; and providing for service of notice attachment upon persons, firms, associations and corporations.

Mr. EWING, from the Committee on Railroads, reported as amended, House Bill No. 886, entitled:

An Act prohibiting trespassing on any Railroad, Railway or any Railroad or Railway Cars in the Commonwealth of Pennsylvania, and providing a penalty therefor.

Mr. CONRADE, from the Committee on Public Buildings, reported as committed, House Bill No. 1398, (Senate Bill No. 275), entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defiing the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery, supplies fuel furniture, furnishings, distribution of documents, repairs, alterations, or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same."

Mr. J. A. DUNN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1388, (Senate Bill No. 67), enttiled:

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-nine one thousand eight hundred and three.

Mr. MOORE, from the Committee on Judiciary Local, reported as committed, House Bill No. 1242 entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein, and providing a penalty.

Mr. NORTH from the Committee on appropriations reported as amended, House Bill No. 804, entitled:

An Act making an appropriation for the purpose of aiding and assisting cities, boroughs and other municipalities to pay for the construction of sewage disposal plants, providing the conditions under which the monev hereby appropriated shall be disbursed and paid, and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants.

Mr. I. GORDON FORSTER, from the Committee on Judiciary General, reported as committed, House Bill No. 1244, entitled:

An Act to amend the first, third and sixth sections of an act, entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph, telephone, or light, or power companies," approved April 17, 1905, so as to include gas and water companies.

Mr. BROSIUS, from the Committee on Judiciary General, reported as committed, House Bill No. 1266, entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned.

Mr. BROSIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1311, entitled:

An Act prohibiting the destruction, damaging or tampering with or feloniously taking and carrying away any part of any elevator or elevator equipment or elevator machinery.

Mr. REESE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1074, entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of Bridge Companies owning bridges situated wholly or partly within the limits of such municipalities, and exempting such stock and bonds owned by municipalities, from State taxation.

Mr. MITCHELL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1266, entitled:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for its services upon the client's cause of action, claim or counter-claim which shall attach to any award order, report, decision, compromise, settlement, verdict or judgment in the client's favor and the proceeds thereof in whosesoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment.

Mr. MITCHELL, from the Committee on Judiciary Special, reported as amended, House Bill No. 365, entitled:

An Act to prevent the procreation of idiots, imbeciles and feeble-minded persons by the process of sterilization, under certain circumstances and prescribing the conditions under which it may be performed.

Mr. NEWTON, from the Committee on Counties and Townships, reported as committed, House Bill No. 1480, entitled:

An Act amending section fourteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townships of each class," approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townships of each class,' " approved the seventh day of June, one thousand nine hundred and seven.

Mr. HIBSHMAN, from the Committee on Agriculture, reported as amended, House Bill No. 414, entitled:

An Act to regulate the sale for agricultural purposes of crushed lime-stone, lime, gypsum and related products, defining said products, and requiring that they be sold under official tags bearing the manufacturer's or dealer's guaranty; providing for its enforcement and prescribing penalties for its violations.

Mr. HOFFMAN, from the Committee on Railroads, reported as committed, House Bill No. 1386, (Senate Bill No. 52), entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers.

Mr. GRAMLEY, from the Committee on Game, reported with a negative recommendation, House Bill No. 108, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions."

Mr. POST, from the Committee on Manufacturers reported as amended, House Bill No. 423, entitled:

An Act prohibiting the placing of earth or any other material in any run, creek river or stream within this Commonwealth, or upon the banks of the same, or in any place where said earth or other material would be likely to slide into, or be washed into such run, creek, river or stream, without first having constructed in accordance with plans, specifications and application approved by the Water Supply Commission of Pennsylvania, a retaining wall or walls along the banks of said runs, creeks, rivers or streams under the supervision of the Water Supply Commission of Pennsylvania, and providing a penalty for the violation of this act.

Mr. MOSES, from the Committee on Appropriations reported as amended, House Bill No. 106, entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe.

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1022, entitled:

Supplement to an act entitled "An Act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom," approved the sixteenth day of May, A. D. one thousand eight hundred and ninety-one, empowering municipalities to locate streets and alleys, and to include therein streets and alleys, or parts thereof, theretofore opened or used for highway purposes.

Mr. DAVIS, from the Comittee on Judiciary Local, reported as committed, House Bill No. 1404, entitled:

An Act authorizing Police Magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances, on certain terms and conditions, and providing for the appointment of probation officers.

Mr. JACKSON, from the Committee on Game, reported as committed, House Bill No. 1359, entitled:

An Act to repeal the first section of an act approved the third day of June, one thousand nine hundred elevn, entitled "An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds, and prescribing penalties for violations of its several provisions."

Mr. KENNEDY, from the Committe on Game, reported as committed, House Bill No. 520, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penarties for violation of its several provisions."

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1184, entitled:

An Act to amend an act approved the sixteenth day of May one thousand eight hundred and ninety-one, entitled "An Act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages costs and expense thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom," as amended.

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1072, entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein, and authorizing the construction of overhead and underground structures therein, for the convenience and comfort of the traveling public.

Mr. GEORGE C. IRWIN, from the Committee on Railroads, reported as amended, House Bill No. 740, entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power; and providing a penalty for violation thereof.

Mr. SWARTZ, from the Committee on Judiciary Local, reported as committed, House Bill No. 1373, entitled:

An Act making an appropriation for the erection at Carlisle of a monument to commorate the heroine of the battlefield of Monmouth in 1778 known in history as "Mollie Pitcher" and providing for the appointment of a commission to select a model for and supervise the erection thereof

Mr. CLEARY, from the Committee on Judiciary Local, reported as amended, House Bill No. 1471, entitled:

An Act providing that no self playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

Mr. SPEISER, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 1255, entitled:

An Act authorizing cities of the first class to regulate the production and emission of smoke from any chimney smokestack or other source

Mr. STEEDLE, from the Committee on Game, reported as amended, House Bill No. 734, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions"

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1347, (Senate Bill No. 517), entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1156, entitled:

An Act empowering cities to enact ordinances relating to repairs to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1120, entitled:

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Mr. NEELY, from the Committee on Judiciary Special, reported as committed, House Bill No. 1168, entitled:

An Act to provide for the payment of costs and charges on writs of Execution or Attachment and fixing the liability of Sheriff in the execution thereof

Mr. MILLER, from the Committee on Judiciary General, reported as amended, House Bill No. 1047, entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

Mr. McCAIG, from the Committee on Judiciary Local, reported as committed, House Bill No. 1356, entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the County of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holdings of said poor district for almshouse

Mr. WETTACH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1076, entitled:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided

Mr. DUNN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1365, entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne County Pennsylvania"

Mr. DOWN, from the Committee on Agriculture, reported as amended, House Bill No. 471, entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative Agricultural Extension work for the purpose of improving and developing the agricultural resources of the proper counties

Mr. GLENN, from the Committee on Judiciary General, reported as committed, House Bill No. 1229, entitled:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

Mr. TRACH, from the Committee on Education, reported as committed, House Bill No. 1191, entitled:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Mr. ULMAN, from the Committee on Railroads, reported with a negative recommendation, House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employees on railroads by regulating the appointment of persons to the positions of conductor flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof

Mr. PRICE, from the Committee on Game, reported as committed, House Bill No. 1263, entitled:

An Act to provide that fines and forfeitures levied and collected for violations of the Game Laws of the Commonwealth shall be paid to the Game Commission for the purpose of acquiring and maintaining Game Preserves and for acquiring propogating and distributing game

Mr. CHARLES A. SHAFFER, from the Committee on Law and Order, reported as committed, House Bill No. 878, entitled:

An Act to amend an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force; defining their powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employees of the Department of State Police also the salaries of the officers and men of the State Police"

Mr. CHARLES A. SCHAFFER, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 432, entitled:

An Act defining the duties of the State Police

Mr. KLEPPER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1202, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second-hand store or junk shop for failure to provide and keep books showing entries of receipt or acceptance of goods by purchase exchange or otherwise said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police and providing for the violation thereof

Mr. KLEPPER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1203, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

Mr. KUHNS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1312, entitled:

An Act prohibiting the destruction or tampering with or feloniously taking and carrying away of any part of any apparatus or equipment used by persons firms corporations or municipalities to convey alarms of fire or used to extinguish fire and providing a penalty

Mr. KUHNS, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1180, entitled:

An Act relating to the recording of deeds mortgages and other instruments providing that the same shall take effect from the time of record regulating the duties of the Recorder and repealing inconsistent acts

Mr. KUHNS, from the Committee on Counties and Townships, reported as committed, House Bill No. 969, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

Mr. JAMES J. CAMPBELL, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of Suburban Metropolitan Planning Commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

Mr. GOSS, from the Committee on Agriculture, reported as committed, House Bill No. 1328, (Senate Bill No. 100), entitled:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

Mr. COCHRAN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1029, entitled:

An Act Supplementary to an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April one thousand nine hundred and three providing for the separation of dependent and neglected children from incorrigible and delinquent children in place of detention of minors in the custody of the Juvenile Courts of the several counties

Mr. BECKER, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 1061, entitled:

An Act to amend the first section of an act approved the twelfth day of May Anno Domini one thousand eight hundred and eighty-seven entitled "An Act regulating the compensation of county auditors within this Commonwealth

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1139, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1464, entitled:

An Act regulating to the openings of buildings upon over or under external fire escapes

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1414, entitled:

An Act reorganizing the Attorney General's Department designating the officers and employees thereof and fixing their salaries

Mr. KEEGAN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1408, entitled:

An Act fixing the compensation of the Reading Clerks of the Senate and House of Representatives

Mr. GRABE, from the Committee on Agriculture, reported as amended, House Bill No. 688, entitled:

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed making it the duty of supervisors to cut or destroy such weeds on or along

pubilc highways and providing penalties for failure to comply with the provisions of the act

Mr. MURPHY, from the Committee on Education, reported as amended, House Bill No. 900, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of colecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1241, entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers steam-engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

Mr. GANS, from the Committee on Law and Order, reported as amended, House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act of amusement of the public designating that it meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the Act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Mr. SHOWALTER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1261, entitled:

An Act amending the first paragraph of the second section of an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Comonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" approved the twenty-third day of April one thousand nine hundred three so as to authorize petition by the agent of any association of cities resident of the county or of any incorporated society having for one of its objects the care of delinquent or neglected children

Mr. ROCKWELL, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 1221, entitled:

An Act to repeal an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonablenes of the amount of license fees between municipal corporations and telegraph telephone or light or power companies"

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 542, entitled:

An Act supplementary to an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and neglected children under the age of sixteen years and providing for the means in which such power may be exercised" approved April twenty-third Anno Domini one thousand nine hundred and three conferring power upon the judge or judges of the courts of quarter sessions of the peace who are from time to time assigned to the sessions of said court known as the juvenile court to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court defining the purpose method and extent of such examination and the character and use of the reports of examining physicians designating the time and place of an authorizing the necessary equipment of such examinations and providing for the installation of said equipment and payment therefor and for the appointment and compensation of examining physicians and assistants for the said work

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported as committed, House Bill No. 967, entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

Mr. HOBBS, from the Committee on Agriculture, reported as committed, House Bill No. 1309, entitled:

An Act enabling The Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

BILL REFERRED.

Mr. SPEISER. Mr. Speaker, I ask unanimous consent o have bill No. 1235, entitled:

An Act to provide for the organization and maintenance of a symphony orchestra to be known as the Pennsylvania State Symphony Orchestra and making an appropriation therefor

re-referred to the Committee on Education, this at the request of the committee on Judiciary Special.

The SPEAKER. The Chair hears no objection. It is so directed.

Mr. SPEISER. Mr. Speaker, I wish to call attention to he fact that on bill No. 1202, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second-hand store or junk shop for failure to provide and keep books showing entries of receipt or acceptance of goods by purchase exchange or otherwise said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police and providing a penalty for the violation thereof

and on Bill No. 1203, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

ny name appears as sponsor whereas they were introduced by the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. The Clerks will take notice. The correction will be made accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. C. A. SHAFFER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. C. A. SHAFFER. I desire to ask unanimous consent to file my reason for my vote yesterday on Bill No. 118.

The SPEAKER. The gentleman asks leave to file his reasons for his vote on House Bill No. 118, voted upon yesterday. The reasons will appear in the Journal.

REASONS FOR VOTE.

Mr. C. A. SHAFFER. Mr. Speaker, my reason for voting "No" on House Bill No. 118, March 18, 1913, is as follows:

I inadvertently was not present when House Bill No. 118 was up for discussion and I came in the Hall of the House, just prior to voting and heard it stated on the floor of the House, that it was a bad bill and contained many defects. I having previously supported the motions in this session to put the question of electing United States Senators before the people, and my attitude on State-wide uniform primaries is well known to be in favor of same.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MARTIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. MARTIN, Mr. Speaker, Bill No. 1304, entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An Act relating to executors and administrators"

was not introduced by me as stated on the pink calendar, and I ask that the correction be made, as I am not the sponsor of the bill.

The SPEAKER. The Clerks will confer with the committee in charge of the bill and see to the correction.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 862 (Senate Bill No. 31).

A further supplement to an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred eleven

House Bill No. 609 (Senate Bill No. 45).

An Act for the better protection of the wild birds known as the turtle or mourning dove the kill-deer plover and the bird commonly called the black-bird in Pennsylvania and prescribing penalties for violation of its provisions

House Bill No. 1079 (Senate Bill No. 63).

An Act providing for another judge in each of the courts of common pleas of Philadelphia County

House Bill No. 25.

An Act authorizing the Department of Forestry to lease portion of the State forest for health and recreation purposes

House Bill No. 300.

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating the criminal trials the cross-examination of a defendant when testifying in his own behalf"

House Bill No. 301.

An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

House Bill No. 352.

An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases

House Bill No. 454.

An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel

House Bill No. 564.

A joint resolution directing the publication of the pamphlet containing the game fish and forestry laws

Whereupon,

The SPEAKER in the presence of the House signed the same.

LEAVES OF ABSENCE.

Mr. G. A. BALDWIN asked and obtained leave of absence for himself for the balance of the week.

Mr. A. C. SHAFFER asked and obtained leave of absence for himself for the balance of the week.

Mr. MELLOTT asked and obtained leave of absence for Mr. Snavely on account of illness.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JACKSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JACKSON. Mr. Speaker, Bill No. 490, entitled:

An Act to authorize county commissioners to appropriate and use certain limited amounts of money out of the funds of their counties respectively for the improvement of agricultural conditions by means of general instruction and public demonstration of improved methods of farming

which was returned with a negative recommendation was a mistake. I respectfully ask that it be returned to the Committee.

The SPEAKER. The bill will be returned to the committee as requested.

BILL PLACED ON CALENDAR.

Mr. STEEDLE. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by James E. Steedle, seconded by W. S. Bigger that House Bill 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained billboards signs or other advertising devices the increased value of such lands resulting from the use of such premises for advertising

be placed upon the Calendar notwithstanding the negative recommendation of the Committee on Judiciary Special.

The SPEAKER. As the gentleman desires to have the bill placed on the Calendar he will have to have the unanimous consent of the House.

Mr. STEEDLE. Mr. Speaker, and Gentlemen, my object in offering this motion is that this House voted on a resolution that where a bill was to be negatived the sponsor of the bill was to be notified. On this question I was never notified, and this bill was handed me by the Civic Commission of the City of Pittsburgh. The purpose of this motion is to have this bill placed on the Calendar and then to have it recommitted to the Committee on Judiciary Special.

The SPEAKER. Will the House give unanimous consent to have this bill placed on the calendar? The Chair hears no objections and consent isgranted and the bill will be placed on the Calendar.

BILL RECOMMITTED.

Mr. STEEDLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. BIGGER. I second the motion.

The motion was agreed to.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTION.

Mr. REX offered the following resolution, which was twice read and laid over under the rules.

In the House of Representatives, March 19, 1913.

Whereas, It has been the practice and is still the practice for each member of this House to be furnished with a so-called "prize package," containing pocket knives, combs, hair brushes, clothes brushes, hat brushes, fountain pens, pocket books, card cases, silver match boxes, scissors and other articles of like nature; and

Whereas, The said "prize packages" cause an unwarranted waste of the people's money at every session of the Legislature, amounting to thousands of dollars; therefore, be it

Resolved, That this purile practice and great unwarranted waste of the people's money shall be stopped, as a form of so-called "graft," that the majority of the Members of this House are pledged to abate.

TIME OF NEXT MEETING.

Mr. EHRHARDT offered the following resolution which was twice read, considered and agreed to.

"Resolved, That when the House adjourns this day it be to meet at eight o'clock this evening."

TO RESTRICT INTRODUCTION OF RESOLUTIONS.

Mr. KITTS offered the following resolution which was twice read and laid over under the rules:

Whereas, Many resolutions of little import have taken a great deal of time of this Assembly; and

Whereas, The House of Representatives seems to have been exposed to an epidemic for the introduction of Resolutions, and the exploiting of investigations; and

Whereas, It will become necessary in the near future for this Assembly to get down to business and pass a few laws; therefore,

Be It Resolved, That Monday, March 24th, be and is hereby designated as the last day for the introduction of fool resolutions, and for the introduction of such other resolutions calling for investigations into the several offices and departments, of this Commonwealth.

ADJOURNMENT.

Mr. JOSEPH GRAY. Mr. Speaker I move that the House do now adjourn.

The motion was agreed to and (at 1:15 o'clock P. M.) the House adjourned to meet at 8:00 o'clock P. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 19th, 1913.

(EVENING SESSION).

The House met at eight o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

BILL ON THIRD READING.

Mr. SHERN asked and received the unanimous consent of the House to call up House Bill No. 399 File Folio 2571, on page 31 of to-day's Calendar, Bills on Third Reading Postponed for the Present, for the purpose of amendment.

Agreeably to order.

The House resumed the consideration on third reading of House Bill No. 399, as follows:

An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

ARTICLE I

Damages by Action at Law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That in any action brought to recover damages for personal injury to an employee in the course of his employment or for death resulting from such injury it shall not be a defense

(a) That the injury was caused in whole or in part by the negligence of a fellow employee or

(b) That the employee had assumed the risk of the injury or

(c) That the injury was caused in any degree by the negligence of such employee unless it be established that the injury was caused by such employee's intoxication or by his reckless indifference to danger The burden of proving such intoxication or reckless indifference to danger shall be upon the defendant and the question shall be one of fact to be determined by the jury

Section 2 The employer shall be liable for the negligence of all employees while acting within the scope of their employment including engineers chauffeurs miners mine-foremen fire-bosses mine superintendents plumbers officers of vessels and all other employees licensed by the State or other governmental authority if the employer be allowed by law the right of free selection of such employees from the class of persons thus licensed

Section 3 An employer who permits the entry upon premises occupied by him or under his control of a laborer or of an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to such employee or contractor shall be liable to such laborer or assistant in the same manner and to the same extent as to his own employee

Section 4 No agreement composition or release of damages made before the happening of any accident except the agreement defined in Article two of this act shall be valid or shall bar a claim for damages for the injury resulting therefrom and any such agreement other than that defined in Article two herein is declared to be against the public policy of this Commonwealth The receipt of benefits from any association society or fund to which the employee shall have been a contributor shall not bar the recovery of damages by action at law nor the recovery of compensation under article two hereof and any release executed in consideration of such benefits shall be void

ARTICLE II

Election Compensation

Section 1 When employer and employee shall by agreement either expres or implied as hereinafter provided accept the provisions of Article two of this act compensation for personal injury to or for the death of such employee by an accident in the course of his employment shall be made in all cases by the employer without regard to negligence according to the schedule contained in sections five and six of this Article provided that no compensation shall be made when the injury or death be intentionally self-inflicted but the burden of proof of such fact shall be upon the employer

The terms "injury" and "personal injury" as used in this Article shall be construed to mean only violence to the physical structure of the body and such disease or infection as naturally results therefrom and wherever death is mentioned as a cause for compensation under this article it shall mean only death resulting from such violence and its resultant effects and occurring within three hundred weeks after the accident The term "injury" by an accident in the course of his employment" as used in this article not include an injury caused by an act of a third person intended to injure the employee because of reasons personal to him and not directed against him as an employee or because of his employment but shall include all other injuries sustained while the employee is actually engaged in the furtherance of the business or affairs of the employer whether upon the employer's premises or elsewhere and shall include all injuries caused by the condition of the premises or by the operation of the employer's business or affairs thereon sustained by the employee who though not so engaged is injured upon the premises occupied by or under the control of the employer or upon which the employer's business or affairs are being carried on the employee's presence thereon being required by the nature of his employment

Section 2 Such agreement shall be an acceptance of all the provisions of article two of this act and shall operate as a surrender by the parties thereto of their rights to any form or amount of compensation or damages for any injury or death occurring in the course of the employment or to any method of determination thereof other than as provided in article two of this act Such agreement shall bind the employer and his personal representatives and the employee his or her wife or husband widow or widower next of kin and other dependents

Section 3 (a) In every contract of hiring made after June thirty one thousand nine hundred and thirteen and in every contract of hiring renewed or extended by mutual assent expressed or implied after said date it shall be conclusively presumed that the parties have accepted the provisions of article two of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article two of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service theerof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed within ten days after service in the Bureau of Industrial Statistics of this Commonwealth Every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before June thirty one thousand nine hundred and thirteen shall be conclusively presumed to continue subject to the provisions of article two hereof unless either party shall on or before June thirty one thousand nine hundred and thirteen in writing have notified the other party to such contract that the provisions of article two hereof are not intended to apply and unless there shall be filed in the Bureau of Industrial Statistics a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed provided however that the provisions of this section shall not be so construed as to impair the obligation of any contract now in force In the employment of minors article two shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employee of the State or of such governmental agency

(b) After June thirty one thousand nine hundred and thirteen an employer who permits the entry upon premises occupied by him or under his control of a laborer or an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to that employee or contractor shall be conclusively presumed to have agreed to pay to such laborer or assistant compensation in accordance with the provisions of article two unless the employer shall post in a conspicuous place upon the premises where the laborer's or assistant's work is done a notice of his intention not to pay such compensation and unless there be filed with the Bureau of Industrial Statistics within ten days thereafter a true copy of such notice together with proof of the posting of the same setting forth upon oath or affirmation the time place and manner of such posting and after June thirty one thousand nine hundred and thirteen any such

laborer or assistant who shall enter upon premises occupied by or under the control of such employer for the purpose of doing such work shall be conclusively presumed to have agreed to accept the compensation provided in article two in lieu of his right of action at common law or under article one unles he shall have given notice in writing to the employer at the time of entering upon such employer's premises for the purpose of doing his work of his intention not to accept such compensation and unless within ten days thereafter there shall have been filed with the Bureau of Industrial Statistics a true copy of such notice accompanied by proof of service thereof upon such employer setting forth under oath on affirmation the time place and manner of such service And in such cases where article two binds such employer and such laborer or assistant it shall not be in effect between the intermediate employer or contractor and such laborer or assistant unless otherwise expressly agreed

Section 4. The contract for the operation of the provisions of article two of this act may be terminated prior to any accident by either party upon sixty days' notice to the other in writing if a copy of such notice with proof of service be filed in the Bureau of Industrial Statistics as provided in section three of this article

Section 5 The following schedule of compensation is hereby established for injuries resulting in disability

(a) For the first three hundred weeks after the fourteenth day of total disability fifty per centum of the wages received at the time of injury but the compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receves wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation And after the first three hundred weeks of total disability for the remainder of the life of the employee forty per centum of the wages received at the time of the injury but the compensation shall not be more than eight dollars per week nor less than four dollars per week Provided that if at the time of the injury the employee received wages of less than four dollars per week then he shall receive the full amount of such wages as compensation Nothing in this clause shall require the payment of compensation after disability shall cease should partial disability be followed by total disability the period of three hundred weeks mentioned in this clause during which compensation was paid for such partial disability

(b) For disability partial in character (except the) particular cases mentioned in clause (c) fifty per centum of the difference between the wages received at the time of injury and the earning power of the employee thereafter but such compensation shall not be more than ten dollars per week This compensation shall be paid during the period such paritial disability not however beyond three hundred weeks after the fourteenth day of such disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for such total disability

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand fifty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm fifty per centum of wages during two hundred and fifteen weeks

For the loss of a foot fifty per centum of wages during one hundred and fifty weeks

For the loss of a leg fifty per centum of wages during two hundred and fifteen weeks

For the loss of an eye fifty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more of such members not constituting total disability fifty per centum of wages during the aggregate of the periods specified for each

The loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation

(d) No compensation shall be allowed for the first fourteen days after disability begins except as hereinafter provided in clause (e) of this section

(e) During the first fourteen days after disability begins the employer shall furnish reasonable surgical medical and hospital services medicines and supplies as and when needed not to exceed twenty-five dollars in value unless the employee refuses to allow them to be furnised by the employer

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section 6 of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and hospital services and medicines nor for the expenses of the last sickness and burial Should the employee die from some other cause than the injury the liability for compensation shall cease

Section 6 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation twenty-five per centum of wages of deceased with ten per centum additional for each child in excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children twenty-five per centum of wages

3 To the widow or widower if there be one child forty per centum of wages

4 To the widow or widower if there be two children forty-five per centum of wages

5 To the widow or widower if there be three children fifty per centum of wages

6 To the widow or widower if there be four children fifty-five per cetnum of wages

7 To the widow or widower if there be five children or more sixty per centum of wages

8 If there be neither widow widower nor children then to the father and mother or the survivor of them if dependent to any extent upon the employee for support at the time of his death twenty per centum of wages

9 If there be neither widow widower children nor dependent parent then to the brothers and sisters if actually dependent to any extent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

10 Whether or not there be dependents as aforesaid the reasonable expenses of last sickness and burial not exceeding one hundred dollars (without deduction of any amounts theretofore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include step-children and adopted children if members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or should the widow or widower remarry or should the widower become capable of self-support the right of such dependent or such widow or widower to compensation under this section shall cease If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week This compensation shall be paid during three hundred weeks and in the case of chidren entitled to compensation under clause 1 of this section the compensation of each child shall (if the other parent be dead or have abandoned such child) continue until such child reach the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum

Section 7 Except as hereinafter provided all compensation payable under this article shall be payable in periodical installments as the wages of the employee were payable before the accident

Whenever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include board lodging or similar advantages received from the employer unless the money value of such advantages shall have been fixed by the parties at the time of hiring In occupations involving seasonal employment or employments dependent upon the weather the employee's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employee in which case the period of calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings In continuous employments if immediately prior to the accident the rate of wages was fixed by day or hour or by the output of the employee his weekly wages shall be taken to be five and one-half times his average earnings at such for a working day of ordinary length excluding earnings from overtime and using as the basis of calculation his earnings during so much of the preceding six months as he worked for the same employer Where the employee is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

Section 8 Compensation under this article to alien dependent widows children and parents not residents of the United States shall be the same in amount as is provided in each case for residents except that at any time within one year after death of the injured employee the employer may at his option commute all future installments of compensation to be paid to alien dependents not residents of the

United States by paying to such alien dependents two-thirds of the total amount of such future installments of compensation Alien widowers brothers and sisters not residents of the United States shall not be entitled to any compensation

Section 9 Unless the employer shall have actual knowledge of the occurrence of the injury or unless the employee or some one on his behalf or some of the dependents of some one on their behalf shall give notice thereof to the employer within fourteen days after the accident no compensation shall be due until such notice be given or knowledge obtained If notice be given or the knowledge obtained after fourteen days but within thirty days after the accident the delay shall not bar compensation unless the employer shall show that he was prejudiced thereby and then only to the extent of such prejudice If the notice be given or the knowledge obtained after thirty days but within ninety days after the accident and if the employee or other beneficiary shall show that his delay in giving notice was due to his mistake or ignorance of fact or of law or to his physical or mental inability or to fraud misrepresentation or deceit or to any other reasonable cause or excuse then compensation shall be allowed except to the extent that the employer shall show that he was prejudiced by such delay Unless knowledge be obtained or notice given within ninety days after the accident no compensation shall be allowed

Section 10 The notice referred to in section nine hereof shall be substantially in the following form

To (name of employer)

You are hereby notified that an injury of the following character ( ) was received by (name of employee injured) who was in your employment at (place) while engaged as (kind of employment) on or about ( ) the ( ) day of ( ) Anno Domini ( ) and that compensation will be claimed therefor

Date Signed ( )

but no variation from this form shall be material if the notice be sufficient to inform the employer that a certain employees name received an injury the charactr of which is described in ordinary language in the course of his employment on or about a time specified and at or near a place specified

Section 11 The notices referred to in section three and section nine hereof may be served personally upon the employer or upon the manager or superintendent in charge of the works or business in which the accident occurred or by sending them through the registered mail to the employer at his or its last known residence or place of business or if the employer be a corporation either foreign or domestic then upon the president vice-president secretary or treasurer thereof Knowledge of the occurrence of the injury on the part of any of said agents shall be the knowledge of the employer

Section 12 After an injury the employee if so requested by him employer must submit himself for examination at some reasonable time and place and as often as may be reasonably requested to a physician or physicians legally authorized to practice under the laws of such place who shall be selected and paid by the employer If the employee requests he shall be entitled to have a physician or physicians of his own selection to be paid by him present to participate in such examination For all examinations after the first the employer shall pay the reasonable traveling expenses and loss of wages incurred by the employee in order to submit to such examination The refusal of the employee to submit to such examination shall deprive him of the right to compensation under this article during the continuance of such refusal and the period of such refusal shall be deducted from th period during which compensation would otherwise be payable

Section 13 In case of failure to agree upon a claim for compesation under this article between the employer and employee or the dependents of the employee either party may submit the claim as to questions of fact nature and effect of the injuries and the amount of compensation due therefor according to this article to the Court of Common Pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the Court of Common Pleas of any other county which courts shall hear and determine such disputes in a summary manner and their decisions as to all questions of fact shall be conclusive

Section 14 In case of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the acident one of the parties shall have filed a petition as provided in section fifteen hereof In cases of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a peititon as provided in section fifteen hereof Where however payments of compensation have been made in any case said limitation shall not take effect until the expiration of one year from the time of the making of the last payment

Section 15 Procedure in case of dispute shall be as follows

Either party may present a petition to said court or any judge thereof setting forth the names and residences of the parties and the facts relating to employment at the time of the accident the extent and character of the injury the amount of wages received at the time of the acident the knowledge of the employer or notice of the occurrence of the injury and such other facts as may be necessary and proper for the information of the said court shall state the matter or matters in dispute and the contention of the petitioner with reference thereto This petition shall be verified by the oath or affirmation of the ptitioner

Upon the presentation of such petition the same shall be filed with the prothonotary of the Court of Common Pleas and the court shall fix a time and place for the hearing thereof not less than three weeks after th date of the efiling of said petition A copy of said petition and order shall be served upon the adverse party as a summons in a civil action may be served Within seven days after the service of such notice (unless the time be extended by the court for cause shown) the adverse party shall file an answer to said petition which shall admit or deny the substantial averments thereof and shall state the contention of the answering party with reference to the matters in dispute The answer shall be verified in like manner as the petition If no answer be filed as aforesaid evidence shall be offered at the hearing by the petitioner only The court shall in every case have authority to allow amendments of the petition or answer and to suspend the proceedings during the refusal of the employee to submit to the examination required by section twelve hereof

At the time fixed for hearing or any adjournment thereof the said court or any judge thereof shall hear the witnesses and in a summary manner decide the merits of the controversy This decision called an award shall be in writing and filed with the prothonotary of the Court of Common Pleas and shall contain a brief statement of the facts as determined by said court Costs may be awarded by said court in its discretion and when so awarded the same costs shall be allowed taxed and collected as are allowed taxed and collected for like services in the same court After petition filed the Court of Common Pleas may in its discretion upon motion of either party or of its own motion appoint one or more impartial physicians or surgeons to examine the injuries of the claimant and to report thereon to the court Said court shall have power to fix the compensation of such physicians or surgeons and to tax the same as a part of the costs of the proceedings The report of any physicians or surgeons appointed by the court as aforesaid shall be filed with the prothonotary and shall be a part of the record and shall be open to inspection by both parties Such report shall not be conclusive of the facts therein stated but shall be advisory only Appeals may be taken from the award of the Court of Common Pleas to the Supreme or Superior Courts in such manner and upon such terms as the Supreme Court shall by rule prescribe but no appeal shall operate as a supersedeas unles allowed by trial or appelate court except where the compensation shall have been commuted as provided in section sixteen of this article Cases arising under this article shall have precedence both in the Courts of Common Pleas and in the appellate courts over all other civil cases

Section 16 The compensation contemplated by this article may be computed by said Court of Common Pleas at its present vaue when discounted at six per centum interest with annual rests disregarding the probability of the beneficiary's death (except in commuting payments due under clause (a) section five of this article) upon application of either party with due notice to the other if it appear that such commutation will be for the best interest of the employee or the dependents of the deceased employee or that it will avoid undue expense or undue hardship to either party or that such employee or dependent has removed or is about to remove from the United States or that the employer has sold or otherwise disposed of the whole or the greater part of his business or assets Except as provided in section eight hereof and in this section no commutation of compensation shall be made

An agreement or award of compensation may be modified at any tim by a subsequent agreement or may be reviewed by said court upon the application of either party on the ground that the incapacity of the injured employee has subsequently increased or diminished or that the status of the dependent has changed In such case the provisions of section twelve and fiftee of this article with reference to medical examination shall apply

At any time after the entry of the award a sum equal to all future installments of compensation may (where death or the nature of the injury renders the cmount of future payyments certain) by leave of court be paid by the employer to any savings bank trust company or life insurance company in good standing and authorized to do business in this State and having an office in the county in which the award was entered and such sum together with all interest thereon shall thereafter be held in trust for the employee or the dependents of the employee who shall have no further recourse against the employer The payments of such sum by the employer evidenced by the receipt of the trustee noted upon the prothonotary's docket shall operate as a satisfaction of said award as to the employer Payments from said fund shall be made by the trustee in the same amounts and at the same periods as are herein required of the employer until said fund and interest shall be exhausted in the appointment of the trustee preference shall be given in the discretion of the court to the choice of the employee or the dependents of the deceased employee

Section 17 The right of compensation granted by this article of this act shall have the same preference (without limit of amount) against the assets of the employer as is now or may hereafter be allowed by law for a claim for unpaid wages for labor Claims or payments due under this article of this act shall not be assignable and (except as provided in section two of article III hereof) shall be exempt from all claims of creditors and from levy execution or attachment which exemption may not be waived

Section 18 Where the employer and the employee or the dependents of the employee shall after any accident agree upon the compensation payable hereunder for such accident a memorandum of such argreement signed by the parties may be filed with the prothonotary of said Court of Common Pleas The costs of the prothontary for such service shall be allowed taxed and collected as heretofore upon a confession of judgment When thus filed such agreement shall have the same effect as if it were an award of the court as provided in section fifteen hereof but shall be subject to review by the court for fraud mistake or other

cause shown provided however that nothing in this Section shall be construed to permit a commutation of payments except as provided in sections eight and sixteen hereof and provided further that no agreement relating to compensation shall be valid if made within fourteen days of the accident nor shall any such agreement be valid of it vary the percentage of wages payable as compensation or the period during which compensation is to be paid as stated in sections five and six hereof

Section 19 If default shall be made by the employer for thirty days after demand in the payment of any amount due under any of the provisions of this article then upon petition of any person interested and after ten days notice thereof to the employer served in the same manner in which a summons may be served the court or any judge thereof shall if the default still exists enter judgment thereon for the amount or amounts due together with interest thereon and costs Upon such judgment no stay of execution shall be allowed except in the discretion of the court

Section 20 It shall be the duty of the prothonotary of each Court of Common Pleas to make report monthly to the Bureau of Industrial Statistics of all proceedings begun in such court under this article of this act classifying such report in such manner as to show whether the proceedings are brought for the settlement of a dispute as to liability for compensation for a modification thereof for a commutation of payments for a judgment in default of payment or for fixing of counsel fees and such report shall state the number and term of each proceeding but neither names nor further detail need be given unless required by the Bureau of Industrial Statistics

Section 21 Where a third person is liable to the employee or the dependents for the injury or death the employer shall be subrogated to the right of the employee or the dependents against such third person but only to the extent of the compensation payable under this article by the employer Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employee or to the dependents and shall be treated as an advance payment by the employer on account of any future installments of compensation

ARTICLE III

General Provisions

Section 1 Wherever in this act the singular is used the pural shall be included where the masculine gender is used the feminine and neuter shall be included

Employer is declared to be synonymous with master and includes natural persons partnerships joint stock companies corporations for profit corporations not for profit municipal corporation the Commonwealth and all governmental agencies created by it Employee is synonymous with servant and includes all natural persons who perform service for another for a valuable consideration exclusive of casual employees and exclusive of persons not employed in the course of the regular busines or domestic affairs of the employer and exclusive of persons to whom articles or materials are given out to be made up cleaned washed altered ornamented finished or repaired or adapted for sale in the workers own home or on other premises not under the control or management of the employer

The exercise and performance of the powers and duties of a local or other public authority shall for the purposes of this act be treated as the trade or business of the authority

Section 2 No claim or agreement for legal services or disbursements in support of any demand made or suit brought under the provisions of any article of this act shall be an enforceable lien against the amount to be paid as damages or compensation or be valid or binding in any other respect unless the same be approved in writing by the judge presiding at the trial or in case of settlement without trial by a judge of the Common Pleas Court of the county in which the accident occurred After such approval if notice in writing be given to the employer of such claim or agreement for legal services and disbursements the same shall be a lien against any amount thereafter to be paid as damages or compensation Provided however That where the employee's compensation is payable by the employer in periodical installments the court shall fix at the time of approval the proportion of each installment to be paid on account of legal services and disbursements

Section 3 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of this act except that articles one and two are hereby declared to be inseparable and as one legislative thought and if either article be declared by such court void or inoperative in an essential part so that the whole of such article must fall the other article shall fall with it and not stand alone

Section 4 Nothing in this act shall affect or impair any right of action which shall have accrued before this act shall take effect

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 This act shall not apply in the case of an accident occuring prior to the first day of July next succeeding its passage and approval and it shall be known as the "Workmen's Compensation Law of one thousand nine hundred and thirteen"

On the question,

Will the House agree to the bill on third reading?

Mr. SHERN. Mr. Speaker, I ask unanimous consent of the House to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Article 2, section 17 by adding after the section "provided that no claim for compensation shall have priority over any mortgage or conveyance of land recorded prior to the filing of the petition or agreement as to compensation in the office of the Prothonotary of the county in which said land is situated."

Mr. SHERN. Mr. Speaker, I desire to say a few words to the House concerning this amendment. In Section 17, Article 2, the section reads at present as follows:

Section 17 The right of compensation granted by this article of this act shall have the same preference (without limit of amount) against the assets of the employer as is now or may hereafter be allowed by law for a claim for unpaid wages for labor Claims or payments due under this article of this act shall not be assignable and (except as provided in section two of article three hereof) shall be exempt from all claims of creditors and from levy execution or attachment which exemption may not be waived

If this amendment were not inserted, the result would be that every lien on a first mortgage would be impaired that was presented prior to the petition for compensation, and immediately the banks and trust companies throughout the State got busy with their members and a number of the members came to me and asked me what I proposed to do about this matter. I took it up with members of the committee and they in conjunction with the representatives of the Federation of Labor have agreed to this amendment. This is the only amendment that I know of that will be inserted.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILLS NOS. 399, 401, 402, 403 AND 404 MADE A SPECIAL ORDER.

Mr. SHERN. Mr. Speaker, I ask the unanimous consent of the House that House Bills Nos. 399, 401, 402, 403 and 404, the Compensation Bill, and also the accompanying bills, be made a special order of business for eleven o'clock next Tuesday morning.

The SPEAKER. Will the House give its unanimous consent that House Bills Nos. 399, 401, 402, 403 and 404 be made the special order of business on next Tuesday morning at eleven o'clock? Is there any objection? The Chair hears none, and it is so directed.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BIGGER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege?

Mr. BIGGER. I am not recorded as having voted on House Bill No. 31, on page 852 of the Journal. I was present and did vote on the proposition and voted "aye," and desired to be so recorded.

The SPEAKER. The notation will be made upon the Journal.

RESOLUTION.

Mr. JAMES A. DUNN asked and received unanimous consent of the House to offer the following resolution, which was read and laid over for printing under the rules.

In the House of Representatives, March , 1913.

A Concurrent Resolution providing for the appointment of a Joint Committee of the House of Representatives and the Senate to investigate the workings of the civil service laws in the cities of the first class

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint four members and the President pro tempore of the Senate shall appoint three senators who shall constitute a joint committee whose duty it shall be to investigate the workings of the civil service law or laws in the cities of the first class.

Said committee shall have power to elect its own chairman; to employ legal counsel and such other officers and employes as may be needed to enable it to properly perform its duties as aforesaid; but its expenditures shall be limited to the amount of one thousand dollars, which shall be appropriated in the general appropriaiton bill.

Said committee shall also have power to issue subpoenas signed by its chairman requiring the attendance of persons and the production of books and papers as in its judgment will assist in the performance of its duties as aforesaid, and shall report to this General Assembly not later than April twentieth one thousand nine hundred and thirteen, with recommendations as to the necessity of improving, extending, or repealing of the said civil service law or laws in the cities of the first class.

RESOLUTION.

Mr. WILTBANK asked and received the unanimous consent of the House to offer the following resolution, which was read and laid over for printing under the rules:

Whereas, Charges have been published affecting the integrity of Williard R. Black while a clerk in the Game Commissioner's Office, and who is now employed as Assistant Clerk of the House of Representatives, therefore

Be it Resolved, That the House of Representatives appoint a Committee to investigate the said charges, and report their findings to the House when it meets on Monday, March 25, for such action as it may see fit to recommend.

REPORT OF THE JUDICIARY GENERAL COMMITTEE RELATIVE TO IMPEACHMENT PROCEEDINGS AGAINST HON. WILBUR F. SADLER.

Mr. ROCKWELL asked and received the unanimous consent of the House to report to the House from the Judiciary General Committee the findings of the committee in the matter of the impeachment proceedings brought by George W. Miller against the Hon. Wilbur F. Sadler, President Judge of the Ninth Judicial District.

The SPEAKER. The findings of the committee will be read by the Clerk.

The Clerk then read the findings of the committee as follows:

The Judiciary General Committee having carefully examined the charges and allegations of George W. Miller against Hon. Wilbur F. Sadler, Judge of the Ninth Judicial District, as to his alleged unjudicial conduct, reports that the Committee finds that the charges and allegations are not sufficient to warrant the House of Representatives to take further action thereon, or that a Committee should be appointed to investigate the charges therein contained.

The SPEAKER. The report of the committee will be filed and the findings of the committee printed in the Journal.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to repeal an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbused by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" is hereby repealed

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. BODY. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture.

Mr. KUHNS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 719, as follows:

An Act empowering cities and boroughs to erect construct maintain and operate telephone police and fire alarm systems and to furnish said service to partnerships corporations or individuals and to connect with other telephone companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city or borough within this Commonwealth shall have the right at all times to supply the said city or borough and such persons partnerships and corporations as may desire the same with telephone service police and fire alarm service and at such price as may be agreed upon and also to have at all times the right to erect construct maintain or purchase the necessary buildings machinery poles wires switchboards and apparatus necessary for maintaining and operating the same and to make contracts with other telephone companies partnerships corporations or individuals desiring telephone service or desiring to conect to and with the lines of the said city or borough

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 887, as follows:

An Act providing for the creation of the Bureau of Public Morals in the Department of Public Safety in cities of the second class defining its purposes and providing for the payment of expenses incurred thereby

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and is hereby created a Bureau of Public Morals in the Department of Public Safety in cities of the second class for the purpose of investigating and acting upon all questions and conditions arising from sex relationship which affect public morals

Section 2 That the bureau hereby created shall be governed by a board of seven (7) directors three (3) of whom shall be women appointed by the mayor of the city and confirmed by the council The directors shall elect from without their own body a superintendent who shall give his entire time to the work of the bureau and shall receive therefor a salary of four thousand ($4,000.00) dollars per year. The directors shall be appointed for the term of four years and vacancies in their offices shall be filled in the same manner as the appointments are made

Section 3 The board of directors shall have full power to direct the work and operation of the bureau they shall have power to investigate all conditions growing out of sex relationship affecting public morals and they shall have full power to enforce all laws and prosecute all violations of law in matters of sex relationship and for that purpose they shall exercise such police powers as they may deem proper All motions resolutions or policies of the board shall not be lawful unless passed by a majority vote of the whole board

Section 4 For the purpose of carrying out the operations of the bureau there shall be detailed such policemen and detectives as the board may require and select for its purpose from the regular police and detectivs forces under the Department of Public Safety and during the time that they are so detailed they shall be subject to the orders of the board of directors exercised through its superintendent and shall be responsible to said board and shall receive the regular pay as provided by law The board of directors may from time to time appoint and employ such additional investigators as they may deem necessary

Section 5 The board of directors shall elect from its own number a chairman and employ whatever clerical help may be necessary to enable it to carry out the purposes of this act

Section 6 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after passage of this act the fees to be paid to received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from alderman or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachments and seal two dollars

Administering oath other than trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to Eastern or Western Penitentiary fifty cents

Commitment to county prison fifty cents
Commitment to house of refuge fifty cents
Commitment to insane hospital fifty cents
Certificate of election of constables et cetera one dollar
Certificate of seal fifty cents
Certificate of acknowledgment and seal fifty cents
Certificate for Fairmount Park Commissioners in duplicate two dollars
Certificate of city treasurer one dollar and twenty-five cents
Certificate for payment of jurors fifty cents
Certificate for payment to road jurors fifty cents
Certificate to sheriff to draw jurors two dollars
Certificate to sheriff to draw grand jurors two dollars
Certificate to sheriff to draw special venire and return thereto five dollars
Certificate of official capacity under seal one dollar
Certificate to police department and return of stolen property each twenty-five cents
Certificate where judge acts as committing magistrate affdavits warrants and service three dollars and fifty cents
Certificate and seal of ignored bill seventy-five cents
Certificate and seal in breach of peace seventy-five cents
Certificate and seal in apprentices seventy-five cents
Certificate and seal in reconsideration of sentence seventy-five cents
Certificate to Board of Charities of court order of non-support and seal one dollar
Certificate of probation one dollar
Certificate to Director of Public Safety upon application for detective license one dollar
Certificate to prothonotary of elective justices of the peace each name twenty-five cents
Certificate to county commissioners of elective election officers each name twenty-five cents
Certificate to county commissioners (Witness fees) and seal each twenty-five cents
Commission on lunacy swearing commission filing and recording three dollars and fifty cents
Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents
Certified copy bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Certified copy of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy docket entry in road cause not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy notes of testimony charge of court and all other papers filed in any cause per page twenty cents
Citation and seal one dollar
Constable's return on liquor licenses and seal one dollar and fifty cents
Dog register and seal one dollar and fifty cents
Declaration to become a citizen and seal two dollars
Discharge on ignored bill and seal seventy-five cents
Discharge on bail entered seventy-five cents
Discharge of prisoner from dock seventy-five cents
Exemplification of record bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Exemplification of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Exemplification certificate and seal one dollar and twenty-five cents
Entering satisfaction of judgment fifty cents
Entering judgment on bond or recognzance upon confession for want of affidavit or defence upon verdict of demurrer one dollar and twenty-five cents
Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars
Entering revival of judgment by agreement one dollar and twenty-five cents
Filing and entering motion and reason for new trial seventy-five cents
Filing and answering motion in arrest of judgment seventy-five cents
Filing and entering reconsideration of sentence seventy-five cents
Filing and entering bond or recognizance from magistrate seventy-five cents
Filing and entering expense account of candidate for nomination and election to public office under fifty dollars ($50) one dollar
Filing and entering expense account of candidate for nomination and election to public office over fifty dollars ($50) two dollars
Filing and entering expense account of ward and county committees three dollars
Filing and entering magistrate's return seventy-five cents
Filing and entering coroner's return each seventy-five cents
Filing and entering petitions for appointment of auditors et cetera one dollar
Filing and entering auditor's reports per page twenty cents
Filing and entering petitions and papers not otherwise provided for first page fifty cents
Each additional page twenty cents
Filing petition for change of polling place two dollars
Filing and entering of plea autrefois convict fifty cents
Filing and entering of plea autrefois acquit fifty cents
Filing and entering nolle contendere fifty cents
Filing and entering nolle prosequi ten dollars
Filing and entering docket entries true bill three dollars
Filing and entering docket entries ignored bill two dollars
Filing and entering opinion of court of common pleas Superior Court and Supreme Court one dollar
Filing end entering opinion of court of oyer and terminer et cetera quarter sessions one dollar
Filing and entering certiorari or appeal from Superior or Supreme Court three dollars
Filing and entering remittitur from Superior or Supreme Court two dollars
Filing and entering bill of exceptions three dollars
Filing and entering certificate from city controller upon loan bill five dollars
Filing and entering return of election of increase of indebtedness for each return twenty-five cents
Filing and entering certificate et cetera ordinance of councils upon loan bill three dolars
Filing and entering answer to writ of habeas corpus fifty cents
Filing and entering answer to warrant of seizure fifty cents
Filing and entering answer to rules in non-support cases fifty cents
Filing and entering traverse fifty cents
Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for division of election districts townships boroughs wards et cetera two dollars
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders license two dollars and fifty cents
Filing and issuing summons on recognizance filing appearance affidavit of defense one dollar and fifty cents
Filing and indexing in card index record of commitment to Eastern or Western Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing appeals in road cases seventy-five cents
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendent twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogations in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal six dollars and seventy-five cents
Liquor license filing and justification et cetera in transfer of five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to board of charities to be paid by county twenty-five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents
Naturalization certificate of certificate of duplicate each two dollars and twenty-five cents
Non-support cases record of one dollar
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view and review of a road or bridge et cetera filing report recording et cetera ten dollars
Petition filing of docketing proceedings and court orders habitual drunkard two dollars
Petition filing of feeble minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing of writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents
Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving on entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Seach judgment single name forty cents
Seach judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scieri facias sur bond three dollars
Scieri facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollar
Seal in every case not otherwise provided for twenty-five cents
Supreme court entering appeals to one dollar and fifty cents
Supreme court on warrant of seizure one dollar and fifty cents
Supreme court return to writ of error one dollar
Superior court entering appeals to one dollar and fifty cents
Superior court on warrant of seizure one dollar and fifty cents
Superior court return to writ of error one dollar
Swearing grand jury two dollars

Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bill of costs other than the clerk of the court one dollar
Venire for grand jury one dollar
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents
The fee for services not herein specially provided for shall be the same as for similar service provided however that the provisions of this act shall not apply to counties having a population of less than one million as computed by the last preceding United States census

On the question,
Will the House agree to the section?

Mr. SHERWOOD. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section 1, as follows:
On line 8, after the word "alderman" insert the words "justice of the peace"
On line 10, strike out the letter "s" in the word "attachments"
On line 23 strike out the word "of" and insert in lieu thereof the word "and"
On line 35 strike out the word "and" and insert in lieu thereof the word "upon"
On line 64, strike out the word "cause" and insert in lieu thereof the word "cases"
On line 68 strike out the word "cause" and insert in lieu thereof the word "case"
On line 86 strike out the word "of" before the word "demurrer" and insert in lieu thereof the word "or"
On line 93, strike out the word "answering" and insert in lieu thereof the word "entering"
After line 151, insert the following paragraph: "Filing order of satisfaction in road cases, twenty-five cents"
On line 164, strike out the word "interrogations" and insert in lieu thereof the word "inerrogatories"
On line 168, after the word "seal" insert the words "frame and glass"
On line 180 strike out the word "one" and insert in lieu thereof the word "two"
On line 186 strike out the word "ten" and insert in lieu thereof the word "fifteen"
On line 205, insert the following paragraph: "Road viewers, filing and entering report of, five dolllars"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read and agreed to as follows:

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

The third section was read as follows:

Section 3 All laws or parts of laws inconsistent with this act are hereby repealed

On the question,
Will the House agree to the section?

Mr. SHERWOOD. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section three, line one, insert before the word "inconsistent" the words "general local and special."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

And said bill having been read at length the second time and agreed to, as amended,
Ordered. To be transcribed for a third reading.
Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth requiring that not less than two miners be employed and engaged in the robbing of pillars where the seam of coal has a pitch of twenty-five degrees or more and fixing a penalty for the violation of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act it shall be unlawful to mine or remove any pillars of coal in any anthracite mines of this Commonwealth where the seam has a pitch of twenty-five degrees or more unless two or more miners are employed and engaged at the same time in the work of robbing or removing such pillars of coal

On the question,
Will the House agree to the section?

Mr. BECKER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one, line nine, strike out the word "pilars" and insert "pillars"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question
Will the House agree to the section as amended?
It was agreed to.

The second and third sections were read and agreed to as follows:

Section 2 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall be setenced to pay a fine of not less than twenty-five dollars and not more than one hundred dollars
Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth requiring that not less than two miners be employed and engaged in the robing of pillars where the seam of coal has a pitch of twenty-five degrees or more and fixing a penalty for the violation of this act

Will the House agree to the title?

Mr. BECKER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend title, line four, strike out "robing" and insert "robbing."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,
Ordered. To be transcribed for a third reading.
Agreeably to order,

Tre rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for merchantable forest products whether such be of natural reproduction or from seed sown

or trees planted out or all combined surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

The second section was read as follows:

Section 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the Department of Forestry of his desire in the manner and form to be prescribed by said department Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the department may require If upon receipt and consideration of this notice the department shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the commissioners of the county in which said land is located

On the question,
Will the House agree to the section as read?
Mr. WILLIAMS. Mr. Speaker, I desire to make amendments to this section.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read as follows:

Section 2, line 3; strike out "Department of Forestry," and insert in lieu thereof "State Forestry Reservation Commission."
Section 2, line 5, 11, 12, strike out "department" and insert in lieu thereof "Commission."

On the question.
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The third section was read as follows:

Section 3 Upon receipt by the county commissioners of such certificate of the department it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the department become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the department shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the department to care for the trees growing thereon according to the instructions and directions of the department up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land as agreed with the department and due proof thereof is made the department may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care for the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the department proceed to recover from said owner for the use of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the department shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the department that he desires such removal

On the question,
Will the House agree to the section as read?
Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read as follows:

Section 3, lines 2, 8, 11, 13, 16, 17, 22, 30, 32-33: strike out "department" and insert in lieu thereof "Commission."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourth section was read as follows:

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the department shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut if in the judgment of the Department there be any and the cutting and removal of said trees so designated shall be in accordance with the instructions of the Department

On the question,
Will the House agree to the section as read?
Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read as follows:

Section 4, lines 2, 6, 8, strike out "department" and insert in lieu thereof "Commission."

On the question,
Will the House agree to the amendment?
It was agreed to.
The motion was agreed to.
Will the House agree to the section as amended?
It was agreed to.
The fifth section of the bill was read as follows:

Section 5 If the owner of said surface land faithfully carried out the instructions of the Department with regard to the removal and marketing of such mature or other trees as may be designated in the instruction of the said Department and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the approval of the Department then such surface land shall remain in the said class established by section one of this act otherwise the Department shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Department in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of said surface land by the Department shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

On the question,
Will the House agree to the section as read?
Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read as follows:

Section 5, lines 2, 4, 8, 10, 13, 16, 17: strike out "department" and insert in lieu thereof "Commission."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The sixth section was read as follows:

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove therefrom trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Department be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privileged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

On the question,
Will the House agree to the section as read?
Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read as follows:

Section 6, line 5: strike out "department" and insert in lieu thereof "Commission."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh and eighth section and the title were read and agreed to as follows:

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary under any statutory or judicial proceeding whatsoever whether of any state or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 558, entitled:

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection distribution and use of the taxes collected therefrom

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law shall be rated in value for the purpose of taxation not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however that if the said surface land be underlaid with coal iron ore oil gas or other valuable minerals said minerals may be separately assessed The assessors in the several districts in which such land are situate shall assess such lands in the manner now or hereafter provided for the assessment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their returns to the county commissioners in like manner as is now or hereafter may be provided by law subject to exception appeal and final adjustment

The second section was read as follows:

Section 2 Upon receipt of assessment returns from the various assessors the county commissioners shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with them by the Department of Forestry and the original assessment returns made by said assessors shall be preserved

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 2, line 6, strike out "Department of Forestry," and insert in lieu thereof "State Forestry Reservation Commission."

On the question,

Will the House agree to the amendment?

It was agreed to,

The third section was read as follows:

Section 3 Whenever timber on land which is included in the class of land as auxiliary forest reserves is about to be harvested the then owner of the timber on said land shall give a bond to the county treasurer in twenty per centum of the amount of the estimated value of the timber to be harvested and to be approved by the court of the county conditioned to pay to the county treasurer within ninety days after harvesting ten per centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the county commissioners one to the county treasurer and one to the Department of Forestry immediately after harvesting by the them owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each county to the county and to the poor district the road district and the school district of the township in which the auxiliary reserve is situate pro rata based upon the last assessed mileage of taxation for county poor road and school purposes within said taxing district

Such sum of money when ascertained to be due as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the county treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made

And be it further provided that all moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the public roads now or hereafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves abut on such highways then said moneys shall be used for general township road purposes

On the question,

Will the House agree to the section as read?

Mr. WILLIAMS. Mr. Speaker I desire to offer an amendment to this section

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 3, line 10, strike out "Department of Forestry," and insert in lieu thereof "Commission."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The fourth section was read and agreed to as follows:

Section 4 Should the county commissioners be dissatisfied with the return made as hereinbefore provided in section three hereof the court of common pleas of the proper county on petition of the commissioners shall appoint a board of three appraisers who shall go upon the land in question estimate the quantity and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be duly sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have right of appeal to the court of common pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be filed by the court both to be paid by the county commissioners

The fifth section was read as follows:

Section 5 In case of the removal of said lands from the class known as auxiliary forest reserves prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the county commissioners shall on notice from the department ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in section two of this act adding legal interest from the date when each tax payment would have become delinquent The said commissioners shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection of county taxes under general laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of a matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary forest reserves

On the question,

Will the House agree to the section as read?

Mr. WILLIAMS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Section 5, line 6, strike out "department," and insert in lieu thereof "Commission."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section and the title were read and agreed to as follows:

Section 6 This act shall take effect only beginning with assessments made for the purpose of levying taxes for the fiscal year one thousand nine hundred and fourteen

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 559, entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

The first section of the bill was read and agreed to as follows:

Whereas, By existing law the State forest reserves are subject to an annual charge of two cents per acre for the benefit of schools and two cents per acre for the benefit of roads in the respective districts in which said reserves are located and

Whereas, It would be a hardship to withhold from school and road districts the taxes which would otherwise be collected from land classified as auxiliary forest reserves therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all lands which shall hereafter be classified as auxiliary forest reserves shall be subject to an annual charge of two cents per acre for the benefit of the schools and two cents per acre for the benefit of the roads in the respective districts in which said reserves are located Said charge is hereby made payable by the State

The second section was read as follows:

Section 2 The Commissioners of Forestry shall certify to the respective school districts and road districts throughout the Commonwealth in which auxiliary forest reserves are located the number of acres thus set apart and classified in each district and the charge against the same and shall furthermore certify to the State Treasurer the number of acres as aforesaid and the charge against the same in favor of the respective school and road districts The State Treasurer shall upon the approval of the proper warrants of the Commissioner of Forestry pay to the several school districts and road districts the amount due the same from the Commonwealth as derived under this act

On the question,

Will the House agree to the section as read?

Mr. WILLIAMS. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Section 2, line 1, strike out "Commissioner of Forestry," and insert in lieu thereof "State Forestry Reservation Commission."

Section 2, line 1, strike out "Commissioner of Forestry," and insert in lieu thereof "Commission."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing a fixed charge on land classified as auxiliary reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 648, as follows:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever two adjoining counties of this Commonwealth shall each contain eight hundred square miles or more and attain a population of one hundred and fifty thousand or more or that have already reached the same they may be divided and a new county erected from contiguous territory taken from each of such counties upon consent of the majority of the qualified electors of the proposed new county district voting at an election to be called for such purpose

Section 2 Persons desiring the erection of a new county as aforesaid shall file in the office of the Secretary of Internal Affairs an application setting forth the names of the counties proposed to be divided their areas and square miles and their population at the preceding United States census a particular description of the boundary lines of the proposed division and the distances of the nearest point thereof to the county seats the name of the proposed new county the names of the towns and municipalities (or parts thereof) that will be included its number of square miles and pouplation Said application shall be signed by not less than one thousand of the taxable inhabitants of the said proposed new county district and shall be verified by the oath of not less than six qualified electors

Section 3 Whereupon the Secretary of Internal Affairs shall immediately notify the Governor and the Secretary of the Commonwealth who together with the Secretary of Internal Affairs shall immediately consider said application and if it shall conform to the constitutional requirements respecting the erection of new counties they or a majority of them shall forthwith appoint three disinterested commissioners not residents of the counties affected to inquire into and make report concerning the same

Section 4 Said commissioners shall be sworn to perform their duties with fidelity and they or a majority of them shall forthwith cause an accurate survey of said proposed new county district to be made and established and mark the boundary lines of divisions of the old counties they shall estimate as nearly as possible the population of the proposed new county district and within sixty days from the time of their appointment shall file in the office of said Secretary of Internal Affairs an accurate report of all the facts in the premises together with an accurate map of the proposed new county if it shall appear from such report that said new county may be established without conflicting with the constitutional provisions as to territory population and the nearest distance of the boundary lines to the county seats then the Governor shall issue a proclamation ordering an election to be held by the qualified voters of the said propsed new county district

Section 5 If any general election shall take place within sixty days from the time of filing said report the said election shall be held on the same day otherwise the Governor shall fix the day and in any event said proclamation shall be published for four consecutive weeks prior thereto in at least one English newspaper published in each city borough or township where newspapers are now pubished in the new district

Section 6 Said election shall be conducted as all other elections in this Commonwealth are conducted except as herein otherwise provided The group on the ballot shall be named "New County" In the first column on said ballot shall be printed "For New County" and in the second column "Against New County"

Section 7 In no case shall the boundary line of the new county pass through any township or municipality

Section 8 The judges of election in the several precincts shall immediately upon the vote being counted cause duplicate returns thereof to be made one of which shall be sealed up and deposited In the nearest post-office directed to the Secretary of Internal Affairs at Harrisburg the other together with all papers pertaining thereto shall on the second day after said election be delivered to the commissioners aforesaid or a majority of them at such times and place as shall be fixed by the Governor aforesaid The said commissioners shall at once proceed to complete said returns and as soon as possible certify the result under oath to the Governor They shall carefully keep all papers relating to the same together with a duplicate certificate of the result and in the case of the establishment of the said new county shall as soon as a pronthonotary shall be appointed deposit the same in same office

Section 9 In case the majority of votes cast at said election shall be in favor of the creation of said new county the Governor shall forthwith issue a proclamation declaring the same and theneceforth said new county shall be established with all the rights powers and privileges of other counties of the Commonwealth Said proclamation together with the original report of said commissioners shall be recorded in the office of the Secretary of Internal Affairs

Section 10 All actual expenses of said commissioners togeher with five dollars per day each for every day necessarily employed shall be paid by warrant duly drawn upon the State Treasurer and in case of the erection of said new county the same shall be reimbursed by said new county

Section 11 The Governor shall immediately appoint a commission for the new county the necessary county officers as provided by law who shall perform the duties have the power and be subject to the like qualifications as have county officers of this Commonwealth and shall continue in office until the next general election and until their successors be duly elected and qualified

Section 12 The commissioners of the county so as aforesaid apointed shall designate a place which shall be the county seat for the time being They shall provide a place for holding the courts and such other necessary buildings as may be proper and for such purpose as well as to meet necessary expenses in the organization of said county are hereby empowered to issue interest-bearing bonds not to exceed the sum of ten thousand dollars

Section 13 The senatorial and representative districts shall for time being remain unchanged and on the second Monday after the proclamation of the Governor establishing said new county the judges of the several courts of that county con-

tributing the greater number of inhabitants to the new county districts the same to be determined by he number of votes cast at the election on the question of the esablishment of the new county districts shall meet and organize the several courts thereof They shall determine and fix the number of terms return days and do all other things necessary in the premises up to which time the power authority and jurisdiction of the officers of the old counties over said new county districts shall remain unabridged but from thenceforth shall cease and determine except as judges of the courts

Section 14 The lien of all mortgages judgments mechanics liens verdicts and all records which shall have been made and entered in the original counties up to and including the day of organization of said courts shall not be effected by the establishment of said new county but to proceed thereon certified copies thereof shall be made by the prothonotary or proper officer which shall be entered by the like officer of the new county and like proceedings had as in the original

Section 15 At the next general election after the erection of said new county the qualified electors shall elect the several county officers as aforesaid mentioned to hold their offices as is provided by law They shall also designate by ballot the place at which shall be located the county seat the group of which ballot shall be labeled "County Seat" and the first column in the group containing the name of the place desired The place having the greatest number of votes shall be the county seat and the commissioners of the county seat shall as soon as convenient proceed to construct the necessary buildings therefor at the county seat but before any particular location shall be fixed it shall have the approval of the grand jury of the county

Section 16 The property and taxable inhabitants of the territory of the new county after its erection shall continue liable for the payment of and shall pay its share of any debt of the counties from which such portion of territory was taken existing at the time of the erection of such new county in proportion to the valuation of that portion of taxable property and number of taxable inhabitants respectively taken from each county and the same shall be adjudged by the commissioners of the new county and those of the old counties within a year after the erection of the new county And in the event of any question arising between said commissioners in regard to said adjustment about which said commissioners are unable to agree said question shall be upon demand of the commissioners of either county referred to and adjusted by two of the judges of the courts of common pleas longest in commission one from each county in such way as they may deem best and the amount of indebtedness so adjusted and found due if any to the old county or counties shall be paid by the new county by bonds issued therefor or by a tax for that purpose to be levied assessed and collected in such territory after the erection of such new county the whole debt so adjusted to be paid within ten years after the erection of the new county

Section 17 Any contest concerning the election herein provided for shall be determined as is provided by law for the contest of the election of common pleas judges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act to enjoin and abate houses of lewdness assignation and prostitution to declare the same to be nuisances to enjoin the person or persons who conduct or maintain the same and the owner or agent or any building used for such purpose and to assess a tax against the person maintaining said nuisance and against the building and owner thereof

The first, second, third, fourth and fifth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building or part of a building used for purpose of fornication lewdness assignation or prostitution shall be a nuisance

Section 2 Any person knowing or having reason to believe that any building or part of a building is so used may in writing notify the owner and agent of the owner that such building or part of a building is so used A copy of said notice shall be served on the person using said building or part thereof as aforesaid Such notification may be served personally or by registered mail Any such agent shall be guilty of a misdemeanor who shall receive such notification and who shall not within twenty-four hours either deliver the same to the owner personally or mail the same to the owner by registered mail Testimony showing that such notice was served on the owner or agent as aforesaid shall in any proceeding under this act be prima facie evidence that such owner or agent has knowledge of the nuisance If such nuisance be not abated within one week after service of such notice as aforesaid the court of common pleas of the county on the petition of the district attorney or of any citizen of the county shall grant a preliminary injunction directed to the owner of such building and to the person so using the same restraining such owner and such person from using or permitting such building to be used as aforesaid Such petition shall recite the said nuisance and the service of notice on the owner and such person as aforesaid and the failure of the owner and such person to abate the nuisance and shall be vertified by adavit of the petitioner or of one of the petitioners

Section 3 Service of such injunction shall be made personally upon the owner and on such person if they can be found in the county If they cannot be so found a copy thereof shall be delivered to any adult residing in said building and upon the agent if any of the owner If no such adult be found and service be had upon such agent if any then a copy shall be posted upon any outer door of such building and a copy shall be published in one or more newspapers of general circulation in the county as the court may direct If any person other than such owner shall be served with any such notice of injunction and shall not within twety-four hours thereafter deliver the same to said ower or mail it to said owner by registered mail such person shall be guilty of a misdemeanor

Section 4 The hearing on such injunction shall not be more than four days after the service of the notice or after the last day of publication of such notice as aforesaid If after consideration the court shall find that the building or part thereof was used as aforesaid the injunction shall be made a perpetual injunction restraining the owner his heirs and assigns or successors forever from using such building or any part thereof as aforesaid or permitting the same to be done and restraining said person from using said building or any part thereof in the manner aforesaid A copy of the petition injunction and decree shall be recorded in the office of the recorder of deeds of the county in the same manner as a mortgage would be recorded if given by said owner Such record shall thereafter forever be public notice to all owners of said property of the continuance of such injunction If any owner shall violate such owners shall in addition to attachment for contempt be guilty of a misdemeanor and be punishable as hereinafter provided

Section 5 If the preliminary injunction be dissolved the costs shall be imposed as directed by the court If the injunction be not dissolved the owner shall pay all costs which shall include an attorney's fee for petitioner of seventy-five dollars

The sixth section was read as follows:

Section 6 Any owner of such building or any agent of such owner who after such injunction be made permanent shall use such building or any part thereof as aforesaid or knowing permit the same to be used shall be guilty of a misdemeanor

On the question,

Will the House agree to the section?

Mr. SWIFT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 6, line 8, by inserting after the word "be" the word "so."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The seventh, eighth and ninth sections were read and agreed to, as follows:

Section 7 Any person using said building or part thereof as aforesaid and enjoined with such owner as aforesaid who shall use said building or part thereof or any other building or part thereof in violation of such injunction shall be guilty of a misdemeanor

Section 8 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred nor more than one thousand dollars and to undergo an imprisonment in the jail of the county for a period of not less than six months nor more than two years without suspension of sentence

Section 9 This act is not intended to repeal any of the provisions of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" or any amendments thereof or supplements thereto

The title was read as follows:

An Act to enjoin and abate houses of lewdness assignation and prostitution to declare the same to be nuisances to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose and to assess a tax against the person maintaining said nuisance and against the building and owner thereof

On the question,

Will the House agree to the title?

Mr. SWIFT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title by striking out the title and inserting in lieu the following

An Act declaring buildings and parts of buildings used for the purposes of fornication, lewdness, assignation and prostitution to be nuisances, and providing a method of abating same, and establishing a method of procedure against those who so use said buildings or parts for such purposes, and providing penalties for violation of this act.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 157, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Fisheries is authorized and directed to sell at public or private sale for the best price obtainable all of the real estate to which the Commonwealth of Pennsylvania now has title composing the Fish Hatchery grounds at Conneaut Lake Crawford County in the following manner The said property shall be first exposed to public sale at the Court House in Meadville Crawford County after advertisement once a week for four weeks in at least two newspapers of general circulation in the County of Crawford and in the event that a proper and adequate price for said property cannot be obtained by exposing the same to public sale then the said Commissioner of Fisheries is hereby authorized to sell said property at private sale for a price to be approved by the Fisheries Commission and the Governor of of the Commonwealth

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section 1, by adding after the last word on line 16 the following: "provided, however, that no sale shall be made of said property at either public or private sale, unless the price bid or offered therefor shall be sufficient to fully reimburse all of the contributors referred to in section 2 of this act, and in addition thereto a sum sufficient to fully reimburse the Commonwealth for the cost of all buildings and improvements erected or made thereon."

On the question,

Will the House agree to the amendment?

Mr. SPANGLER. Mr. Speaker, I object to that amendment as it is framed there. Personally, I have no interest whatever in this bill, but I have been handed a statement from the Commissioner of Fisheries, who asked me to represent this bill and present the matter as well as I could before the members of the House. Now, there is no objection to this amendment, in so far as it reimburses the citizens of Crawford County who made a contribution or contributions for the purchase of this fishery, but we do object to that part of the amendment which would provide that the Commonwealth must be reimbursed for the buildings that were erected by the Commonwealth. The purpose of this bill is to abandon a fish hatchery that the Fish Commissioner, after very thorough investigation has considered to be inadequate, and totally inadequate for the needs of this State. As I understand, this hatchery has not been in use for more than a year, and the Fish Commissioner informs me that even if this bill would not pass, that he still would feel that the fish hatchery in Crawford County would not satisfy the demands of the Department, and that that hatchery could not be used advantageously by the Department. The Fish Commissioner has stated that there are eight hatcheries in the State at the present time. Two of them have been found to be utterly inadequate, one of these at Spruce Creek and the other at Conneaut Lake. The Fish Commissioner has further this to say: "There are already three hatcheries in northwestern Pennsylvania, and two of them, one at Erie and the one at Union City are amply adequate to take care of all the eggs which can be obtained for stocking Lake Erie and other lakes of northwestern Pennsylvania, for a long time to come, and the water supply is such that these batteries can be increased indefinitely. There is, therefore, no reason that a battery should be maintained at Conneaut Lake necessitating the shipment of the eggs down to Conneaut Lake and the reshipment of the fish when hatched at Erie. This would be true even if the water supply at Conneaut Lake was adequate to the demand." Now with respect to the inadequacy of this hatchery the Fish Commissioner has this to say: "The lay of the land at the Crawford hatchery is such that it is almost flat for a distance of several miles, and this, of course, affects the drainage spoken of above and materially effects it when there is any rise in the waters. This was fully shown when the question of putting in a water motor was considered which could be used to raise the height of the water to fill the ponds if the banks were raised higher. Experience shows that owing to the conformation of the grounds the water motors could not run in high water on account of the back water." Now, the gentleman from Crawford has listened to the siren voice of his constituents, who of course desire to have maintained in their county a State institution, but the question before us is not what particularly benefits Crawford County but what benefits the State of Pennsylvania. When the Fish Commissioner has presented a bill which is equitable in its every feature and which provides that the citizens of Crawford County who have contributed to the purchase of this land, that these persons shall be reimbursed, and that is embodied in this bill, it seems to me that it would be the height of unwisdom on the part of this House to fly in the face of the wisdom of the Fish Commissioner.

Now, with the permission of the gentleman from Crawford, I will read a letter that the gentleman has written. Will the gentleman from Crawford permit himself to be interrogated?

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. SPANGLER. Will the gentleman from Crawford permit the letter to be read that he wrote to Mr. Lydell, Esquire, Assistant Superintendent Michigan Fish Commissioners?

Mr. HUMES. I will after seeing the letter, but I cannot consent to the reading of the letter and know nothing about it, or until I have had an opportunity to examine it.

(Mr. HUMES examined the letter.)

Mr. HUMES. I would be very glad to have the gentleman read that letter.

Mr. SPANGLER. "Dwygth Lydell, Esquire, Assistant Superintendent Michigan Fish Commissioners, Comstock Park, Michigan. My dear sir: I am informed that you"—

Mr. HUMES. I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. HUMES. Mr. Speaker, it strikes me there is nothing before this House but the amendment, and if the gentleman is going to undertake to discuss this whole proposition, I think it is out of order. The matter that he is about to discuss does not pertain to the amendment that is before the House.

Mr. SPANGLER. Mr. Speaker, I would state, that if this amendment carries it will completely nullify this bill. This amendment provides for an utterly preposterous proposition. It says that the State, or the Commonwealth of Pennsylvania, must be compensated in full for all buildings and improvements erected or made at this fish hatchery, and if this is not an absurd proposition, I do not know what is. And as I understand the purpose of this amendment, it will virtually kill this bill at the outset.

The SPEAKER. As the purpose of the amendment is to fix a minimum price anything bearing upon the expediency of the bill is relevant in the opinion of the Chair. The gentleman from York may proceed.

Mr. HUMES. Mr. Speaker, will the gentleman from York permit himself to be interrogated?

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. SPANGLER. Mr. Speaker, yes, sir.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman whether or not he considers it killing a bill, or rather if he considers it impossible to sell a piece of property for the cost of the real estate and the buildings actually erected thereon.

Mr. SPANGLER. Mr. Speaker, I will state that the only proposition that the citizens of Crawford County are concerned with in respect to this matter is to be compensated in full for the amount of money that the citizens of Crawford County have contributed toward this project. I am perfectly willing that an amendment of that character shall be submitted. There is a proposition in this bill that provides as follows: "The amount realized from such sale however made shall be in cash and the said

Commissioner of Fisheries is hereby authorized to ascertain the names of subscribers to the fund with which the property was originally purchased and the amount of each subscription and if the property shall bring a sum less than the total of such subscription then said amount———shall be distributed pro rata in the proportion which said amount bears to the amount subscribed by each person to the original purchasers and donors of the property their heirs or personal representatives."

Now, I am perfectly satisfied, and I think the Fish Commissioner will be satisfied to have an amendment added to that bill compensating those subscribers in full, but we are not willing to have an amendment tacked on here that will virtually kill this bill and its purposes.

This is the letter written to the Superintendent of Fisheries of the State of Michigan:

February 7, 1913.

Dmygth Lydell, Esq.,
Asst. Supt. Michigan Fish Commissioners,
Comstock Park, Michigan.

My dear Sir:—I am informed that you, at the request of Mr. N. R. Buller, State Fish Commissioner of Pennsylvania, visited the Fish Hatchery at Conneaut Lake, with a view as passing as an expert upon this Hatchery.

If it would not be too much trouble, I would deem it a very great favor if you would advise me as to your opinion of the Hatchery and as to whether or not it is suitable for the purposes for which it is intended.

I would also be pleased to have you tell me as to whether or not the best approved practice is to raise fish until they are from three to five inches long before putting them into the stream or whether it is best to put them in when they are smaller

Thanking you in advance for your courtesy, I am

Very truly yours,
(Signed) E. Lowry Humes.

Now in reply to this letter the Fish Expert wrote to Mr. Humes as follows:

Mr. E. Lowry Humes,
State House, Harrisburg, Pa.

"Yours under the date February 7th received while I was absent from home, therefore this delay in answering.

The hatchtry at Conneaut Lake that I visited last fall by request of your Commissioner Mr. Buller, I consider very undesirable for what it was intended.

To Continue a station like the one at Conneaut Lake will sooner or later reflect discredit on your Commissioner, and also on your Honorable Body, for allowing the State's money to be so expended.

I made a report of my findings to your Commissioner, and no doubt he will be willing to hand you a copy of same for the asking.

Mr. HUMES: Mr. Speaker, I insist that the gentleman read the whole letter, not part of it.

Mr. SPANGLER. (Continuing to read.)

"In regard to the planting of fry or fingerlings in your streams or lakes, will say, it is a broad question, and one that has been up for disscusion before the American Fisheries Society more than any other subject.

"Good results have been obtained from both methods. It depends to a great extent on the condition of the waters to be stocked, and the varities of fish to be introduced. This question I should judge would be best handled, and best results obtained if it were left to the judgment of your able Commissioner, Mr. N. R. Buller.

I am, very truly yours
(Signed,) DWIGHT LYDELL,
Asst. Supt. Mich. Fish Commission.

Now on the inquiry of Mr. Humes as to the adequacy and sufficiency of this hatchery, it was the opinion of the very man that he placed confidence in, in whose opinion he placed confidence, that this hatchery was totally and absolutely unfit for the kind of fish that this hatchery was intended to propagate. Now the maintenance of the Fish Hatchery at Conneaut Lake is a considerable expense to the State. It requires the upkeep of these buildings. It requires a man to be there to watch the property and if these hatcheries are inadequate and insufficient what is the purpose of continuing them? Are we going to fly in the face of the Fish Commissioner? Are we going to say that you have got to maintain certain fish hatcheries which the Fish Commissioner, the man whom we have entrusted with a great department of our State, are we going to say that he is wrong and that we are right? And yet we have to do that if we adopt Mr. Humes' amendment. Therefore, although I have no personal interest whatever, I believe it would be a matter of the greatest unwisdom and of the greatest folly in the right of the experience and the opinion of the Fish Commissioner and of the opinion of the Assistant Fish Commissioner of the State of Michigan and the Fish Commissioner of the State of Wisconsin, who has also knowledge of the matter, for us to fly in the face of expert opinion when we know that there are other fish hatcheries in the State that are amply able to supply the demand of the Department, to defeat this bill, defeat the purposes and compromise the Commissioner of Fisheries of this Commonwealth?

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman who offered this amendment.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, I will.

Mr. ROCKWELL. I desire to ask the gentleman how much, in his judgment, this property would sell for if put up at public sale.

Mr. HUMES. Mr. Speaker, the Commissioner of Fisheries informs me that this should sell for much more than the sum required to carry out the provisions of Section 2 of this Act and it was upon his judgment as to the value of this property, when he insists that it is worth more than enough to carry out the provisions of Section 2, that I have offered this amendment. He seems to be the authority on the value both for fish and commercial purposes of this plant and it is for him to determine the value. I am not an expert.

Let me say to the gentleman in answer to his question that a property that will not pay for the cost of the real estate and actual cost of the buildings erected thereon must be a mighty poor piece of property.

Mr. ROCKWELL. I desire to ask the gentleman whether he has seen that property.

Mr. HUMES. Mr. Speaker, I have.

Mr. ROCKWELL. Mr. Speaker, I desire then to ask the gentleman, in his judgment, how much the real estate would sell for.

Mr. HUMES. Mr. Speaker, I do not pretend to know the value of real estate in that community, but I will say that as a Fish Hatchery it is worth twice what the cost of the real estate and the buildings erected thereon amount to.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman another question, and that is, if it is not his purpose by introducing this amendment to make this bill so that it cannot be carried out?

Mr. HUMES. Mr. Speaker, basing my answer on the opinion expressed by the Fish Commissioner, I will say no.

Mr. ROCKWELL. Mr. Speaker, I was before the Fish Committee when this bill was considered and I entirely agree with the gentleman from York (Mr. Spangler) in relation to his position taken on this bill. I have no interest in the case in any shape, but only as a common citizen with the rest of the people of the State. As I understand the situation it is this: the people up in Crawford County contributed something like fifteen hundred dollars to buy a piece of land upon which the State erected some buildings and created a Fish Hatchery. It was the judgment of the former Fish Commissioner that the site of the location was bad and the present Fish Commissioner corroborates that judgment and the Hatchery has been abandoned for something over a year. The State is still keeping a caretaker there at an expense of one thousand to twelve hundred dollars a year. The State Fish Commissioner states that in his opinion it cannot possibly be used profitably for the purpose for which it was organized. And now the bill proposes that the land be sold and the money realized repaid to the people who originally subscribed for it. The purpose of this amendment is that it must be sold to pay the cost of digging out the Fish Pond and all the buildings erected there on and that the Comonwealth be paid for, and we gentlemen who were before the Fish Committee, I believe every one is of the opinion that it could never be sold for any such amount; therefore this amendment would virtually kill the whole bill and it would be of no effect and the State would still be keeping the matter up at an expense of one thousand to twelve hundred dollars a year and getting no benefit, and I trust the Gentlemen of the House will vote this amendment down.

Mr. HESS. Mr. Speaker, the property is a poor property for the purpose for which it was originally intended and that is why the Commonwealth wants to sell it. The particular trouble with this property is that it is entirely or nearly on the same grade as the lake and it is impossible to get a sufficient amount of water through these ponds to raise fish successfully. A retention of the property can only mean continued expense without results. Now they

have had the opinion of several experts on this land on this particular property, and they are unanimous in opinion. The purpose of this amendment can only be to make it impossible to sell this property. I trust the Gentlemen of the House will vote down this amendment.

Mr. HUMES. Mr. Speaker, will the gentleman from Tioga permit himself to be interrogated?

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, certainly.

Mr. HUMES. I would like to inquire as to whether or not I understood the gentleman correctly. I understood him to say that the Fish Commissioner preceding the present Fish Commissioner had condemned this property as unsuitable.

Mr. ROCKWELL. No, Mr. Speaker, I did not state that. I was under the impression from the talk had before the Fish Committee that it was stated there that the former Fish Commissioner had agreed that it was an unwise proposition to maintain a hatchery there. That is all the information I have, that it was stated there that he had so thought.

Mr. HUMES. Mr. Speaker, I wish to say to the gentleman from Tioga and to the House that this site was selected by the Fish Commissioner of Pennsylvania, not the present Fish Commissioner, but by his predecessor, and I defy the gentlemen who have spoken against this amendment, or any one else, to assert here that the ex-Fish Commissioner ever opposed this Fish Hatchery for any purpose. It was his personal selection of a site, and I venture to assert that neither the gentleman from Lancaster, nor the gentleman from Tioga, nor the gentleman from York have ever seen this Hatchery or know anything as to its location. They have taken their information absolutely second-handed and I want to say to them that they have been absolutely and perhaps wilfully misinformed as to the facts.

The gentleman from York has undertaken to read a letter purporting to come from me. I want to explain that letter because the gentleman has undertaken to say that it was the man that I consulted as an authority. This I deny, but it was the man that the Fish Commissioner of Pennsylvania said was one of the most eminent authorities in the State of Pennsylvania on this subject; and the only reason that the Fish Commissioner has presented the bill for the intended abandonment of this property is because the pond as now located was not deep enough to raise fry until five or six inches in length and you will notice in the last paragraph of the letter which the gentleman read from this eminent expert, who was the expert named by the Fish Commissioner, he says it is a disputed question as to whether fry should be raised until five or six inches long and that the practice in Michigan is to only raise them, keep them until they are five weeks old and then plant them; and the present Fish Commissioner, or no other gentleman in this State who knows the situation, dare deny that the ponds as now constructed, without the investment of another dollar in this hatchery, are sufficient to comply with the requirements of this eminent expert that they have referred to from Michigan. I know what I am talking about when I talk about the work of this hatchery, because I have seen it and I have seen it in operation, and I want to say that I believe that this hatchery, to the State of Pennsylvania for the purpose of a Fish Hatchery, is worth three times what the State has invested in land and in buildings, and I think that any gentleman who will face the subject in a fair-minded way, who knows the situation, will agree with me on that proposition.

And I say it is not an unreasonable requirement to say that when the State sells real estate which belongs to it, or at least when the buildings are less than three years old, that it is not unreasonable to insist that a sufficient sum be secured for the property to pay the actual investment. That is all we are asking for in this case, and we are asking it because we do not care to see this property sold to some private concern at their own figures for some purpose for which it is not adapted. It is a reasonable requirement and I hope the Gentlemen of this House will vote to incorporate this amendment into the bill. They say that it was abandoned for over a year. Gentlemen, fish were taken from the ponds of this hatchery during the last year for exhibition purposes and were used in making the exhibit at the Agricultural Exhibition in the Northwestern part of Pennsylvania. And yet the gentleman from York undertakes to say not because he believes so, but because he knows nothing about it and some one has told him so, that these hatcheries and fisheries are not adapted to the purposes for which they are intended, and I ask the members of this House who are willing to protect the interest of the Commonwealth in this property and who are interested in the honest propogation of fish in this state, to vote for the incorporation of this amendment.

Mr. MITCHELL: Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER: Will the gentleman permit himself to be interrogated?

Mr. HUMES: I will.

Mr. MITCHELL: Will the gentleman from Crawford tell the House how much he has invested in this fishery?

Mr. HUMES: Mr. Speaker, I do not know whether the gentleman from Erie proposed to insinuate something improper or not by that interrogation, but I can understand no other purpose back of it. I want to say that this fish hatchery was purchased on the advice of the Ex-Fish Commissioner on a poular subscription raised by the people of Crawford County and donated to the State of Pennsylvania, and I am proud of the fact that I was one of the contributors to that fund. I would not attempt to say how much at this time—it was four years ago—it was not much—we all contributed from five to twenty-five or thirty dollars apiece. I was one of the contributors, I do not know how much, but I want to say to the gentleman from Erie that if that would influence me in this proposition, the bill as it now stands is the bill that would secure to me the return of my money, and if the proposition which is advanced on the other side of the House is agreed to, the amendment is keeping me from getting the return of the money which I have invested in this plant. I do not like the imputation of the gentleman from Erie.

Mr. MITCHELL. Mr. Speaker, I would not attempt to say anything to the discredit of the gentleman from Crawford, I am very sure of that, but I simply wanted to bring out to the attention of the House his pecuniary interest in the question relative to his being reimbursed. I would like to say that I have no personal interest in this matter, and no personal feeling, but I think it is extremely improper to dispose of an administration measure in this manner. It is a question of going against the policies of the Department and we have no right to question the motives of the Fish Commissions. I would like to take just a few minutes more. I live in the Northwestern part of the State. I have not been to the hatchery in question but I know the lay of the land well and the whole country thoroughly. About fifteen hundred dollars was put into this hatchery by a number of patriotic citizens of Crawford County, and they purchased this land, which amounted to something like thirty acres. The whole amount invested was fifteen hundred dollars. This was turned over to the Fisheries Department and was accepted by the Fisheries Department, and they entered upon the land and built several houses upon it, two houses and a barn, and they built a hatchery, and made other improvements. It has been found to be inexpedient and unwise to operate it. The reason is given by the Department and given by the experts from other states that visited this hatchery, and in order to make certain that no personal feeling should appear in the matter, the Fisheries Department invited experts from other states to visit the property and give an opinion upon it. One of the gentleman who had thirty years experience in Wisconsin, I believe, came to the site and investigated it. They found as a result of that investigation that it was unwise and improvident to further operating it as a fish hatchery. They found the land to be swampy and less than two feet of water there, and that if they were to excavated to the depth of a very few feet, the water would be sluggish and not the proper water in which to propogate fish. For that reason it was abandoned. The gentleman from Crawford must admit that there is no law that will compel the Department to operate that hatchery. It appears to me to be a dog in the manger proposition. Why should the State pay a thousand dollars a year for a caretaker when the property is not in operation? It is simply a fair proposition that this property be sold and then the gentleman can get back their twenty-fives and thirtys and tens. I am afraid there is something personal in this. I believe that there is some

feeling on the gentleman's part agaist the Department. I do not believe there is any question about his being reimbursed for the money which he and his associates put into this hatchery. If they get their money back, then they will think they are superior in knowledge to the head of the Department. I hardly see what stand he has on the question. This is an administration policy, and I hope that the men of this House will join me in voting down this amendment.

Mr. HUMES: Mr. Speaker, I desire to interrogate the gentleman from Erie.

The SPEAKER: Will the gentleman from Erie permit himself to be interrogated?

Mr. MITCHELL: I will.

Mr. HUMES: I would like to ask the gentleman if he has not now three hatcheries in his county?

Mr. MITCHELL. Mr. Speaker, I know that we have one in Erie and one in Crawford, owing to our proximity to the lake.

Mr. HUMES. You also have a hatchery in Union City and one in Corry.

Mr. MITCHELL. Will you wait a moment? Owing to the fact that the City of Erie is situated on the lake, it is one of the largest fresh fish ports in the world, mind you, in the world. More fresh fish are caught and exported from Erie than from any other fresh fish port in the world. We have two hatcheries there and it is proper that we should have.

Mr. HUMES. I would like to ask the gentleman if they are not undertaking to secure another hatchery for Erie from the Fisheries Department at this time?

The SPEAKER. The Chair would suggest that we are getting a good piece away from the question at issue.

Mr. SPANGLER. Mr. Speaker, in reply to the gentleman from Crawford, I would say that the Fish Commissioner has already stated, in this report I have read, that the fish hatcheries in the northwestern part of the State of Pennsylvania are ample for the needs of that part of the State and that those fish hatcheries being used now can be extended indefinitely for the uses of the Fish Commissioner for the present and for the future. The gentleman called attention to a previous Fish Commissioner. If a previous Fish Commissioner had recommended this particular fish hatchery, this is the opinion of the Superintendent of the fish hatchery of Wisconsin. He said: With the President of our Board, about five years ago I had the pleasure of visiting some of your State Hatcheries. Both he and myself thought that the several buildings, the construction of the ponds, and the manner in which they were kept, was a disgrace to the great State of Pennsylvania. To think that they have been hatching fish for the past thirty years and have not advanced any during that time, (the buildings and construction work being done at that time was similar to that built thirty years previous, when fish culture was in its infancy)." Now we have a Fish Commissioner whose effort is to upbuild and reconstruct and it seems to me it is entirely unsuitable at this time to oppose his wishes.

The question recurring,
Will the House agree to the amendment?
It was not agreed to.
On the question,
Will the House agree to the section?
It was agreed to.
The second section was read and agreed to as follows:

Section 2 The amount realized from such sale however made shall be in cash and the said Commissioner of Fisheries is hereby authorized to ascertain the names of subscribers to the fund with which the property was originally purchased and the amount of each subscription and if the property shall bring a sum less than the total of such subscriptions then said amount without any deductions for costs of advertisement or sale shall be distributed pro rata in the proportion which said amount bears to the amount subscribed by each person to the original purchasers and donors of the property their heirs or personal representatives Provided however that if any of the subscribers their heirs or personal representatives cannot be found after a deliberate search then the share of such person be put into the general fund of the State Treasury and if the amount received from the property at the sale as aforesaid shall exceed the amount originally subscribed by all the subscribers to the purchase fund such balance after distribution as aforesaid shall be deposited in the State Treasury

The preamble was read and agreed to as follows:

Whereas, Several years ago certain residents of Crawford County, by popular subscription, raised the money and purchased certain grounds at Conneaut Lake, Crawford County, and donated the same to the State of Pennsylvania for the use of the Department of Fisheries in erecting a Fish Hatchery thereon, and

Whereas, After a thorough trial it had been demonstrated to the satisfaction of the Commissioner of Fisheries and certain other experts who have examined carefully into the situation that the local conditions make it impossible to maintain an efficient hatchery there and the Fisheries Commission has determined that the best interests of he Commonwealth require the abandonment of the said property as a hatchery Therefore,

The title was read and agreed to as follows:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

On the question,
Will the House agree to the bill on second reading?
A division was called for, and 76 voted in the affirmative and 42 in the negative, and the question was determined in the affirmative and the bill was agreed to on second reading.
Ordered, To be transcribed for third reading?
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 461, as follows:

An Act to further amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourteenth section of the act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and publishing certain offenses in regard to such elections" approved the tenth day of June eighteen hundred and ninety-three which as amended by an act approved the twenty-ninth day of April nineteen hundred and three reads as follows

"Section 14 When Presidential electors are to be voted for the names of candidates for Presidential electors shall be arranged in party groups as presented in the several certificates of party nomination and nomination papers and the groups shall be printed upon the ballot in order of the vote obtained in the State at the last Presidential election by the parties nominating beginning with the party which obtained the highest vote Provided That in the case of political parties not represented on the ballot in the last Presidential election the order of arrangement shall be alphabetically

"At the head of each group of candidates shall be printed the appropriate party name or political appellation together with the surnames of the candidates of such party for President and Vice President underneath which shall be printed the names of the appropriate candidates for Presidential electors

"At the right of the space containing the surnames of the candidates for President and Vice President and their party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X) and at the right of the name of each candidate for Presidential elector there shall be a similar but smaller square

"The names of candidates for all other offices shall in all cases be arranged under the title of the office for which they are candidates and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election beginning with the party obtaining the highest vote Provided That in case of parties not represented on the ballot at the last Presidenial election the name of the nominee of such parties shall be arranged alphabetically according to the party name or political appellation At the right of the name of each nominee or candidate shall be printed the name or appellation of the political party presenting or nominating him and at the right of such party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark

"Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the name of such candidate arranged in the same order as candidates names are grouped that is to say in the order of the votes obtained by such party at the last preceding Presidential election beginning with the party obtaining the highest vote If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election the name of such parties shall follow the other names and be arranged alphabetically according the party name or appellation At the right of every party name or political appellation shall be a square of sufficient size for the convenient insertion of a cross-mark

"There shall be left at the end of the groups of candidates for Presidential electors and of the list of candidates for each different office (or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor) as many blank spaces as there are persons to be voted for for such office in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office and such insertion shall count as a vote without the cross-mark as hereinafter mentioned

'Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question shall be printed upon the ballot in brief form and followed by the words 'yes' and 'no' and if such question be submitted at an election of public officers it shall be printed after the list of candidates

"The ballots shall be so printed as to give it to each voter a clear opportunity to designate his choice of candidates by cross-mark (X) in a square of sufficient size at the right of the name of each candidate and inside the line enclosing the column and in like manner answers to questions submitted by similar marks in squares at the right of the words 'yes' and 'no' And on the ballot may be printed instructions how to mark and such words as will aid the voter to do this as 'mark one' 'mark two' and the like

"Provided That a voter may designate his choice of an entire group of candidates for Presidential electors by one cross-mark (X) in a large square which shall be placed at the right of the names of the candidates for President and Vice-President at the head of each group and such mark shall be equivalent to a mark against every name in the group

"Provided further That each voter may have the apportunity of designating his choice for all the candidates as nominated by one politcial party there shall be printed on the extreme left of the ballot and separated from the rest of the ballot by a space of at least one-half inch a list of the names of all political parties or groups of nominees represented on such ballot and presenting candidates to be voted for at such election

Such names shall be arranged in the order of the votes obtained at the last Presidential election by the candidate at the head of the respective tickets of the parties or bodies nominating beginning with the party that received the highest vote cast Following the name of such political parties shall be the names of the parties or principles not presented on the ballot at the last Presidential election arranged alphabetically according to the party name or political appellation A square of sufficient size for the convenient insertion of a cross-mark shall be placed at the right of each party name or appellation Every mark within such square shall be equivalent to a mark against every name designated by that political appellation or party name including candidates nominated by more than one party of group of citizens

"At the head of every ballot shall be printed the following instructions

"To vote a straight party ticket mark a cross (X) in the square opposite the name of the party of your choice in the first column A cross-mark in the square opposite the name of any candidate indicates a vote for that candidate" be and the same is hereby amended so as to read as follows

Section 14 When Presidential electors are to be voted for the names of candidates for Presidential electors shall be arranged in party groups as presented in the several certificates of party nomination and nomination papers and the groups shall be printed upon the ballot in order of the vote obtained in the State at the last Presidential election by the parties nominating beginning with the party which obtained the highest vote Provided That in the case of political parties not represented on the ballot in the last Presidential election the order of arrangement shall be alphabetically Provided further however that when any group of electors shall receive more than one nomination the names of such electors shall be printed once only but there shall be printed at the head of such group the appropriate party names or political appellations of the parties nominating arranged in the order hereinafter provided with a square of sufficient size for the insertion of cross-marks (X) at the right of each party name for political appellation

At the head of each group of candidates shall be printed the appropriate party name or political appellation together with the surnames of the candidates of such party for President and Vice-President underneath which shall be printed the names of the appropriate candidates for Presidential electors

At the right of the space containing the surnames of the candidates for President and Vice-President and their party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X) and at the right of the name of each candidate for Presidential electors there shall be a similar but smaller square

The names of candidates for all other offices shall in all cases be arranged under the title of the office for which they are candidates and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election beginning with the party obtaining the highest vote Provided That in the case of parties not represented on the ballot at the last Presidential election the names of the nominees of such parties shall be arranged alphabetically according to the party name or political appellaiton at the right of the name of each nominee or candidate shall be printed in smaller type the name or names of the political party or parties presenting him at the right of such party name or names there shall be one square of sufficient size for the convenient insertion of a cross-mark

Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the same of such candidate arranged in the same order as candidates names are grouped that is to say in the order of the votes obtained by such party at the last preceding Presidential election beginning with the party obtaining the highest vote If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election the name of such parties shall follow the other names and be arranged alphabetically according the party name or appellation At the right of every party name or political appellation shall be a square of sufficient size for the convenient insertion of a cross-mark

There shall be left at the end of the groups of candidates for Presidential electors and of the list of candidates for each different officer or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor as many blank spaces as there are persons to be voted for such office in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office and such insertion shall count as a vote with or without the cross-mark as herein mentioned

Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question shall be printed upon the ballot in brief form and followed by the words 'yes' and 'no' and if such question be submitted at an election of public officers it shall be printed after the list of candidates

The ballots shall be so printed as to give to each voter a clear opportunity to designate his choice of candidates by a cross-mark (X) in a square of sufficient size at the right of the name of each candidate and inside the line enclosing the column and in like manner answers to questions submitted by similar marks in squares at the right of the words 'yes' and 'no' And on the ballot may be printed instructions how to mark and such words as will aid the voter to do this as "Mark one" "mark two" and the like

Provided That a voter may designate his choice of an entire group of candidates for Presidential electors by one cross-mark (X) in a large square which shall be placed at the right of the names of the candidates for President and Vive-President at the head of such group and such mark shall be equivalent to a mark against every name in group

At the head of every ballot shall be printed the following instructions

A cross-mark (X) in the square opposite the name of any candidate indicates a vote for that candidate

Section 2 That the twenty-second section of the said act approved the tenth day of June Anno Domini eighteen hundred and ninety-three which as amended by the act approved the twenty-ninth day of April nineteen hundred and three reads as follows

Section 22 On receipt of his ballot the voter shall forthwith and without leaving the space enclosed by the guard rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then prepare his ballot as follows

"If he desires to vote for every candidate of a poiltical party he may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked

"If he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the party of his choice If he desires to divide his vote among candidates from different groups of Presidential electors he shall make a cross-mark in the appropriate squares to the right of the name of each candidate for Presidential elector for whom he desires to vote Provided That a mark in the straight party column opposite the name of the party of his choice shall also be counted as a mark for each Presidential elector nominated by such party

"He may vote according to the above provisions for the candidate of his choic for each office to be filled according to the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

"Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in the same way it was folded when received by him and he shall keep the same so folded and deposit it in the ballot box without undue delay and shall quit the enclosed space immediately thereafter" be and the same is hereby amended as to read as follows

Section 22 On receipt of this ballot the voter shall forthwith and without leaving the space enclosed by the guard-rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then prepare his ballot as follows

He shall make a cross-mark in the appropriate square at the right of the name of each candidate for whom he wishes to vote Provided That if he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the candidates for President and Vice President at the head of such group and such mark shall be counted as a vote for every Presidential elector in the group

He may vote according to the above provisions for the candidate of his choice for each office to be filled according to

the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in the same way it was folding when received by him and he shall keep the same so folded and deposit it in the ballot box without undue delay and shall quit the enclosed space immediately thereafter

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. MOSES. Mr. Speaker, I should like to call up from page 21 of to-day's calendar, Bills on Second Reading Postponed, House Bill 803.

Agreeably to order.

And said bill having been read at length the second time and agreed to,

The House proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act further amending section two of the act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by section two of the act of May fourteenth Anno Domini one thousand nine hundred and nine authorizing and requiring second and third class cities of this Commonwealth to provide for the appointment and payment of a plumbing inspector

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business of work of plumbing or ..... house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by Section two of the act of May fourteeth Anno Domini one thousand nine hundred and nine (Pamphlet Laws eight hudred and forty) which reads as so amended as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any other advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the boad of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or boad o bueau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby amended to read as follows:

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provisions for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or

their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license to the department or board or bureau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class cities of this Commonwealth to engage in or work at the business of plumbing and work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

The preamble was read and agreed to as follows:

Whereas, There is no provision for the appointment and payment of a plumbing inspector in second and third class cities of this Commonwealth and

Whereas, The act of June seven one thousand nine hundred and one Pamphlet Laws four hundred and two and the act of May fourteenth one thousand nine hundred and nine Pamphlet Laws eight hundred and forty pertaining to the business or work of plumbing of house drainage have been held constitutional by the highest courts of this State that are practically without force or effect without such a provisions and

Whereas, The lack of uniformity and system is the result thereof greatly to the injury of the said cities and the plumbing and house drainage thereof and

Whereas, The courts of this State have held that "The real trouble in the administration of this act of Assembly is that in its passage the legislature assumed it to be a fact that the office of Plumbing Inspector existed in all cities of the third class when it did not now therefore

The title was read as follows:

An Act further amending section three of the act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or plumbing house drainage cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by section two of the act of May fourteenth Anno Domini one thousand nine hundred and nine authorizing and requiring second and third class cities of this Commonwealth to provide for the appointment and payment of a plumbing inspector

On the question,

Will the House agree to the title?

Mr. MOSES. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Strike out the title, and insert in lieu thereof the following:

"An Act further amending section two of an act approved the seventh day of June, one thousand nine hundred one, entitled 'An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof,' as heretofore amended, and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded with the second reading and consideration of House Bill No. 256, as follows:

An Act providing for the publication and distribution of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs making an appropriation for the work of revising compiling and proof-reading and an appropriation for printing binding and mounting the same and for paper

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be published by the Department of Public Printing and Binding on the order and under the direction of the Secretary of Internal Affairs sixteen thousand five hundred copies of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs Seven thousand eight hundred copies of which to be printed on heavy map paper one thousand copies to be printed on muslin-mounted paper two hundred copies to be printed on heavy map paper without county colors and seven thousand five hundred copies in book form

Section 2 The distribution of the aforesaid revised edition of railroad maps shall be as follows

Five hundred copies in book form for the use of the Governor

One thousand six hundred copies printed on heavy map paper and one thousand copies in book form for the use of the Senate

Four thousand copies printed on heavy map paper and four thousand copies in book form for the use of the House of Representatives

Two thousand copies printed on heavy map paper one thousand copies printed on muslin-mounted paper two hundred copies printed on heavy map paper without county colors and one thousand eight hundred copies in book form for the use of the Department of Internal Affairs

Two hundred copies printed on heavy map paper and two hundred copies in book form for the State Library

Section 3 For the work of revising compiling and proof-reading said railroad maps and necessary expenses connected therewith the sum of five hundred dollars or so much thereof as may be necessary is hereby speciafically appropriated For printing binding and mounting said railroad maps and for paper the sum of seven thousand five hundred dollars or so much thereof as may be necessary is hereby specifically appropriated

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 420, as follows:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State Normal schools

Whereas, The appropriation to pay the tuition of students in State Normal Schols made at the session of the Legislature in one thousand nine hundred and eleven has proven insufficient, and

Whereas, The Commonwealth is required by law to pay the tuition of students in the State Normal Schools who are preparing to teach in the public schools of the Commonwealth and these students have enrolled in said institutions with the understanding that the Commonwealth would pay their tuition therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-five thousand dollars ($125,000.00) be and the same is hereby appropriated to cover the deficiency in the appropriation made in the general appropriation act approved June fourteenth Anno Domini one thousand nine hundred and eleven to pay the tuition of students in State Normal Schools said appropriation to be paid out under the same conditions as those under which the original appropriation was paid

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 795, as follows:

An Act prohibiting the doing of certain acts by persons who have been disbarred from practicing before the courts of any county and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall not be lawful for any person who has been disbarred from practicing before the courts of any county in this Commonwealth and who has not taken an appeal in said disbarment proceedings to the supreme court and had the same reversed to hold himself out to the public in such county as being entitled to practice law before the courts of such county or in such county to use or advertise the title of lawyer attorney at law attorney and counsellor at law counsel or the equivalent in any language in such a manner as to convey the impression that he is a legal practitioner in said county or in any manner to advertise in such county that he either alone or together with another person or persons nas owns or conducts a law office or collection office of any kind for the practice of law or to practice law before the courts of any such county or before any justice of the peace magistrate or alderman of the county or in any way in such county to counsel or advise or perform any legal proceeding act or form for another person or for any corporation partnership or association directly or indirectly for compensation

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and to undergo an imprisonment in the jail of the county for a period of not less than thirty days nor more than ninety days without suspension of sentence

And said bill having been read aat length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1108, as follows:

An Act providing for the arrest and conviction of any person found visiting a gambling house and providing penalty for same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person found visiting any house room outhouse den booth or other place where any game or device of address or hazard with cards dice billard balls or shuffle boards or any other article or thing whatsoever is conducted or established at which money or other valuable thing may or shall be played for staked or betted upon shall upon arrest either upon view or upon information made and warrant issued and conviction before any alderman police magistrate or justice of the peace be fined in a sum not exceeding one hundred dollars and in default of the payment thereof undergo an imprisonment in the jail or workhouse of the proper county not exceeding ninety days

And said bill having been read aat length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1049, entitled:

An Act providing a means of identifying certain persons in this Commonwealth requiring certain duties of employes and fixing penalties for violation hereof

The first, second and third sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person partnership or corporation to employ or retain in employment any person not a citizen of this Commonwealth unless such person so employed shall give to such employer his or her correct name A list of such names shall be kept by such employer and shall be open to inspection by any assessor tax collector or constable of the proper county If such employe be designated by a number the number shall be given on said list opposite the respective name Said list shall be revised and supplemented from time to time as employes shall be discharged or shall die or leave such employment

Section 2 It shall be unlawful for any such employee when thereto requested by such person partnership or corporation or by any constable tax collector or assessor to refuse to give his correct name

Section 3 Every person partnership or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the county shall be sentenced to pay a fine of not less than ten dollars ($10) nor more than fifty dollars ($50)

The Title was read as follows:

An Act providing a means of identifying certain persons in this Commonwealth requiring duties of employers and fixing penalties for violation hereof

On the question,

Will the House agree to the title?

Mr. CARSON. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amending title in line two by striking out "fiving" and inserting "fixing."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read aat length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1151, as follows:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

Section 1 Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the board of township commissioners of any township of the first class in this Commonwealth and they are hereby authorized and empowered from time to time whenever they may deem it advisable so to do to ordain and establish sidewalks along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities boroughs villages or places of public resort within the lines of the said street or highway for such distance as the said board of township commissioners may deem proper Provided However That in case the said street or highway be a turnpike or other road managed and controlled by a corporation duly incorporated under the laws of this Commonwealth the written consent of the said corporation shall first be obtained thereto

Section 2 The said board of township commissioners is hereby authorized and empowered to charge to the owner or owners of the properties abutting on the said sidewalk according to the respective frontage of each abutting property such part or portion of the expense of the construction of such sidewalk as the said board of township commissioners shall deem reasonable and just not to exceed however in any case fifty per cent of the total cost of the construction of the said sidewalk and to defray the remainder of the expense of the construction of the said sidewalk from the public funds of the said township

Section 3 The ordinance establishing any such sidewalk shall specify the width thereof which however shall not be less than five (5) feet in any case and shall in no case leave a roadway of less than twenty (20) feet in the clear and shall require such grading and filling as shall be deemed necessary The kind and character of the pavement shall be specified in the ordinance and the manner of laying the same may be specified in like manner or provided for by some general ordinance or by the regulation of a committee of the board Provided That it may be lawful for the said township commissioners to provide for the construction of a boardwalk in any case instead of a paved sidewalk

Section 4 In all cases coming under this act if at the time of the passage of the ordinance a sidewalk paved with brick stone or concrete of any sort has already been constructed by a property owner in front of his property the township commissioners may accept such walk as a compliance with the ordinance although it be not constructed according to the specifications thereof Otherwise if such sidewalk be not accepted the township shall bear the expense of reconstructing the same

Section 5 All ordinances for the construction of sidewalks under the provisions of this act shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain specified period not less than three (3) months from date of the service of such notice Provided however That when such notice is given on or after the first day of September in any year the property owners affected shall not be considered in default for failure to construct the said sidewalk until the first day of June of the following year Service of such notice shall be made by handing the same to the property owner or by leaving the same at his place of residence if he have one in the county or if he do not reside in the county by mailing the same to his address if his address can be obtained and also in all cases a copy of such notice shall be served upon the occupant of the house or any other build-

ing on the premises Should any property owner fail to comply with the requirements of the ordinance within the time or times specified in this section it shall be lawful for the board of township commissioners to cause the sidewalk in front of his property to be constructed in accordance with the requirements of the ordinance and to collect the proportion of the expense thereof which under the ordinance authorizing the construction of the same is chargeable upon the property owner including the costs of grading and any other incidental matters together with the penalty of ten per centum by action of assumpsit or by filing a lien against said property in the nature of a municipal lien in the manner prescribed by existing laws

Section 6 When any sidewalk has been constructed by an abutting property owner in front of his property under the provisions of this act the township commissioners upon the presentation to them of a receipted bill for the cost of constructing such sidewalk shall forthwith pay to the property owner the part or portion of the expense of the construction of the said sidewalk which by the terms of the ordinance authorizing the construction of the same is to be defrayed from the public funds of the said township and if the said part or portion of the expense of the construction of the said sidewalk which is to be defrayed from the township funds is not paid forthwith to the property owner by the board of township commissioners the property owner shall be exonerated from the payment of any and all township taxes until he has been fully reimbursed by the taxes so exonerated for the part or portion of the expense of constructing the said sidewalk which should have been paid him by the township commissioners with interest thereon from the date of his payment thereof

Section 7 This act shall not be construed to repeal or in any wise alter or affect any existing act of assembly authorizing or regulating the construction of sidewalks along any public road street or highway or part or portion thereof within townships of the first class in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 442, as follows:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsisttnt therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the fritndless children's home or other institution for the care or training of orphans or other children may permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district The education of such non-resident children in any school district may be done without charge by the district or at a cost not exceeding the cost of tution text-books and school supplies of other children of similar grade in such dirtrict" is amended so as to read

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district without charge for tution text books or school supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1158, entitled:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approvtd the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" which as amended reads as follows

"Section 4 Any company incorporated under this act desiring authority to construct any branch or extension shall file in the office of the Secretary of the Commonwealth a duly certified copy of a resolution of its stockholders setting forth in detail the route of the proposed branch or extension which paper shall be forthwith presented to the Governor for his approval and if the Governor shall be of opinion that said proposed branch or extension is within the general scope of the original charter and does not conflict with any rights previously granted and in existence he shall approve the same whereupon the secretary of the Commonwtalth shall issue a certificate that said branch or extension has been duly authorized and upon the same having been duly recorded in the county or counties within which such extension lies said company shall be vested with the right to construct and operate the same provided it receives consent from the proper local authorities" be and the same is hereby further amended to read as follows

Section 4 Any company incorporated under this act desiring authority to construct any branch or extension shall file in the office of the Secretary of the Commonwealth a duly certified copy of a resolution of its stockholders setting forth in detail the route of the proposed branch or extension which paper shall be forthwith presented to the Governor for his approval and if the Governor shall be of opinion that said proposed branch or extension is within the general scope of the original scope of the original charter and does not conflict with any rights previously granted by the proper local or municipal authorities he shall approve the same whereupon the Secretary of tht Commonwealth shall issue a certificate that said branch or extension has been duly authorized and upon the same having betn duly recorded in the county or counties within which such extension lies said company shall be vested with the right to construct and operate the same provided it receives consent from the proper local authorities provided further that the right granted by the Commonwealth to construct a branch or extension by any street railway company shall not be an exclusive right until the street railway company shall have applied for and obtained the consent of the proper municipal authorities to occupy and use the streets and highways of any city borough or township but when such consent from the proper municipal authorities has been obtained the right to occupy and use the streets and highways or portions thereof mentioned in the said certificate issued by the Secretary of the Commonwealth shall be an exclusive right for the time limited by such consent or any legal extension thereof and provided further that the Governor in his discretion shall have the power to grant a branch or extension to two or more street railway companies over the same streets and highways at any time prior to the granting by the proper municipal authorities of the consent to occupy and use the said streets and highways

On the question,

Will the House agree to the section as read?

Mr. WALTON. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read be the Clerk.

The amendment was read as follows:

Amend section one, line thirty-three, by striking out "after."
the word "scope" the words "of the original scope."

On the question,

Will the House agree to the amendment?

It was agreed to.

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

And said bill having been read at length the second time and agreed to, as amended:

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 296, as follows:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the ommonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners together with the county solicitor and chief clerk of the county commissioners of each county are hereby authorized to organize themselves into a State Association with the authority to hold annual meetings at such time and place within the Commonwealth as they may designate for the purpose of discussing the various questions arising in the discharge of their duties and for the purpose of providing for a uniform and economical method of administering the affairs of the respective counties

Section 2 The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than ten dollars to any county per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1144, as follows:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in every township of the first class shall have power to provide by contract or otherwise for the collection and removal of ashes and garbage accumulating therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all dogs made taxable by the act to which this is a supplement shall be required to wear at all times a substantial collar to which shall be attached the tag hereinafter mentioned said collar to be furnished by the owner of said dog or dogs and said tag to be furnished by the county commissioners and to be paid for by them out of the fund realized from the taxation of dogs" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all dogs of four months old and upwards shall be required to wear at all times a substantial collar to which shall be attached the tag hereinafter mentioned said collar to be furnished by the owner of said dog or dogs and said tag to be furnished by the county commissioners and to be paid for by them out of the fund realized from the taxation of dogs

Section 2 That section three of said act which reads as follows

The third section was read as follows:

"Section 3 At the time of payment of dog tax by the owner of such dog the tax collector shall give to said owner one of said tags prepared for the year for which said tax is paid which said tag shall thereupon be attached to the collar of the dog for which said tax was paid by the owner of said dog" is hereby amended to read as follows

Section 3 At the time of payment of dog tax oy the owner of such dog the tax collector shall give to said owner one of said tags prepared for the year for which said tax is paid which said tag shall thereupon be attached to the collar of the dog for which said tax was paid by the owner of said dog and the payment of the tax by the owner and the giving of a tax tag by the tax collector to the owner of the dog hereafter shall be sufficient assessment of the dog for all purposes of this act and the act to which this is a supplement not however taking away from the assessor the duty to assess all dogs that he is able to assess at the time of making the general assessment as heretofore

On the question,

Will the House agree to the section as read?

Mr. WALTON. Mr. Speaker, I desire to offer and amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend by striking out all of section 3 after the word "dog" in line 14 and inserting in lieu thereof the following and in case the assessor has failed, for any reason, at the time of maikng the general assessment to assess any dog, it shall be lawful for the owner thereof to pay to the tax collector the dog tax for the current year the same as though such dog had been regularly assessed, and in such case it shall be the duty of the tax collector to furnish to such owner a tax tag to be attached to the collar of such dog as above provided; Provided however, that nothing herein contained shall be construed as lessening the responsibility and duty of all assessors to assess all dogs that he is able to assess at the time of making the general assessment.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be providtd by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 796, as follows:

An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requir-

ing prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of cital statistics throughout the State as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June nno Domini nineteen hundred and eleven "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Comonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaing such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the imediate registration of all births and deaths and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform dat for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section twenty of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven entitled "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates" which as amended reads as follows

"Section 20 That each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State Registrar as required by this act Provided That in cities of the first and second class in which the city clerk health officer or other official acting as local registrar receives a fixed salary in lieu of fees he shall be entitled to fifteen cents for each birth and each death certificate properly and completely made out registered with him and correctly copied and duly returned by him to the State Registrar as required by this act And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect promptly made in accordance with this act All amounts payable to registrars in cities of the first and second class under provisions of this section shall be paid by the State Treasurer upon certification by the State Registrar And the State Registrar shall certify monthly to the State Treasurer and Auditor General the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein All amounts payable to registrars except in cities of the first and second class under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located upon certification by the State Registrar And the State Registrar shall annually certify to the treasurer of the several counties the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein

"That for the purpose of carrying this act into effect the sum of ten thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to be paid by the State Treasurer upon the warrant drawn by the Auditor General" is hereby amended so as to read

Section 20 That each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State Registrar as required by this act Provided That in cities of the first and second class in which the city clerk health officer or other official acting as local registrar receives a fixed salary in lieu of fees he shall be entitled to fifteen cents for each birth and each death certificate properly and completely made out registered with him and correctly copied and duly returned by him to the State Registrar as required by this act And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect promptly made in accordance with this act All amounts payable to registrars in cities of the first and second class under provisions of this section shall be paid by the State Treasurer upon certification by the State Registrar And the State Registrar shall certify monthly to the State Treasurer and Auditor General the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein

That for the purpose of carrying this act into effect the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to be paid by the State Treasurer upon the warrant drawn by the Auditor General

On the question,

Will the House agree to the bill on second reading?

BILL RECOMMMITTED.

Mr. CLAYCOMB. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. E. G. M. KUHNS. Mr. Speaker, I second the motion.

It was agreed to.

RILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 677, as follows:

An Act to amend section thirty-four of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled an act to consolidate revise and amend the penal laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That section thirty-four of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" which reads as follows

"Section 34 No person who may hereafter be arranged on any indictment and who shall be bound by recognizances to appear and abide by the judgment of the court shall be placed within the prisoners' bar to plead to such indictment or be confined therein during his trial and all persons shall have an opportunity of a full and free communication with their counsel" is hereby amended to read as follows

Section 34 No person who may hereafter be arraigned on any indictment shall be placed within a prisoners' bar to plead to such indictment or be confined therein during his or her trial and all persons shall have an opportunity of a full and free communication with their counsel

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1042, as follows:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1125 The county commissioners of each county in this Commonwealth shall provide furnish and maintain fit and suitable office rooms at the county-seat for the use of the county superintendent of schools and his assistants if any and the said county commissioners shall also provide furnish and maintain safe and suitable storage in connection with such office rooms for the preservation and safekeeping of the school records books and documents pertaining to such office They shall also provide for the use of said superintendent and assistant superintendents all necessary stationery printing and blanks is hereby amended to read as follows

Section 1125 Tht county commissioners of each county in this Commonwealth shall provide furnish and maintain fit and suitable office rooms at the county-seat for the use of the county superintendent of schools and his assistants if any and the said county commissioners shall also provide furnish and maintain safe and suitable storage in connection with such office rooms for the preservation and safekeeping of the school records books and documents pertaining to such office They shall also provide for the use of said superintendent and assistant superintendents all necessary stationery printing and blanks and postage other than that connected with the annual county teacher's institute

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 387, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish with this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" which reads as follows

"Section 2 That it shall be unlawful to use any device means or method whatsoever for taking fish from the waters within this Commonwealth except the following to wit For game fish with rods and lines or with hand line and for pickerel and yellow perch also with tip-up and for suckers through the ice with pole and burr hook for bait fish in any manner or at any time except by use of poison or explosives for food fish with rods and lines and hand line at any time of the year outline otherwise called set line dip net eel pot or a fyke net each without wings a seine or a fish basket Provided That nothing herein shall be held to apply to fishing with rod and line or hand line unless the person fishing therewith shall have in possession any fish which may not lawfully be caught And provided That no device except a single rod and line shall be used by any person in waters inhabited by charr or trout except that in such waters suckers may be taken with pole and burr hook And provided further That in streams not inhabited by trout eels carp suckers and mullets may be taken by the use of a gig or spear during the months of July August September and October of each year Provided further That no person shall use when fishing for pickerel or yellow perch more than eight tip-ups Provided also That both rods and lines or hand line shall not have attached to it more than three hooks and that one burr of three hooks shall be considered as one hook Provided further That the nets and devices described hereinbefore as legal may also be used under the conditions and regulations hereinafter set forth but that nothing herein shall be held to forbid the use of the gaff or the landing-net to assist in landing fish already caught by lawful devices Provided further That no fishing of any kind or with any device shall be done by any person or persons on the first day of the week commonly called Sunday Any person violating any of the provisions of this section shall on conviction as provided in section twenty-seven of this act be subject to a penalty of twenty dollars except as hereinafter otherwise provided" is hereby amended to read as follows

Section 2 It shall be unlawful to use any device means or method whatsoever for taking fish from the waters within this Commonwealth except the following to wit For game fish with rods and lines or with hand line and for pickerel and yellow perch also with tip-up and for suckers through the ice with pole and burr hook For bait fish in any manner or at any time except by use of poison of explosives for food fish with rods and lines and hand lines at any time of the year out-line otherwise called set line dip net eel pot or fyke net each without wings or seine or a fish basket Provided That nothing herein shall be held to apply to fishing with rod and line or hand line unless the person fishing therewith shall have in possession any fish which may not lawfully be caught and provided further That it shall be lawful within the waters of this Commonwealth to take carp eels suckers and mullets with set lines and gig or spear during the months of July August September and October of each year Provided further That no person shall use when fishing for pickerel or yellow perch more than eight tip-ups Provided further That nets and devices described herein before as legal may also be used under the conditions and regulations hereinafter set forth but that nothing herein shall be held to forbid the use of the gaff or the landing net to assist in landing fish already caught by lawful devices Provided further That no fishing of any kind or with any device shall be done by any person or persons on the first day of the week commonly called Sunday Any person violating any provision of this section shall on conviction as provided in section twenty-seven of this act be subject to a penalty of twenty dollars except as hereinafter otherwise provided Any act or acts conflicting herewith be and are hereby repealed

On the question,

Will the House agree to the section?

Mr. HERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, page 5, line 88, after the word "penalty" strike out "as provided in Section twenty-seven of this act be subject to a penalty."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to prottct the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1071, entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act making it unlawful for any person to hold himself out to advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Ptnnsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of tht same That from and after the passage of this act it shall not be lawful for any person in any county in the State of Pennsylvania to hold himself out to the public as being entitled to practice law before the courts of the county or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to convey the impression that he is a legal practitioner in said county or in any manner to advertise that he either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office of any kind for the practice of law without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth" be and it is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any person in any county in the State of Pennsylvania to hold himself out to the public as being entitled to practice law or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to coney the impression that he is a practitioner of the law of this or any other State nation country or land or in any manner to advertise that he either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office of any kind for the practice of the law of this or any other state nation country or land without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth"

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, line 5, strike out the word "to" after the word "out" and insert in lieu thereof the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advirtise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrance the practice of law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 41, as follows:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five enttiled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaning and changing the classification thereof in accordance therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the calssification thereof in accordance therewith" which reads as follows

"Section 2 The classification of said cities respectively shall be ascertained and fixed by reference to their population according to the last preceding United States census and whenever it shall appear by any such census that any city of the second or third class has attained a population entitling it to an advance in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify the fact accordingly which certificate shall be entered at large upon the minutes of the councils of such city and recorded in the office for recording the deeds of the proper county

"At the municipal election occuring not less than one month after the date of such certificate the proper officers shall be elected to which the said city will become entitled under the change in classification and upon the first Monday of April next ensuing the terms of all officers of said city then in office whose offices are superseded by reason thereof shall cease and determine and the city government shall be duly organized and shall thereafter be controlled and regulated by the laws of this Commonwealth applicable to the same under the classification hereby fixed and appointed" is amended to read as follows

Section 2 The classification of said cities respectively shall be ascertained and fixed by reference to their population according to the last preceding United States census or according to the last preceding census taken in pursuance of an ordinance of the proper city and whenever it shall appear by any such census that any city of the second or third class has attained a population entitling it to an advance in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify the fact accordingly which certificate shall be entered at large upon the minutes of the councils of such city and recorded in the office for recording the deeds of the proper county

At the municipal election next following the date of such certificate the proper officers shall be elected to which the said city will become entitled under the change in classificatoin and upon the first Monday of January next following such election the terms of all officers of said city then in office whose offices are superseded by reason thereof shall cease and determine and the city government shall be duly organized and shall thereafter be controlled and regulated by the laws of this Commonwealth applicable to the same under the classification hereby fixed and appointed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1094, entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where private sales of real estate have been made by receivers subsequent to the passage of an act enttiled "An Act relating to receiver's sales passed the eleventh day of May Anno Domini one thousand nine hundred and eleven" where notices of the intention to present the petition for the said sale to the court has been mailed at least ten days prior to the presentation of such petition to all known creditors and other parties in interest at their last known addresses and an averment under oath of the mailing of such notices appears in the said proceedings the same shall be deemed to be good and valid for all purposes and a sufficient compliance with the conditions of the said act

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, line 5, strike out the word "made" and insert in lieu thereof the word "held."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act relating to receiver's sales" approved May eleventh one thousand nine hundrtd and eleven which reads as follows

"Section 2 At least ten days' notice of the intention to present such petition to the court shall be given by the petitioner to all known creditors and other parties in interest previous to the presentation of the same to the court" shall be amended to read as follows

Section 2 Notice of an intention to present such petition to the court shall be given by the petitioner by mailing at least ten days prior to the presentation of said petition postal cards or letter addressed to all known creditors and stockholders at their last known addresses containing a brief description of the property proposed to be sold the name of the purchaser the terms of the said sale and the date and place of presentation of the said petition and an averment under oath by the said petitioner in the said proceedings that such notice has been given in the manner aforesaid shall be considered evidence thereof

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, line 15, strike out the word "letter" and insert in lieu thereof the word "letters."

On the question,

Will the House agree to the amendment?

It was agreed to

The section as amended was then agreed to.

The title was read as follows:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

On the question,

Will the House agree to the title?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, line 1, after word "of" and before the word "an" insert quotation marks.

After the word "act" insert the words "entitled an act."

After the word "sales" insert quotation marks."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1027, as follows:

An Act to amend section one of an act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" requiring the erection of medical rooms in the mines and on the surface

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mies" which reads as follows

"Section 1 Be it enacted by the Senate and Houst of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within six (6) months after the passage of this act it shall be unlawful to operate any anthracite mine employing ten (10) men or more in the State of Pennsylvania unless said mine is provided with a sufficient quantity of linseed or olive oil bandages lienen splints woolen and waterproof blankets Said articles shall be stored in a room erected at a convenient place in the mine which room shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency The furnishings shall be sufficient to accomodate two or more persons in a reclining and sitting posture" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within six (6) months after the passage of this act it shall be unlawful to operate any anthracite mine empolying ten (10) men or more in the State of Pennsylvania unless said mine is provided with a sufficient quantity of linseed or olive oil bandages linens splints woolen and waterproof blankets Said articles shall be stored in rooms erected at a convenient place in the mine and on the surface which rooms shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency The furnishings shall be sufficient to accommodate two or more persons in a reclining and sitting posture

Section 4 Any corporation or individual violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the courts of the proper county shall be sentenctd to a fine of not less than one hundred dollars collectible as such fines are by law collectible and payable into the proper funds of such county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 822, (Senate No. 103), entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

The first section was read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of September Anno Domini one thousand nine hundred and thirteen whenever any teacher holding a certificate which confers a permanent right to teach shall have taught for ten years in any one school district of this Commonwealth it shall be the duty of the president and secretary of the

board of school directors to execute a contract of permanent from the employ of such district except for causes specified in the laws of this Commonwealth

The second section was read as follows:

Section 2 That the salary of any teacher permanently employed according to the provisions of this act shall not be reduced nor his or her position changed without his or her consent in writing or upon the recommendation of the majority vote of the school directors of the district

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

In section 2, line 5, strike out the word "majority," and insert in lieu thereof the words "two-thirds."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section and title of the bill were read and agreed to as follows:

Section 3 That any president or secretary of a school board who neglects or refuses to perform his duty as specified in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1166, as follows:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every appeal now authorized by law from a tax or other public accounts settlement of the fiscal officers of the Commonwealth an affidavit of the party appellant or if a corporation limited partnership or joint-stock association then of one of its chief officers shall be filed with said appeal stating the specifications of objections to the said settlement that said appeal is not taken for the purpose of delay but because appellant believes injustice has been done by the settlement appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief

Section 2 On any appeal from a tax or other public accounts settlement of the fiscal officers of the Commonwealth no facts shall be admitted in evidence that were not brought to the attention of said fiscal officers in the report filed or in an application under oath for resettlement prior to said appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable to by the exercise of reasonable diligence to have laid such evidence before the said fiscal officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 696, entitled:

An Act providing and requiring standard provision in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen no policy of insurance against loss from sickness or damage from bodily injury or death of the insured by accident shall be issued or delivered to any person in this Commonwealth until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with the Insurance Commissioner nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed unless the said Commissioner shall sooner give his written approval thereto If the said Commissioner shall notify in writing the company corporation association society or other insurer which has filed such form that it does not comply with the requirements of law specifying the reasons for his opinion it shall be unlawful thereafter for any such insurer to issue any policy in such form The action of the said Commoissioner in this regard shall be subject to review by the court of Dauphin county

On the question,

Will the House agree to the section?

Mr. R. J BALDWIN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, line 19, after the word "court" insert the words "of common pleas"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth sections and the title of the bill were separately read and agreed to as follows:

Section 2 No such policy shall be issued or delivered except subject to the following conditions (1) unless the entime money and other consideration therefore are expressed in the policy nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the insurer nor (3) if the policy purports to insure more than one person nor (4) unless every printed portion thereof and of any indorsements or attached papers shall be plainly printed in type of which the face shall be not smaller than ten point or (5) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall be not smaller than fourteen point nor (6) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply Provided however That any portion of such policy which purports by reason of the circumstances under which a loss is incurred to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold face type and with greater prominence than any other portion of the text of the policy

Section 3 Every such policy so issued shall contain certain standard provisions which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "Standard Provisions" In each such standard provisions wherever the word "Insurer" is used there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate to the insurer Said standard provision shall be

(1 A standard provision relative to the contract which may be in either of the following two forms Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation and Form (B) to be used in policies which do so provide If Form (B is used and the policy provides indemnity against loss from sickness the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured"

(a) 1 This policy includes the endorsements and attached papers if any and contains the entire contract of insurance No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation

(b) 1 This policy includes the endorsement and attached papers if any and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy or while he is doing any act or thing pertaining to any occupation so classified except ordinary duties about his residence or while engaged in receration in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation

If the law of the state in which the insured resides at the time this policy is issued required that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the state official having supervision of insurance in such state then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law but if such filing is not required by such law then they shall mean the insurer's premium rates and classification of risks last made effective by it in such state prior to the occurrence of the loss for which the insurer is liable

(2) A standard provision relative to changes in the contract which shall be in the following form

2 No statement made by the applicant for insurance not included herein shall be avoid the policy or be used in any legal proceeding hereunder No agent has authority to change this policy or to waive any of its provisions No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon

(3) A standard provisions relative to reinstatement of policy after lapse which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness

(A) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover loss resulting from accidental injury thereafter sustained

(B) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premimum by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten days after the date of such acceptance

(C) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance

(4) A standard provision relative to time of notice of claim which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness If Form (A) or Form (C) is used the insurer may at its option add thereto the following sentence "In event of accidental death immediate notice thereof must be given to the insurer"

(A)—4 Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury

(B)—4 Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness

(C)—4 Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness

(5) A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the blank space such office and its location as it may desire to designate for such purpose of notice

5 Such notice given by or in behalf of the insured or beneficiary as the case may be to the insurer at..... or to any authorized agent of the insurer with particulars sufficient to indentify the insured shall be deemed to be notice to the insurer Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible

(6) A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows

6 The insurer upon receipt of such notice will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not so furnished within fifteen days after the receipt of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurrence character and extent of the loss for whch claim is made

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided

(A)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made

(B)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable

(C)—7 Affirmatve proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss

(8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following form

8 The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law

(9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability The insurer shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time not more than sixty days as it may desire Form (A) to be used in policies which do not provide indemnity for loss of time on account of disability and Form (B) to be used in policies which do so provide

(A) 9 All indemnities provided in this policy will be paid .....after receipt of due proof

(B) 9 All indemnities provided in this policy for loss other than that of time on account of disability will be paid ..... after receipt of due proof

(10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability which provision shall be in the following form and which may be omitted from any policy not providing for such indemnity The insurer shall insert in the first blank space of the form appropriate language to designate the proportion of accrued indemnity it may desire to pay which proportion may be all or any part not less than one-half and in the second blank space shall insert any period of time not exceeding sixty days

10 Upon request of the insured and subject to due proof of loss ..... accrued indemnity for loss of time on account of disability will be paid at the expiration of each ..... during the continuance of the period for which the insurer is liable and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof

(11) A standard provision relative to indemnity payments which may be in either of the two following forms Form (A) to be used in policies which designate a beneficiary and Form (B) to be used in policies which do not designate any beneficiary other than the insured

(A) 11 Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured and otherwise to the estate of the insured All other indemnities of this policy are payable to the insured

(B) 11 All the indemnities of this policy are payable to the insured

(12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form

12 If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy the insurer upon written request of the insured and surrender of the policy will cancel the same and will return to the insured the unearned premium

(13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary

13 Consent of the beneficiary shall not be requisite to surrender or assignment of this policy or to change of beneficiary or to any other changes in the policy

(14) A standard provision limiting the time within which suit may be brought upon the policy as follows

14 No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of the loss has been filed in accordance with the requirements of this policy nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy

(15) A standard provision relative to time limitations of the policy as follows

15 If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued such limitation is hereby extended to agree with the minimum period permitted by such law

Section 4 No such policy shall be so issued or delivered which contains any provisions (1) relative to cancellation at the instance of the insurer or (2) limiting the amount of indemnity to a sum less than the amount stated in the policy and for which the premium has been paid or (3) providing for the deduction of any premium from the amount paid in settlement of claim or (4) relative to other insurance by the same insurer or (5) relative to the age limits of the policy unless such provisions which are hereby designated as optional standard provisions shall be in the words and in the order in which they are hereinafter set forth but the insurer may at its option omit from the policy any such optional standard provision Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in section three of this act

(1) An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows

16 The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured and such cancellation shall be without prejudice to any claim originating prior thereto

(2) An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows

17 If the insured shall carry with another company corporation association or society other insurance covering the same loss without giving written notice to the insurer then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loan and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined

(3) An optional standard provision relative to deduction of premium upon settlement of claim as follows

18 Upon the payment of claims hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom

(4) An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification or risks filed as required by this act

(A) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity in excess of $..... the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(B) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for loss of time on

account of disability in excess of $..... weekly the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(C)—19 If a like policy or policies previously issued by the insurrer to the insured be in force concurrently herewith making the aggreate indemnity for loss other than that of time on account of disability in excess of $..... or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured

(5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect

20 The insurance under this policy shall not cover any person under the age of.....years nor over the age of.... years Any premium paid to the insurer for any period not covered by this policy will be returned upon request

Section 5 No such policy shall be issued or delivered if it contains any provision contradictory in whole or part of any of the provisions hereinbefore in this act designated as "Standard Provisions" or as "Optional Standard Provisions" nor shall any endorsements or attached papers vary alter extend be used as a substitute for or in any way conflict with any of the said "Standard Provisions" or the said "Optional Standard Provisions" nor shall such policy be so issued or delivered if it contains any provision purporting to make any portion of the charter constitution or by-laws of the insurer a part of the policy unless such portion of the charter constitution or by-laws shall be set forth in full in the policy put this prohibition shall not be deemed to apply to any statement of rates of classification of risks filed with the Insurance Commissioner in accordance with the provisions of this act

Section 6 The falsity of any statement in the application for any policy covered by this act shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer

Section 7 The acknowledgment by any insurer of the receipt of notice given under any policy covered by this act or the furnishing of forms for filing proofs of loss or the acceptance of such proofs or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy

Section 8 No alteration of any written application for insurance by erasure insertion or otherwise shall be made by any person other than the applicant without his written consent and the making of any such alteration without the consent of the applicant shall be a misdemeanor If such alteration shall be made by any officer of the insurer or by any employee of the insurer with the insurer's knowledge cr consent then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application The commissioner may revoke the license of the insurer for any violation of this section

Section 9 A policy issued in violation of this act shall be held valid but shall be construed as provided in this act and when any provision in such a policy is in conflict with any provision of this act such provision shall be invalid and the policy shall be deemed to contain all of the standard provisions

Section 10 The policies of insurance against accidental bodily injury or sickness issued by an insurer not organized under the laws of this Commonwealth may contain when issued in this Commonwealth any provision which the law of the State territory or district of the United States under which the insurer is organized prescribes for insertion in such policies and the policies of insurance against accidental bodily injury or sickness issued by an insurer organized under the laws of this Commonwealth may contain when issued or delivered in any other State territory district of country any provision required by the laws of the State territory district or country in which the same are issued anything in this act to the contrary notwithstanding

Section 11 Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this act or in the benefits payable thereon or in any of the terms of conditions of such policy or in any other manner whatsover is prohibited

Section 12 (1) Nothing in this act however shall apply to or affect any policy or liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof or to any corporation co-partnership association or individual employer police or fire department underwriters' corps salvage bureau or like associations or organizations where the officers members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy

(2) Nothing in this act shall apply to or in any way effect contracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness provided that no such supplemenetal contract shall be issued or delivered to any person in this Commonwealth unless and until a copy of the form thereof has been submitted to and approved by the Insurance Commissioner under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him

(3) Nothing in this act shall apply or in any way affect fraternal benefit societies

(4) The provisions of this act contained in clause (five) of section two and clauses two three eight and twelve of section three may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employees

Section 13 Every company corporation association society or other insurer or any officer or agent thereof which or who issues or delivers to any person in this Commonwealth any policy in willful violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars for each offense The Insurance Commissioner may revoke the license of any company corporation association society or other insurer of another State or country or of the agent thereof which or who willfully violates any provision of this act

Section 14 This act shall take effect on the first day of October one thousand nine hundred and thirteen Any policy covered by this act the form of which has received the approval of the Insurance Commissioner may be issued or delivered in this Commonwealth on and after the said date

Section 15 Section twenty-six twenty-seven twenty-eight twenty-nine thirty and thirty-one of the act approved June first one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of causalty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" are repealed

All other acts or parts of acts inconsistent with this act are repealed

An Act providing and requiring standard provision in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1054, as follows:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of Anno Domini one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) which reads as follows

"Section 12 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims shall include the lot in front of or upon which the work is done of such depth as is usual in properties of the same kind or character in the particular neighborhood "but not including any part of a lot abutting at the rear thereof on another highway other than an alley Where the lost as used does abutt atthe rear thereof on another highway other than an alley the lot shall be so apportioned as to give to both front and rear an appropriate depth suitable as far as may be for the purposes thereof" shall be and the same is hereby amended to read as follows

Section 12 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims for the recovery of assessments made against properties benefited by any of the municipal improvements in this act mentioned snall include the entire property abutting on such improvement to the depth to which the same is found to be benefited In other cases the property described in municipal claims shall include the lot in front of or upon which the work is done of such depth as is usual in properties of the same kind or character in the particular neighborhood

No municipal or tax claim shall be invalidated by reason of including therein property to a greater depth than hereoy subjected to such claim but the court in which the same is filed may at any time prior to judgment thereon but not afterwards upon it appearing that such claim includes property to a greater depth than hereby made subject to such claim limit the lien thereof to the proper depth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 895, as follows:

An Act amending article two of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven by eliminating the Department of Collector of Delinquent Taxes and by providing for the duties of the Department of Collector of Deliquent Taxes to be transferred to the Department of City Treasurer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article two of an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven which as amended reads as follows

"There shall be the following executive departments
"I Department of Public Safety
"II Department of Public Works
"III Department of Collector of Delinquent Taxes
"IV Department of Assessors
"V Department of City Treasurer
"VI Department of City Controller
"VII Department of Law
"VIII Department of Charities
"IX Sinking Fund Commission
"X Department of Public Health
"XI Department of Supplies

"No department shall be created other than those herein enumerated but councils may by ordinance provided that the city treasurer may be appointed collector of delinquent taxes and also that the city treasurer may be appointed Director of the Department of Supplies and that one person may be appointed Director of the Department of Charities and the Department of Public Health

"Councils shall provide by ordinance for such bureaus clerks or other subordinate officers as may be required for the transaction of the business of the departments

"Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article one hereof for its own government regulating the conduct of its officers clerks and employes the distribution and performance of its business and the custody use and preservation of the books records papers and property under its control

"Each department shall furnish to the mayor or councils or either branch of councils such information as he as they may at any time demand in relation to its affairs

"The heads and members of all departments and all subordinate officers clerks and employes shall give bonds as may be fixed by ordinance

"The Department of Supplies shall be under the charge of a director who shall be the head thereof

"The mayor shall nominate and by and with the advice and consent of the select council appoint the Director of the Department of Supplies

"The Department of Supplies shall have the direction control and administration of the purchase and supply of all personal property required in the conduct of the business of the city All other departments shall obtain such personal property by requisition upon the Department of Supplies and not by purchase direct The manner and form of such requisition may be prescribed by ordinance or in default thereof by standing rule of the department of Supplies All appropriations of money for the purchase and supply of such personal property shall be made to and be expended by the Department of Supplies and all contracts for the purchase of such personal property shall be made and entered into by and with the mayor and Director of the Department of Supplies in the manner now required by law" is hereby further amended to read as follows

Section 1 There shall be the following executive departments

I Department of Public Safety
II Department of Public Works
III Department of Assessors
IV Department of City Treasurer
V Department of City Controller
VI Department of Law
VII Department of Charities
VIII Sinking Fund Commission
IX Department of Public Health
X Department of Supplies

No department shall be created other than those herein enumerated but council may by ordinance provide that the city treasurer may be appointed director of the Department of Supplies and that one person may be appointed director of the Department of Charities and the Department of Public Health

Councils shall provide by ordinance for such bureaus clerks or other subordinate officers as may be required for the transaction of the business of the departments

Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article one hereof for its own government regulating the conduct of its officers clerks and employes the distribution and performance of its business and the custody use and preservation of its books records papers and property under its control

Each department shall furnish to the mayor or councils or either branch of councils such information as he or they may at any time demand in relation to its affairs

The heads and members of all departments and all subordinate officers clerks and employes shall give bonds as may be fixed by ordinance

The Department of Supplies shall be under the charge of a director who shall be the head thereof

The mayor shall nominate and by and with the advice and consent of the council appoint the Director of the Department of supplies

The department shall have the direction control and administration of the purchase and supply of all personal property required in the conduct of the business of the city All other departments shall obtain such personal property by requisition upon the Department of Supplies and not by purchase direct The manner and form of such requisition may be perscribed by ordinance or in default thereof by standing rule of the Department of Supplies All appropriations of money for the purchase and supply of such personal property shall be made to and be expended by the Department of Supplies and all contracts for the purchase of such personal property shall be made and entered into by and with the mayor and the director of the Department of Supplies in the manner now required by law

All of the powers right and duties conferred upon the Department of Collector of Delinquent Taxes shall be exercised and performed by the Department of City Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 452, as follows:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of colecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby repealed

And said bill having been read at length and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 865, (Senate Bill No. 157), entitled:

An Act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commisioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads

and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commisioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assesed for the taking of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 857, as follows:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers now possessed and exercised by the judges of the seperate orphans' court of the Commonwealth said judges shall when called upon by the president or other law judge of any court of common pleas as hereinafter provided have power to hear and determine all pleas actions causes civil or criminal issues and other matters in courts of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts

Section 2 Nothing in this act shall be construed to make it compulsory upon the judges of said orphans' courts to render the services aforesaid but whenever the proper dispatch of business requires it and an arrangement can be made with a judge of such orphans' court for such service the president judge of the court of common pleas of the proper county may certify all matters or issues to be heard and determined by such orphans' court judge specially presiding as aforesaid

Section 3 In districts having one or more additional law judges whenever the president judge shall be absent from the district or disabled by sickness and occasion should occur it shall be competent for the additional law judge and in districts having more than an additional law judge for the one oldest in commission being then in the district to arrange for the service herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

Section 4 No additional compensation shall be received by the said orphans' court judges for any service rendered in pursuance hereof but they shall be entitled to be paid such mileage and other actual expenses as provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1090, as follows:

A Supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost or such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven Pamphlet Laws two hundred forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That adjoining counties of this Commonwealth shall have the same powers to provide public roads specially constructed extending along and adjacent to county lines and from one adjoining county into another as are now vested in counties by the provisions of the act to which this act is a supplement relative to specially constructed roads in the several counties of this Commonwealth

Section 2 The procedure and jurisdiction in each county in such cases shall be the same as to the portion or portions of such public road or highway lying within its limits (the several portions thereof lying within its limits to be treated in all proceedings as one continuous road or highway) as is provided in the act to which this act is a supplement for the construction of roads thereunder except that the petition plans and survey of such road or highway shall describe and exhibit as well the portion or portions of such road or highway within the limits of such county as the portion or portions thereof extending along the line of or into an adjoining county

Section 3 All acts or parts of acts supplied hereby or inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1114, entitled:

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act no person engaged as hoisting engineer in or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal or rock from the said mines shall have charge of more than one engine and such engineer shall remain continuously in the engine house while men or boys are in the mines

On the question,

Will the House agree to the section?

Mr. DONAHOE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, line 10 by striking out the word "house" and inserting the word "room."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third section and title were then separately read and agreed to as follows:

Section 2 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars and not more than one hundred dollars or imprisonment in the county jail not exceeding three months or either or both at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the preven-

tion of cruelty to animals to carry out the provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any policeman or constable of any borough township or city or any agent of any duly incorporated society or association for the prevention of cruelty to animals may lawfully destroy or cause to be destroyed any animal or animals in his charge when in the judgment of such policeman constable or agent and by the written certificate of two reputable citizens called to view such animal or animals in his presence one of whom may be selected by the owner of the said animal or animals if he shall so request such animal or animals appears to be injured disabled diseased past recovery or unfit for any useful purpose

Section 2 Any magistrate alderman or justice of the peace upon the trial of any person charged with the violation of any act for the prevention of cruelty to animals shall inquire into the condition f h nml oietaaolwa-iiaetaon shall inquire into the condition of the animal or anmals charged wth being ill-treated or otherwise abused and if it is proven to his satisfaction that said animal or animals are so injured disabled or diseased past recovery or unfit for any useful purpose he shall direct as part of the sentence that such animal or animals shall be humanely destroyed and shall authorize any policeman or constable of any borough township or city or any agent of any duly incorporated society or association for the prevention of cruelty to animals to carry that part of the sentence into effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1116, entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the Board of Managers of juvenile schools or farms as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof and the various supplements thereto upon their written request from time to time sums of money from the amount appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county in this Commonwealth having a popuplation of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants are hereby authorized and empowered from time to time upon the written request of the board of managers of any of the juvenile school or farm contained therein as established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled 'An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto to turn over to said board of managers for the maintenance equipment and construction of said juvenile school or farm from the amounts appropriated thereto during each fiscal year from time to time sums of money not less than ten thousand dollars ($10,000) each time by warrant drawn on the county treasurer to be first countersigned by the county controller in such form as may be now used for the disbursement of funds for general county purposes and all of such moneys expended on account of said school by said board of managers shall be accounted for to and be subject to audit by the county controller in each of said counties in manner now provided by law

Section 2 All acts or parts of acts so far as the same are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act to authorize townships of the First Class to provide for fire protection

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in every township of the first class shall have power to take measures for the extinguishment of fires either by making annual appropriations towards the maintenance of one or more fire companies in such township or in such other manner as said board of commissioners may deem proper And the board shall have power to ordain rules and regulations for the government of such fire companies and their officers and to regulate the method to be followed in the extinguishment of fire

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 921, entitled:

An Act authorizing citits boroughs and townships to enact ordinances regulating pipes or tubes used to convey gas

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each city borough and township may by ordinance prohibit the use of any but metal pipes or tubes in conveying gas to the place or point of actual combustion Provided that this act shall not apply to the conveying of gas to gas fixtures used for lighting or hot plates used for cooking purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 357, entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picinc grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence"

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amustment of the public in this Commonwealth and fixing the penalties for the commission of such offence" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person or persons shall willfully make or cause to be made any loud boisterous and unseemingly noise or by using obscene or profane language distrub and annoy any one who shall be passengers upon any railroad or railway car or who may be visitors at any public or private park or picnic grounds kept for the amusement of the public in this Commonwealth whereby through such conduct the public peace is broken or distrubed or the public annoyed he she or they shall be guilty of the offence of disorderly conduct and upon conviction thereof before any magistrate justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person or persons shall willfully make any loud boisterous and unseemingly noise or by using obsence or profance language distrub and annoy any one who shall be passengers upon any railroad or railway car or who may be visitors at any public or private park or picnic grounds kept for the amusement of the public in this Commonwealth whereby through such conduct the public peace is broken or distrubed or the public annoyed he she or they shall be guilty of the offence of disorderly conduct and upon conviction thereof before any magistrate justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days

It shall be the duty of any conductor in charge of any passenger train on a steam service railroad to arrest on view any person so conducting himself in a disorderly man-

ner in such train and to deliver such person into the custody of any constable or any police officer in the county who shall forthwith deliver such person to the keeper of the proper jail or prison or lockup to await a hearing as aforesaid

And said bill having been read at length the second time time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 835, entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in all actions before magistrates aldermen or justices of the peace by landlords for the recovery of the premises because of the expiration of the lease for which the premises were rented or for nonpayment of rent if no one be found on the premises or within the jurisdiction of the officer issuing the writ on who the notice or summons may be served or in case access to the premises cannot be gained to serve the same then the same may be served by posting a copy thereof on the building on the premises in a conspicuous place

On the question,

Will the House agree to the section?

Mr. ROTHENBERGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, line 9, by striking out the word "who" and insert the word "whom."

It was agreed to.

Will the House agree to the amendment?

The Section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act relating to the service of notices and summons in landlord and tenant cases

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 598, entitled:

An Act to prohibit the employment at any work or labor or any minor child under the age of twenty-one years and over the age of sixteen years in or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may ascertain such age and providing a penalty for non-compliance with the provisions of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the fourth day of July Anno Domini one thousand nine hundred and thirteen it shall be unlawful for any person partnership or corporation or the agent of any such person partnership or corporation to employ any work or labor in or around any anthracite coal mine or colliery any minor child between the ages of sixteen years and twenty-one years for more than eight hours per day

On the question,

Will the House agree to the section?

Mr. CLEARY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, line 7, after "employ" insert "at."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The second section then read and agreed to as follows:

Section 2 Any employer of labor in and around any such anthracite coal mine or colliery may demand from the person applying for work an affidavit duly taken before some one authorized to administer an oath that the person so applying for work is above the age of twenty-one years and if a legal affidavit is so furnished to said employer of labor in and around any anthracite coal mine or colliery the said affidavit when produced in court shall be a full answer to any suit or demand for the penalty imposed by this act Said affidavit shall be placed on file in the office of said company open to public inspection and shall be returned to the person furnishing said affidavit when he leaves the employ of that employer

The third section was read as follows:

Section 3 Any person partnership or corporation violating the provisions of this act shall be subject to a penalty of five hundred dollars for each and every offense which penalty shall be collected by suit entered in the Court of Common Pleas in the county in which said offense was committed said suit to be instituted by the Chief of the Department of Mines in the name of the Commonwealth of Pennsylvania and the fine so collected to be paid into the Treasury of the Commonwealth

On the question,

Will the House agree to the section?

Mr. CLEARY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 3, line 7, by striking out "fine" and inserting "penalty."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The fourth section was then read as follows:

Section 4 If thirty or more citizens of this Commonwealth shall bring to the notice of the Chief of the Department of Mines by affidavit that any person partnership or corporation is violating the provisions of this act the said Chief of the Deartment of Mines shall within thirty days from that date fail to institute suit against the party so offending as provided for by this act then in that case it shall be the right of any citizen of this Commonwealth to institute said suit in the name of and to the use of the Commonwealth of Pennsylvania Provided however That if any citizen or citizens shall institute suit as provided for in this section the citizen or citizens so instituting said suit shall be liable for the costs of said suit in case said suit is decided against them

On the question,

Will the House agree to the section?

Mr. CLEARY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 4, line 4, after "act" insert "and if."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to prohibit the employment at any work or labor or any minor child under the age of twenty-one years and over the age of sixteen years in or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may ascertain such age and providing a penalty for non-compliance with the provisions of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 697, entitled:

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowerng corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violation of this act

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That individuals patnerships and corporations of this Commonwealth hereby designated subscribers are hereby authorized to exchange reciprocal or inter-insurance contracts with each other or with individuals partnerships and corporations of other States and countries providing indemnity among themselves from any loss which may be insured against under other provisions of the insurance laws excepting life insurance

Section 2 Such contracts may be executed by an attorney agent or other representative herein designated attorney duly authorizel and acting for such subscribers

Section 3 Such subscribers so contracting among themselves shall through their attorney file with the Insurance

Commissioner of this Commonwealth a declaration verified by the oath of such attorney setting forth

(a) The name or title of the office at which such subscribers propose to exchange such indemnity contracts Said name or title shall not be so similar to any other name or title previously adopted by a similar organzaton or by any insurance corporation or association as in the opinion of the Insurance Commissioner is calculated to result in confusion or deception

(b) The kind or kinds of insurance to be effected or exchanged

(c) A copy of the form of policy contract or agreement under or by which such insurance is to be effected or exchanged

(d) A copy of the form of power of attorney or other authority of such attorney under which such insurance is to be effected or exchanged

(e) The location of the office or offices from which such contracts or agreements are to be issued

(f) That applications have been made for indemnity upon at least one hundred separate risks aggregating not less than one and one-half million ($1,500,000.00) dollars as represented by executed contracts or bona fide applications to become concurrently effective or in case of liability or compensation insurance covering a total pay roll of not less than one and one-half million (1,500.000) dollars

(g) That there is on deposit with such attorney and available for the payment of losses a sum of not less than twenty-five thousand ($25,000.00) dollars

Section 4 Concurrently with the filing of the declaration provided for by the terms of section three hereof the attorney shall by a duly executed instrument filed in his office constitute and appoint the Insurance Commissioner or his successor the true and lawful attorney upon whom all lawful processes in any action rule order or legal proceeding against such subscribers may be served and therein shall agree that any lawful process against such subscribers which may be served upon him as the said attorney shall be of the same force and validity as if served on the said attorney and that the authority thereof shall continue in force irrevocable so long as any liability remains outstanding in this Commonwealth The service of process shall be made by leaving the same in duplicate in the hands or office of the commissioner one copy certified by the commissioner as having been served upon him shall be deemed sufficient evidence thereof and service upon the commissioner shall be deemed valid service upon all subscribers exchanging at any time reciprocal or inter-insurance contracts through such attorney When legal process is served upon the commissioner as attorney he shall forthwith forward one of the duplicate copies of the process served on him to the attorney for the subscribers As a condition of valid and effective service and of the duty of the Insurance Commissioner in the premises the plaintiff in each such process shall pay to the Insurance Commissioner at the time of the service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Insurance Commissioner shall keep a record of all such process which shall show the day and hour of service

Section 5 There shall be filed with the Insurance Commissioner of this Commonwealth by such attorney a statement under the oath of such attorney showing the maximum amount of indemnity upon any single risk and such attorney shall whenever and as often as the same shall be required file with the Insurance Commissioner a statement verified by his oath to the effect that he has examined the commercial rating of such subscribers as shown by the reference book of a commercial agency having at least one hundred thousand subscribers and that from such examination or from other information in his possession it appears that no subscriber has assumed on any single risk an amount greater than ten per centum of the net worth of such subscriber

Section 6 There shall at all times be maintained as a reserve a sum in cash or in securities of the character permitted by the laws of the State under which the exchange is organized for the investment of the capital and funds of an insurance company equal to fifty per centum of the aggregate net annual deposits collected and credited to the account of the subscribers on policies having one year or less to run and pro rata on those for longer periods Net annual deposits shall be construed to mean the advance payments of subscriber after deducting therefrom the amounts specifically provided in the subscribers' agreements for expenses Said sum shall at no time be less than twenty-five thousand ($25,000.00) dollars and if at any time fifty per centum of the aggregate deposits so collected and credited not equal that amount then the subscribers or their attorney for them shall make up any deficiency under penalty of a revocation of the license

Section 7 Such attorney shall make a report to the Insurance Commissioner for each calendar year on or before the first day of March showing the financial condition of affairs at the office where such contracts are issued and shall furnish such additional information and reports as he may require

Provided however that such attorney shall not be required to furnish the names and addresses of any subscribers nor the loss ratio

The business affairs and assets of such organization shall be subject to examination by the Insurance Commissioner

Section 8 Any corporation now or hereafter organized under the laws of this Commonwealth shall in addition to the rights powers and franchises specified in its articles of incorporation have full power and authority to exchange insurance contracts of the kind and character herein mentioned The right to exchange such contracts is hereby declared to be incidental to the purposes for which such corporations are organized and as much granted as the rights and powers expressly conferred

Section 9 Any attorney who shall except for the purpose of applying for certificate of authority as herein provided exchange any contracts of indemnity of the kind and character specified in this act or directly or indirectly solicit or negotiate any applications for same without first complying with the foregoing provisions shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1,000.00) dollars

The tenth section of the bill was read as follows:

Section 10 Each attorney by or through whom are issued any policies of or contracts for indemnity of the character referred to in this act shall procure from the Insurance Commissioner annually a certificate of authority stating that all the requirements of this act have been complied with and the payment of the fees required by this act the Insurance Commissioner shall issue such certificates The Insurance Commissioner may revoke any certificate of authority issued hereunder

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 10, line 5, after "and" insert "upon."

On the question,

Will the House agree to the amendment?

It was agreed to.

The Section as amended was then agreed to.

The eleventh, twelfth and thirteenth sections and title were then separately read and agreed to as follows:

Section 11 Such attorney shall pay to the Commonwealth the same fees as are now required by law to be paid by foreign insurance companies transacting business in this Commonwealth and the same taxes as are collected by other States from inter-insurance or reciprocal exchanges organized in Pennsylvania and exchanging indemnity in such States Provided that in the payment of taxes he may deduct from the gross premiums or deposits received during the calendar year all amounts returned to subscribers or credited to their accounts other than for losses

Section 12 Except as herein provided no insurance law of this Commonwealth shall apply to the exchange of such indemnity contracts unles they are specially mentioned

Section 13 The act approved February fourth one thousand eight hundred and seventy entitled "An Act to prevent the issue of unauthorized policies of insurance" and section thirty-two of the act approved June first one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" in so far as they apply to reciprocal or inter-insurance contracts and also all other acts or parts of acts inconsistent with this act are hereby repealed

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowering corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violations of this act

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 479, entitled:

An Act to amend section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Ano Domini one thousand nine hundred and eleven which reads as follows

"Section 561 To all school taxes assessed and levied in all school districts of the second third and fourth class in this Commonwealth which are not paid on or before the first day of October in the year in which they are assessed and levied there shall be added a penalty of five per centum which shall be collected at the same time as and in addition to the school taxes of which it is made a part No discounts or rebates shall be allowed on the payment of any school taxes assessed and levied in any school district of the second third or fourth class" be and the same is hereby amended to read as follows

Section 561 On all school taxes assessed and levied in all school districts of the second third and fourth classes which are paid prior to the first day of October in the year in which they are assessed and levied a discount of five per centum shall be allowed No discount shall be allowed on any such taxes paid on or after the said first of October and prior to the first day of February in the succeeding year On all such taxes remaining unpaid on and after said first day of February a penalty of five per centum shall be added which shall be collected at the same time as and in addition to the school taxes of which it is made a part

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1013, entitled:

An Act amending the tenth section of an Act entitled "An Act providing when how and upon what property and how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the mehods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one by changing the procedure for reviving and continuing the liens of municipal and tax claims

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one which as heretofore amended read as follows:

"Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after confirmation of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where no appeal is taken from the assessment for the recovery of which such municipal claim is fixed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If the final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no account is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said porperties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment o nthe scrie facias and in cases of other than tax claims ater judgment on the scire acias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scrie facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests or record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The protonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index of it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scrie facias thereon or of any judgment thereon or of the filing or any prior suggestion the averment of default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment or revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost" shall be and the same is hereby amended to read as follows

Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where no appeal is taken from the assessment for the recovery of which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If the final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facie or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests of record that the above claim is still due and owning to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index in upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim of the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment or default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost

On the question,

Will the House agree to the section?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 42, strike out "no" and insert "an."
Section 1, line 54, strike out the word "the."
Section 1, line 201, strike out "mark" and insert "make."
Section 1, line 232, strike out "in" and insert "it."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was then read as follows:

An Act to amend the tenth section of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one by changing the procedure for reviving and continuing the liens of municipal and tax claims

On the question,

Will the House agree to the title?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Celrk as follows:

Amend title, line 1, insert after the word "amend" the word "further."

Line 9, after the word "one" insert "as heretofore amended."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in action for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" which reads as follows

"Section 5 Every person desiring to operate a motor-vehicle as a chauffeur or as a paid operator shall first obtain a driver's license Application for license shall be made upon a blank furnished by the Highway Department and shall contain the name of the applicant with place of residence including city or town street and number and post-office address and shall state that said applicant is over eighteen (18) years of age and is qualified to operate a motor-vehicle It shall be signed by the applicant and verified by oath or affirmation Upon the receipt of the application and a fee of two dollars ($2.00) the State Highway Department shall issue to the applicant a license and a badge The license shall contain the licensee's name and residence and the date and number of the license and shall be carried by the licensee at all times when operating a motor-vehicle Upon the badge shall be the words 'Pennsylvania Licensed Driver' the year and the number of the license which it accompanies It shall not be less than two and one half (2½) inches in its greatest diameter and shall be conspiciously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor-vehicles" be and the same is hereby amended to read as follows

Section 5 Every person desiring to operate a motor-vehicle as a paid operator shall obtain a driver's license Application for license shall be made upon a blank furnished by the Highway Department and shall contain the name of the applicant with place of residence including city or town street and number and post-office address and shall state that said applicant is over eighteen (18) years of age and is qualified to operate a motor-vehicle It shall be signed by the applicant and verified by oath or affirmation Upon the receipt of the application and a fee of two dollars ($2.00) the State Highway Department shall issue to the applicant a license and a badge The license shall contain the licensee's name and residence and the date and number of the license and shall be carried by the licensee at all times when operating a motor-vehicle Upon the badge shall be the words 'Pennsylvania Licensed Driver' the year and the number of the license which it accompanies It shall not be less than two and one half (2½) inches in its greatest diameter and shall be conspiciously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor-vehicle

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1082 (Senate Bill No. 157), entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of this Commonwealth with respect to their population into two classes and to prescribe the form

of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" which reads as follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" is hereby amended to read as follows

Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over three hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated

On the question,

Will the House agree to the section?

Mr. AMBLER. Mr. Speaker, I offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, line 27, by striking out the word "three" and inserting the word "five."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. MORROW. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 1, after line 31, add the following: Provided that this section shall not apply to road contracts of any township of the first class owning at the time of the passage of this act its own tools, implementes and machinery necessary for repairing public highways.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Mr. ROCKWELL. Mr. Speaker, as I caught that last amendment, it would seem to me that it would nullify the whole bill as to townships of that class.

I move that the vote by which the first section was agreed to be reconsidered.

Mr. AMBLER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ROCKWELL. Mr. Speaker, I move that the vote by which the amendment offered by the gentleman from Lehigh, (Mr. Morrow) was adopted, be reconsidered.

Mr. AMBLER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ROCKWELL. Mr. Speaker, I would ask that the amendment offered by the gentleman from Lehigh be again read.

The amendment was again read by the Clerk as follows:

Section 1, after line 31, add the following: Provided that this section shall not apply to road contracts of any township of the first class owning at the time of the passage of this act its own tools, implements and machinery necessary for repairing public highways.

Mr. ROCKWELL. Mr. Speaker, it seems to me that that amendment if adopted, would absolutely cut out from the provisions of this bill any townships who own machinery at that time. I would ask the gentleman who introduced the amendment if that is the purpose?

Mr. MORROW. Mr. Speaker, the purpose was to allow townships of the first class to own their own machinery without giving out that work by contract.

Mr. ROCKWELL. I would further ask the gentleman if he is not of the opinion that if this amendment is adopted that it would make the bill so that it will not apply to townships of the first class in any shape? The point I make is this: that his amendment says "It shall not apply to any township which owns its own machinery."

Mr. MORROW. That is, the term "Contract" in the first section shall not apply to townships of the first class having their own machinery for road making purposes.

Mr. ROCKWELL. Mr. Speaker, it seems to me that we ought not to adopt this amendment as I understand it.

Mr. MORROW. Mr. Speaker, the reason why I presented that amendment is this. About a year ago we entered into a contract to have a piece of road built in Lehigh, in Whitehall township, giving it out by contract. After the contract was completed, or rather before it was completed we had to pay thirty-seven hundred dollars. Not being allowed by law to do this work ourselves, we had to accept their terms. After having accepted the terms, the road was completed, the terms accepted and paid for, the township commissioners united in saying that the work could be done for twenty-two hundred dollars provided they could have done it themselves, having their own machinery, their crushing machinery and their quarry to provide themselves with stones for that road. That is the reason I offered that amendment.

Mr. ROCKWELL. Mr. Speaker, this bill sets forth that a township cannot let a contract of over one hundred dollars without making certain provisions. The section as written, to be amended, says three hundred dollars, and the gentleman from Montgomery, Mr. Ambler changed the word three hundred to five hundred. This last amendment says that this act shall not apply to any township of the first class which owns its own machinery, if a township of the first class owns a road scraper and other machinery, then this bill is null and void.

Mr. MORROW. I would say that with only road scrapers we could not make many repairs so far as macadam roads are concerned. That is what we are trying to get after. If it were clay roads entirely, we certainly would not fall back on our machinery including a quarry, crushers and rollers. We all know very well that you cannot make very many repairs on a public road on one hundred dollars, or three hundred dollars or five hundred dollars. You would not be able to do very much in a year's time with that amount of money, and the idea of this act is to give us the privilege of expending that money without giving it out by contract, just in that particular line. This does not deprive or compel other purchases made by the Township Commissioners from being let by contract.

Mr. ROCKWELL. Mr. Speaker, I think the gentleman doesn't catch the force of my objection. If a township of the first class, we will say the township that I live in, wants to escape the entire provisions of this act, if this amendment is adopted, all it has to do is to buy machinery, and it takes that township absolutely out of the provisions of this act.

Mr. MORROW. If the member from Tioga will look it over he will find that this amendment pertains only to townships who own their own machinery at the passage of this act, not what it would buy in the future after the passage of this act.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

On the question,

Will the House agree to the bill as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1137, as follows:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" aproved the first day of May one thousand nine hundred and nine which reads as follows

"Section 4 Such school shall be presided over by a superintendent who shall be a person trained in educational and social work and shall have the power of detention over the children committed thereto" is hereby amended to read as follows

Section 4 Such schools shall be presided over by a superintendent who shall be a person trained in educational and social work and shall have a power of detention over the children committed thereto when any boy committed to said schools shall have attained a condition of mental and moral advancement satisfactory to the superintendent and board of managers they shall so certify to the juvenile court which has committed him to said school whereupon the said court may order his release upon parole under conditions which shall be prescribed by said board of managers subject to the approval and direction of the court and in case the conduct of such boy released upon parole shall be such as to satisfy the board of managers that a further period of training is necessary said board shall have the power through its agent or agents at any time during his minority to apprehend and return him to said school were he shall remain subject to the same control as when originally committed and in such case it shall be the duty of the superintendent immediately to notify the said court thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 105, entitled:

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the chief factory inspector and others by prescribing penalties for violations therof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof and by repealing all acts or parts of acts inconsistent with the provisions thereof

The first section was read as follows:

Definitions Establishment Person Week Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable Provided That this act shall not apply to work in private homes

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 119, entitled:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuance reissuance filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posted providing for the enforcement of this act by officers of the Department of Factory Inspection and the Department of Mines by the Superintendent of Public Instruction by officers of the Boards of School Directors and by police officers prescribing penalties for violations of the provisions of this act permitting private prosecutions for violations thereof and defining the procedure in prosecutions thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

The first section was read as follows:

Definitions "Minor" "Establishment" "Person" "Week" "Day"

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "minor" when used in this act shall mean any individual under twenty-one years of age

The term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable except a farm or private home Provided That wherever "establishment" is used in any provision of this act such provision shall be construed not to affect work at any of the occupations mentioned in section thirteen of this act

The term "person" when used in this act shall be construed to include and individual partnership or other unincorporated association corporation and municipality

The term "week' when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 607, as follows:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty one hundred dollars inadvertantly and erroneously paid by it under protest into the State Treasury for a distillers' license for a distillery heretofore and now known as the Standard Distilling Company

Whereas The Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania a corporation duly incorporated under the laws of the State of Pennsylvania did on the fourteenth day of January Anno Domini one thousand nine hundred and ten file its application for a distillers' license at the same place where a distillers' license had been granted for the preceding year of one thousand nine hundred and nine and for many years prior thereto and

Whereas Owing to extensive improvements and changes made on the building machinery and equipment of said distillery no whiskey was manufactured during the preceding year one thousand nine hundred and nine but during said year business was conducted at the place of business of the distillery in the borough of Mount Pleasant under the license for that year and

Whereas The court of quarter sessions of Westmoreland county in making the order for the license for one thousand nine hundred and ten erroneously ordered the payment of a license fee of one thousand dollars instead of the fee paid by an old applicant distilling less than fifty barrels to wit the sum one hundred dollars under the act of Assembly June thirtieth one thousand eight hundred and ninety-seven Pamphlet Laws four hundred and sixty-four

which was decided by the Superior Court of Pennsylvania in the case of New Kensington Distilling Company forty-five Pennsylvania Superior Court page one hundred and ten and

Whereas The said Standard Distilling Company with the said erroneous order paid under protest on the sixteenth day of April one thousand nine hundred and ten to the Commonwealth of Pennsylvania the sum of one thousand dollars whereby there went into the State Treasury the sum of eight hundred and ninety-five and fifty-one hundredth dollars more than should have been paid for the renewal of an old license where there were no spirituous liquors distilled during the previous year

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight hundred and ninety-five and fifty one hundredth dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of refunding to said Standard Distilling Company of Mount Pleasant Pennsylvania the moneys erroneously or inadvertantly paid by it into the State Treasury through a misinterpretation of the law

Section 2 No payment shall be made under the provisions of this act until due proof shall be furnished to the Auditor General of the correctness of the payments mentioned herein to have been so erroneously and inadvertantly made by said Standard Distilling Company

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 223, as follows:

An Act to amend an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" as amended by an act approved the sixteenth day of April one thousand nine hundred and three entitled "An Act amending an act entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" as amended by an act approved the sixteenth day of April one thousand nine hundred and three entitled "An Act amending an act entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers" which as amended reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of the judges and inspectors and several clerks to each election board at all elections hereafter to be held within this Commonwealth for the conduction of the same shall be three dollars and fifty cents at each election so held without regard to time Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city coextensive with a county and shall not alter or affect in any manner the compensation of return judges as fixed by existing laws" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of the judges and inspectors and several clerks to each election board at all elections hereafter to be held within this Commonwealth for the conduction of the same shall be five dollars at each election and each primary so held without regard to time Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city coextensive with a county and shall not alter or affect in any manner the compensation of return judges as fixed by existing laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1167, entitled:

An Act to authorize the appointment by the county commissioners in counties having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants a board of assessors consisting of not less than six (6) nor more than twelve (12) assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants the county commissioners of such counties shall appoint for a period of four (4) years or until their successors are duly qualified a board of assessors consisting of not less than six (6) nor more than twelve (12) sober judicious and intelligent citizens who shall be residents of the county for which they are appointed for at least four (4) years before such appointment as a Board of Assessors and Assessors of Voters all of whom shall not be of the same political party Provided that at least one (1) of said assessors shall be appointed from each Legislative District in said counties where such counties are divided into Legislative Districts

On the question,

Will the House agree to the section?

Mr. ALWORTH: Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section one, line 9, by striking out the word "less" and inserting in lieu thereof the word "more"; strike out the word "six" and insert in lieu thereof the word "seven"; strike out the word "no more than twelve"; in line 10, strike out the numeral "12"; after line 17 add, after the word "districts" the following: "for the purpose of making a triennial assessment, the county commissioners may in their discretion appoint for a period not exceeding one year assistant assessors not to exceed five in number, whose compensation shall be the same as that of the assessors."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. ULERICH. Mr. Speaker. I desire to offer a further amendment to section one.

The SPEAKER: The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend section one, line 5, by inserting after the word "hundred" the word "fifty"; strike out in the same line the words "two hundred thousand" and insert in lieu thereof the words "two hundred and fifty thousand."

On the question,

Will the House agree to the amendment?

BILL POSTPONED.

Mr. ALWORTH: Mr. Speaker, in view of this amendment that has been offered, which would practically nullify this bill, and in the absence of the sponsor of this bill, Mr. Ehrhardt, I move that the further consideration of this bill be postponed for the present.

Mr. HAGGERTY: Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1234, entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any neglected or dependent child is or shall be committed to the care and custody of any association society person or family by any court in pursuance of the laws of this Commonwealth the county from which said child has been committed to the said association society person or family shall be liable to the said association society person or family for the maintenance of the said child and the expenses connected therewith Provided That the county shall in all cases have full resource to recover all expenses incurred in behalf of said child so committed from the parties or persons or poor district properly charged therewith under the laws of this Commonwealth

On the question,

Will the House agree to the section?

Mr. GIBSON. Mr. Seaker, I desire to offer an amendmena to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one, line 6, by inserting after the word "court" the following: "and an order for the payment of the maintenance of the child and the expense of such commitment is made upon the proper county."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1126, entitled:

An Act to prevent the pollution of the waters of the rivers streams and lakes of this Commonwealth by requiring manufactures to post upon the premises in a public and conspicuous place a permit to discharge refuse sewage offal or other matter in said rivers streams and lakes and such permit to be signed by the Commissioner of Health of this State and countersigned by the president of the local board of health and providing for penalties for any violation thereof

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all companies individuals co-partnerships joint stock companies corporations or other associations engaged in the business of manufacturing any and all kinds of products and who now do or may hereafter discharge or cause to be discharged into any river lake or stream of this Commonwealth any refuse offal sewage waste or other matter shall on or before the first day of March one thousand nine hundred and fourteen receive from the Commissioner of Health of this Commonwealth a certificate in the nature of a permit to so discharge any such refuse offal sewage waste or other matter from such factory or plant into such river lake or stream and said certificate shall be duly signed and executed by the Commissioner of Health and shall be endorsed by the proper officer of the local board of health of the municipality in which said manufacturing plant is located

The second section was read as follows:

Section 2 On or before January tenth one thousand nine hundred and fourteen all and every individual company co-partnership joint stock company corporation or other association then engaged in the business of manufacturing and at any date thereafter when any new company individual co-partnership joint stock company corporation or other association shall start any manufacturing plant intended to discharge any refuse offal sewage waste or other matter into any river lake or stream of this Commonwealth shall apply to the local board of health of the municipality in which said manufacturing plant is or may hereafter be located for a permit to discharge such refuse offal sewage waste or other matter into any river lake or stream of this Commonwealth and after the date of said application for such permit so made the owner or proper representative of such manufacturing plant or business shall present to the proper officer of such local board of health the properly sworn and duly executed affidavit which said affidavit shall contain the statements of such owner or proper representative of such plant that the matter so intended to be discharged in any such river lake or stream of this Commonwealth to the best of his knowledge and belief contains no matter or substance injurious to health or detrimental or injurious to fish life

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section 2, line 16 by striking out the words "the properly sworn," strike out in the beginning of line 17 the word "and" and insert in lieu thereof the letter "a."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The third section was read as follows:

Section 3 If due and proper examination of the facts and statements so set forth in the owner's or proper representative's application as described in section two of this act the president of the local board of health shall approve said application and affix the official signature of State Board of Health thereto and shall thereupon forthwith forward the same without undue delay to the Commissioner of Health of this Commonwealth who may without further examination countersign said permit and forward the same to the owner or proper representative of said manufacturing plant who shall forthwith cause said notice to be posted in a conspicuous and public place upon the premises occupied by said manufacturing industry

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section 3, by inserting on line one between the word "if" and "due" the word "upon."

Strike out in line 5, the word "State" and insert in lieu thereof the word "said".

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fourth and fifth sections were then read and agreed to as follows:

Section 4 Upon the granting of said permit as described in section three of this act the owner or proper representative of said manufacturing plant shall pay or cause to be paid to the president of the local board of health a fee of five dollars ($5)

Section 5 Any individual co-partnership joint stock company corporation or other association who are required by this act to post a permit as required in section three of this act in a conspicuous and public place upon the said premises and continuously maintain said permit posted in such conspicuous and public place shall wilfully neglect or refuse to post or maintain said permit in the matter required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) for each day's failure to comply with the provisions of this act and may in addition thereto in the discretion of the court be prohibited thereafter from using said river lake or stream for the purpose of discharging any refuse offal sewage waste or other matter from said manufacturing plant therein

The sixth section was read as follows:

Section 6 Upon complaint in writing to the Commissioner of Health of this Commonwealth by any citizen or resident therein that the refuse sewage offal waste or other matter discharged in any river lake or stream of this Commonwealth by any manufacturing plant included in this act for which a permit as herein described has been isued contains any poisonous matter or noxious matter injurious to public health or destructive to fish life of the river lake or stream in which said matter is discharged the Commissioner of Health shall without undue delay proceed to investigate said complaint and if found to be true the Commissioner of Health shall forthwith withdraw said permit herebefore granted and shall not again grant sign or endorse any other permit unless fully satisfied that the pollution of said river lake or stream will not thereafter be continued in the manner complained of or unless directed so to do by the decree of the court of the proper county in which said manufacturing plant is located

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 6. Strike out in line the word "citiezn" and insert in lieu thereof the word "citizen."

Strike out at the end of line 6 the letters "mat" in lieu thereof the word "heretofore."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The seventh section was read as follows:

Section 7 Any Commissioner of Health or any member of any county board of health who shall willfully issue a permit to any individual company co-partnership joint stock company corporation or other association contemplated by this act knowing the said sewage waste offal refuse or other matter so discharged into any river lake or stream of this Commonwealth shall be guilty of a misdemeanor and upon conviction thereof

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 7, by inserting after line 6 the words "is injurious to public health or is destructive to fish life he or they."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighth and ninth sections were then read and agreed to as follows:

Section 8 Nothing contained in this act shall be so construed as to apply to the mining for coal or other mineral in this Commonwealth nor to in any wise alter change or amend the laws governing the business of mining in this Commonwealth

Section 9 All expenses contracted or to be paid by the Commissioner of Health of this Commonwealth or his proper representative shall be paid out of the State Treasury upon voucher as like expenses are now paid to the Department of Health

The tenth section was read as follows:

Section 10 No court or judge before which a verdict of guilty has been duly rendered for the violation of any section of this act shall have power to intentionally suspend sentence

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section 10, by striking out in line 1, the words "no court or judge before which" and insert in lieu thereof "No judge of any court before whom."

Strike out in line 3 the word "intentionally" and insert in lieu thereof the word "indefinitely."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The eleventh section was then read and agreed to as follows:

Section 11 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act to prevent the pollution of the waters of the rivers streams and lakes of this Commonwealth by requiring manufactures to post upon the premises in a public and conspicuous place a permit discharge refuse sewage offal or other matter in said rivers streams and lakes and such permit to be signed by the Commissioner of Health of this State and countersigned by the president of the local board of health and providing for penalties for any violation thereof

On the question,

Will the House agree to the title?

Mr. BENSON. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by striking out in line 2 the word "manufacturs" and in serting in lieu thereof the word "manufacturers."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act to amend the first section and thesecond section of an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of sad depositories

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a certain act of Assembly entitled "An Act constituting the County Commissioners County Controller and County Treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine (Pamphlet Laws ninety-three) which reads as follows

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any county now or hereafter containing according to the last preceding United States census not less than seven hundred and fifty thousand nor more than one million two hundred thousand inhabitants the Commissioners Controller and Treasurer of such county shall be and are hereby declared to be a board for the following purposes and with the following powers namely

"a They shall meet at the office of the County Controller not later than noon of the third Wednesday following the first Monday of Janary following the electon of the County Treasurer and there decde upon the number of banks or banking institutions to be not less than three in number as depositories of county funds for the term for which the

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemly met and it is hereby enacted by the authority of the same that in any county now or hereafter containing according to the last preceding United States census not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants the Comissioners Controller and Treasurer of such county shall be and are hereby declared to be a board for the following purposes and with the following powers namely

"a They shall meet at the office of the County Controller not later than noon of the third Wednesday following the first Monday of January following the election of the County Treasurer and there decide upon the number of banks banking institutions or trust companies to be not less than three in number as depositories of County funds for the term for which the Treasurer shall have been elected

On the question,

Will the House agree to the section?

Mr. SEMMENS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section 1, after line 30, add "treasurer shall have been elected, is amended to read as follows."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the oHuse agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

That section two of said Act of Assembly which reads as follows

"That at said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county for the term which said rate of interest shall be not less than two per centum per annum calculated on daily balances and deposits shall be made with them as soon as satisfactory bonds approved by the County Commissioners shall be filed with the Controller Provided however That said banks or banking institutions shall have a paid-in capital and surplus of not less than five hundred thousand dollars" be and the same is hereby amended to read as follows

Section 2 That at said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county for the term which said rate of interest shall be not less than two per centum per annum calculated on daily balances and deposits shall be made with them as soon as satisfactory bonds approved by the County Commissioners shall be filed with the Controller or as soon as bonds or stocks of such depository or depositories approved by the County Commissioners shall be delivered to the Controller as collateral security for the safe-keeping of such deposit or deposits Provided however that said banks banking institutions or trust companies shall bave a paid-in capital and surplus of not less than five hundred thousand dollars And provided further in case of any vacancies occurring in

the number of said depositories arising from cessation of business termination of agreement or in any manner whatsoever the said board shall have the power and authority upon a meeting called with due notice to designate additional banks banking institutions or trust companies for the balance of the term subject to the same terms and conditions regulating the original designation of such depositories

The title was read as follows:

An Act to amend the first section and the second section of an act entitled "An Act constituting County Commissioners County Controller and County Treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of County duties describing how the said depositories shall be selected funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the County Commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

On the question,

Will the House agree to the title as read?

Mr. SEMMENS. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read s follows:

Amend title, lines 7, strike out "duties describing how the said depositories shall be selected."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored to inmitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dinig-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure" which now reads as follows "Section one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substance or compound thereof not produced from pre unadultrated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like yellow butter nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or their agent servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleoginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fats or foreign to the said milk or cream unless such firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act

No such substance shall hereafter be sold offered for sale or exposed for sale unless it be put up by manufacturers in bricks prints or rolls of one-half of one pound one two three or five pounds and in no other larger or smaller subdivision Such bricks prints or rolls shall be wrapped and sealed and upon such seal shall be plainly printed the name and address of the manufacturer of said oleomargarine and the said package shall be plainly and conspicuously labelled with the word "Oleomargarine" in Gothic or equally conspicuous letters at least three-eigths of an inch high Said seals shall be so affixed to the one-half of one pound one two three and five pound bricks prints or rolls as to seal the wrappers thereof so that such wrappers or covering may not be opened without destroying the seal affixed thereto Said bricks prints or rolls may be packed by the manufacturer thereof in wooden or other packages or containers each containing not less than ten pounds All sales made by manufacturers of oleomargarine and wholesale dealers in oleomargarine shall be in the original manufacturer's packages or containers in quantities of ten pounds or more at one time Retail dealers in oleomargarine shall sell only from the manufacturer's original packages of the sealed manufacturer's one-half of one pound one two three or five pound bricks prints or rolls and in quantities of ten pounds or less at one time

On the question,

Will the House agree to the section as read?

Mr. RICHARDS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one, line sixty, strike out second "or"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were read and agreed to as follows:

Section 2 That the second section of said act which now reads as follows

"Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance not made or colored in imitation of yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner and the said name and style shall not in the judgment of the Dairy and Food Commissioner be

calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble or be in imitation of yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel restaurant or dinig-room the annual sum of fifty dollars and if a proprietor of a boarding-house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissione or his agent shall be by him immediately covered into the State Treasury Such licenses shall not authorize the manufacture or sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell any oleomargarine butterine or any similar substance made or colored so as to resemble or be in imitation of yellow butter

All licenses under this act shall expire on the thirty-first day of December of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such license may be transferred by the Dairy and Food Commissioner upon the application in writing of the person or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons firm and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons firms and corporations who shall sell in quantities less than ten pounds" is hereby amended so as to read

Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance for which said license the applicant or applicants shall first pay if a manufacturer the aanual sum of one thousand dollars if a wholesalerthe annual sum of five hundred dollars and if aretailer the annual sum of eighteen dollars if the proprietor of a hotel restaurant or dining-room the annual sum of ten dollars and if aproprietor of a boarding-house the annual sum of six dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately covered into the State Treasury Such license shall not authorize the manufacture or sale exposing for sale or having in possesion with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in application and license or in any other form or style of package than that prescribed in Section one of this act All licenses under this act shall expire on the thirtieth day of June of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such licenses may be transferred by the Dairy and Food Commissioner upon the application in writing of the person firm or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 3 That the fifth section of said act which now reads as follows

"Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product not in imitation of yellow butter and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine butterine or other similar substance not in imitation of yellow butter giving the date of sale and shipment the quantity the person to whom sold and shipped the place to which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives Every licensed retail dealer in oleomargarine butterine or similar substance not in imitation of yellow butter shall keep an accurate account in a book open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or any similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such forms as the Dairy and Food Commissioner shall direct" is hereby amended so as to read

Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine and other simlar substance giving the date of sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agent attorneys and representatives and the said books so to be kept by manufacturers and wholesale dealers shall be in such form as the Dairy and Food Commissioner shall direct

Section 4 That the fourth section of said act and all other acts or parts of acts inconsistent with this act are hereby repealed

The title was read as follows:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargerine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors or hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidencse in such procedure"

On the question,

Will the House agree to the title?

Mr. RICHARDS. Mr. Speaker, I desire to offer amendments to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendments were read as follows

Amend line six of title, strike out "or" and insert "of." Also amend line nine title after "to" insert "regulate the manufacture and sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter and".

On the question,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 684, as follows:

An Act to repeal two of an act of Assembly approved June tenth one thousand nine hundred and eleven "An Act to confer power on the several Orphans' courts having jurisdistion thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to confer power on the several Orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made" approved June ten one thousand nine hundred and eleven which reads as follows

"Section 2 Where stocks bonds or other securities have been distributed in kind as provided in section one of this act to any guardian trustee or other fiduciary it shall be the duty of such guardian trustee or other fiduciary to use reasonable diligence in converting such securities as shall not be investments now or hereafter authorized by law and if the guardian trustee or other fiduciary is doubtful as to the propriety of making sale of the securities such guardian trustee or other fiduciary may apply to the Orphans' court having jurisdiction of his accounts by petition for authority and direction to sell the same whereupon after due notice to all parties interested said court shall make such order in the premises as to it may appear proper" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 962, entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five.

The first and second sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five which reads as follows

"Section 2 The said board shall be entitled to demand and receive for each annual registration and for the certificate hereinafter provided a fee not to exceed one dollar which sum shall accompany the application for such registration and the amount derived from this source shall be applied to the proper expenses incurred by the said board as provided by the provisions of the act of May sixteenth one thousand eight hundred and ninety-five Upon receiving a proper application for such registration accompanied by the fee above provided the said board shall issue its certificate of registration to the applicant for registration upon which shall be noted the number of the book and the page therein containing the record of such registration said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act The said books of registration shall constitute a part of the records of the said State Board of Veterinary Medical Examiners" is hereby amended to read as follows

Section 2 The State Board of Veterinary Medical Examiners shall be entitled to demand and receive for each annual registration and for the certificate hereinafter provided for a fee not to exceed five ($5.00) dollars which sum of five ($5.00) dollars shall be the annual fee but which may be reduced to any sum between one ($1.00) and five ($5.00) dollars if in the judgment of the State Board of Veterinary Medical Examiners the amount to be derived from said source will be sufficient to meet the proper expenses incurred by the said board as provided by the provisions of the act of May sixteenth one thousand eight hundred and ninety-five Upon receiving a proper application for such registration accompanied by the fee above provided the said board shall issue its certificate of registration to the applicant for registration upon which shall be noted the number of the book and the page therein containing the record of such registration said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act The said books of registration shall constitute a part of the records of the said State Board of Veterinary Medical Examiners

Section 3 The fourth section of said act which reads as follows

"Section 4 Any person who shall practice veterinary medicine or surgery without having been registered in accordance with the provisions of this act shall be guilty of a misdemeanor and upon convictions thereof in the court of Quarter Sessions of the county wherein the offence shall have been committed shall pay a fine of not more than one hundred dollars for each offense Said State Board of Veterinary Medical Examiners shall be the prosecutor in all such cases" is hereby amended so as to read as follows

Section 4 Any person who shall practice veterinary medicine surgery or dentistry which is one of the branches of veterinary medicine and surgery without having been registered in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the court of Quarter Sessions of the county wherein the offense shall have been committed shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars for each offense Said State Board of Veterinary Medical Examiners or its duly authorized agent shall be prosecutor in all such cases

The title was read as follows:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five

On the question,

Will the House agree to the title?

Mr. REESE. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend the title by adding after line five the following words:

"So that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars, or an annual fee of less than five dollars if sufficient for expenses, and said Board or its duly authorized agent shall be prosecutor in actions for infringements of said act; and also including the practice of veterinary dentistry in the provisions for infringements of said acts."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Mr. REESE. Mr. Speaker, the name "Reeser" appears on the pink and the white calendar of bill 962 and I therefore ask that the name "Reese" be substituted for that of "Reeser."

The SPEAKER. The correction will be made and noted on the record.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1201, entitled:

An Act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" which as heretofore amended reads as follows

"The clerk of the court shall inquire of the parties applying either separately or together for marriage license as aforesaid on oath or affirmation relative to the legality of the contemplated marriage the age of the parties the consent of parents or guardians of such as are under the full age of twenty-one years and any prior marriages or marriages and its or their dissolution and if there be no legal objection thereto he shall grant such marriage license or the parties intending marriage may either separately or together appear before any magistrate alderman notary public or justice of the peace of the township ward or county wherein either of the contracting parties resides and in the county where the license is desired who may and is hereby authorized to inquire of them touching the legality of their contemplated marriage the age of the parties the consent of the parents or guardians when required and such prior marriage and dissolution thereof and such inquiries and the answers thereto having been subscribed and sworn to by the parties before such officer may be forwarded to the clerk of the court who if satisfied after an examination thereof that the same is genuine and that no legal objection to the contemplated marriage exists shall grant a license therefor and if any of the persons intending to marry by virtue of such license shall be under twenty-one years of age the consent of their parents or guardians shall be personally given before such clerk or certified under the hand of such parent or guardian attested by two adult witnesses and the signature of such parent or guardian shall be properly acknowledged before a notary public or other officer competent under the laws to receive acknowledgments which said certificate and oath shall be filed of record in said office and entry of the same shall be made by the said clerk on the marriage license docket as a part of the records of the issuing of said license and for which he shall receive as his fee the sum of fifty cents in addition to the marriage license fee and the said magistrate alderman notary public or justice of the peace for services rendered by him under the provisions of this act shall be entitled to fifty cents The clerk of the courts shall furnish magistrates aldermen or justice of the peace at the cost of the proper county all necessary blanks for acknowledgments and affidavit herein required And if any clerk of any of said courts shall in any other manner issue or sign any marriage license or if any magistrate alderman or justice of the peace shall willfully make any false return to the clerk of the court he shall forfeit and pay any sum not exceeding one thousand dollars to and for the use of the party aggrieved" is hereby further amended to read as follows

Section 3 The clerk of the court shall inquire of the parties applying either separately or together for marriage license as aforesaid on oath or affirmation relative to the legality of the contemplated marriage the age of the parties the consent of parents or guardians of such as are under the full age of twenty-one years and any prior marriage or marriages and its or their dissolution and whether the parties are of Caucasian or Ethiopian descent or a mixture thereof and if there be no legal objection thereto then he shall grant such marriage license or the parties intending marriage may either separately or together appear before any magistrate alderman notary public or justice of the peace of the township ward or county wherein either of the contracting parties resides and in the county where the license is desired who may and is hereby authorized to inquire of them touching the legality of their contempated

marriage the age of the parties the consent of parents or guardians when required and such prior marriage and dissolution thereof and whether the parties are of Caucasian or Ethiopian decent or a mixture and such inquiries and the answers thereto having been subscribed and sworn to by the parties before such officer may be forwarded to the clerk of the court who if satisfied after and examination thereof that the same is genuine and that no legal objection to the contemplated marriage exists shall grant a license therefor and if any of the persons intending to marry by virtue of such license shall be under twenty-one years of age the consent of their parents or guardians shall be personally given before such clerk or certified under the hand of such parent or guardian attested by two adult witnesses and the signature of such parent or guardian shall be properly acknowledged before a notary public or other officer competent under the laws to receive acknowledgments which said certificate and oath shall be filed of record in said office and entry of the same shall be made by the said clerk on the marriage license docket as a part of the records of the issuing of said license and for which he shall receive as his fee the sum of fifty cents in addition to the marriage license fee and the said magistrate alderman notary public or justice of the peace for services rendered by him under the provisions of this act shall be entitled to fifty cents The clerk of the courts shall furnish magistrates aldermen or justices of the peace at the cost of the proper county all necessary blanks for acknowledgments and affidavit herein required And if any clerk of any of said courts shall in any other manner issue or sign any marriage license or if magistrate alderman or justice of the peace shall willfully make any false return to the clerk of the court he shall forfeit and pay any sum not exceeding one thousand dollars to and for the use of the party aggrieved

On the question,

Will the House agree to the section as read?

Mr. DOWN. Mr. Speaker, I desire to offer an amendment to this section.

The Speaker. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend on page four, line number 97, after the "alderman" insert "Notary Public."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eight-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" as amended

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1153, entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflammation of the eyes of infants) shall if the said case be located in a township of the first class a borough or a city forthwith make a report in writing to the Health Authorities of said township city or borough and if said case shall be located in a township of the second class or a city borough or township of the first class not having a board of health or body acting as such to the State Department of Health upon blanks supplied for that purpose in which report he shall under his or her own signature state the name of the disease and the name age sex color and nativity of the infant suffering therefrom together with the street and house number of the premises in which said infant may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the householder in whose family the disease may have occurred together with such other information relating to said case as may be required by said health authorities and the State Department of Health

The second section was read as follows:

Section 2 That any mid-wife or nurse or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth shall report the same in writing to the health authorities of the city borough or township of the first class in which the case may be located or if it be located in a township of the second class of a city borough or township of the first class not having a Board of Health or body acting as such to the State Department of Health or body acting as such to the State Department of Health within six hours after the discovery thereof giving the name of the infant the names of the parents or guardians and the street and number of their residence or otherwise sufficiently designate the same together with the fact that such inflammation or swollen or redness exists and shall make a similar report in writing to some regularly qualified practicing physician of the district

On the question,

Will the House agree to the section as read?

Mr. KAUFMAN. Mr. Speaker, I desire to offer amendments to this section.

The Speaker. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend Section 2, line 8-9. Strike out "to the State Department of Health or body acting as such to."

Also, Section 2, line 6. Strike out "locaed" and insert "located."

Also, Section 2, line 7. Strike out "cf" and insert "or."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections three, four, five, six and seven were read and agreed to as follows:

Section 3 That it shall be the duty of the health authority of the State Department of Health immediately upon receipt of a written report from a mid-wife or a nurse or person other than a practicing physician to notify the parents or guardian or other person having charge of the infant of the danger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same

Section 4 No mid-wife nurse or other person not a physician shall treat or attempt to treat any case of inflamed or swollen or reddened eyes of an infant except the case be in charge of a regularly qualified physician and the treatment be given at his directions

Section 5 Every health officer shall furnish a copy of this act to every person who is known to him to act as a mid-wife or nurse in the city borough or township for which he is health officer and the Commissioner of Health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers

Section 6 Any physician mid-wife nurse or other person who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any Justice of the Peace or Alderman of the county wherein such offense was committed be sentenced to pay a fine of not less than twenty or more than one hundred ($100) dollars to be paid to the use of the said county and the costs of prosecution or to be imprisoned in the county jail for a period of not less than ten (10) or more than thirty (30) days or both at the discretion of the court

Section 7 An "Act for the prevention of blindness imposing a duty upon all mid-wives nurses or other persons having the care of infants and also upon the health officers and fixing penalties for neglect thereof" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five be and the same is hereby repealed

The preamble and title were separately read and agreed to as follows:

Whereas statistics show fully thirty (30) per cent. of cases of blindness to be due to inflamation of the eyes appearing a few days after birth and whereas experience has proved that this inflammation can be cured and the eye-sight saved in the majority of cases if the proper treatment be instituted at an early stage of the disease

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1199, as follows:

An Act to prohibit the clerks of orphans' court from issuing a marriage license to persons of Caucasian and Ethiopian descent who desire to intermarry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That it shall be unlawful for the clerk of orphans' court of any county to issue a marriage license to any person or persons when it shall appear from his observation or from the affidavit taken before him or any other duly authorized officer that one of the parties desiring to be joined in marriage is of pure Caucasian descent and the other party is of Ethiopian descent whether pure or mixed

Section 2 Any person violating the provisions of section one of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000)

Section 3 All acts or parts of acts inconsistent with this act are repealed

Section 4 This act shall not take effect until the first day of January one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 937, entitled:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties.

The first, second, third, fourth, fifth sixth, seventh and eighth sections of this bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Bureau of Housing be established in the State Department of Health with such executive and clerical staff as may be necessary to carry into effect the provisions of this act And the Commissioner of Health with the consent of the Governor is hereby authorized to designate such persons prescribe their titles and respective duties and fix their compensation

Section 2 It shall be the duty of said Bureau to investigate the sanitary conditions of tenement lodging and boarding houses and when the same are found in the opinion of said bureau to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same and to notify the owners or agents thereof in writing setting forth the insanitary or overcrowded conditions thereof and specifying in writing the changes or alterations which shall be made thereto for the purpose of relieving such conditions and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved

A duplicate copy of such notification and service thereof attested by the officer or agent making the same on behalf of the bureau shall immediately after the service thereof be filed in the court of Common Pleas of the county in which such condemned dwelling premises or other building is located and if no appeal be filed within ten days by the owner or agent after service of such notice then an appeal shall be allowed only upon direct order of the court

Section 3 Any appeal from the notification of said bureau through its authorized agents shall set forth the specific facts upon which the appeal is based and upon filing said appeal the court of Common Pleas shall designate three disinterested persons to examine the buildings dwellings and premises and report their conclusions whether the appeal should be dismissed or the order of the bureau enforced or in any way modified Any such finding upon review and hearing by the court shall become final The court shall have the right to fix the compensation of the persons so appointed and such amount shall be paid by the appellant when the findings sustain in whole or in part the notification of said bureau

Upon the expiration of the time designated in the reports to the said court where no appeal is taken or from the final order after appeal the names of those who have failed to comply either with the notice of said bureau or the court's order based upon appeal shall be certified by the officer or agent of said bureau to the district attorney who upon receipt of the same shall cause a prosecution to be at once instituted against such person or persons

Section 4 The officers or agents of this bureau shall have at all times the right of ingress into all premises as aforementioned

Section 5 Any owner or agent of any premises condemned as insanitary or overcrowded who shall neglect to comply with the order of said bureau or with the order of court after appeal and who may continue to rent or use such premises in violation thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined twenty dollars ($20) per day for each day which the premises shall have been used and in default of payment of the same shall be committed to the county jail for such period as the court may direct And there penalties shall apply to the officers of corporations or members of firms either as owners or agents

Section 6 And any owner agent or occupant who interferes with or prevents ingress to any officer or agent of this bureau or to the persons designated by the court for the purposes aforesaid shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for each and every such offense or suffer an imprisonment of not more than sixty days either or both at the discretion of the court

Section 7 The necessary expenses for the salaries of officers and employes and for the operation of this bureau shall be paid from the general appropriation to the Department of Health in the form and manner prescribed for other disbursements

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The preamble of the bill was read as follows:

Whereas, A very large proportion of our population occupy overcrowded and insanitary tenement boarding and lodging houses and

Whereas, It is from these conditions that we derive much personal and industrial inefficiency inebriety dependence tuberculosis and disease in many forms an appalling infant mortality and preventable deaths at all ages a debased citizenship vice and crime all of which lead to physical and moral degeneracy and an ultimate burden upon society and upon the State and

Whereas, We believe that a clean and healthful habitation for the parents work untold influence on a babe yet unborn and that such babe should be received in a home prepared to welcome such a divine blessing that in infancy and youth it should never know the misery and menace of the "slum" but that its environment sohuld promote the highest type of physical and moral development therefore

On the question,

Will the House agree to the preamble?

Mr. WATSON. Mr. Speaker, I desire to offer an amendment to this preamble.

The Speaker. The amendment will be read by the Clerk

The amendment was read as follows:

Amend page 2, preamble, first line, strike out "sohuld" insert "should."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the preamble as amended?

It was agreed to.

The title of the bill was read and agreed to as follows:

An Act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1147, as follows:

An Act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all legal advertisements now required by law to be published in newspapers in counties not exceeding fifty thousand inhabitants shall be inserted in the newspapers having by the sworn statement of the owner or publisher the largest circulation within such county

Section 2 All acts or parts of acts general special or local inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1145, entitled:

An Act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the overseers of the poor of any two or more conveniently located poor districts in any county not having a county poor house are hereby authorized with the approval of the court of quarter sessions to jointly lease or purchase real estate and improve and erect buildings and to provide tools machinery and stock as they may deem necessary and proper to provide a home or farm for the keeping maintaining and employing of such poor persons adjudged proper objects for relief in their respective districts as may be assigned to such home or farm by the over-

seer of the poor of such district and there to keep maintain and employ such poor persons and receive the benefit of the labor of such as are able to work for and toward their maintenance and support and no poor person so assigned who shall refuse to be kept and employed at such home or farm be entitled to relief during such refusal. The title for such real estate shall be taken in the joint name and for the joint use of the districts so uniting. No such joint action as aforesaid shall be had until it shall be separately ratified and entered upon the records of the respective districts so uniting

On the question,

Will the House agree to the section?

Mr. GIBSON. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 17, strike out "and" and substitute "or".
Section 1, line 18, after "farm" insert "shall."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections of the bill were read and agreed to, as follows:

Section 2 The overseers of the poor of any two or more poor districts uniting as provided in section one of this act shall before they purchase or lease any real estate meet as a board on a day certain and annually thereafter and organize by electing a president secretary and treasurer The secretary and treasurer may be allowed such compensation as the board may determine The treasurer shall give bond in an amount to be fixed by the board conditioned for the faithful performance of the duties of his office which bond shall be deposited with the president of said board

Section 3 The board shall ascertain the amount required for the purchase or leasing of real estate and the improvement and construction of buildings together with the cost of equipment and shall apportion such amount among the districts so uniting according to their population or according to such other method or basis as may be agreed upon before such joint action starts and the overseers of such districts are hereby authorized to pay from the poor funds of their respective districts into the treasury of the board the amounts thus apportioned to their respective districts

Secion 4 At any time after the organization of the board the overseers of the separate districts so uniting are authorized to borrow money and issue bonds therefor and negotiate the same for the purpose of raising money to carry out the provisions of section three of this act such bonds shall be payable by the separate districts issuing them and shall not bear interest at a greater rate than six per centum nor be sold below par They may be renewed from time to time should the overseers deem it advisable to do so For the purpose of paying each district's share of the cost of such joint purchase or lease of real state and the permanent improving and equipping of the same or for the purpose of paying debts incurred or bonds issued according to the provisions of this section the overseers of the poor of the respective districts are hereby authorized to levy a building or bond tax in addition to the poor tax for current expenses to be collected in the same manner

Section 5 The board shall have control management and direction of the property leased or purchased as aforesaid and shall provide those things necessary for the maintenance and employment of the inmates make necessary repairs and improvement of building and lands cause the land to be cultivated and use the proceeds of such land and of the labor of the inmates for and toward the support and maintenance of the home or farm The board shall elect each year and fix their compensation a superintendent and such assistants and employees as they shall deem necessary and they may appoint a physician and surgeon all of whom shall be subject to removal by the board at any time

Section 6 A majority of the overseers of the districts so uniting shall be a quorum for the transaction of business they shall meet at such regular times and places as they may agree upon visit and inspect the home and farm and examine into its management see that the inmates are properly treated and cause any just grievances to be corrected or redressed and shall keep a record of their proceedings which shall be evidence of their actions in any subsequent judicial proceedings The board may apppoint an executive committee consisting of such number of members of the board as may be agreed upon and may delegate to such committee such powers and duties as the board may deem proper The expenses of the board and of the executive committee shall be paid out of the joint fund No contract shall be approved nor any expenditure authorized of over two hundred dollars except upon the vote of two-thirds of the board

Section 7 The board shall at its annual meeting for organization or as soon thereafter as possible make a careful written estimate of the amount of money they deem necessary for the proper maintenance operation and support of said poor home or farm for the ensuing year The amount or amounts so determined upon shall be apportioned among the several districts so uniting according to such method or basis as may have been agreed upon before such joint action started and the overseers of the poor of the several districts are authorized and required to pay or to make provision to pay as needed out of their poor fund to the treasurer of the board the amount so apportioned to their respective districts Any income arising from the operation of said home or farm may be used to lessen the current expense to the several districts for improvements stock and equipment or may be distributed among the several districts according to such method or basis as may have been agreed upon whichever the board may decide

Section 8 The board shall keep accurate accounts of all moneys received and paid by them in the performance of their duties All accounts shall be audited by a board of auditors consisting of one of the auditors from each such district chosen by the auditors thereof or in the event of disagreement or no choice then by the president judge of the Court of Common Pleas of the county

Section 9 Whenever such districts so uniting shall agree to discontinue such joint action and ownership or where one or more districts shall desire to discontinue such joint action and ownership the joint assets and indebtedness or the share thereof of such district or districts shall be apportioned or adjusted as may be agreed upon

Section 10 All acts or parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

On the question,

Will the House agree to the title?

Mr. GIBSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Line 4, strike out "ro" and insert "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 554, (Senate Bill No. 14), entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class' by extending the act to include townships of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1083, (Senate Bill No. 160), entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. EHRHARDT. Mr. Speaker, I desire to call up House Bill No. 1167, file folio 2391, entitled:

An Act authorizing the appointment by the county commissioners in counties having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants a board of assessors consisting of not less than six (6) nor more than twelve (12) assessors prescribing their numbers powers duties pro-

cedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

which was placed on the postponed Calendar.

The SPEAKER. When this bill was last before the House, the question was on the adoption of the amendment to the first section which was presented by the gentleman from Westmoreland, Mr. Ulerich. The Clerk will read the amendment.

The amendment was read as follows:

Amend section 1, line 5, by inserting after the word "hundred" the words "and fifty."
Also in line 5, by striking out "(200,000)" and inserting in lieu thereof "(250,000)."

On the question,

Will the House agree to the amendment?

Mr. ALWORTH. Mr. Speaker, I offered certain amendments to the first section. Were they agreed too?

The SPEAKER. They were.

It was agreed to.

The section as amended was then agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth sections were read and agreed to, as follows:

Section 2 The Board of Assessors appointed pursuant to the provisions of this act shall perform all the duties of assessors under the laws of this Commonwealth as to the valuation of property for county purposes and Assessor of Voters

Section 3 That said Board of Assessors shall during the first year of their term of service make or cause to be made a full just and equal assessment of all property within the wards boroughs and townships and their several sub-divisions comprised within the county for which they are appointed subject by law to taxation for county purposes which assessment shall stand until the next triennial assessment for county purposes at which time and every third year thereafter an assessment shall be made and shall in all cases value such property at such sums as the same will in their judgment bring at a fair public sale thereof It shall be their duty to revise alter and equalize the said assessments in respect to proporties in the ward borough or township and the several divisions thereof and to so far modify the assessment during the years succeeding the year of the triennial assessment as the changes of ownership or the conditions of the improvements thereon shall require and they shall complete their annual assessments on or before the first day of February in each year For the purpose of their duties they shall have the custody of all books relating to the assessment of county taxes upon the completion of the assessment as hereinbefore required The said Board shall sit annually on or before the first day of March to hear complaints for the several wards boroughs and townships and their sub-divisions They shall be provided with an office at the County seat

Section 4 It shall be the duty of such boards to give at least five days' written or printed notice to very taxable inhabitant of the county for which they are appointed of the amount or sums for which he stands rated in any triennial assessment and also of any change in his assessment in any intervening year together with the time and place of hearing complaints For the purpose of such hearing said board shall have the authority to administer oaths and affirmations touching any matter relating thereto and any willful false statement under oath as to any materials fact of any complainant or his agent or attorney shall be deemed perjury and punishable as such Any person aggrieved by the final action of any Board of Assessors may appeal therefrom to the County Commissioners whose powers and duties relating to assessment shall remain as heretofore

Section 5 The office of assessors for county purposes in the several wards boroughs and townships in such counties coming under the provisions of this act is hereby abolished in so far as respects the assessment and valuation of property and occupations taxable for state and county purposes and assessor of voters

Section 6 All such assessors shall assemble in convention together with the County Commissioners at least once in each year upon the call of the County Commisioners of the county by whom they are appointed for the purpose of comparing adjusting revising et cetera the value of properties and to furnish the County Commissioners with such other information as shall enable them to properly perform their duties in cases of appeal

Section 7 Each of said assessors shall before entering upon his duties take and subscribe the following oath "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity That I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law" and file the same with the clerk of the court of quarter sessions

Section 8 The compensation of such assessors shall be not less than eighteen hundred dollars ($1,800.00) nor more than twenty-four hundred dollars ($2,400.00) per annum for each assessor the said compensation to be fixed by the County Commissioners and necesary traveling expenses subject to the approval of the County Commissioners and County Controller Any vacancy happening in said board shall be filled by appointment by the County Commissioners for the unexpired term

Section 9 Said Board of Assessors shall have the power to appoint a chief clerk at a salary of fifteen hundred dollars ($1,500.00) per annum

Section 10 That all acts or parts of acts inconsistent with this act or any part thereof be hereby repealed

The title was read as follows:

An Act to authorize the appointment by the county commissioners in counties having not less than two hundred thousand (200,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants a board of assessors consisting of not less than six (6) nor more than twelve (12) assessor prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessors of voters in such counties and providing penalties for violation of this act

On the question,

Will the House agree to the title?

Mr. ALWORTH. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Title, line 4: Strike out "a board." Strike out "consisting of not less than six" and insert in lieu thereof "and assistant."
Title, line 5: Strike out "(6) nor more than (12)."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. ULERICH. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title in line 2, by inserting after the word "hundred" the words "and fifty."
Also in line 2, by striking out "(200,000)" and inserting in lieu thereof "(250,000)."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 562, as follows:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June one thousand nine hundred and thirteen the salaries and compensation of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over shall be as follows First State clerk twenty-five hundred ($2500.00) dollars per annum first assistant clerk two thousand ($2000.00) dollars per annum and all other clerks whether miscellaneous special temporary clerks or assistant clerks each at the rate of fifteen hundred ($1500.00) dollars per annum Such salaries and compensation to be paid monthly according to existing laws

Section 2 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1065, entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a Canal Board to

have charge of said work prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurer of this Commonwealth authorizing the said Canal Board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania shall locate construct maintain and operate a canal or waterway having a navigable depth of not less than twelve feet from the junction of the Ohio and Beaver Rivers in Pennsylvania thence by way of the Beaver and Mahoning Rivers in the State of Pennsylvania and the Mahoning River in the State of Ohio to a point at or near Niles Ohio thence northwardly through the State of Ohio to a terminal on Lake Erie at or near the mouth of Indian Creek in the State of Ohio together with all such locks dams tunnels aqueducts feeders to supply water from any lakes rivers streams or water courses docks harbors reservoir for the supply of water for the canal or its feeders basins piers quays bridges viaducts sidings offices lack houses telegraph and telephone lines power-plants and all other structures appliances or devices of any and all kinds which may be necessary or convenient for the proper construction maintenance and operation of said canal and the development and utilization of the water power that may be created in the construction and operation thereof

Whenever the words "canal or waterway and appurtenances" are hereafter used in this act they shall unless otherwise explained by the context be deemed to refer to and include the canal or waterway and all the works described in this section The cost of constructing completing and installing the aforesaid canal or waterway and appurtenances including salaries and all other expenses incurred by the board hereinafter mentioned in accordance with the provisions of this act while doing said work shall be paid out of funds provided in the manner hereinafter set forth

The second section of the bill was read as follows:

Section 2 The location construction maintenance management and operation of the said canal or waterway and appurtenances shall be in charge and under the control of a board to be known as "The Lake Erie and Ohio River Canal Board of Pennsylvania" which shall have the powers and duties specified in this act and all powers necessary or proper to enable it to carry out the purposes hereof

The board shall consist of five members to be appointed by the Governor by and with the advice and consent of the Senate two of whom may be non-residents of the Commonwealth of Pennsylvania The Governor shall designate one of the members of said board as president who when present shall preside at all meetings of the board The members of the board first appointed shall continue in office for the term of four five and six years respectively as designated by the Governor in making said appointments from the date of their appointment and until their successors shall have been appointed and shall have qualified The successors from time to time of the members first appointed as aforesaid shall be appointed and serve for a term of six years and until their successors shall have been appointed and shall have qualified except in cases of appointment to fill vacancies occurring otherwise than by lapse of time When a vacancy shall occur in the said board a member shall be appointed in the manner aforesaid for the unexpired term of the member in whose place the new member shall be appointed

If the Senate shall not be in session when this act is approved or when a vacancy occurs or a term of office of any member expires the Governor shall make his appointments subject to the approval of the Senate when convened

No vacancy in the board shall impair the right of the remaining members of the board to exercise all the powers of the board

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 2, line 16. Strike out the word "appointments" and insert in lieu thereof the word "appointment."

Line 18, strike out the words "from time to time."

Line 19, after the word "appointed" insert the words "from time to time."

Line 29, strike out the word "appointments" and insert in lieu therof the word "appointment."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The third and fourth sections of the bill were read and agreed to, as follows:

Section 3 Each member of the board shall before entering upon the duties of his office take and subscribe the oath of office prescribed by article seven of the Constitution of this Commonwealth

Each member of the board shall also before entering upon the duties of his office give an official bond payable to the Commonwealth of Pennsylvania in the sum of twenty-five thousand ($25,000.00) dollars with sufficient surety or sureties to be approved by the Governor and the Attorney General conditioned for the faithful discharge of his office and the faithful accounting of all moneys entrusted to him as such member whenever and as often as he shall be lawfully required Said oath and bond shall be filed in the office of the Secretary of the Commonwealth

No member of the board shall be interested directly or indirectly in any contract for work to be done for or supplies to be sold to the board or have any interest whatever in any hydraulic works or any company dependent upon the canal or waterway for a supply of water or in any line of boats regularly navigating the said canal Nor shall any member of the board hold any other office or position or be engaged in any business employment or vocation the duties of which are incompatible with or interfere with the performance of the duties of his office as such member of the board

Section 4 The Governor shall remove from office any member of the board for inefficiency neglect of duty or misconduct in office or who shall violate the provisions of section three of this act The Governor shall furnish to any such member of the board a copy of the charges against him and afford him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days notice If after hearing such member shall be removed the Governor shall file in the office of the Secretary of the Commonwealth a complete statement of all charges made against such member and his findings thereon together with a complete record of the proceedings and there shall be no right to review the same in any court

The fifth section of the bill was read as follows:

Section 5 The board shall have authority to make all rules and regulations consistent with the laws of this Commonwealth that it may deem necessary in the conduct of its business and the exercise of its powers

All business of said Board shall be transacted at meetings held in accordance with its rules A majority of the members of the Board shall constitute a quorum for the transaction of any business or the exercise of any power of the Board The affirmative vote of a majority of the members of the Board shall in all cases be necessary to authorize the making of any contract or the appropriation or expenditures of money

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 5, line 11, strike out the word "expenditures" and insert in lieu thereof the word "expenditure."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The sixth section of the bill was read as follows:

Section 6 The Board shall elect a secretary a treasurer a chief engineer and such officers engineers draughtsmen attorneys experts clerks and other employees as it may deem necessary all of whom shall hold office during the pleasure of the Board and shall receive such compensation and perform such duties as may be prescribed by the Board

The Attorney General ex officio shall be the general counsel of the Board.

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 6, line 3, strike out the word "other."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The seventh section of the bill was read as follows:

Section 7 It shall be the duty of the secretary to keep a full and true record of all the proceedings of the Board in a book or books to be kept for that purpose which shall contain a record of the votes of the several members of the Board upon all resolutions authorizing the making of contracts or the expenditure or appropriation of moneys He shall be the custodian of all the records documents and papers of the Board and shall be responsible to the Board for the same

The treasurer before entering upon the duties of his office shall give bond conditioned for the faithful performance of his duties with such sureties and in such amount

as may be required by the Board He shall keep full and true accounts in detail of all moneys received from all sources by the Board and the disposition made thereof He shall make all disbursements and sign all vouchers for the payment of money by the Board shall keep on file specifically itemized vouchers in such form as may be required by the Auditor General accounting for all moneys disbursed and shall perform generally such other duties as may be prescribed by the Board or by law

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 7, line 20, strike out the word "generally."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighth section of the bill was read as follows:

Section 8 During the time required for the preparation of the survey and the estimates provided for in section twelve of this act the President of the Board shall receive a salary at the rate of five thousand dollars per annum and each of the other members of the Board shall receive a salary at the rate of four thousand dollars per annum. They shall then serve without compensation until such time as the construction of said canal or waterway or appurtenances may be proceeded with under the terms and provisions of this act whereupon the President of the Board shall thereafter receive an annual salary of twelve thousand dollars and each of the other members of the Board an annual salary of ten thousand dollars

Each member of the Board its secretary treasurer chief engineer attorneys and other officers agents employees and appointees shall be paid in addition to their stipulated or agreed salary or compensation all traveling expenses necessarily incurred by each of them in the performance of their official duties

All salaries and compensation payable under this act shall be payable at such times as may be determined and fixed by the Board

Except as hereinafter provided all salaries and compensation and all other expenses and liabilities of every kind incurred by the Board including those for work done under contract for materials supplies machinery and property and rights acquired by purchase or condemnation when properly certified upon voucher by the treasurer and countersigned by the President of the Board shall be audited by the Auditor General and when audited and allowed shall be paid out of moneys herein specifically appropriated for this purpose by warrants drawn therefor by the Auditor General upon the State Treasurer

All expenses of the Board of such a nature as to make it impracticable for the Board to file with the Auditor General itemized receipts or vouchers prior to the advance by the accounting officers of funds sufficient to meet such expenses shall be paid out of moneys specifically appropriated for the purpose in the manner provided by an act entitled "An Act prescribing a method for disbursing and accounting for certain appropriations to departments bureaus commissions and other branches of the State Government" approved the twenty-third day of April Anno Domini one thousand nine hundred and nine

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 8, line 8, after the word "waterway" strike out the word "or" and insert in lieu thereof the word "and."

Line 17, after the word "necessarily" insert the words "and actually."

Line 25, after the word "supplies" insert the word "and."

Also in line 25, after the word "and" and before the word "property" insert the word "for."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The ninth and tenth sections of the bill were read and agreed to as follows:

Section 9 The principal office of the Board shall be in the city of Harrisburg in rooms designated by the Board of Commissioners of Public Grounds and Buildings Branch offices may be established in the city of Pittsburgh or else where as the Board may deem necessary

The Board of Commissioners of Public Grounds and Buildings shall upon requisition of the Secretary of the Board furnish the Board with all necessary books office furniture stationery and supplies

The printing and binding necessary for the proper performance of the duties of the Board shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon requisition of the Secretary of the Board

Section 10 The Board shall on or before the second Monday of January in each year make a full report to the Governor of the Commonwealth of all its operations during the year including a detailed statement of all expenditures contracts entered into cost and character of the work done and such other information as may be proper or required

The eleventh section of the bill was read as follows:

Section 11 All contracts instruments and writings may be executed by the Board in the name of "The Lake Erie and Ohio River Canal Board of Pennsylvania" The Board may also sue and be sued in said name in any court of competent jurisdiction of the States of Pennsylvania or Ohio on any cause of action arising within the respective States in the same manner and to the same extent as a corporation organized under general laws of said respective States for the construction operation and maintenance of such canal or waterway and appurtenances could be sued Service of process issuing out of either the courts of this State or the State of Ohio may be made upon the Board at its office in the city of Pittsburgh Pennsylvania The Board may also adopt an official seal to be furnished by the Secretary of the Commonwealth and may authenticate all their official acts with the same

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 11, line 2, after the word "executed" insert the words "and suits prosecuted."

Line 4, strike out the words "sue and."

Line 12, after the word "board" insert the words "at its principal office in the City of Harrisburg or."

Line 15, strike out the word "their" and insert in lieu thereof the word "its."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twelfth section of the bill was read as follows:

Section 12 The Board so soon as there shall have been appropriated to its use sufficient funds shall prepare or cause to be prepared a survey for the said canal or waterway and appurtenances together with estimates of the cost of construction completing and installing the same exclusive however of the cost of constructing a harbor on Lake Erie

The work of construction of said canal or waterway and appurtenances herein provided for shall not be proceeded with nor any contracts entered into nor any liability incurred therefor until there shall have been rendered available to the Treasurer of this Comonwealth by the various counties in the States of Pennsylvania Ohio and West Virginia or any of them in aid of the construction of said canal or waterway and appurtenances appropriations of money or bonds of said counties duly authorized to be issued for the purpose and until appropriations shall have been made and rendered available to the said Treasurer by this Commonwealth the State of Ohio and West Virginia the Federal Government or any of them or by any other public authority in such sums that the total amounts of the said appropriations and the said bonds shall in the aggregate be not less than the cost of constructing completing and installing the said canal or waterway and appurtenances as estimated by the Board

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 12, line 4, strike out the word "construction" and insert in lieu thereof the word "constructing."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirteenth section of the bill was read and agreed to as follows:

Section 13 The Treasurer of the Commonwealth shall from time to time notify the county commissioners of the various counties in said States which have authorized bonds to be issued in aid of said canal or waterway as aforesaid to issue and sell so many of said bonds of their respective counties as may in the opinion of said Treasurer be rendered necessary by the progress of the work each of said counties however to be required to issue and sell from time to time only its proportionate share of said bonds When so notified by the said Treasurer the county commissioners of the said counties shall issue and sell the bonds so required to be issued and sold and shall upon the sale thereof forthwith pay the proceeds derived therefrom to the said Treasurer

The proceeds of said bonds together with the other funds appropriated by the various public authorities as aforesaid shall be kept by the said Treasurer in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a sparate fund and the moneys in said separate fund are hereby specifically appropriated for the purpose of defraying the cost of constructing completing and installing the said canal or waterway and appurtenances including salaries and all other expenses incurred by the Board

in accordance with the provisions of this act while doing said work and the said fund shall be disbursed by the said Treasurer without further act of apporpriation in the manner provided in section eight of this act

The fourteenth section of the bill was read as follows:

Section 14 The Board shall have authority to enter into such proper arrangements and agreements subject to the approval of the Auditor General and Treasurer of the Commonwealth with the respective county commissioners of the various counties of the States of Pennsylvania Ohio and West iVrrginia appropriating money or authorizing bonds to be issued in aid of said canal or waterway as to said parties may seem necessary for the purposes of co-operation safe-guarding the interests of said contributing counties with respect to their said contributions and effectively carrying into operation the provisions of this act

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 14, line 7, after the word "waterway" insert the words "and appurtenances."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifteenth section of the bill was read and agreed to as follows:

Section 15 Subject to the limitations specified in section twelve of this act the Board is hereby authorized empowered and directed to do or cause to be done all things necessary or proper for the construction completion and installation of the said canal or waterway and appurtenances and in the exercise of its said authority the Board may enter into all such contracts and agreements acquire all such property and rights of any and all kinds receive releases of damages and do all other acts and things which to it may seem necessary or desirable

The sixteenth section of the bill was read as follows:

Section 16 The Board shall have power and authority to enter upon any land for the purpose of making an examination and survey for said canal or waterway and appurtenances and shall have power and authority to enter upon take use and occupy and appropriate any lands rights rights of way rivers creeks lakes streams water-courses ponds swamps reservoirs bridges building tructure or other property or rights of property whether devoted to a public or private use which in the opinion of the Board are necessary for the proper construction operation maintenance or repair of the said canal or waterway and its appurtenances including the utilization and control by the Board of the waters impounded created and to be discharged as the result of the construction of any dam mole reservoir or other structure and the Board shall also have power and authority to enter upon any lands adjoining or in the neighborhood of the said canal or waterway and appurtenances and to quarry dig cut take and carry away therefrom any stone gravel clay sand earth wood or other material which may be necessary or proper for the construction operation maintenance or repair of said canal or waterway and its appurtenances Provided however That before the Board shall enter upon take possession of or appropriate any such land rights rights of way rivers creeks lakes streams water-courses ponds swamps reservoirs bridges buildings structures materials or other property appropriated under the authority herein given it shall make compensation to the owner or owners thereof at such prices as may be agreed upon by the Board and said owners or file an adequate bond therefor in the court of Common Pleas of the proper county to be approved by the court Written notice shall be given by the Board to the said owner or owners or to the attorney or agent of any such person absent or to guardian or committee of any person under legal incapacity of the time and place when and where said bond shall be filed and approved And the court having jurisdiction of the matter shall have the power at any time during vacation or when such court shall not be in session to approve said bond and direct the same to be filed in court for the benefit of the parties entitled In case no agreement can be made with the said owner or owners by reason of their absence or legal incapacity or for any other reason for the compensation to be paid to him or them for the damage done or likely to be done to or sustained by said owner or owners by reason of the appropriation of said lands streams water-courses material or other property under the authority herein given the court of Common Pleas of the proper county on application thereto by petition either of said owner or owners or any one in their behalf or of said Board shall appoint seven discreet and disinterested freeholders of said county none of whom shall be residents or owners of property upon or adjoining the line of such canal or waterway and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained of which time and place ten days' notice shall be given by the petitioner to the said viewers and the other party or parties or to their authorized agents or representatives and the said viewers or any five of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report made concerning all matters and things to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises they shall estimate and determine the quantity quality and value of such lands and property so taken or occupied or to be taken or occupied or the material so used or taken away as the case may be having due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said land or materials in consequence of the making or opening of said canal and of the construction of embankments locks dams buildings works and other devices connected therewith After having made a fair and just comparison of said advantages and disadvantages they shall remit and determine whether any and if any what amount of damages has been or may be sustained and to whom payable and make report thereof to the said court and if any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon which said judgment together with the costs of the proceedings shall be paid in the same manner as other expenses incurred by the Board are paid by it Each of said viewers shall be entitled to five dollars per day for every day necessarily employed in the performance of the duties herein prescribed to be paid by the said Board

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 16, line 11, beginning with the word "including" strike ou the remainder of line 11, and all of lines 12 and 13, and line 14 to and including the word "structure."

Line 58, strike out the word "made" and insert in lieu thereof the word "make."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections of the bill were read and agreed to as follows:

Section 17 In any case when it shall be made known to the court of common pleas of the proper county by petition affidavit or otherwise that there is a disputed doubtful or defective title or that any party interested in any lands streams water-courses material or other property appropriated under the authority herein given is absent unknown or under legal incapacity or for any reason cannot be bargained with or served with notice within the county where the lands streams water-courses material or other property are situate the court which shall have jurisdiction of the appointment of viewers and assessment of damages in such case shall on application of the canal Board direct the filing of a proper bond for the use of the person or persons who may be found to be entitled to the damage done or likely to be done or sustained by the taking and appropriation of such lands streams water-courses material or other property and when such bond shall be so approved and filed and when upon the petition of said Board viewers to assess the said damages shall be appointed the said court shall direct notices of the approval and filing of said bond and of the appointment and time and place of meeting of said viewers respectively to be published in two newspapers published in the county where the lands streams water-courses material or other property are situate if two are published twice a week for two weeks after the bond is filed and before the day appointed for the meeting of the viewers and the bond so filed and the notice or notices so published shall have the like effect as if written notice of the time and place of filing and approval of said bond had been given to the parties entitled and as if personal notice had been served on the party or parties owning or claiming such lands streams water-courses material or other property Provided however That when the residences of any such parties shall be known to such board a copy of such published notices shall be sent to them by mail or otherwise

It shall be the duty of the court having jurisdiction of the appointment of viewers and assessment of damages at the time of the application of the Board for the appointment of viewers to appoint a guardian ad litem or trustee as the circumstances of the case shall require for such interested party who is absent unknown or under legal incapacity or from any cause cannot be bargained with or served with notice and such guardian ad litem or trustee shall represent the interests of the person of whom he is guardian ad litem or trustee in all the subsequent proceedings

Section 18 The viewers provided for in this act may be appointed before or after the entry for constructing said work or taking materials therefor and after filing of the bond as hereinbefore provided for and upon the report of the said viewers or any four of them being filed in said court either party within thirty days thereafter may file his her their or its appeal from said report to said court after such appeal either party may put the case at issue in the form directed by said court and the same shall then be tried by said court and a jury and after final judgment either party may have a writ of error therefor from the Superme or Superior Court in the manner prescribed in other cases The said court shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders connected with the same as may be deemed requisite. If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as before provided

Section 19 In case the said canal or waterway and appurtenances shall be located or constructed over or upon a property situate in two or more counties the board and the owners of the property or their authorized agents or representatives

may by agreement submit the matter of the approval of the damage bond and the assessment of damages to the court of common pleas of either one of the counties in which the land lies Where such agreement cannot be made the court of common pleas of the county in which the principal mansion house of such property shall be situate or if there shall be no mansion house thereon then the court of common pleas of the county wherein the principal part in area of such property is situate shall have the jurisdiction of all questions of security for and assessment of damages aforesaid

Section 20 If the board shall deem it necessary in the construction of said canal or waterway and its appurtenances to change the site or location or to otherwise alter any highway public or private road bridge railroad dam water-power works waterways pipes pipe lines conduits or other avenue of transportation either public or private telegraph or telephone lines sewers drains culverts tunnels buildings or other works public or private it shall cause the same to be changed altered and reconstructed forthwith at its own proper cost and expense on the most favorable location The damages incurred in making the change and alterations herein provided for shall be ascertained and paid by the board in the manner provided for in sections sixteen seventeen eighteen and nineteen of this act

Section 21. The board in the construction of said canal shall have authority to enter upon and cross any public highway or railroad but in such places where said canal shall pass or cross any existing public highway or railroad which at the time of construction of the canal shall be opened and used as such the board shall build and keep in good repair suitable and convenient bridges over the said canal

Section 22 All contracts for work to be done under authority of this act exceeding in amount the sum of five hundred dollars shall be let to the lowest responsible bidder The board shall have power to reject any or all bids not satisfactory to it and readvertise until it shall receive satisfactory bids Every person firm or corporation before being awarded any contract by the board shall furnish a bond with sufficient surety or sureties acceptable to the board in a sum equal to fifty per centum of the contract price of the work conditioned for the faithful and complete performance of his or its contract Advertisements for proposals shall be made by the board at least three weeks before the contract is awarded by notices inserted once a week in at least two newspapers of general circulation to be selected by the board Said advertisements shall designate where the plans and specifications may be had and the time and place of the reception of the bids and the letting of the contract

All contracts shall be executed in the name of the board and signed by the president and secretary

Section 23 Upon the completion of the canal or waterway and appurtenances the board shall maintain and operate the same and shall prescribe such rules and regulations for the use administration and navigation thereof as in the judgment of the board may seem expedient including the fixing and determining of the size and form of boats crafts and other vessels that shall be used for the purpose of navigating such canal the time and manner of passing the locks and the speed of vessels in passing through such canal Provided however That the same shall not be in conflict with the Constitution or laws of the State of Pennsylvania State of Ohio or of the United States

Such rules and regulations shall be posted in conspicuous and appropriate places for the information of the public and every person who shall violate any of such rules and regulations shall be deemed guilty of a misdemeanor and on conviction thereof in the proper court of the county within whose territorial jurisdiction such offense may have been committed shall be punished by a fine not exceeding five hundred ($500.00) dollars or by imprisonment not exceeding six months in the discretion of the court

The twenty-fourth section of the bill was read as follows:

Section 24 The board shall have full power and authority to fix the rate of toll to be charged the vessels boats and other craft using the said canal subject however to the approval and regulation of the Interstate Commerce Commission in cases of vessels or other cafts engaged in inter-state commerce

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 24, line 5, after the word "vessels" insert the word "boats."

Strike out the word "crafts" and insert in lieu thereof the word "craft."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-fifth, twenty-sixth and twenty-seventh sections of the bill were read and agreed to as follows:

Section 25 The board shall have authority from time to time to lease any water power developed or created in connection with any part of the canal of waterway and appurtenances herein authorized subject however to the following conditions

No lease shall be made of any water power until the machinery and appliances for making the same available shall have been constructed and substantially competed Before any such lease shall be made at least thirty (30) days' public notice thereof shall be given by publication in such newspapers of general circulation and by such other notices as the board may deem best The board shall have power to require the bids to be accompanied by security and may reject all bids not satisfactory to it and re-advertise until it receives satisfactory bids

No lease shall be for a period exceeding ten years, but the said board may provide for the extension of any lease from time to time not exceeding ten years at any one time at a rent to be fixed by an appraisal to be made by three disinterested appraisers to be selected or appointed in such manner as shall be provided in the lease

The board shall also have the right from time to time to sell any surplus water not needed for the operation of the canal or waterway and its appurtenances at such rates and prices as it may deem proper All agreements for sale of such surplus water shall provide that they may be terminated in whole or in part whenever the board shall deem the whole or any part of such surplus waters desirable for the purposes of the canal and its appurtenances

Section 26 All rents toll rates charges and all other income received by the said board shall be in charge of the Treasurer thereof who shall deposit the same monthly with the Treasurer of the Commonwealth The moneys so paid to the said Treasurer of the Commonwealth shall be kept by him in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a separate fund The moneys in said fund shall be used for the purpose of paying the cost of maintenance operation and improvement of said canal or waterway and appurtenances including salaries and all other expenses of the board and of making distribution among the contributing counties as provided in section twenty-seven of this act and for these purposes the said moneys in said fund are hereby specifically appropriated and shall be paid out by the Treasurer of the Commonwealth in the same manner as other expenditures herein provided for are paid by him without further act of appropriation

Section 27 That out of the surplus of rents tolls rates charges and other income accuring from the operation or said canal or waterway or the sale of water or water power remaining after the payment of the cost of operation maintenance and improvement as hereinbefore provided the Treasurer of the Commonwealth shall from time to time set aside such sums as the board may recommend and deem consistent with the proper maintenance operation and management of the canal and its appurtenances and make pro-rata distribution thereof among the contributing counties until the said contributing counties have been repaid the amount of their contributions principal and interest each county to receive such proportionate part as its contribution bears to the total sum contributed by the various counties in aid of the construction of said canal of waterway and appurtenances

The twenty-eighth section of the bill was read as follows:

Section 28 The sum of or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses of the board in making the survey and preparing the estimates provided for in section twelve of this act said expenses to be paid in the manner provided in section eight of this act

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 28, line 1, after the word "of" insert the words "one hundred and fifty thousand dollars."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indiana Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or water-way and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurr of this Commonwealth authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act providing for the creation of a Commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio and such appurtenances exclusive of a harbor on Lake Erie as may be deemed necesary or convenient for the purpose and to prepare estimates of the cost of constructing completing and installing the same defining the powers and duties of such commission and making an appropriation to defray its expenses

The first, second, third and fourth sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth be and he is hereby authorized and directed to appoint by and with the advice and consent of the Senate a commission of three persons for the purposes hereinafter mentioned any or all of whom may be non-residents of the Commonwealth of Pennsylvania

The chairman of said commission shall be appointed by the Governor

Section 2 The chairman of the commission shall receive an annual salary of five thousand dollars and each of the other members of the commission shall receive an annual salary of four thousand dollars In addition to such salaries each member of the commission shall be paid all traveling expenses necessary and actually incurred by him in the performance of his duties

The commission shall have power to employ such legal counsel officers engineers draughtsmen clerks and employes as it may deem necessary to properly perform its duties all of whom shall receive such compensation and perform such duties as may be prescribed by the commision

Section 3 The commision shall make a survey for a canal or waterway having a navigable depth of not less than twelve feet from the junction of the Ohio and Beaver rivers in Pennsylvania thence by way of the Beaver and Mahoning rivers in the State of Pennsylvania and the Mahoning river in the State of Ohio to a point at or near Niles Ohio thence northwardly through the State of Ohio to a terminal on Lake Erie at or near the mouth of Indian Creek in the State of Ohio and all such locks dams tunnels aqueducts feeders reservoirs for the supply of water for the canal or its feeders docks basins piers bridges and all other structures appliances or devices of any and all kinds exclusive of a harbor on Lake Erie which may be necesary or convenient for the proper construction maintenance and operation of said canal or waterway

The said commission shall also prepare estimates of the cost of constructing completing and installing the said canal or waterway and the above mentioned appurtenances exclusive of the cost of constructing a harbor on Lake Erie and shall make a full report in writing to the General Assembly which shall convene in January one thousand nine hundred and fifteen giving the results of such survey and submitting the estimates prepared and such additional information and recommendations as the commission may deem proper

Section 4 The sum of one hundred and fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses of the said commission Said expenses shall be paid on warrants of the Auditor General upon presentation of vouchers duly signed by the chairman of the commission

The title was read as follows:

An Act providing for the creation of a commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio and such appurtenances exclusive of a harbor on Lake Erie as may be deemed necessary or convenient for the purpose and to prepare estimates of the cost of construction completing and installing the same defining the powers and duties of such commission and making an appropriation to defray its expenses

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title, line 7, strike out the word "construction" and insert in lieu thereof the word "constructing."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 610, (Senate Bill No. 47), as follows:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An Act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An Act relative to mortgages" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within sixty days from the execution thereof" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of October next all mortgages or defeasible deeds in the nature of mortgages made or to be made or executed for any lands tenements or hereditaments within this Commonwealth shall have priority according to the date of recording the same without regard to the time of making or executing such deeds and it shall be the duty of the recorder to endorse the time upon the mortgages or defeasible deeds when left for record and to number the same according to the time they are left for record and if two or more are left upon the same day they shall have priority according to the time they are left at the office for record And that no mortgage or defeasible deed in the nature of a mortgage shall be a lien until such mortgage or defeasible deed shall have been recorded or left for record as aforesaid Provided That no mortgage given for the purchase money of the land so mortgaged shall be affected by the passage of this act if the same be recorded within thirty days from the execution thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 690, entitled:

An Act to confer upon the school board in each public school district of this Commonwealth authority to establish and maintain an auxiliary teachers' board defining the duties of auxiliary teachers and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and thirteen each board of school directors in this Commonwealth shall have power to establish and maintain an auxiliary teachers' board which shall consist of all the auxiliary teachers in the school district

Section 2 That it shall be the duty of the president and secretary of each school board in the Commonwealth of Pennsylvania to enroll as an auxiliary teacher any teacher in the employ of their school district who shall present to them satisfactory proof that he or she has taught in the public schools of the Commonwealth of Pennsylvania not less than thirty-five full annual terms The same shall also apply to any teacher who has been incapacitated for active service and who has taught for thirty full annual terms and who can furnish satisfactory proof thereof

Section 3 That the annual salary of an auxiliary teacher shall be a sum equal to the average annual salary of a teacher in the public schools of the Commonwealth of Pennsylvania

Section 4 That each county and district or borough superintendent shall certify in his annual report to the Superintendent of Public Instruction the number and names of all auxiliary teachers under their supervision by districts and the salary paid to each during the preceding year with a summary of the total amount paid by each district to all auxiliary teachers of the district

Section 5 That the Superintendent of Public Instruction shall set apart from the school appropriation to each school district in this Commonwealth before proceeding with the division of the appropriation according to sections two thousand three hun-

dred and four and two thousand three hundred and five of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven a sum equal to the entire sum paid by such district to auxiliary teachers during the preceding year and such sum is hereby appropriated for this purpose for each year following the approval of this act

Section 6 That auxiliary teachers shall do such work as instructors supervisors or examiners as shall be assigned by the school board of their school district subject to rules for their employment made by the Superintendent of Public Instruction

Section 7 That the Superintendent of Public Instruction shall cause to be made and kept in his office a full and complete record by school districts of all auxiliary teachers of this Commonwealth showing the date at which such auxiliary's service began and when it ended with the sum paid to each such auxiliary teacher during the entire period of such service

Section 8 That the term teacher in this act shall include all public school teachers superintendents principals supervising principals and supervisors employed in the public schools of this Commonwealth

Section 9 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 203, entitled:

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of State Highways therein

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the State Highway Commissioners immediately after the sum of money is appropriated to the State Highway Department for the purpose of repairing improving or constructing the State Highways of the Commonwealth to apportion the same to each county of the Commonwealth in the proportion which the unimproved State Highways of each county bears to the total mileage of the State Highways of the Commonwealth and the State Highway Commissioner shall forthwith furnish to the Board of County Commissioners of each county a statement showing the amount apportioned to each county

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Strike out the word "the" when it first appears in line 5 of section 1 and insert the word "any" in lieu thereof

On the question.

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was then read and agreed to as follows:

Section two The State Highway Commissioner shall expend in each county in improving the State Highways therein the full proportionate share of said appropriation to which such county is entitled as ascertained in accordance with the first section of this act

The title was read as follows:

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of State Highways therein

On the question,

Will the House agree to the title?

Mr. HUMES. Mr. Speaker I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title by inserting after the word "of" in line 4 the word "unimproved."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby eacted by the authority of the same That the blue violet shall be the State flower or floral emblem of the Commonwealth of Pennsylvania

Mr. ROCKWELL: Mr. Speaker, I want to call the attention of the author of this bill to the fact that the first section does not correspond with the second section, and one or the other should be amended.

The second section of the bill was read and agreed to as follows:

Section 2 The fourteenth day of June in each year shall be known as Daisy Day and be celebrated accordingly

The preamble of the bill was read and agreed to as follows:

Whereas, The Commonwealth of Pennsylvania is one among the eight states of the United States which have up to the present time failed or neglected to adopt some form of floral emblem or state flower and

The title of the bill was read as follows:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

On the question,

Will the House agree to the title?

Mr. SAVACOOL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title by striking out the word "daisy" and inserting in lieu thereof the words "blue violet".

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

Mr. ROCKWELL. Mr. Speaker, the error still remains in section two. the words "Daisy Day," and the State Flower would be the violet. It seemes to me they are rather inapporpriate. In the second section it says the fourteenth day of June in each year shall be "Daisy Day" and yet the first section says the State Flower shall be the Blue violet.

Mr. JACKSON. Mr. Speaker, it was so amended in the Committee.

The SPEAKER. Under the circumstances perhaps it would be well to place this bill on the postponed Calendar.

BILL POSTPONED.

Mr. SAVACOOL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JACKSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1176, entitled:

An Act to amend an act approved the fourth day of April one thousand eight hundred sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington each to elect a poor director of the Lake View poor district

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" which reads as follows

"Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said township and borough or either of them to join said corporation it shall be lawful for said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint some suitable person citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the usual spring election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for three years and the same shall be done every three years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estate erecting the building and filing up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provisions hereinbefore contained in this act" as amended to read as follows

Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said townships and borough or either of them to join said corporation it shall be lawful for either of said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint same suitable person or citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the municipal election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for three years and the same shall be done every three years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estate erecting the building and filling up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provision hereinbefore contained in this act The boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington in the county of Lackawanna are hereby made parts of said corporation At the municipal election in the year one thousand nine hundred and thirteen and quadrenially thereafter said boroughs and townships shall each elect one suitable and competent citizen thereof to act as director for four years from the first Monday of January next succeeding his election

On the question,

Will the House agree to the section?

Mr. HOBBS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, page 4, line 77 by striking out the word "or" and inserting the word "of" in lieu thereof.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to amend an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and LaPlume and the township of West Abington to each elect a poor director of the Lake View district.

And said bill having been read at length the second and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 928, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class wherein the title of the water works therein located is in the name of the Commissioner of Water Works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all commissioners of water works in any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works shall have the right and are hereby authorized and empowered to extend the water pipes and improvements of any such water works beyond the bounds of the cities wherein they are located into the county and municipalities of the county in the vicinity of said cities and to furnish water to any and all corporations persons and municipalities in the counties in which such water works are located under and in pursuance of the laws rules and regulations now existing or to be hereafter enacted governing said commissioners of water works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED.

Mr. FREY. Mr. Speaker, I intended to present a bill on Monday night which was prepared after receiving a petition from some of my constituents. The preparation of the bill was delayed and I now ask uniamous consent of the House to present it at this time.

The SPEAKER. The Chair hears no objections. The Clerk will receive the bill.

REPORT FROM COMMITTEE.

Mr. JAS. A. DUNN, from the Committee on Labor and Industry, reported as committed, House Bill No. 726, entitled:

An Act to protect the Public Health and Welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this Act; prescribing the standard by which such rate shall be determined; defining the powers and duties of such commission, and regulating the procedure before it; imposing certain duties on employers of females over sixteen years of age; compelling newspapers to publish the orders of the commission; fixing penalties for violations of this act; and providing means of enforcing its provisions.

ADJOURNMENT.

Mr. SEMMENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:00 P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

THURSDAY, March 20, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

Prayer by the Rev. M. D. Lichliter.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. JUDSON presented petition of citizens of Greene County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. CLARK presented two petitions of citizens of Erie county praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HALL presented four petitions of citizens of Clinton County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

LEAVE OF ABSENCE.

Mr. JUDSON asked and obtained leave of absence for the Senator from Montgomery, Mr. Heacock, for to-day's session.

REPORTS FROM COMMITTEES.

Mr. POWELL, from the Committee on Judiciary General, reported as amended, Senate Bill No. 201, entitled:

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 337 (House Bill No. 189), entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred forty-nine entitled "An Act to vacate Long Lane in the County of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

Mr. CLARK, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 696, entitled:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department of bureau or branch thereof or any committee or commission authorized by law

Mr. SHEATZ, from the Committee on Congressional Apportionment, reported as amended Senate Bill No. 513, entitled:

An Act to apportion the State into Congressional Districts

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed Senate Bill No. 495 (House Bill No. 470), entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

Mr. CLARK, from the Committee on Education, reported as committed, Senate Bill No. 700, entitled:

An Act requiring and regulating instruction in the public schools in ways and means of preventing accidents

Also, from the Committee on Education, reported as committed, Senate Bill No. 655, entitled:

An Act relating to the classification of school districts

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 465, entitled:

A joint resolution providing for a comission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol Building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

BILL INTRODUCED.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 731, entitled:

A joint resolution regulating the compensation and mode of payment of charwomen or cleaners of the Senate and House of Representatives

Which was committed to the Committee on Judiciary Special.

CONSIDERATION OF BILLS ON SECOND AND FIRST READING.

Mr. HERBST. Mr. President, I move that the Senate do now proceed to the consideration of bills on second and first reading in their order.

Mr. KLINE. Mr. President. I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 212, as follows:

An act to amend section seventy-five of the act entitled "An act to consolidate revise and amend the penal code of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That section seventy-five of the act entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty which reads as follows

"Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death by hanging by the neck and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth" be amended to read as follows

Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death by hanging by the neck or to undergo an imprisonment by separate and solitary confinement for the period of his natural life at the discretion of the jury trying the case or in cases of pleas of guilty at the discretion of the court and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete record of the trial and conviction to the Governor of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, (House Bill No. 69), entitled:

An act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KURTZ. Mr. President, I move that Senate Bill No. 343, (House Bill No. 69), the bill just read, be recommitted to the Committee on Mines and Mining for amendment.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 344, (House Bill No. 68), entitled:

An act to amend an act approved the twenty ninth day of April one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcement of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KURTZ. Mr. President, I move that Senate Bill No. 344, (House Bill No. 68), the bill just read, be recommitted to the Committee on Mines and Mining for amendment.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 359, as follows:

An act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any fraternal or secret beneficial society order or association organized and carried on for the sole benefit of its members and their beneficiaries and not for profit organized under the laws of the Commonwealth of Pennsylvania to provide in its constitution or by-laws for the payment of the funeral expenses of any of its deceased members provided however that the amount of funeral expenses shall not exceed the sum of one hundred and fifty dollars

Section 2 It shall be lawful for every such fraternal or secret beneficial society order or association to provide in its constitution or by-laws that the amount of funeral expenses incurred not exceding the sum of one hundred and fifty dollars shall be deducted from the amount due the beneficiary on the beneficial certificate and the board of directors the administration board or other governing body of such fraternal or secret beneficial society order or association shall thereupon have the authority to pay such funeral expenses limited herein and pay the balance of money due on the beneficial certificate to the lawful beneficiary and such payment shall be deemed payment in full of the amount on such certificate

Section 4 Such an article of constitution or by-law when enacted shall be deemed to apply to every member of such association including every person a member of such association prior to the enactment of such constitution or by-law

Section 4 Al lacts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 417, as follows:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred and eleven Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven Pamphlet Laws page nine hundred twenty-two which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission to consist of five members to be appointed by the Governor for a period of three years from the date of the approval of this act and to be called 'The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania' is hereby created with power, to ascertain determine upon and adopt the most efficient and practical means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introducton continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employe such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Commission to consist of five members to be appointed and commissioned by the Governor for a period of five years from the date of their appointment and to continue thereafter for such period as in the judgment of the Governor may be necessary to enable them to complete the work to be done under this act and to be called "The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania" is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employ such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act Provided further That if the fungus causing the aforesaid disease be found to attack other species of trees such trees shall be deemed to come within the purview of this act

Section 2 That section two of said act which reads as follows

"Section 2 Any member of the commission or any of its duly authorized agents or employes shall have the right at any time to enter upon any premises wild lands farms fields private grounds and inclosures for the purpose of

examining into the condition of any chestnut-tree or trees thereon and determining whether or not such trees or any of them have been attacked or infected by the chestnut-tree blight and whenever this disease is found to exist such commissioners their duly authorized agents and employes shall in all practicable ways co-operate with the owners of such trees in and for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties shall specifically advise and direct such owner how he shall proceed for the accomplishment of these ends and shall leave with such owner his agent tenant or other representative having charge of such trees a notice in writing containing a description or plan specifically designating the trees so found to be diseased and full and specific instructions for the treatment of such trees or for the removal and destruction of designated parts thereof or of an entire tree or trees as the case may require" be and the same is hereby amended to read as follows

Section 2 Any member of the commission or any of its duly authorized agents or employes shall have the right at any time to enter upon any premises wild lands farms fields private grounds and inclosures for the purpose of examining into the condition of any chestnut-tree or trees thereon and determining whether or not such trees or any of them have been attacked or infected by the chestnut-tree blight and whenever this disease is found to exist such commissioners their duly authorized agents and employes shall in all practicable ways co-operate with the owners of such trees in and for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties shall specifically advise and direct such owner how he may proceed for the accomplishment of these ends provided he desire to do the work at his own expense and shall leave with such owner his agent tenant or other representative having charge of such trees a notice in writing containing a description or plan specifically designating the trees so found to be diseased and full and specific instructions for the treatment of such trees or for the removal and destruction of designated parts thereof or of an entire tree or trees as the case may require

Section 3 That section three of said act which reads as follows

"Section 3 If any owner of such trees so found to be diseased by the said commission its duly authorized agents or employes shall neglect or refuse to co-operate in applying the necessary remedies for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties or shall neglect or refuse to comply with the requirements of the notice aforesaid prescribing the treatment which shall be applied to such trees so found to be diseased within twenty days from the time such notice shall have been served the said commission may at once proceed through its duly authorized agents and employes to do whatever may be found by it to be necessary and proper to accomplish the cure control or eradication of such disease and the prevention of its spread to other chestnut-trees and for this purpose whenever it may be found necessary may remove cut down and destroy or cause to be removed cut down or destroyed any trees or parts of trees so found to be infected with such disease and shall immediately thereafter duly certify to the owner of such trees so treated or destroyed or to his tenant agent or other representative in charge of such trees the amount of the cost or expenses actually incurred by the commission in the treatment removal or destruction of such trees and if the amount of such expense so certified shall not be paid by such owner of said trees so treated removed or destroyed within sixty days after it shall have been so certified the same may be recovered by the said commission from such owner by an action in the name of the Commonwealth in the same manner as debts of like amount are now recoverable and when recovered may be used by said commission in carrying out the purposes of this act

Provided however That any owner or owners of trees his or their tenants agents or representatives who may be dissatisfied with any devision order or notice of any member of the commission or any of its agents or employes directly or prescribing the treatment removal or destruction of trees belonging to or controlled by them shall have the right within ten days from the time of the service upon them of such order or notice to appeal therefrom in writing to the commission which shall thereupon without avoidable delay direct a re-examination of the premises or trees in question by competent experts who shall make report of their findings to the commission which shall then fix a time and a place for a hearing before it upon such appeal and notify the person making appeal thereof All further proceedings under such order or notice shall be suspended until the decision of the commission shall have been formally rendered" be and the same is hereby amended to read as follows

Section 3 Whenever trees affected by chestnut blight shall be discovered by the commission to exist upon any land within this Commonwealth the owner agent or other representative thereof if known shall be given notice in writing of existence of chestnut blight thereon as provided in section two of this act If such owner agent or other representative thereof shall not within ten days after the receipt of such notice proceed at his own expense to remove said diseased trees and follow the directions of the Commission with regard to the proper sanitary measures to be employed or shall within the same time file no appeal with the Commission as hereinafter provided The commission through its authorized agents and employes shall have power forthwith to enter upon any land where such diseased trees shall be found and at its own expense remove or otherwise treat the same employing such sanitary measures in so doing as will be found most expedient and are believed to be most efficient in the eradication of chestnut blight and the destruction of material infected therewith provided that whenever in the process of the removal of infected trees or the destruction of parts of trees infected with chestnut blight there shall result material which with proper precaution may be rendered merchantable and sold in the market such material after proper treatment shall be left upon the ground for the owner who shall remove the same therefrom within such reasonable time as may be prescribed by the commission in order to prevent further development of blight and infection of neighboring trees If the owner agent or other representative fail to remove said material with such reasonable time as may be prescribed the commission thereafter shall reenter said premises and destroy said material without recourse therefor to be had by the owner In case the owner agent or other representative of the owner of any land containing infected trees shall not be known or may not be discovered after diligent inquiry a notice as prescribed in section two of this act shall be mailed to the reputed owner agent or other representative of the owner at his last known address and a copy thereof posted upon the land At the expiration of said period of ten days if nothing shall have been done respecting the removal of said diseased trees the commission may proceed as in other cases where the owner agent or other representative of the owner is known and has been served with a copy of said notice Provided further that any owner of trees his agent or other representative who may be dissatisfied with any decision or notice of any member of the commission or any of his agents or employes shall have the right within ten days from the time of the service upon him of such decision or notice to appeal therefrom in writing to the commission which shall thereupon direct a re-examination of the trees in question The commission shall then fix a time and place for a hearing upon such appeal and notify the appellant thereof all proceedings to stay in the meanwhile

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 436, as follows:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where payment has been made of all the money or amount due or to become due in any mortgage where the legal holder or holders of such mortgage at the time of payment shall have been a building association corporated or unincorporated or other similar corporation whose existence in law has terminated or become doubtful or whose affairs have been wound up it shall be lawful for any two of its officers as follows president or vice president secretary and treasurer or any one thereof if the others are deceased removed or unable to act or any two members of the board of directors of such building association or corporation or in case there should be no such officers or directors therof then any three surviving stockholders thereof or for any attorney in fact for such building association or corporation duly appointed before the termination thereof or while such building association or corporation was in existence to appear in the office of the recorder of deeds where such mortgage is recorded and enter satisfaction upon the margin of the record thereof which shall forever thereafter discharge defeat and release the same and shall likewise bar all actions brought or to be brought thereupon Provided that the persons hereby authorized to enter such satisfaction may appoint an attorney in fact to appear for that purpose in their place and stead And provided further that the recorder of deeds shall have power to require an affidavit to be produced of the payment of such mortgage and the right of the persons hereby designated to enter such satisfaction and such affidavit shall be attached to the record of the mortgage to be satisfied

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 504, as follows:

An Act providing that a bronze medal be given to each honorably discharged soldiers sailors or marines of the Civil War who enlisted in a Pennsylvania organization and who resides in said State and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each honorably discharged soldiers sailors or marines of the Civil War who enlisted in a Pennsylvania organization and who resides in said State shall receive from this Commonwealth a bronze medal com-

memorative of his participation in such way A commission is hereby created which shall consist of the Governor one member of the Senate one member of the House of Representatives and two members of the Grand Army of the Republic Department of Pennsylvania to be appointed by the Governor The commission shall serve without compensation but shall be allowed expenses actually and necessarily incurred in the performance of its duties It shall be the duty of the commission to cause a suitable bronze medal to be designed and made of a sufficient number said medals to be distributed to and among said soldiers sailors or marines one medal to each soldiers sailors or marines

Section 2 To carry out the purposes of this act the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated for the purchase of the medals and for the use of the commission to be paid on the order of the Governor upon warrant of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 567, as follows:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" which as heretofore amended reads as follows

"Section 2 (a) It shall be the duty of the county commissioners in every county of the Commonwealth to ascertain whether any township in the county comes within the conditions hereinbefore set out as constituting a township of the first class and by proclamation to be issued prior to the first day of January following the ascertainment of population by the decennial census of the United States to designate the townships of the first class if any within the county and by proclamation to be issued prior to the first day of January of each of the intervening years to designate the townships if any which since the last preceding proclamation have been ascertained to come within the said conditions and to be townships of the first class and in all townships so designated the officers provided for by this act shall be chosen at the municipal election then next ensuing and the township government constituted by this act shall go into force on the first Monday of March then next ensuing Said proclamation by the county commissioners shall be advertised in two newspapers published in the county

(b) At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any of the townships of the second class shall present their petition to the court of quarter sessions of the county averring that the population of said township has become and is at least three hundred to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any proceedings had upon said petition the said court shall appoint a competent commissioner to make an enrollment of the inhabitants of said township and to report the said enrollment with the finding of the population of the said township during the next ensuing term of said court Upon the filing of the report of the said commissioner the same shall be confirmed nisi said confirmation to become absolute unless excepted to within twenty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper of said county once a week for three weeks If exceptions are filed to the said report within the said period the court upon consideration thereof shall confirm the said report or modify the said finding and thereupon the clerk of the court shall certify to the county commissioners of the county the population of the said township as shown by the said proceedings The costs and expenses of the said proceedings including a reasonable fee for the said commissioner shall be paid by the said petitioner or by the townships or partly by each as the court shall direct" is hereby amended to read as follows

Section 2 (a) It shall be the duty of the County Commissioners in every county of the Commonwealth to ascertain whether any township in the county comes within the conditions herein before set out as constituting a township of the first class and by proclamation to be issued prior to the first day of January following the ascertainment of population by the decennial census of the United States to designate the townships of the first class if any within the county and by proclamation to be issued prior to the first day of January of each of the intervening years to designate the townships if any which since the last preceding proclamation have been ascertained to come within the said conditions and to be townships of the first class and in all townships so designated the officers provided for by this act shall be chosen at the municipal election then next ensuing and the township government constituted by this act shall go into force on the first Monday of March then next ensuing Said proclamation by the county commissioners shall be advertised in two newspapers published in the county

(b) At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per cent of the assessed valuation of the real estate of any of the townships of the second class or of a certain territory exceeding one hundred acres in any said township or townships shall present their petition to the Court of Quarter Sessions of the county averring that the population of said township or of said certain territory exceeding one hundred acres has become and is at least three hundred to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any proceedings had upon said petition the said court shall appoint a competent commissioner to make an enrollment of the inhabitants of the said township or of said certain territory exceeding one hundred acres and to report the said enrollment with the finding of the population of the said township or of said certain territory exceeding one hundred acres during the next ensuing term of the said court Upon the filing of the report of the said Commissioner the same shall be confirmed nisi said confirmation to become absolute unless excepted to within twenty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper of said county once a week for three weeks If exceptions are filed to the said report within the said period the court upon consideration thereof shall confirm the said report or modify the said finding and thereupon the clerk of the court shall certify to the county commissioners of the county the population of the said township or of said certain territory exceeding one hundred acres as shown by the said proceedings whereupon the said township or the said certain territory exceeding one hundred acres shall be and constitute a township of the first class The costs and expenses of the said proceedings including a reasonable fee for the said commissioner shall be paid by the said petitioner or by the townships or partly by each as the court shall direct

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, as follows:

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no writ of attachment execution shall be issued by any alderman or justice of the peace within this Commonwealth unless the plaintiff or some person in his behalf shall first file with the alderman or justice of the peace to whom application for the said writ is made or affidavit that any funds sought to be attached by the same are due for not wages for manual labor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 627, (House Bill No. 883), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 633, as follows

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for the service in said regiment providing for said regiment a regimental band

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the companies of in-

fantry authorized under existing law the Governor is hereby empowered as directed to organize enlist and enroll in the National Guard of Pennsylvania from the colored inhabitants of this Commonwealth a regiment of infantry of not more than twelve companies all the officers and enlisted men of which regiment shall be colored men said regiment upon enrollment in the National Guard of Pennsylvania shall be uniformed armed and equipped in the manner prescribed by existing law

Section 2 That the headquarters of said regiment and of the battalions thereof shall be located and the companies organized allotted and apportioned in such localities of the Commonwealth as the commander-in-chief in his discretion shall determine

Section 3 That the officers of said regiment shall be one colonel one lieutenant-colonel not more than three majors of the line each to be elected by the written or printed votes of the majority of the commissioned officers of the companies of the regiment one major medical corps and two additional officers medical corps not above the grade of captain each to be assigned to duty from the medical corps by the commander-in-chief and one chaplain of the grade of captain one adjutant (an extra captain) one regimental quartermaster (an extra captain) one regimental commissary (an extra captain) one regimental inspector of small-arms practice (an extra captain) not more than three battalion adjutants (extra first lieutenants) not more than three battalion quartermasters and commissaries (extra second lieutenants) each to be appointed by the colonel subject to the approval of the brigade commander or the immediate superior commanding officer in case said regiment is not attached to or part of a brigade one sergeant-major one quartermaster-sergeant one commissary-sergeant two color sergeants not more than three battalion sergeants-majors each to be enlisted or appointed by the colonel Provided however that at the organization and original enrollment in the National Guard of Pennsylvania of the regiment herein authorized the colonel lieutenant-colonel and the majors of the line herein set forth shall be appointed by the commander-in-chief and shall be commissioned for a period of five years and their successors shall thereafter be elected in the manner herein before prescribed

Section 4 That every company of said regiment shall consist of one captain one first lieutenant and one second lieutenant each to be elected by the written or printed votes of a majority of the non-commissioned officers and privates of the respective company one first sergeant one quartermaster-sergeant four sergeants six corporals two musicians not more than two cooks one artificer and forty-one privates minimum fifty-one privates maximum the non-commissioned officers to be appointed by the respective captains approved by the regimental commander

Section 5 The elections of officers of said regiment prescribed in sections three and four of this act shall be conducted in the manner prescribed by the existing laws of this Commonwealth

Section 6 The enlisted men of said regiment shall be enlisted and the non-commissioned officers and commissioned officers thereof shall be appointed warranted or commissioned (except such officers as the commander-in-chief has in section three of this act been authorized to appoint) for the terms and in the manner prescribed by existing law

Section 7 For the purpose of providing the medical officers for said regiment herein set forth the following additional officers of the medical corps are hereby authorized one major and two captains or first lieutenants The additional officers of the medical corps provided by this section shall be colored men who shall be appointed and commissioned in the manner prescribed by existing law

Section 8 The commander-in-chief in addition to the number allowed by existing law is hereby authorized to enlist appoint and commission such officers non-commissioned officers and privates (colored men) in the hospital and ambulance corps of the National Guard as in his discretion may be necessary for services with the regiment authorized by this act

Section 9 The regiment in addition to the officers and enlisted men heretofore set forth shall have a regimental band of colored men of the number prescribed by existing law to be organized uniformed equipped and conducted in the manner prescribed by existing law. For this purpose the number of regimental bands now authorized by law for the National Guard is hereby increased to seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 687, (House Bill No. 845), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 688, (House Bill No. 850), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and material from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 694, as follows:

An act to amend section one of an act entitled "An act permitting the release or parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled 'An act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven which reads as follows to wit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same "That when any person hereafter charged with any crime or misdemeanor shall be acquitted by the jury on the ground of insanity such person may be released from custody on parole by the court wherein such person shall have been so acquitted" be and the same is hereby amended so that the said section shall read as follows to wit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any person charged with any crime or misdemeanor has heretofore been or shall hereafter be acquitted by the jury on the ground of insanity such person may be released from custody on parole by the court wherein such person shall have been so acquitted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 717, as follows:

An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations heretofore or hereafter incorporated under any special or general law of this Commonwealth may at any time or times declare dividends of so much of their net profits as shall appear advisable to the directors such dividends to be paid to the stockholders or their legal representatives at such time after their declaration as the directors may fix but such dividends shall in no case exceed the amount of the net profits actually acquired by the company so that the capital stock shall never be impaired thereby

Section 2 That anything contained in any general or special law inconsistent with this act be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 221, entitled:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and considera-eration of Senate Bill No. 538, (House Bill No. 438), entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An act requiring

foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 546, (House Bill No. 682), entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 547, (House Bill No. 723), entitled:

An Act to authorize the printing of twenty-five thousand copies bulletin number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 548, (House Bill No. 758), entitled:

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain cases and authorizing the court to make orders in relation thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 626, (House Bill No. 735), entitled:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been reconveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the roads and highways building constructing repairing and maintaining permanent roads culverts and bridges purchasing machinery or lifting orders or payment of any contracts made therefor to an assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and all coupon bonds or other securities issued therefor and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities since the twentieth day of April Anno Domini one thousand eight hundred and seventy-four

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 642, entitled:

An Act providing for the expenses of county commissioners and county poor directors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 646, entitled:

A Joint Resolution proposing an amendment to section eight of article nine of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 647, entitled:

An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishment of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 30, entitled:

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final

judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauporis prescribing under what circumstances appeals shall operate as supersedes and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

Senate Bill No. 34, entitled:

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

RECESS.

Mr. HERBST. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 1166 (Senate Bill No. 732), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Which was committed to the Committee on Judiciary General.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Justices of the Peace in and for the municipalities set forth after their several names, respectively:

Willard K. Wise, borough of Bally, county of Berks, creation of new borough.

Irvin L. MacNair, township of Warrington, county of Bucks, vice Howell E. MacNair, deceased.

Cyrus Brungart, borough of Centre Hall, county of Centre, vice William B. Mingle, deceased.

William T. Hawk, township of North Union, count or Fayette, vice E. L. Andrews, resigned.

Jacob C. Baker, township of Paradise, county of Lancaster, vice Park C. LeFever, resigned.

Charles W. Lewis, borough of West Pittston, county of Luzerne, vice John Miller, resigned.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation

JOHN K. TENER.

ALLEGHENY COUNTY.

Louis Hirsch, Pittsburgh.
J. Elmer McCaffrey, Pittsburgh.
Cloyde E. Roecker, Pittsburgh.

CHESTER COUNTY.

Wilmer C. Johnson, Downingtown.

INDIANA COUNTY.

W. C. Chapman, Indiana.

POTTER COUNTY.

B. L. Langworthy, Shinglehouse.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

D. C. Jennings, Pittsburgh, April 3, 1913.
Omer J. Manandise, Tarentum, April 5, 1913.

LEBANON COUNTY.

John R. Lentz, Jonestown, April 4, 1913.

M'KEAN COUNTY.

John P. Melvin, Bradford, March 23, 1913.

NORTHUMBERLAND COUNTY.

Jefferson Shipman, Mount Carmel, April 12, 1913.

PHILADELPHIA COUNTY.

Martin L. Kilpatrick, Philadelphia, March 28, 1913.
Francis S. Laws, Philadelphia, April 6, 1913.
Miss Lillie A. Donovan, Philadelphia, April 12, 1913.
Wm. O. Hempstead, Jr., Philadelphia, April 12, 1913.

WESTMORELAND COUNTY.

M. J. McGeary, New Kensington, April 10, 1913.

JOHN K. TENER.

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John P. Mahon, of Scranton, to be Register of Wills and Ex-Officio Clerk of the Orphans' Court in and for the County of Lackawanna, to serve until the first Monday of January, 1914, vice Henry V. Lawler, resigned.

JOHN K. TENER.

MEMBER WATER SUPPLY COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Benjamin K. Focht, of Lewisburg, to be a member of the Water Supply Commission of Pennsylvania, for the term of four years, vice Frederic W. Fleitz, resigned.

JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION REQUESTING THE COMMISSION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG TO PROVIDE FOR ADDITIONAL GUESTS OF THE COMMONWEALTH OF PENNSYLVANIA.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, requesting the Fiftieth Anniversary of the Battle of Gettysburg Commission to broaden the scope for the provisions made for the attendance as guests of the Commonwealth of Pennsylvania so as to include all Union soldiers, sailors and marines of the Civil War who enlisted as from the State of Pennsylvania and who are now living in Pennsylvania; also such men who served in Pennsylvania commands known as Emergency Troops, and all soldiers who served in the Confederate Army, now living in Pennsylvania as citizens of the Commonwealth.

JOHN K. TENER.

REPORTS FROM COMMITTEES.

Mr. POWELL. Mr. Presdent, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 732 (House Bill No. 1166), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 285, entitled:

An Act creating the State Water Supply Commission of Pennsylvania declaring its duties powers jurisdiction and authority conferring certain rights and powers and imposing certain duties restrictions and regulations on persons municipalities or corporations engaged in the supply storage or transportation of water or water power or the development of power generated by the use of water or otherwise using or encroaching upon streams of waters making violation of certain provisions of this act a misdemeanor and providing penalties therefor and repealing all acts or parts of acts inconsistent herewith

BILLS ON FIRST READING.

Mr. POWELL. Mr. President, I move that Senate Bill No. 732 (House Bill No. 1166), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

reported from committee at this morning's session, be read the first time now.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 732 (House Bill No. 1166), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. McNICHOLS. Mr. President, I move that Senate Bill No. 495 (House Bill No. 470), entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

reported from committee at this morning's session, be read the first time.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 495 (House Bill No. 470), entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. KURTZ. Mr. President, I move that the Senate do now adjourn until Monday evening, March 24, 1913, at 9 o'clock.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1.30 o'clock P. M. until Monday evening, March 24, 1913, at 9 o'clock.

HOUSE OF REPRESENTATIVES

THURSDAY, March 20, 1913.

The House met at 10.30 A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we thank Thee for the coming again of this beautiful Spring season, the season of resurrection, of leaf and bud, of foliage and flowers, when nature awakens from her long sleep and puts on her beautiful garments and the earth rejoices. It is an impressive reminder to us of the faithfulness of God, who has said that Summer and Winter, seed time and harvest shall never fail. May it stimulate us to the imitation of God. May we try to be faithful and true in every relation to life, to Thee our God, to ourselves, to the people who have chosen us to represent them, and the trusts committed to our care, to our sacred pledges and promises. So shall we help to bring again to our moral and social world brightness and beauty, gladness and cheer. We ask all this in the name of Him who has taught us to say: Our Father, who art in Heaven, hallowed be Thy name; Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors; and lead us not into temptation, but deliver us from evil; for Thine is the kingdom and the power and the glory forever. Amen.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Barner, the further reading was dispensed with, and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. GEISER. House Bill No. 1567.

An Act to repeal an act approved the twentieth day of June, one thousand nine hundred and one, entitled "An Act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway, either elevated or underground, or partly elevated or partly underground, with incidental surface rights, shall be incorporated except where the same shall be located upon streets in thickly populated regions, and until the necessity for such railways shall have been passed upon by a board consisting of the Governor, the Secretary of the Commonwealth and the Attorney General, after notice.

Referred to the Committee on Judiciary General.

By Mr. THOMAS. House Bill No. 1568.

An Act to provide for an additional law judge of the several courts of the eleventh Judicial District.

Referred to the Committee on Judiciary General.

By Mr. YOUNG. House Bill No. 1569.

An Act to repeal an act, approved the twenty-second day of April, Anno Domini one thousand nine hundred and five, entitled "An Act to preserve the purity of the waters of the State, for the protection of the public health.

Referred to the Committee on Public Health and Sanitation.

By Mr. MALIE. House Bill No. 1570.

An Act providing for the payment of the claim of John E. Joos for publishing the Mercantile Appraiser's list of State Taxes in Allegheny County for the year one thousand eight hundred and eighty-five (1885).

Referred to the Committee on Appropriations.

By Mr. FREY. House Bill No. 1571.

An Act empowering certain officers and employes of the State Highway Department with power to enforce the laws relating to highways and motor vehicles, and with power to arrest on view for violations.

Referred to the Committee on Public Roads.

By Mr. STEEDLE. House Bill No. 1572.

An Act to amend sections two thousand six hundred and three, two thousand six hundred and twenty-five, two thousand six hundred and twenty-six, two thousand six hundred and twenty-seven, two thousand six hundred and twenty-eight, and to repeal sections two thousand six hundred and nineteen, two thousand six hundred and twenty, two thousand six hundred and twenty-one, two thousand six hundred and twenty-two, two thousand six hundred and

twenty-three, and two thousand six hundred and twenty-four of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "To establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

Referred to the Committee on Education.

By Mr. LETZKUS. House Bill No. 1573.

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the township of Ohio in the county of Beaver," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-six, in so far as the same applies to the borough of Midland.

Referred to the Committee on Law and Order.

By Mr. HOBBS. House Bill No. 1574.

An Act creating and empowering a commission to purchase or condemn property covered by natural lakes as a public pleasure resort, conferring the management thereof upon the Board of Commissioners of Public Grounds and Buildings and making an appropriation therefor.

Referred to the Committee on Judiciary Local.

By Mr. RONEY. House Bill No. 1575.

An Act to further amend section twenty-one of an act entitled "A Further Supplement to an act entitled "An Act to provide revenue by Taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," approved June first, one thousand eight hundred and eighty-nine.

Referred to the Committee on Ways and Means.

By Mr. BIGGER. House Bill No. 1576.

An Act to amend an act, entitled "An Act authorizing corporations organized for profit, to purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of the shares of capital stock of, or any bonds, securities or evidences of indebtedness created by any other corporation," approved July 2, 1901.

Referred to the Committee on Judiciary Special.

By Mr. MANNION. House Bill No. 1577.

An Act to establish as a "State Highway" a certain section of public road leaving route No. 174 at a point known as the Russell Forks thence via of the farm formery owned by George Russell, past the Crystal Inn and intersecting Route No. 296 on or about the dividing line between Lackawanna and Susquehanna counties at Crystal Lake.

Referred to the Committee on Public Roads.

By Mr. MITCHELL. House Bill No. 1578.

An Act requiring the sheriff, prothonotary and all other county officers receiving moneys as such officers, to be credited to others, to give quarterly written notice to such party or parties of the amount standing to his, ner or their credit during the preceding quarter.

Referred to the Committee on Judiciary Special.

By Mr. BAYLE. House Bill No. 1579.

An Act to establish as a "State Highway" a certain section of public road from Waterford Borough to Erie, Pennsylvania, beginning in the Borough of Waterford, Erie County, at the inter-section of Waterford pike with route numbered eight-four, thence northwestwardly through the townships of Waterford and Summit to Spires Corners connecting with route numbered two hundred fifty-eight, and thence over route two hundred fifty-eight to the city of Erie.

Referred to the Committee on Public Roads.

By Mr. WALNUT. House Bill No. 1580.

An Act repealing the act of June fifteenth, one thousand eight hundred and seventy-one (Paphlet Laws three ninety-one) entitled "An Act relating to the Assessment of Damages for the Appropriation of land for Public use."

Referred to the Committee on Judiciary General.

By Mr. MILLER. House Bill No. 1581.

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain cases.

Referred to the Committee on Judiciary General.

By Mr. WILDMAN. House Bill No. 1582.

An Act making an appropriation for the purchase of two relief maps for the Pennsylvania State Museum.

Referred to the Committee on Library.

By Mr. WALTON. House Bill No. 1583.

An act to compel installation, operation and observance of safety devices and signals at grade crossings of steam and electric railways for preventing accidents.

Referred to the Committee on Railroads.

By Mr. REESER. House Bill No. 1584.

An Act to amend an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled, 'An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities, and towns and extending to the State line, describing and defining the same by route numbers as State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

Mr. ROBINSON. House Bill No. 1585.

An act rendering women eligible to office of Mercantile Appraiser.

Referred to the Committee on Ways and Means.

By Mr. CONRADE. House Bill No. 1586.

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of, and to refuse admission to companies, associations, societies or orders from any state which refuses to permit like companies, associations, societies or orders organized and operating under the laws of this state to do a like business in said state, and designating who may and who way not make examination of said companies, associations, societies or orders, and providing who shall pay the expenses of examinations of such companies, associations or order.

Referred to the Committee on Insurance.

By Mr. GEISER. House Bill No. 1587.

An Act to amend an act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled "An Act to create a Bureau of Professional Education, as a sub-department of the Department of Public Instruction, to define the powers and duties of the said Bureau, and to make an appropriation therefor."

Referred to the Committee on Education.

By Mr. JOHN R. K. SCOTT. House Bill No. 1588.

An Act to provide for the election at Fall Primaries of Delegates to State Conventions for the purpose of Nominating Candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a Municipal Election.

Referred to the Committee on Elections.

By Mr. JAMES J. CAMPBELL. House Bill No. 1589.

An act fixing the compensation of the Desk Clerks of the Senate and the House of Representatives.

Referred to the Committee on Judiciary Special.

By Mr. JOHN R. K. SCOTT. House Bill No. 1590.

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate, to fix the time of opening and closing the tax duplicates, to regulate the appropriations and expenditures of said cities and prescribing penalties for the

violation of the provisions of this act," approved the eleventh day of June, one thousand eight hundred and seventy-nine.

Referred to the Committee on Judiciary Special.

By Mr. JOHN R. K. SCOTT. House Bill No. 1591.

An Act authorizing procedure in all criminal prosecutions of be present, in person or by Attorney, and with or without a stenographer, before the Grand Jury during the examination of witnesses, and to take down the testimony stenographically; and requiring the Foreman of the Grand Jury to ask such questions of the witnesses as may be suggested by a prosecutor or by attorney.

Referred to the Committee on Judiciary Special.

By Mr. KAISER. House Bill No. 1592.

An Act regulating the pay of election officers and clerks in counties of this Commonwealth having a population of more than one million, and less than one million, five hundred thousand inhabitants.

Referred to the Committee on Elections.

By Mr. COCHRAN. House Bill No. 1593.

An Act making an appropriation for the payment to Guy Bryner of five thousand dollars as compensation for injuries sustained by him while serving as a private in Company D, Tenth Regiment, N. G. P., at the encampment held at Gettysburg, July twenty-third, one thousand nine hundred eight, and authorizing the State Treasurer to make such payment upon proper warrant of the Auditor General of this Commonwealth.

Referred to the Committee on Appropriations.

By Mr. GEISER. House Bill No. 1594.

An Act to amend section ten of an act approved the third day of June, one thousand nine hundred and eleven, entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicines and surgery and any of its minor branches may be obtained and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith."

Referred to the Committee on Public Health and Sanitation.

By Mr. R. J. BALDWIN. House Bill No. 1595.

An Act providing for the payment by the mortgagee of taxes levied against real estate covered by mortgages; providing that such tax when paid by the mortgagee shall be added to the principal sum of such mortgage; and making mortgages liable to sale for the collection of certain taxes.

Referred to the Committee on Judiciary General .

By Mr. KEEGAN. House Bill No. 1596.

An Act relating to liens on personal property, and the sale of such property thereunder.

Referred to the Committee on Judiciary General.

By Mr. POST. House Bill No. 1597.

An Act to establish as a "State Highway" a certain section of public road beginning at a point on the public highway (known as the Claysville and Burnsville Ridge Road) near the Dogwood Grove U. P. Church in East Finley township, Washington County, and running thence to the intersection of another public road in village of Burnsville (West Finley Post Office), Washington County, Pennsylvania.

Referred to the Committee on Public Roads.

By Mr. HAGGERTY. House Bill No. 1598.

An Act to establish as a "State Highway" a certain section of public road, beginning at a point on Route No. 168 about two miles northwest of Elmhurst near the Old Throopville School House, passing over the Old Luzerne and Wayne Turnpike, commonly known as the Cobb Road, thence via Mt. Cobb and Elmdale to Hamlin where it intersects with Route No. 171.

Referred to Committee on Public Roads.

By Mr. MITCHELL. House Bill No. 1599.

A Supplement to an act, entitled "An act for the government of cities of the third class," approved the day of Anno Domini, one thousand nine hundred one; creating a City Planning Department, defining its jurisdiction and extending the same so as to relugate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits, and to regulate the making and use of certain public improvements until said plans are approved by said Department.

Referred to Committee on Municipal Corporations.

By Mr. SEMMENS. House Bill No. 1600.

An Act empowering counties to construct, operate and maintain public highways, public highway bridges, and tunnels in the several counties of this Commonwealth, either wholly within or partly within any city, borough or township therein; authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches thereto; authorizing counties to lay out, open, widen, straighten or extend streets and alleys, or parts thereof, within the boundaries of any city, borough or township therein, so as to connect said bridges and tunnels, or public highways, or roads leading thereto, with any public highways therein; or so as to connect any other county bridge or road, now or hereafter constructed, with any public highway within such city, borough or township; and to grade, pave, macadamize or otherwise improve the same; and authorizing the taking of property for all or any of said purposes; providing for the payment of the cost and expense thereof and compensation therefor, and damages resulting therefrom; and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes.

Referred to Committee on Counties and Townships.

By Mr. MITCHELL. House Bill No. 1601.

An Act to promote and encourage manufacturing within the Commonwealth by exempting from State and local taxation all machinery actually and exclusivelyy used within the Commonwealth in manufacturing or for manufacturing purposes.

Referred to Committee on Manufactures.

By Mr. HESS. House Bill No. 1602.

A Joint Resolution to provide for the appointment of a commission to carry into effect the work necessary for the participation of the State of Pennsylvania in the Panama-California International Exposition, to be held in San Diego, California, in nineteen hundred and fifteen, to celebrate the completion and opening of the Panama Canal, and for the four hundredth anniversary of the discovery of the Pacific Ocean; and making an appropriation to defray the expenses of the same.

Referred to Comimttee on Centennial Affairs.

By Mr. JOHN H. YOUNG. House Bill No. 1603.

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits.

Referred to the Committee on Municipal Corporations.

By Mr. BAYLE. House Bill No. 1604.

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen, one thousand eight hundred and ninety-five, as amended by the acts of April fourteen, one thousand nine hundred and three, and June seven, one thousand nine hundred and seven, by adjusting the salaries of the officers and other persons appointed to service in said department.

Referred to the Committee on Agriculture.

By Mr. REESER. House Bill No. 1605.

An Act relating to roads in townships of the second class.

Referred to the Committee on Public Roads.

By Mr. KEEPORT. House Bill No. 1606.

An Act to prevent misrepresentation or misleading estimates intended to induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse of forfeiture of policies of insurance prescribing penalties for violations of this act making provision for compelling the production of evidence and repealing existing laws.

Referred to the Committee on Insurance.

By Mr. ELY. House Bill No. 1607.

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population, prescribing their powers, duties, authority and compensation.

Referred to Committee on Judiciary Local.

By Mr. McKAY. House Bill No. 1608.

An Act to protect attorneys and counsellors-at-law in their fees for legal services and providing for a lien thereof and the manner of enforcing the same.

Referred to Committee on Judiciary General.

By Mr. FREY. House Bill No. 1609.

A Joint Resolution providing for the appointment of a commission to investigate the condition of the canal formerly owned by the Susquehanna Canal Company; and making an appropriation therefor.

Referred to the Committee on Judiciary General.

By Mr. GIBSON. House Bill No. 1610.

An Act to prevent the spread of tree diseases by compelling the treatment of the same under certain conditions.

Referred to the Committee on Agriculture.

By Mr. KENNA. House Bill No. 1611.

An Act relating to the liability of corporations, individuals, and other employers, in actions for damages caused by the negligence of said corporation, or officers, agents or employees thereof, or by the negligence of any employers or his agents or employees, causing injury or death, and if said injury is caused by the negligence of a fellow servant that fact shall not be a defense; defining contributory negligence and how determined.

Referred to the Committee on Judiciary General.

By Mr. BAYLE. House Bill No. 1612.

An Act to establish as a "State Highway" a certain section of public road beginning at the intersection of the south line of North East Borough, at a point on route number eighty-seven, at the station road leading north and south; thence south through a portion of North East Township; and through Greenfield Township and through a portion of Venango Township to the Wattsburg plank road, connecting with route number eighty-three, in Erie County.

Referred to the Committee on Public Roads.

By Mr. SNYDER. House Bill No. 1613.

An Act to protect the public highways of the State by regulating the vehicles using the same; and fixing penalties for violation hereof.

Referred to the Committee on Public Roads.

By Mr. MITCHELL. House Bill No. 1614.

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries, limiting the amount of exemption to be claimed and providing for the payment of the costs.

Referred to the Committee on Labor and Industry.

By Mr. ULMAN. House Bill No. 1615.

An Act to establish as a "State Highway" a certain section of public road, beginning at Iola, Columbia County, on Route No. 239, passing through Pine Summit and Opp to Clarkestown and thence to a point on Route No. 19 one mile north of Muncy, thence over route 19 into Muncy, Lycoming county.

Referred to the Committee on Public Roads.

By Mr. GLENN. House Bill No. 1616.

An Act providing for the return of taxes on seated lands, in counties, poor districts, boroughs, incorporated towns and townships, for county, poor, borough, town or township taxes, respectfully, and providing for the sale of such lands for taxes.

Referred to the Committee on Judiciary General.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILL NO. 741.

Mr. RICHARDS presented the petitions of 56,000 Citizens of the State of Pennsylvania, praying for the passage of Bill No. 741.

Which was referred to the Committee on Public Health and Sanitation.

PROTESTING AGAINST CLUB LICENSE BILL.

The SPEAKER presented a petition of citizens of Philadelphia protesting against the passage of the Club License Bill.

Which was referred to the Committee on Law and Order.

Mr. SPANGLER presented the petition of Citizens of York County, protesting against the passage of the Club License Bill.

Which was referred to the Committe on Law and Order.

FAVORING THE PASSAGE OF HOUSE BILL NO. 383.

Mr. BENSON presented the petition of Citizens of McKean County, praying for the passage of Bill No. 383, providing for the equalization of taxation.

Which was referred to the Committee on Ways and Means.

FAVORING THE PROTECTION OF GAME.

The SPEAKER presented the petitions of Citizens of the State of Pennsylvania praying for the passage of a bill to protect the skunk and red fox.

Which was referred to the Committee on Agriculture.

FAVORING THE PENNSYLVANIA NAUTICAL SCHOOL.

The SPEAKER presented the petition vessel owners and captains' association of Philadelphia, praying for support for the Pennsylvania Nautical School.

FAVORING THE PROTECTION OF FOXES.

M. R. J. BALDWIN presented the petitions of Citizens of Delaware County, praying for the passage of a bill protecting foxes in the State.

Which was referred to the Committee on Game.

PROTESTING AGAINST THE HUNTERS' LICENSE BILL.

Mr. ULMAN presented the petitions of Citizens of Lycoming County, praying against the Hunters' License Bill.

Which was referred to the Committee on Game.

FAVORING ERECTION OF MONUMENT TO MOLLIE PITCHER.

Mr. SPANGLER presented the petitions of Citizens of York and Allegheny Counties, praying for the passage of an appropriation for a monument to "Mollie Pitcher" at Monmouth.

Which was referred to the Committee on Appropriations.

PROTESTING AGAINST HOUSE BILL NO. 1139.

The SPEAKER presented the petitions of Citizens of Luzerne County, protesting against the passage of House Bill No. 1139.

Which was referred to the Committee on Judiciary General.

FAVORING AMENDMENT TO MARRIAGE LAWS.

Mr. MARTIN presented the petitions of Citizens of Dauphin County, praying for the passage of the bill to prevent the marriage of diseased men and women.

Which was referred to the Committee on Public Health and Sanitation.

FAVORING SUPPRESSION OF PROSTITUTION BY INJUNCTION.

Mr. MARTIN presented the petitions of Citizens of Dauphin County, praying for the passage of a bill to provide for the closing of houses of ill-fame by injunction.

Which was referred to the Committe on Law and Order.

FAVORING CHANGE IN ROUTE OF STATE ROAD NO. 286.

Mr. MATT presented the petitions of Citizens of Bedford County, praying for the passage of a bill changing the route of State Road No. 286.

Which was referred to the Committee on Public Roads.

REPORTS FROM COMMITTEES.

Mr. FRANK GRAY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 398, entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases, and making a violation of its provisions a misdemeanor, and providing penalties for violations thereof.

Mr. BERNTHEIZEL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1310, entitled:

An Act providing that whenever hereafter before the Registrar of Wills of any County of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said Registrar a disputable matter shal come into controversy, the said registrar shall immediately certify the same into the Orphan's Court of the said County for hearing and determination and defining when a disputable matter shall be deemed to come into controversy before the Register within the meaning of this Act.

Mr. GIBSON, from the Committee on Public Roads, reported as committed, House Bill No. 1469, entitled:

An Act relating to roads, providing for the supervision, construction, maintenance and repair of township roads, relating to road tax, making an appropriation and providing penalties for the violation thereof.

Mr. WILTBANK, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1225, entitled:

An Act to prohibit experiments on any human being by the application of drugs, instruments or deleterious substances of any kind, or by innoculation or injection, without the consent of the person subjected to such experiment, his or her parent or guardian, and providing penalties therefor.

Mr. REDFIELD, from the Committee on Banks and Banking, reported as amended, House Bill No. 799, entitled:

An Act authorizing persons, co-partnerships, associations, and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum; providing for licenses for the same; imposing conditions and regulations, fixing rates of interest and charges; giving to the Court of Quarter sessions supervision of the same regulating procedure and fixing penalties limiting its application; declaring violation of its provisions a misdemeanor and prescribing punishment therefor; repeal of acts inconsistent therewith.

Mr. MITCHELL, from the Committee on Military affairs, reported as committed, House Bill No. 1218, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State aval Militia, approved the fifteenth day of May, Anno Domini, one thousand eight hundred and ninety-three; by repealing the provisions that the Divisions in each Battalion in the Naval Force shall be considered the equivalents of Companies of the National Guard; and by providing that the Divisions of the Naval Force shall be considered the equivalents of Field Batteries in the National Guard and shall receive the same allowance as field batteries for armory rent, for rifle practice, for clothing and equipment; and making said allowance also available, for subsistence and additional general military purposes; by also providing that the allowance to be received by Battalions in the Naval Force for Armory rent, for rifle practice, for clothing and equipment; shall be available for subsistence and additional general military purposes.

Mr. HOFFMAN, from the Committee on Banks and Banking, reported as committed, House Bill No. 1316, entitled:

An Act permitting Building Associations or other Corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages.

Mr. MOUTHROP, from the Committee on Banks and Banking, reported committed, House Bill No. 1024, entitled:

An Act to amend sections one and eight of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof."

Mr. NEELY, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 30, entitled:

An Act to protect the public health by prohibiting in certain places the keeping of a towel intended for the use of more than one person without, after each individual use, being properly cleaned.

Mr. BITTLES, from the Committee on Public Roads, reported as committed, House Bill No. 1353, entitled:

An Act making an appropriation of two hundred dollars per year for a period of two years, for the purpose of maintaining a public road through the Cornplanter Indian Reservation, and the bridges on said road, in Elk Township, Warren County, Pennsylvania.

Mr. SAVACOOL, from the Committee on Bank and Banking, reported as committed, House Bill No. 1377, entitled:

An Act to prevent the person holding the office of President, Vice-President, Secretary or Treasurer of any Building and Loan Association, incorporated under the laws of this Commonwealth, or doing business herein from holding the office or performing any of the duties of Conveyancer for such Building Association and providing a penalty for the breach thereof.

Mr. STRAUSS, from the Committee on Judiciary General reported as amended House Bill No. 225, entitled:

An Act regulating the equipment, use and operation of motor boats, row boats and canoes, and providing penalties.

Mr. WHITAKER, from the Committee on Banks and Banking, reported as amended, House Bill No. 1019, entitled:

An Act providing for the liquidation, distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business.

Mr. WALTON, from the Committee on Military Affairs, reported as committed, House Bill No. 1379, entitled:

An Act authorizing counties to appropriate, moneys for monuments or memorials in memory of the soldiers, sailors and marines of the Spanish-American war.

Mr. BASS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1208, entitled:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefore imposing certain duties upon the sellor and the buyer upon the sellor or pledger and the buyer and pledgee making their violation a misdemeanor and providing therefor

Mr. LIGHT, from the Committee on Judiciary General, reported as amended, House Bill No. 666, entitled:

An Act relating to the administering of oaths or affirmations to administrators executors committee or guardians to qualify them for the performance of their respective duties

Mr. MILLER, from the Committee on Judiciary General, re-reported as committed, House Bill No. 759, entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the Court and providing for the sentence of either or both in their absence

Mr. WILLIAMS, from the Committee on Forestry, reported as committed, House Bill No. 699, entitled:

An Act authorizing the Department of Forestry of the Commonwealth of Pennsylvania by and with the consent of the Governor to sell and convey any land owned or possessed by the Commonwealth for forest reservation purposes which land so to be sold in the judgment of the Forestry Reservation Commission is suitable for building sits or agricultural purposes or which is not deemed advisable for the Commonwealth to keep and providing a method of conveying the same

Mr. ELY, from the Committee on Library, reported as committed, House Bill No. 1284, entitled:

An Act fixing the salary of the messenger in the State Library

Mr. ELY, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1419, entitled:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Mr. ELY, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1376, entitled:

An Act requiring the cleaning or sterilizing of glasses used in places where alcoholic liquors are sold at retail

Mr. MITCHELL, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 34, entitled:

An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the State Fire Marshall and by providing proper penalties for any violation of the same

SENATE MESSAGES.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives, as follows:

In the House of Representatives, March 19, 1913.

Resolved, (if the Senate concur), That House Bill No. 11, entitled

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district be recalled from the Governor for the purpose of amendments.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives, as follows:

In the House of Representatives,
March 12, 1913.

Resolved, (if the Senate concur), That five hundred copies be printed containing the memorial addresses on the late Honorable John H. Reibel delivered in this House on the evening of March eleventh, and that every member of the Senate and House be supplied with one copy each.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate Bill No. 30.

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs

Also Senate Bill No. 34.

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned to the House of Representatives, bills numbered and entitled as follows:

House Bill No. 116.

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place or business open during the pendency of any application for transfer of license

Also House Bill No. 259.

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same"

Also House Bill No. 170.

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

Also House Bill No. 260:

An Act making valid the bonds of other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed

Also House Bill No. 147.

An Act to provide for the protection and preservation of the Wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions

With information that the Senate had passed the same without amendment.

LEAVES OF ABSENCE.

Mr. WILLIAM F. BLAIR asked and obtained leave of absence for himself for the balance of the week.

Mr. STRAUSS asked and obtained leave of absence for Mr. Cochran and Mr. Howard for the balance of the week.

Mr. ALLEN asked and obtained leave of absence for Messrs. Malie, Steedle and Wettach for the balance of the week.

Mr. MOSES asked and obtained leave of absence for himself, from eleven o'clock to-day, for the balance of the week.

Mr. REESER asked and obtained leave of absence for himself for the balance of the week.

Mr. MATT asked and obtained leave of absence for Mr. Snavely for the balance of the week.

Mr. PRICE asked and obtained leave of absence for himself for the balance of the week.

Mr. KLEPPER asked and obtained leave of absence for himself for the balance of the week.

Mr. MOORE asked and obtained leave of absence for Mr. Curry for the balance of the week.

Mr. CARSON asked and obtained leave of absence for Mr. Post for the balance of the week.

Mr. ULERICH asked and obtained leave of absence for himself for the balance of the week.

RESOLUTION.

Mr. WILTBANK. Mr. Speaker, I desire to call up Resolution No. 33, file folio 2667.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

Whereas, Charges have been published affecting the integrity of Willard R. Black while a clerk in the Game Commissioner's office, and who is now employed as Assistant clerk of the House of Representatives. Therefore

Be it Resolved, That the House of Representatives appoint a committee to investigate the said charges and report their findings to the House when it meets on Monday, March twenty-fourth, for such action as it may see fit to recommend.

Mr. S. B. SCOTT. Mr. Speaker, it has been the practice when charges were made to refer the whole matter to a committee and I therefore move that this resolution be referred to the Committee on Judiciary General.

Mr. FRANK GRAY. Mr. Speaker, I second the motion.

Mr. WILTBANK. Mr. Speaker, I hope the House will vote this down. The object of this motion is to smother this resolution and to smother this investigation. I waited for two days and went to Mr. Scott, the gentleman from Philadelphia, to do this thing and said if he wouldn't do it, that I would. There is nothing in this resolution, if this young man is not guilty of this charge, and I do not see anything that is wrong in having this special resolution. Mr. Scott could stop this resolution if he had a mind to. One of my colleagues has asked me to do this and it has not been done in any hurry. I hope you will vote this motion down and let the resolution go through. There is nothing wrong with it at all. I ask that this committee be appointed and I hope that you will vote the motion down.

Mr. SCHUCK. Mr. Speaker, I rise to a point of order.

The SPEAKER. Will the gentleman state his point of order.

Mr. SCHUCK. Mr. Speaker, to my mind it is a grave question whether this subject is in order at all, inasmuch as the incident alleged to have happened, occurred six years ago, under the Speakership of Mr. Frank McClain. I am not an interested party in this controversy, but I say that we are wasting time; we are idling away our time in taking up questions looking into the record of an employee of six years ago. Suppose we should go back to investigate the records of the conduct of the employees or even of the members of this House six years ago? We might go on indefinitely doing that. I have been informed by some one that this occurred six years ago. I think the resolution should be declared out of order or referred to a proper committee.

Mr. WILTBANK. Will the gentleman permit me to interrogate him?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Schuck, permit himself to be interrogated?

Mr. SCHUCK. Mr. Speaker, yes, sir.

Mr. WILTBANK. Mr. Speaker, I desire to ask the gentleman whether he knows that it was six years ago or six hours ago when this happened or whether this resolution says whether it is for conduct of one year ago or one hour ago or one month ago?

Mr. SCHUCK. Mr. Speakere. no, sir. I do not and that is just what is the matter with your resolution. I understand that this occurred six years ago.

Mr. WILTBANK. Mr. Speaker, it looks to me as if you (Mr. Schuck) had been investigating this yourself.

On the question,

Will the House agree to the motion to refer the resolution to the Committee on Judiciary General?

Mr. ALLEN. Mr. Speaker. I would like to say a word on this matter. I agree with the gentleman from Philadelphia that this is a matter that deserves some consideration. The time is fixed by the resolution. If you will read the resolution you will see that the resolution sets the time for the report of the committee on the 24th day of March, which is next Monday. If this resolution should be referred to a committee, I would like to ask the question whether or not it will have the effect of killing it if the committee does not report at the time set for the reporting of it. I therefore ask the question for information: Whether or not, as the time for the report of this committee is fixed for next Monday, March 24th. in the event of the committee not meeting until after that time, if that would have the effect of killing the resolution?

The SPEAKER. The Chair has no information as to when the committee is going to meet. Manifestly if the meeting were not held until after that time. they could not make a report until later.

Mr. ALLEN. Mr. Speaker. this resolution provides that a committee shall be appointed and shall report to this House on Monday the 24th. Now, a motion is made to refer this resolution to a committee which, judging by its action heretofore and its ordinary course of business, will not meet until at least the 25th. Now, I question very much whether or not the reference of the resolution under such a condition would not. as the gentleman from Philadelphia says, kill the resolution.

The SPEAKER. The Chair could not assume that the Chairman of the Judiciary Special Committee would not call a special meeting if this resolution were referred to it.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I might say that the rules of the Judiciary Special Committee fix both Tuesday and Thursday at 1.30 P. M. for a meeting.

The SPEAKER. The Chair is informed that the committee will meet at 1.30 to-day.

Mr. ALLEN. Mr. Speaker, was the motion—this is not a point of order—that this be referred to the Judiciary Special or the Judiciary General Committee?

The SPEAKER. The Judiciary Special Committee.

The question is upon the motion to refer the resolution to the Committee on Judiciary Special. The Chair would state that this motion does not involve any action by the Judiciary Special Committee, except advising the House whether or not this resolution should be passed.

Mr. WILTBANK. Mr. Speaker, wouldn't it be better for the gentleman that made that resolution to make an amendment to have it put into the waste basket? Now, if there is anything here they want to cover up, let us know it. There is nothing in this resolution to call for the House's referring it to this committee and why, in the name of God. they want to do it is more than I can understand. While the resolution does call to make a report on Monday, gentlemen, you can come in here on Monday and ask for an extension of time. and if the House in its wisdom sees fit to give it to you, then they can give you an extension until Resurrection Day. Now, I am not much of a parliamentarian, but as I told my friend from Philadelphia, they all had their notice that I would do this if they did not. I spoke to him the day before yesterday or just before that and asked him to do something of this kind. This man I never spoke to in my life till I ordered him out of my seat last evening. That was the first time I spoke to him, but any man on God's footstool who will travel with a woman is not fit to breathe the free air of this country —

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ALLEN. The question is whether or not the resolution shall be referred.

The SPEAKER. Correct.

On the question recurring,

Will the House agree to the motion?

A division was called for, 90 voting in the affirmative and 15 in the negative,

And the motion was adopted.

Mr. WILTBANK. Mr. Speaker, I would like to make another motion: That Mr. Wiltbank deserves the censure of the House for offering such a resolution to have the audacity to go to work and offer such a resolution as that, he deserves the censure of this House.

Mr. McARDLE. Mr. Speaker, I second the motion.

The SPEAKER. The motion is scarcely in order.

Mr. WILTBANK. Mr. Speaker. well, we will have it then later on.

I think I would like to rise for a personal explanation on this, with the permission of the Speaker.

The SPEAKER. Does the gentleman rise to a question of personal privilege?

Mr. WILTBANK. Mr. Speaker, that's right.

The SPEAKER. The gentleman will proceed.

Mr. WILTBANK. I am going to censure every mother's son of you. This here is the most disgraceful piece of legislation that was ever in any legislature in this country, that when these grave charges are made against one of your clerks that you will positively refuse to investigate him, and I think that it is a disgrace. I hope that we will have at some other time men who will stand up for the American liberty and the American woman's virtue.

FILLING VACANCY IN SOLDIERS' ORPHANS' SCHOOL COMMISSION.

The SPEAKER. The Chair desires to make an announcement to the House. The death of the Honorable John H. Riebel leaves a vacancy on the Commission of the Soldiers' Orphans' School for the term expiring the third Wednesday of January, 1915. Under the Act of Assembly, this appointment is vested in the Speaker of the House. The Chair appoints to this vacancy the gentleman from Philadelhia, Mr. Gray.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 908, as follows:

An Act prohibiting the giving or soliciting or receiving of tips and providing a penalty

Whereas, The iniquitous custom of tipping has grown to enormous proportions in this country and has long since become an intolerable burden to those who travel and

Whereas The giving of tips is not alone un-American but unfair and unjust and works a hardship on many who can not afford the many petty exactions caused by this custtom therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to give or to solicit or to receive directly or indirectly what is commonly known as a tip

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the county shall be fined not less than ten dollars ($10) nor more than twenty-five dollars ($25)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. Bill No. 619, as follows:

An Act to amend the fourth paragraph of section seven of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of section seven of an act of Assembly of this Commonwealth entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Fourth To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisances Also to prohibit or regulate the running at large of animals" shall be amended to read as follows

Fourth To make regulations respecting pig pens slaughter houses bone boiling establishments manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive to prohibit within the township the burial or interment of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of graves to abate nuisances prejudicial to public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals To prevent the spread of fires and to secure structural and sanitary safety of the buildings within its limits every township of the first class of this Commonwealth shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins the plans and specifications therefor shall be approved by the township commissioners and to provide for inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of incombustable materals and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provision of any such ordinance is declared to be a public nuisance and abatable as such

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Adams,	Dunn, H. B.,	Kuhns, E.G.M.,	Rockwell,
Allen,	Dunn, J. A.,	Lanius,	Rothenberger,
Alworth,	Ehrhardt,	Lenker,	Sassaman,
Ambler,	Ely,	Light,	Savacool,
Baldwin, R. J.,	Ewing,	Lohr,	Schuck,
Barner,	Flynn,	Lowers,	Scott, J. R. K.,
Bass,	Foster, J. D.,	Mannion,	Scott, S. B.,
Bayle,	Frey,	Martin,	Semmens,
Becker,	Geary,	Mather,	Shaffer, C. A.,
Benninger,	Geiser,	Matt,	Shaffer, I. E.,
Benson,	Gibson,	McArdle,	Sherwood,
Bergey,	Good,	McCaig,	Showalter,
Berntheizel,	Goss,	McClintock,	Smith, J. W.,
Bigger,	Gramley,	McDermott,	Smith, L.,
Bittles,	Gray, Frank,	McKay,	Snyder,
Blair, W. A.,	Gray, Joseph,	Mechling,	Spangler,
Blair, W. F.,	Hackett,	Mellott,	Spillinger,
Bleloch,	Haggerty,	Metzenbacher,	Steele,
Body,	Hemminger,	Mitchell,	Strauss,
Brown,	Herman,	Moore,	Swartz,
Brownlee,	Hess,	Moses,	Swift,
Burnett,	Heyburn,	Moulthrop,	Trach,
Caldwell,	Hobbs,	Murphy,	Ulerich,
Campbell, C.M.,	Hoffman,	Newbaker,	Ulman,
Campbell, J. J.,	Humes,	Newton,	Walnut,
Carson,	Jackson,	North,	Walton,
Carter,	Jones, E. E.,	Peachey,	Watson,
Cheeseman,	Jones, J. R.,	Pennegar,	Whitaker,
Claycomb,	Kaiser,	Pennock,	Whitman,
Cleary,	Keegan,	Perry, S. J.,	Wildman,
Collins,	Keeport,	Peters,	Williams,
Conner,	Kennedy,	Piper,	Wilson, J. H.,
Conrade,	Kern,	Price,	Wilson, W. H.,
Cox,	Kitts,	Ramsey,	Wiltbank,
DeFrees,	Klepper,	Redfield,	Young, J. H.,
Dickinson,	Kuhn, H. P.,	Rhoads,	Zimmerman,
Donahoe,			Alter,
Donnally,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to call up, for the purpose of amendment, House Bill No. 888, entitled:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same.

bottom of page 2 of to-day's Calendar, Bills on Second Reading Postponed for the Present.

The SPEAKER. Will the House give unanimous consent for the consideration of this bill at this time? The Chair hears no objections, and consent it granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the blue violet shall be the State flower or floral emblem of the Commonwealth of Pennsylvania

The second section of the bill was read as follows:

Section 2 The fourteenth day of June in each year shall be known as Daisy Day and be celebrated accordingly

On the question,

Will the House agree to the section?

Mr. SAVACOOL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 2, line 2, by striking out the word "Daisy" and inserting in lieu thereof the words 'Blue Violet"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The preamble was then read and agreed to as follows:

Whereas, The Commonwealth of Pennsylvania is one among the eight states of the United States which have up to the presnt time failed or neglected to adopt some form of floral emblem or state flower and

Whereas, The adoption of some emblem as aforesaid would inculcate patriotism in the school children of the State therefore

The title of the bill was read as follows:

An Act designating the daisy as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

On the question,

Will the House agree to the title?

Mr. SAVACOOL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title by striking out the word 'Daisy" and inserting in lieu thereof the words "Blue Violet."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second tiem and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 794, as follows:

An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any person firm or corporation in the Commonwealth of Pennsylvania who for exhibition display or advertisement purposes shall use the word Consul or Consulate or any derivative or equivalent thereof in any language or the coat of arms of any foreign nation or any simulation thereof for like purpose tending to convey the impression that the business so advertised has official relation to any foreign government shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment for not more than one year either or both in the discretion of the court provided the provisoion of this act shall not apply to a consular official of a foreign nation or county duly accredited to any city in the Commonwealth of Pennsylvania

On the question,

Shall the bill pass finally?

Mr. EHRHARDT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered, for the purpose of making an amendment to correct a typographical error.

Mr. WILTBANK. I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. EHRHARDT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 1, line 14, strike out the letter "o" in the word which should be "provision."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

The SPEAKER. The amendment consisting simply of striking out, the bill will now be put upon final passage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Adams,	Ehrhardt,	Lohr,	Runk,
Allen,	Flynn,	Lowers,	Sassaman,
Alworth,	Forster, I. G.,	Mannion,	Savacool,
Ambler,	Foster, J. D.,	Martin,	Schuck,
Baldwin, R. J.,	Frey,	Mather,	Scott, J. R. K.,
Barner,	Geiser,	Matt,	Semmens,
Bass,	Gibson,	McArdle,	Shaffer, C. A.,
Bayle,	Good,	McCaig,	Shaffer, I. E.,
Becker,	Gray, Frank,	McClintock,	Sherwood,
Benninger,	Gray, Joseph,	McKay,	Showalter,
Benson,	Haggerty,	Mellott,	Smith, J. W.,
Bergey,	Hemminger,	Metzenbacher,	Smith, L.,
Berntheizel,	Hess,	Miller,	Snyder,
Bigger,	Heyburn,	Mitchell,	Spangler,
Bittles,	Hibshman,	Moore,	Spillinger,
Blair, W. A.,	Hobbs,	Morrow,	Steele,
Blair, W. F.,	Hoffman,	Moses,	Stone,
Body,	Isler,	Moulthrop,	Strauss,
Brosius,	Jackson,	Murphy,	Swartz,
Brownlee,	Jones, E. E.,	Musser,	Swift,
Burnett,	Jones, J. R.,	Neely,	Thomas,
Caldwell,	Kaiser,	Newbaker,	Trach,
Carter,	Kaufman,	Newton,	Ulerich,
Cheeseman,	Keegan,	Peachey,	Ulman,
Claycomb,	Keeport,	Pennegar,	Walnut,
Cleary,	Kennedy,	Pennock,	Walsh,
Conniff,	Kitts,	Perry, S. J.,	Walton,
Conrade,	Klepper,	Peters,	Watson,
Cox,	Kuhn, H. P.,	Ramsey,	Whitaker,
Currier,	Kuhns, E.G.M.,	Redfield,	Whitman,
DeFrees,	Lanius,	Reeser,	Wildman,
Dickinson,	Lenker,	Rhoads	Williams,
Donahoe,	Leslie,	Rockwell,	Wilson, J. H.,
Donnally,	Light,	Rothenberger,	Zimmerman,
Dunn, H. B.,			Alter,
Dunn, J. A.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. FREY. Mr. Speaker, I ask unanimous consent to call up out of order House Bill No. 1161, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

on page 16 of to-day's Calendar, Bills on Third Reading.

The SPEAKER. Will the House give unanimous consent to consider the bill at this time? The Chair hears no objections and consent is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading an consideration of House Bill No. 1166, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Adams,	Dunn, J. A.,	Kuhn, H. P.,	Rothenberger,
Alworth,	Ehrhardt,	Lanius,	Runk,
Ambler,	Ewing,	Latshaw,	Schuck,
Baldwin, R. J.,	Flynn,	Lenker,	Scott, S. B.,
Barner,	Foster, J. D.,	Leslie,	Semmens,
Becker,	Frey,	Light,	Sherwood,
Benninger,	Geiser,	Lohr,	Showalter,
Benson,	Gibson,	Lowers,	Smith, J. W.,
Bergey,	Glenn,	Mannion,	Smith, L.,
Berntheizel,	Good,	Matt,	Snyder,
Bigger,	Grabe,	McArdle,	Steele,
Bittles,	Gramley,	McCaig,	Stone,
Blair, W. A.,	Gray, Frank,	McClintock,	Strauss,
Body,	Gray, Joseph,	McKay,	Swartz,
Brosius,	Haggerty,	Mellott,	Swift,
Brown,	Hemminger,	Metzenbacher,	Thomas,
Brownlee,	Herman,	Miller,	Trach,
Burnett,	Hess,	Mitchell,	Ulerich,
Caldwell,	Heyburn,	Moore,	Ulman,
Carson,	Hibshman,	Moses,	Walsh,
Carter,	Hobbs,	Moulthrop,	Walton,
Claycomb,	Hoffman,	Neel,	Watson,
Cleary,	Isler,	Neely,	Whitaker,
Conniff,	Irwin, G. C.,	Newbaker,	Whitman,
Conrade,	Jackson,	Newton,	Wildman,
Cox,	Jones, E. E.,	North,	Williams,
Currier,	Jones, J. R.,	Ramsey,	Wilson, J. H.,
DeFrees,	Kaiser,	Redfield,	Wilson, W. H.,
Dickinson,	Keegan,	Reese,	Young, J. H.,
Donahoe,	Kennedy,	Reeser,	Zimmerman,
Donnally,	Kern,	Rhoads	Alter,
Down,	Kitts,	Rockwell,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communictions in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, viz:

APPROVAL OF HOUSE BILL NO. 277.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 277, entitled "An Act to prohibit the making or dissemination of false or misleading statements or assertions concerning any merchandise securities or services and providing penalties for the violation thereof."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 51.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 51, entitled "An Act to repeal sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of an act approved the twenty-sixth day of February, one thousand eight hundred fifty-three, entitled 'An Act authorizing the laying out of a State road from Ayr township in Fulton county to Warren township in Franklin county, and relating to the collection of taxes in Franklin county."

(Signed) JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor, for the purpose of amendment, House Bill No. 11, entitled "An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district.

(Signed) JOHN K. TENER.

Mr. BLELOCH. Mr. Speaker, I ask unanimous consent to call up at this time from page 7 of to-days' Calendar, House Bill No. 1106.

The SPEAKER. Will the House give unanimous consent to the calling up of this bill out of order? Is there any objection?

Mr. ROCKWELL. Mr. Speaker there was a special reason for the calling up of the previous bill out of order, but

in justice to the other members of the House, I do not think we should discriminate by calling up bills out of order. In justice to all the members, I think we should follow the Calendar.

The SPEAKER. It has been the observation of the Chair in this and previous sessions that the House can make more rapid and satisfactory progress in the work of the House by following the Calendar. The Chair hears objections, and the bill will not be taken up at this time.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 926, as follows:

An Act to classify the species or fish in such parts of the boundary lakes of more than nve thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of nsh from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in such part or parts of lakes of more than five thousand acres lying between this and any other State or foreign country as this Commonwealth has jurisdiction over and in any water or on any peninsula or on any bay adjacent to or connected with such lake the following named species of fish are hereby made specifically within the provisions of this act to wit All species or varieties of black or yellow bass rock bass calico bass or strawberry bass crappie muscallonge and grass pike which for the purpose of this act are hereby classified and hereinafter designated as game fish and minnows and killinsh which shall hereinafter be designated as minnows or bait fish and all other species of fish shall be called food fish.

Section 2. That it shall be unlawful to nsh for or capture any game fish in any waters within the jurisdiction of this Commonwealth described in the first section of this act in any manner or with any device or appliance or by any means whatsoever except a rod and line having not more than three hooks or with a hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling line with spoon hooks attached or for food fish with any device not specifically permitted in this act Any person violating any provision of this section shall on conviction thereof be subject to a penalty of twenty-five dollars or in default of payment undergo imprisonment in the county jail for a period of one day for each dollar of fine unpaid except when otherwise provided and any device appliance or boats used in violation of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 3. That it shall be unlawful to fish for any kind of fish in any bay or in any waters on any peninsula described in the first section of this act with nets or devices or means of any kind except a rod and line having not more than three hooks or with a hand-line having not more than three hooks attached or with a trolling-line with spoon hooks attached at any time of the year Provided That nothing in this section shall be so construed as to prohibit the use of minnow-nets for angling or scientific purposes or to prohibit the Department of Fisheries from catching nsh at any time of the year with nets for the purpose of stocking the waters or for taking spawn or from removing by means of nets by contract or otherwise any fish which it may deem injurious to other game or food fishes Any person violating any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars or in default of payment be imprisoned in the county jail for a period of thirty days and all nets devices appliances or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 4. That it shall be unlawful for any person to catch and kill in any waters within the jurisdiction of this Commonwealth described in the first section of this act or have in possession the same being killed more than twenty-five rock bass crappie strawberry or calico bass or more than twelve of any species of black bass grass pike or muscallonge and provided further That it shall be unlawful for any person to catch take or have in possession the same being killed any game fish from the first day of November to the twentieth day of May next ensuing both days inclusive Any person violating any of the provisions of this section shall on conviction be subject to a penalty of five dollars for each and every fish so unlawfully caught killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid.

Section 5. That it shall be unlawful for any person to put or place in any waters described in the first section of this act over which this Commonwealth has jurisdiction any electricity or any explosive or poisonous substances whatsoever or any drug or any poison bait for the purpose of catching taking killing or injuring nsh or to allow any dead fish nsh offal contents of tannery vats planing mill shavings dye-stuff coal or gas tar coal oil saw-dust tan bark cocculus indicus (otherwise known as fish berries) lime vitrol or any of the compounds thereof refuse from gashouses oil-tanks pipes or vessels or any deleterious destructive or poisonous substances of any kind or character to be turned into or allowed to run flow wash or be emptied into any of the waters aforesaid In case of the pollution of waters by any substances known to be injurious to fishes or fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish. Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be subject to a fine of one hundred dollars.

Section 6 That it shall be unlawful to fish in any waters described in the first section of this act and over which this Commonwealth has jurisdiction with dynamite nitro glycerine torpedoes electricity quick-lime or any kind of explosives or poisonous substances or to place such substances in any waters except for engineering purposes when written permission has been given therefor by the proper National State city or county official or officials Any person violating any of the provisions of this section shall on conviction be subject to a fine of one hundred dollars or imprisonment of six months in the county jail

Section 7 That in all cases of arrest made for the violation of any of the sections of this act the possession of the fishes prohibited by such section or the possession of a net nets or other device at or near a place where the use of fish net nets or device is prohibited by such section shal be prima facie evidence of the violation of such section or sections

Section 8 Any person or persons catching or selling game or food fish or minnows from the waters of any part of any lake described in the first section of this act for the purpose of making compost or other fertilizing mixture or who makes use of nsh for such purpose without the consent in writing of the Department of Fisheries shall on conviction be subject to a penalty of one hundred dollars or an imprisonment of three months in the county jail or both at the discretion of the magistrate or court before whom conviction was had

Section 9 That no net of any description shall be set fastened drawn or used within two miles of the entrance of any bay described in the first section of this act nor within one-fourth mile from shore nor shall any gill-net be set within three quarters of a mile of any other portion of the shore of the part of any lake over which this Commonwealth has jurisdiction described in the first section of this act nor shall any other net or nets other than gill-nets and nets fastened to and supported by poles driven in the ground be set fastened or drawn or used within seventeen miles from such entrance to any bay described in the first section of this act measured in a direct line nor within half a mile from the entrance of any stream Any person violating any of the provisions of this section shall on conviction be subject to a penalty of one hundred dollars or in default of payment be imprisoned in the county jail for a period of three months

Section 10 That it shall be unlawful for any person or persons company or corporation operating nets or devices of whatever description or character in the waters of any part of any lake described in this act to capture and kill any sturgeon under three feet in length or to have in possession the carcassess or flesh of any sturgeon of less than three feet in length Any sturgeon of less than three feet in length which may be captured must be returned forthwith to the waters with care and least possible injury Any person or persons violating or any member of a partnership or officer of a corporation that consents to or permits the violation of any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars for each sturgeon illegally captured killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

Section 11 That it shall be unlawful to fish in any part of the waters described in this act over which this Commonwealth has jurisdiction with any gill-net having a mesh of less than three inches stretched mesh fishing measure and more than thirty meshes deep and all gill-nets used in fishing for trout shall have meshes at least five and one-half (5½) inches in size stretched mesh fishing measure or with any pound-net with the net at the back side of the crib having a mesh of less than two and one-half (2½) inches stretched mesh fishing measure and the net of the balance of the crib having a mesh of not less than two and one-half (2½) inches streched mesh fishing measure Any person or persons fishing at any time of the year with gill-nets or pound-nets having meshes of less size than herein described shall on conviction be subject to a fine of one hundred ($100) dollars or in default of payment each person convicted shall be confined in the county jail for a period of three months and all boats nets and other appliances used together with any fish caught shall be forfeited to the Department of Fisheries Provided further That the provisions in regard to size of meshes in pound-nets shall not become effective until the year Anno Domini one thousand nine hundred fourteen

Section 12 That it shall be unlawful for any person persons company or corporation to operate for the purpose of catching fish any boat boats net nets or any device whatsoever except a rod and line having not more than three hooks or hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a troling-line with spoon-hooks attached in any part of any lakes described in this act over which this Commonwealth has jurisdiction without having first paid into the hands of the Department of Fisheries the following amounts as license

fees to wit For each row or sail-boat in fishing with gill-nets five dollars for each boat of any other kind under ten tons gross burden so used ten dolalrs for each boat of any kind of from ten to twenty tons gross burden so used fifteen dollars for each boat of any kind over twenty tons gross burden so used twenty dollars for each pound-net ten dollars for any other form of net or device not less than one dollar nor more than five dollars as the Department of Fisheries may determine and in addition to the license fees above set forth the operators of each boat so licensed shall permit a man designated by the Commissioner of Fisheries to accompany such boat at any time when it is engaged in fishing under and by virtue of such license for the purpose of securing for the Department of Fisheries from the fish so caught so much of their spawn as the Department may desire to secure and any person operating or employing others to operate or any member of a partnership or officer of a corporation that employes or consents to the employment of any person to operate any boat net or nets device or devices without having procured from the Department of Fisheries a license as provided in this section authorizing him them or it so to do shall on conviction be subject to a penalty of fifty dollars or in default of payment be imprisoned in the county jail or a period of one day for each dollar of fine unpaid and all fish and nets shall be forfeited to the Department of Fisheries

Section 13. That it shall be unlawful for any person or persons save the owner or owners thereof or their lawful representatives to remove or take fish from any device which has been duly licensed and operated according to the provisions of this act Any person or persons violating thereof of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars for each fish so unlawfully taken provided the total amount of fine shall not exceed one hundred dollars for taking at any one time and in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in taking the fish unlawfully shall be forfeited to the Department of Fisheries.

Section 14 That whenever any person persons or company or corporation shall apply to the Department of Fisheries for a license to operate any boat boats net or nets or other device in any waters in which may be used legally under the provisions of this act the Department of Fisheries shall upon receiving the fees provided in the twelfth section of this act issue such license duly signed by the Commissioner of Fisheries which license shall hold good from the time it is issued until the close of the calendar year in which it is issued and shall be carried by the operator or operators of said boat boats net nets device or devices while they are being used Provided That no license shall be issued to a resident of any State or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania Said license must be shown on demand by any fish warden constable deputy sheriff Fish Commissioner or any authorized representative of the Department of Fisheries Any person having such license in his possession and refusing to show it on demand shall be subject to a penalty of five dollars or be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and provided further That any person persons or corporations operating any boat net nets device or devices under a license issued by the Department of Fisheries who shall fail to comply in every way with the provisions of this act shall have his license revoked by said Department of Fisheries.

Section 15. That it shall be unlawful for all nets except gill-nets and pound-nets to be set fixed or fastened without having attached thereto a buoy of at least eighteen inches in diameter bearing a metallic tag on which the owners name and address which buoy must be plainly visible and above water at all times Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be liable to a penalty of twenty-five dollars and the confiscation of the net or nets and further provided That any net so required to be buoyed which is found in the water without buoy as above provided and the owner cannot be located shall be confiscated to the Department of Fisheries.

Section 16. That all moneys collected as license fees and fines under the provisions of this act shall be paid as received into the State Treasury for the use of the Commonwealth accompanied by an itemized statement thereof a copy of which shall be filed in the office of the Auditor General and a duplicate thereof when receipted by the Auditor General and the State Treasurer shall constitute a settlement between the Commissioner of Fisheries and the Auditor General and the State Treasurer as to the aforesaid license fees and fines.

Section 17. That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any provision of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or person who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charges of such violation of the law or any of the provisions thereof and the magistrate shall forhwith hear and determine the charge as provided in this act And in case any Fish Commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs in the first instance without however relieving any defendant or defendants sentenced to pay same Such arrests may be also made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall be forthwith be paid over by him to the Commissioner of Fisheries All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the money received therefor be paid into the general fund of the State Treasury All illegal devices not preserved for exhibiton purposes to be destroyed.

Section 18. That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint being made before him by the affidavit of one or more persons charging any person with having violated any of the provisions of this act is heredy required and authorized to issue his warrant under his hand and seal directed to a constable police officer or warden requiring such person or persons to be arrested and brought before such justice of the peace alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted such justice of the peace alderman or magistrate shall sentence the person or persons so convicted severally to pay the fine or fines penalty or penalties provided in this act for such violation or violations together with the costs of suit and such fines and penalties shall be appropriated as provided in Section sixteen of this act.

Section 19. That the following acts and parts of acts intended to be supplied by this act be and the same are hereby repealed.

"An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which are game fish which are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and to provide penalties and punishments for any violation of any of the provisions of this act and to repeal all acts inconsistent herewith" approved the twenty-second day of April Anno Domini one thousand nine hundred and five.

An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsular or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such licenses to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith approved April fourth one thousand nine hundred and seven

And in addition to the above all acts or parts of acts inconsistent with the provisions of this act are hereby reapealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Down,	Latshaw,	Scott, J. R. K.,
Allen,	Ewing,	Lowers,	Semmens,
Ambler,	Flynn,	Mannion,	Shaffer, C. A.,
Baldwin, R. J.,	Foster, J. D.,	Martin,	Shaffer, I. E.,
Barner,	Frey,	Mather,	Sherwood,
Bass,	Geiser,	McAllister,	Smith, J. W.,
Becker,	Gibson,	McKay,	Snyder,
Benninger,	Glenn,	Metzenbacher,	Spangler,
Benson,	Good,	Miller,	Steele,
Bergey,	Gray, Frank,	Mitchell,	Strauss,
Berntheizel,	Gray, Joseph,	Moulthrop,	Swift,
Bigger,	Hess,	Neely,	Thomas,
Bittles,	Heyburn,	Newbaker,	Trach,
Blair, W. A.,	Hibshman,	Newton,	Ulerich,
Bleloch,	Hobbs,	North,	Ulman,
Body,	Hoffman,	Peachey,	Walsh,
Burnett,	Jackson,	Pennock,	Watson,
Carter,	Jones, E. E.,	Piper,	Whitaker,
Cheeseman,	Jones, J. R.,	Ramsey,	Whitman,
Claycomb,	Kaiser,	Redfield,	Wildman,
Cleary,	Keegan,	Rockwell,	Williams,
Conrade,	Keeport,	Roney,	Wilson, J. H.,
Currier,	Kennedy,	Runk,	Wilson, W. H.,
Davis,	Klepper,	Sassaman,	Zimmerman,
DeFrees,	Kuhn, H. P.,	Savacool,	Alter,
Dickinson,	Kuhns, E.G.M.,	Schuck,	Speaker.
Donahoe,	Lanius,		
Donnally,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 504, as follows:

An Act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens and providing penalties for the violation thereof

Whereas, Aliens residing within the State are liable to taxation equally with citizens, and

Whereas, The act of June seven one thousand eight hundred and ninety-seven prescribes a method of collecting taxes from aliens and the act of March thirty, one thousand nine hundred and eleven, makes an unnaturalized foreign born resident subject to taxation in the same manner as citizens of this Commonwealth, and

Whereas, Said act of June seven, one thousand eight hundred and ninety-seven, requiring employers of aliens to deduct from their wages when notified by the tax collector the taxes assessed against such alien employes is not practically effective for the reason that the collector is required to furnish the names of such taxables and often neither the collector nor the assessor is able to thus designate such alien or aliens, therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all corporations associations companies firms or individuals employing persons who are not citizens of the United States shall immediately upon the employment of such persons obtain the name age and place of residence or intended residence of each of them and on or before the first day of October of each year furnish under oath to the assessor or assessars of the districts in which said aliens reside a full and complete list of the same

Section 2 The proper authorities of any county borough township or school district or other authority for the levying of any tax may upon the levy of any tax serve written notice upon any such employer of aliens such notice containing the names of such aliens and the tax assessed against each and such employer is hereby authorized to deduct such taxes from the wages of such employes In all cases where such notice shall be duly served the employer shall be liable to such tax levying authority for the taxes assessed against each and every of the employes mentioned in said notice who shall at the time of the service of said notice and for fiften (15) days thereafter be in the employ of such employer

Section 3 All such employers of aliens upon notice and certificate from the county treasurer or any collector or county State borough or township taxes are hereby required to deduct from the wages or earnings of each alien named in such notice the taxes thus certified and pay the same to such treasurer or collector within thirty (30) days after the service of such notice and certificate Provided however that at the time of the levy of such tax the tax-levying authority shall have mailed to each of said taxables a notice setting forth the fact of the levy of such tax the amount of same where payable and that the same is liable to be deducted from his wages

Section 4 Any corporation association company firm or individual failing to furnish the list of names or to deduct and pay over any tax as required by this act shall forfeit and pay double the amount of the tax for each and every taxable whose name is not returned as above required or whose taxes are not withheld and paid over as herein directed to be recovered by action of assumpsit as debts of like amount are now recoverable at the suit of the county borough township school district or other tax-levying authority to which such taxes are payable

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Adams,	Down,	Leslie,	Runk,
Allen,	Ehrhardt,	Light,	Sassaman,
Alworth,	Flynn,	Lohr,	Schuck,
Ambler,	Forster, I. G.,	Lowers,	Scott, J. R. K.,
Baldwin, R. J.,	Foster, J. D.,	Mannion,	Semmens,
Barner,	Frey,	Martin,	Shaffer, C. A.,
Becker,	Gibson,	Mather,	Shaffer, I. E.,
Benninger,	Glenn,	Matt,	Sherwood,
Benson,	Good,	McClintock,	Showalter,
Bergey,	Gramley,	McKay,	Smith, J. W.,
Berntheizel,	Gray, Frank,	Mellott,	Smith, L.,
Bigger,	Gray, Joseph,	Metzenbacher,	Spillinger,
Bittles,	Haggerty,	Mitchell,	Steele,
Blair, W. A.,	Hemminger,	Moore,	Stone,
Blair, W. F.,	Herman,	Morrow,	Strauss,
Body,	Hess,	Moses,	Swartz,
Brosius,	Heyburn,	Moulthrop,	Swift,
Brown,	Hibshman,	Neely,	Thomas,
Brownlee,	Hobbs,	Newbaker,	Trach,
Burnett,	Hoffman,	Newton,	Ulerich,
Caldwell,	Isler,	North,	Ulman,
Carson,	Jackson,	Peachey,	Walsh,
Carter,	Jones, E. E.,	Pennegar,	Walton,
Cheeseman,	Jones, J. R.,	Pennock,	Watson,
Claycomb,	Kaiser,	Perry, H. L.,	Whitaker,
Cleary,	Kaufman,	Perry, S. J.,	Whitman,
Collins,	Keeport,	Ramsey,	Wildman,
Conniff,	Kennedy,	Redfield,	Williams,
Conrade,	Kitts,	Reese,	Wilson, J. H.,
Cox,	Klepper,	Rex,	Wilson, W. H.,
Currier,	Kuhns, E.G.M.,	Rhoads,	Wiltbank,
DeFrees,	Lanius,	Rockwell,	Young, J. H.,
Dickinson,	Latshaw,	Rothenberger,	Zimmerman,
Donahoe,	Lenker,		Alter,
Donnally,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 364, as follows:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "linseed oil" as used in this act shall mean an oil wholly the product obtained from pure flaxseed and conforming to the following requirements

First Its specific gravity at a temperature of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315) nor greater than nine thousand three hundred and sixty ten-thousandths (.9360)

Second Its acid value not exceed six (6)

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187) nor greater than one hundred and ninety-five (195)

Fourth It shall not contain more than one and one-half per centum of unsaponificable matter

Fifth Its iodine value (Hanus number) shall be not less than one hundred and seventy (170) nor greater than one hundred and ninety (190)

The words "boiled linseed oil" as used in this act shall mean linseed oil as above defined which has been heated to a temperature of at least one hundred and seven degrees centigrade and conforming to the following requirements

First It shall not contain free rosin or rosin oil nor shall it contain rosin as resinates in excess of one per centum

Second It shall not contain more than two per centum of unsaponificable matter

Third Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185) nor greater than one hundred and ninety-five (195)

Fourth Its iodine value (Hanus number) shall be not less than one hundred and sixty (160) nor greater than one hundred and ninety (190)

Fifth Its specific gravity at a temparture of fifteen and five-tenths degrees centigrade shall be not less than nine thousand three hundred and twenty-five ten-thousandths (.9325) nor greater than nine thousand four hundred and fifty ten-thousandths (.9450)

Section 2 The word "container" as used in this act shall mean any tank barrel keg can bottle jug or other vessel in which raw or boiled linseed oil or any compound or imitation thereof shall be stored sold or offered for sale

The word "person" as used in this act shall mean any individual partnership or corporation acting directly or acting indirectly through the agent servant or employe of such person

The word "marked" as used in this act shall mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words may be indicated in or on a container or on any label attached thereto

Section 3 It shall be unlawful for any person to store or sell or offer for sale any of the following commodities in a container having therein or thereon marked the words "linseed oil" or "flaxseed oil" or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flaxseed oil" namely

One Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Two Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act

Three Any imitation of linseed oil

Section 4 It shall be unlawful for any person to sell or offer for sale as linseed oil any compound or imitation of linseed oil without notifying the purchaser thereof in writing at the

time of such sale that the oil so sold is a compound or imitation of linseed oil

Section 5 Any person who shall violate any of the provisions of this act shall upon conviction thereof before any alderman magistrate or justice of the peace of the county wherein the offense shall have been committed be sentenced to pay a fine of not less than fifty nor more than one hundred dollars or in default thereof may be committed to the jail of the proper county for a period of not less than thirty days nor more than sixty days

Section 6 It shall be the duty of the Secretary of Agricutlure to cause the provisions of this act to be enforced All fines recovered in pursuance of this act shall be paid to or to the order of the Secretary of Agriculture and by him paid into the State Treasury

Section 7 Any person refusing to sell any oil to the Secretary of Agriculture or his agent or agents or in any way interferring with the enforcement of the act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars together with the cost of prosecution

Section 8 Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination The results of such examination shall be reported to such person within fifteen days from the receipt by the Department of such sample The fee for said examination shall be one dollar which shall be paid before such examination shall be made All moneys received from such examination shall be paid into the State Treasury

Section 9 The Secretary of Agriculture may from time to time cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act

Section 10 This act shall go into effect on the first day of June Anno Domini one thousand nine hundred and thirteen

Section 11 All necessary expenses incurred in the enforcement of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 12 The act approved the twenty-third day of April Anno Domini one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April Anno Domini one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one providing for the payment of expenses for the enforcement of the provisions of said act" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Adams,	Ehrhardt,	Lohr,	Rothenberger,
Allen,	Forster, I. G.,	Lowers,	Runk,
Ambler,	Foster, J. D.,	Mannion,	Sassaman,
Baldwin, R. J.,	Frey,	Martin,	Schuck,
Barner,	Gibson,	Mather,	Scott, J. R. K.,
Becker,	Gray, Frank,	Matt,	Scott, S. B.,
Benninger,	Gray, Joseph,	McAllister,	Semmens,
Benson,	Heidinger,	McCaig,	Shaffer, C. A.,
Bergey,	Hemminger,	McClintock,	Shaffer, I. E.,
Berntheizel,	Herman,	McDermott,	Sherwood,
Bigger,	Hess,	McKay,	Showalter,
Bittles,	Heyburn,	Mechling,	Smith, J.
Bleloch,	Hibshman,	Metzenbacher,	Snyder,
Body,	Hobbs,	Miller,	Spillinger,
Brosius,	Hoffman,	Mitchell,	Steele,
Brown,	Humes,	Moore,	Stone,
Brownlee,	Isler,	Moulthrop,	Strauss,
Burnett,	Irwin, G. C.,	Murphy,	Swartz,
Caldwell,	Jackson,	Neely,	Swift,
Campbell, J. J.,	Jones, E. E.,	Newbaker,	Thomas,
Carson,	Jones, J. R.,	Newton,	Trach,
Carter,	Kaiser,	Peachey,	Ulman,
Cheeseman,	Keegan,	Pennegar,	Walnut,
Claycomb,	Keeport,	Pennock,	Walsh,
Cleary,	Kennedy,	Perry, S. J.,	Walton,
Conniff,	Kitts,	Peters,	Watson,
Conrade,	Kuhn, H. P.,	Piper,	Whitaker,
Cox,	Kuhns, E.G.M.,	Ramsey,	Whitman,
Currier,	Lanius,	Redfield,	Wildman,
DeFrees,	Latshaw,	Rex,	Williams,
Dickinson,	Lenker,	Rhoads,	Wilson, J. H.,
Donahoe,	Leslie,	Robinson,	Wilson, W. H.,
Donnally,	Light,	Rockwell,	Wiltbank,
Down,		Roney,	Zimmerman,
			Alter,
			Speaker.

NAYS—1.

Good,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to call up from yesterday's Calendar, Bills Postponed on Third Reading, from page 30, Bill No. 949, file folio 1089, entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 949, entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill is the bill that I was requested by the gentlemen composing the Park Commission of Philadelphia to present. It is drawn by their counsel, Mr. George Wharton Pepper, and merely gives their park guards the same as the police authority over that ground the same as over other grounds, which was given to the park from time to time for park purposes, and they feared that the park guards otherwise had no authority over that ground.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Adams,	Down,	Rockwell,	Roney,
Allen,	Dunn, H. B.,	Kuhn, H. P.,	Rothenberger,
Ambler,	Ely,	Kuhns, E.G.M.,	Runk,
Baldwin, R. J.,	Flynn,	Lanius,	Sassaman,
Barner,	Forster, I. G.,	Latshaw,	Schuck,
Bass,	Foster, J. D.,	Lenker,	Scott, J. R. K.,
Becker,	Frey,	Leslie,	Scott, S. B.,
Benson,	Geiser,	Light,	Semmens,
Berntheizel,	Gibson,	Lohr,	Shaffer, C. A.,
Bigger,	Glenn,	Lowers,	Shaffer, I. E.,
Bittles,	Good,	Mannion,	Showalter,
Blair, W. A.,	Gray, Frank,	Matt,	Smith, J. W.,
Body,	Hess,	McCaig,	Spillinger,
Brosius,	Heyburn,	McClintock,	Steele,
Brownlee,	Hibshman,	Mellott,	Stone,
Burnett,	Hobbs,	Metzenbacher,	Strauss,
Caldwell,	Humes,	Miller,	Swift,
Carson,	Isler,	Mitchell,	Ulman,
Carter,	Irwin, H. H.,	Moore,	Walnut,
Cheeseman,	Jackson,	Morrow,	Walsh,
Claycomb,	Jones, E. E.,	Moulthrop,	Walton,
Cleary,	Jones, J. R.,	Murphy,	Watson,
Conniff,	Kaiser,	Newbaker,	Whitaker,
Conrade,	Kaufman,	Newton,	Whitman,
Cox,	Keegan,	Pennegar,	Wildman,
Currier,	Keeport,	Pennock,	Williams,
DeFrees,	Kennedy,	Perry, S. J.,	Wilson, J. H.,
Dickinson,	Kitts,	Ramsey,	Wiltbank,
Donahoe,	Klepper,	Rhoads,	Zimmerman,
Donnally,		Robinson,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to call up from yesterday's Calendar, page 31, Bill Postponed on Third Reading, House Bill No. 950, file folio 1091, entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 950, entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker, I rise for a point of information.

The SPEAKER. Will the gentleman state his point?

Mr. JOSEPR GRAY. Mr. Speaker, I would like to know, is that the regular order of business?

The SPEAKER. The Chair will state that when the House is working on final passage, any bill that is on postponed calendar for third reading or final passage, may be called up as a matter of right.

And said bill having been read at length the third time, considered and agreed to,

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Adams,	Dickinson,	Latshaw,	Runk,
Allen,	Donahoe,	Lenker,	Sassaman,
Ambler,	Donnally,	Lohr,	Schuck,
Baldwin, R. J.,	Down,	Lowers,	Scott, J. R. K.,
Barner,	Dunn, H. B.,	Mannion,	Semmens,
Bass,	Flynn,	Martin,	Shaffer, C. A.,
Bayle,	Forster, I. G.,	Matt,	Shaffer, I. D.,
Becker,	Foster, J. D.,	McAllister,	Showalter,
Benninger,	Frey,	McCaig,	Smith, J. W.,
Benson,	Geiser,	McClintock,	Snyder,
Bergey,	Gibson,	McKay,	Spangler,
Berntheizel,	Gray, Frank,	Mechling,	Spillinger,
Bigger,	Haggerty,	Metzenbacher,	Steele,
Bittles,	Heidinger,	Miller,	Stone,
Blair, W. A.,	Hemminger,	Mitchell,	Strauss,
Bleloch,	Hess,	Morrow,	Swartz,
Body,	Heyburn,	Moulthrop,	Swift,
Brosius,	Hibshman,	Neely,	Thomas,
Brownlee,	Hobbs,	Newbaker,	Walnut,
Burnett,	Hoffman,	Newton,	Walsh,
Campbell, J. J.,	Jackson,	Pennegar,	Walton,
Carson,	Jones, E. E.,	Pennock,	Whitman,
Carter,	Jones, J. R.,	Perry, S. J.,	Wildman,
Cheeseman,	Kaiser,	Ramsey,	Williams,
Claycomb,	Kaufman,	Rex,	Wilson, J. H.,
Cleary,	Kennedy,	Rockwell,	Wilson, W. H.,
Collins,	Kitts,	Roney,	Wiltbank,
Conniff,	Lanius,	Rothenberger,	Zimmerman,
Currier,			Alter, Speaker.

NAYS—1.

Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order.

The House proceeded to the consideration on final passage of H. B. bill No. 276, as follows:

An Act regulating the deposit of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners treasurer and controller or auditors of each county having less than one hundred and fifty thousand inhabitants shall constitute a depository board It shall be the duty of the board to designate a bank or trust company of the county as the official depository for county funds The board shall in the month of December in each year cause to be inserted in two newspapers of the county once a week for four successive weeks an advertisement soliciting from incorporated banks of trust companies of the particular county sealed proposals for the payment of interest on county funds The advertisement shall state the time and place when and where the proposals shall be opened and the probable maximum amount of money to be deposited with the depository All proposals shall be in writing and delivered or sent to the office of said treasurer sealed in envelopes Each proposal shall be accompanied by a bond in double the amount of the probable amount of county funds to be deposited in the county depository The bond shall be conditioned for the faithful performance of all the terms and conditions of the contract to be entered into between the successful bidder and said board The bond shall have as surety one surety company authorized to act as surety in this Commonwealth or at least two sureties to be approved by the Court of Common Pleas of the proper county On the first Monday of January next following such advertisement the proposals shall be opened in the office of the county treasurer in the presence of a majority of the board The bank or trust company that shall offer the highest rate of interest on the county funds deposited with it shall be designated as the county depository for one year from the said first Monday of January and a contract shall be entered into between said board and the depository providing for the payment of said interest on the funds so deposited unless for any reason the board shall reject any or all bids in which case the board may advertise again for proposals giving fifteen days' notice of the time and place when and where the same shall be opened If two or more banks or trust companies offer the same rate of interest the board shall select the depository The bonds of all unsuccessful bidders shall be returned to the respective bidders The bonds of the successful bidder shall remain in the custody of the controller or auditor

Section 2 It shall be the duty of the county treasurer to deposit in the County depository all funds other than an amount actually necessary to meet current expenses This amount to be determined by the county commissioners and the county treasurer shall be notified of the same on the day when the depository is selected County funds exceeding one-half of the amount of the bond shall not be deposited in any depository but the bond of the depository may be increased from time to time subject to the terms of the contract of deposit If the depository shall refuse or neglect to furnish such increased bond the board may for the unexpired portion of the year designate another additional depository in the same manner and subject to the same conditions as the original designation The treasurer shall not be held liable for any county money that shall be lost by reason of the failure or insolvency of any bank or trust company designated as county depository

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—80.

Adams,	Ewing,	Lohr,	Roney,
Allen,	Frey,	Lowers,	Runk,
Ambler,	Glenn,	Mannion,	Scott, J. R. K.,
Becker,	Gray, Frank,	Martin,	Scott, S. B.,
Benson,	Haggerty,	McCaig,	Shaffer, I. E.,
Bergey,	Heidinger,	McDermott,	Showalter,
Bigger,	Hemminger,	Metzenbacher,	Smith, J. W.,
Bittles,	Hess,	Miller,	Spangler,
Brosius,	Hibshman,	Moore,	Spillinger,
Burnett,	Humes,	Morrow,	Thomas,
Carson,	Isler,	Moulthrop,	Trach,
Carter,	Jackson,	Musser,	Walnut,
Cheeseman,	Jones, E. E.,	Neely,	Walton,
Claycomb,	Jones, J. R.,	Newton,	Whitaker,
Cleary,	Kaiser,	Peachey,	Whitman,
Currier,	Kaufman,	Pennegar,	Wildman,
DeFrees,	Kennedy,	Pennock,	Williams,
Dickinson,	Kuhns, E.G.M.,	Peters,	Wilson, J. H.,
Down,	Latshaw,	Rex,	Alter,
Dunn, H. B.,	Lenker,	Robinson,	Speaker.
Dunn, J. A.,			

NAYS—41.

Bleloch,	Foster, J. D.,	Lanius,	Sassaman,
Body,	Geary,	Mather,	Savacool,
Brownlee,	Geiser,	Matt,	Shaffer, C. A.,
Caldwell,	Good,	McAllister,	Snyder,
Collins,	Hobbs,	Mellott,	Stone,
Conniff,	Hoffman,	Murphy,	Strauss,
Donahoe,	Keegan,	Newbaker,	Ulman,
Donnally,	Keeport,	Perry, H. L.,	Watson,
Ely,	Kitts,	Rockwell,	Wilson, W. H.,
Flynn,	Kuhn, H. P.,	Rothenberger,	Wiltbank,
			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. Bill No. 3, as follows:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is heeby enacted by the authority of tne same That for the year one thousand nine hundred and thirteen and annually thereafter the entire net amount of tax based on the return of personal property subject to taxation for State purposes required to be made to and accepted by the State Board of Revenue Commissioners annually by county commissioners and the board of revision of taxes in cities co-extensive with counties or other counties having such boards of revision that is collected and paid into the State Treasury by a county or city co-extensive with the county shall be returned by the State Treasurer to such county or city co-extensive with the county for its own use except that the State Treasurer shall retain five per centum of the amount collected for the use of the State Provided That in consideration of the return to the counties and cities co-extensive with counties of the taxes as aforesaid no claim shall be made upon or allowed by the Commonwealth for abatements tax collectors' commissions uncollectible taxes or any other expenses whatsoever in connection with said tax

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

BILLS POSTPONED.

Mr. HESS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

On the question.

Will the House agree to the motion?

It was agreed to.

BILLS ON FINAL PASSAGE.

Mr. MILLER. Mr. Speaker, I desire to call up, for the purpose of amendment, House Bill No. 466, file folio 1569, bills on final passage postponed.

Agreeably to order,

The House resumed the consideration on final passage of H. R. Bill No. 566, as follows:

An Act giving to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways thereof or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the future proceedings trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is herby enacted by the authority of the same That the right to damages both direct and consequential or either is hereby given to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades or lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers

Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for asessing damages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their duty to assess damages provided for in section one of this act direct and consequential or either if any in connection therewith and make report thereof as under existing laws

Section 3 That the right of appeal from said report and of trial by jury and the right to file exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws

Section 4 That after disposal of exceptions or verdict and final judgment any interested party or parties may have an appeal to the Superior or Supreme Court as in any other cases

Section 5 That the provisions of this act shall apply to all existing and future proceedings

Section 6 That all acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MILLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MORROW. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. MILLER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend the title by striking out all in the title after the word "juries" in line 14, and insert in lieu thereof: "and the trial by jury and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 11.45 A. M.) the House adjourned until Monday, March 24th, at 8.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MARCH 24, 1913. No. 36.

SENATE

MONDAY, March 24, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutant Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. MOORE presented three petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HALL presented three petitions of citizens of Elk County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. VARE presented seven petitions of citizens of Philadelphia County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented three petitions of citizens of Monroe County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

The Chair presented petitions of Coal Valley Council No. 98, Jr. O. U. A. M., Summit Grove Council No. 331, Jr. O. U. A. M., and three petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUNTER presented petition of Manchester Council No. 124, Jr. O. U. A. M., and eleven petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HERBST presented petition of citizens of Berks County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. WASBERS presented petitions of Rock Council No. 54, Jr. O. U. A. M., Goldsboro Council No. 155, Jr. O. U. A. M., and Susquehanna Council No. 89, Jr. O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. SENSENICH presented petitions of citizens of Westmoreland County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. KLINE presented eight petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. COOPER presented seven petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. WASBERS presented petitions of Washington Camp No. 438, P. O. S. of A., Washington Camp No. 349, P. O. S. of A., and Washington Camp No. 709, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. HUFFMAN presented petition of Washington Camp, No. 601, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. WASBERS presented petitions of Washington Camp No. 438, P. O. S. of A., Washington Camp No. 349, P. O. S. of A., and Washington Camp No. 709, P. O. S. of A., favoring the passage of bill providing for the erection of a memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING SENATE BILL NO. 633.

Mr. KLINE presented four petitions of citizens of Allegheny County, praying for the passage of Senate Bill No. 633, providing for enrollment in the National Guard of Pennsylvania of an additional regiment of infantry composed of colored men.

Which were referred to the Committee on Military Affairs.

AGAINST APPROPRIATION OF STATE MONEYS FOR SECULAR INSTITUTIONS.

Mr. COOPER presented two petitions of citizens of Allegheny County against the appropriation of State moneys for secular or so-called charitable institutions which are not open to public inspection.

Which were referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. McILHENNY asked and obtained leave of absence for the Senator from Philadelphia, Mr. Daix, for the balance of the week on account of illness.

Mr. CROW asked and obtained leave of absence for the Senator from Delaware, Mr. Sproul, for the balance of the week, on account of illness.

REPORT FROM COMMITTEE.

Mr. HUFFMAN, from the Committee on City Passenger Railways, reported as committed, Senate Bill No. 573, entitled:

An Act permitting certain companies and corporations to extend wires across the tracks and right of way of railroad and street railway companies and providing a means of compensation therefor

BILLS INTRODUCED.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 733 entitled:

An Act to repeal an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power coal air or any other substances furnished to the public well for the production of gas oil or other violatile or mineral substance or other structure or improvement, of whatsoever kind or character the same may be providing remedies for the recovery of lots due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto

Which was committed to the Committee on Judiciary Special.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 734, entitled:

An Act providing for the recording of all plans of subdivision of any lot or piece of land into building lots heretofore laid out or hereafter to be laid out for the purpose of selling of more lots according to such plans and prescribing a remedy for having the same recorded as aforesaid when the owner or owners thereof are dead and the effect of same in a court trial involving the boundary lines thereto and providing for costs of same

Which was committed to the Committee on Judiciary Special.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 735, entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent and settling or caving in of the surface

Which was committed to the Committee on Judiciary Special.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 736, entitled:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefor and repealing all acts inconsistent herewith

Which was committed to the Committee on Game and Fisheries.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 737, entitled:

A supplement to an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the central Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the through organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third one thousand eight hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties" approved May first one thousand nine hundred and five (Pamphlet Laws three hundred and thirty) authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled "An Act creating a Department of Health and defining its powers and duties" approved April twenty-seventh one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) or by any subsequent law or laws to be obtained collected compiled and preserved by and in said central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics

Which was committed to the Committee on Public Health and Sanitation.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS INTRODUCED.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 738, entitled:

An Act authorizing certain corporations to issue one or more classes of stock with preferences and with prohibitions and restrictions as to its voting powers and to increase and to decrease the same

Which was committed to the committeed on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 739, entitled:

An Act to amend the ninety-first section of an act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March one thousand eight hundred and sixty as supplemented by the first section of an act approved the nineteenth day of May Anno Domini one thousand eight hundred and eighty-seven entitled "A Supplement to an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eighty hundred and sixty amending the ninety-first section thereof defining rape and carnal knowledge of female children and prescribing the penalty therefor" by increasing the age of consent to eighteen years and changing the penalty

Which was committed to the Committee on Judiciary General.

Mr. NULTY read in his place and presented to the Chair Senate Bill No. 740, entitled:

A supplement to an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Which was committed to the Committee on Education.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 741, entitled:

An Act amending section one of an act entitled "An Act providing for the election of city assessors in cities of the third class fixing their terms and the time for the completion of their annual and triennial assessments and the expiration of the terms of assessors now in office" approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven

Which was committed to the Committee on Judiciary General.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 742, entitled:

An Act making it lawful for appropriations to be made and for contracts to be entered into and work and material to be done and furished under such contracts when funds for the purposes thereof shall have been or have been authorized to be borrowed by cities of the first class without awaiting the issue of such loans or the receipt of the money to be so borrowed

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 743, entitled:

An Act making an appropriation to Philadelphia Jewish Sanatorium for Consumptives located at Eagleville Montgomery County

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 744, entitled:

An Act authorizing the Trustees of the State Hospital for the Criminal Insane at Farview to receive all classes of insane patients in such numbers as they may deem advisable

Which was committed to the Committee on Judiciary Special.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 745, entitled:

An Act making desertion or non-support of wife by husband or of children both legitimate and illegitimate by either father or mother a misdemeanor in certain cases and providing punishment therefor giving the court power to make an order of support in such cases directing that imprisonment in such cases be at hard labor with wages payable to the wife or children and providing for the payment of the expenses incident to the carrying out of this act and to promote uniformity between the State in reference thereto

Which was committed to the Committee on Judiciary Special.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 746, entitled:

An Act prescribing the manner in which articles of commerce shall be sold, prohibiting the giving of short weights and measures, defining the same, and fixing the penalties for violation hereof.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 747, entitled:

An Act creating a Board of Managers to have control of the institutions for the care and treatment of the insane, and the house of employment and support of the poor in certain counties prescribing their powers and duties; and abolishing the officie of Director of the Poor in said counties.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 748, entitled:

An Act regulating the sale and delivery of malt and brewed liquors at wholesale, and providing a penalty for the violation thereof.

Which was committed to the Committee on Law and Order.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 749, entitled:

An Act amending an act approved March 21st, 1907, entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," so as to include camps of the Spanish War Veterans.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 750, entitled:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 751, entitled:

An Act regulating the returns of constables in boroughs and townships, providing for reports by them of violations of the law, providing for their services in aid of the district attorney and fixing the compensation therefor.

Which was committed to the Committee on Judiciary General.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 752, entitled:

A supplement to an act, entitled "An Act to incorporate an Academy or public school in the town of Warren, and for other purposes herein mentioned," approved the 2d day of April, 1822, providing authority to the trustees of the Warren Academy or their successors to sell and convey in fee simple certain lands.

Which was committed to the Committee on Judiciary Special.

CONCURRENT RESOLUTION REQUESTING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR MRS. ELIZABETH GLANCY AND MRS. ANNIE M'COLGAN ON ACCOUNT OF THE DEATH OF THEIR HUSBANDS WHILE EMPLOYED AT THE FRANKFORD ARSENAL.

Mr. NULTY offered resolution, which was twice read as follows:

Whereas, By an explosion at the Frankford Arsenal of the United States Government, at Philadelphia one Patrick Glancy and Peter McColgan lost their lives in the course of their employment in said Arsenal, and

Whereas, The widows of those men, namely Mrs. Elizabeth Glancy and Mrs. Annie McColgan, were left without adequate support for themselves and their small children, and

Whereas, These women have never been indemnified for the loss of their said husbands; therefore

Be it Resolved (if the House of Representatives concur) That the Representatives in Congress from Pennsylvania be respectfully requested to secure appropriate legislation to reimburse the said Mrs. Elizabeth Glancy and Mrs. Annie McColgan for the loss sustained by them through the death of their husbands while in the employ of the United States Government at the said Frankford Arsenal, at Philadelphia, Pennsylvania.

Mr. NULTY. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONCURRENT RESOLUTION URGING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR THE CONSTRUCTION OF BUILDINGS AT THE FRANKFORD ARSENAL.

Mr. NULTY offered the following resolution, which was twice read, as follows:

Whereas, The work for the United States Government in the Frankford Arsenal, at Philadelphia, requires the construction of a magazine and a high explosive shop, to cost approximately forty thousand dollars ($40,000), which would replace inadequate, unsanitary and unsafe buildings now used for the purpose, therefor

Be it Resolved (If the House of Representatives concur) That the attention of the Representatives in Congress from Pennsylvania is hereby invited to the need for said buildings and said Representatives are hereby respectfully urged to secure the appropriation of funds at the forthcoming session of Congress for the construction of said buildings as recommended by the Secretary of War.

Mr. NULTY. Mr. President. I ask unanimous consent that Rule 39 be suspended in order that the resolution may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

INVITATION TO ATTEND THE GRADUATING EXERCISES AT THE UNITED STATES INDIAN SCHOOL AT CARLISLE.

The Chair cleared his table and laid before the Senate communication, which was read as follows:

Department of the Interior
UNITED STATES INDIAN SCHOOL.
Carlisle, Pa.

March 20, 1913.

Mr. Daniel Gerberich,
Speaker, The Pennsylvania Senate,
Harrisburg, Pa.

My Dear Senator:

I desire to extend to you and through you to the Senate of Pennsylvania an earnest invitation to be present at our graduating exercises, which are held from March thirtieth to April fourth, inclusive. A formal invitation and card, which is sent to you herewith, will give an idea of the various events.

If I could be informed beforehand of your desires in this matter and of the probable number who will attend, I would gladly arrange to send you tickets.

The Carlisle Indian School is under great obligation to the State of Pennsylvania for a most helpful spirit of friendships, and I feel very confident that your Members will find the exercises of interest and value. If I can be informed in the matter or if there could be some way in which the announcement could be made, I shall send tickets and reserve seats.

Very sincerely yours,

M. FRIEDMAN.
Superintendent.

Mr. GERBERICH. Mr. President, I move that the invitation just read be accepted.

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 13, on third reading, entitled:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 156, entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

And said bill having been read at length the second time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Hall,	Magee,	Salus,
Clark,	Heacock,	Martin,	Sensenich,
Cooper,	Herbst,	McIlhenny,	Snyder,
Crow,	Hilton,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Thompson,
Farley,	Hunter,	Mills,	Wasbers,
Fisher,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 187, entitled:

An Act relating to the administrating of oaths or affirmations to administrators executors committees or guardians to qualify them for the performance of their respective duties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Graff,	Jones,	Morgan,
Beidleman,	Gyger,	Knapp,	Nulty,
Catlin,	Heacock,	Magee,	Powell,
Clark,	Herbst,	Martin,	Sensenich,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
Endsley,	Huffman,	Miller,	Stineman,
Farley,	Hunter,	Mills,	Thompson,
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,			

NAYS—3.

Buckman,	Judson,	Salus.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 189, on third reading, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State Forest Reserves and to improve and maintain the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 212, entitled.

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14.

Alexander,	Hall,	McIlhenny,	Powell,
Clark,	Heacock,	McNichols,	Snyder,
DeWitt,	Homsher,	Moore,	Thompson,
Farley,	Knapp,		

NAYS—22.

Beidleman,	Hilton,	Martin,	Salus,
Buckman,	Huffman,	Miller,	Sensenich,
Cooper,	Jarrett,	Mills,	Sones,
Graff,	Jones,	Morgan,	Stineman,
Gyger,	Judson,	Nulty,	Wasbers,
Herbst,	Magee,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 224 (House Bill No. 271), entitled:

An Act to amend an act entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salares" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Huffman,	Mills,
Beidleman,	Farley,	Hunter,	Moore,
Buckman,	Gerberich,	Kline,	Morgan,
Catlin,	Graff,	Knapp,	Powell,
Clark,	Gyger,	Kuriz,	Snyder,
Cooper,	Hall,	Magee,	Stineman,
Crow,	Hilton,	Martin,	Thompson,
DeWitt,	Homsher,	Miller,	Wasbers,

NAYS—5.

Heacock,	Herbst,	Judson,	Nulty,
Sensenich,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 340 (House No. 85), entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred and ninety-seven entitled "An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Endsley,	Hunter,	Martin,
Beidleman,	Farley,	Jarrett,	Mills,
Buckman,	Gerberich,	Jones,	Moore,
Catlin,	Gyger,	Kline,	Powell,
Clark,	Hall,	Knapp,	Salus,
Cooper,	Hilton,	Kuriz,	Sensenich,
Crow,	Homsher,	Magee,	Stineman,
DeWitt,	Huffman,		

NAYS—8.

Fisher,	Herbst,	Miller,	Sones,
Heacock,	Judson,	Nulty,	Washers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 346, (House No. 270), entitled:

An Act to authorize and empower the Courts of Common Pleas of the Commonwealth to fix by rule or standing order the return of all writs of execution and final process

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Graff,	Jarrett,	Moore,
Beidleman,	Gyger,	Jones,	Morgan,
Buckman,	Hall,	Knapp,	Nulty
Catlin,	Heacock,	Kurtz,	Powell,
Crow,	Herbst,	Magee,	Salus,
DeWitt,	Hilton,	Martin,	Sensenich,
Endsley,	Homsher,	McNichols,	Stineman,
Farley,	Huffman,	Miller,	Thompson,
Gerberich,	Hunter,	Mills,	Washers,

NAYS—2.

Fisher, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 352, (House No. 168), entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Hall,	Judson,	Mills,
Beidleman,	Heacock,	Kline,	Morgan,
Buckman,	Herbst,	Knapp,	Nulty,
Clark,	Hilton,	Kurtz,	Powell,
Cooper,	Homsher,	Magee,	Sensenich,
Crow,	Huffman,	Martin,	Sones
Endsley,	Hunter,	McIlhenny,	Stineman,
Graff,	Jarrett,	McNichol,	Thompson,
Gyger,	Jones,	Miller,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 359, entitled:

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gyger,	Kline,	Morgan,
Beidleman,	Hall,	Knapp,	Nulty,
Buckman,	Heacock,	Kurtz,	Powell,
Catlin,	Herbst,	Magee,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Cooper,	Homsher,	McIlhenny,	Snyder,
Crow,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	Miller,	Stineman,
Endsley,	Jarrett,	Mills,	Thompson,
Farley,	Jones,	Moore,	Washers,
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 390, entitled:

An Act amending section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine requiring the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of November of each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Hall,	Kurtz,	Powell,
Clark,	Heacock,	Magee,	Salus,
Cooper,	Herbst,	Martin,	Sensenich,
Crow,	Hilton,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
Fisher,	Jones,	Mills,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 417, entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut trees commonly called the chestnut tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred and eleven Pamphlet Laws nine hundred and twenty-two extending the provisions thereof in certain cases to other species of trees.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Graff,	Kline,	Salus,
Catlin,	Gyger,	Knapp,	Sensenich,
Clark,	Hall,	Kurtz,	Snyder,

Cooper,	Herbst,	Magee,	Sones,
Crow,	Hilton,	Martin,	Stineman,
DeWitt,	Homsher,	McNichol,	Thompson
Endsley,	Hunter,	Moore,	Wasbers,
Farley,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 436, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Judson,	Moore,
Beidleman,	Gerberich,	Kline,	Morgan,
Buckman,	Graff,	Knapp,	Nulty,
Catlin,	Gyger,	Kurtz,	Powell,
Clark,	Herbst,	Magee,	Salus,
Cooper,	Hilton,	Martin,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Stineman,
Farley,	Jones,	Mills,	Thompson,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 473, (House No. 245), entitled:

An Act making an appropriation to the State Board of Censors of moving pictures.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Gerberich,	Kline,	Morgan,
Beidleman,	Graff,	Knapp,	Nulty,
Buckman,	Gyger,	Kurtz,	Powell,
Catlin,	Herbst,	Magee,	Salus,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Homsher,	McIlhenny,	Sones,
Crow,	Hunter,	McNichol,	Stineman,
DeWitt,	Jarrett,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 504, entitled:

An Act providing that a bronze medal be given to each honorably discharged soldier sailor or marine of the Civil War who enlisted in a Pennsylvania organization and who resides in said State and making an appropriation therefor

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to amend the bill in the title in line 2, by striking out the words "soldiers, sailors or marines", and inserting in lieu thereof the words "soldier, sailor or marine"; also in line 4, by striking out the word "State" and inserting in lieu thereof the word "Commonwealth"; also, in Section 1, in line 4, by striking out the words "soldiers, sailors or marines", and inserting in lieu thereof the words "soldier, sailor or marine"; also, in line 6, by striking out the word "State", and inserting in lieu thereof the word "Commonwealth"; also, in line 16, by striking out the words "said medals"; and also, in line 18, by striking out the words "soldiers, sailors or marines", and inserting in lieu thereof the words "soldier, sailor or marine."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523, entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages cost and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Hall,	Kurtz,	Powell,
Clark,	Herbst,	Magee,	Salus,
Cooper,	Hilton,	Martin,	Sensenich,
Crow,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
Fisher,	Jones,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 524, entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Snyder,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, entitled:

An Act to repeal an act entitled "An Act for the erection of a poor house in Mercer county" approved the twenty-second day of March one thousand eight hundred and fifty.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Knapp,	Powell,
Catlin,	Hall,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Stineman,
Endsley	Hunter,	McNichols,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
Fisher,	Jones,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 567, entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jarrett,	Moore,
Beidleman	Fisher,	Jones,	Morgan,
Buckman,	Gerberich,	Knapp,	Nulty,
Catlin,	Graff,	Kurtz,	Salus,
Clark,	Gyger,	Magee,	Sensenich,
Cooper,	Herbst,	Martin,	Sones,
Crow	Hilton,	McIlhenny,	Stineman,
DeWitt	Huffman,	McNichols,	Thompson,
Endsley	Hunter,	Miller,	Wasbers,

NAYS—2.

Judson, Mills,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 569, on third reading, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes

be recommitted to the the Committee on Municipal Affairs.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, entitled:

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MILLS. Mr. President, I ask unanimous consent to amend section 1, line 8, by striking out the word "or" and inserting in lieu thereof the word "and"; also, in line 9, by striking out the words "due for not", and inserting in lieu thereof the words "not due for".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 627 (House No. 883), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employes.

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

nd agreed to,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—17.

Alexander,	Jarrett,	Martin,	Salus,
Beidleman,	Kline,	McNichol,	Snyder,
Clark,	Knapp,	Moore,	Stineman,
Graff,	Magee,	Powell,	Thompson,
Hunter,			

NAYS—22.

Buckman,	Fisher,	Homsher,	Mills,
Cooper,	Gyger,	Huffman,	Morgan,
DeWitt,	Hall,	Judson,	Nulty,
Endsley,	Heacock,	McIlhenny,	Sones,
Farley,	Herbst,	McNichols,	Wasbers,
	Hilton,	Miller,	

Less than a marjority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 630, entitled:

An Act fixing the salary of the Second Assistant State Librarian.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HERBST. Mr. President, this bill increases the salary of the Second Assistant Librarian of the State from $1500 to $2000. The Librarian, if I understand correctly, gets $4,500, the First Assistant, $2,500, and the Second Assistant, $1,500 at present. Now, I should like to know

whether the duties of this Second Assistant Librarian of the State of Pennsylvania have become so much more onerous, and the work of the office so much increased that we ought at this time increase the salary by $500. I am in the dark on the subject. I shall vote against the bill unless I am more enlightened as to whether the work has become more onerous in the State Library. If a second assistant librarian cannot be obtained that is capable of doing the work at $1,500, and if the work is so much harder, I might be convinced, but otherwise, I should like to know why the salary of this office ought to be increased by $500 before I am ready to vote on this bill.

Mr. BEIDLEMAN. Mr. President, the salary of the Second Assistant Librarian has not been changed in twenty-five years. Two years ago the Senate passed almost unanimously, and the House by a large majority, a bill providing for an increase in the salary of the Second Assistant Librarian to $2,400. It was sent to the Governor for his approval and he thought the amount contained in the bill was too high. I believe he indicated his willingness to approve a bill at that time providing it carried a salary not exceeding $2,200. Before I presented this bill I took the matter up with the State Librarian and was advised by him that the Second Assistant Librarian was properly entitled to a salary of two thousand dollars and because of this conversation which I had with him—going over the amount of work which the Second Assistant Librarian has to do—I introduced this bill.

The Second Assistant Librarian is one of the three men connected with the State Library under bond. The head of the Department of Public Records receives $2,000, the man who is in charge of another department receives $2,000, and the Second Assistant Librarian, who is in charge of both of them, is receiving but $1,500, and in light of the fact that two years ago this Senate agreed to a bill carrying with it a salary of $2,400, it seems to me in view of all the circumstances, $2,000 is not too much to pay to the Second Assistant Librarian, and I hope the Senate will pass this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Farley,	Jarrett,	McNichols,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Kline,	Morgan,
Catlin,	Gyger,	Knapp,	Nulty,
Clark,	Hall,	Kurtz,	Powell,
Cooper,	Hilton,	Magee,	Salus,
Crow,	Homsher,	Martin,	Snyder,
DeWitt,	Huffman,	McIlhenny,	Sones,
Endsley,	Hunter,	McNichol,	Stineman,
		Thompson,	

NAYS—2.

Herbst, Jones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 633, entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for service in said regiment providing for said regiment a regimental band.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Hunter,	Salus,
Beidleman,	Gerberich,	Jarrett,	Sensenich,
Buckman,	Graff,	Judson,	Snyder,
Catlin,	Gyger,	Kline,	Sones,
Clark,	Hall,	Knapp,	Stineman,
Cooper,	Hilton,	Magee,	Thompson,
Crow,	Homsher,	Nulty,	Wasbers,
DeWitt,			

NAYS—4.

Farley, Fisher, Heacock, Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 687 (House No. 845), entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said Penitentiary to charge the cost thereof against the several counties in the Western District

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Fisher,	Jarrett,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Graff,	Kline,	Salus,
Catlin,	Gyger,	Knapp,	Sensenich,
Cooper,	Hilton,	Magee,	Snyder,
Crow,	Homsher,	Martin,	Stineman,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	Miller,	Wasbers,

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 688 (House No. 850), entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and material from the old penitentiary in Pittsburg to the new penitentiary in Centre county for use in the erection and equipment thereof

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Knapp,	Morgan,
Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Heacock,	Martin,	Salus,
Clark,	Herbst,	McIlhenny,	Sensenich,
Cooper,	Hilton,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Stineman,
Farley,	Jarrett,	Mills,	Thompson,
Fisher,	Judson,	Moore,	Wasbers,
Gerberich,	Kline		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 694, entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Kline,	Morgan,
Beidleman,	Gyger,	Knapp,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Herbst,	Magee,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Cooper,	Homsher,	McIlhenny,	Snyder,
Crow,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
Fisher,	Jones,	Mills,	Wasbers,
Gerberich,	Judson,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	[illegible]	Powell,
Cooper,	Heacock,	Magee,	Sensenich,
Crow,	Herbst,	Martin,	Snyder,
DeWitt,	Hilton,	McIlhenny,	Sones,
Endsley,	Homsher,	McNichol,	Stineman,
Farley,	Huffman,	Miller,	Thompson,
Fisher,	Hunter,	Mills,	Wasbers,
Gerberich,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 221, as follows:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of the General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one "Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on the expiration of the term of office of the commissioners for the promotion of uniformity of legislation in the United States authorized to be appointed by the Governor under the provisions of the act of the General Assembly approved May twenty-third one thousand nine hundred and one the Governor shall appoint by and with the advice of two-thirds of all members of the Senate three commissioners learned in the law to constitute for an additional term of four years a Board of Commissioners with the same powers duties privileges and obligations contained in the said act of May twenty-third one thousand nine hundred and one all the provisions of which said act are hereby entended for a further period of four years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 495 (House Bill No. 470), entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 538, (House Bill No. 438), entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 546, (House Bill No. 682), entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 547, House Bill No. 723), entitled:

An Act to authorize the printing of twenty-five thousand copies bulletin number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548 (House Bill No. 758), entitled:

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain cases and authorizing the court to make orders in relation thereto

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 583, entitled:

An Act the Deaf of Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

The preamble and the first, second, third, fourth and fifth sections of the bill were read as follows and agreed to

Whereas The Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania has been erected and equipped and

Whereas It is desired to transfer and convey said Oral School for the Deaf including all the buildings grounds and

equipment appurtenant thereto unto this Commonwealth to be hereafter maintained as a State school therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized and directed to appoint a commission consisting of five citizens of this Commonwealth to serve without compensation who shall investigate and examine the said school together with all the buildings grounds equipment affairs and accounts of said school Said commission shall ascertain the indebtedness of said school of whatsoever nature and shall ascertain what if any liens there may be of record against said school including said buildings and grounds and what if any claims there may be against said school including all buildings grounds and equipment and whether said school is in good repair and whether there is ground adjacent and belonging thereto sufficient for the proper maintenance of said school If said commission shall ascertain that said school is in good repair and is fully equipped and in proper condition to accommodate pupils and that there is sufficient ground as aforesaid and that the total of all claims debts and liens against said institution including all buildings equipment and grounds does not exceed the sum of thirty thousand dollars said commission shall have authority and is hereby directed to accept said school including all said buildings grounds and equipment in the name of this Commonwealth

Section 2 If said school shall be accepted as aforesaid it shall thenceforth be known as the Pennsylvania State Oral School for the Deaf of Scranton Lackawanna County Pennsylvania The Governor shall appoint nine citizens of this Commonwealth who shall constitute the board of trustees of said institution and who shall each serve for and during a period of four years from the date of the transfer of said school or until their respective successors shall have been appointed for like terms by the Governor Any vacancies occurring in said board from any cause shall be filled by the Governor for the unexpired term

Section 3 Said board of trustees if said school be transferred shall have full charge and supervision of said school and its affairs It shall subject to the approval of the Governor prepare and adopt such rules and regulations for the government of said school as it may deem necessary It shall report annually to the Governor in writing on or before the first day of December

Section 4 Subject to the approval of the Governor the said board of trustees in the event of such transfer may appoint such persons male and female as it may deem necessary in the maintenance of said school and at such compensation as shall be fixed by the Governor

Section 5 The sum of one hundred dollars ($100) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses actually and necessarily incurred by said commission of examination and investigation in the performance of the duties herein prescribed All payments made hereunder shall be upon duly certified and itemized vouchers verified by the affidvait of the chairman of said commission and upon warrant of the Auditor General.

The title of the bill was read as follows:

An Act the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

On the question,

Will the Senate agree to the title?

Mr. McNICHOLS. Mr. President, I move to amend the title by inserting after the first word "act" the words "providing for an examination of the Pennsylvania Oral School for."

Mr. SNYDER. Mr. President, I second the motion

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, as follows:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violation of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure which reads as follows

That no person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employe of any person firm or corporation manufacture sell ship consign offer for sale, expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance article product or compound made wholly or partly out of any fats, oils or oleaginous substance or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person, firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like yellow butter nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person, firm or corporation shall in all respects comply with and observe the provisions of this act be and the same is hereby amended to read as follows

That no person, firm or corporation shall by himself, herself or themselves or by his, her or their agent or servant, nor shall any officer, agent, servant or employe of any person, firm or corporation manufacture sell ship consign offer for sale, expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance article product or compound made wholly or partly out of any fats, oils or oleagious substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person, firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell, shall be made and kept free from all colorations or ingredients causing it to look like butter of any shade of yellow as hereinafter described nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person, firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine, butterine or similar substance shall be deemed to look like, be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing less than seventy (70) per centum of white as determined by color analysis

The second section of said act which reads as follows

Every person, firm or corporation and every agent of such person, firm or corporation desiring to manufacture, sell or offer or expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance not made or colored in imitation of yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner and said name and style shall not in the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him, her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble or be in imitation of yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel, restaurant or dining-room the annual sum of fifty dollars and if a proprietor of a boarding house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately covered into the State Treasury Such licenses shall not authorize the manufacture of sale, exposing for sale or

having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that disignated in the application and license and the said license shall not authorize the manufacture sale, exposing for sale or having in possession with intent to sell any oleomargarine, butterine or any similar substance made or colored so as to resemble or be in imitation of yellow butter

All licenses under this act shall expire on the thirty-first day of December of each year, but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such license may be transferred by Dairy and Food Commissioner upon the application in writing of the person, firm or corporation to which the same has been granted, Privided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons, firms and corporations who shall sell in quantities less than ten ponuds is amended to read as follows

Every person, firm or corporation and every agent of such person, firm or corporation desiring to manufacture, sell or offer or expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance not made or colored so as to look like yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business. If the said application is satisfactory to the said Dairy and Food Commissioner and said name and style shall not in the judgment of the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him, her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel, restaurant or dining-room the annual sum of fifty dollars and if a proprietor of a boarding house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately converted into the State Treasury Such licenses shall not authorize the manufacture or sale exposing for sale or having in possession with intent to sell oleomargarine, butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture sale exposing for sale, or having in possession with intent to sell any oleomargarine, butterine or any similar substance made or colored so as to look like yellow butter as herein provided

All licenses under this act shall expire on the thirty-first day of December of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such licenses may be transferred by the Dairy and Food Commissioner upon the application in writing of the person, firm or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons, firms and corporations who shall sell in quantities less than ten pounds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 626, (House Bill No. 735), as follows:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been re-conveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been re-conveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments which reads as follows

"That whenever any incorporated or unincorporated church cemetery or burial association owns ground located wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof and the consequent increasing number of interments as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location therof or if by reason of the opening of streets roads or public passages around or through the same a portion of their property has become angular and partially surrounded by improvements making it necessary or advisable to circumscribe the area and remove the dead to other parts thereof or if by reason of the proximity of adjacent property the further interment of the dead may in the interest of public health be prohibited in any part or parts of the grounds belonging to any church cemetery or burial association aforesaid it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable ground in the vicinity of such extent and area as they shall deem expedient for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and to provide for the re-interment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from the said lots the dead to such new locations or other part of the grounds appropriated or selected for their interment upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in single graves and the relatives of the deceased or the holders of the lots in which the interments are made cannot after diligent search by the said board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to other places of interment in the grounds of the said church cemetery or burial association in which the bodies are interred if the expense of such removals enclosures and improvements be borne by the said church cemetery or burial association and upon the said removals being made the ground from which the bodies so removed shall revert to and become the property of the church cemetery or burial association making such removal and be taken and considered as if the same had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the said managing officials may in their discretion assign to the said owners other parts of their grounds equal in value to the said lots the owners of which cannot be found or the said managing officials may set apart or hold in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the said owners and shall hold and securely keep the said sum so set apart for the benefit of said owners to be paid to them whenever they shall call for the same thereupon as soon as lots equal in value have been set apart or marked on the books of the said church cemetery or burial association as having been assigned to the said owners who cannot be found or as soon as the said managing officials shall set apart the sum above mentioned for the benefit of said owners then and in that case the lots originally held by said owners shall revert to and become the property of the church cemetery or burial association in whose grounds the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever And such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their lands not used or conveyed by them for burial purposes or which shall have been reconveyed to them or shall have reverted or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever" be and the same is hereby amended so as to read

Section 1 That whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or if by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements or if by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in any part or parts of the ground belonging to any incorporated or unincorporated church cemetery

or burial association aforesaid or from other causes any burial ground belonging to or in charge of any incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extensions and general progressive interest of any city township or borough it shall be lawful for such incorporated or unincorporated church cemetery or burial association and they are hereby authorized and empowered to purchase new and more suitable grounds in the vicinity of such city township or borough of such extent and area as they shall deem expedient or to purchase lots or sections in other property regulated burial ground or cemetery in the vicinity of such city township or borough for the burial of the dead and to purchase from the holders of lots in their own grounds the said lots whether interments have been made in them or not and provide for the reinterment of bodies that may be buried in any of the lots so purchased by them And the board of managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association are also hereby authorized and empowered to contract and agree with the owners of the lots in which interments have been made to remove from said lots the dead to such new locations upon such terms as may or can be mutually agreed upon And in case any bodies have been interred in lots in such cemetery or cemeteries and the owners of the lots in which the interments are made cannot after diligent search by the board of managers trustees or other officials be found such bodies may be removed by the aforesaid managing officials to lots in such grounds so purchased by said Incorporated or unincorporated church cemetery or burial association or to lots or sections in other properly regulated burial grounds or cemetery in the vicinity of such city township or borough and interred therein the expense of such removal and interment enclosures and improvements to be borne by such incorporated or unincorporated church cemetery or burial association and upon such removal being made the ground from which the bodies are so removed shall be deemed and considered vacated for burial purposes and revert to and become the property of such incorporated or unincorporated church cemetery or burial association making such removal and be taken and considered the same as if said lot or lots had never been sold by the said church cemetery or burial association for the purpose of interment or any other purpose whatsoever And in case the holders of lots in which no interments have been made cannot after diligent search by the managing officials above mentioned be found then the managing officials may in their discretion assign to said owner parts of the ground so purchased equal in value to the said lots the owners of which cannot be found or assign to such owners lots of equal value in other properly regulated burial ground or cemetery in the vicinity of such city township or borough or the said managing officials may set apart or hold in trust for the owners of said lots who cannot be found a sum not less than the original price paid for said lots by the owner and shall hold and securely keep the said sum so set apart for the benefit of the said owners and pay to them whenever they may call for same and thereupon whenever lots of equal value shall have been set apart on the books of said incorporated or unincorporated church cemetery or burial association as having been assigned to said owners who cannot be found in the new and more suitable ground so purchased or in a properly regulated burial ground or cemetery in the vicinity of such city borough or township or as soon as the said managing officials shall set apart a sum equal to the price paid for said lots the owners of which cannot be found for the benefit of said owners then and in that case the lots heretofore held by said owners shall revert to and become the property of said incorporated or unincorporated church cemetery or burial association in whose ground the same are located as if the same had never been sold for the purpose of interment or any other purpose whatsoever and such incorporated or unincorporated church cemetery or burial association is hereby further authorized and empowered to sell and convey in fee simple and unrestricted as to use all such portions of their land not used or conveyed by them for burial purposes or which shall have been reconveyed to them or which have reverted to or become acquired by them as hereinbefore authorized and from which all bodies shall have been removed and to make grant and deliver in the customary form a deed or deeds for the same to the purchaser or purchasers free clear and discharged of any use trust or limitation whatsoever

Section 2 Whenever any incorporated or unincorporated church cemetery or burial association owns ground wholly or in part in any city township or borough in this Commonwealth and by reason of the growth thereof as well as for sanitary purposes it is deemed necessary or desirable in the opinion of the said church cemetery or burial association to change the location thereof or is by reason of the opening of streets roads or public passages around or through the same a portion of the property has become angular and partly surrounded by improvements and by reason of the proximity of adjacent property the interment of the dead may in the interest of public health be prohibited in the ground belonging to any such church cemetery or burial association aforesaid or from other causes any burial ground belonging to or in charge of any such incorporated or unincorporated church cemetery or burial association has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred in any such neglected or disused cemetery in any city township or borough interfere with and hinder the improvements extension and general progressive interest of any city township or borough then and in such case the courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers trustees or other officials in whom is vested the management of the affairs of such incorporated or unincorporated church cemetery or burial association setting forth that by reason of the growth of said city township or borough it has been necessary to change the location thereof or that by reason of the proximity of adjacent property the interment of the dead in said cemetery or burial ground in the interest of public health has been prohibited or from other causes said burial ground has ceased to be used for interments or has become so neglected as to become a public nuisance or that the remains of bodies interred therein interfere with and hinder the improvements extensions and general progressive interests of any such city township or borough and the public good and after three weeks' advertisement of hearing in open court for the purpose the said court is hereby vested and empowered with full power and authority after a full hearing of the parties therein proofs and allegations to authorize and direct the removal of the remains of all the dead from such cemetery or burial ground to such other suitable ground as said managers trustees or officers may have procured in the vicinity of such city township or borough for the reinterment of the bodies or to such lots or sections in a properly regulated burial ground or cemetery in the vicinity of such city borough or township and to order and decree that the ground of such cemetery be forever vacated for burial purposes

Section 3 After the removal of the bodies as provided for in section two the said court of Quarter Sessions may upon petition of the said managers trustees or other officers referred to in said section and upon being satisfied that the order of the court has been duly complied with authorize and empower the said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association to sell said burial ground at public or private sale either as a whole or divided into lots as they may deem most advisable and most likely to realize the most money and to make execute and deliver to the purchaser or purchasers a deed or deeds therefor which deed or deeds shall vest in said purchaser or purchasers a perfect and indefeasible fee simple title free and clear from all claims or interests of said incorporated or unincorporated church cemetery or burial association and of all owner or owners of lot or lots in said burial ground the proceeds thereof being substiuted in all respects for said ground

Section 4 The proceeds of such sale or sales shall be applied and distributed by said managers trustees or other officers in whom is vested the management of such incorporated or unincorporated church cemetery or burial association as follows (1) to the payment of the expenses of removing said bodies and the monuments or tombstones erected or maintained in such cemetery including the purchase of new grounds or new lots in a properly regulated burial ground or cemetery in the vicinity of such city township or borough (2) to the compensation or payment to lot owners in said burial ground in which no bodies have been interred and (3) the residue after defraying all necessary expenses incident to the removal of said bodies and intering the same in a careful manner to be held in trust for lot owners who cannot be found after diligent search and for such other uses objects and purposes as said incorporated or unincorporated church cemetery or burial association may order direct and appoint

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637, as follows:

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the roads and highways building constructing repairing and maintaining permanent roads culverts and bridges purchasing machinery or lifting orders or payment of any contracts made therefor to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and all coupon bonds or other securities issued therefor and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities since the twentieth of April Anno Domini one thousand eight hundred and seventy-four

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where supervisors of townships of the second class have incurred debt or increased the indebtedness of such township to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assesed valuation thereof for the purpose of macadamizing or paving with brick the roads and highways of such township and purchasing stone-crushers steam-rollers and tools implements material and machinery necessary therefor or of building constructing improving or repairing and maintaining any roads bridges or culverts or of lifting issued or satisfying contracts made therefor and have issued interest bearing coupons bonds or orders or other securities or made contracts therefor and levied or assessed an annual tax for the payment of the interest and principal of said bonds or other securities since the twentieth day of April Anno Domini one thousand eight hundred and seventy-four such incurring of debt or increase of indebtedness be hereby declared to be valid and shall be held and adjudged to be valid and sufficient in law and in all such cases the interest bearing bonds order contract or other securities issued or made by such township as evidence of such debt or increase of indebtedness shall be and the same are hereby declared to be valid and lawful to all intents and purposes against such townships and in the hands of all persons or corporations holding the same and all assessments of annual tax for the payment of such bonds or other securities are likewise hereby declared to be valid and lawful to all intents and purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 642, as follows:

An Act providing for the expenses of county commissioners and county poor directors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever it shall be necessary for the county commissioners or county poor directors of the several counties of this Commonwealth to travel away from their respective county seats in the performance of any service required in the discharge of their official duties the said county commissioners or county poor directors shall be paid in addition to their salaries their necessary traveling expenses which shall include the cost of transportation meals and lodgings required by them on such trips and such necessary expenses when itemized shall be paid from the treasuries of the respective counties upon vouchers duly made therefore by the said county commissioners or county poor directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 644, as follows:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of the act entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people" approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Section 2 That the clerk so appointed shall hold his office for the term of three years and in case of a vacancy by death resignation or removal for cause his successor shall serve for the unexpired time for which he was appointed and shall receive such salary as the commissioners shal determine" shall be and the same is hereby amended to read as follows

"Section 2 That the clerk so appointed shall hold his office for the term of four years and in case of a vacancy by death resignation or removal for cause his successor shall serve for the unexpired time for which he was appointed and shall receive such salary as the commissioners shall determine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 646, as follows:

A Joint Resolution proposing an amendment to section eight of article nine of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Amend section eight article nine of the Constitution of the Commonwealth of Pennsylvania which reads as follows

"Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as herein provided shall never exceed seven per centum upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof at a public election in such manner as shall be provided by law but any city the debt of which now exceeds seven per centum of such assessed valuation may be authorized by law to increase the same three per centum in the aggregate at any one time upon such valuation except that any debt or debts hereinafter incurred by the city and county of Philadelphia for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements owned or to be owned by said city and county of Philadelphia and which shall yield to the city and county of Philadelphia current net revenues in excess of the interest on said debt or debts and of the annual installments necessary for the cancellation of said debt or debts may be excluded in ascertaining the power of the city and county of Philadelphia to become otherwise indebted Provided that a sinking fund for their concellation shall be established and maintained" so that it shall read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as herein provided shall never exceed seven per centum upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law but any city the debt of which on the first day of January one thousand eight hundred and seventy-four exceeded seven per centum of such assessed valuation and has not since been reduced to less than such per centum may be authorized by law to increase the same three per centum in the aggregate at any one time upon such valuation The City of Philadelphia upon the conditions hereinafter set forth may increase its indebtedness to the extent of three per centum in excess of seven per centum upon such assessed valuation for the specific purpose of providing for all or any the following purposes to wit for the construction and improvement of subways tunnels railways elevated railways and other transit facilities for the construction and improvement of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks owned or to be owned by said city Such increase however shall only be made with the assent of the electors thereof at a public election to be held in such manner as shall be provided by law in ascertaining the borrowing capacity of said City of Philadelphia at any time there shall be excluded from the calculation a credit where the work resulting from any previous expenditure for any one or more of the specific purposes hereinabove enumerated shall be yielding to said city an annual curent net revenue the amount of which credit shall be ascertained by capitalizing the annual net revenue during the year immediately preceding the time of such ascertainment Such capitalization shall be accomplished by ascertaining the principal amount which would yield such annual current net revenue at the average rate of interest and sinking fund charges payable upon the indebtedness incurred by said city for such purposes up to the time of such ascertainment The method of determining such amount so to be excluded or allowed as a credit may be prescribed by the General Assembly

In incurring indebtedness for any one or more of said purposes of construction improvement or reclamation the City of Philadelphia may issue its obligations maturing not later than fifty years from the date thereof with provision or a sinking fund sufficient to retire said obligation ot maturity the payments to such sinking fund to be in equal or graded annual installments Such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of such work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 647, as follows:

An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishment of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first class the board of health is hereby empowered to abate nuisances upon private alleys now existing or hereafter to be laid out upon the neglect or refusal of the owners of the properties having the use of said alleys to abate said nuisance within ten days after service of notice upon the owners so to do

Section 2 Where the said nuisance is caused by the improper grading or defective paving of the said alleys upon the neglect or refusal of the said owners to grade pave or repave the said alleys within ten days after service of notice so to do the said board of health is hereby empowered to grade pave or repave the said alleys in accordance with the grades established by the surveyor and regulator of the district in which said private alleys are situate and upon application by the board of health the said surveyor and regulator is hereby

authorized to establish such grades The said board of health is hereby empowered to charge the cost and expense of abating the said nuisances and of the grading paving or repaving of the said alleys upon the said owners in their proper proportions and upon failure to pay the said charges to file liens therefor in the manner provided and according to the practice prescribed by law with respect to municipal claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 651, as follows:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne County

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the State Hospital for the Criminal Insane at Farview Wayne county Pennsylvania for the payment of the indebtedness incurred by the trustees of said hospital for the furnishing and equipment of the buildings of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 732, (House bill No. 1166), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 201, entitled:

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 285, entitled:

An Act creating the State Water Supply Commission of Pennsylvania declaring its duties powers jurisdiction and authority conferring certain rights and powers and imposing certain duties restrictions and regulations on persons municipalities or corporations engaged in the supply storage or transportation of water or water power or the development of power generated by the use of water or otherwise using or encroaching upon streams or waters making violation of certain provisions of this act a misdemeanor and providing penalties therefor and repealing all acts or parts of acts inconsistent herewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McILHENNY. Mr. President, I move that Senate Bill No. 285, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 337 (House Bill 189), entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 465, entitled:

A Joint Resolution providing for a commission to arrange for and supervise the transfer from the library and museum building to the new cases in rotunda of the Capitol buildings of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 513, entitled:

An Act to apportion the State into Congressional Districts

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 513, the bill just read, be recommitted to the Committee on Congressional Apportionment.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 655, entitled:

An Act relating to the classification of school districts

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 696, entitled:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department or bureau or branch thereof or any committee or commission authorized by law

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 700, entitled:

An Act requiring and regulating instructions in the public schools in ways and means of preventing accidents

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. KURTZ. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 753, entitled:

An Act authorizing notaries public to take affidavits to libels and divorce, and validating all such affidavits heretofore made.

Which was committed to the Committee on Judiciary General.

Mr. CATLIN. Mr. President, I ask unanimous consent to read a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 754, entitled:

An Act authorizing the appointment of policemen in the boroughs of this Commonwealth; defining their powers and duties and providing for their compensation and discharge.

Which was committed to the Committee on Judiciary Special.

Mr. KNAPP. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 755, entitled:

An Act making an apropriation of two hundred dollars per year for a period of two years for the purpose of main-

taining a public road through the Cornplanter Indian Reservation, and the bridges on said road in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 735, entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances, prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 713, entitled:

An Act providing for the appointment of district attorneys when vacancies occur.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED.

The PRESIDENT, (Lieutenant-Governor John M. Reynolds), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 116, entitled:

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license.

House Bill No. 147, entitled:

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions.

House Bill No. 170, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund.

House Bill No. 260, entitled:

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed.

House Bill No. 259, entitled:

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same

Whereupon,

The PRESIDENT, (Lieutenant-Governor John M. Reynolds), in the presence of the Senate signed the same.

HOUSE BILL NO. 619 RECALLED FOR THE PURPOSE OF AMENDMENT.

The CHAIR cleared his table and laid before the Senate extract from the Journal of the House of Representatives which was read as follows:

In the House of Representatives, March 24, 1913.

Resolved by the House of Representatives (if the Senate concur) That House Bill 619, file folio 2619, passed on final passage Thursday, March 20th, and now in the Senate, be recalled for the purpose of amendment.

The resolution was twice read, considered and agreed to.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 364, (Senate Bill No. 756), entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the aduleration of and deception in the sale of linseed or flaxseed oil" approved the twenty-third day of April Anno Domini one thousand nine hundred and one."

Which was committed to the Committed on Agriculture.

House Bill No. 504, (Senate Bill No. 757), entitled:

An Act fixing the duties and liabilities of employers of aliens with respect to the assessment and collection of taxes against such aliens and providing penalties for the violation thereof.

Which was committed to the Committee on Corporations.

House Bill No. 794, (Senate Bill No. 758), entitled:

An Act making it unlawful for any person firm or corporation to use the word consul or consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor.

Which was committed to the Committee on Judiciary Special.

House Bill No. 926 (Senate Bill No. 759), entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsular or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 949 (Senate Bill No. 760), entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law.

Which was committed to the committee on Judiciary Special.

House Bill No. 950 (Senate Bill No. 761), entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles.

Which was committed to the committee on Judiciary Special.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 45.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 20, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 45, entitled "An Act for the better protection of the wild birds known as the Turtle or Mourning Dove the Kill-Deer Plover and the bird commonly called the Black-bird in Pennsylvania and prescribing penalties for violation of its provisions."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 55.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 20, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 55 entitled "A Joint Resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 123.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 20, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 123, entitled "An Act to repeal the second section of an act approved the eighth day of February one thousand eight hundred sixty-five entitled 'An Act relating to the pay of certain officers and of jurors and witnesses in the County of Bucks' and also to repeal an act approved the twenty-seventh day of February one thousand eight hundred seventy-three entitled 'An Act relative to the pay of jurors in the County of Bucks.'"

JOHN K. TENER.

VETO OF SENATE BILL NO. 106.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 20, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, Senate Bill No. 106, entitled:

"An Act to amend an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled 'An Act providing for the incorporation and government of cities of the third class,' validating all acts and proceedings commenced under the section which is amended."

Section 2 of this bill validates all proceedings commenced under the section of the prior act amended by the bill, but the bill goes substantially farther than this in that, in the first section thereof, a method is prescribed for the chartering of cities of the third class, which is materially different from the method prescribed by the section of the prior act amended. In my judgment the title of the bill, containing as it does, reference only to the validating provisions of said section 2, to the exclusion of the subject of section 1, does not contain that clear expression of the subject of the bill which is required by the Constitution and is misleading. The provisions of section 2 of the bill may also so operate as to amount to special legislation, prohibited by the Constitution.

For those reasons the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objection of the Governor to the contrary notwithstanding?

Mr. MCNICHOL. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

He also laid before the Senate communications from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Department, Harrisburg, March 24, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation several names, respectively:

ALLEGHENY COUNTY.

Charles F. Hunter, Pittsburgh.
Chas. H. Stevenson, Corapolis.

ERIE COUNTY.

[illegible]

[illegible] COUNTY.

Miss Mary E. Luce, Perry Twp.

FOREST COUNTY.

Frank J. Kranking, Kingsley Twp.

LACKAWANNA COUNTY.

Loronzo Somenza, Old Forge.

PHILADELPHIA COUNTY.

Herbert Hargrace, Philadelphia.
Thos. J. Turkington, Philadelphia.
William T. Yerkes, Philadelphia.

CUMBERLAND COUNTY.

Miss Emily J. Hamilton, Shippensburg.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 24, 1913.
To the Honorable the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

CHESTER COUNTY.

William S .G. Cook, Coatesville, April 10, 1913.

ERIE COUNTY.

Louis Phillips, Erie, April 13, 1913.

LACKAWANNA COUNTY.

William H. Jessup, Scranton, April 24, 1913.

LAWRENCE COUNTY.

L. M. Uber, New Castle, April 7, 1913.

PHILADELPHIA COUNTY.

Charles Sentz, Philadelphia, March 29, 1913.

JOHN K. TENER.

INSPECTORS OF THE STATE PENITENTIARY FOR THE WESTERN DISTRICT OF PENNSYLVANIA AT PITTSBURGH.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.
To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Inspectors of the State Penitentiary for the Western District of Pennsylvania, at Pittsburgh, for the term of two years, to compute from the dates set opposite their names respectively:

Charles A. Rook, Pittsburgh, June 1, 1911.
William E. Sankey, Carrick, June 1, 1911.
William Price, Pittsburgh, June 1, 1911.
George E. McCague, Sewickley, November 29, 1911.
Thomas B. Foley, Pittsburgh, January 18, 1912.

JOHN K. TENER.

INSURANCE COMMISSIONER OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.
To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Johnson, of Norristown, to be Insurance Commissioner of Pennsylvania, to serve until the first Monday of May, 1915.

JOHN K. TENER.

INSPECTORS OF ILLUMINATING GAS AND GAS METERS IN AND FOR THE COUNTY OF ALLEGHENY, PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.
To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William M. Ramsey, of Pittsburgh, to be Inspector of Illuminating Gas and Gas Meters in and for the County of Allegheny, for the term of three years, to compute from April 15, 1912.

JOHN K. TENER.

COMMISSIONERS TO EXAMINE APPLICANTS FOR INSPECTOR OF STEAM ENGINES AND STEAM BOILERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners to Examine Applicants for Inspector of Steam Engines and Steam Boilers, for the county of Allegheny, Commonwealth of Pennsylvania, to serve until lawfully determined or annulled, to compute from December 13, 1911:

W. C. Fownes, Pittsburgh.
Joseph Fawall, Pittsburgh.
Edward Kneeland, Pittsburgh.
Thomas M. Rees, Pittsburgh.
George M. Bole, Pittsburgh.

JOHN K. TENER.

INSPECTOR OF STEAM ENGINES AND STEAM BOILERS FOR THE COUNTY OF ALLEGHENY.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles H. Garlick, of Bellevue, to be Inspector of Steam Engines and Steam Boilers for the County of Allegheny, Commonwealth of Pennsylvania, for the term of two years, to compute from February 2, 1912.

JOHN K. TENER.

MEMBER OF THE STATE QUARANTINE BOARD FOR THE PORT OF PHILADELPHIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. L. Forward, of Chester, to be a Member of the State Quarantine Board for the Port of Philadelphia, for the term of two years, to compute from February 3, 1912.

JOHN K. TENER.

COMMISSIONERS OF THE STATE BOARD OF PUBLIC CHARITIES.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of the State Board of Public Charities, for the term of five years, to compute from the dates set opposite their names respectively:

P. C. Boyle, Oil City, June 19, 1911.
Edward K. Rowland, Philadelphia, August 7, 1911.
George W. Ryan, Shamokin, November 6, 1911.
Cyrus B. King, Pittsburgh, March 31, 1912.
William T. Bell, Mount Union, March 31, 1912.
Ralph Blum, Philadelphia, October 25, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Board of Trustees of the Pennsylvania State College, for the term of three years, to compute from July 1, 1912:

Marlin E. Olmsted, Harrisburg.
E. S. Bayard, Pittsburgh.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Trustees of the Pennsylvania State College to serve until July 1, 1914, to compute from the dates set opposite their names respectively:

J. D. Callery, Pittsburgh, January 21, 1912.
Charles S. Price, Johnstown, January 21, 1912.

JOHN K. TENER.

MEMBERS OF THE STATE PHARMACEUTICAL EXAMINING BOARD.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Louis Emanual, of Pittsburgh, to be a member of the State Pharmaceutical Examining Board, for the term of five years, to compute from February 4, 1913.

JOHN K. TENER.

MEMBERS OF THE STATE PHARMACEUTICAL EXAMINING BOARD.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Pharmaceutical Examining Board, to serve for the term of five years, to compute from the dates set opposite their names respectively:

Lucius L. Walton, Williamsport, December, 1, 1911.
George D. Stroh, West Pittston, July 22, 1912.

JOHN K. TENER.

COMMISSIONER OF FISHERIES FOR PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nathan R. Buller, of Pleasant Mount, Wayne County to be Commissioner of Fisheries for Pennsylvania, for the term of four years, to compute from September 1, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE FISHERIES OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Fisheries Commission, for the term of four years, to compite from the dates set opposite their names respectively:

William A. Leisenring, Mauch Chunk, May 26, 1911.
John Hamberger, Erie, June 2, 1911.
Henry C. Cox, Wellsboro, June 2, 1911.
John C. Ogden, Johnstown, August 5, 1911.

JOHN K. TENER.

DIRECTOR OF THE NAUTICAL SCHOOL AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lodge Colton, of Philadelphia, to be a Director of the Nautical School, at Philadlephia, for the term of six years, to compute from May 3, 1911.

JOHN K. TENER.

INSPECTORS OF THE STATE PENITENTIARY FOR THE EASTERN DISTRICT OF PENNSYLVANIA AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be inspectors of the State Penitentiary for the Eastern District of Pennsylvania at Philadelphia, for the term of two years, to compute from May 26, 1911:

Charles Carver, Philadelphia.
Charles D. Hart, Philadelphia.
Murrell Dobbins, Philadelphia.
John E. Hanifen, Philadelphia.
Robert A. Balfour, Philadelphia.

JOHN K. TENER.

MANAGER OF THE STATE INDUSTRIAL REFORMATORY AT HUNTINGDON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, H. H. Canan, of Altoona, to be a Manager of the State Industrial Reformatory, at Huntingdon, to serve until May 15, 1912, to compute from October 24, 1912.

JOHN K. TENER.

SUPERINTENDENT OF CONSTRUCTION OF THE WESTERN PENITENTIARY.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor

hereby to nominate for the advice and consent of the Senate, John Francies, of Pittsburgh, to be Superintendent of Construction of the Western Penitentiary, to serve until lawfully determined or annulled, to compute from June 3, 1911.

JOHN K. TENER.

TRUSTEES OF THE PENNSYLVANIA STATE LUNATIC HOSPITAL AT HARRISBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, for the term of three years, to compute from June 16, 1911.

Edward Bailey, Harrisburg.
David McM. Gregg, Reading.

JOHN K. TENER.

TRUSTEES OF THE PENNSYLVANIA STATE LUNATIC HOSPITAL AT HARRISBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, to serve for the terms set opposite their names respectively:

William M. Donaldson, Harrisburg, Until October 25, 1914.
Lewis S. Sadler, Carlisle, Until March 19, 1915.
Samuel Small, York, Until March 19, 1915.
Henry M. Stine, Harrisburg, Until April 6, 1914.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE AT DANVILLE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane, at Danville, for the term of three years, to compute from the dates set opposite their names respectively:

Robert J. Pegg, Danville, June 9, 1911.
W. F. Lowry, Berwick, October 17, 1911.
Newton H. Culver, Williamsport, October 17, 1911.
Isaac X. Grier, Danville, May 10, 1912.
Herbert T. Hecht, Danville, June 4, 1912.
Olin F. Harvey, Wilkes-Barre, October 22, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE OF THE SOUTHEASTERN DISTRICT OF PENNSYLVANIA AT NORRISTOWN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane, of the Southeastern District of Pennsylvania, at Norristown, for the term of three years, to compute from the dates set opposite their names respectively:

Thomas W. Marshall, West Chester, February 15, 1911.
Jonas S. Harley, Quakertown, April 27, 1911.
Samuel S. Thompson, Philadelphia, July 21, 1911.
James B. Holland, Conshohocken, February 26, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane, at Warren, for the term of three years, to compute from the dates set opposite their names respectively:

A. Lincoln Bell, Ridgway, May 26, 1911.
R. B. Stone, Bradford, May 26, 1911.
S. R. Mason, Mercer, June 10, 1911.
W. R. Hunter, Erie, August 5, 1911.

JOHN K. TENER.

TRUSTEE OF THE STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank K. Brown, of Clarion to be a Trustee of the State Hospital for the Insane, at Warren, to serve until June 26, 1914, to compute from May 27, 1912.

JOHN K. TENER.

TRUSTEE OF THE STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Schimmelfeng, of Warren, to be a Trustee of the State Hospital for the Insane, at Warren, to serve until June 10, 1914, to compute from October 28, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR INJURED PERSONS OF THE ANTHRACITE COAL REGION, AT ASHLAND.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for Injured Persons of the Anthracite Coal Region, at Ashland, to serve until lawfully determined or annulled, to compute from the dates set opposite their names respectively:

Daniel Duffy, Pottsville, June 29, 1911.
Robert Heaton, Ashland, June 29, 1911.
Christian Schmidt, Shenandoah, June 29, 1911.
John H. Davis, St. Clair, December 9, 1912.
Theo. W. Riley, Centralia, December 9, 1912.
Benj. I. Evans, Mt. Carmel, December 9, 1912.

JOHN K. TENER.

TRUSTEE OF THE PENNSYLVANIA STATE HOSPITAL OF THE MIDDLE COAL FIELD, AT HAZLETON.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Shigo, of Freeland, to be a Trustee of the Pennsylvania State Hospital of the Middle Coal Field, at Hazleton, to serve until lawfully determined or annulled, to compute from January 10, 1912.

JOHN K. TENER.

TRUSTEES OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT CONNELLSVILLE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Connellsville, to serve until lawfully determined or annulled, to compute from the dates set opposite their names respectively:

R. C. Bierbower, Connellsville, August 25, 1911.
Harry M. McDonald, Dawson, March 28, 1912.

JOHN K. TENER.

TRUSTEE OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT PHILIPSBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel H. Wigton, of Philipsburg, to be a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Philipsburg, to serve until lawfully determined or annulled, to compute from October 7, 1911.

JOHN K. TENER.

TRUSTEE OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT MERCER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas A. Sampson, of Mercer, to be a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-

Bituminous Coal Regions, at Mercer, to serve until lawfully determined or annulled, to compute from January 11, 1912.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO PROTECT MONUMENT ERECTED BY THE SURVIVORS OF THE FORTY-EIGHTH REGIMENT, PENNSYLVANIA VOLUNTEERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Commission to Protect Monument Erected by Survivors of the Forty-Eighth Regiment, Pennsylvania Volunteers, near Petersburg, Virginia, to serve until lawfully determined or annulled, to compute from November 14, 1911.

Frank R. Leib, Harrisburg.
Daniel Nagle, Pottsville.
Daniel Donne, Pottsville.

JOHN K. TENER.

MEMBERS OF THE CAPITOL PARK EXTENSION COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Capitol Park Extension Commission, to serve until June 1, 1917, to compute from September 9, 1911:

Samuel Kunkel, Harrisburg.
Samuel C. Todd, Charleroi.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named ladies to be Members of the State Board of Examiners for Registration of Nurses, for the term of five years, to compute from the dates set opposite their names respectively:

Miss Ida F. Giles, Washington, June 30, 1911.
Alice M. Seabrook, M. D., Philadelphia, June 30, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CHRONIC INSANE OF PENNSYLVANIA AT WERNERSVILLE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Chronic Insane of Pennsylvania, at Wernersville, for the term of three years, to compute from the dates set opposite their names, respectively:

Henry M. Dechert, Philadelphia, April 20, 1911.
Savery Bradley, Philadelphia, April 20, 1911.
S. P. Light, Lebanon, April 20, 1911.
Jacob M. Shenk, Lebanon, June 12, 1911.
Thomas C. Zimmerman, Reading, June 12, 1911.
Walter T. Bradley, Philadelphia, June 12, 1911.
Jos. L. Lemberger, Lebanon, June 12, 1912.
Thomas Polk Merritt, Reading, June 12, 1912.
E. E. Beidleman, Harrisburg, June 12, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOME FOR TRAINING IN SPEECH OF DEAF CHILDREN BEFORE THEY ARE OF SCHOOL AGE, AT PHILADELPHIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the Home for the Training in Speech of Deaf Children Before They Are of School Age, at Philadelphia, for the term of five years, to compute from the dates set opposite their names, respectively:

S. Edwin Megargee, Philadelphia, July 14, 1911.
Charles S. Turnbull, Philadelphia, September 3, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INSTITUTION FOR FEEBLE MINDED, AT POLK.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Trustees of the State Institution for Feeble-Minded, at Polk, for fthe term of three years, to compute from May 1, 1912:

Marshall Phipps, Franklin.
Frederick H. Coursin, McKeesport.

JOHN K. TENER.

ASSISTANT ECONOMIC ZOOLOGIST OF THE DEPARTMENT OF AGRICULTURE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John K. Musgrave, of Pittsburgh, to be Assistant Economic Zoologist of the Department of Agriculture, for the term of four years, to compute from July 1, 1912.

JOHN K. TENER.

COMMISSIONER OF VALLEY FORGE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel W. Pennypacker, of Schwenkville, to be a Commissioner of Valley Forge, for the term of five years, to compute from June 8, 1913.

JOHN K. TENER.

COMMISSIONER OF VALLEY FORGE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Theodore E. Weidersheim, of Philadelphia, to be a Commissioner of Valley Forge, to serve until April 20, 1914, to compute from January 15, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF OSTEOPATHIC EXAMINERS OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Board of Osteopathic Examiners of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:

H. M. Goehring, Pittsburgh, August 1, 1911.
Virgil A. Hook, Wilkes-Barre, April 1, 1911.
O. J. Snyder, Philadelphia, August 1, 1912.

JOHN K. TENER.

MEMBERS OF THE COMMISSION FOR THE IMPROVEMENT OF THE STATE CANAL BASINS, AT THE PORT OF ERIE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Commission for the Improvement of the State Canal Basins, at the Port of Erie, to serve until lawfully determined or annulled, to compute from January 17, 1912:

Clarence L. Thompson, Erie.
Frank W. Grant, Erie.
Frank Connell, Erie.
G. Irving Blake, Erie.
I. Ph. McCreary, Erie.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO CELEBRATE AND COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION AT PHILADELPHIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Commission to Celebrate and Commemorate the Fiftieth Anniversary of the Emancipation Proclamation, at Philadelphia, to serve until lawfully determined or annulled, to compute from the dates set opposite their names, respectively:

W. E. Crow, Uniontown, October 30, 1911.
Clarence Wolf, Philadelphia, October 30, 1911.
W. W. Ulerich, Latrobe, October 30, 1911.
George E. Alter, Springdale, October 30, 1911.
Henry W. Bass, Philadelphia, October 30, 1911.

Milton W. Shreve, Erie, November 21, 1911.
Henry A. Clark, Erie, February 21, 1912.

JOHN K. TENER.

MEMBERS OF THE GEORGE GORDON MEADE STATUTE COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the General George Gordon Meade Statue Commission, to serve until lawfully determined or annulled, to compute from November 27, 1911:

N. P. Kinsley, Franklin.
William C. Sproul, Chester.
James A. Dale, York.
John W. Frazier, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE ROBERT MORRIS MONUMENT COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Robert Morris Monument Commission, to serve until lawfully determined or annulled, to compute from December 1, 1911:

B. S. Phillips, Scranton.
H. M. Edwards, Scranton.
John W. Ford, Philadelphia.
W. J. Jones, Pittsburgh.
George Morris, McKeesport.

JOHN K. TENER.

SUPERINTENDENT OF PUBLIC GROUNDS AND BUILDINGS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel B. Rambo, of Harrisburg, to be Superintendent of Public Grounds and Buildings, for the term of four years, to compute from June 1, 1911.

JOHN K. TENER.

STATE FIRE MARSHALL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph L. Baldwin, of Philadelphia, to be State Fire Marshall, for the term of four years, to compute from May 29, 1912.

JOHN K. TENER.

MEMBERS OF THE COLLEGE AND UNIVERSITY COUNCIL OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the College and University Council of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

Dr. J. M. Harris, Lewisburg, March 29, 1912.
Samuel B. McCormick, Pittsburgh, January 14, 1913.
James D. Moffat, Washington, October 1, 1911.
Edwin E. Sparks, State College, January 21, 1912.
Edward Morrell, Philadelphia, January 21, 1912.

JOHN K. TENER.

MEMBERS OF THE PANAMA PACIFIC INTERNATIONAL EXPOSITION, SAN FRANCISCO, CALIFORNIA, 1915.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Panama-Pacific International Exposition Commission, San Francisco, California, 1915, to serve until lawfully determined or annulled, to compute from June 21, 1912:

Ernest L. Tustin, Philadelphia.
James W. King, Philadelphia.
Chester P. Ray, Philadelphia.
John C. Bell, Philadelphia.
Charles W. Ashley, Pittsburgh.
Charles F. Thompson, Charleroi.
G. W. Nitrauer, Lebanon.
H. J. Heinz, Pittsburgh.
Charles D. Armstrong, Pittsburgh.
M. S. Hershey, Hershey.
E. H. Porter, Beaver Falls.
Frank B. McClain, Lancaster.
Morgan E. Gable, Pittsburgh.
George W. Creighton, Altoona.
James L. Adams, Pittsburgh.
W. E. Crow, Uniontown.
Charles W. Sones, Williamsport.
C. A. Bentley, Monongahela.
C. Victor Johnson, Meadville.
Charles A. Shaffer, Berwick.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF GAME COMMISSIONERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Board of Game Commissioners, for the term of three years, to compute from the dates set opposite their names, respectively:

Charles B. Penrose, Philadelphia, November 17, 1912.
Coleman K. Sober, Lewisburg, November 17, 1911.
J. M. Phillips, Pittsburgh, November 17, 1911.
Arthur Chapman, Doylestown, November 17, 1912.

JOHN K. TENER.

CHIEF OF THE DEPARTMENT OF MINES IN PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James E. Roderick, of Hazleton, to be Chief of the Department of Mines in Pennsylvania, for the term of four years, to be computed from April 16, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD TO EXAMINE EXPERT ACCOUNTANTS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board to Examine Expert Accountants, for the term of three years, to compute from the dates set opposite their names, respectively:

J. E. Sterrett, Philadelphia, August 11, 1911.
Adam A. Ross, Philadelphia, May 26, 1911.
James Whitaker Fernley, Philadelphia, November 16, 1911.

JOHN K. TENER.

MEMBERS OF THE BOARD OF DENTAL EXAMINERS OF THE STATE OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Dental Examiners of the State of Pennsylvania, to serve until the dates set opposite their names, respectively:

John J. Moffit, Harrisburg, September 1, 1913.
H. W. Arthur, Pittsburgh, September 1, 1913.
W. D. DeLong, Reading, September 1, 1914.
J. D. Whitman, Mercer, September 1, 1914.
A. H. Reynolds, Philadelphia, September 1, 1915.
Walter H. Fundenberg, Pittsburgh, September 1, 1915.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD TO EXAMINE EXPERT ACCOUNTANTS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board to Examine Expert Accountants, for the term of two years, to compute from the dates set opposite their names, respectively:

H. B. Gill, Philadelphia, May 26, 1913.
Willis A. Boothe, Pittsburgh, May 26, 1913.

JOHN K. TENER

MEMBERS OF THE COMMISSION FOR THE INVESTIGATION AND CONTROL OF THE CHESTNUT-TREE BLIGHT DISEASE IN PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Commission for the Investigation and Control of the Chestnut Tree Blight Disease in Pennsylvania, for the term of three years, to compute from June 14, 1911:

Samuel T. Bodine, Villa Nova.
George F. Craig, Rosemont.
Theodore N. Ely, Bryn Mawr.
Harold Peirce, Haverford.
Winthrop Sargent, Haverford.

JOHN K. TENER.

MEMBERS OF THE STATE FREE LIBRARY COMMISSION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nomfnate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Free Library Commission, to serve until January 3, 1915, to compute from the dates set opposite their names, respectively:

Henry Belin, Jr., Scranton, May 26, 1911.
Harrison W. Carver, Pittsburgh, May 26, 1911.
Horace E. Hayden, Wilkes-Barre, May 26, 1911.

JOHN K. TENER.

COMMISSIONERS OF FORESTRY FOR PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert S. Conklin, of Columbia, to be Commissioner of Forestry for Pennsylvania, for the term of four years, to compute from June 1, 1912.

JOHN K. TENER.

MEMBERS OF THE STATE FORESTRY RESERVATION COMMISSION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Forestry Reservation Commission, for the term of four years, to compute from the dates set opposite their names, respectively:

J. Linn Harris, Bellefonte, July 31, 1911.
J. T. Rothrock, West Chester, June 1, 1912.
S. B. Slliott, Reynoldsville, July 2, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOMEOPATHIC STATE HOSPITAL FOR THE INSANE AT ALLENTOWN.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Homeopathic State Hospital for the Insane, at Allentown, for the term of three years, to compute from the dates set opposite their names, respectively:

Harry C. Trexler, Allentown, January 27, 1913.
E. M. Young, Allentown, January 27, 1913.
Archibald Johnson, Bethlehem, January 27, 1913.
John J. Tuller, Philadelphia, January 27, 1912.
William A. Seibert, Easton, January 27, 1912.
George R. Bedford, Wilkes-Barre, January 27, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOMEOPATHIC STATE HOSPITAL FOR THE INSANE AT ALLENTOWN.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Homeopathic State Hospital for the Insane, at Allentown, for the term of two years, to compute from January 27, 1912:

Russel C. Stewart, Easton.
Leonard Peckitt, Catasauqua.
F. J. Slough, Allentown.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO PROVIDE FOR THE CELEBRATION OF THE CENTENNIAL ANNIVERSARY OF THE BATTLE OF LAKE ERIE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Commission to Provide for the Celebration of the Centennial Anniversary of the Battle of Lake Erie, to serve until lawfully determined or annuled, to compute from May 26, 1911:

A. E. Sisson, Erie.
Edwin H. Vare, Philadelphia.
M. W. Shreve, Erie.
T. C. Jones, McKeesport.
George W. Neff, Masontown.

JOHN K. TENER.

TRUSTEES OF THE THADDEUS STEVENS INDUSTRIAL SCHOOL OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Thaddeus Stevens Industrial School of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:

John H. Landis, Millersville, June 12, 1911.
P. E. Slaymaker, Lancaster, June 12, 1911.
Charles I. Landis, Lancaster, June 12, 1912.
H. L. Trout, Lancaster, June 12, 1912.
Grank B. McClain, Lancaster, June 12, 1912.

JOHN K. TENER.

TRUSTEES OF THE THADDEUS STEVENS INDUSTRIAL SCHOOL OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George Gesell, of Lancaster, to be a trustee of the Thaddeus Stevens Industrial School of Pennsylvania, to serve until June 12 1914, to compute from July 24, 1911.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CRIMINAL INSANE AT FAIRVIEW.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Criminal Insane, at Fairview, for the term of three years, to compute from the dates set opposite their names, respectively:

Henry F. Walton, Philadelphia, June 1, 1913.
William C. Sproul, Chester, June 1, 1913.
Sterling R. Catlin, Wilkes-Barre, June 1, 1913.
C. H. Dorflinger, White Mills, June 1, 1912.
John B. Fassett, Tunkhannock. June 1, 1912.
Walter McNichols, Scranton, June 1, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CRIMINAL INSANE AT FAIRVIEW.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Criminal Insane, at Fairview, to serve until June 1, 1914, to compute from the dates set opposite their names, respectively:

James L. Marsteller, Allentown, May 17, 1912.
Edward A. Jones, Scranton, May 17, 1912.
H. A. Denney, Montrose, September 26, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL OF THE TREVORTON, SHAMOKIN AND MOUNT CARMEL COAL FIELDS OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital of the Trevorton, Shamokin, and Mount Carmel Coal Fields, of Pennsylvania, to serve until lawfully

determined or annulled, to compute from the dates set opposite their names, respectively:
William P. Kemble, Mt. Carmel, December 13, 1911.
Ralph W. Montelius, Mt. Carmel, December 13, 1911.
Herbert W. Cummings, Sunbury, December 13, 1911.
P. Frank Brennan, Shamokin, December 21, 1911.
John I. Welsh, Shamokin, December 21, 1911.
George W. Schultz, Shamokin, December 21, 1911.
Allan J. Weir, Matalie, December 21, 1911.
John F. Bevan, Shamokin, January 3, 1913.
John H. Glass, Shamokin, January 3, 1913.

JOHN K. TENER.

MEMBER OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. L. Johnstonbaugh, of West Bethlehem, to be a member of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania, for the term of two years, to compute from September 1, 1911.

JOHN K. TENER.

MEMBER OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wm. Alvah Stewart, of Pittsburgh, to be a member of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania ,to serve until September 1, 1913, to compute from September 1, 1912.

JOHN K. TENER.

MEMBERS OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:
Adolph Koenig, Pittsburgh, September 1, 1911.
John M. Baldy, Philadelphia, September 1, 1912.
D. P. Maddux, Chester, September 1, 1912.

JOHN K. TENER.

FIRST DEPUTY STATE HIGHWAY COMMISSIONER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph W. Hunter, of Jenkintown, to be First Deputy State Highway Commissioner, to serve until lawfully determined or annulled, to compute from June 1, 1911.

JOHN K. TENER.

SECOND DEPUTY STATE HIGHWAY COMMISSIONER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, E. A. Jones, of Scranton, to be Second Deputy State Highway Commissioner, to serve until lawfully determined or annulled, to compute from August 1, 1911.

JOHN K. TENER.

AUDITORS OF THE STATE HIGHWAY DEPARTMENT OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William R. Main, of Pittsburgh, to be Auditor of the State Highway Department of Pennsylvania, to serve until lawfully determined or annulled, to compute from May 1, 1912.

JOHN K. TENER.

CHIEF ENGINEER OF THE STATE HIGHWAY DEPARTMENT OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel D. Foster, of Pittsburgh, to be Chief Engineer of the State Highway Department of Pennsylvania, to serve until lawfully determined or annulled, to compute from June 19, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Board of Veterinary Medical Examiners, for the term of three years, to compute from the first Monday in September, 1912:
W. H. Ridge, Trevose.
A. J. McCloskey, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Board of Veterinary Medical Examiners, to serve until the dates set opposite their names, respectively:
J. W. Sallade, Auburn, 1st Monday, Sept., 1914.
Jacob Helmer, Scranton, 1st Monday, Sept., 1913.
Arthur W. Wier, Greenville, 1st Monday, Sept., 1913.

JOHN K. TENER.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Philadelphia, for the term of four years, to compute from June 15, 1912:
Clinton Rogers Woodruff, Philadelphia.
George G. Pierie, Philadelphia.
John J. Green, Philadelphia.
James A. Gaynon, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PITTSBURGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Pittsburgh, for the term of four years, to compute from June 15, 1912:
Walter J. Christy, Pittsburgh.
Charles W. Wilbert, Pittsburgh.
James Campbell Roberts, Pittsburgh.
John J. McKelvey, Pittsburgh.

JOHN K. TENER.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF SCRANTON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Scranton, for the term of four years, to compute from June 15, 1912:
B. T. Jayne, Scranton.
Alex. T. Connell, Scranton.

Thos. J. Jennings, Scranton.
P. A. Ryan, Scranton.

JOHN K. TENER.

MOTION FOR EXECUTIVE SESSION.

Mr. McNICHOL. Mr. President. I ask unanimous consent that Rule 38. which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon the nominations just received.

The PRESIDENT. Is there objections?

Mr. HERBST. Mr. President, will the Senator from Philadelphia, Mr. McNichol. permit himself to be interrogated?

Mr. McNICHOL. Mr. President, I will.

Mr. HERBST. Mr. President, are these nominations that were made during the interim, between the sessions of the Legislature

Mr. McNICHOL. Mr. President; yes, sir.

Mr. HERBST. Mr. President, I do not want to be captious or object, but I think we ought to have at least twenty-four hours to consider them. I do not think it would work any hardship on anybody and I think it would look a little more as though we were trying to look into all these nominations.

Mr. McNICHOL. Mr. President, I withdraw the motion.

The PRESIDENT. The nominations just received from His Excellency, the Governor of the Commonwealth, with the exception of those for registration commissioners in the cities of Philadelphia, Pittsburgh and Scranton, are referred to the Committee on Judiciary General. Those for registration commissioners in said cities are referred to the Committee on Elections.

BILL ON FIRST READING.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 735. entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances, prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface.

be read the first time.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 735, entitled:

An Act authorizing and empowering cities and boroughs, in their corporate capacity, to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN. from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each.

Also from the Committee on Banks and Building and Loan Associations reported as committed, Senate Bill No. 659, entitled:

An Act enabling the Board consisting of the State Treasurer, Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage, judgment or lien which has been or may hereafter be accepted by the said Board under the provisions of the Act of June 19, 1911, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania, and providing for the violation thereof. ,

Mr. POWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. POWELL, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 636, entitled:

An Act to amend the first section of an act, entitled "An Act authorizing banks, chartered under the laws of the Commonwealth of Pennsylvania, to loan money on the security of bonds and mortgages, notes and other interest-bearing securities and obligations," approved the 10th day of July, A. D. 1901, P. L. 639, by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate.

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 574, entitled:

An Act to amend section one of an act, entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania, entitled 'An Act to provide for the incorporation and regulation of certain corporations" approved the 29th day of April, A. D. 1874, as the same has been supplemented by acts of Assembly of said Commonwealth, approved on the following dates, namely: February 16, 1874; May 24, 1881; May 29, 1885; June 11, 1885; June 25, 1885; May 9, 1889; May 29, 1895; June 26, 1895; June 27, 1895; May 2, 1901; June 4, 1901; April 21, 1903; April 17, 1905; interalia, providing for the establishment and regulation of trust companies," approved the 8th day of May, 1907, by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period, and defining and including as depositors bonafide holders for value of certified checks on or of certificates of deposit issued by a trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon.

ADJOURNMENT.

Mr. HUNTER. Mr. President, I move that the Senate do now adjourn until to-morrow morning, at 11 o'clock.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.18 o'clock. P. M., until Tuesday morning, March 25, 1913, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, March 24, 1913.

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou art the hope of our hearts, the inspiration and strength of our lives. We humbly and reverntly bow before Thee, acknowldging Thy guardianship and guidance since last we sat in this Hall of the Assembly. Thou hast kept us by the way Thou hast brought us to our places; Thou hast set before us our dignified duties and our responsible work; Thou hast assured us of the help we so constantly need. May we take Thee into our counsels and defer to Thy will in all that we do. Bless this great Commonwealth with its diversified interests, with its cities and villages, with its hamlets and homes, its teeming population of earnest people, and its rushing, impetuous life.

Bless all departments of the government,—the executive department, bless Thy servant the Governor and all associated with him in the administration of the State affairs. And Thy servants the judges, may they be wise, and temperate, and restrained, and sober, and impartial, and just. And the legislative assemblies,—the Senate with its presiding officer, and the Assembly with its Speaker. And grant Lord that all these departments of the government may cooperate together and defer to Thy will and to the will of the people so that all that is done shall be wise and good and for the highest interest of the Commonwealth, and Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of proceedings of Thursday, March 20, 1913.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. Mannion the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BAYLE. House Bill No. 1617.

An Act to repeal an act approved the tenth day of April, one thousand eight hundred and sixty-nine, entitled "An act to prohibit the licensing of any billiard table, or bowling or ten pin alley in or near Edinboro, Erie county."

Referred to Committee on Judiciary General.

By Mr. GRAMLEY. House Bill No. 1618.

An Act authorizing Boyd L. Hunter, a citizen of Centre county, Pennsylvania, to bring suit in the court of Common Pleas of Dauphin county, against the Commonwealth of Pennsylvania.

Referred to Committee on Judiciary Local.

By Mr. BROSIUS. House Bill No. 1619.

An Act permitting Normal Schools and High Schools to establish special training courses for rural teachers.

Referred to Committee on Education.

Br. Mr. HOBBS. (By request.) House Bill No. 1620.

An Act entitled "An Act to provide that trees, shrubs, vines plants and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold, and providing a legal method whereby the grower can obtain financial redress from the dealer or seller, being a legal indemnity plan for growers."

Referred to Committee on Agriculture.

By Mr. CHARLES A. SHAFFER. House Bill No. 1621.

An Act empowering incorporated towns of this Commonwealth, without petition of the property owners, to grade, pave, curb, macadamize, and otherwise improve public streets, or parts thereof, and assess a portion of the cost of the same on the owners of property abutting thereon; and providing for the collection of the same.

Referred to Committee on Municipal Corporations.

By Mr. GEISER. House Bill No. 1622.

An Act prohibiting the holding by any person or two or more positions of profit under this Commonwealth; prohibiting appointments contrary to this act and providing penalties.

Referred to Committee on Judiciary General.

By Mr. JAMES A. DUNN. House Bill No. 1623.

An Act making an appropriation of five hundred thousand (500,000) dollars toward the improvement of county roads in the suburban section of the city of Philadelphia.

Referred to Committee on Appropriations.

By Mr. HESS. House Bill No. 1624.

An Act abolishing all taxes on loans made by school districts or school boards for school purposes.

Referred to Committee on Ways and Means.

By Mr. SPEISER. House Bill No. 1625.

An Act relating to damages providing for full compensation in case of taking of property for use as a public wharf, pier, or bulkhead.

Referred to Committee on Judiciary Special.

By Mr. KEEPORT. House Bill No. 1626.

An Act abolishing taxes for state purposes on municipal loans or indebtedness.

Referred to Committee on Ways and Means.

By Mr. KEEPORT. House Bill No. 1627.

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violations of this act and making provision for compelling the production of evidence and repealing existing laws.

Referred to Committee on Insurance.

By Mr. CONNIFF. House Bill No. 1628.

An Act to secure the compensation of an attorney-at-law for his services.

Referred to Committee on Judiciary General.

By Mr. E. E. JONES. House Bill No. 1629.

An Act to amend an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line, describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. ROCKWELL. House Bill No. 1630.

An Act amending sections eleven, twelve and thirteen of an act of Assembly entitled "An Act relating to county rates and levies and township rates and levies," approved April fifteenth, one thousand eight hundred and thirty-four, as amended by an act entitled "An act amending sections eleven, twelve and thirteen of an act of Assembly, entitled 'An act relating to county rates and levies and township rates and levies,'" approved April fifteenth, one thousand eight hundred and thirty-four," approved the eighth day of May, Anno Domini one thousand nine hundred nine.

Referred to Committee on Judiciary General.

By Mr. STRAUSS. House Bill No. 1631.

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th Section of the Act approved April 29, 1874, entitled, "An act to provide for the Incorporation and Regulation of Certain Corporations," and its supplements.

Referred to Committee on Judiciary General.

By Mr. R. J. BALDWIN. House Bill No. 1632.

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same.

Referred to Committee on Public Roads.

By Mr. KAUFMAN. House Bill No. 1633.

An Act to amend an act, approved the eighth day of May, one thousand eight hundred and seventy-six, entitled, "An Act to establish a State Board of Agriculture," as the same was amended by an act aproved the 30th day of March, one thousand nine hundred and eleven, by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society, and by adding one (1) Representative of the Pennsylvania Conservation Association, and one (1) Representative of the Pennsylvania Rural Progress Association.

Referred to Committee on Agriculture.

By Mr. GANS. House Bill No. 1634.

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth, in accordance with the provisions of he Eighteenth (XVIII) Article thereof.

Referred to Committee on Judiciary General.

By Mr. NEWTON. House Bill No. 1635.

An Act to establish as a "State Highway" a certain section of public road beginning at a point in the village of Gold, township of Ulysses and county of Potter and passing through Ulysses, Bingham and Genesee townships in the County of Potter to the New York State line.

Referred to Committee on Public Roads.

By Mr. RONEY. House Bill No. 1636.

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor of if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those

making or furnishing false affidavits thereunder shall be guilty of perjury.

Referred to Committee on Judiciary General.

By Mr. KAUFMAN. House Bill No. 1637.

An Act for the taxation of dogs and the protection of sheep and poultry, creating the office of dog catcher in townships, boroughs, and cities, defining his duties, providing methods for the enforcement of this act and prescribing penalties for its violation, and repealing certain acts.

Referred to Committee on Judiciary Local.

By Mr. WATSON. House Bill No. 1638.

An Act to establish as a "State Highway" a certain section of public road from Pine Flats to Cherry Tree, commencing at Pine Falls, Indiana county at a point on Route Numbered fifty-four, thence by way of Spruce to Cherry Tree Borough, connecting with Route Numbered sixty-two.

Referred to Committee on Public Roads.

By Mr. WATSON. House Bill No. 1639.

An Act making an appropriation to the Fiftieh Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the Acts of Assembly approved May thirteenth, Anno Domini, one thousand nine hundred and nine and June fourteenth, Anno Domini, one thousand nine hundred and eleven, respectively, creating said Commission and defining the duty thereof and making preliminary appropriations therefor.

Referred to Committee on Appropriations.

By Mr. NORTH. House Bill No. 1640.

An Act making an appropriation for the payment of a deficiency that has arisen in the payment of the salary, car fare and expenses of Judges holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly, approved April twenty-seventh, one thousand nine hundred and eleven, and also for the payment of such salary, car fare and expenses that may be incurred to and including May thirty-first, one thousand nine hundred and thirteen.

Referred to Committee on Appropriations.

By Mr. E. E. JONES. House Bill No. 1641.

An Act to establish as a "State Highway" a certain section of public road, beginning at Tunkhannock in Wyoming County thence by way of Nicholson and Glenwood to a point on the line dividing the counties of Wyoming and Susquehanna thence by way of Lenox South Gibson Golatt Thompson borough to a point on the line dividing the counties of Susquehanna to a point on the line dividing the counties of Susquehanna and Wayne thence by way of Starucca to the Delaware river opposite the village of Hancock New York

Referred to Committee on Public Roads.

By Mr. JOHN ROBERT JONES. House Bill No. 1642.

An Act to amend section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Ano Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times that names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July one thousand eight hundred and ninety-seven

Referred to Committee on Elections.

By Mr. NEWTON. House Bill No. 1643.

An Act to establish as a "State Highway" a certain section of public road beginning at a point in the village of Millport Township of Sharon Potter County and passing through the townships of Sharon and Oswayo and through the villages of Chrystal and Eleven Mile in Potter County to the New York State Line

Referred to Committee on Public Roads.

By Mr. SWIFT. House Bill No. 1644.

An Act prohibiting the maintenance of slaughter houses or places where animals fish or poultry are prepared for sale in the limits of any borough of this Commonwealth within two hundred feet of any dwelling and providing a penalty

Referred to Committee on Law and Order.

My Mr. HESS. House Bill No. 1645.

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" and repealing certain acts

Referred to Committee on Fisheries.

By Mr. RONEY. House Bill No. 1646.

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania abolishing the office of Secretary of Internal Affairs.

Referred to Committee on Judiciary General.

By Mr. HUMES. House Bill No. 1647.

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway

Referred to Committee on Judiciary General.

By Mr. E. E. JONES. House Bill No. 1648.

A Supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commisioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Comonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement and repairs providing penalty for injurying or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Referred to Committee on Public Roads.

By Mr. NEWBAKER. House Bill No. 1649.

An Act directing the trustees of the Danville State Hospital for the Insane to connect the efficient of the sewage disposal plan with the sewer system of the borough of Danville and making an appropriation therefor

Referred to Committee on Appropriations.

By Mr. LESLIE. House Bill No. 1650.

An Act requiring in certain counties that deeds conveying real estate recite the full consideration therefore and providing a penalty for the failure to recite such consideration

Referred to Committee on Judiciary Local.

By Mr. HERMAN. House Bill No. 1651.

An Act regulating the taking of bear by means of traps and prescribing the penalty for violation of this act

Referred to Committee on Game.

By Mr. AMBLER. House Bill No. 1652.

An Act to amend section twelve of an act entitled "An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth" approved the eighteenth day of June Anno Domini one thousand eight hundred and ninety-five providing that all principals or other persons in charge of schools are hereby required to refuse admission of any child to the school or schools under their charge or supervision except upon a certificate signed by a physician legally qualified to practice medicine setting forth that such child has been successfully vaccinated or that it has previously had smallpox whenever

and for a period of twenty-one days after the health authorities of the city borough township or municipality within which such school or schools are located or the State Commissioner of Health shall have given written or printed notice to the said principals or other persons in charge of schools as aforesaid that small-pox (variola or varioloid) exists within dangerous proximity to such school or schools said notice to contain the name and location of the person or persons afflicted with the disease and said notice to be renewable so long as small-pox (variola or varioloid) continues to exist with dangerous proximity to such school or schools and repealing all acts or parts of acts inconsistent with this act

Referred to Committee on Public Health and Sanitation.

By Mr. AMBLER. House Bill No. 1653.

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty one authorizing the corporate authorities of any borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such borough or between any such borough and other points or places"

Referred to Committee on Municipal Corporations.

By Mr. PEACHEY. House Bill No. 1654.

An Act to amend the first section of an act approved the fourteenth day of April one thousand eight hundred forty, entitled "A further supplement to the act entitled 'An Act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned'" as amended by providing that stockholders directors officers or clerks of any bank banking institution or trust company may hold commissions of notary public but shall not take any acknowledgment for the institution with which they are connected or perform any notarial duties therefor

Referred to Committee on Judiciary General.

By Mr. KEEPORT. House Bill No. 1655.

An Act prohibiting the conversion or embezzlement of premiums or return premiums under policies of insurance by agents solicitors or brokers providing that violations of this act shall constitute a crime of embezzlement and shall be punishable on embezzlements by agents and brokers are now by law punishable and repealing existing acts

Referred to Committee on Insurance.

By Mr. SWIFT. House Bill No. 1656.

An Act providing for the annulment of charters of boroughs incorporated by decree of the Court of Quarter Sessions and prescribing the manner and procedure necessary to secure such decree of annulment

Referred to Committee on Municipal Corporations.

By Mr. ALLEN. House Bill No. 1657.

An Act to amend an act approved the twenty-ninth day of March one thousand eight hundred and ninety-nine entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" as amended

Referred to Committee on Judiciary Special.

By Mr. LOWERS. House Bill No. 1658.

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the County Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street conecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

Referred to Committee on Public Roads.

By Mr. REESE. House Bill No. 1659.

An Act providing for the acquisition by this Commonwealth of a tract of land in Clinton County for a forest reserve and making an appropriation therefor

Referred to Committee on Forestry.

By Mr. MECHLING. House Bill No. 1660.

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

Referred to Committee on Judiciary Local.

By Mr. BENNINGER. House Bill No. 1661.

An Act to repeal clause (f) of the second section of an act approved the twentieth day of April Anno Domini one thousand nine hundred and five entitled "An Act to provide for the protection of the public health by giving and granting to those having charge of the public health and sanitation in cities of the first class of this Commonwealth full power to make rules and regulations governing the care and control of persons suffering from cholera yellow fever typhoid fever typhus fever scarlet fever relapsing fever small pox (variola or variolcid) chicken pox (varicella) diphtheria diphtheritic croup membrancous croup cerebro spinal miningitis measles mumps whooping cough tuberculosis (in any of its diverse forms) pneumonia erysipelas puerperal fever plague (Bubonic) trachoma leprosy tetanus glanders hydrophobia (rabies) or anthrax also to make rules and regulations governing the sanitary control and disinfection of premises where persons may be or have been suffering from said diseases and of persons coming in contact therewith and the burial of persons who may die from any of said diseases also fixing fines and penalties for the violation thereof and the enforcement of the same"

Referred to Committee on Public Health and Sanitation.

By Mr. R. J. BALDWIN. House Bill No. 1662.

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Comonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

Referred to Committee on Counties and Townships.

By Mr. PENNEGAR. House Bill No. 1663.

An Act to repeal so much of section seven of an act approved the fourth day of March one thousand eight hundred fifty-two entitled "An Act to lay out a State road from a road in Pennsburg Chester county to the Philadelphia and West Chester road in Delaware County relative to the Penn Mining and Smelting Company extending certain laws to Willistown East Town Sadsbury East Brandywine and New Garden Townships Chester County and relating to the place of holding elections in Pocopson Township in said County" as extends to the Township of East Town Chester County the provisions of an act approved the fourteenth day of April one thousand eight hundred forty-six entitled "An Act laying a tax on dogs in the borough of West Chester and certain townships in the county of Chester and for other purposes"

Referred to Committee on Public Roads.

By Mr. SHOWALTER (by request). House Bill No. 1664.

An Act regulating the sale of lime and substances containing lime prohibiting certain false statements concerning such lime and substances prescribing certain duties of the Department of Agriculture and providing penalties for violation of this act

Referred to Committee on Agriculture.

By Mr. JAMES A. DUNN. House Bill No. 1665.

An Act prohibiting the granting of licenses for the sale of intoxicating liquors on premises owned leased by or optioned to or held in trust for persons firms joint stock associations or corporations engaged in the brewing or sale of malt liquors or the distilling or sale of spirituous liquors or on premises owned leased by or optioned to or held in trust for members of firms or stockholders or officers of corporations or interest holders in or officers of joint stock associations engaged in the brewing or sale of malt liquors or the distilling or sale of spirituous liquors

Referred to Committee on Law and Order.

By Mr. ALLEN. House Bill No. 1666.

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Comonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

Referred to Committee on Judiciary Local.

By Mr. POST. House Bill No. 1667.

An Act requiring the recorder of deeds of the several counties to keep a docket or docket open for inspection by the public showing the entry and filing of instruments with him and to permit abstracts of the same to be made for publication providing a penalty for non compliance

Referred to Committee on Judiciary General.

By Mr. E. E. JONES (by request). House Bill No. 1668

An Act to amend an amendment approved April sixth nineteen hundred and eleven of an act "Providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violations of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing that all candidates for elective public offices now nominated by delegates to State conventions shall be nominated by direct vote or as otherwise specified providing that the names of candidates for the office of United State Senator shall be placed on the official primary election ballots of their respective parties providing that candidates for the Legislature shall make and sign statements regarding vote on United States Senator providing for the number of signers to the nominating petition for candidates for the office of Governor Lieutenant-Governor Secretary of the Commonwealth State Treasurer Auditor-General and Secretary of Internal Affairs providing that that signed consent of the candidate shall accompany every petition to place his name upon the primary ballot providing that no candidate's name shall be printed upon the ballot of more than one party except with the consent of every such party and providing for the withdrawal of candidates

Referred to Committee on Elections.

By Mr. DOWN. House Bill No. 1669.

An Act to establish as a "State Highway" a certain section of public road from Grove City Mercer County to Slippery Rock Butler County beginning at Grove City at a point on Route numbered seventy-three and connecting with Route numbered two hundred thirty-three at Slippery Rock Butler County

Referred to Committee on Public Roads.

By Mr. WHITAKER. House Bill No. 1670.

An Act making an appropriation to the Trustees of the Eastern State Institution for the Feeble-Minded and Epileptic at Spring City Pennsylvania

Referred to Committee on Appropriations.

By Mr. MARTIN. House Bill No. 1671.

An Act prohibiting the giving furnishing or issuing of free passes or free tickets other than to officers and employes of the company and providing a penalty

Referred to Committee on Electric Railways.

By Mr. SHOWALTER (by request). House Bill No. 1672.

An Act amending the fifth and seventh sections of an act entitled "An Act to restrain and regulate the sale of vinous spiritous malt or brewed liquors or any admixtures thereof approved the thirteenth day of May one thousand eight hundred and eighty-seven providing that a license shall be granted only when necessary for the accommodation of the traveling public

Referred to Committee on Law and Order.

By Mr. SNYDER. House Bill No. 1673.

An Act authorizing the Supreme Court to pass upon the constitutionality of a statute or act of the Legislature when certified to it or upon the certificate of the Lower Court

Referred to Committee on Judiciary General.

By Mr. ROBINSON. House Bill No. 1674.

An Act regulating the election of members of council in boroughs

Referred to Committee on Municipal Corporations.

By Mr. WATSON. House Bill No. 1675.

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 1676.

An Act to amend section four of an act approved the twenty-ninth day of March one thousand eight hundred and ninety-nine entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to acounts and to provide a punishment for the violation of this act"

Referred to Committee on Judiciary Special.

By Mr. WALTON. House Bill No.1677.

An Act providing the method of nomination and election of Judicial county township municipal school and ward officers

Referred to Committee on Elections.

By Mr. HORACE B. DUNN. House Bill No. 1678.

Prohibiting health or accident insurance companies associations or societies doing business in Pennsylvania from providing in their policies of insurance written or granted therein that benefits or insurance thereunder shall be payable only where the insured suffers or has suffered from a well defined disease or only where such insured person is or has been actually and necessarily confined to his or her bed

Referred to Committee on Insurance.

By Mr. E. E. JONES. House Bill No. 1679.

An Act to amend section three of an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions

Referred to Committee on Public Roads.

By Mr. BURNETT. House Bill No. 1680.

An Act to provide for the eradication and to prevent the spread of the disease affecting apple trees commonly called cedar rust empowering constables to destroy cedar trees within the radius of one mile of any apple orchard providing for the payment of the cost of the destruction of cedar trees by the owner thereof and providing penalties for violation of this act

Referred to Committee on Agriculture.

By Mr. SEMMENS. House Bill No. 1681.

An Act to amend Section 1 of an act entitled "An Act to amend Section 3 of an act entitled 'An Act authorizing the appointment of policemen in the Boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven

Referred to Committee on Municipal Corporations.

By Mr. MATT. House Bill No. 1682.

An Act to amend section five of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, entitled "An Act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth."

Referred to Committee on Judiciary General.

By Mr. KITTS. House Bill No. 1683.

An Act to regulate the taking of samples of food stuffs by the Dairy and Food Commissioner and any Board of Health or Health Officer, or any agent or employees thereof from any producers or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire into or determine the purity and quality of the said sample or foodstuffs so taken, and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act.

Referred to Committee on Public Health and Sanitation.

By Mr. WILLIAMS. House Bill No. 1684.

An Act relating to trust funds and property, surety bonds given to secure the same, the payment of premiums thereon, and the discharge of sureties thereunder.

Referred to Committee on Judiciary General.

By Mr. GOOD. House Bill No. 1685.

An Act to amend section 1 of Article 5 of an act approved the second day of June, A. D. 1891, entitled "An Act to pro-

vide for the health and safety of persons employed in and about the Anthracite Coal Mines of Pennsylvania, and for the protection and preservation of property connected therewith," by requiring wash houses to be erected within eight weeks after notice has been served on the owner, operator or superintendent.

Referred to Committee on Mines and Mining.

By Mr. GRABE. House Bill No. 1686.

An Act establishing as a "State Highway" that section of the Butler and Freeport Pike, commencing at Silverville, Butler County, and running thence by way of Sarversville and Hannastown to Butler, Butler County.

Referred to Committee on Public Roads.

By Mr. RONEY. House Bill No.1687.

An Act to amend section two of an act entitled "An Act relating to Motor-Vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor vehicles; regulating the public highways, with relation to other vehicles; regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violations of the provisions of this act, and providing for the disposition of fines imposed thereunder." Approved April twenty-seventh, one thousand nine hundred and nine.

Referred to Committee on Ways and Means.

By Mr. HUMES (by request). House Bill No. 1688.

An Act authorizing the Courts of this Commonwealth to enforce decrees in desertion and non-support cases.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1689.

An Act to provide for the assessment and collection of taxes on personal property.

Referred to Committee on Ways and Means.

By Mr. RONEY. House Bill No. 1690.

An Act to repeal an act entitled "An Act to amend the first section of an act, entitled 'A further supplement to an act ,entitled "An Act to provide revenue by taxation," approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June, one thousand eight hundred and eighty-nine, as amended by an act approved the eighth day of June, Anno Domini one thousand eight hundred and ninety-one, entitled 'An Act to provide increased revenue for the purpose of relieving the burdens of local taxation, being supplementary to an act, entitled "An Act to provide revenue by taxation," approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine, amending the first, fourteenth, sixteenth, twentieth, twenty-first, twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June, Anno Domini, one thousand eight hundred and eighty-nine, entitled 'A further supplement to an act, entitled "An Act to provide revenue by taxation," approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine, and providing for greater uniformity of taxation by taxing all of the property of corporations, limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar of its actual value," by relieving and exempting from the provisions thereof savings institutions having no capital stock, approved May first, one thousand nine hundred and nine.

Referred to Committee on Ways and Means.

By Mr. COLLINS. House Bill No. 1691.

An Act to establish as a "State Highway" a certain section of public road beginning at the Gettysburg National Bank, and running thence by way of Greenmount over the Emmitsburg Road to a point on the division line between the States of Maryland and Pennsylvania about one mile north of Emmitsburg.

Referred to Committee on Public Roads.

By Mr. ZIMMERMAN. House Bill No. 1692.

An Act giving the power to Mayors of third class cities of this Commonwealth to be present and vote at Council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote.

Referred to Committee on Municipal Corporations.

By Mr. SPEISER. House Bill No. 1693.

An Act prohibiting corporations, copartnerships or companies conducting a cemetery from excluding persons duly authorized by lot holders in said cemeteries to enter said cemeteries to do gardening work and decorations on lots therein; and providing a penalty for violation of said act by officers, managers, agents or employees of said corporations, copartnerships or companies.

Referred to Committee on Judiciary Special.

By Mr. RONEY. House Bill No. 1694.

An Act to provide revenue by taxation.

Referred to Committee on Ways and Means.

By Mr. BIGGER. House Bill No. 1695.

A further supplement to an act approved the seventeenth day of February, one thousand nine hundred six, entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote in such cities ,and to provide penalties for violations of its provisions.

Referred to Committee on Education.

By Mr. MATT. House Bill No. 1696.

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and as staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appoitees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and terms and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintainance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townhips or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township county, roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost improvement and repairs ;providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. FREY. House Bill No. 1697.

An Act authorizing the several Orphan's Courts to empower guardians to the estates of minors to join with the co-tenants of said minors in effecting amicable partition of lands held in common.

Referred to Committee on Judiciary General.

By Mr. SPANGLER. House Bill No. 1698.

An Act relating to appeals from the judgments of County Courts to the Supreme and Superior Courts of Pennsylvania, enabling any cause to be heard by the Appellate Court without regard to the County from which such appeal is taken, and repealing all acts inconsistent herewith.

Referred to Committee on Judiciary Special.

By Mr. W. F. BLAIR. House Bill No. 1699.

An Act making an appropriation to the Waynesburg College, located at Waynesburg, Green Cunty, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. Roney. House Bill No. 1700.

An Act to provide for the filing of accounts by trustees in the proper court, on the application of any person having a contingent interest in real or personal property, included in any trust estate; disqualifying trustees who fail to file accounts upon such application and providing for the appointment of a successor; and further providing that no person shall have a voice in the selection of any successor to a trustee, who has knowingly been a party to or has received any benefit by reason of the negligence or unlawful conduct of such trustee; disqualifying any trustee heretofore appointed by any person who has knowingly been a party to

or has received any benefit by reason of the negligence or unlawful conduct of any trustee and providing for the appointment of and the entry of security by a successor.

Referred to Committee on Judiciary General.

By Mr. SHOWALTER (by request). House Bill No. 1701.

An Act enabling the Burgess and Council of any Borough or incorporated town, by ordinance, to annex to the borough or incorporated town, adjacent territory upon a majority vote of said borough or incorporated town and adjacent territory to be annexed.

Referred to Committee on Judiciary Special.

By Mr. SHERN. House Bill No. 1702.

An Act to empower cities to create from one to four districts within their limits and to regulate the heights of buildings to be thereafter constructed within each district.

Referred to Committee on Judiciary General.

By Mr. STONE. House Bill No. 1703.

An Act to establish as a "State Highway" a certain section of public road beginning in the borough of Troy at route numbered twenty, thence by way of Columbia Cross Roads, Gillett and Fassett to the New York State line.

Referred to Comimttee on Public Roads.

By Mr. HUMES. House Bill No. 1704.

An Act to amend an act approved the twenty-fifth day of May, one thousand nine hundred and seven, entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population."

Referred to Committee on Judiciary General.

By Mr. FORSTER. House Bill No. 1705.

An Act making State taxes, unpaid bonus, interest, penalties, and all public accounts a lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships; and relating to the entry continuance and satisfaction thereof; providing for the furnishing of certificates relative to such liens and repealing certain acts.

Referred to Committee on Judiciary General.

By Mr. CONNIFF. House Bill No. 1706.

An Act conferring jurisdiction upon Courts of Quarter Sessions in cases of nuisance against townships, cities, boroughs and other municipal corporations to hear and determine the same without trial by jury and regulating proceedure, fine and costs.

Referred to Committee on Judiciary General.

By Mr. BURNETT. House Bill No. 1707.

An Act making an appropriation to Carlisle Hospital, of Carlisle, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BURNETT. House Bill No. 1708.

An Act relating to the payment of costs in all cases wherein the judgment, order, sentence or decree of a court is reversed by an Appellate Court, with or without a venire or order as to costs.

Referred to Committee on Judiciary Special.

By Mr. NEWTON. House Bill No. 1709.

An Act requiring certain pilots or fenders on street railway cars and providing a penalty.

Referred to Committee on Electric Railways.

By Mr. RONEY. House Bill No. 1710.

An Act amending an act entitled "A supplement to the twenty-fourth section of an act entitled 'An Act to provide revenue by taxation approved the seventh day of June, 1879,'' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign Fire Insurance Companies to the treasurers of the several cities and boroughs within this Commonwealth, approved the twenty-eighth day of June, eighteen hundred and ninety-five amending the first section providing for the payment by all Life Insurance companies or associations doing business in this Commonwealth an annual tax at the rate of one per centum upon the gross premiums of every character received from residents of this Commonwealth, in lieu of all taxed to which said companies or associations might otherwise have been subject under the first section of the act approved the first day of June, eighteen hundred and eighty nine, and in lieu of all taxes to which said companies or associations might otherwise have been subject under the twenty-first section of the said act as respects so much of their capital as is invested in the business of Life Insurance; and providing that all sums paid out for reinsurance by any insurance company shall be deducted from taxable premiums and that premium abatements to holders of policies of life insurance shall not be included in gross premiums.

Referred to Committee on Ways and Means.

By Mr. STONE. House Bill No. 1711.

An Act to amend the fourth section of an act, entitled "An Act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners of view land; and providing for the charges upon the respective counties in the matter of salaries, costs and expenses thereof," approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven; providing for the payment of a per diem and milage to viewers in counties containing less than one million inhabitants .

Referred to Committee on Judiciary Special.

By Mr. SWIFT. House Bill No. 1712.

An Act to authroize the Courts of Common Pleas of any County, when any individual church within the County has become inactive or extinct, by reason of there being no resident or active trustees representing it, or otherwise, and the property of the church is liable to be wasted or destroyed, to appoint the trustees of the State body or organization, representative of the denomination of which said church was a member, as trustees for said church, to hold and dispose of the title to the property owner by said church and defining the procedure thereon.

Referred to Committee on Judiciary General.

By Mr. SNAVELY. House Bill No. 1713.

An Act to require every physician or other person who vaccinates any person to furnish a written statement to the person vaccinated setting forth the name of the maker of the vaccine virus used and certain dates on the original package or container from which the vaccine virus used is taken and to require laboratory tests of the virus used to be made and recorded and to provide for damages for the violations of this act and to provide certain rules of procedure in suits under this act.

Referred to Committee on Public Health and Sanitation.

By Mr. FREY. House Bill No. 1714.

An Act regulating the practice before justices of the peace, aldermen and magistrates, in cases where children under sixteen years are charged with any offense against the criminal laws of this Commonwealth.

Referred to Committee on Judiciary General.

By Mr. E. E. JONES (by request). House Bill No. 1715.

An Act to provide for the expression by the qualified electors of the several political parties of their choice for nomination by their party for President of the United States and to provide for the election of the delegates of said political parties to their respective National conventions and to call an election in conformity with the provisions of this act.

Referred to Committee on Election.

[illegible]R. House Bill No. 1716.

An Act to exempt certain buildings from the provisions of the act entitled "An Act to create a bureau of building inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May, 1899, as amended by an act approved the fifth day of June, 1901, entitled 'An Act supplement to an act entitled 'An Act to create a bureau of building inspection, and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May, 1899" so that the same shall not be held to apply to places of amusement, buildings, tents or enclosures now used for the exhibition or fixed or moving pictures or stereoptican views, where songs, dances, acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto.

Referred to Committee on Municipal Corporations.

By Mr. BLELOCH. House Bill No. 1717.

An Act to prohibit the sending of messages to or from any house or premises where prostitution or other immoral or illegal practices are permitted or conducted, either by messenger, telegraph or telephone; making the violation thereof a misdemeanor and fixing the penalty therefor.

Referred to Commtitee on Judiciary Special.

By Mr. CONNIFF. House Bill No. 1718.

An Act amending section one of an act, approved the twenty-first day of March, one thousand nine hundred and five, entitled "An act establishing in counties containing a population from three hundred thousand to one million, a Board for the assessment and revision of taxes for State and county purposes," prescribing the method of their appointment.

Referred to Committee on Judiciary General.

By Mr. Letzkus. House Bill No. 1719.

An Act amending article eleven of an act entitled, "An Act for the government of cities of the second class" approved the seventh day of March, A. D., one thousand nine hundred and one; changing the provisions relating to the Sinking Fund Commission.

Referred to Committee on Municipal Corporations.

By Mr. CONNIFF. House Bill No. 1720.

An Act regulating the collection of State and County taxes of the third class, providing a reduction for prompt payment and imposing a penalty for failure to pay the same within a stipulated period and further providing for notification of taxables by tax collectors in cities of the third class, prescribing the contents of such notices and providing for the payment of the expenses thereof.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1721.

An Act to repeal an act entitled "An Act to provide for the better collection of money and taxes due to the Commonwealth, and property belonging to, or liable to escheat to, the same," approved the 15th day of June, 1911.

Referred to Committee on Ways and Means.

By Mr. CONNIFF. House Bill No. 1722.

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges, under the provisions of the act of twenty-first of April, one thousand nine hundred and three, and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon.

Referred to Committee on Judiciary General.

By Mr. GRAMLEY. House Bill No. 1723.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. MILLER. House Bill No. 1724.

A Joint Resolution proposing an amendment to section five, article eight, of the Constitution of Pennsylvania, so as to abolish the office of Associate Judges.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1725.

An Act to repeal an act entitled "An Act to amend the third, fifth, seventh, twenty-fourth and twenty-seventh sections of an act approved the second day of May, Anno Domini one thousand eight hundred and eighty-nine, entitled 'An act defining and regulating escheats in cases were property is without a lawful owner, and providing for more convenient proceedings relative to the same,' so as to provide for the escheat of property held in trust, resulting from the investment of trust funds, which property is or shall be without a lawful owner; fixing the jurisdiction of the courts of this Commonwealth in cases of such escheat; reducing the amount to be paid to informers, and increasing the percentage to be paid to escheaters," approved the 11th day of May, A. D., 1911.

Referred to Committee on Ways and Means.

By Mr. DOWN. House Bill No. 1726.

An Act making an appropriation to the water supply commission of Pennsylvania for making a study of the condition of Sandy Creek, in Crawford, Mercer and Venango Counties, and for improving the channel thereof and of Sandy Creek outlet.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 1727.

An Act to permit owners of any interest or any contingent or reversionary right in any lands, tenements, mortgages, bonds, moneys, rights, credits, goods, chattels and anything of value whatsoever desiring to sell mortgage or to borrow upon assignment thereof to effect life insurance upon his or her life legalizing assignments of such insurance to the lender or purchaser validating such assignments of insurance heretofore made declaring that all mortgages, bonds, moneys, rights, credits, goods, chattels and anything of value whatsoever dependent upon the life interest in those persons upon whose lives such interest is dependent and further declaring that any person or persons who may suffer loss of money or any valuable thing by the death of another person or persons may lawfully take assignments of insurance upon the life or lives of the person or persons whose death would cause such loss.

Referred to Committee on Judiciary General.

By Mr. ISLER. House Bill No. 1728.

An Act regulating Private Detectives.

Referred to Committee on Judiciary Local.

By Mr. SHERN. House Bill No. 1729.

An Act to amend an act entitled "An Act in relation to the laying out, opening, widening, straightening, extending, or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damagesi to property resultng therefrom, the assessment of the damages, costs and expenses thereof upon the property benefitted, and the constructions of sewers and payment of the damages, costs and expenses thereof including damages to private property resulting therefrom, approved the 16th day of May, A. D. 1891.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1730.

An Act to amend an act approved the thirty-first day of March, one thousand eight hundred sixty, entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Referred to Committee on Judiciary General.

By Mr. McKAY. House Bill No. 1731.

An Act to provide that in certain civil actions juries shall be kept together and not allowed to separate until after verdict.

Referred to Committee on Judiciary General.

By Mr. ALLEN. House Bill No. 1732.

An Act regulating the change of location of the place of business of corporations of the first class.

Referred to Committee on Judiciary Special.

By Mr. MARTIN. House Bill No. 1733.

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Middletown borough, in Dauphin County; and making an appropriation therefor.

Referred to Committee on Public Roads.

By Mr. SAMUEL J. PERRY. House Bill No. 1734.

An Act to establish an athletic commission, and to regulate boxing and sparring in the Commonwealth of Pennsylvania, and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. GEARY. House Bill No. 1735.

An Act authorizing and empowering the County Treasurer in counties containing a population of from eight hundred thousand to one million four hundred thousand to collect all county, city, borough and township taxes and water rents or rates, and such state taxes as may now be collected by County Treasurers, providing for the appointment of assistant collectors of delinquent taxes by the County Treasurer and transferring all the duties and powers of City Treasurers, City Delinquent Tax Collectors Treasurers, Collectors Delinquent Collectors of boroughs, township, school district and other political subdivisions of the State having taxing power so far as they relate to the collection of taxes or water rents or rates by any of said subdivisions and abolishing all such collectors or treasurers who perform no other duty than to collect taxes and water rents or rates.

Referred to Committee on Judiciary General.

By Mr. WATSON. House Bill No. 1736.

An Act limiting the time within which to begin actions in trespass for malicious prosecution, conspiracy and false imprisonment to one year after the injury complained of.

Referred to Committee on Judiciary General.

By Mr. WHITAKER. House Bill No. 1737.

An Act to amend section one of an act entitled, "An Act to provide for the better protection and preservation of game, game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions," approved the third day of June, Anno Domini one thousand nine hundred and eleven.

Referred to Committee on Game.

By Mr. RONEY. House Bill No. 1738.

An Act defining rape and unlawful carnal knowledge of females, regulating the evidence at the trial and prescribing penalties for violation thereof.

Referred to Committee on Judiciary General.

By Mr. ISLER. House Bill No. 1739.

An Act to provide for the protection of vehicular, pedestrian and animal traffic under trolley wires on Public Highways in the Commonwealth.

Referred to Committee on Public Roads.

By Mr. ALWORTH. House Bill No. 1740.

An Act to provide for an additional law judge of the several courts of the Forty-fifth Judicial District.

Referred to Committee on Judiciary Special.

By Mr. JOSEPH GRAY. House Bill No. 1741.

An Act authorizing and empowering two or more boroughs in this Commonwealth to jointly erect and construct water works for the supply of water to the said boroughs and the inhabitants therein; the entering into contracts to govern and control the same; giving the authority to raise the money necessary for said purposes and granting the said boroughs the power and authority now conferred upon boroughs severally with respect to the right of eminent domain and all of the rights now enjoyed by the said boroughs to be possessed by the boroughs jointly.

Referred to Committee on Municipal Corporations.

By Mr. CONNER. House Bill No. 1742.

An Act defining denature alcohol distilleries and providing a method for their taxation.

Referred to Committee on Manufactures.

By Mr. CONNER. House Bill No. 1743.

An Act amending section two hundred and one (201) two hundred and two (202) of article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith, approved the eighteenth day of May, one thousand nine hundred and eleven by providing for the selection in school districts of the first class, of two school directors from each senatorial district situate in said school district of the first class at municipal elections, instead of the appointment by the judges of the Courts of Common Pleas of the county in which such school district is situated.

Referred to Committee on Education.

By Mr. RONEY. House Bill No. 1744.

A supplement to an act entitled "A supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a Department of Wharves, Docks and Ferries, for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries harbors, and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation, for certain purposes," approved the 8th day of June, A. D. 1907.

Referred to Committee on Municipal Corporations.

By Mr. RICHARDS. House Bill No. 1745.

An Act authorizing the Board of Townships of the first class to join with the County Commissioners in the improving of roads or streets in first class townships and providing for the assesment of a part of the cost upon the abutting property.

Referred to Committee on Counties and Townships.

By Mr. SCHUCK. House Bill No. 1746.

An Act to abolish all requirements for the selection of newspapers with reference to the political party affiliations thereof in the publication of advertisements required by the laws of this Commonwealth.

Referred to Committee on Printing.

By Mr. WILLIAMS. House Bill No. 1747.

An Act amending section three and four of an act entitled "An Act requiring banks and other corporations to give notice of unclaimed dividends, deposits and balances in certain cases," approved the sixth day of March, one thousand eight hundred and forty-seven, by providing for the filing of certain reports in the office of the Auditor General, by the banks, institutions, associations and corporations subject to the provisions of said act; for the examination of their books, records, documents and papers in certain cases; for the payment of interest for their neglect or refusal to publish certain statements, and for an additional method of giving notice of an escheating unclaimed dividends deposits and balances in certain cases.

Referred to Committee on Banks and Banking.

By Mr. BIGGER. House Bill No. 1748.

An Act relating to the height of buildings in cities of the second class; limiting the height of buildings to be erected therein; and making provisions for enforcing the limitations imposed by this act.

Referred to Committee on Municipal Corporations.

By Mr. GANS (by request). House Bill No. 1749.

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," approved the twenty-second day of April, Anno Domini, Nineteen hundred and nine.

Referred to Committee on Manufactures.

By Mr. RHOADS. House Bill No. 1750.

An Act making an appropriation to the Isaac Rendell Industrial Training School for Colored Youths in Lancaster County.

Referred to Committee on Appropriations.

By Mr. W. H. WILSON. House Bill No. 1751.

An Act providing for the report to the Auditor General and escheat to the Commonwealth under certain conditions of deposits of money stocks, bonds notes, papers and other securities and all other valuables of the same or any other kind for safe keeping and stocks and dividends and the principal of bonds notes certificates and of all and any other kinds of indebtedness of corporations limited partnerships and partnership associations and providing for the enforcement of the same.

Referred to Committee on Ways and Means.

By Mr. W. H. WILSON. House Bill No. 1752.

An Act to exempt from the payment of inheritance taxes bequests and devices to institutions of purely public charity.

Referred to Committee on Ways and Means.

By Mr. W. H. WILSON. House Bill No. 1753.

An Act to provide for the return by the State Treasurer to the several counties from which the same are received for their own use of one-half of certain taxes received or collected by county treasurers or other officers and paid into the State Treasury.

Referred to Committee on Ways and Means.

By Mr. CHEESEMAN. House Bill No. 1754.

An Act to establish as a "State Highway" a certain section of public road in Butler County from Evansburg borough to the line dividing Butler and Allegheny counties connecting route seventy-eight with the macadamized extension of the three degree road in Allegheny county, beginning in Evansburg borough at a point on route seventy-eight thence by way of Callery, Myoma, Mars and Downieville to a point of the Allegheny county line south of Downieville.

Referred to Comimttee on Public Roads.

By Mr. W. H. WILSON. House Bill No. 1755.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fify millions of dollars for the improvement of the highways of the Commonwealth.

Referred to Comimttee on Public Roads.

By Mr. W. H. WILSON. House Bill No. 1756.

An Act to amend sections two and three of an act entitled "An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceeding relative to the same," approved the second day of May one thousand eight hundred and eighty-nine extending the same to other cases of escheat.

Referred to Committee on Ways and Means.

By Mr. W. H. WILSON. House Bill No. 1757.

An Act regulating reports for the purpose of taxation by corporations.

Referred to Committee on Ways and Means.

By Mr. W. H. WILSON. House Bill No. 1758.

An Act regulating the making of certain reports and statements to the Auditor General for the purposes of State taxation.

Referred to Committee on Ways and Means.

By Mr. W. H. Wilson. House Bill No. 1759.

An Act regulating reports for the purpose of taxation by corporations joint stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable the laws of this Commonwealth.

Referred to Committee on Ways and Means

By Mr. W. H. WILSON. House Bill No. 1760.

An Act to amend section twenty-three of an act entitled "A further supplement to an act entitled "An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine.

Referred to Committee on Ways and Means.

By Mr. W. H. WILSON. House Bill No. 1761.

A Joint Resolution proposing to amend section one of article nine of the Constitution of Pennsylvania relating to taxation.

Referred to Committee on Ways and Means.

By Mr. R. S. FREY. House Bill No. 1762.

An Act to amend an act approved the twenty-sixth day of April, one thousand eight hundred fifty entitled "An Act to provide for the establishment of true meridan lines, and of standard measures for surveyors' chains; and to regulate the practice of surveying in this Commonwealth.

Referred to Committee on Judiciary General.

By Mr. SCHUCK. House Bill No. 1763.

An Act relating to electric cars and requiring the operators thereof to turn out the head-light or search-light when approaching other vehicles, etc., and prescribing the penalties for violations.

Referred to Committee on Public Roads.

By Mr. SCHUCK. House Bill No. 1764.

An Act prohibiting newspapers or other publications in counties having less than three hundred thousand population designating themselves as official mediums for legal advertising or advertising required by law and prohibiting officials, official bodies or courts of the same making it mandatory that legal advertising or advertising required by law be published in any particular newspaper or other publication.

Referred to Committee on Printing.

By Mr. MOULTHROP. House Bill No. 1765.

An Act to amend the 14th section of an act entitled "An Act to provide for the incorporation of Casualty Insurance Companies, and for the regulation of home and foreign Casualty Insurance Companies, and providing penalties for the violation of any of the provisions of this act" approved the first day of June A. D. 1911, and providing for the incorporation of Casualty Companies for the insurance of glass against breakage upon the Mutual plan.

Referred to Committee on Insurance.

By Mr. RONEY. House Bill No. 1766.

An Act making an appropriation to the trustees of the Franklin institute of the State of Pennsylvania for the promotion of the mechanic arts.

Referred to Committee on Appropriations.

By Mr. RONEY. House Bill No. 1767.

A supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over.

Referred to Committee on Judiciary General.

By Mr. GANS (by request). House Bill No. 1768.

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining, manufacturing and trading companies to wind up their affairs after the expiration of their charters, approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one," approved the twenty-third day of May Anno Domini, nineteen hundred and and seven; extending the same so as to include companies for the purchase and sale of real estate and construction companies.

Referred to Committee on Judiciary Special.

By Mr. RONEY. House Bill No. 1769.

An Act making Eleventh Street in the City of Philadelphia a public market for the sale of Fruits, vegetables and produce.

Referred to Committee on Municipal Corporations.

By Mr. ALLEN (by request). House Bill No. 1770.

An Act relating to taxation for local purposes.

Referred to Committee on Judiciary Special.

By Mr. RONEY. House Bill No. 1771.

An Act making an appropriation to the Howard Hospital of Philadelphia.

Referred to Committee on Appropriations.

By Mr. BROWNLEE. House Bill No. 1772.

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor; prescribing the duties of such solicitor, fixing his term of office and providing for his salary to be paid by the proper county.

Referred to Committee on Judiciary Special.

By Mr. BROWNLEE. House Bill No. 1773.

An Act to amend section twenty-seven of an act approved the fourth day of June, one thousand nine hundred one, entitled "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales."

Referred to Committee on Judiciary Special.

By Mr. CONNER. House Bill No. 1774.

An Act to provide for collection and compilation of certain vital statistics throughout the Commonwealth.

Referred to Committee on Public Health and Sanitation.

By Mr. WILSON. House Bill No. 1775.

An Act to repeal section forty-two of an act entitled "An Act to reduce the State Debt and to incorporate the Pennsylvania Canal and Railroad Company" approved April twenty-ninth one thousand eight hundred and forty-four and section four of an act entitled "An Act imposing additional Taxes for State purposes and to abolish the Revenue Board" approved April thirteenth Anno Domini one thousand eight hundred and sixty-four and an act entitled "An Act amending section four of an act entitled "An Act imposing additional Taxes for State purposes and to abolish the Revenue Board" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the Treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts" approved May eleventh one thousand nine hundred and eleven and exempting from taxation the scrip bonds and certificates of indebtedness of counties cities incorporated districts school districts boroughs and other municipal corporations.

Referred to Committee on Ways and Means.

By Mr. S. B. SCOTT. House Bill No.1776.

An Act to regulate the selling within this Commonwealth of any securities of any company: For such purpose enacting provisions among others requiring vendors of securities to be licensed and brokers to give security in each county before making any sales; imposing duties on the commissioner of banking and on prothonotaries; providing for the prospectures of such securities and for certain remedies for the vendors and under what circumstances such sales may be deemed fraudulent and providing punishments for certain offenses.

Referred to Committee on Judiciary General.

By Mr. SAMUEL B. SCOTT. House Bill No. 1777.

An Act to authorize and regulate the issuance of shares of stock without par value; and providing for an annual report to the secretary of the Commonwealth by corporations authorized to issue such shares.

Referred to Committee on Judiciary General.

By Mr. HEMMINGER. House Bill No. 1778.

An Act providing for the collection of judgments by attachment execution against wages, debts, earnings, salary, income from trust funds or any other sources and profits due and owing, or which may hereafter become due and owing to the judgment debtor when amount of said wages, debts, earnings, salary, income from trust funds or any other sources and profits is twelve dollars or more per week.

Referred to Committee on Labor and Industry.

By Mr. DONNALLY. House Bill No. 1779.

A supplement to an act approved the twenty-fourth day of May, one thousand eight hundred eighty-seven entitled "An Act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania.

Referred to Committee on Public Health and Sanitation.

By Mr. DICKINSON. House Bill No. 1780.

An Act to aid in the prevention and settlement of strikes and lockouts in Public Service Corporations, and to extend its provisions to any trade or industry upon the joint application of the parties, and providing penalties for violation of its provisions.

Referred to Committee on Labor and Industry.

By Mr. POST. House Bill No. 1781.

An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into Representative Districts, as provided by the Constitution.

Referred to Committee on Legislative Apportionment.

By Mr. E. E. JONES (by request). House Bill No. 1782.

An Act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State.

Referred to Committee on Municipal Corporations.

By Mr. ULERICH. House Bill No. 1783.

An Act creating a petroleum and natural gas well commission, defining its duties and powers; regulating the location, drilling, casing, protecting, operating, abandoning, plugging and filling of oil and gas wells and providing for the preservation and protection of life and property adjacent thereto; prescribing fines, penalties and punishments for violation thereof.

Referred to Committee on Geological Survey.

By Mr. E. E. JONES. House Bill No. 1784.

An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish, and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same; to protect the waters within this Commonwealth from unfair, improper, wasteful and destructive fishing, and to protect the fish from being destroyed or injured by destructive means; to provide for the appointment of fish wardens and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth, and to regulate the free distribution of the same by the Department of Fisheries, in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit and to provide penalties and punishments for the violation of the provisions of this act, and providing how and by whom the costs shall be paid.

Referred to Committee on Fisheries.

By Mr. DAVIS. House Bill No. 1785.

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith.

Referred to Committee on Mines and Mining.

By Mr. LENKER. House Bill No. 1786.

An Act to regulate the manufacture, transportation, storage, sale and use of explosives and providing penalties for violations of this act.

Referred to Committee on Mines and Mining.

By Mr. WALNUT. House Bill No. 1787.

An Act relating to indebtedness incurred by cities of the first class of this Commonwealth to provide for the construction and improvement of subways, tunnels, railways, elevated railways, and other transit facilities, of wharves and docks, and for the reclamation of land to be used in the construction of wharves and docks; providing that interest during period of construction on expenditures for such construction, improvement and reclamation shall be included in the cost thereof, and that bonds may be issued to provide therefor.

Referred to Committee on Municipal Corporations.

By Mr. E. E. JONES. House Bill No. 1788.

An Act To provide for the health and safety of persons employed in and about the Anthracite Coal Mines in the Commonwealth of Pennsylvania and for the protection and preservation of property connected therewith.

Referred to Committee on Mines and Mining.

By Mr. W. H. WILSON. House Bill No. 1789.

An Act regulating process, pleading and practice in all civil cases whether at law, inequity, in divorce or otherwise howsoever, hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act.

Referred to Committee on Judiciary Special.

By Mr. ALLEN. House Bill No. 1790.

An Act to apportion the State into Representative Districts.

Referred to Committee on Legislative Apportionment.

By Mr. COX. House Bill No. 1791.

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class; providing for the licensing of said vehicles; providing for the licensing of operators, chauffeurs of solicitors for said vehicles authorizing them to solicit business upon the highway; authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof; and providing penalties for the violation thereof.

Referred to Committee on Judiciary Special.

By Mr. McARDLE. House Bill No. 1792.

An Act providing for the establishment of a State Department of Steam Boiler Inspection by the appointment of a Chief Inspector of Steam Boilers, a Board of Boiler Ruler, two Deputy Chief Inspectors of Steam Boilers and a staff of Deputy Inspectors of Steam Boilers and employees; defining their duties and the jurisdiction of the State Department of Steam Boiler Inspection and fixing salaries of Chief Inspector of Steam Boilers and members of Board of Boiler Rules and other appointees, also providing for the issuance and revocation of certificates of competency and examination of aplicants therefor; premium to be charged for the insurance and inspection of Steam Boilers by Casualty Insurance Companies and providing penalties for the violation of any of the provisions of this act.

Referred to Committee on Insurance.

By Mr. GEARY. House Bill No. 1793.

An Act to amend section one of Article one of an act approved the Seventh Day of March, one thousand nine hundred and one entitled "An Act for the Government of Cities of the Second Class.

Referred to Committee on Municipal Corporations.

By Mr. BERGEY. House Bill No. 1794.

An Act providing for a tax on coal mined in the Commonwealth of Pennsylvania, and the collection thereof.

Referred to Committee on Ways and Means.

By Mr. HUMES. House Bill No. 1795.

An Act making an appropriation to carry into effect the provisions of an act entitled "An Act to provide a just and equitable method of distributing the money appropriated for the relief of the poor requiring medical and surgery treatment in hospitals and sanitoria in this Commonwealth. not under the absolute control of the State, and unable to pay for the same."

Referred to Committee on Appropriations.

By Mr. GIBSON. House Bill No. 1796.

An Act to amend an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except when the State Highway Commissioner decides the work to be done

by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement and repairs; providing penalty for injuring or destroying State Highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. GIBSON. House Bill No. 1797.

A supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defiing their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth, providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing penalties for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. CONNIFF. House Bill No. 1798.

An Act to amend the fifth section of an Act, approved the fifth day of May, Anno Domini one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court, the judges of the Courts of Common Pleas and the judges of the Orphans' Courts," providing that the annual salary of the judges of the Courts of common pleas, learned in the law, in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1799.

An Act defining rape and statutory rape and defining unlawful intercourse with females between the age of 15 and 18 years and providing penalties for violations of same and providing and regulating the manner of proving bad reputation and bad character when same shall reduce the grade of the crime from rape to fornication only.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1800.

An Act defining Indecent Assault and providing penalty for same.

Referred to Committee on Judiciary General.

By Mr. RONEY. House Bill No. 1801.

An Act providing for and regulating the release of persons detained in Station Houses, Lock-ups, Jails, Workhouses, County Prisons and other places of detention between the time of arrest and the disposition of the case by hearing before a Magistrate, Burgess, Recorder, Mayor, Alderman, or Justice of the Peace.

Referred to Committee on Judiciary General.

By Mr. HUMES. House Bill No. 1802.

An Act relating to institutions supported wholly or partly by this Commonwealth; establishing a Bureau of Supervision of Charities and institutions; defining its powers and duties; abolishing the State Board of Charities and transferring its powers and duties to said Bureau.

Referred to Committee on Appropriations.

By Mr. GRAMLEY. House Bill No. 1803.

An Act to equalize educational advantages throughout the Commonwealth of Pennsylvania by making an inspection and investigation of school districts now unable to provide minimum facilities, and providing special appropriation therefor.

Referred to Committee on Education.

By Mr. FREY. House Bill No. 1836.

An Act to repeal and act approved the second day of July, one thousand nine hundred and one, entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth, and providing a penalty for killing, removing or injuring the same; what disposition is to be made of moneys collected as penalties, and for keeping a record, by the supervisor of roads of the trees so planted and upon which a tax abatement has been granted."

Referred to Committee on Judiciary General.

PETITIONS.

FAVORING APPROPRIATION TO PAY TRANSPORTATION OF SOLDIERS TO GETTYSBURG.

Mr. NORTH presented the petition of citizens of Brady Post, G. A. R., Jefferson County, favoring an appropriation to pay for the transportation of Union soldiers, etc., to Gettysburg.

Which was referred to the Committee on Appropriations.

FAVORING IMPROVEMENT OF HIGHWAYS IN SMITHFIELD TOWNSHIP.

Mr. PRICE presented the petition of citizens of Monroe County favoring improvement of highways in Smithfield Township, Monroe County.

Which was referred to the Committee on Public Roads.

FAVORING HUNTER'S LICENSE BILL.

Mr. WALTON presented the petition of citizens of Lawrence County praying for the passage of the Hunter's License Bill.

Which was referred to the Committee on Game.

FAVORING ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. NORTH presented the petitions of Patriotic Sons of America of Jefferson County favoring erection of a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 25 (House Bill No. 1821).

A joint resolution proposing an amendment to the Constitution of the Commonwealth allowing counties cities borough township school districts or other municipal or incorporated districts to increase their indebtedness

Referred to the Committee on Judiciary General.

Also Senate Bill No. 50 (House Bill No. 1822).

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age

Referred to the Committee on Education.

Also Senate Bill No. 147 (House Bill No. 1823).

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Referred to the Committee on Ways and Means.

Also Senate Bill No. 1788 (House Bill No. 1824).

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

Referred to the Committee on Law and Order.

Also Senate Bill No. 259 (House Bill No. 1825).

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' "

Referred to the Committee on Judiciary General.

Also Senate Bill No. 294 (House Bill No. 1826).

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedes requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases

Referred to the Committee on Judiciary General.

Also Senate Bill No. 309 (House Bill No. 1827).

A joint resolution proposing an amendment to section ten article nine of the Constitution of Pennsylvania

Referred to the Committee on Judiciary General.

Also Senate Bill No. 394 (House Bill No. 1828).

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

Referred to the Committee on Fisheries.

Also Senate Bill No. 410 (House Bill No. 1829).

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in or about cemeteries and grave yards for the contract price or the balance due thereon and for skill labor and material furnished thereon or entering therein providing for the enforcement and collection thereof and prohibiting the removal of said structures after notice of such lien

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 423 (House Bill No. 1830).

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay the costs of prosecution in certain instances and repealing all acts inconsistent herewith

Referred to the Committee on Fisheries.

Also Senate Bill No. 424 (House Bill No. 1831).

An Act providing for the granting of teachers' training school certificates and diplomas and defining the effect thereof

Referred to the Committee on Education.

Also Senate Bill No. 499 (House Bill No. 1832).

An Act to amend section five hundred and two of an act approved May eighteenth one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith so as to avoid the repeal of section one of the act approved March twenty-fourth one thousand eight hundred and sixty-eight entitled "A further supplement to an act entitled 'An Act to promote the more certain and equal assessment of taxes in Philadelphia' approved the fourteenth day of March Anno Domini one thousand eight hundred and sixty-five relative to assessments on agricultural and farm land and the suburban portions of said city"

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 558 (House Bill No. 1833).

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleventh one thousand eight hundred and sixty-two in relation to the county of Berks' " approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven

Referred to the Committee on Ways and Means.

Also Senate Bill No. 565 (House bill No. 1834).

An Act to amend the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions"

Referred to the Committee on Game.

Also Senate Bill No. 611 (House Bill No. 1835).

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred and eleven entitled "An Act authorizing the establishment mainteance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and of the payment of the expenses of maintaining and treating persons committed thereto"

Referred to the Committee on Appropriations.

REPORT OF COMMISSION TO REVISE AND CODIFY THE ANTHRACITE MINING LAWS.

The SPEAKER. The Chair lays before the House the Report of the Commission to Revise and Codify the Anthracite Mining Laws.

This will be noted on the Journal and printed in the Appendix to the Legislative Journal.

(For Report, see Appendix.)

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read as follows:

House Bill No. 116.

An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license

House Bill No. 147.

An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions

House Bill No. 170.

An Act authorizing the Commission of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

House Bill No. 259.

An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the Courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same

House Bill No. 260.

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs townships

school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the Clerk of the Court of Quarter Sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalties to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twenti th day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levy to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven, and designating the time when said statement must be filed

Senate Bill No. 30.

An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauporis prescribing under what circumstances appeals shall operate as supersedes and requiring notice to the opposite party when appeals are allowed by the Common Pleas Court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend entries in certain respects by giving the court power to suspend or exclude attorneys guilty or improper conduct and by making further provisions regarding costs

Senate Bill No. 34.

An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read as follows, viz:

VETO OF HOUSE BILL NO. 45.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I return herewith, without my approval, House Bill No. 456, entitled:

"An Act directing the Legislative Reference Bureau to prepare a compilation or digest of the existing general laws of this Commonwealth fixing the powers and duties of the Bureau therein fixing the compensation of the assistant director and making an appropriation therefor."

This bill provides that an official compilation or digest of the laws of the Commonwealth be prepared by the Legislative Reference Bureau, in which compilation it is provided that such general laws 'shall be simplified, condensed, harmonized, clarified, etc." A so-called official digest of this character would not be a more authorative collection of the laws than that contained in the very excellent digests of the statutes of the State now existing, and might lead to misunderstanding and confusion, by reason of the attempt to give it a so-called official character. In my judgment, the value of such a digest would not justify the expenditure of the public money which its preparation would entail. Aside from these considerations, the declarations contained in the preamble of this bill are wholly unnecessary and most improper.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

On the question,

Shall the bill become a law the objections of the Governor to the contrary notwithstanding?

Mr. S. B. SCOTT. Mr. Speaker, I am very much surprised at the action of the Governor in regard to this bill. I talked to a great many lawyers of the highest standing before I introduced this bill, and after I introduced that bill, I talked to many lawyers of standing. I have talked to many members of the House and to citizens in general, and everywhere, without a dissenting voice, I have found a unanimity of opinion that this codification of the laws suggested in this bill is a matter of great necessity and of the highest moment to the State. No opposition appeared in the House; no opposition appeared in the Senate, and yet the Governor, for no reasons that appeared except those expressed in his message, saw fit to prevent this bill from becoming a law. Suppose we analyze the reasons which he has suggested. He suggests that the preamble to the bill is improper. If there had been a single suggestion from His Excellency that he objected to the preamble, of course there would have been introduced a resolution recalling the bill from the Governor and amendments would have been made to the preamble. He suggests that the excellent non-official digest which we have is sufficient. I hope you will digest that suggestion,—the excellent non-official digest which we have. Just for a moment I wish to explain actually what the bill was intended to do. I believe from the wording of the Governor's message that he has totally failed to understand the purposes and intent of the bill. Now all of you who are lawyers, and many of you who are not, realize that through the course of the centuries that the laws of the State of Pennsylvania have been piling up, amended and reamended until at present they are in a condition of almost inextricable confusion. The only paths that lead through this confusion are not the official acts of the State, but are simply non-official digests or compilations made by private interests to aid searchers to find out what the law really is. You all know that everybody in the State is bound to know the law. It is no excuse for him, no matter how complicated or hard it is for him to know what the law is. The State owes it to the people to make the law as easy to discover as it is possible. If that were all, that might perhaps be done by the non-official digest. But the need has been felt from time to time for a codification and a symplification of the various principles of law. We have had before us various propositions of this kind. For instance, just tonight the Speaker presented to the House the report of the committee to codify the anthracite mining laws. We have before us now a resolution for the codification of the criminal laws. We have another bill providing for the codification of the laws of the Orphans' Court. We have also one for the uniform codification of the divorce laws. Lately a large report was made to the House for the codification of the revenue and corporation laws, and last session we had a law which codified the school laws. These are just a few, and I have not taken the time to make a catalogue of them all. The need for this is apparent, but we never get it unless some special interest is enough interested in one branch of the law to force a bill through. Every time it goes through, the work is done twice, the work is done over. Why then not do the whole thing in a systematic way? We have a department of the State Library that is peculiarly qualified and equipped to do this work, and it is my belief that we could set that bureau at work tracing the law and find out everything about the laws, together with a search of the decisions of the Supreme Court to find out the decision regarding the different laws, and keep this information together, and then in future sessions of the Legislature, it would be possible for us to take up these suggestions one by one; and in the light of the careful work done by the bureau, we could gradually enact chapter after chapter into law. By such action we could have a codification, a single codification and have our statute books similar to those of the United States, a revised statute, or a revised statute similar to those of a progressive state. That would put that bureau in possession of all the facts regarding the law, and when any person wanted to find out what the law was, a complete understanding could be given upon such inquiry being made. There is nothing in this law that suggests anything that should be done. The purpose is simply to go over the whole body of the law with the idea of looking at it from a single point, in order that the laws may be made to harmonize. It cannot make any suggestions to be enacted into

a law. It has not the power to change a single letter in any law, or a single word, but it is simply to find out what the present law is, and make that information available for the use of the Legislature and the people. I believe if this had been understood, the Governor would not have vetoed the bill, and I ask every member to vote to have this bill become a law notwithstanding the Governor's veto. Mr. Speaker, lest the members should misunderstand the question, everybody in favor of the bill will vote aye, and those opposed will vote no.

The question recurring,

Shall the bill become a law the objections of the Governor to the contrary notwithstanding?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—77.

Allen,	Heidinger,	Mather,	Roney,
Baldwin, G. A.,	Hemminger,	Matt,	Savacool,
Barner,	Herman,	McAleer,	Scott, J. R. K.,
Becker,	Howard, R.,	McClintock,	Scott, S. B.,
Benninger,	Humes,	McDermott,	Semmens,
Benson,	Isler,	McKay,	Shaffer, I. E.,
Bergey,	Irwin, H. H.,	Metzenbacher,	Showalter,
Bigger,	Jackson,	Miller,	Smith, J. W.,
Bittles,	Jones, J. R.,	Moulthrop,	Smith, L.,
Burnett,	Kaufman,	Musser,	Spangler,
Carson,	Kennedy,	Newton,	Steedle,
Carter,	Kern,	Peachey,	Steele,
Cheeseman,	Kuhns, E.G.M.,	Pennock,	Stone,
Claycomb,	Lanius,	Perry, H. L.,	Swift,
Collins,	Lenker,	Peters,	Trach,
Conniff,	Letzkus,	Post,	Walnut,
DeFrees,	Lohr,	Redfield,	Watson,
Frey,	Malie,	Rex,	Williams,
Geiser,	Martin,	Richards,	Young, G. K.
Gray, Frank,			

NAYS—103.

Adams,	Dunn, H. B.,	Keegan,	Robinson,
Alworth,	Dunn, J. A.,	Kuhn, H. P.,	Rockwell,
Ambler,	Ehrhardt,	Latshaw,	Rothenberger,
Arthur,	Eichenberger,	Leslie,	Runk,
Baldwin, R. J.,	Ely,	Light,	Sassaman,
Bass,	Ewing,	Lowers,	Schaeffer, A. C
Bayle,	Fahey,	Mannion,	Schuck,
Berntheizel,	Flynn,	McAllister,	Shern,
Blair, W. A.,	Forster, I. G.,	McArdle,	Sherwood,
Bleloch,	Foster, J. D.,	McCaig,	Snyder,
Body,	Gans,	Missimer,	Spillinger,
Brosius,	Geary,	Morrow,	Strauss,
Brown,	Gibson,	Moses,	Swartz,
Caldwell,	Glenn,	Murphy,	Thomas,
Campbell, C.M.,	Good,	Neel,	Ulerich,
Campbell, J.J.	Gramley,	Newbaker,	Ulman,
Cleary,	Gransback,	North,	Walton,
Conner,	Hess,	O'Neill,	Whitaker,
Conrade,	Heyburn,	Pennegar,	Whitman,
Currier,	Hibshman,	Perry, S. J.,	Wildman,
Curry,	Hobbs,	Price,	Wilson, J. H.,
Davis,	Hoffman,	Ramsey,	Wiltbank,
Dickinson,	Howard, J.,	Reese,	Young, J. H.,
Donahoe,	Irwin, G. C.,	Reeser,	Zimmerman,
Donnally,	Kaiser,	Rhoads,	Alter,
Down,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the Governor's veto is sustained.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 529,

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen

with information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested:

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

In line three of the title, strike out the word "two" and insert the word "five" also strike out the word "June" and insert the word "March".

In section one, line four, strike out the word "four" and insert the word "seven." Also, strike out the word "seventy" and insert "twenty." In line five, strike out ("$470,000") and insert $720,000. In line eight, strike out the word "two" and insert the word "five." Also strike out the word "June" and insert the word "March." In line nine, strike ou the word "eleven" and insert the word "nine."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. NORTH. Mr. Speaker.

The SPEAKER. The gentleman from Jefferson, Mr. North.

Mr. NORTH. Mr. Speaker, I wish to offer a word of explanation in regard to this bill at this time, relative to the Senate amendment of $250,000, which was added after the bill had left the House and had gone into the Senate. Owing to the fact that the Supreme Court in rendering a decision as to the care of indigent insane making the State liable for their care instead of counties; owing to this decision being given, it was necessary then to increase this appropriation which was done in the Senate and they added this amount something like two hundred and fifty or seventy-five thousand dollars.

On the question, recurring

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Ehrhardt,	Letzkus,	Robinson,
Allen,	Eichenberger,	Light,	Rockwell,
Alworth,	Ely,	Lohr,	Roney,
Ambler,	Ewing,	Lowers,	Rothenberger,
Arthur,	Fahey,	Malie,	Runk,
Baldwin, R. J.,	Flynn,	Mannion,	Sassaman,
Barner,	Forster I, G.,	Martin,	Savacool,
Bass,	Foster, J. D.,	Mather,	Schaeffer, A. C
Bayle,	Frey,	Matt,	Schuck,
Becker,	Gans,	McAleer,	Scott, J. R. K.,
Benninger,	Geary,	McAllister,	Scott, S. B.,
Benson,	Geiser,	McArdle,	Semmens,
Bergey,	Gibson,	McCaig,	Shaffer, I. E.,
Berntheizel,	Good,	McClintock,	Shern,
Bigger,	Goss,	McDermott,	Sherwood,
Bittles,	Gramley,	McKay,	Showalter,
Blair, W. A.,	Gransback,	Mellott,	Smith, L.,
Bleloch,	Gray, Frank,	Miller,	Snyder,
Body,	Hemminger,	Missimer,	Spangler,
Brosius,	Herman,	Morrow,	Spillinger,
Brown,	Hess,	Moses,	Steedle,
Burnett,	Horn,	Moulthrop,	Steele,
Caldwell,	Hibshman,	Murphy,	Stone,
Campbell, C.M.,	Hobbs,	Musser,	Strauss,
Campbell, J. J.,	Hoffman,	Neel,	Swartz,
Carson,	Howard, J.,	Newbaker,	Swift,
Carter,	Howard, R.,	Newton,	Thomas,
Cheeseman,	Isler,	North,	Trach,
Claycomb,	Irwin, G. C.,	O'Neill,	Ulerich,
Cleary,	Jackson,	Peachey,	Ulman,
Collins,	Jones, J. R.,	Pennock,	Walnut,
Conner,	Kaiser,	Perry, S. J.,	Walton,
Conniff,	Kaufman,	Peters,	Watson,
Conrade,	Keegan,	Piper,	Whitaker,
Currier,	Keeport,	Post,	Whitman,
Curry,	Kennedy,	Price,	Wildman,
Davis,	Klepper,	Ramsey,	Williams,
Dickinson,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Donnally,	Lanius,	Reeser,	Young, G. K.
Down,	Lenker,	Rex,	Young, J. H.,
Dunn, H. B.,	Leslie,	Richards,	Zimmerman,
Dunn, J. A.,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES.

Mr. KAISER, from the Committee on Appropriations, reported as committed House Bill No. 1526, entitled:

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred eleven, entitled "An Act to provide for the ordinary expenses of the Executive, Judiciary, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and eleven, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and eleven."

Mr. EHRHARDT, from the Committee on Appropriations reported as committed, House Bill No. 1272, entitled:

An Act making an appropriation to pay for the care, treatment, and maintenance of the indigent insane for the

two years ending May thirty,-one, one thousand nine hundred and fifteen.

Mr. SPANGLER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1819 (Senate Bill No. 588), entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

Mr. McALLER, from the Committee on Municipal Corporations reported as committed, House Bill No. 135, entitled:

An Act providing for the further government and regulation of Cities of the Second and Third Class

Mr. MATT, from the Committee on Appropriations, reported as committed, House Bill No. 60, entitled:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army and navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

Mr. NORTH, from the Committee on Appropriations, reported as amended, House Bill No. 1117, entitled:

An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Mitchell for tonight.

Mr. FOSTER asked and obtained leave of absence for Messrs. Speiser, McNichol, Mr. Wm. H. Wilson, and Mr. Cox tonight.

Mr. MATT asked and obtained leave of absence for Mr. Snavely on account of illness.

Mr. JAMES A. DUNN asked and obtained leave of absence for Mr. Walsh, Hackett, and Mr. Moore for tonight.

Mr. McCAIG asked and obtained leave of absence for Mr. Kenno for this evening.

RESOLUTION STRICKEN FROM CALENDAR.

Mr. WILTBANK. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Wiltbank.

Mr. WILTBANK. Mr. Speaker, I ask unanimous consent to call up Resolution No. 23, from the last page of to-day's Calendar, as follows:

Resolved, That a committee be appointed by the Speaker of the House of Representatives to investigate the printing and keeping of the Legislative Journal and whether it is advisable to continue the same or not and the committee to report within ten days

for the purpose of taking it off the Calendar.

The SPEAKER. Will the House give unanimous consent to the calling up of Resolution No. 23, on the last page of to-day's Calendar for the purpose of striking it off the Calendar? Is there any objection? The Chair hears none and consent is granted.

So ordered.

RESOLUTION RELATIVE TO APPOINTMENT.

Mr. HOBBS. Mr. Speaker, I desire to offer the following resolution:

The SPEAKER. The resolution will be ready by the Clerk.

The resolution was read as follows:

Whereas, There are a large number of bills pending in this General Assembly for consideration, and more than one half of the time of the average bi-ennial session having passed,

And Whereas, Frequent periods of the daily sessions have shown many of the chairs vacant, thereby making it difficult to proceed with business, and accomplish results,

Whereas, The Holiday season is now over, and the spring time is at hand,

Therefore Be It Resolved, That we, the members of this legislative body, endeavor to set the example, as suggested in a resolution offered by a member of the House to the members of the Senate, namely, that they be permitted to work five days per week,

Be It Further Resolved, That we, the members of the House, do work five days per week and as many periods of each day as shall be required to clear the calendars of all bills thereon, so that we may be able to complete the work and adjourn for the summer before the date of the next great holiday, occurring on May 30th, known as Memorial Day, in order that we may return to our respective homes to devote our time and energies to our business affairs, and enjoy the "Good Old Summer Time," among the hills and valleys of our Commonwealth.

Mr. ALLEN. Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

Mr. AMBLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

It was agreed to.

RESOLUTION STRICKEN FROM CALENDAR.

Mr. WILTBANK. Mr. Speaker, I call up Resolution No. 33, reported from the Committee on Judiciary Special tonight, and ask unanimous consent to have it stricken from the Calendar.

The SPEAKER. Is there any objection? The Chair hears none and it is so directed.

RECONSIDERATION OF VOTE.

Mr. J. H. YOUNG. Mr. Speaker, I wish to call up House Bill No. 276, File Folio 2641, which was defeated last Thursday on third reading, and move that we reconsider the vote by which this bill was defeated on third reading.

Mr. LETZKUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

A division was called for, 71 voting in the affirmative and 31 in the negative.

The SPEAKER. Less than a quorum has voted. The Sergeant-at-arms will lock the doors. The Clerk will call the roll to ascertain the presence of a quorum.

The roll was called and the following gentlemen answered to their names:

ROLL CALL.

Allen,	Ely,	Lenker,	Richards,
Alworth,	Ewing,	Leslie,	Robinson,
Ambler,	Fahey,	Letzkus,	Rockwell,
Arthur,	Flynn,	Light,	Roney,
Baldwin, G. A.,	Forster, I. G.,	Lohr,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Runk,
Barner,	Frey,	Malie,	Sassaman,
Bass,	Gans,	Mannion,	Savacool,
Bayle,	Geary,	Martin,	Schaeffer, A. C
Becker,	Geiser,	Mather,	Schuck,
Benninger,	Gibson,	Matt,	Scott, J. R. K.,
Benson,	Glenn,	McAllister,	Scott, S. B.,
Bergey,	Good,	McArdle,	Semmens,
Berntheizel,	Goss,	McCaig,	Shaffer, I. E.,
Bigger,	Gramley,	McClintock,	Shern,
Bittles,	Gransback,	McDermott,	Sherwood,
Blair, W. A.,	Gray, Frank,	McKay,	Showalter,
Bleloch,	Gray, Joseph,	Mellott,	Smith, J. W.,
Body,	Heidinger,	Metzenbacher,	Smith, L.,
Brosius,	Hemminger,	Miller,	Snyder,
Brown,	Herman,	Missimer,	Spangler,
Burnett,	Hess,	Morrow,	Spillinger,
Caldwell,	Hoffman,	Moses,	Steedle,
Campbell, C.M.,	Hibshman,	Moulthrop,	Steele,
Campbell, J. J.,	Hobbs,	Murphy,	Stone,
Carson,	Howard, J.,	Musser,	Strauss,
Carter,	Humes,	Neel,	Swartz,
Cheeseman,	Isler,	Newbaker,	Swift,
Cleary,	Irwin, G. C.,	Newton,	Thomas,
Cochran,	Jackson,	North,	Trach,
Collins,	Jones, E. E.,	O'Neill,	Ulman,
Conner,	Jones, J. R.,	Peachey,	Walnut,
Conniff,	Kaiser,	Pennegar,	Walton,
Conrade,	Kaufman,	Pennock,	Watson,
Currier,	Keegan,	Perry, S. J.,	Whitaker,
Curry,	Keeport,	Peters,	Whitman,
Davis,	Kennedy,	Piper,	Wildman,
DeFrees,	Kern,	Post,	Williams,
Dickinson,	Kitts,	Price,	Wilson, J. H.,
Donahoe,	Klepper,	Ramsey,	Wiltbank,
Down,	Kuhn, H. P.,	Redfield,	Young, G. K.
Dunn, H. B.,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Dunn, J. A.,	Lanius,	Reeser,	Zimmerman,
Ehrhardt,	Latshaw,	Rex,	Alter,
Eichenberger,			Speaker.

The SPEAKER. One hundred and seventy-five gentlemen having answered to their names, a quorum is present.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The Clerk will call the roll.

The roll was called and was as follows:

YEAS—108.

Allen,	Gibson,	Malie,	Scott, J. R. K.,
Ambler,	Glenn,	Mannion,	Scott, S. B.,
Benninger,	Good,	McAllister,	Semmens,

Benson,	Gramley,	McArdle,	Shaffer, I. E.,
Bergey,	Gray, Frank,	McCaig,	Shern,
Berntheizel,	Heidinger,	McClintock,	Sherwood,
Bigger,	Hemminger,	McKay,	Showalter,
Bittles,	Herman,	Metzenbacher,	Smith, J. W.,
Bleloch,	Hess,	Miller,	Smith, L.,
Brosius,	Hibshman,	Missimer,	Snyder,
Burnett,	Hoffman,	Morrow,	Spangler,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Spillinger,
Carter,	Humes,	Newton,	Steedle,
Cleary,	Isler,	North,	Steele,
Conner,	Jackson,	O'Neill,	Strauss,
Currier,	Jones, E. E.,	Peachey,	Swartz,
Curry,	Jones, J. R.,	Pennegar,	Thomas,
Davis,	Kaiser,	Pennock,	Trach,
DeFrees,	Kennedy,	Perry, H. L.,	Walnut,
Down,	Kuhn, H. P.,	Perry, S. J.,	Whitaker,
Dunn, H. B.,	Kuhns, E.G.M.,	Piper,	Whitman,
Ehrhardt,	Lenker,	Reese,	Williams,
Ewing,	Leslie,	Rex,	Wilson, J. H.,
Forster, I. G.,	Letzkus,	Richards,	Wiltbank,
Frey,	Lohr,	Robinson,	Young, G. K.,
Gans,	Lowers,	Roney,	Young, J. H.,
Geary,		Runk,	Alter,
		Schaeffer, A. C	Speaker.

NAYS—65.

Alworth,	Conniff,	Kern,	Price,
Arthur,	Dickinson,	Kitts,	Ramsey,
Baldwin, G. A.,	Donahoe,	Klepper,	Redfield,
Baldwin, R. J.,	Eichenberger,	Lanius,	Reeser,
Barner,	Ely,	Light,	Rhoads,
Bass,	Fahey,	Martin,	Rockwell,
Bayle,	Flynn,	Mather,	Rothenberger,
Becker,	Foster, J. D.,	Matt,	Sassaman,
Blair, W. A.,	Geiser,	McDermott,	Savacool,
Body,	Goss,	Mellott,	Schuck,
Brown,	Heyburn,	Moses,	Stone,
Caldwell,	Hobbs,	Murphy,	Swift,
Campbell, J. J.,	Howard, J.,	Musser,	Ulman,
Carson,	Irwin, G. C.,	Newbaker,	Walton,
Cheeseman,	Keegan,	Peters,	Watson,
Collins,	Keeport,	Post,	Wildman,
			Zimmerman,

So the question was determined in the affirmative.

And the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. NEWTON: Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WHITMAN; Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. RUNK: Mr. SPEAKER, I move that the vote by which House Bill No. 31, entitled:

An Act to repeal an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" together with the amendments thereof

was defeated on final passage on Monday, March 17. 1913, be reconsidered.

Mr. ULERICH: Mr. Speaker, I second the motion.

POINT OF ORDER.

Mr. R. J. BALDWIN. Mr. Speaker, I raise the point of order whether, there has not been five legislative days intervened since the bill was defeated.

The SPEAKER: The bill was defeated on the 17th inst., last Monday. The House was in session Tuesday, Wednesday and Thursday of last week. This will be the fourth day on which the House is in session.

The point of order is not sustained.

The question recurring,

The yeas and nays were required by Mr. R. J. BALDWIN and Mr. HEYBURN, and were as follows:

YEAS—96.

Adams,	Ehrhardt,	Leslie,	Richards,
Allen,	Ely,	Letzkus,	Robinson,
Alworth,	Flynn,	Lowers,	Sassaman,
Ambler,	Geary,	Malie,	Savacool,
Baldwin, G. A.,	Geiser,	Mannion,	Schuck,
Benson,	Glenn,	Martin,	Semmens,
Bergey,	Good,	Matt,	Shaffer, C. A.,
Bigger,	Goss,	McAllister,	Shaffer, I. E.,
Bittles,	Heidinger,	McCaig,	Snavely,
Blair, W. A.,	Herman,	McClintock,	Spillinger,
Bleloch,	Howard, R.,	McDermott,	Steedle,
Brown,	Humes,	McKay,	Steele,
			Swartz,

Caldwell,	Isler,	Miller,	Trach,
Campbell, C.M.,	Irwin, G. C.,	Moses,	Ulerich,
Carter,	Irwin, H. H.,	Moulthrop,	Ulman,
Cleary,	Kaiser,	Musser,	Walnut,
Conner,	Kaufman,	Newbaker,	Wettach,
Currier,	Kennedy,	Pennock,	Whitaker,
Davis,	Kern,	Perry, H. L.,	Wildman,
DeFrees,	Kitts,	Piper,	Young, G. K.,
Dickinson,	Kuhn, H. P.,	Redfield,	Young, J. H.,
Donahoe,	Lanius,	Reese,	Zimmerman,
Down,	Lenker,	Rex,	Alter,
Dunn, J. A.,			Speaker.

NAYS—78.

Arthur,	Eichenberger,	Jones, J. R.,	Peters,
Baldwin, R. J.,	Ewing,	Keeport,	Post,
Barner,	Fahey,	Klepper,	Price,
Bass,	Forster, I. G.,	Kuhns, E.G.M.,	Reeser,
Bayle,	Foster, J. D.,	Latshaw,	Rhoads,
Becker,	Frey,	Light,	Rockwell,
Benninger,	Gibson,	Mather,	Roney,
Berntheizel,	Gramley,	McArdle,	Runk,
Body,	Gransback,	Mellott,	Schaeffer, A. C
Brosius,	Gray, Frank,	Metzenbacher,	Schuck,
Burnett,	Hemminger,	Missimer,	Shern,
Carson,	Hess,	Morrow,	Sherwood,
Cheeseman,	Heyburn,	Murphy,	Smith, J. W.,
Claycomb,	Hibshman,	Neel,	Smith, L.,
Cochran,	Hobbs,	Newton,	Stone,
Collins,	Hoffman,	North,	Strauss,
Conrade,	Howard, J.,	O'Neill,	Swift,
Curry,	Jackson,	Peachey,	Williams,
Donnally,	Jones, E. E.,	Perry, S. J.,	Wilson, J. H.,
			Wiltbank,

So the question was determined in the affirmative and the motion was agreed to.

The question recurring,

Shall the bill pass finally?

Mr. STEELE: Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GEORGE C. IRWIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. R. J. BALDWIN: Mr. Speaker, I object. This measure has been brought out to be tried again on the floor of the House after it was defeated. The claim was that a number of the members were not present at the time the vote was taken. They surely are here now, and I do not see why we cannot go ahead and vote on the bill now.

The question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. BALDWIN, R. J. and Mr. HEYBURN, were as follows:

YEAS—86.

Adams,	Forster, I. G.,	Leslie,	Schuck,
Allen,	Gans,	Letzkus,	Scott, J. R. K.,
Ambler,	Geary,	Light,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	Lowers,	Semmens,
Benson,	Good,	Malie,	Shern,
Bergey,	Goss,	Mannion,	Smith, J. W.,
Bigger,	Gray, Frank,	Martin,	Smith, L.,
Bittles,	Heidinger,	McAleer,	Snyder,
Blair, W. A.,	Howard, R.,	McCaig,	Spangler,
Bleloch,	Humes,	McClintock,	Spillinger,
Brown,	Isler,	McDermott,	Steedle,
Burnett,	Irwin, G. C.,	Moses,	Steele,
Caldwell,	Irwin, H. H.,	Moulthrop,	Swartz,
Campbell, C.M.,	Kaiser,	Musser,	Thomas,
Campbell, J. J.,	Kaufman,	Perry, H. L.,	Trach,
Carter,	Keegan,	Piper,	Ulman,
Cleary,	Kennedy,	Reese,	Walnut,
Conner,	Kern,	Richards,	Watson,
Currier,	Kitts,	Robinson,	Young, G. K.,
Davis,	Kuhn, H. P.,	Roney,	Young, J. H.,
Donahoe,	Lanius,	Sassaman,	Alter,
Ely,		Schaeffer, A. C	Speaker.

NAYS—92.

Alworth,	Eichenberger,	Kuhns, E.G.M.,	Post,
Arthur,	Ewing,	Latshaw,	Price,
Baldwin, R. J.,	Fahey,	Lenker,	Ramsey,
Barner,	Flynn,	Lohr,	Redfield,
Bayle,	Foster, J. D.,	Mather,	Reeser,
Becker,	Frey,	Matt,	Rex,
Benninger,	Gibson,	McKay,	Rhoads,
Berntheizel,	Glenn,	Mellott,	Rockwell,
Body,	Gramley,	Metzenbacher,	Rothenberger,
Brosius,	Gransback,	Miller,	Savacool,
Carson,	Hemminger,	Missimer,	Shaffer, C. A.,
Cheeseman,	Herman,	Morrow,	Sherwood,
Claycomb,	Hess,	Murphy,	Showalter,
Collins,	Heyburn,	Neel,	Stone,
Conrade,	Hibshman,	Newbaker,	Strauss,
Curry,	Hobbs,	Newton,	Swift,
DeFrees,	Hoffman,	North,	Ulerich,
Dickinson,			

Donnally,	Howard, J.,	O'Neill,	Whitaker.
Down,	Jackson,	Peachey,	Wildman,
Dunn, H. B.,	Jones, E. E.,	Pennegar,	Williams,
Dunn, J. A.,	Jones, J. R.,	Pennock,	Wilson, J. H.,
Ehrhardt,	Keeport,	Perry, S. J.,	Wiltbank,
	Klepper,	Peters,	Zimmerman,

So the question was determined in the negative, and the motion was not agreed to.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

The SPEAKER: This roll will be verified.

This was done as follows:

YEAS—100.

Adams,	Ely,	Lowers,	Schuck,
Allen,	Flynn,	Malie,	Scott, S. B.,
Alworth,	Geary,	Mannion,	Semmens,
Ambler,	Geiser,	Martin,	Shaffer, C. A.,
Baldwin, G. A.,	Good,	Matt,	Shaffer, I. E.,
Bayle,	Goss,	McAllister,	Smith, L.,
Benson,	Gray, Frank,	McCaig,	Snyder,
Bergey,	Heidinger,	McClintock,	Spillinger,
Bigger,	Herman,	McDermott,	Steedle,
Bittles,	Hobbs,	McKay,	Steele,
Blair, W. A.,	Howard, R.,	Miller,	Stein,
Bleloch,	Humes,	Moses,	Swartz,
Brown,	Isler,	Moulthrop,	Swift,
Caldwell,	Irwin, G. C.,	Musser,	Thomas,
Campbell, C.M.,	Kaiser,	Newbaker,	Trach,
Carter,	Kaufman,	Pennegar,	Ulman,
Cleary,	Keegan,	Pennock,	Walnut,
Conner,	Kennedy,	Perry, H. L.,	Walton,
Currier,	Kern,	Piper,	Watson,
Davis,	Kitts,	Redfield,	Whitaker,
DeFrees,	Kuhn, H. P.,	Reese,	Wildman,
Dickinson,	Lanius,	Rex,	Young, G. K.,
Donahoe,	Lenker,	Richards,	Young, J. H.,
Down,	Leslie,	Robinson,	Zimmerman,
Dunn, J. A.,	Letzkus,	Sassaman,	Alter,
Ehrhardt,			Speaker.

NAYS—79.

Arthur,	Fahey,	Kuhns, E.G.M.,	Ramsey,
Baldwin, R. J.,	Forster, I. G.,	Latshaw,	Reeser,
Barner,	Foster, J. D.,	Light,	Rhoads,
Bass,	Frey,	Lohr,	Rockwell,
Becker,	Gibson,	Mather,	Roney,
Benninger,	Glenn,	McAleer,	Rothenberger,
Berntheizel,	Gramley,	Mellott,	Runk,
Body,	Gransback,	Metzenbacher,	Savacool,
Brosius,	Hemminger,	Missimer,	Schaeffer, A. C
Burnett,	Hess,	Morrow,	Shern,
Carson,	Heyburn,	Murphy,	Sherwood,
Claycomb,	Hibshman,	Neel,	Showalter,
Collins,	Hoffman,	Newton,	Smith, J. W.,
Conniff,	Howard, J.,	North,	Spangler,
Conrade,	Jackson,	O'Neill,	Stone,
Curry,	Jones, E. E.,	Peachey,	Strauss,
Donnally,	Jones, J. R.,	Perry, S. J.,	Ulerich,
Dunn, H. B.,	Keeport,	Peters,	Williams,
Eichenberger,	Klepper,	Post,	Wilson, J. H.,
Ewing,		Price,	Wiltbank,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION RECALLING BILL FROM SENATE.

Mr. RONEY. Mr. Speaker, I desire to offer a resolution at this time.

The Speaker. The gentleman from Philadelphia, Mr. Roney, offers a resolution which will be read by the Clerk.

The resolution was read as follows:

Resolved, by the House of Representatives, (of the Senate concur), that House Bill No. 619, file folio No. 2619, passed on final passage Thursday, March 20th, and now in the Senate, be recalled for the purpose of amendment.

On the question,

Will the House agree to the resolution?

Mr. R. J. BALDWIN. Mr. Speaker, I would like to have the gentleman from Philadelphia inform us what amendment he desires to place in this bill.

Mr. RONEY. Mr. Speaker, I desire to strike out of this bill reference to cemeteries which is part of the substance of the bill of which no notice is given in the title.

Mr. R. J. BALDWIN. Mr. Speaker, House Bill 619, you will find on file folio 2619. It refers to first class townships. The bill has been before the House for quite a time. The purpose of the bill is to extend to townships of the first class provisions that are now enjoyed by boroughs and cities. You recollect, I suppose, the other day in discussing this bill, I asked the gentleman from Philadelphia who was opposed to this bill, whether this particular language was not the same that was contained in our statutes relating to boroughs and cities? He didn't feel certain about the matter, although I was at the time. I didn't care to press it. I didn't have the statute at hand. I think the gentleman from Philadelphia has some neighbors or friends who are unduly alarmed about the provisions of this bill. We all realize that as communities become thickly populated it is absolutely necessary and essential that the authorities should have some control over cemeteries and burial grounds. That was observed very early in the history of our State and the principle has been observed as early as the year 1851 by the Legislature of Pennsylvania. The conditions that exist now in townships of the first class are similar and no doubt much more necessary in townships of the first class than they were at that time in boroughs of the State. By turning to page two of the bill, you will find in line eighteen this language, "cemeteries or places of burial" and further along in line nineteen, you will find this language, "to prohibit within the township, the burial or interment of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of graves." Now, reading through the statute of 1851, I find that identical language. This act was known as 218 of the Pamphlet Laws of 1851. "to prohibit within the township of the burial of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of graves." The gentleman who drew this bill, an attorney in my town, copied that exact language Now, in the first class townships, we considered that as one of the necessities of the time. It was found that thickly populated townships didn't have the necessary laws as were demanded by the conditions so our Legislature in its wisdom realized that where such conditions existed it would be necessary to either extend the laws applying to townships or ask for a division of the townships into two classes. The purpose of asking for two classes of townships was that in first class townships it could avoid the proposition of being divided up into boroughs. The Legislature in its wisdom thought that that was wise legislation and the townships of the first class when there were thickly populated districts and in other portions of the State where there are first class townships, made this necessary as the result of this thickly populated condition and amongst other things provided in this bill is that provision to have the identical power that the gentleman who represents that city of Philadelphia now enjoys; and what the gentleman from Philadelphia would not for one moment tolerate the repeal of nor do I believe that this House—I want to say, speaking for myself, I would not consider one moment taking away from the councils of the city of Philadelphia the powers controlled by them similar to those contained in this bill. I do not believe there is a member in this House who would consider for one moment taking away these powers from the boroughs of our State. Now the communities that have the conditions similar to those come to the legislature and in this act ask for like privileges, because they are living under like conditions. Now, there can be only one reason, there can be but one opposition to this bill, and that question is answered most conclusively by looking back over the history of our State; the reason for having an opposition to this bill is because certain cemetery companies feel that these commissioners might arbitrarily use their power and unnecessarily and without reason close the cemeteries. If the past history of our State demonstrated that that power had been used in that manner, then this Legislature should hestitate to pass a bill of that character, but I know of no place in the State, and I appeal to every member in this House, if he knows a borough in this State or a city in this State or a single individual who has ever found an abuse of that power; in other words, this power, has, in the past history of the State, been absolutely exercised with good judgment, considering always the conditions and the interests of the public in preference to the interests of an individual. Secondly, suppose this power be exercised and suppose some cemetery be closed. If there be loss, every member in this House knows that that cemetery company can go into any court in this State and ask to be recompensated for whatever loss so arising therefrom. You cannot do anything in this State for the public good that might effect an injury to any individual, that the laws of

our State do not provide for the proper recompense to the injured individual. Now, that is all there is in this bill. My friend is unduly disturbed over the question of whether this power may be exercised wantonly and recklessly against cemetery corporations who are located in the city of Philadelphia. Now, I appeal to the House. Do not pass this resolution. Do not bring this bill back from the Senate. It passed the House without a single vote being registered against it. The bill passed the House unanimously, and those who were opposed to the bill were here. Nobody lobbied in the House for the bill. It passed without a single vote against it, in fact unanimously by this House, and now the gentleman, by this resolution, wants it brought back into the House and again be considered. I hope the House will not agree to the resolution, and if the Senate agree that the bill be a good one, which I think it will, it will then pass on to the Governor, and if signed by him when they become a law. It is a proper law. It is one of the powers which has been conferred upon our boroughs and cities, and in the history of our State, they have not a single instance of abuse. I hope the House will not agree to the resolution to call the bill back from the Senate.

Mr. SEMMENS. I do not think there is a gentleman in this House who could tell from reading the title of this bill what the contents are. I know I could not, and I voted for this bill. This bill provides for the regulation of cemeteries and things of that kind. I believe those rights are already conferred by an act approved May 14, 1909, and that the State Department of Health has charge of all burials throughout the State. The bill also goes on to say that the commissioners of any township can regulate burials. I think this bill should be amended and should be brought back.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to say to the gentleman that I will make every effort to have the title amended in the Senate if they agree to the bill, and I don't think it is necessary to have the bill brought back for the purpose of amendment and have the bill discussed again in this House.

Mr. RONEY. Mr. Speaker, this bill passed last Thursday just as the gentleman from Delaware says, without any dissenting vote. That was unquestionably because the title of the bill is no index to its contents or that would call the attention of the House to it. On the pink Calendar you will find that bill 141 is identical with this bill, except that it gives in the title notice of its contents, particularly as to regulating the depth of graves, et cetera, with certain townships. Now, that bill gave fair notice in the title of its contents and was considered by the Committee on Counties and Townships, the same Committee which considered this bill. That bill was reported to this House with a negative recommendation, and I think, therefore, it is only fair to assume that bill 141, considered by the Committee on Counties and Townships, giving full notice in its title of its contents, after due consideration was negatived by that Committee, and I think the reason the House voted unanimously for the bill on last Thursday—I was not here at the time—was because the title does not give any indication of what the contents of the bill were. I therefore say, gentleman, that this bill gives county commissioners higher legislative rights than are possessed by the city council of the city of Philadelphia, which has absolutely no power to prohibit burials within the city. It only provides that there shall be no cemetery established in Philadelphia. This bill, however, gives the township commissioners authority to prevent burials in cemeteries which are perhaps but one-twentieth filled, and then you cannot bury any person there. I think that the bill is bad, because if townships which are not so thickly populated as boroughs and cities, are to have this right, where are we going to give our deceased relatives Christian burial? Mr. Speaker, I say that bill 141, which was considered at length by the Committee on Counties and Townships, was reported negatively, and this bill, by reason of its title being defective, did not give adequate notice of the kind of a bill it was, therefore I ask that this bill come back to this House, in order that we may consider all its merits, and if you decide to pass it then, we can amend the bill here.

On the question recurring,

Will the House agree to the resolution?

A division was called for, 86 voting in the affirmative and 41 in the negative.

And the resolution was agreed to.

Ordered, That the Clerk present the same to the Senate for its concurrence.

INVESTIGATION OF WESTERN PENITENTIARY.

Mr. GEORGE A. BALDWIN offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, March 24, 1913.

Whereas, The General Assembly of Pennsylvania, by Act of Assembly approved the 30th day of March, 1911, appropriated the sum of three hundred thousand dollars for the purchase of a new site for the Western Penitentiary and work done toward the erection of new buildings; and,

Whereas, Various large sums of money have been appropriated and expended in the maintenance of the present Western Penitentiary at Pittsburgh; and,

Whereas, It is widely reported that the overhead expenses of said institution have been unnecessarily increased lately to the extent of thousands of dollars per annum, while the number of inmates there confined has decreased; and,

Whereas, In matters, other than financial, certain serious defects in the management of this institution have come to light, to wit:

It has become a matter of public record in the Courts of Allegheny County that unnatural crimes are frequently committed:

That it is the common practice of the Western Penitentiary to so distribute the prisoners received, that those convicted of unnatural crimes, and those who are afflicted with repulsive, infectious and contagious diseases are assigned places among the other inmates, the majority of whom are serving on their first conviction and are young men, thus giving opportunity for the continued commission of these unnatural crimes, and necessarily injuring many young men as a resultant of forced association with such demoralizing influences, giving occasion to frequent quarrels among the men and tending to the spread of diseases by reason of these men all being forced to eat at the same table, and drink out of the same vessels, etc.;

That prisoners are brutally, cruelly and inhumanly punished in some instances out of all proportion to the offense complained of;

That the parole act is not properly administered, and that injustice is often done in its partial administration, causing much complaint and unreast among the prisoners; and,

Whereas, It is alleged that, upon the published account of the report, that a resolution was to be introduced in the House of Representatives asking for an investigation of all State institutions, appearing in the Pittsburgh newspapers on January 10th, 1913, a department of accounts in the Western Peniteniary, known as he Invetnory Department, which prior to that date had been maintained showing all purchases and disbursements of supplies and materials in detail, was hastily discontinued and in the night-time all records were taken therefrom and destroyed; and,

Whereas, It is essential that this House should have full knowledge of the operations and expenditures of this institution, to know whether or not the reports circulated and statements made, that the financial conditions of the Western Penientiary are in a very serious state, and that a very considerable shortage exists, are true, in order that it may be enabled to consider intelligently legislative matters affecting said institution; and,

Whereas, As result of the statements which have been made and the reports circulated, public sentiment imperatively demands that all the transactions connected with the management, maintenance and conduct of said institution should be fully investigated,

Now, Therefore, Be It Resolved, That the Speaker of House of Representatives be, and he hereby is authorized and directed to, at once, apppoint a committee of five, no more than two of whom shall be members of any one political party, to make a ful investigation of all the circumstances and transactions connected with the conduct and management of said institution. That said invesigation cover fully all matters pertaining to both the old institution in Pittsburgh and the new one located in Center County, including all contracts let and the manner of letting said contracts, all moneys expended and the manner of expending said moneys, and such other matters pertaining to the conduct, management, construction, erection and furnishing both institutions as may to said committee seem pertinent. That said committee is hereby direced to organize forthwith, to summon witnesses, and for the purpose of this inquiry they are hereby authorized and empowered to issue subpoenas, administer oaths and compel the attendance of witnesses and the production of all books, bills, cheques, cheque-books, papers, minutes, records, letters and contracts, and such other written and documentary evidence as may be pertinent to the inquiry. And the said committee shall make a full report in writing to the House of the result of their investigation, with full findings of facts and recommendations not later than April 14, 1913.

SUPPLEMENTAL REPORT FROM THE COMMITTEE UPON COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer the following supplemental report from the Committee Upon Committees:

The SPEAKER. The report will be read by the Clerk.

The Clerk read the report as follows:

We, the undersigned Committee Upon Committees, hereby recommend the appointment of George Sommer, Jr., 1510 Fair-

mount Avenue, Philadelphia, as Assistant Sergeant-at-Arms in place of Charles Ouram, resigned.

(Signed,) DANIEL SHERN,
SAMUEL B. SCOTT,
JOHN ROBERT JONES,
F. H. ROCKWELL,
J. M. FLYNN,
JOHN T. MATT,
EDWARD R. BENSON,
GEORGE W. ALLEN,
CHARLES A. AMBLER,
A. S. MOULTHROP,

with the following resignation attached thereto:

Mr. Thos. H. Garvin,

Dear Sir:—I hereby send you my resignation as Assistant Sergeant-at-Arms, to take effect March 31, 1913.

Very truly yours,

(Signed,) CHARLES OURAM.

Mr. S. B. SCOTT. Mr. Speaker, I move the adoption of the report.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS INTRODUCED.

Mr. R. J. BALDWIN asked and received unanimous consent to introduce a bill at this time, which was ordered handed to the Clerk.

Mr. FAHEY asked and received unanimous consent to introduce a bill at this time, which was ordered handed to the Clerk.

BILL PLACED ON CALENDAR.

Mr. CARTER. Mr. Speaker, I move that House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employees on railroads by regualting the appointment of persons to the positions of conductor flagman and locomotive engineman by the railroad companies and fixing a penalty for violation thereof

be placed upon the calendar, notwithstanding the negative report of the Committee on Railroads.

Mr. CLEARY. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the adoption of the motion to place the bill upon the calendar.

The yeas and nays were taken and were as follows:

YEAS—113.

Adams,	Dunn, H. B.,	Lenker,	Roney,
Allen,	Ehrhardt,	Leslie,	Sassaman,
Alworth,	Fahey,	Letzkus,	Savacool,
Ambler,	Forster, I. G.,	Lowers,	Schaeffer, A. C
Arthur,	Foster, J. D.,	Mannion,	Semmens,
Baldwin, R. J.,	Geary,	Martin,	Shaffer, C. A.,
Bass,	Geiser,	Matt,	Shern,
Bayle,	Good,	McAllister,	Sherwood,
Becker,	Goss,	McCaig,	Showalter,
Benson,	Gramley,	McClintock,	Smith, J. W.,
Bergey,	Hemminger,	McDermott,	Smith, L.,
Bigger,	Hibshman,	McKay,	Snyder,
Bittles,	Hobbs,	Metzenbacher,	Spillinger,
Blair, W. A.,	Humes,	Miller,	Steedle,
Brown,	Isler,	Moses,	Steele,
Burnett,	Irwin, H H.,	Moulthrop,	Stein,
Caldwell,	Jones, J. R.,	Murphy,	Strauss,
Campbell, C.M.,	Kaiser,	Neely,	Swartz,
Carter,	Kaufman,	Newton,	Thomas,
Claycomb,	Keegan,	Pennock,	Watson,
Cleary,	Keeport,	Perry, H. L.,	Wettach,
Cochran,	Kennedy,	Piper,	Whitman,
Collins,	Kern,	Post,	Wilson, J. H.,
Conner,	Kitts,	Price,	Young, G. K.,
Conniff,	Klepper,	Ramsey,	Young, J. H.,
Conrade,	Kuhn, H. P.,	Reese,	Zimmerman,
Davis,	Kuhns, E.G.M.,	Richards,	Alter,
Donahoe,	Lanius,	Robinson,	Speaker.
Donnally,			

NAYS—31.

Baldwin, G. A.,	Dickinson,	Mather,	Schuck,
Barner,	Ely,	McAleer,	Scott, S. B.,
Benninger,	Ewing,	Missimer,	Stone,
Brosius,	Frey,	North,	Trach,
Carson,	Gray, Frank,	Peachey,	Ulman,
Cheeseman,	Heidinger,	Peters,	Wildman,
Currier,	Jones, E. E.,	Redfield,	Williams,
DeFrees,	Lohr,	Rockwell,	

So the question was determined in the affirmative.

The SPEAKER. More than the number required by the rule having voted in the affirmative, the bill will be placed upon the calendar.

RESOLUTION NO. 31.

Mr. KITTS. Mr. Speaker, I desire to call up at this time Resolution No. 31.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Whereas, Many resolutions of little import have taken a great deal of time of this Assembly, and,

Whereas, The House of Representatives seems to have been exposed to an epidemic for the introduction of resolutions and the exploiting of investigations, and,

Whereas, It will become necesary in the near future for this Assembly to get down to business and pass a few laws, therefore be it

Resolved, That Monday, March twenty-fourth, be and is hereby designated as the last day for the introduction of fool resolutions and for the introduction of such other resolutions caling for investigations into the several offices and departments of this Commonwealth.

On the question,

Will the House agree to the adoption of the resolution?

Mr. KITTS. Mr. Speaker, I move that this resolution be referred to the Committee on Rules.

Mr. GOOD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL PLACED ON CALENDAR.

Mr. GEORGE K. YOUNG. Mr. Speaker, I move that House Bill No. 899, entitled:

An Act to amend an act entitled "An Act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violations of its provisions to be a misdemeanor and providing penalties for violations thereof" approved the fifth day of March one thousand nine hundred and six

be placed upon the calendar notwithstanding the negative recommendation of the Committee on Municipal Corporations.

Mr. SPILLINGER. Mr. Speaker, I second the motion.

On the question.

Will the House agree to the motion?

Mr. GRAMLEY. Mr. Speaker, I do not see how we can vote intelligently on this question unless some one tells just what the bill before the House is.

Mr. GEORGE K. YOUNG. Mr. Speaker, I wish to state for the benefit of the Members of the House that I would like to have this bill placed on the calendar. This bill is known as the Civil Service Bill of First Class Cities. It is to amend the present act. There is a great deal of dissatisfaction in the manner in which the Civil Service Examinations are conducted in the City of Philadelphia. I therefore ask to have it placed on the calendar.

On the question recurring,

Will the House agree to the motion?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—73.

Alworth,	Eichenberger,	Light,	Schaeffer, A. C
Ambler,	Fahey,	Mannion,	Semmens,
Arthur,	Gans,	Martin,	Shern,
Bass,	Gibson,	Matt,	Sherwood,
Becker,	Gransback,	McArdle,	Smith, J. W.,
Bigger,	Hess,	McClintock,	Smith, L.,
Brosius,	Hibshman,	McDermott,	Snyder,
Burnett,	Hobbs,	McKay,	Spillinger,
Campbell, C.M.,	Hoffman,	Miller,	Steedle,
Cleary,	Howard, J.,	Morrow,	Steele,
Conner,	Jackson,	Moses,	Stein,
Conrade,	Jones, J. R.,	Moulthrop,	Thomas,
Currier,	Kaiser,	O'Neill,	Watson,
Curry,	Kennedy,	Perry, S. J.,	Wettach,
Davis,	Kern,	Piper,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Donnally,	Lenker,	Rex,	Zimmerman,
Dunn, J. A.,	Leslie,	Runk,	Alter,
Ehrhardt,			Speaker.

NAYS—82.

Adams,	Foster, J. D.,	Lohr,	Reeser,
Baldwin, R. J.,	Geiser,	Malie,	Rockwell,
Barner,	Glenn,	Mather,	Roney,
Benninger,	Good,	McAleer,	Rothenberger,
Bergey,	Goss,	McAllister,	Sassaman,
Bleloch,	Gramley,	McCaig,	Savacool,
Body,	Gray, Frank,	Mellott,	Schuck,
Brown,	Heidinger,	Missimer,	Scott, J. R. K.,
Caldwell,	Hemminger,	Neel,	Scott, S B.,
Carson,	Herman,	Newbaker,	Shaffer, I. E.,
Cheeseman,	Heyburn,	Newton,	Showalter,
Claycomb,	Isler,	North,	Stone,
Cochran,	Irwin, G. C.,	Peachey,	Swartz,

Collins,	Kaufman,	Pennegar,	Swift,
Conniff,	Keegan,	Pennock,	Trach,
DeFrees,	Keeport,	Perry, H. L.,	Ulerich,
Dickinson,	Kuhn, H. P.,	Peters,	Ulman,
Dunn, H. B.,	Lanius,	Post,	Walnut,
Ely,	Latshaw,	Price,	Whitaker,
Ewing,	Letzkus,	Redfield,	Wildman,
Forster, I. G.,			Williams,

More than the majority required by the rule having voted in the affirmative the question was decided in the affirmative and the bill is placed on the calendar.

RESOLUTION RELATIVE TO RULES.

Mr. FORSTER. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved, That the following be a rule of this House, that no bill negatived by a committee shall be placed on the calendar of this House unless the motion to place such bill on the calendar be made within five days after such bill is reported from the committee.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask the unanimous consent of the House to consider this resolution at this time.

The SPEAKER. Does the House give unanimous consent to consider this resolution at this time Is there any objection

Mr. R. J. BALDWIN. I would like to know how this resolution would affect bills that have already been negatived more than five days. What effect would that have on those bil's under this resolution?

Mr. FORSTER. Mr. Speaker, this resolution cannot apply to bills that have already been negatived more than five days. It can only apply to bills negatived after this resolution is adopted.

Mr. S. B. SCOTT. Mr. Speaker, I move that this resolution be referred to the Committee on Rules.

Mr. SHERN. Mr. Speaker, I second the motion.

The SPEAKER. It would require the unanimous consent of the House to consider the motion at the present time. The resolution will lie over for printing.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I think the motion of the gentleman from Philadelphia, Mr. S. B. Scott, is in order. I seconded that motion. My first request was for the unanimous consent of the House for the present consideration of this resolution. This was objected to. I think the question now is on the motion to refer it to the Committee on Rules.

Mr. ROCKWELL. Mr. Speaker, would it be in order to amend that resolution?

The SPEAKER. The resolution must lie over for printing, and no action can be taken regarding it until it is printed, at which time it may be amended or referred to a committee or otherwise disposed of.

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker. I move that House Bill No. 531, File Folio 609, entitled:

An Act fixing the time of organization of the commissioners of first class townships

on page 42 of to-day's calendar, Bills on Third Reading Postponed for the Present, be recommitted to the Committee on Counties and Townships for the purpose of amendment.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

A MOTION TO RECOMMIT BILL.

Mr. HEIDINGER. Mr. Speaker, I move to recommit House Bill No. 176, file folio 2241, entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for the compensation and expenses prescribing their duties prohibitng vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

on page 45 of to-day's Calendar for the purpose of rehearing.

Mr. BLELOCH. Mr. Speaker, I second the motion.

Mr. HEIDINGER. Mr. Speaker, the purpose of this bill is to take away from the Mayor of the City of Philadelphia the appointment of the Sealers of Weights and Measures and to give the appointment of these officials to will be here on other legislative matters to-morrow and the County Commissioner. The Mayor of Philadelphia I think it is only fair that he be given an opportunity to appear before the Committee and present his side of this matter to your Committee which will meet at half past one to-morrow and action can then be taken and the bill be brought back to the House without a loss of time. The bill was brought into the House contrary to his wishes and not in accordance with his wishes as the bill was first drawn. I saw the Mayor to-day and he thinks that the legislation as proposed by this bill is unwise and I think that he ought to have a chance to say what he has to say on the subject and I ask that this bill be recommitted.

Mr. PIPER. Mr. Speaker, as the sponser of this bill, I believe that the motion introduced here to-night is very unfair. The four or five weeks I have given the Mayor of the City of Philadelphia all the opportunity that was necessary to appear here before the Committee on Judiciary Special, where this bill was reported from. We have even gone so far as to appoint a sub-committee from the Committee to take up this question. The first Committee was a sub-committee to interview the Mayor of the City of Philadelphia and two members of the sub-committee took action and re-reported back that they were in favor of the bill being introduced in its present form, Then they held me up again for another week and I submitted that to the Judiciary Special Committee and it was referred to another sub-committee which was appointed and the sub-committee desired to insert into this bill an amendment whereby it would make it mandatory on the Mayor of Philadelphia. The sub-committee then after much consideration and having a conversation with nearly all the Representatives from Philadelphia members in this House, and they came to the conclusion that it would be best to request the Committee on Judiciary Special to report this bill out in its present form, with the result that after three or four weeks of holding back and hard struggle that we have had with it and after we have had a talk with the Mayor and after having talked with everyone almost here, nearly every member of this House from Philadelphia, now they come along and ask again that it be recommitted to the Committee on Judiciary Special for the purpose of a rehearing. I want to know what benefit a hearing is going to do if the Committee is going to amend my bill then? The work that I have been over, that I have gone through for the last four or five weeks seems fruitless. If they want to amend this bill why don't they take the same chance that I would and take it on the floor of the House and offer an amendment here. Therefore, it is unfair after the bill has been reported out from the Committee on Judiciary Special and after we have had a struggle to do it, to get it reported back to the Committee on Judiciary Special again. It is a mere bluff and the purpose is to amend this bill. I ask the members of this House to stand by me and vote down this motion to recommit this bill to the Committee on Judiciary Special.

Mr. BLELOCH. Mr. Speaker, it is true as the gentleman from Philadelphia has stated to this House, that when this measure was first before the Committee on Judiciary Special, it was referred to a Sub-Committee and the Sub-Committee was divided in its opinion. That was one of the first meetings of that Committee on Judiciary Special and inadvertently I take it the Chairman of that Committee appointed the sponsor of this bill on that Sub-Committee without thinking or believing that he was a member of that Committee. Therefore, that sub-committee to which this bill was referred in the first instance was passed on by one or two members of the second Committee on Judiciary Special and a gentleman who is not a member of that sub-committee. That sub-committee was divided in its opinion and two members of the Committee were appointed by the Judiciary Special; one then took one side and one took the other and of course, the third, though not a member of the Committee on Judiciary Special, sided with this measure. When that report was finally considered in the Committe on Judiciary Special,

the communication was read from the Mayor of the City of Philadelphia asking that this bill be amended in certain particulars. One was the appointment of the Inspectors of Weights and Measures, as the grounds that the appointment of Inspectors of Weights and Measures, is mandatory upon the Mayors of cities of the first class just as the bill proposed to leave it with the Mayors of cities of the second or third class. Another was that the number to be appointed be defined. Under the proposed legislation as it now is and as it is proposed to be left by this present bill, the county commissioners can appoint one or five or one hundred inspectors as Inspectors and Sealers of Weights and Measures of cities of the first class. There is nothing in this bill to define the salaries and it is suggested by the Mayor that the salaries be defined and. therefore, when the Mayor's suggestions were submitted they were considered by the Committee as has been stated by the sponsor of this bill and then the sub-committee was appointed, not to consider the merits of the bill but to amend the bill in accordance with the suggestions of the Mayor of Philadelphia. At a subsequent meeting of the Committee on Judiciary Special, that Committee reported back the bill in its original shape, disregarding the instructions of that Committee and by a vote of three to nine that Committee's report was sustained and I was subsequently informed by a member of the Committee on Judiciary Special that he voted to sustain the report of that sub-committee and that he voted under a misapprehension. Therefore, if he had an opportunity to reconsider his vote that bill would have gone out as it was under the original idea of the Mayor and as has been suggested by the Mayor of Philadelphia. Therefore, I consider that it is only a matter of courtesy to the Mayor of the great metropolis of Philadelphia that this bill should be referred back to the Committee on Judiciary Special to give him a hearing to-morrow.

Mr. RICHARD J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Bleloch. permit himself to be interrogated

Mr. BLELOCH. Mr. Speaker. Yes, sir.

Mr. RICHARD J. BALDWIN. Mr. Speaker, I desire the gentleman to state whether he desires to have the bill recommitted so as to make it mandatory on the Mayor of the City of Philadelphia to appoint the inspectors of Weights and Meausures.

Mr. BLELOCH. Mr. Speaker, all that I ask for is that this bill be recommitted to the Committee on Judiciary Special that the Mayor of Philadelphia may be given the courtesy of a hearing on this measure to-morrow.

Mr. R. J. BALDWIN. Mr. Speaker, I understand the gentleman to say that one of the purposes of asking for the recommitting of this bill was to make it mandatory upon the Mayor to appoint Sealers of Weights and Measures. Is that correct?

Mr. BLELOCH. Mr. Speaker, that was the instruction given by the Committee on Judiciary Special sub-committe to amend it to make it mandatory.

Mr. R. J. BALDWIN. Mr. Speaker, I cannot put my hands exactly on the Constitution, or the law, but the Constitution prohibits any such law and it cannot be made mandatory.

Mr. BLELOCH. Mr. Speaker, I don't see where the suggestion or the criticism or the remarks of the gentleman from Delaware have any direct bearing on the question as to whether this House shall extend this courtesy to the Mayor of Philadelphia to be heard on this measure tomorrow when he is here.

Mr. PIPER. Mr. Speaker, the gentleman from Philadelphia, Mr. Bleloch, contended that in the Committee the vote on the report of the sub-committee was eight to nine which is practically true. He then states that one of the men voted under a misapprehension. I desire to ask him, Mr. Speaker, if he will admit that when the vote was taken to report the bill out with an affirmative recommendation whether or not it is not true that the vote was ten to six to report the bill out with an affirmative recommendation? Surely there was no misapprehension on that proposition.

The SPEAKER. The House cannot go into the misapprehension of votes of members in Committee. The question is shall the bill be recommitted?

The motion was lost.

SENATE MESSAGES.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was ordered to lay over for the present.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1030, entitled:

An Act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 709, entitled:

An Act regulating the sale for distribution of vinous spirituous malt or brewed liquors by any club society or organization formed for certain purposes and imposing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

An Act supplementing and amending sections two hundred and one (202) two hundred and two (202) and two hundred and fourteen (214) of Article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election of school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the Courts of Common Pleas of the county in which such school district is situated

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1440, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1154, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one creating a Bureau of Public Utilities in the Department of Public Safety defining the powers and duties thereof and of the offices thereunder prescribing rules and regulations and laws respecting public utilities and authorizing and imposing fines penalties and punishment for violation thereof

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1264, entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April one one thousand nine hundred and nine and making legal all exemptions thereunder heretofore allowed

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1246, entitled:

An Act providing for the releasing on parole of certain prisoners who have been sentenced for life

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 23, entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1077, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domin one thousand nine hundred and one creating and regulating a Forestry Department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1329, (Senate bill No. 46), entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1142, entitled:

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant lands in cities of the first class providing for their inspection creating a division of housing and santaton provding penalties for violations of the provisions thereof and repealing all laws inconsistent therewith

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

BILL RECOMMITTED.

Mr. HEIDINGER. Mr. Speaker, I move that House bill No. 1142, entitled,

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two family dwelling rooming house and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection creating a division of housing and sanitation providing penalties for violations of the provisions thereof and repealng all laws inconsistent therewith

on page four of today's Calendar be recommitted to the Committee on Municipal Corporations.

Mr. LOHR. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1374, entitled:

An Act to aid in the suppression of insect pests in Pennsylvania by authorizing the Department of Agriculture to prepare a catalog of the insects of Pennsylvania giving their common and scientific names dates localities food enemies remedies habits and other important points as far as can be ascertained together with illustrations of some of the important types of insects and providing for the publication of said book and the distribution of the same and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1196, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisios by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1490, entitled:

An Act regulating the appointment confirmation duties salary and expenses of County Detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1321, entitled:

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate damages and the verdict shall stand good in all other respects

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1344, (Senate No. 370), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1349, entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 886, entitled:

An Act prohibiting trespassing on any railroad railway or any railroad or railway cars in the Commonwealth of Pennsylvania and providing a penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1398, (Senate No. 275), entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and executive mansion authorizing the appointment of a superintendent and defining his power authority and duties and providing for the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1388 (Senate No. 67), entitled:

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement of an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1242, entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 804, entitled:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1244, entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeenth one thousand nine hundred and five so as to include gas and water companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1226, entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1311, entitled:

An Act pohibiting the destruction damaging or tampering with or feloniously taking and carrying away any part of any elevator or elevator equipment or elevator machinery

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1074, entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1266, entitled:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for his services upon the client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act to prevent the procreation of idiots imbeciles and feeble-minded persons by the process of streilization under certain circumstances and prescribing the conditions under which it may be performed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1480, entitled:

An Act amending section fourteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for township of each class" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the seventh day of June one thousand nine hundred and seven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 414, entitled:

An Act to regulate the sale for agricultural purposes of crushed lime-stone lime gypsum and related products defining sand products and requiring that they be under official tags bearing the manufacturer's or dealer's guarantee providing for its enforcement and prescribing penalties for its violation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1386 (Senate No. 52), entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers .

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 423, entitled:

An Act prohibiting the placing of earth or any other material in any run creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into run creek river or stream without first having constructed in accordance with plans specifications and application approved by the water supply Commission of Pennsylvania a retaining wall or walls along the banks of said runs creeks rivers or streams under the supervision of the water supply commission of Pennsylvania and providing a penalty for the violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1022, entitled:

Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1404, entitled:

An Act authorizing police magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances on certain terms and conditions and providing for the appointment of probation officers

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1359. entitled:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violations of its several problems"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 520, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1184, entitled:

An Act to amend an act approved the sixteenth day of May one thousand eight hundred and ninety-one entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expense thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" as amended

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1072, entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 740, entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1373, entitled:

An Act making an appropriation for the erection at Carlisle of a monument to commemorate the heroine of the battle field of Monmouth in one thousand seven hundred and seventy-eight known in history as "Hollie Pitcher" and providing for the appointment of a commission to select a model for and supervise the erection thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1471, entitled:

An Act providing that no self playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 734, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1347, (Senate No. 517), entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1156, entitled:

An act empowering cities to enact ordinances relating to repairs to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1120, entitled:

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1168, entitled:

An Act to provide for the payment of costs and charges on writs of execution or attachment and fixing the liability of sheriff in the execution thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1047, entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1356, entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holdings of said poor district for almshouse

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1076, entitled:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand

eight hundred and ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1365, entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 471, entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agriculture extension work for the purpose of improving and developing the agricultural resources of the proper counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1229, entitled:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transscribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken wnere the decision of the court appears in the proceedings of a case"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1191, entitled:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1263, entitled:

An Act to provide that fines and forfeitures levied and collected for violations of the Game Laws of the Commonwelath shall be paid to the Game Commission for the purpose of acquiring and maintaining game preserves and for acquiring propagating and distributing game

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act to amend an act approved tht second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall consitute the force defining their powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employes of the Department of State Police also the salaries of the officers and men of the State Police"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1202, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second-hand store or junk shop for failure to provide and keep books showing entries of receipt or acceptance or goods by purchase exchange or otherwise said books to be open to [illegible] report to be filed with the superintendent of police and providing for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1203, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1312, entitled:

An Act prohibiting the destruction or tampering with or feloniously taking and carrying away of any part of any apparatus or equipment used by persons firms corporations or municipalities to convey alarms of fire or used to extinguish fire and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 969, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1328 (Senate Bill No. 100), entitled:

An Act to establish a State Fair Commission to provide for holding an annual State fair and making an appropriation therefor and to prohibit the selling or otherwise dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1029, entitled:

An Act supplementary to an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April one thousand nine hundred and three providing for the separation of dependent and neglected children from incorrigible and delinquent children in places of detention of minors in the custody of the Juvenile Courts of the several counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1139, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1464, entitled:

An Act regulating to the openings of buildings upon over or under external fire escapes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1414, entitled:

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1408, entitled:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed making it the duty of supervisors to cut or destroy such weeds on or along public highways and providing penalties for failure to comply with the provisions of the act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one, thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1241, entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam boilers steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or encloures used for the purpose or giving dramatic theatrical or operatic or vaudeville performances tragedies comedites or faces or the exhibition of fixed or moving pictures or stereoptican views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menagries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 542, entitled:

An Act supplementary to an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and neglected children under the age of sixteen years and providing for the means in which such power may be exercised approved April twenty-third Anno Domini one thousand nine hundred and three conferring power upon the judge or of judges of the courts of quarter sessions of the peace who are from time to time assigned to the sessions of said court known as the juvenile court to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court defining the purpose method and extent of such examinations and the character and use of the reports of examining physicians designating the time and place of authorizing the necessary equipment of such examinations and providing for the installation of said equipment and payment therefor and for the appointment and compensation of examining physicians and assistants for the said work

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1309, entitled:

An Act enabling The Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 726, entitled:

An Act to protect the Public Health and Welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this act prescribing the standard by which such rate shall be determined defining the powers and duties of such commission and regulating the procedure before it imposing certain duties on employers of females over sixteen years of age compelling newspapers to publish the orders of the commission fixing penalties for violations of this act and providing means of enforcing its provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1310, entitled:

An Act providing that whenever hereafter before the register of wills of any county of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said register a disputable matter shall come into controversy the said register shall immediately certify the same into the orphan's court of the said county for hearing and determination and defining when a disputable matter shall be deemed to come into controversy before the register within the meaning of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 398, entitled:

An Act to require the reporting by physicians to the State Register of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1469, entitled:

An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax making an appropriation and providing penalties for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1225, entitled:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 799, entitled:

An Act authorizing persons copartnerships associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the court of quarter sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1218, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowance also available for subsistence and additional general mititary purposes by also providing that the allowance to be received by battalions in the naval force for armory rent for riffle rent practice for clothing and equipment shall be available for subsistence and additional general mititary purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1316, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortages

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1024, entitled:

An Act to amend sections one and eight of an act approved the nineteenth day of June one thousand nine hunured eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 30, entitled:

An Act to protect the public health by prohibiting in certain places the keeping of a towel intended for the use of more than one person without after each individual use being properly cleaned

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1353, entitled:

An Act making an appropriation of two hundred dollars per year for a period of two years for the purpose of maintaining a public road through the Cornplanter Indian Reservation and the bridges on said road in Elk township Warren county Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1377, entitled:

An Act to prevent the person holding the office of president vice-president secretary or treasurer of any building and loan association incorporated under the laws of this Commonwealth or doing business herein from holding the office or performing any of the duties of conveyancer for such building association and providing a penalty for the breach thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 225, entitled:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1019, entitled:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1379, entitled:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1208, entitled:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefore imposing certain duties upon the seller and the buyer upon the sellor or pledgor and the buyer and pledgee making their violation a misdemeanor and providing penalties therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act relating to the admistering of oaths or affirmations to administrators executors committee or guardians to qualify them for the performance of their respective duties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 759, entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court and providing for the sentencing of either or both in their absence

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 699, entitled:

An Act authorizing the Department of Forestry of the Commonwealth of Pennsylvania by and with the consent

of the Governor to sell and convey any land owned or possessed by the Commonwealth for forest reservation purposes which land so to be sold in the judgment of the Forest Reservation Commission is suitable for building site or agricultural purposes or which is not deemed advisable for the Commonwealth to keep and providing a method of conveying the same

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1284, entitled:

An Act fixing the salaries of the messenger in the State Library

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1419, entitled:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs.

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Mr. MOSES. Mr. Speaker, I desire to call up House Bill No. 11, file folio 61, on page 2 of to-day's Calendar, Bill on Final Passage recalled from the Governor.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House resumed the consideration on final passage of H. R. Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MOSES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.
Mr. SNYDER. Mr. Speaker, I second the motion.
The motion was agreed to.
On the question,
Will the House agree to the bill on third reading?
Mr. MOSES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk read the amendment as follows:

Section 1, lines 20, 21, 22, 23 and 24: Strike out the following:
"An Act to fix the salaries of the judges of the supreme court, the judges of the superior court, the judges of the Courts of Common Pleas and the judges of the orphans court," approved the fourteenth day of April, one thousand nine hundred and three." Insert in lieu thereof the following: "An act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, and the judges of the Orphans' Courts," approved the fifth day of May, one thousand nine hundred eleven.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.
The bill as amended was then agreed to.
Ordered. That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. No. 566, as follows:

An Act giving to all owners or tenants of lands property or material injured by the laying out opening widening vacating extendig or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequental or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequental or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and providing that this act shall apply to all existing and trial by jury and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the right to damages both direct and consequential or either is hereby given to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades or lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers
Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for asessing damages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their duty to assess damages provided for in section one of this act direct and consequential or either if any in connection therewith and make report thereof as under existing law
Section 3 That the right of appeal from said report and of trial by jury and the right to file exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws
Section 4 That after disposal of exceptions or verdict and final judgment any interested party or parties may have an appeal to the Superior or Supreme Court as in any other cases
Section 5 That the provisions of this act shall apply to all existing and future proceedings
Section 6 That all acts or parts of acts inconsistent herewith are hereby repealed

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MILLER. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.
Mr. LIGHT. Mr. Speaker, I second the motion.
The motion was agreed to.
On the question,
Will the House agree to the bill on third reading?
Mr. MILLER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the Clerk.
The Clerk read the amendment as follows:

Amend the title by striking out lines 15, 16 and the words "future proceedings" in line 17.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.
And said bill having been read at length the third time, considered and agreed to, as amended.
On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Eichenberger,	Light,	Rhoads,
Alworth,	Ely,	Lowers,	Richards,
Ambler,	Flynn,	Malie,	Rockwell,
Arthur,	Forster, I. G.,	Mannion,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Martin,	Runk,
Becker,	Gans,	Mather,	Sassaman,
Benson,	Geary,	Matt,	Savacool,
Berntheizel,	Geiser,	McAleer,	Semmens,
Bigger,	Gibson,	McAllister,	Shaffer, I. E.,
Bittles,	Good,	McArdle,	Showalter,
Blair, W. A.,	Gramley,	McCaig,	Smith, J. W.,
Bleloch,	Haggerty,	McClintock,	Snyder,
Body,	Heidinger,	McKay,	Steedle,
Brosius,	Hemminger,	Miller,	Steele,
Brown,	Herman,	Missimer,	Stein,
Burnett,	Hess,	Morrow,	Stone,
Caldwell,	Heyburn,	Moulthrop,	Strauss,
Campbell, C.M.,	Hibshman,	Musser,	Swartz,
Carson,	Hobbs,	Neely,	Swift,
Carter,	Howard, J.,	Newbaker,	Trach,
Cheeseman,	Howard, R.,	Newton,	Ulerich,
Claycomb,	Humes,	North,	Ulman,
Cleary,	Isler,	O'Neill,	Walnut,
Cochran,	Irwin, G. C.,	Peachey,	Watson,
Collins,	Irwin, H. H.,	Pennegar,	Wettach,
Ehrhardt,	Jones, J. R.,		

Conner,	Keegan,	Pennock,	Whitaker,
Conniff,	Keeport,	Perry, H. L.,	Wildman,
Currier,	Kennedy,	Perry, S. J.,	Williams,
Curry,	Klepper,	Peters,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Piper,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Post,	Young, G. K.
Dickinson,	Lanius,	Price,	Young, J. H.,
Donahoe,	Lenker,	Ramsey,	Zimmerman,
Donnally,	Leslie,	Reese,	Alter,
Dunn, H. B.,	Letzkus,	Reeser,	Speaker.
Dunn, J. A.,			

NAYS—2.

Scott, S. B., Smith, L.,

The majority required by the Constitution having voted in the affirmative, the quesion was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate, which were laid upon the table.

BILLS ON FINAL PASSAGE.

Mr. W. A. BLAIR. Mr. Speaker, I desire to call up House Bill No. 234, file folio 2125, entitled:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

bills on final passage postponed, page 20 of to-day's calendar.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in and about bituminous coal mines and to provide for the examination of persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner at least two years in coal mines shall be entitled to a certificate permitting him to work in the bituminous mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of bituminous mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who are then a resident for at least one full year in the county for which they are appointed Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which they are appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredth dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said boards to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall issue or be given to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be issued only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board issuing the certificates

Section 6 That no person shall hereafter engage as a miner in any bituminous coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a miner who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a minor except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncomplaince or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 This act shall apply only to mines that come under the regulation of the mine inspectors

Section 10 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

RECONSIDERATION OF VOTE.

Mr. W. A. BLAIR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. W. A. BLAIR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendments as follows:

Amend title, line one, by striking out the words "and about" and inserting in lieu thereof the word "the"

Amend title, line 2, by inserting after the word "examination" the words "and granting of certificates"

Amend title, line three, by inserting after the word "of" the words "competency to"

To amend Section one, line nine, by striking out the words "at least two years," and inserting after the word "in" the word "the"

Amend Section one, line ten by inserting after the word "certificate" the words

(of service which shall be granted to him by the said Miners' Examining Board, and which said certificate of service must be secured by such miner within ninety (90) days after the passage of this act).

Amend section 2, line 5 and 6 by striking out the words "are then a resident for at least one full year in the county for which they are appointed" and insert in lieu thereof the words "have been residents of the county for which they are appointed for at least one full year immediately preceding their appointment."

Amend section 2, line 17, by striking out the word "each" and inserting in lieu thereof the word "each."

Amend section 2, line 21, by striking out the word "hndredth" and inserting in lieu thereof the word "hundredths."

Amend section five, line fifteen, by inserting after the words "or with a miner" the words "unless as otherwise provided in section one of this act."

Amend section 5, line 12, by striking out the words "issue or be given" and insert in lieu thereof the words "be granted."

Amend section 5, line 19, by inserting at the end of said line after the word "miner" the words "except as otherwise provided in section one of this act."

Amend section 5, line 28, by striking out the word "issued" and inserting in lieu thereof the word "granted."

Amend section 5, line 31, by striking out the word "issuing" and inserting in lieu thereof the word "granting."

Amend Section 7, line 3, by striking out the word "at" and inserting in lieu thereof the word "act."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. H. B. DUNN. Mr. Speaker, I move that the House do now adjourn.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

A division was called for, 89 voting in the affirmative and 53 in the negative.

And the question was determined in the affirmative.

Whereupon at 11:10 P. M. the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, MARCH 25, 1913. No. 37.

SENATE

TUESDAY, March 25, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motionof Mr. KLINE the further reading was dispensed with, and the Journal was approved.

PETITION.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HUNTER presented petition of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING WOMAN SUFFRAGE.

Mr. HILTON presented petition of citizens of McKean County favoring woman suffrage.

Which was referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations of Notaries Public made by His Excellency, the Governor of the Commonwealth, at last evening's session and the following nominations, which were laid upon the table:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 4, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY.

D. A. Thomas, Huntingdon township.
C. Clark Brown, New Oxford.
William L. Meals, Gettysburg.

ALLEGHENY COUNTY.

Karl E. Wilson, Pittsburgh.
F. F. Solomon, Pittsburgh.
H. W. Nestle, Pittsburgh.
Kenneth R. Cunningham, Pittsburgh.
W. D. N. Rogers, Pittsburgh.
P. B. Digby, Pittsburgh.
Walter B. Beecher, Pittsburgh.
C. W. Langhorst, Pittsburgh.
Henry Wegener, Greentree, P. O., Carnegie.
C. B. Yothers, Pitcairn.
W. R. Thomas, Pittsburgh.
John M. Egan, Pittsburgh.
Bernard B. McGinnis, Pittsburgh.
Thomas H. Craig, Pittsburgh.
Francis O'Halloran, Pittsburgh.
Leo M. Dillon, Pittsburgh.
Miss Anna R. Beatty, Pittsburgh.
Miss Jennie Jones, Pittsburgh.
Miss Florence C. Bennett, Pittsburgh.
Frank A. Brinkman, Pittsburgh.
George F. Miller, North Versailles township.
William A. Fraser, North Versailles township.
Charles E. Wooddy, Pittsburgh.
Miss H. Heck, Pittsburgh.
A. D. Murray, Pittsburgh.
William Henry Colvin, Pittsburgh.
E. M. Quinby, Pittsburgh.
Frank E. Hall, Pittsburgh.
W. A. Suckling, Pittsburgh.
Robert Lee Tice, Pittsburgh.
Michael Danko, Pittsburgh.
Miss N. M. Gaertner, Pittsburgh.
Miss Elsie G. Henning, Pittsburgh.
C. F. Cashdollar, Pittsburgh.
M. Mendel, Pittsburgh.
Ernest R. Abbott, Pittsburgh.
Miss Teresa Kuebert, Pittsburgh.
Edward Muhl, Pittsburgh.
John E. Macdowell, Pittsburgh.
Pierce C. Williams, Pittsburgh.
D. K. Ferree, Pittsburgh.
James L. Riley, Pittsburgh.
Miss G. D. Berkebile, Pittsburgh.
Victor Csiszarik, Duquesne.
DeVeaux H. Reed, McKeesport.
Chas. T. Carter, Glassport.
A. G. Nesbitt, Pittsburgh.
Benjamin Pearlman, Pittsburgh.
E. G. Hess, Pittsburgh.
Jno. H. Armstrong, Pittsburgh.
J. H. Ramsey, Munhall.
Francis J. Thomason, Pittsburgh.
W. E. Reed, Duquesne.
Geo. M. Weaver, North Fayette township.
Clement L. Short, Pittsburgh.
E. C. Chance, Pittsburgh.
Victor Slone, Pittsburgh.
David A. Hardie, Pittsburgh.
Joseph H. Shaw, Duquesne.
Miss F. Irene Hartley, Pittsburgh.
Jonathan Callender, Jr., Pittsburgh.
William H. Barnhart, Pittsburgh.
C. L. Wilson, Pittsburgh.
Benjamin M. Price, Pittsburgh.
A. M. Fuller, Pittsburgh.
F. A. Griffin, Pittsburgh.
Joseph A. Tarpy, Pittsburgh.
Joseph Knox Stone, Pittsburgh.
C. C. Rhinehart, Pittsburgh.
John F. Gloeckner, Pittsburgh.
William J. Stewart, Pittsburgh.
Miss Elizabeth E. Moorhead, Pittsburgh.
Francis A. Bogadek, McKees Rocks.
F. A. Hannan, Pittsburgh.
Harry H. Greer, Pittsburgh.
E. D. Pool, Jr., Pittsburgh.
Jas. F. Shaughnessy, Pittsburgh.
Walter J. Conroy, Pittsburgh.
D. B. Allison, Baldwin township.
Mruczek Blasius, Pittsburgh.
A. Wilson McCandless, Pittsburgh.
I. J. Szczygiel, Pittsburgh.
Frank A. Power, North Braddock.
J. Roy Dickie, Pittsburgh.
S. R. Swiss, Cheswick.
Wm. B. Anderson, Pittsburgh.
W. F. Ames, Pittsburgh.
Joseph A. McKenna, Pittsburgh.
R. E. Cain, Pittsburgh.
George B. Crawford, Pittsburgh.
John B. Flatley, Pittsburgh.
Miss Sue E. Stauffer, Pittsburgh.
William B. Wharton, Pittsburgh.
Charles H. Meyer, Pittsburgh.
Philip Green, Bridgeville.
F. A. Mills, Pittsburgh.
H. E. Corbin, McKeesport.
Miss Etta C. Alford, Pittsburgh.
William C. Gray, Pittsburgh.
Edward A. Monaghan, Pittsburgh.
Jas. R. Geddes, Pittsburgh.
I. MacConnell, Pittsburgh.
Arthur F. Schmidt, Pittsburgh.
A. F. Moelter, Pittsburgh.
Edward D. Morton, Chartiers township.
J. T. Butler, Pittsburgh.
Miss Marie A. Heil, Pittsburgh.
John C. Burrey, Pittsburgh.
C. T. Marsh, Pittsburgh.
Dillon C. Jay, Pittsburgh.
R. H. Leonard, Duquesne.
John J. Lang, Pittsburgh.
O. A. Lappe, Pittsburgh.

Roy W. Watkins, Pittsburgh.
Mrs. Lizzie E. Bottorff, Pittsburgh.
Albert J. Halter, Pittsburgh.
Joseph M. Wilson, Pittsburgh.
Franklin H. Allison, Pittsburgh.
Samuel Eades, Pittsburgh.
S. W. McGinness, Pittsburgh.
S. A. McFarland, Pittsburgh.
Miss Caroline E. Householder, Pittsburgh.
Miss M. Elizabeth Dittler, Pittsburgh.
E. E. Reiss, Pittsburgh.
Chauncey H. Steele, Pittsburgh.
Paris B. Reeves, Pittsburgh.
Percy R. Warwick, Pittsburgh.
Miss Emma R. Sullivan, Pittsburgh.
Thomas G. Sessa, Pittsburgh.
John H. Marsching, Pittsburgh.
Lawrance G. Carlin, Pittsburgh.
Carl H. Frey, Oakmont.
C. J. Duffy, Pittsburgh.
Joseph Mink, Pittsburgh.
Chris. Spring, Pittsburgh.
Miss Emma Hutchison, Pittsburgh.
Arthur D. Gatz, Pittsburgh.
Wayland Rupert, Pittsburgh.
Miss Margaret M. Smith, Pittsburgh.
George J. Campbell, Pittsburgh.
Chas. E. Glesner, Pittsburgh.
R. D. Gibson, Pittsburgh.
Geo. A. Kinley, Pittsburgh.
Charles W. Hogg, Pittsburgh.
Miss Lillian Agnes McDonough, Pittsburgh.
Miss Grace B. Finney, McKeesport.
Thompson Bradshaw, Pittsburgh.
Miss ida Kremer, Pittsburgh.
Miss Anna B. Perkins, Homestead.
John F. Haggerty, Pittsburgh.
Chester Wilson, Pittsburgh.
Mrs. Grace V. Morrow, Pittsburgh.
W. D. Boyd, Elizabeth.
W. Lloyd Miller, Pittsburgh.
Russell H. Ward, Pittsburgh.
John C. McCloskey, Braddock.
W. A. Morton, Pittsburgh.
Miss Julia O'Connor, Pittsburgh.
Jno. R. Rosenbaum, Pittsburgh.
Walter D. Young, Pittsburgh.
J. L. Trefaller, Jr., Pittsburgh.
William R. Curtis, Pittsburgh.
H. Torrey Melhuish, Pittsburgh.
John B. Martin, Homestead.
Lee D. Hemingway, Pittsburgh.

ARMSTRONG COUNTY.

Julius Steiner, Ford City.
K. G. Fleming, Kittanning.
Willis Clanson, Kiskimenetas township.

BEAVER COUNTY.

W. C. Rice, Midland.
G. A. Bonzo, New Sewickley.
Colman J. Meres, Aliquippa.
Charles M. Rihn, Ambridge.
W. H. Hart, Jr., Midland.
Ernest W. Martsolf, New Brighton.
J. C. Weikert, Rochester township.
C. Roy Kerr, Ambridge.
Christian Henderson, Woodlawn.
Otto M. Solkovy, Aliquippa.
Edward T. Corbus, Beaver Falls.
Chauncey D. Shumaker, Conway.

BERKS COUNTY.

Miss Lillie M. Fry, Reading.
Edmund L. Darlington, Reading.
David E. Finkbiner, Reading.
Henry H. Hernan, Reading.
Charles Wm. Matten, Reading.
George E. Thomas, Reading.
Miss Mary E. Stauffer, Reading.
J. Lewis Lingle, Reading.
George M. Miller, Reading.
W. D. Billman, Reading.
Sherman H. Hoverter, Reading.
Daniel B. Baum, Reading.

BLAIR COUNTY.

Edward N. Wilson, Antis township.
William P. Shaefer, Logan township.
James Percy Kauffman, Logan township.
John B. Walker, Logan township.
H. M. Sausser, Tyrone.
William T. Royer, Tyrone.
Mrs. Elizabeth Giacchelli, Altoona.
Ernest Salvucci, Altoona.
Miss Roberta F. Bell, Hollidaysburg.

BRADFORD COUNTY.

H. Stanley Winlock, Sayre.
J. H. Kelley, Troy.
Miss Mollie W. Rice, Rome.
J. L. Morley, Athens.

BUCKS COUNTY.

Elwood L. Clemens, Falls township.
Miss Helen Worthington, Langhorne.
Hugh F. Purdy, Durham township.
Leonard Taylor, Falls township.

BUTLER COUNTY.

C. J. Hanlon, Buffalo township.
L. C. Patterson, Butler.
Theodore C. H. Keck, Butler.

CAMBRIA COUNTY.

Miss Sara A. Stroup, Johnstown.
Miss Genevieve Leahey, Johnstown.
H. A. Bauers, South Fork.
William J. Brendlinger, East Conemaugh.
James S. Haynes, Conemaugh.
T. H. McKenzie, Barnesboro.
William F. Dill, Barnesboro.
John R. Musser, Barnesboro.
J. S. Burkhart, Gallitzin.
F. W. Eicher, Portage.
John Strizak, Blacklick township.
Hugh J. Holzman, Johnstown.
James A. Graham, Johnstown.
C. W. Mosholder, Johnstown.
Mahlon J. Baumgardner, Johnstown.
Miss Edna Williams, Johnstown.
S. A. Livingstone, Conemaugh.
Miss Louie M. Lackey, Johnstown.
Theodore Rendessy, Johnstown.

CAMERON COUNTY.

Guy A. Kless, Emporium.

CARBON COUNTY.

Payson C. Bittner, Lower Towamensing township.
Ben Branch, Mauch Chunk.
E. S. Markley, Weissport.
John C. Loeser, Mauch Chunk.

CENTRE COUNTY.

John E. Hawkins, Phillipsburg.

CHESTER COUNTY.

Miss Linda M. Fulmer, Parkesburg.
Paul S. Stansbury, Coatesville.
Miss Mary Maxton, Easttown township.
James A. Brown, Jr., West Chester.
John W. Kenney, West Vincent township.
Louis Cutillo, Phoenixville.
Charles Raymond Young, West Chester.

CLARION COUNTY.

John A. Woofter, Richland township.

CLEARFIELD COUNTY.

James A. Ruffner, Rigler township.
William P. Cornely, Bigler township.
Miss Olive F. Rebenack, Dubois.
Joseph P. Boden, Dubois.

CLINTON COUNTY.

Edward Ekendahl, Renovo.
Mrs. Edna E. Hughes, Lock Haven.

COLUMBIA COUNTY.

Harry S. Barton, Bloomsburg.
Joseph A. Palumbo, Centralia.
W. G. Creveling, Fishing Creek township.

CRAWFORD COUNTY.

George Eldred, Titusville.
T. F. Charlton, Meadville.
John Perry Eckels, Cambridge Springs.
John P. Corrigan, Meadville.

CUMBERLAND COUNTY.

Christopher Harman, Mt. Holly Springs.
R. S. Diller, East Pennsboro township.
Conrad J. Bittner, East Pennsboro township.

DAUPHIN COUNTY.

J. K. McWilliams, Harrisburg.
Lucian B. Notestine, Harrisburg.
Harry H. Baker, Harrisburg.
Wm. M. Patty, Harrisburg.
Miss Iva Miller, Harrisburg.
Alfred P. Rodgers, Harrisburg.
Miss E. R. Cowan, Harrisburg.
Miss Helen Rohrer, Harrisburg.
Francis J. Fellows, Harrisburg.
Frank M. Shadel, Williamstown.
Edwin C. Dewey, Harrisburg.
P. E. Irwin Middletown.
William J. Kennard, Middletown.

W. S. Fickes, Steelton.
William F. Housman, Steelton.
Irwin M. Cassell, Harrisburg.
Miss Emma A. Keeny, Harrisburg.

DELAWARE COUNTY.

Miss Gertrude Howard, Chester.
William S. Allen, Upper Providence township.
Robert Beatty Comegys, Lansdowne.
John A. Butler, Eddystone.
William B. Marker, Chester.
Harry P. Ottey, Media.
Miss Ellen W. Foley, Media.

ELK COUNTY.

Fred I. Lyman, Johnsonburg.
Thomas M. Hickey, St. Marys.
J. T. Colbert, St. Marys.

ERIE COUNTY.

Miles R. Nason, Erie.
James S. Miller, Erie.
Frank J. Cook, Erie.
Marion L. Page, Erie.
Henry R. Jeffs, Erie.
W. S. Carroll, Erie.
Frank C. Brown, Erie.
T. J. Mahoney, Erie.
Leo Schlaudecker, Erie.
Daniel O. Hopkins, Erie.

FAYETTE COUNTY.

Louis A. Marnell, Dunbar.
Thomas Poletz, Brownsville.
Frank N. Gans, Point Marion.
Harry M. Crawford, South Union township.
Joseph L. Luce, Perry township.
Miss Cora B. Wyncoop, Uniontown.
James W. Stevenson, Jefferson township.
Ellsworth Evans, Dunbar township.
Robert Welsh, Connellsville.
C. W. Brooks, Connellsville.
Mrs. E. S. Graham, Mastontown.
Elmer R. Porter, Connellsville.
Herman Rosenman, Uniontown.
Will S. Anderson, Connellsville.
Doimo Basich, Uniontown.
Hollie W. Franks, Uniontown.
William E. Finn, Connellsville.
Miss Mary R. Hopkins, Uniontown.

FRANKLIN COUNTY.

D. S. Lemaster, Chambersburg.
C. J. Zullinger, Chambersburg.
James W. Rice, Antrim, township.

GREENE COUNTY.

Harry F. Baily, Waynesburg.
J. L. Rea, Carmichaels.
H. C. Sayers, Jr., Waynesburg.
J. Cal. Gwynne, Cumberland township.
John M. Livingood, Graysville.
Schuyler T. Huber, Waynesburg.

HUNTINGDON COUNTY.

Geo. R. Carter, Rockhill.

INDIANA COUNTY.

John R. Tyson, Blairsville.
J. C. Davison, Slymer.
John B. DeSantis, Indiana.
William Houston, Burrell township.

JEFFERSON COUNTY.

John St. Clair, Punxsutawney.
Joseph Dennison, Punxsutawney.
William C. Young, Falls Creek.
G. W. Baughman, Ringgold township.
William Blair Adams, Punxsutawney.
Miss Elizabeth Rapp, Punxsutawney.
Albert Steck, Brockwayville.

LACKAWANNA COUNTY.

John J. Cannon, Dunmore.
Miss Ruth E. Jacobs, Scranton.
C. A. Diefenderfer, Moosic.
Miss Mary V. Lynch, Scranton.
Marshall Jones, Scranton.
Phillip T. Mitchell, Scranton.
Miss M. R. Spellman, Scranton.
James P. McLaughlin, Scranton.
W. W. Masters, Scranton.
H. M. Edwards, Jr., Scranton.
Miss Mary D. McLean, Scranton.
Miss Anna Doherty, Scranton.
A. P. Benjamin, Scranton.
Miss Corrine Chapman, Scranton.
Miss Mary Duffy, Scranton.
James F. Kearney, Archbald.
Charles A. Keegan, Scranton.
Edward A. Bosak, Scranton.
Mm. M. Hamlin, Scranton.
F. L. Heaney, Scranton.
Charles C. Weeks Carbondale.
John J. Hennigan, Scranton.
Miss Phebe B. Gealy, Scranton.
Miss Marie Loftus, Carbondale.
A. Allen Woodruff, Scranton.

LANCASTER COUNTY.

Frederick L. Homsher, Strasburg.
T. W. K. Deitzel, Columbia.
Isaac R. Herr, Lancaster.
Miss Florence I. Mentzer, Lancaster.
H. B. Becker, Terre Hill.
F. G. Harple, Upper Leacock township.
Charles H. Zeller, Mount Joy.
Harry O. Conn, Lancaster.

LAWRENCE COUNTY.

E. M. Thomas, Taylor township.
Norman A. Martin, New Castle.
Mont L. Ailey, New Castle.

LEBANON COUNTY.

Miss Catharine Ely Hardy, Lebanon.

LEHIGH COUNTY.

D. W. Stinson, Allentown.
Robert W. Hankee, Slatington.
R. J. Pike, Allentown.
Miss Edna A. Seiberling, Allentown.
Mrs. Margaret H. Magee, Allentown.
Calvin F. Nester, Allentown.
Edward C. Bender, Allentown.
Miss Helen R. Oberly, Allentown.

LUZERNE COUNTY.

William H. Poad, Wilkes-Barre.
Miss Mary Lambert, Wilkes-Barre.
Daniel P. Rossi, Hazleton.
Reuben H. Morrish, Wilkes-Barre.
Thomas A. Harris, Hazleton.
James P. Donnelly, Plains township.
Anthony C. Stangert, Nanticoke.
Victor S. Robinson, Wilkes-Barre.
Valentine Pfromm, Hazleton.
John Wm. Griffith, Nanticoke.
George Treible, Hazle township.
Mor. Lichtenstern, Wilkes-Barre.
Max E. Adamski, Newport township.
W. M. Van Horn, Kingston.
Will A. Shiffer, Pittston.
Frank E. Shiffer, Pittston.
M. N. Donnelly, Pittston.
Miss Martha E. Woelfel, Freeland.
Wm. Y. Cruikshank, Freeland.
Roger J. Dever, Wilkes-Barre.
W. N. Thompson, Pittston.
Harry Hastie, Duryea.
Miss Grace M. Blewitt, Wilkes-Barre
Miss Daisy Sharkey, Wilkes-Barre.
Miss Elfrida Molin, Wilkes-Barre.
Edmund E. Jones, Wilkes-Barre.

LYCOMING COUNTY.

H. R. Clarke, Muncy.
Thomas Wood, Muncy.
Harry C. Fithian, Williamsport.
Chas. F. Bidelspacher, Williamsport.
Rodgers W. Foster, Williamsport.

M'KEAN COUNTY.

Joseph M. Mohr, Kane.
Charles F. Watriss, Bradford.
Claude R. Smith, Bradford.
Frank J. Kelly, Norwich township.
Arthur R. Fair, Bradford.
Miss Irene G. Bodine, Bradford.
R. L. Skinner, Port Allegany.
Guy A Crosby, Bradford.
Emile Stenger, Kane.

MERCER COUNTY.

Miss Louise Spears, Grove City.
Chester A. Lewis, South Sharon.
Robert M. Gilkey, Mercer.
Samuel J. Orr, Greenville.
John J. Donaldson, Greenville.
John S. Leslie, Sharon.
William R. Stillings, Sharon.
C. E. Brockway, Sharon.
W. W. Cartwright, Sharon.
Thos. H. Armstrong, Farrell borough.
Frank Gilbert, Sharon.

MONROE COUNTY

Charles F. Okel, East Stroudsburg.
W. S. Fatzinger, Stroudsburg.
M. W. Miller, Stroudsburg.
Frank B. Michaels, Stroudsburg.

MONTGOMERY COUNTY

Oscar L. Schwartz, Norristown.
Harry J. Bahr, Pottsville.
Harry V. Yerkes, Cheltenham township.
H. H. Beidler, Lansdale.
I. K. B. Hansell, Ambler.
Harry C. Weller, Jenkintown.
Richard T. Lewis, Lower Merion township.
Ralph N. Warner, Jr., Ardmore.

MONTOUR COUNTY.

Wm. L. Sidler, Danville.

NORTHAMPTON COUNTY.

Ray F. Transue, Pen Argyl.
John S. Noble, Jr., Easton.
Joseph Y. Strohman, Easton.
Petro Guzzetto, Easton.
Miss M. J. Reimer, Easton.
Samuel W. Nevin, Easton.
Charles H. Cashner, South Bethlehem.
Miss Helen M. Ackerman, Easton.
Frank G. Lyons, Easton.
C. W. Laudenberger, Easton.
Robert E. James, Jr., Easton.
Charles G. Remmel, Northampton.

NORTHUMBERLAND COUNTY.

Fred N. Landon, Sunbury.
Miss Elsie I. Culp, Sunbury.
Walter W. Herrold, Shamokin.
Miss Hazel C. Barrett, Milton.
H. A. Reynolds, Turbotville.
John F. Oram, Shamokin.
John Tressler, Washington township.
Wm. A. Seitz, Shamokin.
Frederick W. Magrady, Mount Carmel.
Dodie A. Wragg, Mount Carmel.
J. Grant Kekler, Mount Carmel.
Herbert M. Grubb, Sunbury.
Frank Feudale, Mount Carmel.

PERRY COUNTY.

Frank P. Whitmer, Newport.

PHILADELPHIA COUNTY.

Samuel Green, Philadelphia.
G. H. Haberbush, Philadelphia.
Louis Berman, Philadelphia.
John Dunn, Philadelphia.
Joseph Fishman, Philadelphia.
Charles A. Bradley, Philadelphia.
A. M. McKeown, Philadelphia.
Henry F. Miller, Philadelphia.
Vito M. Baldi, Philadelphia.
George H. Diehm, Philadelphia.
Richard J. Seltzer, Philadelphia.
J. Walter Lauer, Philadelphia.
Louis P. Receveur, Philadelphia.
Lester G. Stevens, Philadelphia.
Josiah M. F. Shannon, Philadelphia.
Frederick G. Rhody, Philadelphia.
Frank J. Kerigan, Philadelphia.
Abraham Dessen, Philadelphia.
Frank N. Mengel, Philadelphia.
Eugene W. Storey, Philadelphia.
Robert C. Hutchinson, Philadelphia.
John T. Murphy, Jr., Philadelphia.
Harry P. Felger, Philadelphia.
Thomas Lowry, Philadelphia.
C. P. Curt Bretschneider, Philadelphia.
Thomas A. Ryan, Philadelphia.
Joseph L. Soken, Philadelphia.
Miss M. E. Bohn, Philadelphia.
Francis E. Bucher, Philadelphia.
John J. Finley, Philadelphia.
Theodore Blank, Philadelphia.
Miss Helen E. Ely, Philadelphia.
Richard Weglein, Philadelphia.
Eugene A. Eissing, Philadelphia.
H. G. Malloy, Philadelphia.
J. K. Shrader, Philadelphia.
Samuel H. McLaughlin, Philadelphia.
Grover C. Ladner, Philadelphia.
Joseph Langman, Philadelphia.
Vincent A. Walsh, Philadelphia.
John Birch, Philadelphia.
Miss Edith S. Pierson, Philadelphia.
Morris M. Parretts, Philadelphia.
Howard Burtt, Philadelphia.
G. Earl Eyster, Philadelphia.
Edward N. Landesburg, Philadelphia.
Issac E. Galt, Philadelphia.
William D. Lindsay, Philadelphia.
Louis S. Neidig, Jr., Philadelphia.
John H. Oler, Philadelphia.
John A. Hisey, Philadelphia.
George W. Rue, Philadelphia.
Dwight B. Fuller, Philadelphia.
Joseph Klein, Philadelphia.
Wm. C. J. Werner, Philadelphia.
Lewis T. Hubbs, Philadelphia.
I. Smith Raspin, Philadelphia.
Wilmer K. Clymer, Philadelphia.
D. H. Solis Cohn, Philadelphia.
Theodore Schneider, Jr., Philadelphia.
Charles S. Righter, Philadelphia.
Arthur R. Scheer, Philadelphia.
Charles Keinath, Philadelphia.
Edward M. Bennis, Philadelphia.
Miss Nathalie V. Kreuger, Philadelphia.
Thos. Williams, Philadelphia.
J. F. Reynolds Scott, Philadelphia.
Walter V. Ashby, Philadelphia.
P. W. Failor, Philadelphia.
John W. Basford, Philadelphia.
Miss Theoodsia Gray, Philadelphia.
Nicola Perrella, Philadelphia.
Walter R. Timby, Philadelphia.
Ephraim Lipschutz, Philadelphia.
Arthur D. Mongeon, Philadelphia.
John M. Reeve, Philadelphia.
A. S. Murphy, Philadelphia.
Miss Mollie Silver, Philadelphia.
Ralph Sayre Frisbie, Philadelphia.
H. G. Hoover, Philadelphia.
Miss Louise E. Weber, Philadelphia.
Edward Tolen, Philadelphia.
Max S. Bogatin, Philadelphia.
William H. Brown, Philadelphia.
Wm. F. Berkowitz, Philadelphia.
William Ginsburg, Philadelphia.
Edward J. Devereux, Philadelphia.
Edward S. Smith, Philadelphia.
George W. Deane, Philadelphia.
Samuel Bernstein, Philadelphia.
Miss Ellen Deady, Philadelphia.
John A. Tait, Philadelphia.
Miss Regina E. G. McCann, Philadelphia.
Romuald T. McDonnell, Philadelphia.
Alfred E. Reynolds, Philadelphia.
T. A. Sheridan, Philadelphia.
Miss Lorna D. Toboldt, Philadelphia.
Miss Mary A. McSorley, Philadelphia.
John A. Maugle, Philadelphia.
Abel S. Cole, Philadelphia.
Howard Kirk, Philadelphia.
Francis Rawle, Jr., Philadelphia.
F. W. Stewart, Philadelphia.
Palmer Watson, Philadelphia.
Harry P. Morton, Philadelphia.
Nelson P. W. Hill, Philadelphia.
James J. Grady, Philadelphia.
Frank W. Kramer, Philadelphia.
Herman Apothaker, Philadelphia.
Morris Feldman, Philadelphia.
Frank N. Jardine, Philadelphia.
Walter E. Lawrence, Philadelphia.
Frank Salasin, Philadelphia.
Miss Marjory D. Graf, Philadelphia.
Edward S. Greib, Philadelphia.
Miss Besse A. Miller, Philadelphia.
Clifford B. Smith, Philadelphia.
William Kuhn, Jr., Philadelphia.
William Rarich, Philadelphia.
Thomas J. Burke, Philadelphia.
John Smylie Herkness, Philadelphia.
Charles C. Aeugle, Philadelphia.
Joseph Levick, Philadelphia.
Harry B. Ladner, Philadelphia.
Clarence N. Williams, Philadelphia.
John E. Markham, Philadelphia.
E. Irving Shuttleworth, Philadelphia.
Henry R. Luffberry, Philadelphia.
Eugene A. Fite, Philadelphia.
Samuel M. Israeli, Philadelphia.
George A. Maene, Philadelphia.
Theodore B. Fryer, Philadelphia.
Miss Mary A. McLaughlin, Philadelphia.
Alexander Turkington, Philadelphia.
George A. Carey, Philadelphia.
John I. Somers, Philadelphia.
Michael Myer, Philadelphia.
David Watson, Philadelphia.
William Nicholas, Philadelphia.
Henry Dickinson, Philadelphia.
Miss Ethel J. Bradley, Philadelphia.
George H. Johnson, Philadelphia.
James J. Crosson, Philadelphia.
William Lewis McGee, Philadelphia.
Edward F. Walsh, Jr., Philadelphia.
Edwin T. Savidge, Philadelphia.
Charles L. Roach, Philadelphia.
Miss Rose Katz, Philadelphia.
Frank S. Petrillo, Philadelphia.
John F. Ward, Philadelphia.
Morris DosPassos, Philadelphia.
Erwin Sturm, Philadelphia.
Jacob Zaresky, Philadelphia.
Harry Chester Little, Philadelphia.
George Beck, Philadelphia.
Harry T. Rotenburg, Philadelphia.
Anthony J. Zeits, Philadelphia.
Jacob M. Zinman, Philadelphia.
William J. Conway, Philadelphia.
A. Martin Erb, Philadelphia.
Augusto Fabrizi, Philadelphia.
Miss M. F. Rogers, Philadelphia.
Arthur E. Custer, Philadelphia.
George A. Thomas, Jr., Philadelphia.
Thomas H. Evoy, Philadelphia.
William F. Ellwanger, Philadelphia.
Simon J. Waldman, Philadelphia.
Samuel Fried, Philadelphia.
Edward J. Simons, Philadelphia.
William P. Homer, Philadelphia.
Martin E. Hartley, Jr., Philadelphia.

Vernon Stanton, Philadelphia.
Jacob Menkus, Philadelphia.
Fred C. Wilson, Philadelphia.
Courtland Butler, Philadelphia.
Miss Margaret M. Daly, Philadelphia.
Asher Steinberg, Philadelphia.
Miss S. Warnie Slack, Philadelphia.
Harry Muhlschlegel, Philadelphia.
James J. Rahilly, Philadelphia.
Charles G. Super, Philadelphia.
Geo. V. Mackinnon, Philadelphia.
Ralph R. Stearly, Philadelphia.
William J. Stanton, Philadelphia.
A. B. Gordon Davis, Philadelphia.
Frank B. Ellis, Philadelphia.
Edward G. Eastwood, Philadelphia.
Charles Henry Scott, Jr., Philadelphia.
Herbert E. Hosback, Philadelphia.
Miss Margaret Walls, Philadelphia.
Louis D. Peterson, Philadelphia.
John Marx, Philadelphia.
Louis M. Sanders, Philadelphia.
Theodore A. Atkins, Jr., Philadelphia.
Miss Alice S. Marsh, Philadelphia.
Miss Martha R. May, Philadelphia.
William B. Scull, Jr., Philadelphia.
J. Browning Clement, Jr., Philadelphia.
Howard E. Hudson, Philadelphia.
Charles H. Lanco, Philadelphia.
Geo. L. Parker, Philadelphia.
Isaac H. Wright, Philadelphia.
Arnold Katz, Philadelphia.
Chas. C. Van Horn, Philadelphia.
Joseph H. King, Philadelphia.
W. G. Flood, Philadelphia.
Horace S. Furman, Jr., Philadelphia.
Horace H. Brown, Philadelphia.
Joseph J. Dudley, Philadelphia.
J. Louis Britinger, Philadelphia.

POTTER COUNTY.

M. N. Johnson, Austin.

SCHUYLKILL COUNTY.

Michael Boruch, Minersville.
Irwin A. Warmkessel, Pottsville.
Frank Snyder, Minersville.
Ivan L. Lautenbacher, North Manheim.

SNYDER COUNTY.

Philip Roush, Middlecreek township.
Philip M. Teats, Monroe township.

SOMERSET COUNTY.

William H. Clements, Garrett.
Robert H. Johnson, Salisbury.
W. B. Conway, Rockwood.
Robert C. Heffley, Berlin.
Miss Helen S. Maurer, Boswell.
Michael Shimko, Windber.

SUSQUEHANNA COUNTY.

W. J. Maxey, Forest City.
Wm. A. Titsworth, Montrose.
Mrs. Rebecca Benedict, Montrose.

TIOGA COUNTY.

B. H. Parkhurst, Elkland.

UNION COUNTY.

E. B. Riehl, Lewisburg.

VENANGO COUNTY.

Daniel J. O'Brien, Oil City.
T. L. Blair, Oil City.
P. H. Curry, Oil City.

WARREN COUNTY.

J. Leo Blair, Warren.
Zachary T. Weaver, Clarendon.
Miss Lois M. Rowley, Warren.
B. M. Moore, Sheffield township.
Leslie M. Kinnear, Tidioute.

WASHINGTON COUNTY.

Peter McLaughlin, Union township.
John J. Niland, West Brownsville.
J. T. Neel, Donora.
Carlo A. Battaglini, Frederickstown.
Bela Trilecz, Canonsburg.
Edmond J. Poudevigne, Cecil township.
Vincent Maselli, Monongahela City.
Sheldon B. Hayes, Washington.
Frank B. Hambry, Donora.
John B. Myers, California.
W. A. Allen, Monongahela.
A. V. Campbell, McDonald.
D. S. Taylor, Smith township.
C. K. Frye, Bentleyville.
Frank G. Thompson, Monongahela City.
George C. Leslie, Washington.
G. W. McCullough, Chartiers township.
Miss Estella B. Chubbic, Washington.

WAYNE COUNTY.

Miss Theresa A. Gerety, Honesdale.

WESTMORELAND COUNTY.

J. A. Maxwell, Jeannette.
W. Riley Alter, New Kensington.
James F. Kinkead, Youngwood.
Frank E. Werner, Derry.
Wm. H. Sullivan, Youngwood.
John B. Gordon, Derry.
William H. Bailey, Latrobe.
Jno. C. Steiner, Scottdale.
D. E. Carle, Jeannette.
E. E. Huffman, New Alexandria.
Jos. Rafael, Jeannette.
Geo. B. Campbell, New Kensington.
E. L. Williamson, Monessen.
Jos. J. Knappenberger, Greensburg.
J. H. McIntyre, Parnassus.
A. W. Love, Vandergrift Heights.
S. A. Copp, New Kensington.
Samuel Staman, Jacobs Creek.
Charles J. Pershing, Derry.
Thos. P. Herron, Irwin.

WYOMING COUNTY.

Omar H. Allen, Meshoppen.

YORK COUNTY.

Ray C. Steele, York.
S. Claire Hollinger, Hanover.
Allen J. Baker, Stewartstown.
Robert E. Klinedinst, Hanover.
Paul E. Lau, Hanover.

JOHN K. TENER.

COMMISSIONERS OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 4, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Commissioners of Deeds, for the term of five years, to compute from the dates set opposite their names, respectively:

Anson S. Taylor, Washington, D. C., June 6, 1911.
Edwin F. Corey, New York, N. Y., June 6, 1911.
James J. Teeling, Newark, N. J., June 10, 1911.
James F. Baker, Camden, N. J., July 13, 1911.
Joseph Fiell, New York, N. Y., July 8, 1911.
Abul Fazl, Kapurthala, India, August 7, 1911.
C. J. Adams, Altantic City, N. J., August 11, 1911.
Lucius I. Wright, Atlantic City, N. J., August 11, 1911.
Israel G. Adams, Atlantic City, N. J., September 5, 1911.
Neil H. Miller, Belmar, N. J., September 26, 1911.
Ernest C. Stahl, Trenton, N. J., September 26, 1911.
Joseph T. Harrison, Cincinnati, Ohio, September 26, 1911.
Robert Willoughby, Hamilton, Dowra, Ireland, October 10, 1911.
Harry Wootton, Atlantic City, N. J., October 11, 1911.
Jno. Burke Hendry, London, England, October 14, 1911.
John W. Hughes, Atlantic City, N. J., October 14, 1911.
William T. Leek, Atlantic City, N. J., October 14, 1911.
Ernest B. Daulton, Cincinnati, Ohio, October 24, 1911.
Henry Tod, Edinburgh, Scotland, November 10, 1911.
Edwin C. Potter, Providence, R. I., January 20, 1912.
Isaac R. Hitt, Washington, D. C., February 19, 1912.
Clarenct S. Nettles, Denver, Colo., February 24, 1912.
Richard P. Bloom, Atlantic City, N. J., March 11, 1912.
Wade Millis, Detroit, Mich., April 3, 1912.
Frederick B. Blackman, New York, N. Y., April 10, 1912.
John T. Mason, Hancock, Md., April 12, 1912.
Alex. Bell Ferguson, Glasgow, Scotland, April 30, 1912.
Charles Bridge, Camden, N. J., June 30, 1912.
George H. Corey, New York, N. Y., August 26, 1912.
Charles Henry Hesse, Baltimore, Md., August 26, 1912.
Albert C. Stephany, Atlantic City, N. J., September 3, 1912.
Charles G. Loeb, Paris, France, November 7, 1912.
W. Theodore Bensen, Washington, D. C., December 13, 1912.
W. N. Hallock, New York, N. Y., January 3, 1913.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation.

JOHN K. TENER.

ALLEGHENY COUNTY.

Louis Hirsch, Pittsburgh.
J. Elmer McCaffrey, Pittsburgh.
Cloyde E. Roecker, Pittsburgh.

CHESTER COUNTY.

Wilmer C. Johnson, Downingtown.

INDIANA COUNTY.

W. C. Chapman, Indiana.

POTTER COUNTY.

B. L. Langworthy, Shinglehouse.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date set opposite their several names, respectively.

ALLEGHENY COUNTY.

D. C. Jennings, Pittsburgh, April 3, 1913.
Omer J. Manadise, Tarentum, April 5, 1913.

LEBANON COUNTY.

John R. Lentz, Jonestown, April 4, 1913.

M'KEAN COUNTY.

John P. Melvin, Bradford, March 23, 1913.

NORTHUMBERLAND COUNTY.

Jefferson Shipman, Mount Carmel, April 12, 1913.

PHILADELPHIA COUNTY.

Martin L. Kilpatrick, Philadelphia, March 28, 1913.
Francis S. Laws, Philadelphia, April 6, 1913.
Miss Lillie A. Donovan, Philadelphia, April 12, 1913.
Wm. O. Hempstead, Jr., Philadelphia, April 12, 1913.

WESTMORELAND COUNTY.

M. J. McGeary, New Kensington, April 10, 1913.

JOHN K. TENER.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Justices of the Peace in and for the municipalities set forth after their several names, respectively:

Willard K. Wise, borough of Baily, county of Berks, creation of new borough.

Irvin L. McNair, township of Warrington, county of Bucks, vice Howell E. MacNair, deceased.

Cyrus Brungart, borough of Centre Hall, county of Centre, vice William B. Mingle, deceased.

William T. Hawk, township of North Union, county of Fayette, vice E. L. Andrews, resigned.

Jacob C. Baker, township of Paradise, county of Lancaster, vice Park C. LeFever, resigned.

Charles W. Lewis, borough of West Pittston, county of Luzerne, vice John Miller, resigned.

JOHN K. TENER.

Mr. POWELL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 464, entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred and eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 512, entitled:

An Act to prohibit coroners acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms of office and providing a penalty

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 231 (House Bill No. 185), entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

Mr. CLARK, from the Committee on Judiciary General, reported as amended Senate Bill No. 351 (House Bill No. 181), entitled:

An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenh day of April Anno Domini one thousand eight hundred sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whetner under what is known as spendthrift trusts or otherwise

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 416, entitled:

An Act granting the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being siutated partly in the Township of Canaan and partly in the Borough of Waymart, in the County of Wayne

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 650, entitled:

An Act requiring an inquiry and report on the criminal insane patients committed to the institutions of the Commonwealth as to their personal history mental and financial condiion and circumstances connected with the crime for which they are committed

Mr. KNAPP, from the Committee on Judiciary General, reported as committed, Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan, County of Wayne, being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

BILLS INTRODUCED.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 762, entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 763, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred and seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 764, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and extend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State Highway or State-Aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State-Aid Highway

Which was committed to the Committee on Judiciary General.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 765, entitled:

An Act requiring county treasurers to collect unpaid taxes payable to the county authorizing the employment or persons to make such collection providing exoneration for uncollected taxes conferring upon county treasurers power to enforce collection providing a penalty for non-payment of the tax and abolishing the office of the collector of unpaid taxes payable to the county

Which was committed to the Committee on Judiciary General.

Mr. CATLIN, at the request of Mr. McNichol, read in his place and presented to the Chair Senate Bill No. 766, entitled:

An Act making an appropriation to the Trustees of the Medico-Chirurgical College of Philadelphia

Which was committed to the Committee on Appropriations.

Mr. SHEATZ, by request, read in his place and presented to the Chair Senate Bill No. 767, entitled:

An Act to regulate the practice of Neuropathy in the State of Pennsylvania to provide for the establishment of a State Board of Neurupathic Examiners to define the powers and duties of said Board of Neuropathic Examiners to provide for the examining and licensing of neuropaths in this State and to provide penalties for the violation of this act

Which was committed to the Committee on Public Health and Sanitation.

Mr. GRAFF read in his place and presented to the Chair Senate Bill No. 768, entitled:

An Act to amend section five hundred and fifty-nine and section five hundred and sixty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special and local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to provide that the certification of all unpaid school taxes assessed and levied upon real estate upon which there is no personal property out of which the same can be collected together with a proper description of the property by the tax colector shall apply only to school districts of the second class

Which was committed to the Committee on Education.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 769, entitled:

An Act to establish as a "State Highway" a certain section of public road from Larry's Creek to Steam Valley Lycoming County commencing at Larry's Creek at a point on Route numbered twenty-three thence by way of the State-Aid Highway to Saladasburg Borough thence by way of Brookside and White Pine to Steam Valley connecting with Route numbered twenty-one

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 770, entitled:

An Act establishing as a "State Highway" a certain section of road from Hartley Hall to Hughesville Borough in Lycoming County commencing at Hartley Hall on route numbered eighteen and running thence by way of Penndale to the Borough of Hughesville Lycoming County connecting with route numbered nineteen

Which was committed to the Committee on Public Roads and Highways.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 771, entitled:

An Act further regulating transfers of licenses to sell liquors at wholesale or retail

Which was committed to the Committee on Law and Order.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 772, entitled:

An Act amending the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

Which was committed to the Committee on Law and Order.

Also read in his place and presented to the Chair Senate Bill No. 773, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangement maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for appeals from and reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the courts of Common Pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

Which was committed to the Committee on Municipal Affairs.

RESOLUTION OF TUG-BOAT PROTECTIVE ASSOCIATION OF THE PORT OF PHILADELPHIA FAVORING FINANCIAL SUPPORT FOR PENNSYLVNIA NAUTICAL SCHOOL.

The Chair laid before the Senate communication which was read as follows and referred to the Committee on Appropriations:

TUG BOAT PROTECTIVE ASSOCIATION.
of the
PORT OF PHILADELPHIA
110 Walnut Street

Philadelphia ————

At a meeting of the Executive Committee of the Tug Boat Protective Association of Philadelphia held this date the following preamble and resolution was unanimously adopted:

Whereas, The Tug Boat Protective Association of Philadelphia appreciates the great need of special, practical training required for seafaring careers, and

Whereas, The said Association is desirious of promoting and increasing the American Merchant Marine, and

Whereas, The said Tug Boat Protective Association of Philadelphia recognizes and appreciates the good work accomplished by the Pennsylvania Nautical School in furnishing special training for seafaring careers, as well as its aid in the promotion of the American Merchant Marine.

Be it Resolved, That the Tug Boat Protective Association of Philadelphia, hereby endorses the past work of the Pennsylvania Nautical School and urges and requests the Honorable Rudolph Blankenburg, Mayor of the city of Philadelphia, the Select and Common Councils of the City of Philadelphia, the Honorabe John K. Tener, Governor of the State of Pennsylvania, and the Senate and House of Representatives of the State of Pennsylvania, to continue the financial support of said Pennsylvania Natuical School so that the said School may by the continuance of its operations, proceed in the future with its good work in the promotion of the American Merchant Marine.

Be it Further Resolved, That copies of this Resolution be forwarded and presented to the Honorable Rudolph Blankenburg, Mayor of the City of Philadelphia; to the Select and Common Councils of the City of Philadelphia, to the Honorable John K. Tener, Governor of the State of Pennsylvania, and to the Senate and House of Representatives of the State of Pennsylvania.

C. E. DAVIS, Jr.
President.

Attest: HARRY M. WALL,
Secretary.
Philadelphia, Pa., March 20th, 1913.

RESOLUTION FAVORING THE ADOPTION OF THE TRAILING ARBUTUS OR "GROUND LAUREL" AS PENNSYLVANIA'S STATE FLOWER.

He also laid before the Senate communication which was read as follows and referred to the Committee an Agriculture:

Hon. John M. Reynolds, Lieutenant-Governor,
Commonwealth of Pennsylvania, Harrisburg, Pa.

Honored and Respected Sir:—The Legislature of Pennsylvania having under consideration the adoption of a law naming a flower as a State Flower, We, recognizing the importance of having one selected which will truly represent a sentiment worthy of the idea, beg leave to recommend to your favorable consideration the Trailing Arbitus or "Ground Laurel" as Pennsylvania's State Flower, as it most fittingly represents that dignity which should accord with the action of the Commonwealth in the selection of a floral emblem—and present the following reasons why the Trailing Arbutus should be chosen:—(as appended)

5250 Parkside Ave.,
West Park P. O., Phila. Pa.

Yours sincerely,
DORA HARVEY DEVELIN (Mrs. Jno. F.)
Regent Merion Chapter, D. A. R.

THE NATIONAL FLOWER
or
VALLEY FORGE ARBUTUS.

(The Original "State Flower Poem," Copyrighted March, 1887, by Margaret B. Harvey)

Grand hills! rear your heavenward claim,
Like patriots' noble desire!
Like altars colossal, aflame,
With blue, waving pines for your fire!
Like Liberty's torches, they live
While earth seems one winter-bound tomb,
And shelter, the soonest to give,
Defiance to death, sparks of bloom!

The chief trod these hills—did he think
The sky not above but below
When first he saw planets of pink
With scarce-cleared away clouds of snow?
Or start, dark forebodings forgot
The drooping or uplifted eye
Can each meet a heaven, for not
Up, down, but to God, is the sky!

Toy trumpets whose mimicry shamed
The almond's and vale-lily's hue,
With star mouths whose breath not the famed
Sweet Arabic scents ever knew;
Trailed leaves like the hero's own bays,
Undying and green evermore,
A message amid his dark days
You brought, as to Pilgrims before.

"If buds 'mid dead leaves can survive,
If green can be fresh 'mid the snow,
The Freedom is ever alive,
And still it must blossom and grow."
What else could your perfume-notes say?
God wills that a flower brave the blast;
Can He, then, from man turn away,
Mock hopes the sublimest at last?

The chief from the hills, which his fame
Uphold to the stars and the sun,
Descended and down the vale came
To where dwelt of women the one;
Why seemed he no longer deprest—
Why scarcely for joy could he speak?
He pinned in the mull o'er her breast
A spray like the tints in her cheek!

How simple the act, but it meant
A gift from Omnipotent hands!
Who doubts the prophetic event,
Or, reading it, misunderstands?
The hero saw Liberty's bloom
Adorning her altars above,
And brought it to earth's valley bloom
To place on the shrine of his love!

The altars of old were enwreathed
With vervain, most sacred of flowers;
What altars such incense e'er breathed?
And have we no garlands for ours?
These hills speak their choice—we must take—
To give they have best right and power
The Trailing Arbutus must make
America's National Flower!

MARGARET B. HARVEY.

The Trailing Arbutus for the State Flower.

Whereas It is right, fitting and proper that a flower whose history is merged with a history of our Nation's Independence should be adopted as an emblem of our State by the Legislature of Pennsylvania therefore be it

Resolved, That we, the members of Merion Chapter, Daughters of the American Revolution, petition the members of the Legislature of Pennsylvania, the birthplace of Independence, to present and urge the passage of a bill naming the Trailing Arbutus as the flower best suited for the emblem hereinbefore mentioned; and in support of this petition we present the following reasons therefor:

1. The Trailing Arbutus, also called "Ground Laurel," "May flower" and Epigoea Repens was the first flower seen by the patriots at Valley Forge after their terrible martyrdom—a martyrdom to which we owe the present glory of our National life.
2. It was the first American flower seen by the Pilgrims of New England, who called it the Mayflower" after their vessel.
3. It was probably known to the early Virginians and used by them in decorating their altar at the first Easter celebrated at Jamestown.
4. Its flowers are shaped like five-pointed American Stars, and its leaves are evergreen like laurels.
5. It is one member of the great family of American laurels.
6. Its flowers are already represented in the American flag, only slightly conventionalized.
7. Its habitat is the Thirteen Original States.
8. It is peculiarly American.
9. There is but one species.
10. The finest specimens occur in neighborhoods consecrated to Revolutionary history.
11. It is beautiful in itself.
12. It loves liberty, resisting cultivation.
13. The original flower poem (copyright) "Valley Forge Arbutus," by Margaret B. Harvey—was brought to public attention in connection with the freeing of Washington's headquarters from debt, June 19, 1887.
14. The Trailing Arbutus, as the proposed "State Flower" has been recognized by members of the Patriotic Order Sons of America, by members of the Valley Forge Centennial and Memorial Association, and by several Chapters of the Daughters of the American Revolution.

Resolved, That the Regent be directed to send a printed copy of these resolutions to the Governor of Pennsylvania, the Lieutenant-Governor, the President of the Senate, the Speaker of the House, the Chairman of the Senate Education Committee, the Chairman of the Education Committee of the House of Representatives, the members of both branches of the Legislature, and to each of our sister Chapters throughout the Commonwealth of Pennsylvania.

MRS. JOHN F. DEVELIN,
Regent Merion Chapter.

BILLS ON FINAL PASSAGE.

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 504, as follows:

An Act providing that a bronze medal be given to each honorably discharged soldier sailor or marine of the Civil War who enlisted in a Pennsylvania organization and who resides in said Commonwealth and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each honorably discharged soldier sailor or marine of the Civil War who enlisted in a Pennsylvania organization and who resides in said Commonwealth shall receive from this Commonwealth a bronze medal commemorative of his participation in such war A commission is hereby created which shall consist of the Governor one member of the Senate one member of the House of Representatives and two members of the Grand Army of the Republic Department of Pennsylvania to be appointed by the Governor The commission shall serve without compensation but shall be allowed expenses actually and necessarily incurred in the performance of its duties It shall be the duty of the commission to cause a suitable bronze medal to be designed and made of a sufficient number to be distributed to and among said soldiers sailors or marines one medal to each soldier sailor or marine

Section 2 To carry out the purposes of this act the sum of fifty thousand dollars ($50,000) or so much thereof as may be necesary is hereby specifically appropriated for the purchase of the medals and for the use of the commission to be paid on the order of the Governor upon warrant of the Auditor General

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Kline,	Powell,
Beidleman,	Graff,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Herbst,	Magee,	Sheatz,
Clark,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 571, as follows:

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no writ of attachment execution shall be issued by any alderman or justice of the peace within this Commonwealth unless the plaintiff or some person in his behalf shall first file with the alderman or justice of the peace to whom application for the said writ is made an affidavit that any funds sought to be attached by the same are not due for wages for manual labor

And the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Hall,	Knapp,	Salus,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
DeWitt,	Hoke,	McNichol,	Sones,
Endsley,	Homsher,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
		Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 13, as follows:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or borough or any two or more contiguous towns or boroughs situate within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general or municipal election in favor of the same and the council or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be on their own motion or upon petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general or municipal election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at the said general or municipal election in the borough or boroughs aforesaid in the following form "proposed city charter" and below shall be printed on two lines with a square at the right of each the words "for city charter" and "against city charter" and the electors shall designate with a cross mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said town or towns borough or boroughs to count the votes so cast for and against such city charter and make return thereof on blanks to be furnished by the corporate authorities of said town or towns borough or boroughs to the clerk of the court of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 Whenever by the returns of the election in any towns or boroughs aforesaid it shall appear that there is a majority against the city charter no further proceeding shall be had and it shall not be lawful to hold another election upon that question in such towns or boroughs for three years thereafter If it shall appear by the said returns that there is a majority in favor of the city charter the Governor shall issue letters patent under the great seal of the Commonwealth reciting the facts defining the boundaries of said city and constituting the same a body corporate and politic by the name of the city of and the corporate authorities of any such town or boroughs shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information in regard to the boundaries of said city

Section 3 All of the property and estates whatsoever real and personal of the towns or boroughs which shall have thus become a city of the third class are hereby severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided that where two or more towns or boroughs shall under the provisions of this act be consolidated into a city the debt or debts of each of said towns or boroughs contracted prior to such consolidation shall be paid by such towns or boroughs respectively and for the liquidation of such debt the authorities of such city shall have power to adjust and provide for the same and to levy separate rates of taxation on all property subject to taxation within the boundaries of the said towns or boroughs respectively

ARTICLE II

Creation and Division of Wards

Section 1 Wards in cities of the third class may be divided or new wards created therein by the Court of Quarter Sessions of the proper county on application thereto for that purpose by the petition of at least one hundred qualified electors thereof or of the council of such city and upon such petition praying for the division of a ward or for the erection of a new ward out of parts of two or more wards the said court shall appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioners so appointed or any four of them to examine the premises and to make a draft of the ward to be divided showing the division thereof or of the new ward proposed to be created as the case may be and they shall make report to the said Court of Quarter Sessions at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable

Section 2 If the commissioners or a majority of them report favorably to such a division or creation the court shall order a vote of the qualified electors of the ward to be affected thereby to be taken on the question of division or creation thereof and shall appoint an election to be held on the day of municipal or general election when the election officers of the ward or wards proposed to be divided or affected thereby shall hold such election at the places and in the manner provided by law for the regulation of municipal elections It shall be the duty of the mayor of the said city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by hand bills posted in the most public places in said ward or wards that such an election will be held and of the time and place of holding the same The judge and inspectors of election of said ward or wards shall receive from the electors thereof written or printed tickets having on the outside the word (new ward) and on the inside the words (for new wards) or (against new ward) and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such new ward and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it appear that a majority of the votes so taken are for a new ward said court shall thereupon order and decree the creation of such new ward or wards agreeably to the lines marked out and returned by the commissioners and shall number the new wards and cause a certified copy of the whole proceeding to be placed on record among the minutes of council If a majority of votes shall be against the new ward no further action shall be had upon such proceeding nor shall any new application for such new ward be heard for two years from the date of such election Provided that no ward shall contain less than three hundred taxable inhabitants according to the last preceding enumeration and no city of the third class shall contain more than twenty-one wards

Section 3 That on the petition of at least twenty-five electors resident within the district to be stricken off or attached or of the council of any city of the third class to the Court of Quarter Sessions of the proper county praying for the detaching from one ward a part thereof and attaching the same to another ward the said court shall appoint five impartial men resident of the city but not of the ward to be effected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioner thereof or any four of them to examine the premises and to make a draft of the wards effected and showing the lines as the division will affect them and shall make a report to said court at the next term together with their opinion of the necessity of the same and at next term after that at which the report shall be made the court shall take such action thereon as to it shall appear just and reasonable

Section 4 If the commissioners or a majority of them report in favor of the petition the court shall order a vote of the qualified electors of the ward from which the territory is to be striken off to be taken on the question and shall appoint an election to be held on the day of the municipal or general election when the election officers of the ward shall hold such election at the place and in the manner provided by law for the regulation of municipal election It shall be the duty of the mayor of such city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by handbills in the most public places in said ward that such an election will be held and of the time and place of holding the same The judges and the inspectors of the election in said ward shall receive from the electors thereof written or printed tickets having on the outside the word "Division" and on the inside the words "For division" or "Against division" and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such separation and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it shall appear that a majority of the votes so taken are for the separation the said court shall thereupon order and decree the separation from the one ward and the attachment to the other ward agreeably to the lines marked out and returned by the commissioners and shall cause a certified copy of the whole proceedings to be placed of record among the minutes of council If a majority of votes shall be against such separation no further action shall be had upon such proceedings nor shall any new application for such separation and addition be heard for two years from the date of such election

ARTICLE III

Annexation of Territory

Section 1 Any borough or township or part of a township adjoining any city of the third class and being a part of the county in which the same is situated may be annexed to such adjoining city the following manner namely In case of a borough the town council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petition asking therefor in the case of a township or part of a township to three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said township whenever three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said petition in case a part only of a township desires to be admitted shall be accompanied by a plot of the same

Section 2 Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough or of the petition in the case of a township or of the petition and plot in the case of a part of a township said council may by ordinance annex such borough township or part of a township to the said city

Section 3 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom be taken within said ten days to the Court of Quarter Sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

Section 4 Upon the application by petition signed by a majority or more of the taxable citizens owners of any out lots or sections of land containing not more than one hundred acres lying adjacent to any city of the third class and being part of the county in which the same is situated to the Court of Quarter Sessions of the respective county stating that they desire the same to be annexed to said city the necessity therefor and describing the lots or land to be annnexed with a map or draft of the same which petition shall be sworn to by one or more of the petitioners and accompanied by a resolution of the council of said city approving of the annexation the said court shall thereupon appoint three viewers to inquire into and investigate the allegations and facts stated in the said petition and the said viewers or a majority of them shall make report to said court at its next sessions after their appointment if they report that they find the statements and facts of said petition to be true and recommend the annexation as prayed for the said court shall thereupon make an order or decree to carry the same into effect and the said out-lots or sections of land shall thereafter be a part of said city as fully as if the same had been originally a part thereof The costs of the proceedings in all cases shall be paid by the city If the report of said viewers shall be adverse to the prayer of the petitioners the petition shall be dismissed

Section 5 Whenever any borough township or part thereof out-lots or section of land shall be annexed to an adjoining or adjacent city as hertinbefore provided it shall be the duty of the court upon petition and proof to make such order or decree as will give to the people of the annexed territory representation in the government of the said city by including said territory within the limits of an adjacent ward or wards or by creating a new ward or wards thereof and said court shall in case of the creation of new wards or ward appoint the election officers and place for holding the first election of ward officers and for that purpose may order a special election if said court shall deem the same necessary to be conducted in the manner provided by law for conducting municipal elections The officers elected at such special election shall hold their respective offices until their successors who are hereby required to be elected at the municipal election held on the Tuesday following immediately after the first Monday of November in the odd numbered year next succeeding the same shall be duly qualified

Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part to the said city or the said township as the case may be

ARTICLE IV

General Provisions

Section 1 The legislative power of every city of the third class shall be vested in a council composed of the mayor and four councilmen "said council shall have and possess all powers heretofore conferred upon or vested in the select or common council or both thereof as heretofore constituted unless otherwise provided in this act No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or any department thereof shall serve as a member of council during his contiuance in such office or employment except as hereinafter provided

Section 2 No ordinance shall be passed by council except by bill and no bill shall be so altered or amended on its passage through council as to change its original purpose No bills except general appropriation bills shall be passed containing more than one subject which shall be expressed in its title

Section 3 Every bill shall be read at length and no bill shall be passed finally upon the same day on which it is introduced or reported and at least three days shall intervene before it final passage

Section 4 The council shall prescribe by ordinance the number duties and compensation of the officers and employes of the city and no payment of such compensation shall be made from the city treasury or be in any way authorized to any person except an officer or employe elected or appointed in pursuance of law and no ordinance shall be passed giving any extra compensation to any officer servant employe or contractor nor providing for the payment of any claim against the city without previous authority of law and any officer drawing or countersigning any warrant or passing any voucher for the same or paying the same shall be guilty of a misdemeanor and on conviction thereof be punished by a fine not exceeding five thousand dollars and imprisonment not exceeding one year

Section 5 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnished and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways and sewers and other public improvements shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and all sales of personal property owned by the city shall be to the highest bidder under such regulations as shall be prescribed by ordinance or resolution Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not otherwise provided for in the general appropriations and such funds and may be expended without advertising for bids

Section 6 No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof and no municipal department shall create any debt or make any contract except in pursuance of previous authority of law or ordinance

Section 7 Any member of council who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or person any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 8 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

Section 9 A member who has a personal or private interest in any measure or bill proposed or pending before the council shall disclose the fact to council and shall not vote thereon nor take any part in the discussion of the same If such interested person shall vote without disclosing his interest in such measure or bill and the same be carried by his vote he shall forfeit his office and the measure or bill shall be void

Section 10 No portion of the property of the city shall be used for private gain by any officer of the city councilman agent or employe of said city or any department thereof nor

shall the same be wilfully used or injured or be sold or disposed of in any manner without the consent of the council by any officer councilman agent or employe Nor shall any officer councilman agent or employe of the said city or any department thereof be interested directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the city or any department thereof for the use purchase or sale lease occupation or enjoyment or any of the works material or property of said city Any violation of the provisions of this section shall be a mismisdemeanor and upon conviction thereof the person or persons so offending shall be punished by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or either at the discretion of the court trying the same and upon such conviction the party offending shall be forthwith removed from his office or employement and shall not thereafter be eligible to election or appointment to any place of profit or trust under said city or any department thereof

Section 11 No member of the council or any other city officer shall become surety in any bond or obligation given to the city by any officer or by any agent or contractor for the faithful performance of any trust agency or contract Any person becoming surety in violation of the provisions hereof shall forfeit his office and be deemed guilty of a misdemeanor punishable upon conviction by a fine not exceeding five hundred dollars

Section 12 No member of the council or other officer of the city shall either directly or indirectly be a party to or in any manner interested in any contract or agreement with such city for any matter cause or thing whatsoever by which any liability or indebtedness is in any way or manner created against such city and if any contract or agreement shall be made in violation of the foregoing provision the same shall be null and void and no action shall ever be maintained thereon against said city

Section 13 No member of the council or other officer of such city shall purchase any warrant order or claim for labor or supplies furnished to said city nor be interested directly or indirectly in the purchase of the same for any sum less than the amount specified therein and any such person purchasing a warrant order or claim in violation of the foregoing provision shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars

Section 14 All officers of the several cities of the third class whether elected or appointed shall before entering upon their respective duties take and subscribe the oath prescribed by Section one of Article seven of the Constitution of this Commonwealth Any person refusing to take such oath shall forfeit his right to the office and any person guilty of violation thereof shall be deemed guilty of misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment not exceeding one year or either at the discretion of the court

Section 15 The terms of the members of council and all other city and ward officers of said cities except aldermen elected at the regular municipal election in any year shall begin on the first Monday of January next ensuing thereto and shall continue for the period fixed by law for the duration thereof in each particular case and all elections for officers whose terms will expire on the first Monday of January of any year shall be held on the Tuesday following immediately after the first Monday of November next preceding thereto in the odd numbered years.

Section 16 The members of council of the several cities of the third class shall assemble in their place of meeting for the purpose of organizing at ten o'clock in the forenoon of the first Monday of January next succeeding the regular municipal election in the odd numbered years and the mayors of said cities shall be inaugurated and take the oath of office on the said day and hour of the first Monday of January following their election

Section 17 Whenever an election shall be held for city officers on the first Tuesday following the first Monday of November in any odd numbered year for regular terms of service it shall be the duty of the mayor to procure at the expense of the city from the Prothonotary of the Court of Common Pleas of the proper county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and lay the same before council on the date and time fixed by law for their organization and the said certificate shall be filed among the city archives and a copy thereof entered upon the journal In the case of special election for a member or members of council to fill a vacancy or vacancies the mayor shall procure from the Prothonotary as aforesaid a certificate of the vote for such member or members as returned to his office by the proper election officers and lay the same before the council at the next regular meeting succeeding such election which council shall enter the same among its proceedings The Court of Quarter Sessions shall appoint the places for holding the municipal and the general elections in all of the election districts of said cities

ARTICLE V

Corporate Powers

Section 1 The corporate powers and the number character powers and duties of the officers of cities of third class now in existence by virtue of the laws of the Commonwealth shall be and remain as now provided by law except where otherwise provided by this act

Section 2 Every city of the third class within this Commonwealth is hereby declared to be a body corporate and politic and shall have perpetual succession and shall have power

1 To sue and be sued

2 To purchase and hold real and personal property for the use of the city

3 To lease and to sell and to convey any real or personal property owned by the city and to make such order respecting the same as may be conducive to the interests of the city

4 To make all contracts and do all other acts in relation to the property and affairs of the city necessary to the exercise of its corporate or administrative powers

5 To have and use a corporate seal and alter the same at pleasure and every such seal shall have upon it the word "Pennsylvania" the name of the city and the year of its original incorporation

The powers hereby granted shall be exercised by the mayor and councilmen of such cities in the manner herein provided

Section 3 Every city of the third class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this and other acts

1 To levy and collect taxes for general revenue purposes not to exceed ten mills on the dollar in any one year on all persons real personal and mixed property within the limits of said city taxable according to the laws of the State of Pennsylvania for county purposes the valuation of such property to be assessed as hereinafter provided

2 To provide for the assessment and collection of taxes in addition to the above not exceeding one per centum on the dollar upon the assessed valuation in any one year on all persons real and personal property and all other matters and things within said city taxable for county purposes for the payment of interest on bonded indebtedness and for the payment of loans to support the government and to make necessary improvements in said city

3 To impose a poll tax for general revenue purposes not exceeding one dollar annually on all male inhabitants above the age of twenty-one years

4 To levy and collect a license tax not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers restaurants billiard parlors bowling alleys billiard tables pool tables drays hacks carriages omnibuses automobiles cart wagons street railways cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance companies market house companies garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same

5 To borrow money on the credit of the city and to pledge the credit and revenue thereof for the payment of the same to amount not exceeding two per centum upon the assessed value of the taxable property in said city and with the consent of the people of the said city obtained at an election held under the provisions of the Constitution and the general laws of this Commonwealth to increase the indebtedness of such city to an amount not exceeding in the aggregate seven per centum upon the assessed valuation of the taxable property therein

6 To provide for the issuing of bonds and for the application of bonds already issued by cities heretofore incorporated for the purpose of funding any and all indebtedness now existing or hereafter created of the city now due or to become due Provided That said bonds shall be payable in not less than five years and not more than thirty years from the date of their issue and that the same shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value

7 To make provision for a sinking fund to pay at maturity the bonded indebtedness of the city and to levy and collect taxes on all the taxable property in the city in addition to all other taxes for the purpose of paying the same under and subject to the limitations and requirements of this act and of the Constitution and laws of this Commonwealth

8 To lay out open widen straighten alter extend improve establish or re-establish grades of and keep in order and repair and in safe passable condition any street avenue alley or lane or any part thereof within the city limits or to vacate and discontinue the same whenever deemed expedient for the public good and to make sidewalks and construct and maintain bridges and culverts and to provide for the cost thereof either in whole or in part from the general revenues of the city No ordinance for the opening widening straightening extending or vacating of any street avenue alley or lane or parts thereof shall be passed except in the manner provided in clause ten of this section

9 To construct and reconstruct sewers and to extend the same beyond the city limits in accordance with the provisions of existing laws and for the purpose of such construction or extension to take and occupy private lands and property making compensation therefor to the owners thereof as required by law

10 To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curbstone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to benefits as council shall by ordinance determine except in case of grading only the said cost and expense of which shall be assessed according to benefits when the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost

and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council must provide for an equitable reduction from the frontage of lots at all streets and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the Court of Common Pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamining grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be vertified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition Provided however that no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however that the requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest have petitioned therefor The cost and expenses of any improvement of streets and construction of sewers done and completed under an ordinance providing for the assessment of the cost and expense therefor under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the work which assessment according to benefits shall be made in like manner and in like effect as if the original ordinance providing for the improvement had provided for such assessment

11 To require owners of property abutting on any public street lane or alley to construct pave curb repave and recurb the sidewalks and keep the same in good repair along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply therewith upon notice to authorize the same to be done by the city and the expense thereof be levied and collected from such owners with costs which amount shall be a lien upon such premises from the time of the commencement of the work which date shall be fixed by certificates of the city engineer filed with the clerk and may be collected by action at law or such lien may be filed and proceeded in as herein provided in the case of municipal liens or the cost may be borne by the city in whole or in part if in part the rest to be collected from the owners in manner as above provided

12 To provide for the payment of the debts and expenses of the city and to appropriate money therefor

13 To create any office public board or department which they may deem necessary for the good government and interest of the city to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board of any department so created but no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any public board or department after his or their election or appointment Provided However That in case of the creation of any public board or department the members thereof shall except where otherwise provided by this act be elected or chosen by the council but no two persons from the same ward shall serve on the same board at the same time Provided That the provisions of this section as to the creation of any public board or department and prescribing the duties thereof shall not apply to the creation of any board of commissioners of water-works of any city wherein the title to the water works therein located is in the name of the commissioners of water-works

14 To require from all officers and agents of the city elected or appointed lawful bonds and security for the faithful performance of their duties and no officer or agent required by law or ordinance to give bond as aforesaid shall be sworn into office or enter upon the duties thereof until such bond shall have been duly approved by the proper authority

15 To provide for the removal of officers of the city whose offices are established by ordinance and whose removal is not otherwise herein provided for

16 To require the removal of all obstructions from the sidewalks curbstones gutters streets and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there and to regulate the planting and protection of shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city

17 To make and establish such and so many uniform rules and regulations as to them may seem expedient for the better regulations of porches porticos benches doorsteps railings bulk bay or jut windows areas cellar doors and cellar windows signs and sign posts boards poles or frames awnings awning posts or other devices or things projecting over under into or otherwise occupying the sidewalks or other portion of any of the streets lanes alleys and in relation to boxes bales barrels hogsheads crates or articles of merchandise lumber coal wood ashes building materials or any other article or thing whatsoever placed in or upon any of the said sidewalks or other portion of said streets lanes or alleys and also to prevent and remove all encroachments thereon

18 To provide for and require the construction and maintenance of bridges or other crossings over or under railroad tracks and to enter into contracts with railroad companies for the construction and maintenance of the same to require the erection of safety gates and the placing of flagmen at the intersection of railroads with public streets to forbid the obstruction of the said crossings by locomotives or railroad cars and also to make regulations concerning the rate of speed at which locomotives cars or trains shall pass upon or across the streets within the built-up portions of the city

19 To establish and maintain night-watch and police and define the duties of the same

20 To regulate the police of the city and to impose fines forfeitures and penalties for the violation of any ordinance and provide for the recovery and collection of the same and in default of payment to provide for confinement in the city or county prison or to hard labor upon the streets or elsewhere for the benefit of the city

21 To provide for the erection or purchase of lockups or watchhouses in some convenient part of the city for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested can be taken before the proper magistrate for hearing and committed to prison or discharged but no person shall be detained therein for a longer time than twenty-four hours except upon the order of a magistrate legally authorized who may commit such person for further hearing

22 To erect or purchase establish and maintain hospitals prisons work-houses houses of correction for juvenile or other offenders and to prescribe regulations for the government thereof and also to erect all public buildings necessary for the use of the city or of any department thereof to purchase or take use and occupy private lands upon which to erect any of the said buildings to purchase take use and occupy within the limits of the respective city or within the county adjacent thereto private lands upon which to establish and maintain a hospital or hospitals for the treatment and separation of persons suffering with contagious and infectious diseases to purchase or take use and occupy within the limits of such city or within the county adjacent thereto private lands upon which to establish and maintain a poor-farm with all necessary and convenient buildings and appliances where the city may support and maintain such poor persons as such city is by law required to support and maintain and the damages accruing by reason of the acquisition of any private property for the purposes aforesaid shall be compensated in the manner now or which may hereafter be provided for by law for the ascertainment and payment of damages for private property taken for public uses

23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot ground and other places of public resort and for the arrest and commitment of professional thieves

24 To offer rewards for the arrest and conviction of persons guilty of capital or other high crimes within the city but no policeman shall be entitled to receive any share thereof

25 To license and collect a license tax from all skating-rinks operas theatres concerts shows circuses menageries and all kinds of public exhibitions for pay (except those for religious educational or charitable purposes) to regulate the same and to restrain all exhibitions of indecent or immoral character

26 To regulate the time and place of bathing in rivers and other public water in and adjoining the said city

27 To establish stands for coaches cabs omnibuses carriages wagons automobiles and other vehicles for hire and to enforce the observance and use thereof and to fix the rates and prices for transportation of persons and property from one part of the city to another

28 To restrain prohibit and suppress tippling shops houses of prostitution gambling houses gaming cock or dog fighting and other disorderly or unlawful establishments or practices desecration of the Sabbath day commonly called Sunday and all kinds of public indecencies

29 To prevent and restrain riots noises distrubances or disorderly assemblies in any street house or place in the city to regulate prevent and punish the discharge of fire-arms rockets powder fire-works or any other dangerous combustible material in the streets lots grounds alleys or in the vicinity of any building to prevent and punish the carrying of concealed deadly weapons to arrest fine or set at work on the streets or elsewhere all vagrants found in said city to prevent and punish horseracing fast driving or riding in the streets highways alleys bridges or places in the city and all games practices or amusements therein likely to result in danger or damage to any person or property and to prevent and punish the riding or driving of horses mules oxen cattle or other teams or the passage of any vehicle drawn thereby or self propelled over and across sidewalks and to regulate the passing of the same through the public streets

30 To purchase and own ground for and to erect and and establish market houses and market places for which latter purpose parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalks for temporary public market purposes

31 To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided for by law including the measuring of gas and electric currents to provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood bark and fuel to be used in the city and to designate the place or places of inspecting and weighing the same and to regulate and prescribe the place or places for exposing for sale hay coal bark and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures and the regulation and inspection of gas and electric current meters

32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protection against floods and constructing and maintaining docks retaining walls dams or embankments and by removing obstructions from and deepening the channels of rivers and streams flowing through or adjacent to the city

33 To establish and change the channels beds and mouths of water courses through lands marshes or waters in or adjacent to the city to crib wall and cover them over and to prevent and remove obstructions therefrom at the expense of those causing the same to establish make and regulate public wells cisterns aqueducts and reservoirs of water and to provide for filling the same to establish the lines of banks of streams of water which pass through or along the boundary of such cities and by proceeding at law or equity to prevent and remove all such encroachments on the banks of streams and water courses as threaten to or do injure said city or the property therein

34 To purchase lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned and controlled by the city

35 To provide for the erection of all needful pens pounds and buildings within or without the city limits to appoint keepers thereof and to regulate or prohibit the running at large of cattle hogs horses mules sheep goats dogs or other animals also geese ducks chickens fowls et cetera and to cause such as may be running at large to be impounded and sold to discharge the costs and penalties provided for the violations of such prohibitions and the expenses of impounding and of keeping the same and of such sale to regulate and provide for taxing the owners and harborers of dogs to destroy dogs found at large contrary to any ordinance providing the owners cannot be found or who neglect to care for such dogs

36 To make regulations for the enforcement of the laws of the Commonwealth relating to the control of communicable contagious diseases and for the enforcement of the regulations and orders of the State Department of Health to make regulations to secure the general health of the inhabitants and to remove prevent and abate nuisances

37 To make all necessary orders and regulations to prevent the introduction of contagious or pestilential diseases into the city to make quarantine laws for that purpose and to enforce the same

38 To purchase fire engines hooks ladders trucks fire alarms and other apparatus for the extinction of fires to organize a fire department with or without pay to make the necessary appropriation for the maintenance of the same and to prescribe rules and regulations for the government of the officers and companies belonging thereto and if a paid department to provide by ordinance for the election or appointment of the officers and companies belonging thereto

39 To regulate the construction and inspection of fireplaces chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

40 To provide a system for the inspection of buildings to insure their structural or sanitary safety and incombustibility and for the appointment of one or more building inspectors to prescribe limits within which buildings shall not be constructed reconstructed enlarged or additions made thereto or into or within which they or any of them shall not be removed except the same be of incombustible materials with fire proof roof and any building erected reconstructed enlarged or having additions made thereto or removed into or within such limits contrary to the provisions of any ordinance forbidding the same shall be a public nuisance and abatable as such and may be restrained by injunction

41 To provide for and regulate the lighting of streets with gas or electric lights or light by other means and to require and regulate the numbering of houses

42 To have the exclusive right at all times to supply the city with gas or other light and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and also to have at all times the unrestricted right to make erect and maintain the necessary buildings machinery and apparatus for manufacturing and distributing the same or in territory not supplied with light to make contracts with and to authorize any person company or association so to do and to give such person company or association the privilege of supplying gas or other light as aforesaid for any length of time not exceeding ten years

43 To have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right subject to the provisions of existing laws to make erect and maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyance and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Provided that the provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the Commissioners of Waterworks

44 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineer in order to set out the foundation and regulate the walls to be built between party and party as to the breadth and thickness thereof which foundation shall be laid equally upon the land of the persons between whom such party wall is to be made and the first builder shall be reimbursed one moiety of the charge of said wall or for so much thereof as the next builder shall have occasion to make use of before such next builder shall or may use or break into said wall

45 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineers in order to regulate partition fences and when adjoining parties shall improve or enclose their lots such fences shall be made in the manner generally used and be kept in good repair at the equal expenses of the parties unless the owners or occupants between whom such fences are erected shall agree otherwise

46 To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expendient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government solely and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred dollars for any one offence recoverable with costs together with judgment or imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid

47 That the municipalities of the Commonwealth shall have power and authority to vacate in whole in or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation

48 In the exercising the power aforesaid all proceedings for the ascertaining of damages and the assessment of benefits incident thereto shall be as now provided by law in reference to payment of costs damages and expenses of public improvements within municipal corporations

ARTICLE VI

City Council

Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their term of service At the first regular municipal election held after the passage of this act a mayor and four members of council shall be elected who shall assume office on the first Monday of January following their election and said councilmen shall hold office until first Monday of January of the second year and the said mayor shall hold office until the first Monday in January of the fourth year following their election unless they shall sooner be removed by methods prescribed by law Provided however that in cities of the third class wherein mayors shall have been elected in the year one thousand nine hundred and eleven said mayor shall continue in office until the first Monday of January one thousand nine hundred and sixteen After the first election under the provisions of this act a mayor shall be elected at the regular municipal election held each fourth year thereafter and four members of council shall be elected at the regular municipal election held each two years thereafter said mayor and councilmen shall be elected by the electors at large of said city

Section 2 Each member of council including the mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto such acts as shall have been passed by the affirmative vote of a majority of the members elected to said council

Section 3 Whenever a vacancy shall occur in the office of mayor or councilmen the same shall be filled by special election by the electors at large of said city said special election to be called and conducted in the manner provided by law The persons elected to fill said vacancy shall serve during the unexpired term of his predecessor The date of such special election shall be fixed by council and notice

thereof given by proclamation of the mayor for at least ten days prior thereto

Section 4 The members of council shall take the oath of office prescribed by law which oath may be administered by any person authorized to administer oaths Three members of council shall constitute a quorum but a smaller number may compel the attendance of absent members under penalties to be prescribed by ordinance The council may determine its own rules provided said rules are not inconsistent with the Constitution and laws of the State of Pennsylvania

Section 5 The council of each of said cities of the third class shall hold stated meetings at least once in each month and continue them so long as the transaction of the public business demands and at such other times as may be fixed by ordinance The said council may hold special meetings at such times as any two councilmen may deem proper to call the same upon twenty-four hours notice to each member which notice shall state whether such meeting is to be convened for special or general business All meetings of council whether regular or special shall be open to the public The council shall be a continuous body and it shall be lawful for any council to complete any unfinished business or legislation begun by the preceding council

Section 6 The said council in cities of the third class shall keep a journal of its proceedings which shall be at all times open to public inspection Upon every vote the yeas and nays shall be called and recorded and every motion resolution or ordinance shall be reduced to writing before the vote is taken thereon Except where they shall be personally or privately interested no member shall withhold his vote on any measure or question unless he shall state his reason therefor to the council which may excuse him and enter the reason upon the journal

Section 7 Every legislative act of the council shall be by resolution or ordinance and every ordinance or resolution which shall have passed said council shall be signed by the mayor and attested by the city clerk

Section 8 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein or by law shall take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 9 The fiscal year of each of said cities of the third class shall begin on the first Monday of January in each and every year The council shall at the end of each fiscal year cause to be published in not more than two newspapers printed and circulated in said city a summarized statement of the receipts and expenditures of the city during the preceding year its present funded and floating indebtedness and the date of the maturity of the funded debt and schedule of its assets and the character and value thereof and the amount of taxable property therein The council may at its discretion cause said summarized statement to be printed in pamphlet form instead of being published in newspapers aforesaid provided the said pamphlet be supplied for general distribution and notice published in at least two newspapers that the said pamphlets may be had upon request at the office of the city clerk

Section 10 The several departments of the city government shall before the commencement of the fiscal year present to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing year and council shall then proceed to make the annual appropriation thereto No appropriation shall be made for any purpose until the interest accruing on the funded debt of the city and the principal of such part of said debt as may be coming due the salaries of officers and the ordinary and necessary expenses of the city shall first be provided for When all estimates for the expenditures for the ensuing year shall be finally made council shall fix the tax rate at such figure as with all sources of revenue will fully meet and cover the aggregate amount of such estimate and no appropriation shall be made for any purpose in excess of the estimated receipts for the current fiscal year

Section 11 The councilmen in cities of the third class shall receive for their services during their term of services annual salaries to be fixed by ordinance payable in monthly installments Council may by ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings or council or councilmanic committees Council shall by ordinance fix the amount of salaries to be paid to councilmen for their services which salary shall not be less than two hundred fifty dollars per year nor more than three thousand dollars per year Provided however That for the first term of councilmen elected under the provisions of this act and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of five hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not to exceed fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three thousand dollars per annum

The first council elected under the provisions of this act shall by ordinance determine the amount of salaries to be paid in said cities the compensation to be received by councilmen shall not be increased or diminished during the term for which he shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making such change

Section 12 The council shall have power to enforce the attendance of witnesses the production of books and papers and power to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates exercising criminal or civil jurisdiction under the statutes of Pennsylvania

Section 13 The terms of office of all members of council and of all other offices in cities of the third class who are in office at the time this act becomes effective shall cease and determine on the first Monday in January next succeeding the passage hereof except wherein otherwise provided in this act Provided however that city treasurers city solicitors city engineers and city clerks who are in office at the time of the passage hereof shall continue to exercise their offices for the remainder of the terms for which they were elected and at the expiration of their respective terms of office the persons elected to succeed said officers shall hold said offices until the first Monday in January immediately following the next regular election of councilmen And provided further that in cities of the third class wherein city controllers have been elected in the year one thousand nine hundred and eleven said controllers shall continue in office until the first Monday of January one thousand nine hundred and sixteen subject to the provisions of this act relating to the office of city controller except that the annual salary of said controllers shall remain as it now is up to said date of the first Monday of January one thousand nine hundred and sixteen

ARTICLE VII

Executive Department

Section 1 The executive administrative powers authority and duties in every city of the third class shall be distributed into and among five departments as follows

1 Department of Public Affairs
2 Department of Accounts and Finance
3 Department of Public Safety
4 Department of Streets and Public Improvements
5 Department of Parks and Public Property

The council shall determine the powers and duties to be performed by and assign them to the appropriate department shall prescribe the powers and duties of officers and employes may assign particular officers and employes to one or more of the departments may require an officer or employe to perform duties in two or more departments and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city

Section 2 The mayor shall be superintendent of the department of public affairs and the council shall at the first regular meeting after the election of its members designate by majority vote one councilman to be superintendent of the department of accounts and finances one to be superintendent of the department of public safety one to be superintendent of the department of streets and public improvements and one to be superintendent of the department of parks and public property but such designation shall be changed whenever it appears that the public service would be benefited thereby

Section 3 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots unlawful and tumultuous assemblies are hereby conferred upon him and he shall have authority upon occasions of threatened public disorder to require and enforce the closing up of bars or any establishments in which liquors are sold during the continuance thereof

Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of their duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any officials of the city or head of departments for any information as to the affairs under their control and management as he may require and he may call special meetings of council to consider any matter which he may think proper He shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conductive to the interests and welfare thereof

Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of Assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fine of penalty as may be fixed by ordinance with the cost of suit or arrest. He shall be empowered to take acknowledgments of any instrument in writing

solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissable for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to the alderman of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath or affirmation before the superintendent of finance and filed with him

Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office provided that members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall be subject to the direction and control of the council and shall serve as such officers until their successors be duly designated and qualified

Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required the mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by council

Section 8 The council shall have the power of appointment and dismissal of all employes and subordinate officers of the city except as otherwise provided by this act The council shall cause the mayor to issue his proclamation to the qualified electors of the city at least ten days before the annual municipal election stating therein the officers to be voted for at such election

Section 9 If for any reason whatsoever a vacancy occurs in the city council whether as to the mayor or one or more of the other members of council the city council shall by its remaining members call a special city election to fill the vacancy or vacancies for the unexpired term or terms respectively and this shall be repeated from time to time as often as necessary except that if such vacancy or vacancies occur less than four months prior to the city election the vacancy shall remain unfilled and the work apportioned among the remaining councilmen without extra compensation until said city election

The members of council who shall be designated superintendent of finance shall be vice president of the city council and acting mayor of the city during the absence or inability of the mayor to act and during the interum until such vacancy in the office of mayor shall be filled by election he shall exercise all the rights and powers of the mayor

Section 10 All actions prosecutions complaints and proceedings for the violation of the ordinances of the city and for fines penalties and forfeitures imposed thereby shall be instituted in the corporate name of the city and be conducted in the manner prescribed by law Proceedings for the violation of the city ordinances may be commenced by warrant or summons at the discretion of the mayor or alderman before whom complaint is made but no warrant shall be issued except upon complaint upon oath or affirmation specifying the ordinance for the violation of which the same is issued and all process shall be directed to and served by any policeman or constable of the city who shall execute the same anywhere within the city or in the county of which it is part or elsewhere as may be provided by law Warrants shall be returnable forthwith and every summons shall be returnable in not less than five nor more than eight days from the date thereof and upon such return the like proceeding shall be had in all cases as are or may be directed by law in relation to summary conviction or proceeding for the recovery of penalties before justices of the peace with the same right of appeal from any final judgment entered therein All fines and penalties for the violation of the city ordinances received by any magistrate and all fees costs fines and penalties received by any alderman in cases heard before him while presiding in the mayor's police court shall be paid over by the magistrate before whom the same are recovered into the city treasury monthly according to a statement thereof certified by oath or affirmation before the superintendent of finance and filed with him Any alderman of the city may at the request of the mayor or acting mayor where either are for any reason unable or unwilling to act attend the mayor's police court and there perform all such duties and exercise all such powers as to which he has concurrent jurisdiction with the mayor and for such services shall be allowed his statutory fees provided the city shall not be liable therefor

Section 11 The superintendent of finance shall have charge and keep a record of accounts under appropriate titles to show separately and distinctly all of the assets and property whatsoever vested in the city and all trusts in care of the same debts owing by the city and all of the receipts and expenditures of the various departments He shall have the supervision and control of all of the departments and require from them at any time a statement in writing of all money or property of the city in their hands He shall countersign all warrants upon the city treasury the form whereof shall be prescribed by council and shall not suffer any appropriation made by the city council to be overdrawn but no warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purposes for which they were drawn

Section 12 Whenever a warrant on the treasurer shall be presented to the superintendent of finance to be countersigned the person presenting the same shall be by the superintendent of finance required to produce evidence

(1) That the amount expressed in the warrant is due to the person in whose favor it is drawn

(2) That the supplies or services for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 13 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the superintendent of finance on the contract before it shall take effect as a contract and the payments required by such contracts shall be made from the fund appropriated therefor If the superintendent of finance shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the superintendent of finance shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the superintendent of finance to certify contracts for the payment of which sufficient appropriations have been made

Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year

Section 15 The mayor of each city of the third class in Pennsylvania elected under the provision of this act shall receive for his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council in said cities shall by ordinance fix the amount of the salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of said salary in cities of the third class shall not be less than one thousand dollars nor more than three thousand five hundred dollars per year For the first term of any mayor elected under the provisions of this act and until thereafter changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census one thousand dollars in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per year in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance fix the salary to be paid to the mayor in said cities for succeeding terms and the amount of compensation for the mayor in any of said cities shall not be increased or diminished during the term of office for which he shall be elected. Succeeding councils may change the amount of such compensation

ARTICLE VIII

Section 1 The council of each city of the third class shall on the first Monday of January after its election elect a city treasurer who shall hold his office for the term of two years from said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and pay-

ment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance He shall before he enters upon his office take and subscribe an oath or affirmation before the mayor to support the constitution of the United States and of this Commonwealth and honestly to keep an account of all public moneys and property entrusted to his care and to discharge the duties of his office with fidelity

Section 2 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warants duly countersigned by the superintendent of finance His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor The treasurer shall keep the public funds in such banks or financial depositories as council may dircet under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council and upon any default therein he may be suspended from office and another treasurer appointed as council may determine

Section 3 The city treasurer and every other officer of the city receiving or having in his possession any money accounts property or effects belonging to the corporation shall upon the termination of his office deliver the same to the city or to his duly qualified successor Any vacancy in the office of city treasurer shall be filled by the vote of the members elected to council and the person so chosen to fill the same shall serve during the unexpired term of said officer

ARTICLE IX

Section 1 Qualified electors of each city of the third class shall elect at the regular municipal election at the same time that members of council shall be elected under this act a city controller who shall serve for the period of four years from the first Monday of January following his election and until his successor is duly elected and qualified unless he shall sooner be removed from office according to law He shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor

Section 2 The said city controller shall perform such other duties as may be prescribed by ordinance of council and shall receive such compensation as may be prescribed by council

Section 3 That the council of each city of the third class in this Commonwealth are hereby authorized and directed to elect a city clerk whose term of office and compensation shall be fixed by ordinance Provided however That the said term of office shall not exceed four years

Section 4 Any ordinance resolution motion or other proceeding of council when certified by him under the seal of the proper city may be read in evidence in any court in this Commonwealth He shall also have the power of a notary public to administer oaths in any matter pertaining to the business of said city or in any legal proceeding in which it is interested He shall also perform such other duties as shall be prescribed by ordinance or resolution of council

ARTICLE X

Section 1 The council of each of said cities of the third class shall on the first Monday of January following the election of members thereof or as soon thereafter as may be practicable by the vote of a majority of the members chosen elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of two years from the said first Monday of January and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law vacancies in said office shall be filled by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance

Section 2 The law matters of the city shall be under the superintendence direction and control of the city solicitor and no department of the city shall employ or retain any additional counsel in any matter or cause except with the previous assent of council He shall keep his office within the city and there shall be deposited and preserved therein all assurances of title and all contracts bonds books patents deeds leases mortgages and other evidence of debt belonging to the city unless the council shall otherwise provide or direct provided that the provisions of this article ten shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioner of water works

Section 3 The city solicitor shall prepare all bonds obligations contracts leases conveyances and assurances to which the city or any department thereof may be party as may be directed by resolution or ordinance shall commence and prosecute all and every suit or suits action or actions brought by the corporation for or on account of any of the estates rights trusts privileges claims or demands of the same as well as defend all actions or suits against the said corporation or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or acts of the corporation or any department thereof may be brought in question before any court in this Commonwealth and shall do all and every professional act incident to the office which he may be lawfully authorized and required to do by the mayor or by any ordinance or resolutin of the said council He shall whenever required furnish the council the committees thereof the mayor or the heads of departments with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 4 There shall be kept in the office of the city solicitor a city lien-docket which shall be open to public inspection and in which he shall cause to be entered all claims for curbing paving or repaving sidewalks assessments of damages contributions for opening public streets lanes and alleys or parts thereof for grading paving and macadamizing the same for water and lighting frontage tax and water and lighting rates sewerage city taxes and other matters that may be the subject of claim on the part of the city which have or shall be returned to the solicitor as remaining due and unpaid after the period prescribed by law or ordinance for the payment of such claims and it shall be the duty of the head of each department wherein any such claim shall originate to furnish to the city solicitor within the period prescribed by law or ordinance a statement of all claims for curbing paving et cetera which remain due or unpaid a certified copy of which the said heads of departments shall at the same time furnish to the superintendent of finance Upon the payment of any lien or other debt of record due the city to any person authorized to receive the same it shall be the duty of the city solicitor forthwith to enter satisfaction upon the proper record thereof

Section 5 The city solicitor shall at least once in every month make a return to the superintendent of finance under oath or affirmation of each item of moneys received by or through him or his assistants by virtue of his office or on account of any matters connected therewith and immediately upon making such return he shall pay over the amount in his hands to the city treasurer He shall in like manner pay into the city treasurer all fees received by him in his official capacity but this provision shall not be taken to include the judgment fee or commission allowed him in his capacity of attorney under any act of Assembly of this Commonwealth He shall receive a fixed annual salary to be provided by ordinance

ARTICLE XI

Section 1 The council of any city of the third class of the State of Pennsylvania may by ordinance create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health

Section 2 In all cities of the third class where the council of said city shall not elect to create by ordinance a board of health as provided in Section one hereof the said council shall exercise all the rights duties and obligations imposed by existing legislation upon boards of health in cities of the third class

Section 3 The city clerk in cities of the third class shall be ex-officio secretary of the board of health in case the council of said city shall create a board of health under the provisions of this act

ARTICLE XII

Section 1 Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city in the following manner

Section 2 It shall be lawful for any such person to be proposed for any elective municipal office by the filing of a petition with the county commissioners at least three weeks before the date of the primary election for municipal offices said petition to be signed by at least twenty-five qualified registered voters of said city

Section 3 The petitions proposing the names of citizens for municipal elective offices shall set forth that the signers thereof are qualified and registered voters residing in said city and shall set forth the residence and occupation of the candidate proposed and of each person signing said petition but said petition shall have nothing thereon to designate any political party or any party affiliations of the persons proposed as a candidate or of the persons proposing the said name

Section 4 The county commissioners of the county in which any city of the third class shall be located shall cause to be printed for the use of voters at any primary election in said city of the third class where public elective municipal offices are to be nominated a non-partisian primary ballot which ballot shall be substantially in the following form

NAME OF OFFICE Vote for (stating number to be elected)	
Name of Candidate Address of Candidate	
Name of Candidate Address of Candidate	

NAME OF OFFICE
Vote for (stating number to be elected)

Name of Candidate
Address of Candidate

Name of Candidate
Address of Candidate

The said municipal primary ballots shall be uniform and shall have nothing written printed stamped engraved or in any way marked thereon to indicate or designate any political party or the political affiliations of any candidate for office named thereon

Section 5 Upon the non-partisian primary ballot provided for in the preceding section of this article the county commissioners shall cause to be printed the names of the municipal offices to be filled at the next regular municipal election followed by the words mark one (or as case may be indicating the number to be elected) Below the words designating an office to be filled shall be printed the names of all persons who have been proposed for such office in accordance with the preceding sections of this article placing after each name an appropriate square for marking and no other names shall be placed on said ballot Space shall be provided however below the names printed on the said ballot wherein voters may write additional names if said voters shall desire to vote for a person for said office whose name has not been printed on said ballot

Section 6 Where more than one person shall be proposed for the same office the names of the persons proposed shall be placed on said ballot by the county commissioners in the order to be determined by drawing lots which said drawing shall be done publicly by the county commissioners and notice of the time and place of said drawing shall be given by the commissioners to each person whose name is entitled to be placed on said primary ballot at least three days before the time of said drawing and said persons shall be entitled to be present in person or by representative at said drawing

Section 7 The county commissioners shall prepare and furnish to the election officer in each precinct of each city of the third class as many official non-partisan primary ballots as are equal to one and one-half times the number of registered voters in such precinct Provided however That an additional number of ballots shall be provided by the commissioners for each precinct if more ballots shall be needed than the number above specified The said county commissioners shall also furnish one-half as many specimen ballots as the number of official ballots which said specimen ballots shall be an exact duplicate of the official ballot but printed on a paper of a different color

Section 8 At the primary election preceding each election where municipal officers are to be elected it shall be the duty of the election officers in each precinct of every city of the third class to deliver to each voter who has established his right to vote one non-partisan primary ballot having printed thereon the names of all persons proposed for municipal officers in accordance with the preceding sections of this article The election officers shall receive and place in the ballot box at each primary election preceding an election for city offices the ballots furnished to the voters in the manner specified in the preceding section of this article after said electors have had opportunity to mark the same as provided by law and no other ballots for nomination of municipal officers shall be received or placed in said ballot box

Section 9 At the close of polling at said primary election in each city of the third class the election officers shall in the manner prescribed by law tabulate and compute the votes cast for the various persons whose names may be written or printed on the non-partisan ballot and marked according to law and shall make return of said vote to the county commissioners whose duty it shall be to receive tabulate and compute primary election returns said returns to be made as prescribed by law Said election officers shall also cause the statements required by law of the number of votes cast for each candidate to be posted up at such place and in the manner prescribed by law If for any office to be filled at the ensuing general municipal election there shall be more persons proposed than the number to be elected to the said office the person receiving the highest number of votes up to double the number of persons to be elected to said office shall be the nominees for said office

Section 10 At each regular or special municipal primary or election for offices in cities of the third class the county commissioners of the county in which said city shall be located shall cause the names of the persons nominated in accordance with the foregoing sections of this article and no other persons to be printed on the official ballot to be used at said election Said official ballots shall have the names of the offices to be filled and said candidates printed on said ballot with appropriate squares after each name for voters to mark in the manner prescribed by law except that there shall not be printed engraved stamped or marked on any ballot any thing to indicate any political party or party affiliation of any candidate for municipal offices Following the names of said candidates space shall be provided on said ballot wherein any voter may write the name of any persons for whom he wishes to vote and whose name may not be printed on said ballot

Section 11 No other ballot than that prescribed in the foregoing section of this article shall be received or counted by the election officers of any regular municipal primary or election for the election of public officers in cities of the third class and the provisions of this article shall apply to every regular or special municipal election in said cities of the third class

Section 12 Upon each ballot for the use of electors in any municipal primary or election shall be printed the following words "The voter will mark an X in the square opposite the name of each person for whom he wishes to vote He may write in the blank space provided the names of candidates not nominated for whom he desires to vote Names so written in need not be marked with an X"

ARTICLE XIII

Sewerage.

Section 1 The council of any city of the third class shall have power subject to the provisions of existing laws without petition therefor to construct and reconstruct or cause to be constructed sewers of all kinds in its public streets lanes alleys highways and over and across public and private lands or property and to pay the cost and expense thereof out of the general revenues or special funds raised for said purpose or to assess the same in whole or in part upon abutting property as hereinafter mentioned and where the cost of constructing any sewer is paid for wholly from city funds the respective city shall have authority to charge a reasonable fee for tapping or connecting with said sewer in the case of the construction of main sewers or of any sewer which can be used in part for main sewerage purposes and in all cases where said sewer will also serve as a local sewer the said city is authorized to and may provide for assessing the abutting property with the local sewerage part thereof according to the foot front or the assessed valuation of the said property for city purposes or according to benefits The cost of all main sewers or of any sewers used in part for main sewerages purposes over and above the amount assessed for local sewerage as above provided shall be paid for from the city funds as aforesaid Council may also provide that the cost and expenses of local lateral branch and other sewers may be assessed against the abutting property according to the foot front or according to the assessed valuation thereof for city purposes or according to benefits And it shall be lawful for any such city to construct or cause to be constructed a sewerage system of sewers in streets lanes alleys and highways with extensions thereof and with lateral and branch sewers therefrom in other streets lanes alleys and highways and in public or private lands at the same time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as is herein provided

Section 2 Where council determine to construct local lateral and other sewers and to assess the cost and expenses thereof according to the foot front rule they shall provide for a reduction of one-half or other equitable part or portion from the frontage of the longest side of all corner lots and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal and if the owner of the abutting property is not satisfied with the allowance or reduction or refuses he shall have the right to have three viewers appointed by the Court of Common Pleas and the proceedings shall be the same as in cases where land is taken for the widening of a street or damage claimed for change of grade Where the council determine to construct main local lateral or branch sewers and to assess the cost and expense thereof according to benefits in addition to the remedies which now or may hereafter exist for the assessment of the said cost and expense by viewers appointed by court the said council may appoint three disinterested freeholder as viewers who or a majority of whom shall assess the costs and expense of said sewers upon the lands abounding or abutting thereon in proportion as nearly as may be to the benefits which may result to each lots or parcel of land Said viewers or a majority thereof shall report their assessment to the council in the manner set forth in the third section of this article and said council shall act thereon as in said article provided

Section 3 Said viewers or a majority of them shall make report in writing specifying the amount assessed by them upon each lot or parcel of land for main or local sewerage separately and file the same with the city clerk within such time as the council shall direct After the report is filed council shall cause not less than ten days' public notice to be given in two newspapers of the city if so many be published therein of the object of such assessments and that the same will come before them for confirmation at a time to be specified in said notice Objections to the assessment shall be in writing and be filed with the city clerk and may be heard before the city council at the time specified in the notice Council may after hearing objections modify set aside or confirm said assessments If council sets aside the first or any other assessment they may appoint other viewers of the same qualifications as hereinbefore provided and cause new assessments to be made and the proceedings shall be the same as herein directed in case of the first assessment

Section 4 After making assessments for sewerage of any kind council may direct that they be certified to the city treasurer or to such party as said assessments may be assigned to for collection and if such assessments be not paid within such time as council may by ordinance prescribe it shall be lawful to file liens therefor in the prothonotary's office of the proper county as provided by this act and said liens shall bear interest from the time the assessments were payable at the rate of six per centum per annum until paid

Section 5 The city council may provide by ordinance for the laying renewing and repairing of all gas water steam or other pipes in any street or highway before the paving repaving or repairing of the same and for making the necessary house connection with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers Provided That in no case except as a sanitary measure of which council shall judge shall they require such house connections to be ex-

tended further from such sewers or from such gas water steam or other pipes than to the inner line of the curbstone of such street or highway Council may after notice to all companies corporations persons and owners affected and in default of compliance therewith cause said pipes to be laid renewed or repaired and said connections made and collect the cost of paving and repairing all pipes and pipe connections from the companies corporations or persons owning or operating the said gas water steam and other pipes with interest and the cost of the sewer connections shall be first lien against the land for whose benefit such connections are made and a specification of lien shall be filed therefor and the lien and the proceedings thereon shall be as in the case of other municipal liens

ARTICLE XIV

Exercise of Right of Eminent Domain Assessment of Damages and Benefits

Section 1 Any city of the third class shall have power whenever it shall be deemed necessary either in the laying out opening widening extending or grading of street lanes or alleys or in the erection or construction of water gas or electric light works slopes embankments or sewers or in the changing of water courses or for any other purpose authorized by this act to take use occupy or injure private lands property or materials and in case the compensation for the damages done or the benefits accruing therefrom have not been agreed upon the Court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said city or by any person interested shall appoint three discreet and disinterested freeholders of the said city viewers to view and ascertain the damages done and the benefits which have accrued by reason of the said taking use occupancy or injury and shall appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained or the property taken or on the line of said street or sewer improvement as the case may be of which time and place ten days' notice shall be given by the petitioners to the said viewers and to all parties interested by personal service upon the parties their agents attorneys or legal representatives by publication in one or more newspapers or by hand bills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of each case

Section 2 The said viewers or any two of them having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to injure in pursuance of the provision of this act and having viewed the premises or examined the property or materials shall estimate and determine the quantity quality and value of said land so taken occupied or injured or to be taken occupied or injured or the property and materials so used or taken away as the case may be and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owners of said land property or material in consequence of the making of the improvements aforesaid for which the property or materials are to be taken and having made a fair and just comparison of said advantages and disadvantages they shall estimate and determine their value and whether any and if any what amount of damages has been or may be sustained and to whom the same is payable and after having determined the damages sustained to all the properties affected by said improvement together with the benefits as hereinafter mentioned they shall make report thereof to the said court

Section 3 The council of said city shall have power to provide by ordinance for the payment of damages sustained by making the improvements aforesaid or by the vacation of any public highway either by the city or by assessment upon property benefited by such improvement and in the latter case the viewers appointed to assess damages shall also assess upon any property benefited by such improvements whether said property be immediately adjacent thereto or in the vicinity thereof such amount for the special advantages which may accrue to the said several properties from such improvements as they may deem proper and shall report the same to the said court Provided That assessments for benefits shall not exceed the damages awarded or agreed upon And provided further That parties assessed for benefits shall have the same right to file exceptions to said report or to appeal therefrom as herein provided for in the case of assessment of damages for property taken injured or destroyed

Section 4 If any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and if the amount thereof be not paid within thirty days after the entry of such judgment execution may then issue thereon as in other cases of debt for the sum so awarded but assessments for benefit shall be collected as hereinafter provided The costs and expenses incurred in the proceeding aforesaid shall be defrayed by the said city and each of the said viewers shall be entitled to five dollars per day for every day necessarily employed in performance of the duties herein prescribed

Section 5 In all cases where the parties have not agreed upon the amount of damages claimed or where by reason of the absence or legal incapacity of the owner or owners no such agreement can be made for lands property or materials to be taken occupied or injured the city shall tender sufficient security to the parties claiming or entitled to damages or to the attorney or agent of any person absent or to the agent or other officer of a corporation or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided That in the case the party or parties claiming damages refused or do not accept the security so tendered the said city then give the party his or their agent or attorney or other officer a written notice of the time when the same will be presented for filing in the court and thereafter the said city may present said security to the Court of Common Pleas of the county where the land or other property is situated and if approved the security shall be filed in said court for the benefit of those interested and recovery may be had thereon for the amount of damages assessed and if the same be not paid it may be collected by execution on the judgment in the issue formed to try the question

Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in Section One of Article Fourteen of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court any party may within thirty days thereafter file his or her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner prescribed in other cases The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or material and within thirty days after the filing of the report of viewers assessing damages and benefit the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceeding had thereon shall be paid to the said city

Section 8 In all cases where land or property have been heretofore taken used occupied or appropriated for any of the purposes aforesaid within five years last past or where any ordinance has been passed providing for such taking using or occupancy and the damages sustained thereby or the benefits accruing therefrom have not yet been legally determined it shall be lawful to proceed and determine said damages and benefits and collect the same under the provisions of this article with the same effect as if said improvement had been undertaken or proceeded in after the passage of this act whether there has been any actual physical taking or not

Section 9 Whenever it shall become necessary in the progress of the building improvement of any said cities to grade curb bridge culvert or pave any of the highways used as turnpikes or plank roads it shall be lawful for council to agree for the relinquishment of such parts thereof as may be so required from time to time and if the parties cannot agree to obtain a jury of view upon such parts to assess the damage the company owning the franchises may sustain by the city using the same for said purposes such jury to be appointed by the court of quarter sessions of the proper county six in number said viewers shall take into consideration whether such turnpike or plank road company shall have occupied a previous public highway or ground purchased by the company

ARTICLE XV

Taxation and Municipal Claims

Section 1 The council of each of said cities of the third class shall on the first Monday of January or as soon thereafter as may be conveniently done elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owners of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dollars as city assessor to serve from the date of his election until the first Monday of January of the succeeding year council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possesses all of the qualifications aforesaid and for this purpose council shall have power by a majority vote of all the members elected thereto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office and they may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies

Section 2 The said assessor shall before entering upon his duties take and subscribe the oath prescribed for municipal officers and file the same with the city clerk Any vacancy happening in said office shall be filled by appointment by council for the unexpired term

Section 3 The council may during each triennial year and in the intervening years appoint such assistant assessors to serve for such length of time as council may authorize direct or appoint by ordinance and such assistant assessors shall be removable at the pleasure of council The compensation or salary of the city assessor and of the assistant assessors if any shall be fixed by ordinance of council

Section 4 The asessor shall make or cause to be made during the year of the triennial assessment for county purposes a full just equal and impartial assessment of all property real personal and mixed and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same With his assessments he shall return such dimension description or quantity of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements In all cases they shall value the property at such sums as the same would in their judgment bring at a fair public sale thereof And it shall be the further duty of said assessor to return annually a list of all the male inhabitants over twenty-one years of age

Section 5 The said assessor may assess real estate in the name or names of the registered owner actual owner (legal or equitable) reputed owner owner of the life estate occupier vendor vendees or any person who has had or had any connection with the legal title thereof or an interest in the premises or has charge or control thereof in the name of the husband when lands are owned by the wife partnership property in the name of the partnership or in the name of the partners or any of them trust property in the name of the trustee or trustees or any of them or in the name of the cestui que trust property of a minor in the name of the minor or his guardian property of a lunatic in the name of the lunatic or his committee and property formerly belonging to a person since deceased may be assessed in the name of the decedent or in the name of the estate of said decedent or of his administrator or administrators executor or executors or his heirs generally or in the name of any administrator executor or heir and in assessing the same in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames and other property not herein provided for may be assessed in the manner the same is assessed for county taxation but this provision shall not prevent the collection under existing laws of any tax assessed against property by a sufficient designation or description where the same has been assessed in the name of any person or persons who are not the owners thereof and where lands of owners are part within and part without the city limits they shall be assessed in the same manner and within the same jurisdiction as if the same were being assessed for county purposes

Section 6 In the years succeeding the triennial assessment the said assessor shall perform the following duties with reference to the assessment of real estate namely (a) He shall assess any real estate in the manner aforesaid which has been omitted and correct any errors which may have been made in making the triennial assessment (b) add to the assessment any property which has ceased to be exempt (c) add to the value of any real estate the value of any new building or other new improvements (d) deduct from the value of any real estate any depreciation caused by destruction injury or otherwise howsoever (e) where tracts as assessed at the triennial assessment have been subdivided they shall equalize and apportion the assessment of the lands thus subdivided upon the basis of the value as fixed at the triennial assessments upon the whole lot or tract (f) where any borough township part of borough or township or any tract or tracts of land have been added to the city since the last triennial assessment to make a full just and impartial assessment of the property in the annexed district and return the same in a like manner as if it were a triennial assessment (g) when any property has been transferred to make the proper changes or transfers upon the proper assessment books and duplicates (h) to perform such other duties as may be prescribed by ordinance necessary to the making of proper assessments or valuations And to perform the following duties as to the assessment of the personal estate and other matters and subjects of taxation namely (a) To assess any personal property or subjects of taxation omitted at the triennial assessment and to add such additional personal estate and subjects at taxation as the person assessed may have acquired since the triennial assessment (b) to make deductions where such property has been disposed of (c) to reduce valuation when property has been depreciated lost or destroyed But when any real estate is assessed which had been omitted errors corrected or any increase is made in valuation or by additions for any cause after the triennial assessment or where valuations have been made upon subdivisions of any lot or tract such assessments shall not be considered final or conclusive without first giving to the person or party affected thereby at least five days' notice of a time and place where such person or party may be heard by the assessor

Section 7 When the said assessor ascertains that any property is omitted he shall assess the same for the omitted years but not back further than and including the last preceding year of the triennial assessment and the person or party owning said omitted real estate shall be liable for the tax against the said lands for the omitted year or years at the tax rate levied during the omitted year and the proper authorities shall make out the proper tax and place the amount thereof in the hands of the city treasurer for collection

Section 8 The said assessor shall have the right to procure such books maps et cetera as may be necessary to the performance of his duties and when authorized by council may employ clerks for the purpose of transcribing and making duplicates and assessment books He and each of them shall have power to administer oaths and to require under oath of every taxable or person in charge or control of any property an inventory of his taxable property with his estimation of the just full fair and impartial value thereof and which in his judgment the same would bring at a fair public sale thereof Such estimation shall not be conclusive but shall be subject to revision by increase decrease or equalization with other property

Section 9 Where any city has established a registry of real estate by law the said assessor shall have the right to obtain from the official in charge of said registry such information as to the registered owners of real estate as said department is able to furnish and under such rules and regulations as shall be established by ordinance of council and it shall be a sufficient description of any real estate in any assessment books or duplicates to designate the same by such city lot number other number or such other designated as the same shall appear in the registry department

Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation therefrom and to rectify any and all errors and mistakes made therein

Section 11 When the time or times and place for the meeting or meetings of the board of revision and appeal shall have been fixed it shall be the duty of said assessor to give or cause to be given at least five days' printed or written notice to each and every taxable inhabitant of the city resident therein if he she or they can be found of the amount or sum for which he she or they stand rated in any triennial assessment and also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any intervening year by reason of any cause whatsoever together with the time and place of hearing appeals of said board of revision and appeal and any person dissatisfied or aggrieved by the assessment made by the assessor may appeal to the said board of revision and appeal and be heard at the time fixed in the notice to be served as aforesaid In case the property owner is not found the notice above provided for may be served upon any tenant or other occupant of the premises

Section 12 Any assessor may be removed from office by council and the vacancy thus occasioned may be filled in the manner hereinbefore provided and an assessor or assessor who shall wilfully omit neglect or refuse to assess any property liable to taxation shall be held responsible to the proper city for any loss or damage caused thereby

Section 13 The council of each of the said cities of the third class shall have authority to pass such ordinances as they may deem proper and necessary providing for and regulating the manner of making the aforesaid assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating proceedings before said board on any and all matters not specifically provided for in this act

Section 14 The mayor and council of each city of the third class shall constitute a board of revision of taxes and appeals the said council acting as a board of revision may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of May issue their precept to the city assessor requiring him to make out and return a full just and equal assessments of property within the city or such parts thereof as the said board of revision may deem advisible and they shall take and receive the triennial and yearly assessment as returned by the city assessor and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuation either in individual cases or by wards or parts of wards and to add to the assessment book and to the duplicate thereof in the hands of the city treasurer any property on the occupation of any person subject to taxation omitted therefrom and any real estate in such city which has been exempt from taxation and has ceased to be occupied and used for the purpose or purposes which entitled it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption and it shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the assessor and assistant assessors or any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessor at such time and place as they may prescribe at least five days' printed or written notice of which shall be given It shall be the furtner duty of said assessor to give five days' written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the city assessor together with the time and place of hearing appeals therefrom For the purposes of all hearings and for all other purposes necessary to the discharge of his duties the said assessor shall have authority to administer oaths and affirmations touching any matter relating thereto and any wilfully false statement under oath as to any material fact by the complainant or attorney shall be deemed perjury and be punishable as such The city clerk shall serve as clerk of said board The said board shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessor the necessary books for taking the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeal The said board shall complete their labors and the hearing and determination of all appeals on or before the first day of December in each year after which the assessment shall be copied by wards into duplicate for the use of the city and the assessment so corrected and copied shall be and remain a lawful assessment for the purpose of city taxation until altered as provided by this act The decision of the board shall be subject to an appeal to the Court of Common Pleas wherein such city is situated in accordance with the existing laws whose decision shall be final and if the appeal to the court shall be groundless the appellant shall pay the costs of the appeal

Section 15 The assessors now in office shall perform their duties until the first election under the provision of this act and until the persons elected hereunder shall duly qualify

ARTICLE XVI

Section 1 The council of each city of the third class shall on the first Monday of January succeeding their election or as soon thereafter as practicable elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of two years from the date of his election and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law

Section 2 The engineering matters of the city shall be under the superintendence direction and control of the city engineer and no department of the city shall employ or retain any additional engineer except with the previous assent of council and the city engineer shall appoint such number of assistants and employes as council shall authorize by ordinance Provided that the provisions of this article sixteen shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioners of water works

Section 3 The said city engineer shall be required to give bond for the faithful performance of his duties in such sum as may be prescribed by ordinance said bond to be approved by council The city engineer shall receive a fixed annual salary to be fixed by ordinance

Section 4 The city engineer shall perform such duties as council shall prescribe with reference to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates for all such work undertaken by such city and shall whenever required furnish council the committees thereof the mayor public boards or heads of departments with reports information or estimates on any city engineering work or questions submitted by either of them in their official capacity He shall immediately after the completion of any municipal improvement the cost and expense of which in whole or in part is to be paid by the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the city clerk who shall enter the same day or time of completion in a book to be by him kept for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed and the time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to said clerk a certificate showing the time on which any such particular improvement was commenced and such certificates shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said clerk in the books aforesaid The said engineer shall also have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such city and shall perform such other duties as council shall direct

Section 5 For the purpose of procuring accurate information in reference to the ownership of all real estate the council of each of said cities of the third class shall provide by ordinance for a registry thereof in accordance with this act

Section 6 The city engineer of any of said cities in which such registry shall be established as aforesaid under the direction of council shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be prepared as to show the city number and name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title and for such purpose the said engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor and may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of said books maps or plans The said books maps and plans shall be carefully preserved in the department of surveys of said cities and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the city limits with the successive transmissions of title from the date of the commencement of such plans but nothing therein or in this article shall invalidate any municipal or tax claim by reason that the same is not assessed or leived against the registered owner. Certified copies under the hand of the said engineer of any of the entries in said books or upon said maps of plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the city as may be fixed by ordinance

Section 7 It shall be the duty of all owners of unregistered real estate within the city limits within one month from the date of the approval of the ordinance establishing such registry and of every subsequent purchaser devises or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title to furnish to the said engineer at his office descriptions of their respective properties upon blanks to be furnished by the city and at the same time to present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public motive of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the city as penalties for the violation of city ordinances are recoverable

Section 8 The sheriffs of the respective counties in which such cities are situated shall present for registry the deeds of all properties within the city limits sold by them at judicial sales whether in partition or otherwise and the prothonotaries and recorders of deeds thereof shall not admit for record any deed for any city property bearing date subsequent to the approval of the ordinance for the establishment of such registry unless the same shall first have been duly stamped as herein directed as proof of registry and any prothonotary or recorder who shall record any deed before the provisions of this section have first been complied with shall be liable to a penalty of five dollars for each deed recorded in violation hereof to be recovered with costs of suit in the manner hereinbefore provided

ARTICLE XVII

Topographical Survey

Section 1 Any city of the third class shall have power by ordinance to cause a topographical survey thereof to be made by their duly appointed city engineer or by such other civil engineer and assistants as they may employ for that purpose

Section 2 It shall be the duty of said engineer upon being duly authorized thereto to procure and keep in his office such necessary plot or other books as shall be necessary for the purpose of entering or recording thereon all the streets avenues and highways of the city already opened or to be hereafter opened and to survey and mark the lines of all the streets avenues and highways of the city already opened or intended to be opened for public use and to survey and lay out new streets avenues and highways as councils may deem necessary for a regular and convenient city plan and if thereto specially directed he shall fix and report a grade for any proposed new streets and for the said purposes the said engineer and his assistants shall have full power and authority to enter upon the lands and premises of any person or persons within the said city When the survey shall be completed the said engineer shall make or cause to be made a draft or plan thereof with every position and explanation necessary for a full understanding of the same distinctly designating where the new streets avenues and highways shall thereafter be opened and shall return the same to the councils and it shall remain in the office of the city clerk and open to inspection by those interested until finally approved as hereinafter provided

Section 3 It shall be the duty of the said council to give at least thirty days previous notice in at least two of the public newspapers published in said city (if so many be published therein) and by posting at least ten hand bills upon lands or territory contained in the map or plan returned for approval that on a certain day or days to be fixed by the said council the said council will hear any objection that may be made to said draft or plan by any freeholder or citizen of said city or interested person and the council at the time appointed or at any subsequent time within three months shall determine whether any and what alterations shall be made in the said plan or draft and when the same is finally approved whether as returned or as altered and changed said council may direct that the same be entered and recorded in the plot book of street plans in the office of the city engineer

Section 4 In case the city engineer is directed to report grades for said streets avenues or highways the same shall be noted on said draft or plan and be returned with his surveys and said grades shall be subject to alterations and changes by councils in the manner aforesaid and when approved by the said council shall become part of the plans and be entered and be recorded as aforesaid Upon the recording of said plan or draft in the street plan book and the passage of an ordinance approving said street drafts or plans and grades (or of either as the case may be) therein designating the book and page or pages at or in which the said plan or plans are recorded thereafter all the streets avenues and highways as designated upon said approved plan and recorded as aforesaid shall be adjudged and taken to be laid out and located public highways and in case the council shall thereafter change or alter or should they by themselves or their officers deviate from the regulations of the streets avenues or highways so as aforesaid established and damages thereby accrue to the property of any person or persons in consequence thereof the said city shall be liable for the payment of such damages

Section 5 Sectional surveys or drafts may be returned to the said council by said engineer at any time and be confirmed as aforesaid and with like force and effect

Section 6 The said engineer may from time to time as he shall deem expedient and the said council shall direct make report of the surveys plans and regulations by him made in convenient sections without awaiting the completion of the entire survey and shall make duplicate drafts and plans of said section in the manner hereinbefore prescribed and the same proceedings shall be had for the final confirmation of such partial or sectional drafts and plans as is herein directed in relation to the confirmation of the entire survey and with like effect and force

Section 7 If any owner or owners of real estate or any other person shall erect or construct any house or other building within the line of any street avenue or highway as surveyed and marked on the draft or plan aforesaid or upon any section thereof after the final confirmation of the same such owner or person shall not be entitled to claim or recover any damages which may be caused by the removal of such house or buildings for the opening or widening of any street avenue or highway All proceeding for the opening widening grading or otherwise improving of the public streets avenues or highways so as aforesaid surveyed established and confirmed and the payment of damages or contributions therefor shall be regulated as provided by law

ARTICLE XVIII

Indebtedness

Section 1 For the purpose of creating a sinking fund for the gradual extinguishment of the bonds and funded debt of the respective cities of the third class the council of each thereof shall annually (until payment of bonds and funded debts be fully provided for) by special tax or otherwise

levy and collect in addition to the other taxes of said corporations a tax of not less than one-fourth of one mill and not exceeding three mills upon the assessed value of the taxable property of each of the said cities to be called the sinking fund which shall be paid into the city treasury and shall be applied toward the extinguishment of said bonds and funded debt whose payment is not otherwise provided for and to no other purpose whatever and the said bonds when purchased shall be conspicuously stamped to show that they were purchased for the sinking fund of said city and the interest on said bonds shall be collected and used in a like manner with the taxes collected for said sinking fund

Section 2 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to affect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for four weeks before the final consideration and passage thereof by the said council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated and the said city shall at or before the time of authorizing the said loan provided for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years

Section 3 Any of the said cities of the third class may in the manner prescribed by law redeem its existing bonded indebtedness as fast as the same may become due and payable by the issue of new bonds therefor bearing interest at a rate not exceeding six per-centum per annum redeemable in not less than five years and payable at any time not exceeding thirty years from the date of issue thereof at the option of the said city said bonds shall be exempt from all taxation except for State purposes

Section 4 The mayor treasurer and superintendent of finance of each of the said cities shall constitute a board of commissioners of the sinking fund of the city The mayor shall be chairman and the superintendent of finance secretary and it shall be the duty of the board to keep the accounts of the sinking fund and to see to the proper application and superintend the investment of the same in accordance with law and the directions of the city council The said commissioners shall meet as often as may be necessary keep a record of the proceedings and shall annually in the month of January make a report to council of the condition and application of the fund together with such recommendations in relation thereto as they shall deem expedient Provided That council shall not direct the investment of any moneys to the credit of the sinking fund except in the loans of said cities respectively the loans of the United States or the loans of the State of Pennsylvania and the income derived from any of said investments shall be credited and applied to the said several sinking funds respectively

ARTICLE XIX

Section 1 Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania The signatures to the petition need not be appended to one paper but each signer shall add to his signature his place of residence giving the street and number One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be Within ten days from the date of filing such petition the city clerk shall examine and from the voters registered ascertain whether or not said petition is signed by voters equal to fifteen per centum of all votes cast for all candidates for mayor at the last preceding municipal election and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than fifteen per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than fifteen per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain fifteen per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to fifteen per centum of the votes cast for all candidates for mayor at the last preceding municipal election and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition or

(b) forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general municipal election is fixed within ninety days thereafter and at such special or general election if one is so fixed such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "for the ordinance" (stating the nature of proposed ordinance) and "against the ordinance" (stating the nature of proposed ordinance) If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding general city election and should such proposition so submitted receive a majority of the votes thereon such election such ordinance shall thereby be repealed or amended accordingly Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in each of the daily newspapers published in the said city such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on

ARTICLE XX

Section 1 No ordinance passed by the council except when otherwise required by the general laws of the State or required or permitted by the provisions of this act and except ordinances for the immediate preservation of the public peace health or safety which contains a statement of their urgency shall go into effect before ten days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least ten per centum of the entire votes of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the council the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same it not entirely repealed the council shall submit the ordinance as is provided by sub-section (b) of section one of article nineteen of this act to the vote of the electors of the city either at the general election or at a special municipal election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Said petition shall be in all respects in accordance with the provision of said section one of article nineteen except as to the percentage of signers and be examined and certified to by the clerk in all respects as therein provided that the provisions of Article nineteen and Article twenty shall not apply to any tax levy and provided further that no franchise or consent to occupy the public streets highways or other places in any of said cities shall be given or granted to any person or persons railroad railway gas water electric light telegraph or telephone company or to any other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition is filed with the city clerk addressed to the council signed by electors of the city equal in number to at least fifteen percentum of the total number of registered voters as shown by the last preceding registration and showing the ward election precinct and residence of each petitioner verified by the oath or affirmation of a petitioner that he believes that each signature to the petition is genuine protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the City Clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and if necessary the council shall allow the said clerk extra help for said purpose When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the fifteen percentum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance

In case the petition or petitions provided for in the preceding section be signed by the fifteen percentum of the total number of registered voters shown by the last preceding registration the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which latter case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by the council or at the general or the municipal election occurring within ninety days the said ordinance shall be submitted without alteration

When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordinance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used at the said respective elections Where there is a special election the ballots shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special election shall be paid for by the city and said city may fix not only the day of election but for the time for opening and closing of the polls Any number of ordinances may be referred and voted on at the same election and there shall not be more

than one special election every six months The ballots for each referendum shall be substantially in the following form

City Ordinance Referendum

If you are for the ordinance mark a X opposite the word for
If you are against the ordinance mark a X opposite the word against

Approval of the city ordinance (stating the purpose of said ordinance) For .....
Against.....

The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in the election of officers and the submission of other questions as now provided by law The said returns shall be filed with the prothonotary of the court of Common Pleas and the said court shall compute the returns and cause the result thereof to be filed in the said court and the said prothonotary shall certify the result to the council of the proper city In case of special elections the said prothonotary shall lay the returns of election before the said court at a meeting or session of the said court to be held on the Tuesday succeeding said election for computation as aforesaid If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been approved by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of the city clerk to publish or cause to be published a copy of the ordinance which is submitted to a vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the city then in two newspapers published in the county if there be such said publication to be not less than five nor more than twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court"

ARTICLE XXI

Definition and Repeal

Section 1 The term "cities of the third class" shall include only

First All cities of the proper population which have been incorporated under the provisons of an act of Assembly entitled "An act dividing cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of the cities of the third class" approved the twenty-third day of May one thousand eight hundred and seventy-four which may hereafter be incorporated under the provisions of this act

Second All cities of the proper population which have accepted the provisions of said act of the twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Third All other cities of the proper population or any city of less population than ten thousand inhabitants incorporated prior to May 23rd one thousand eight hundred and seventy-four by a special act of Assembly only from and after the date of their acceptance of the provisions of the said act of twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof and any city which has been incorporated under the provisions of the act of May thirty-third one thousand eight hundred and eighty-nine

Section 2 No right or interest which has become vested under acts or parts of acts inconsistent herewith or supplied by the provisions hereof shall be destroyed or impaired by the operation of this act or by the exercise of any power granted therein All officers of each of said cities of the third class in office at the date of approval shall except where otherwise herein provided continue to hold their offices for the term for which they were respectively elected but all ordinances of any of said cities heretofore legally passed not inconsistent with such provisions are hereby made valid and shall be and remain in full force and virtue until altered or repealed

Section 3 It shall be the duty of the council of every city of the third class forthwith to pass such ordinances in accordance with the provisions of this act as may be necessary to carry into effect the requirements thereof

Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way effect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

And said bill having been read at length the third time,

Will the Senate agree to the bill?

Mr. BEIDLEMAN: Mr. President, I move that the Senate resolve itself into committee of the whole for the purpose of general amendment.

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CLARK. Mr. President, I do not know that I may be in order, but I think that I am. I wish to make a statement to this Senate opposing the further amendment of this bill at this time. My statement will be brief. This bill was introduced on the first day that any bill was introduced in this session of the Senate, namely on the twenty-first day of January. It was referred to the proper committee and it laid in cold storage until February twenty-sixth a period of thirty-seven days, during which time there was ample opportunity for any party interested in this legislation to investigate it fully and in detail. It was reported out and it was read for the first time on March 10th and the second time on March 11th and by understanding it was referred back to the committee for further consideration and discussion and amendment if necessary. The bill went back into committee. We held two meetings, one meeting quite fully attended. The Senator from Dauphin County was not present and it was the concensus of opinion of the committee that the matter should be deferred until the Senator might appear and make amendments or offer them. I personally informed the Senator that there would be such a meeting. The Senator was not present. He had an opportunity to be present and the committee considered the matter and voted to have it reported and placed upon the Calendar on third reading. The bill was placed upon the Calendar on third reading March 20th and was continued by request once or twice. It was continued last night by request until this morning because there was such a threatened avalanche of amendments that it was said it would take until three o'clock in the morning to get through with them. It seemed to me proper that the members of this Senate should not be kept in their seats until three o'clock in the morning, and therefore it went over. The bill has been introduced in this Senate for a period of sixty-three days and ample opportunity has been given for investigation. I want to say now that this bill is the result of the deliberations of the members of the civic allied bodies of municipalities of the third class of this Commonwealth and is the outgrowth of four years' investigation and patient deliberation, and that it is almost impossible to get a bill that will suit the varied interests of all these municipalities, but the deliberations of this body of these men are placed here and there is something due to that intelligent, that law-abiding and that large part of the electorate of the municipalities of the third class of this Commonwealth that are behind this movement and responsible for this bill. If there had been any way in which we could have harmonized or settled the structural features of this bill with those who oppose it we would have gladly done it. I am speaking now for the allied civic bodies of the Commonwealth of Pennsylvania and I wish it understood that because I happen to be per chance the person selected to introduce this bill that I ought not to have any greater interest than any other Senator who represents a municipality of the third class in this Commonwealth, and I ought not to have a greater interest in it than any Senator representing a borough or a city that is to-day performing its functions under a special charter and that has not availed itself of the privilege of coming into the cities of the third class. It is a good piece of legislation and I was in hope that these cyclonic conditions that have prevailed outside the last few days would not be transferred into this Senate Chamber, but if the avalanche must come we must meet it. I for one, under all circumstances, have endeavored to be fair in the treatment of this measure, but am desirous of getting something accomplished at this session of the Legislature, and oppose the amendments because I think they come at this time with very poor grace after having had ample opportunity. I am not speaking upon the merits of the bill but only on this question of going into committee of the whole for purpose of amendments. I did not understand the Senator whether it was general or specfic.

Mr. BEIDLEMAN. Mr. President, general.

Mr. CLARK. Mr. President. I believe there is a distinction between the two. The treatment that has been accorded all the bills during this session and the treatment that has been accorded nearly all the bills in the last session has been that when they are on third reading they go along. The truth is that I have sat up with this bill for a period of about four years, and I personally feel that it is about time for a change of nurses, and I wish to see it become a law.

Mr. BEIDLEMAN. Mr. President. It is true that the Senator from Erie introduced this bill during the early days of the session. It is also true that at about the same

time I introduced Senate Bill No. 39, providing for the government of third class cities. It is also true that in accordance with an agreement I had with the Senator from Erie, in order that he might return to his constituency and say that he had been able to accomplish something, I agreed that this bill should come out of committee and be read for the first time with the understanding that it should go back to committee for the purpose of amendment. I had no further notice of a hearing upon this bill until I was advised that it had been up for consideration at a meeting of the Committee on Municipal Affairs at which I was not present. And one day last week, when I was appearing in court and before the Board of Pardons and had matters outside of the Senate. I was asked by the chairman of the Committee on Municipal Affairs whether I would agree that the bill should be reported out with the understanding that it should go upon the postponed Calendar. When I agreed to that proposition I thought of course that the bill would come out and be placed upon the Senate Calendar on second reading, in order that I might introduce amendments which I now proposed to offer to this bill. This bill is one of considerable importance to every city of the third class in this Commonwealth. It is an innovation in the line of municipal government, and while the Senator from Erie represents in his bill the thought of the allied civic bodies what is embodied in the amendments which I now propose, if the Senate will go into committee of the whole, is the result of the thought during many years, of the member of the League of Third Class Cities of the Commonwealth made up of mayors, city solicitors and city clerks, who all of their lives have considered the question of proper municipal government. This, Mr. President, strikes at the very foundation of municipal affairs. We do not have in cities of the first and second class any commission form of government. We have limited councils and the thought of the League of Third Class Cities is that the cities of the third class should have councils limited in number and not a commission form of government. What this bill proposes is that there should be elected at large a council of five in every city of the third class and provides that that council shall divide itself into five separate parts, making one member of it the head of the Department of Public Affairs, another of Accounts and Finance, another the head of the Department of Public Safety, another the head of Streets and Public Improvements, and another the head of Parks and Public Property, and it provides that those five men shall legislate, shall pass every ordinance, and shall execute every ordinance. It further provides that instead of a city treasurer being elected by the people that the council of five members shall elect the city treasurer. It provides that instead of the people electing the city assessors the council shall elect the city assessors, and it provides that instead of having an impartial board of revision of taxes and appeals the members of that council shall compose that body. So that you are placing the affairs of every third class city in this Commonwealth in the hands of five men who may be elected at large. I want to ask, Mr. President, and members of this Senate, whether there is a banking corporation, for instance, that commits its entire affairs to a committee of five men. Furthermore, when you elect members of a banking corporation you are dealing with men who spend their own money, but when you are striking at the foundation of third class cities government you are electing five men at large with full power to legislate and execute their ordinances without any regard except what public spirit they may have to collect and spend the people's money. And furthermore, this goes to the point of the initiative and referendum. It provides that upon the petition of fifteen per cent. of the people of a municipality every ordinance must be submitted to the people as to whether or not they want it, and what would be the result? There is not a single municipality in the Commonwealth excepted but that when every ordinance would be passed it would have the expense of an election to determine whether or not the people wanted the ordinance. And furthermore, you strike at the political parties. It provides for a non-partisan ballot so that any man who wants to be a candidate for member of council can go on one ticket and cannot have party affiliation of any kind whatsoever. I submit that this Senate should consider, and properly consider, whether or not you are going to institute these innovations; whether or not you are going to strike down in every city of the third class in this Commonwealth and say whether or not they must abolish the form of government they now have and take a commission form of government without regard to whether it is proper or not. In the city which I represent—and the members of the Senate know full well how the city of Harrisburg has grown during the last fifteen years—it has grown with two councilmanic bodies and without any regard to commission or any other kind of government. We have spent millions of dollars in the way of public improvement and I submit that at the institution of the municipal improvements in Harrisburg if you would have submitted to the people the question of whether they wanted them, Harrisburg would be in the rut and would not have a single piece of public improvement. I recall in 1901 when the improvements were started, when the ordinances were passed by councils and the matter came up of paving the streets, it was simply a matter that councils had to force on property owners, the matter of paving the city streets, and if it had been submitted then to the people today we would not have a mile of paved streets, whereas now we have in the neighborhood of seventy-five miles of paved streets in Harrisburg, and the people clamoring day in and day out for councils to pave more, and the only reason that stands in the way is that councils cannot find the money with which to pay for paving intersections.

I think, Mr. President, and members of the Senate, that this is a question that deserves your careful consideration. I endeavored to procure the Senator from Erie to allow this matter to go back to the Committee on Municipal Affairs in order that we might discuss it there. But when he is unwilling to do that, Mr. President, the only thing left for me to do is to endeavor to have this Senate go into committee of the whole for the purpose of general amendment. I ask it in good faith. I ask it in the interest of every third class city of the Commonwealth, and I hope the Senate will resolve itself into a committee of the whole for the purpose of considering the amendments which I desire to offer.

Mr. POWELL. Mr. President, it seems to me that the difficulty in this matter is the failure to understand that there are two separate bills and two separate schemes of municipal government, upon the two sides of which question there are different groups of third class cities within this Commonwealth. The bill of the Senator from Erie, Mr. Clark, provides for a commission form of government, and if it should be attempted to amend it so as to provide for a small council you are going into the proposition of attempting to amend a system of government here upon the floor of this Senate without due opportunity for careful consideration of the question at issue. If the Senate of Pennsylvania is in favor of a commission form of government for third class cities it should then vote for the bill of Senator Clark, for the reason that it has been prepared by a commission that has considered this matter for six or eight years. Every member of this Senate is well enough informed to know that this matter has been before the people of Pennsylvania for the past six or eight years, the question of commission form of government, or of a single council of small membership and the mayor. Senator Clark's bill is a bill which in proper form provides for a commission form of government, one scheme; as I understand Senator Beidleman's bill, it is drawn along the other theory, and you can no more mix oil and water than you can amend one of these bills to comply with the wishes of the other gentleman. It is purely a question as to whether the Senators in this body desire to vote for a commission form of government or for a form of government similar to that which we have now in second class cities, and it seems to me that it is useless to endeavor to amend this bill because if we amend it and if we vote upon these amendments here, we will do it with less consideration, with less knowledge, of what the whole bill provides than we should consider any question. It is entirely too important a question to consider here upon the floor of this Senate in this shape. As I understand the position of the Senator from Erie, it was that this bill was reported out of committee, was sent back for the purpose of amendment, and no amendment was made or proposed in the committee. There are two propositions, the question of commission form of government and the question of the initiative and referendum. I would be opposed to a commission form of government if I did not have the safeguard of the initiative

and referendum. I would be opposed to a small council if I did not have the safeguard of the initiative and referendum. The gentleman from Dauphin, Mr. Beidleman, takes the position that this bill takes some power out of the hands of the people; it does not, it is putting the power directly in the hands of the people. The people of Harrisburg or any other third class city in this Commonwealth elect this commission. More than that, they have behind them the gun which makes that commission do the right thing. He thinks every ordinance must be submitted to the people at a special election. The bill does not so provide. It provides that on a petition of 15 per cent. of the electors an ordinance may be submitted. Now everybody knows that as long as the commission is doing what any reasonably majority of the people of the city want done there will be no objection. Everybody knows how difficult it is to get a petition of fifteen per cent. of the qualified electors. So long as the ordinance is reasonable, fairly reasonable and right, the people will endure the ordinance instead of submitting the question to the whole people at a general election. And it seems to me there is but one thing to do—vote either for or against the bill proposed by the gentleman from Erie, and if the Senator from Dauphin will introduce his bill, vote either for or against it, as your convictions are, and whichever one prevails we will all submit to the will of the majority of the Senate. But to attempt to amend either Senator Beidleman's bill to correspond with Senator Clark's scheme, or Senator Clark's bill to correspond with Senator Beidleman's scheme would be a useless effort and foolish waste of time of this Senate.

Mr. BEIDLEMAN. Mr. President, will the Senator from Allegheny permit himself to be interrogated?

Mr. POWELL. Mr. President, with pleasure.

Mr. BEIDLEMAN. Mr. President, I desire to ask whether the Senator from Allegheny means that the City of Pittsburgh is now under a commission form of government, without the power on the part of the Mayor to veto ordinances.

Mr. POWELL. Mr. President, I did not so state. I said that the City of Pittsburgh is under substantially the same form as proposed by Mr. Beidleman in his bill, and not under the form proposed by Senator Clark in his bill.

The PRESIDENT. The Chair wishes to remind the Senators that the motion is not a matter for debate. The question is on the motion that the Senate resolve itself into committee of the whole for the purpose of general amendment.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HERBST and Mr. POWELL and were as follows, viz:

YEAS—13.

Beidleman,	DeWitt,	Hunter,	McNichol,
Cooper,	Hall,	Jones,	Salus,
Crow,	Homsher,	Magee,	Snyder,
			Sones,

NAYS—29.

Alexander,	Gyger,	Knapp,	Moore,
Buckman,	Heacock,	Kurtz,	Nulty,
Catlin,	Herbst,	Martin,	Powell,
Clark,	Hoke,	McIlhenny,	Sensenich,
Endsley,	Huffman,	McNichols,	Sheatz,
Farley,	Jarrett,	Miller,	Stineman,
Graff,	Judson,	Mills,	Thompson,
			Wasbers,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BEIDLEMAN. Mr. President, I now move that the bill be recommitted to the Committee on Municipal Affairs for the purpose of amendment.

Mr. COOPER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CLARK. Mr. President, the gentleman from Dauphin said that last night he held a conference with me for the purpose of having this bill recommitted to the Municipal Affairs Committee. I asked the Senator if it went back to committee and we fought it out on the question of amendment and harmonizing on the two bills were possible, if he would abide by the determination of the committee, and he promptly said "no", that he would bring it out on the floor of the Senate and contest it there. I inquired how about the other fellow, if it was not decided in committee in his favor, and therefore I see no necessity for having this bill go back to committee.

Mr. BEIDLEMAN. Mr. President, I very naturally expected, knowing, or being charged with knowing, some little legislative practice, that when I agreed that this bill should come out of committee last week with the chairman of the Committee on Municipal Affairs, who I know acted in good faith, and I know now if he were here he would agree with what I say, that that bill would naturally go on the second reading Calendar, where, without the necessity of a motion to go into committee of the whole, I would, as a matter of right, be entitled to offer the amendments which I propose and have this Senate properly and carefully consider them, and I think, Mr. President, when I am asking that this bill shall be recommitted, I am only asking for the keeping of good faith in the thought that when it was reported out of committee it would appear on the second reading Calendar where I would have an opportunity to offer these amendments.

Mr. CLARK. Mr. President, I have that written request presented by the gentleman who has just spoken directed to the chairman of the Committee on Municipal Affairs in my pocket, and in accordance with that request this bill did go over, and what agreement the gentleman from Dauphin had with the chairman outside of the deliberations of the Committee itself I do not know. I do know this, that there are a great many members of that committee and that they have given this matter great consideration, and I do know that at none of the meetings was the Senator from Dauphin present. If his numerous duties in court and elsewhere are such that he cannot attend the meetings of the Municipal Affiairs Committee that then is not the fault of the committee and it should be charged where it properly belongs. The Senator spoke of the merit of the bill in controversy. I have much to say. I do not see that it is either the time or the occasion now to say it. I limited the remarks which I made to the motion to endeavor to show how the bill was deliberated upon and brought here. I did not care to go into the merits of the bill at all, so now I hope this bill will not be referred back to committee. It is getting toward the centre of the session. One hundred and four bills of the House came over here yesterday. The Calendar is getting large and if we are going to do anything for the cities of the third class it is high time we take action and prompt action.

Mr. KLINE. Mr. President, I think the embarrassment of the Senate could be relieved very much by amendment to that present motion. None of us could vote intelligently upon either matter here today and as both men agree, it is a matter of too vital importance to discuss here upon the floor and should be done in the committee. I desire to amend that motion as follows, that this bill be recommitted to the committee and be returned to the Senate next Monday night.

Mr. BEIDLEMAN. Mr. President, I accept the amendment.

Mr. POWELL. Mr. President, I would be the last one to endeavor to keep this bill out or endeavor to have a final vote on it if I thought there was any possibility of agreement on these amendments, but it seems to me that there are, as I said before, two separate and distinct forms of government and the attempt to harmonize one with the other is useless, and the Senate should vote upon this bill and then upon Senator Beidleman's bill. I believe that both the bills have a scheme they intend to introduce, are practically perfect bills, and there is no difficulty. If Senator Beidleman's bill were passed the third class cities of the Commonwealth could live under it, and we would have a system of government substantially the same as we have now in second class cities. If Senator Clark's bill would pass we would have a commission form of government. So far as I am personally concerned I favor a commission form of government for third class cities because we are now in the experimental stage in municipal government in Pennsylvania. We have in the city of Philadelphia two councils, a mayor, the old style system of municipal government. We have in second class cities a one-body council, a mayor and a system of government which we began to try in 1911. Now why should not the State of Pennsylvania provide that third class cities should have the other form of government and then in a few years we will

known which form of government is the best as a practical business proposition and which will work out best for the people of this State, and I have no hesitancy in saying that after that trial the people in this State will have made up their minds which is the best form of government for cities in Pennsylvania. So far as I am personally concerned I am in favor of the city having the right to adopt either one of the three charters which it sees fit. I am in favor of local self government for these cities, and I believe the laws of Pennsylvania ought to provide these three schemes of government and the people ought to be left to decide under what one of these schemes they should operate, and I think we ought to have the whole three tried out before. And I believe the bill which will finally come will be the bill which gives local self government to cities and submits three forms of charters and gives them the right to say under which form of charter they will operate.

Mr. CLARK. Mr. President, I do not want to appear too numerous in this matter. I am entrusted with this bill, and I do not want to be charged with having violated that trust. This bill has been before the Senate sixty-three or sixty-four days and when the Senator from Dauphin speaks about not having time to examine it, he introduced a bill that is materially different from this one. When that bill was introduced by the Senator I read that bill that night by going to the reporter's room, so that I might be posted on it, and I therefore respectfully request the members of this Senate to vote upon this measure at the present time.

Mr. McNICHOL. Mr. President, I confess that I am favorable to the bill as presented by the Senator from Erie, Mr. Clark, but there has been enough discussion in this chamber today to leave a doubt in my mind as to whether it would not be possible to take both bills and have the meritorious matter boiled into one bill which would give the people of third class cities the right to select which of these two forms of government they desire to be governed under, and, therefore, I think in justice to the Senator from Dauphin that it is an act of courtesy to each member of this Senate that if there is any doubt in the minds of the gentlemen representing both sides of this question that it is only one week's delay, that we are entitled to give a fair and due consideration in the Committee to the subject. We will meet again next Monday night and there can be no harm done in the interval, and we can agree to vote upon this bill as to which one is the proper one, and I think when Monday night comes along they can have some concise deductions from each bill that possibly will be entirely friendly and they can both vote upon it.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. POWELL and Mr. JARRETT, and were as follows:

YEAS—27.

Beidleman,	Fisher,	Jones,	Morgan,
Buckman,	Graff,	Kline,	Salus,
Cooper,	Hall,	Kurtz,	Sheatz,
Crow,	Hoke,	Magee,	Snyder,
DeWitt,	Homsher,	Martin,	Sones,
Endsley,	Huffman,	McNichol,	Thompson,
Farley,	Hunter,	McNichols,	

NAYS—18.

Alexander,	Heacock,	Judson,	Nulty,
Catlin,	Herbst,	Knapp,	Powell,
Clark,	Hilton,	Miller,	Sensenich,
Gyger,	Jarrett,	Mills,	Stineman,
		Moore,	Wasbers,

So the question was determined in the affirmative.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 189, on third reading, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State forest reserves and to improve and maintain the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 221, entitled:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Graff,	Kline	Nulty,
Beidleman,	Gyger,	Knapp,	Powell,
Buckman,	Herbst,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Hunter,	McNichol,	Sones,
Endsley,	Jarrett,	McNichols,	Stineman,
Farley,	Jones,	Miller.	Thompson,
Fisher,	Judson,	Morgan,	Vare
			Wasbers,

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 495 (House Bill No. 470), entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 538 (House No. 438), entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Thompson,
Farley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 546 (House No. 682), entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline	Nulty,
Buckman,	Hall,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 547 (House No. 723), entitled:

An Act to authorize the printing of twenty-five thousand copies bulletin number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Judson,	Morgan,
Beidleman,	Gerberich,	Kline,	Nulty,
Buckman,	Graff,	Knapp,	Powell,
Catlin,	Gyger,	Kurtz,	Salus,
Clark,	Heacock,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McNichol,	Stineman,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Wasbers,

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548 (House No. 758), entitled:

An Act fixing and regulating the liability of the several counties of this Commonwealth or the prosecutors in certain cases and authorizing the court to make orders in relation thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—5.

Alexander,	DeWitt,	Hall,	Heacock,
	Hilton,		

NAYS—33.

Beidleman,	Fisher,	Jones,	Mills,
Buckman,	Graff,	Judson,	Moore,
Catlin,	Gyger,	Kline,	Morgan,
Clark,	Herbst,	Knapp,	Powell,
Cooper,	Hoke,	Kurtz,	Sensenich,
Crow,	Homsher,	Magee,	Sheatz,
Endsley,	Hunter,	Martin,	Stineman,
Farley,	Jarrett,	Miller,	Thompson,
			Wasbers,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Stineman,
Endsley,	Huffman,	Miller,	Thompson,
Farley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 597, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25.

Alexander,	Graff,	Jarrett,	Mills,
Beidleman,	Gyger,	Jones,	Moore,
Buckman,	Heacock,	Judson,	Morgan,
DeWitt,	Herbst,	Knapp,	Sensenich,
Endsley,	Hilton,	Martin,	Sheatz,
Farley,	Homsher,	Miller,	Thompson.
			Washers,

NAYS—6.

Catlin,	Hunter,	Powell,	Sones,
Cooper,	Kline,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 626 (House Bill No. 735), entitled:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been reconveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—37.

Alexander,	Gyger,	Kline,	Morgan,
Buckman,	Herbst,	Knapp,	Powell,
Catlin,	Hilton,	Kurtz,	Salus,
Cooper,	Hoke,	Magee,	Sensenich,
Crow,	Homsher,	Martin,	Sheatz,
DeWitt,	Huffman,	McNichol,	Snyder,
Endsley,	Hunter,	Miller,	Sones,
Farley,	Jones,	Mills,	Stineman,
Graff,	Judson,	Moore,	Thompson,
			Washers.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637, entitled:

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the roads and highways building constructing repairing and maintaining permanent roads culverts and bridges purchasing machinery or lifting orders or payment of any contracts made therefor to an assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and all coupon bonds or other securities issued therefor and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities since the twentieth day of April Anno Domini one thousand eight hundred and seventy-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Powell,
Buckman,	Heacock,	Kline,	Salus,
Catlin,	Herbst,	Knapp,	Sensenich,
Cooper,	Hilton,	Kurtz,	Sheatz,
Crow,	Hoke,	Magee,	Snyder,
DeWitt,	Homsher,	Martin,	Sones,
Endsley,	Huffman,	McNichol,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
		Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 642, entitled:

An Act providing for the expenses of county commissioners and county poor directors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Powell,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Heacock,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Magee,	Snyder,
Crow,	Hoke,	Martin,	Sones,
DeWitt,	Homsher,	McNichol,	Stineman,
Endsley,	Huffman,	Miller,	Thompson,
Farley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. POWELL. Mr. President, I would like the privilege of interrogating the Senator from Berks, Mr. Herbst, in regard to the purpose of this bill.

The PRESIDENT. Will the Senator from Berks, Mr. Herbst, allow himself to be interrogated?

Mr. HERBST. Mr. President, certainly.

Mr. POWELL. Mr. President, I see the bill provides that county commissioners may appoint a clerk and fix his compensation. Now it being introduced by the Senator from Berks, Mr. Herbst, I suppose it is not a salary raiser. But I would like to ask him as to whether or not it is a salary raiser.

Mr. HERBST. Mr. President, I will answer that in the negative. It is not a salary raiser. It merely gives the clerk a term of four years instead of three, the same as the term of the County Commissioners, and, by the way, it was at the request of the Republican County Commissioner that the bill was introduced.

Mr. POWELL. Mr. President, with that understanding I will vote for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—46.

Alexander,	Graff,	Jones,	Moore,
Beidleman,	Gyger,	Judson,	Morgan,
Buckman,	Hall,	Kline,	Powell,
Catlin,	Heacock,	Knapp,	Salus,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Sheatz,
DeWitt,	Hoke,	Martin,	Snyder,
Endsley,	Homsher,	McIlhenny,	Sones,
Farley,	Huffman,	McNichol,	Stineman,
Fisher,	Hunter,	McNichols,	Thompson,
Gerberich,	Jarrett,	Miller,	Vare,
		Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for consurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 646, entitled:

A joint resolution proposing an amendment to section eight of article nine of the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gyger,	Judson,	Powell,
Clark,	Hall,	Knapp,	Salus,
Cooper,	Heacock,	Martin,	Sensenich,
DeWitt,	Hilton,	McIlhenny,	Sheatz,
Endsley,	Hoke,	McNichol,	Sones,
Farley,	Homsher,	Mills,	Stineman,
Fisher,	Huffman,	Moore,	Thompson,
Graff,	Jarrett,	Morgan,	Wasbers,

NAYS—1.

Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 647, entitled:

An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishment of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Knapp,	Salus,
Beidleman,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	Miller,	Stineman,
Endsley,	Huffman,	Mills,	Thompson,
Farley,	Hunter,	Moore,	Vare,
Fisher,	Judson,	Morgan,	Wasbers,
Graff,	Kline,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Kline,	Morgan,
Beidleman,	Graff,	Knapp,	Powell,
Buckman,	Gyger,	Kurtz,	Salus,
Catlin,	Hall,	Magee,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	Miller,	Stineman,
Endsley,	Hunter,	Mills,	Thompson,
Farley,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 732 (House No. 1166), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. POWELL. Mr. President, I ask unanimous consent to amend section 2, line 8, by striking out the preposition "to". It is in twice and is only a clerical error.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Hilton,	Magee,	Sensenich,
Catlin,	Hoke,	Martin,	Snyder,
Cooper,	Homsher,	McIlhenny,	Sones,
Crow,	Huffman,	McNichol,	Stineman,
Endsley,	Hunter,	Mills,	Thompson,
Farley,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments, in which the concurrence is requested.

REPORTS FROM COMMITTEES.

Mr. SHEATZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHEATZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 433, entitled:

An Act establishing a Commission of Water Works in bor- of this Commonwealth; providing for the appointment of Commissioners of Water Works, prescribing their powers and duties; and providing for the condemnation of real estate within or beyond the territorial limits of said borough.

Also, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 758 (House Bill No. 794), entitled:

An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor.

RECONSIDERATION OF VOTE ON FINAL PASSAGE.

Mr. SALUS. Mr. President, I move to reconsider the vote by which Senate Bill No. 212, entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty.

which is on page 1 of the Calendar of March 24, 1913, was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "No."

Mr. MAGEE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MAGEE. Mr. President, I voted "No."

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, I might say for the benefit of the Senators that the idea is to place this bill on the postponed Calendar in order that it may later be referred back to the Committee as I understand that there are some peop'e who want to be heard on the question.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SALUS. Mr. President, I move that the question, together with the further consideration of this bill be postponed for the present.

Mr. MAGEE. Mr. President, I second the motion.

The motion was agreed to.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Knapp,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Stineman,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Jones,	Moore,	Wasbers

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Governor be informed accordingly.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 573, entitled:

An Act permitting certain companies and corporations to extend wires across the tracks and right of way of railroad and street railway companies and providing a means of compensation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely February sixteen one thousand eight hundred seventy-four May twenty-four one thousand eight hundred eighty-one May twenty-nine one thousand eight hundred eight-five June eleven one thousand eight hundred eighty-five June twenty-five one thousand eight hundred eighty-five May nine one thousand eight hundred eighty-nine May twenty-nine one thousand eight hundred ninety-five June twenty-six one thousand eight hundred ninety-five June twenty-seven one thousand eight hundred ninety-five May two one thousand nine hundred one June four one thousand nine hundred one April twenty-one one thousand nine hundred three April seventeen one thousand nine hundred five interalia providing for the establishment and regulation of trust companies" approved the eighth day of May one thousand nine hundred seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or off certificates of deposit issued by a trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred one Pamphlet Laws six hundred thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act enabling the board consisting of State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteen one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 713, entitled:

An Act providing for the appointment of district attorneys when vacancies occur

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 201, as follows:

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the attorneys-at-law of the several courts of this Commonwealth shall be entitled to receive

For every suit prosecuted to judgment after trial by jury the sum of ten dollars ($10.00) Said fees shall be taxed as part of the costs in every such suit or judgment

Section 2 All acts and parts of acts general local and special inconsistent with the provisions of this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded with the second reading and consideration of Senate Bill No. 337 (House Bill No. 189), entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 465, as follows:

A Joint Resolution providing for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvvania commends in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the members of the Board of Public Grounds and Buildings the President pro tempore of the Senate the Speaker of the House of Representatives the Adjutant General one member of the Senate to be appointed by the President pro tempore two members of the House of Representatives to be appointed by the Speaker of the House of Representatives shall constitute a Commission whose duty shall be to arrange for and supervise the transfer from the Library and Museum building to the cases in the rotunda of the capitol building of the flags of Pennsylvania commands in the War of the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange a proper and fitting patriotic ceremony in commemoration thereof

Section 2 The commission hereby created is authorized to furnish at the expense of the Commonwealth transportation via shortest route from their residence in Pennsylvania to Harrisburg Pennsylvania and return to a sufficient number of the surviving soldiers of Pennsylvania commands to carry the flags from the library and museum building to the rotunda of the capital building

Section 3 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated to pay for such transportation and expenses as the commission may deem necessary to properly carry out the purpose of this resolution all payments to be made by warrant drawn by the Auditor General upon the State Treasure based upon duly itemized vouchers approved by the Adjutant General and duly filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MAGEE. Mr. President. I move that Senate Bill No. 655, on second reading, entitled:

An Act relating to the classification of school districts

be recommitted to the Committee on Education for the purpose of a hearing.

Mr. CROW. Mr. President I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded with the second reading and consideration of Senate Bill No. 696, as follows:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department or bureau or branch thereof or any committee or commission authorized by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all attorneys and other legal counsel employed to represent or advise this Commonwealth or any department or bureau or branch thereof or any committee or commission authorized by law shall be employed only by or under the direction of the Attorney General

Section 2 All acts and parts of acts inconsistent with or supplied by this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded with the second reading and consideration of Senate Bill No. 700, as follows:

An Act requiring and regulating instruction in the public schools in ways and means of prevening accidents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every teacher in the public schools to devote not less than thirty consecutive minutes in each month during the school year to instructing the pupils of the proper school or room in ways and means of preventing accidents

Section 2 The Board of Education shall at the expense of the Commonwealth cause to be prepared and distributed to all public schools a book or pamphlet conveniently arranged by chapters and lessons A copy of such book or pamphlet shall be furnished to each teacher in said schools

Section 3 The school directors of each school district shall cause a copy of the first and second sections of this act to be printed in the manual or handbook prepared for the guidance of teachers where such manuel or handbook is in use

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, as follows:

An Act authorizing and empowering cities and borough in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities and boroughs in their corporate capacity are hereby authorized and empowered to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath the settling or caving in of the surface

And said bill having been read at length the second time time and agreed to,

Ordered, to be transcribed for a third reading.

HOUSE CONCURS IN SENATE BILL NO. 279.

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 279, entitled:

An Act authorizing State Treasurer to endorse over to the Ladies' Memorial Asociation of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies' Memorial Association

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 529.

He also informed the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 529, entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 566 (Senate Bill No. 774), entitled:

An Act giving to all owners or tenants of land property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injurying lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings

Which was committed to the Committee on Judiciary General.

House Bill No. 791 (Senate Bill No. 775), entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

ADJOURNMENT.

Mr. McNICHOL. Mr. President, I move the Senate do now adjourn until ten o'clock to-morrow morning.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:50 o'clock P. M. until Wednesday morning, March 26, 1913, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, March 25, 1913.

The House met at 10.00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, our hearts are moved to profound pity as we come before Thee this morning. There are people who are suffering, who are facing disaster and wreckage and immeasurable loss. The Storm King has been abroad in the land, leaving desolated homes and devastated cities, and great loss of property and sacrifice of life. We would not be indifferent to this distress, because it is remote from our borders, or because we are exempt. We remember experiences of our own, as a Commonwealth, when the sympathy and commiseration of the people were highly appreciated. We would think very tenderly of these suffering people. We would lift them up in our prayers and commend them to Thee. There are compensations for all calamities. It must be so, because Thou are an infinitely merciful God. May this thought come into the hearts of the people who are suffering, and may they gather courage and confidence and face again the life that is before them. May the cities be rebuilded and the homes re-established and the hearts of the people be sustained and comforted.

We ask all this in the name of that infinitely loving, pitiful God whose we are and whom we are trying to serve. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Savacool, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. GEORGE A. BALDWIN, from the Committee on Law and Order, reported as committed, House Bill No. 1092, entitled:

An Act to amend an act approved the second day of May, Anno Domini one thousand nine hundred and one, entitled, "An Act to amend an act approved the twety-fifth day of Jue, Anno Domini, one thousand eight hundred and ninety-five,' creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of this Commonwealth, or near thereto, and fixing penalties for committing such offense,'" by changing and enlarging the penalties for committing such offence.

Mr. MATT, from the Committee on Law and Order, reported as committed, House Bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof, by forbidding such sale between certain designated hours of the day and on certan holidays, and prohibiting the use of certain devices intended to increase sales.

LEAVES OF ABSENCE.

Mr. McCAIG asked and obtained leave of absence for Mr. Kenna for the balance of the week.

Mr. JOHN ROBERT JONES asked and obtained leave of absence for Mr. E. E. Jones for to-day.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 218, as follows:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person residing within this Commonwealth to hunt for wild birds or wild animals protected by the game laws of this Commonwealth with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or except in the defense of person or property to shoot at or kill or pursue with intent to take kill or wound any such wild birds or wild animals found within this Commonwealth without first securing a license to so do in accordance with the provisions of this act

Section 2 Whenever the word "person" is used in this act such word shall be taken to include every person all words or terms in this act which refer to persons in the singular number shall be taken to include the plural number All words of the plural number shall include the singular number and all words of the masculine gender shall be taken to include the feminine gender

Section 3 For the purposes of this act any person born in the United States of America or any person fully naturalized under the laws of the United States or the son of any such naturalized person under the age of twenty-one years who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application shall be entitled to the license herein referred to upon the further fulfillment of the requirements of this act

Section 4 Each and every resident of this Commonwealth such resident being a citizen of the United States upon application made verbally or in writing to any county treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this act and the payment to said county treasurer of one dollar shall be entitled to what is herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian Provided further that no person under fourteen years of age shall be granted a license which

shall be issued on a form prepared and supplied by the Board of Game Commissioners at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal fire-arms for the purpose of hunting and killing any of the wild animals or game birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void upon the thirty-first day of December next following the date of issue the Game Commission shall also furnish free of charge and the county treasurer shall issue with each license a tag bearing the license number in figures at least one inch in heighth which tag said licensee is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the county treasurer of the county in which he is located and having received and receipted for the necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any county treasurer upon payment of fifteen cents to said justice by the licensee in addition to the other dollar prescribed at the cost of said license said fifteen cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein properly filled out and showing the names of such licensee and the number of the license issued to him

Section 5 Any citizen of the United States resident within this Commonwealth who shall excepting in defense of person or property attempt through the use of a gun or mechanical device before described in this act to hunt for or to take or wound or kill any of the wild birds or animals protected by the laws of this Commonwealth without first being possessed of a "Resident Hunter's License" lawfully issued to him in his name shall be liable to a penalty of twenty dollars for each offense and each day upon which said gun or device is used shall be considered a separate and distinct offense Provided That nothing in this act shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or proprty or from shooting at targets or from hunting for or shooting at in any place in this Commonwealth anything not protected by the laws of this Commonwealth or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family of such owner or lessee such person being a citizen of the United States residing upon and cultivating lands of not less than ten acres in extent from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this act it being distinctly understood that no right is conveyed by this act to hunt upon either private or public property in this Commonwealth contrary to the wishes of those who may own or control such property

Section 6 For the purpose of this act the fact that any person shall be found in possession of a gun or of a mechanical device of any description possessing the power to propel with force a leaden or metal bullet or pellet either in the field in the forests or on the waters of this Commonwealth shall be considered prima facie evidence that such person is hunting and shall render him liable to display his license tag as aforesaid and to show his "Resident as is herein designated as "Resident Hunter's License" of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth or upon demand by the owner or the lessee or by the employe or representatives of such owner or lessee upon whose lands such person may be found in this Commonwealth and for refusing or neglecting to comply with such request such person neglecting or refusing to display his license tag as aforesaid and exhibit his "Resident Hunter's License" shall upon conviction be liable to a penalty of twenty dollars and the fact that any person may be found upon the highways of the Commonwealth in possession of a gun and the dead body of any bird or animal protected by the laws of this Commonwealth shall be considered prima facie evidence that such person is hunting and such person upon demand made by any officer of the Commonwealth whose duty it is to protect the wild birds and game of the State shall be required to display his license tag as aforesaid and exhibit his "Resident Hunter's License" and for refusing to so do shall upon conviction be liable to a penalty of twenty dollars Provided That in all cases of arrest for violation of any of the provisions of this act the affidavit of any person charged with such violation denying the charge made shall in every instance overbalance act and that all penalties collected for violation of any of the provisions what is termed "prima facie evidence" in any of the provisions of this section shall be paid into the State Treasury to be applied to the purposes otherwise provided for in this act

Section 7 Each and every county treasurer of this Commonwealth shall in a book to be supplied by the Board of Game Commissioners at the cost of the Commonwealth a correct and complete record of all "Resident Hunter's License" issued by him Such book shall be in the form of an alphabetical index and it shall be the duty of each county treasurer to have entered therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward immediately to the Game Commission a complete list of licenses granted with names and addresses of licensees and numbers of their respective license on blanks to be furnished by the Game Commission and this index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the wild birds and game of the Commonwealth

Section 8 Said county treasurers are herewith authorized to retain for services rendered the sum of ten cents from the amount paid by each licensee which amount shall be full compensation for services rendered by him in each case under the provisions of this act and shall remit all balances arising from this source at least once a month to the State Treasurer for the purposes otherwise provided for in this act Each county treasurer shall make his return to the State Treasurer upon a form to be supplied by the Board of Game Commissioners at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary of the Board of Game Commissioners at Harrisburg

Section 9 Any officer of the Commonwealth whose duty it is to protect the wild birds or game of the Commonwealth or to preserve the peace of the Commonwealth shall have the right to arrest without warrant any person caught in the act of violating any provision of this act or in a pursuit immediately following such violation and to seize all guns shooting paraphernalia dogs boats decoys or other appliances used in violation of any provision of this act also all wild birds or animals game or otherwise found either in possession or under control of the suspected person within this Commonwealth All birds and animals or parts thereof not classed as game in this Commonwealth thus seized shall be held subject to the order of the Board of Game Commissioners All guns boats decoys dogs game and shooting paraphernalia seized when such arrest is made shall be held subject to the determination of the proceedings instituted and where the party accused is convicted all game seized shall be forfeited to the Commonwealth of Pennsylvania and as soon as may be shall be forwarded to the most convenient hospital for the use of the sick or injured therein All guns boats decoys dogs and shooting paraphernalia of every description thus seized shall be held subject to the payment of the penalty imposed and the costs of prosecution and unless security be given as required by section thirteen of this act all such seized guns boats decoys dogs and shooting paraphernalia shall be sold at public auction after advertising the same for five days by at least five public handbills conspicuously posted in the city borough or township wherein the conviction was secured Any fund thus arising shall be applied First to the payment of the costs of prosecution then to the payment of the penalty imposed and the remainder if any shall be returned to the owner of the property seized Where game dogs boats decoys or shooting paraphernalia of any description shall be seized and the owners thereof escape arrest and refuse to present themselves and make claim to said property all such game after the lapse of three days after the seizure shall be declared forfeited to the Commonwealth and shall be sent to the most convenient hospital for the purpose before indicated in this section All guns dogs boats decoys and other shooting paraphernalia thus seized shall be held for a period of ten days after which time if the owner thereof fails to appear and defend himself against the charges made such property of all description shall be sold in the manner prescribed for the sale of seized property after conviction and the fund arising from such sale be applied as in the case of the sale after conviction Provided That the fact that imprisonment suffered by any person convicted of violating any provision of this act shall not prevent the sale of guns dogs boats decoys or shooting paraphernalia of any description held as the property of the imprisoned party and the application of the fund thus realized to the payment of the costs and the penalty imposed

Section 10 Each and every person resisting arrest for violation of any of the provisions of this act or refusing to go with an officer after an arrest has been made or interfering with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be liable to a penalty of one hundred dollars which penalty when collected shall be applied as are other penalties under the provisions of this act

Section 11 Whenever because of the violation of any of the requirements of this act any person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to at once pay said amount together with the costs of prosecution in lawful money of the United States he shall at once be committed to the common jail of the county in which the conviction is secured for a period of one day for each dollar of penalty imposed unless he shall enter into good sufficient recognizance to either pay the penalty and costs within a period of ten days after the date of said conviction or to certiorari the proceedings under the forms of law or to carry the case to a higher court on appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto For the second or any additional offense after the first offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any of the provisions of this act wherein the defendant suffers imprisonment in lieu of a cash payment of the penalty imposed or fails to pay the costs of prosecution all traps guns boats decoys shooting

paraphernalia or other appliances used in violation of the law and found in his possession at the time of arrest or proven to have been used in violation of law shall be and they are hereby declared forfeited to the Commonwealtn of Pennsylvania and shall be either destroyed or sold as the Board of Game Commissioners may consider best and the money secured through such sale shall be applied by said board first to the payment of the costs incurred and the remainder if any be deposited with the State Treasurer to be used for the purposes herein otherwise provided the defendant being entitled for the first offense only to the credit of one day off his imprisonment for eacn dollar so deposited with the State Treasurer

Section 12 All licenses fees collected under the provisions of this act and all fines and penalties imposed and collected for violation of any of its provisions shall be paid to the State Treasurer as hereinbefore designated who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the General Appropriation act or by separate appropriation for the payment of bounties It being specifically provided that fifty per centum of any fund returned to the State through or because of the provisions of this act or so much of said fifty per centum as may be needed shall be applied by the Legislature at its biennial sessions to the payment of bounties at the rate of one dollar for each mink killed two dollars for each weasel killed two dollars for each fox killed and four dollars for each wild cat killed and such bounty upon other animals or birds as may hereafter have a bounty placed upon them by the Legislature of the State such bounties to be paid upon proof of such killing as is now provided by the law of this Commonwealth

Section 13 Each and every magistrate justice of the peace and alderman within this Commonwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions of this act excepting where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrended by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall except as provided for in section six of this act belong to such prosecutor and shall be paid to him by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer to be applied to the purposes otherwise provided for in this act Each and every defendant convicted on appeal before any court of this Commonwealth shall be sentenced to pay the penalty imposed by the section violated or to undergo imprisonment in the common jail of the county for one day for each dollar of penalty imposed and unpaid Provided that any person charged with violating any provision of this act may sign an acknowledgment of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector deputy or special deputy game protector the penalty in full as fixed by the act together with the costs accruing to the State to that date and the printed receipt therefor which shall in every instance bear the imprint of the Seal of the Board of Game Commissioners of Pennsylvania and the signature of its secretary shall be evidence of full satisfaction of the offense committed Provided further that when any person or persons are arrested for any violations of the provisions of any section of this act the party or parties making said arrests shall immediately thereafter take or cause to be taken the parties so arrested to the nearest justice of the peace magistrate or alderman for a hearing upon the charge upon which said person or persons were arrested

Section 14 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DAVIS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 791, entitled:

An Act providing or and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

On the question,

Will the House agree to the bill on third reading?

Mr. CHEESEMAN. Mr. Speaker, the title of this bill very plainly and explicitly explains the purpose of the bill, and I will only say in addition a few words to call your attention to the merits of the bill. It provides that where a board of auditors has surcharged a man that an appeal may be taken when their finding is set aside by the Court. As it is now, the Court may set aside without cause and for political purposes the findings of the Board of Auditors. It is the intent of this bill that they shall have the right of appeal. The bill is a fair one and I hope it will receive the support of the members of this House.

The Question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Adams,	Ely,	Mannion,	Runk,
Allen,	Ewing,	Martin,	Sassaman,
Alworth,	Foster, J. D.,	Mather,	Savacool.
Arthur,	Frey,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Gans,	McAleer,	Schuck,
Baldwin, R. J.,	Geary,	McAllister,	Scott, J. R. K.,
Barner,	Geiser,	McCaig,	Scott, S. B.,
Bass,	Gibson,	McClintock,	Semmens,
Bayle,	Glenn,	McDermott,	Shaffer, C. A.,
Becker,	Good,	McKay,	Shaffer, I. E.,
Benninger,	Gramley,	Mellott,	Shern,
Benson,	Gray, Frank,	Metzenbacher,	Sherwood,
Bergey,	Haggerty,	Miller,	Showalter,
Berntheizel,	Heidinger,	Missimer,	Smith, J. W.,
Bigger,	Hemminger,	Mitchell,	Smith, L.,
Blair, W. F.,	Herman,	Moore,	Snyder,
Bleloch,	Hess,	Morrow,	Spangler,
Body,	Heyburn,	Moses,	Spiiinger,
Brosius,	Hobbs,	Moulthrop,	Steedle,
Brown,	Howard, J.,	Murphy,	Steele,
Brownlee,	Howard, R.,	Neely,	Stein,
Caldwell,	Humes,	Newbaker,	Stone,
Campbell, C.M.,	Isler,	Newton,	Strauss,
Campbell, J.J.	Irwin, G. C.,	North,	Swartz,
Carter,	Irwin, H. H.,	Peachey,	Swift,
Cheeseman,	Jackson,	Pennegar,	Thomas,
Claycomb,	Jones, J. R.,	Pennock,	Trach,
Cleary,	Kaiser,	Perry, H. L.,	Ulerich,
Cochran,	Kaufman,	Perry, S. J.,	Ulman,
Collins,	Keeport,	Piper,	Walnut,
Conner,	Kennedy,	Post,	Walton,
Conrade,	Kern,	Ramsey,	Watson,
Cox,	Klepper,	Redfield,	Whitaker,
Currier,	Kuhn, H. P.,	Reese,	Whitman,
Curry,	Lanius,	Reeser,	Wildman,
Davis,	Latshaw,	Rex,	Williams,
DeFrees,	Lenker,	Richards,	Young, G. K.,
Donnally,	Leslie,	Robinson,	Young, J. H.,
Down,	Light,	Rockwell,	Zimmerman,
Dunn, J. A.,	Lohr,	Roney,	Alter,
Ehrhardt,	Malie,	Rothenberger,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 753, entitled:

An Act prescribing what elective or appointive offices positions or employments of profit shall be incompatible with

the office of a member of either branch of councils in cities of the first class of this Commonwealth and providing a method for its enforcement

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, this bill was recently put on the calendar notwithstanding the negative recommendation of the committee. It provides that councilmen in cities of the first class cannot hold office either under the city or under the county. When this bill first came up I think I explained the situation in Philadelphia at that time, and probably there is no necessity now to repeat it. Councilmen in Philadelphia occupy a position similar to us here in Harrisburg, and also occupy positions under the county and city. The inconsistency of that situation is manifest. When we enacted our Constitution of Pennsylvania we provided therein that a legislator should not be a member of the working force and draw a salary from a State or county office at the same time he was a legislator. It is my conclusion and feeling that the same rule should apply to the councilmen in Philadelphia. A councilman passes upon questions of appropriation and policy affecting the department in which he is employed. He is also naturally restricted in his political activity and in his vote by the influence of the officials at the head of that particular department and under whom he holds office. I, therefore, ask the Gentlemen of the House to pass this bill.

Mr. JAMES A. DUNN. Mr. Speaker, I appeal to you Gentlemen of the House as members of this body to consider the seriousness of this bill at this time. You are all aware that in the City of Philadelphia. the Councilmen are elected to the various offices without receiving compensation for whatever services they render and an attorney, like my friend from Philadelphia, might be elected to that particular office in Philadelphia and as he is an attorney he can perform his duties and attend to the duty of a councilman just the same and not neglect his own work. A doctor can do the same thing and a business man can do the same thing, but there is another class in the City of Philadelphia that is just as able to legislate for the City of Philadelphia as the doctor or the lawyer or the business man and that is the class I represent—the middle class and I want to say to my friends, that what few councilmen to-day are holding what we may call dual positions in the City of Philadelphia, they are only trying to be compensated for some service that they render to the City of Philadelphia where the City of Philadelphia will not compensate them for it. It is only for people like myself. If the people in my ward would like to place my name on the ticket in my ward and elect me. I would be compelled to sacrifice my duty in which I earn my living, to perform the duties as councilman for the City of Philadelphia and without pay and then, it is only honorable for me if I am able to represent my ward in the City, if I am capable of doing work for my constituents of that ward, if there is a possible chance in some way of being reimbursed for what sacrifices I am making in the interests of the city, as against my business and my regular work. If I give up my work and give my time to the interests of the City, it is no more than right that some poor man like myself who is just as capable of filling the duties of the office of councilman, for instance, as any other members of that body, that we shall be compensated for that work. If you draw the line on that particular question; if you draw the line that you are going to place in positions professional men and draw the line on the man who works in the mills or any ordinary daily labor, why this is a question that must be considered. In my particular ward, only two years ago we elected two reform councilmen; one was a personal friend of mine and I know that only before the previous November election, if that man had the opportunity to resign from that position, he would have done so. He came to me and said, "Jim, I would resign in order to fill my position in the coming election and retire in order to serve the City. I would resign as it is impossible for me to serve the City and carry on the position which I occupy." He told me this—that every councilman in the City of Philadelphia, and this was a reform councilman. ought to receive at least four thousand dollars a year and he ought to have an automobile in order to go along over his whole district and take care of the duties that belong to the office, and he should have free telephone service and do everything or have everything so that he could at a moment's notice be prepared to answer any call whatever within the radius of his ward. A reform councilman told me all this and I will repeat again that a professional man is in a better position to do this than I would have been or anybody who is in my class. So I say then as to this class give them an opportunity to be elected and give some way in which they can receive a few dollars for their work and I will ask you to knock out this bill as it now stands and ask you to vote for the common people.

Mr. S. B. SCOTT. Mr. Speaker, the remarks of the gentleman from Philadelphia who has just taken his seat are a cogent argument for the payment of members of council, and in that I really agree with him. So much do I agree with him, that I have introduced a bill and am urging it to a passage for the reduction of the number of councilmen and the providing of them with an adequate salary. But what a ridiculous way it would be to compensate members of council to appoint them to other public offices. Now unless they are not paid too much by that other public office, it is no compensation to that councilman. Don't you see that after they do their duty in their other public office and earn all that they are entitled to in that public office, there is nothing left of the salary to compensate them for their work as a councilman; also if they put in their full time they have no time left to be councilman, that is—if they put in their whole time in the other position, they cannot very well serve in both capacities and do it well. But the gentleman evidently thinks this other office is given to them for their compensation for the work they do as councilmen. If that is true, it means that they are not giving adequate time to either the office from which they are drawing their salary or the other office in which they are serving as councilmen. This is the ridiculous feature of it. What does it do? It takes out for compensation only a small group of councilmen. In other words, it takes out for compensation these councilmen who have sufficient political pull to be provided with some other public office. See what an unfair advantage it gives to those men? The poor man of whom the gentleman speaks, is not able to give enough time to the study of city problems to do his councilmanic work unless he gets one of these other positions. That is the proposition that he presents you and that means that the people who have authority are the people who have the services of the council at their disposal; who can give a large amount of their time to their duties, while the poor humble councilman who is striving to earn his living and has no kind of political pull he is at a tremendous disadvantage, in serving the people, because he has no officer or no position which commands a salary. It is an outrageous unfairness. that some should be provided with a job while the greatest number of councilmen not having any authority or any political influence are without any jobs or have no compensation. You could not inaugurate a worse policy. I suggest that this bill ought to be passed and then after that is passed, a proper bill be presented for the compensation of the councilmen who are elected after the number of councilmen to be elected has been reduced.

Mr. SPEISER. Mr. Speaker, ever since this measure has been introduced in the House, I have endeavored to discover just what the grievance was that the sponsor of this bill complained. There has been no denial of the fact that in our councils of Philadelphia consisting of over one hundred and forty members, there are but fourteen men who come within the purview of this act. In other words, only about ten per cent. of these have been members of council for a great number of years. It is also a fact that they are in the employment of certain county offices; that is they hold positions in offices outside of their positions as councilmen. You know our city councils are not concerned in the affairs of the County offices, except in so far as providing for appropriations which we men pass here. That is a requirement of the providing for them and outside of that they have no other duties to perform with regard to county offices. I interrogated the sponsor of this bill both on this floor and in committee and asked for some specific case of wrong-doing or one instance of a questionable act on the part of any of these men complained of. Of course, there could be but one reply. There was no such instance and there is no single allegation against one single man complained about. It is one of the pieces of theoretical administration laws which have been endeavored to be passed at this session. It is too specific

and local but it might have been made general and applicable to the entire State but the sponsor didn't see fit to do that, so I don't believe it is going to do anyone one iota of good, or that it is going to be the cause of good to the government in any way. It will not help the conditions in Philadelphia. There is no charge against the conditions as they exist in the Councils of Philadelphia to-day. You dont' want to deprive us of our representation in councils of men who have long experience there and who are required in their districts and whose assistance is required in their respective districts and especially there is not against a single one of them one single allegation of wrongdoing. If you have any complaint and you have no remedy. I say to you, Gentlemen of the House, that the great majority of the Philadelphia delegation on this floor are opposed to this bill and ask your co-operation in defeating it.

Mr. NORTH. Mr. Speaker, I desire to interrogate the gentleman who is the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Walnut, permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, yes, sir.

Mr. NORTH. Mr. Speaker, I desire to ask the gentleman what effect does it have on the directors of national banks?

Mr. WALNUT. Mr. Speaker, your proposition I suppose is that a National Bank is a governmental agency.

Mr. NORTH. Mr. Speaker, that is what I had in mind.

Mr. WALNUT. Mr. Speaker, I think a bank is not a governmental agency. It is a purely private institution. It may have a charter by the federal government or by the State government but it is not a governmental agency. It never has been and it has never been considered in Pennsylvania as a governmental agency.

Mr. NORTH. Mr. Speaker, in reading from the bill, I note, "that no person who holds any elective or appointive office, position or employment of profit under the United States or under the Commonwealth of Pennsylvania, or any county, city, borough, etc." Now, Mr. Speaker, I claim that a bank director is under the supervision of the United States government and if this measure becomes a law, he would simply have to resign his position as a director.

Mr. WALNUT. Mr. Speaker, I most emphatically differ with the gentleman from Jefferson. There is a provision here that a councilman cannot hold any position of profit. Now, in the Commonwealth of Pennsylvania, or under any county, city, borough or township, school district, court district or other government agency, thereof or under any institution, board, trust or commission connected therewith there is absolutely nothing in this act that would cover the provision of a man holding a directorship in a National or State Bank. None of these institutions, as a matter of fact, are connected with the State government or the United States government. They are chartered by their State or by the Federal government and they are no closer connected with either of these governments than other corporations that are chartered or licensed by the government. I emphatically disagree with the gentleman from Jefferson. It has been pointed out to you that you are voting against a poor man and in favor of professional men if you vote for this bill. I could point out to the gentleman from Philadelphia that he is not altogether correct in that statement. In Philadelphia a number of professional men appear to hold their fair share of positions. The best of one of the positions is held by an attorney-at-law in Philadelphia. Another one of the best paid positions is held by a physician. The whole proposition is not one of personality. It has been pointed out that this is the case, but we have not attacked anybody personally. I don't want to do it. I don't wont to do it and I wouldn't do it. It is a question of whether or not it is a proper procedure to permit a member of the Legislature to hold a position of profit in any administration or executive department that is connected with that particular legislative body or, in fact, to hold any position of profit under any State or County government.

I think the exposition is analagous with one which has been adopted in connection with other opposition here. We have established as a general rule of order and policy that no member of either legislative body shall hold a position under the State or the County government. It appears in Article 2, Section 6,

"No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth, and no member of Congress or other person holding any office (except of attorney-at-law or in the militia) under the United States or this Commonwealth shall be a member of either House during his continuance in office."

I think the policy indicated by that section has been very clearly fixed by the very fact that it has never been questioned. It has been in our Constitution since 1837. If the proposition that we advance here from Philadelphia should be so clearly established as proper policy, I think that every member of the House should endorse it. The opposition naturally would come from a certain portion of our Philadelphia delegation. We naturally would have it from those gentlemen that hold office or other positions that we are referring to, who are gentlemen of no mean influence with a certain political party in the City of Philadelphia. They naturally would make an appeal to their friends, and their supporters to come here and support this bill. Somebody is going to get hurt; somebody usually does get hurt when any proposition is advanced that stands for a change, even though that change may be along the proper lines of Government, and therefore you gentlemen, notwithstanding the opposition of some of the gentlemen from Philadelphia, ought to pass this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—53.

Alworth,	Geiser,	Latshaw,	Pennegar,
Baldwin, G. A.,	Gibson,	Lenker,	Pennock,
Barner,	Gramley,	Light,	Perry, H. L.,
Benninger,	Gray, Frank,	Martin,	Post,
Benson,	Heidinger,	Mather,	Rex,
Bergey,	Hemminger,	Matt,	Scott, J. R. K.,
Bittles,	Herman,	McAleer,	Scott, S. B.,
Bleloch,	Hobbs,	Mellott,	Smith, L.,
Brownlee,	Howard, R.,	Metzenbacher,	Swift,
Burnett,	Humes,	Moulthrop,	Ulerich,
Cheeseman,	Jones, J. R.,	Musser,	Walnut,
Conner,	Keegan,	Newton,	Williams,
Down,	Kuhn, H. P.,	Peachey,	Alter,
Dunn, H. B.,			Speaker.

NAYS—122.

Adams,	Ehrhardt,	Lowers,	Sassaman,
Allen,	Eichenberger,	Malie,	Savacool,
Arthur,	Ely,	Mannion,	Schaeffer, A. C
Baldwin, R. J.,	Ewing,	McAllister,	Semmens,
Bass,	Fahey,	McArdle,	Shaffer, C. A.,
Bayle,	Flynn,	McCaig,	Shern,
Becker,	Forster, I. G.,	McDermott,	Sherwood,
Berntheizel,	Foster, J. D.,	Missimer,	Smith, J. W.,
Bigger,	Frey,	Mitchell,	Snyder,
Blair, W. F.,	Gans,	Moore,	Speiser,
Body,	Glenn,	Morrow,	Spillinger,
Brosius,	Good,	Moses,	Steedle,
Brown,	Goss,	Murphy,	Steele,
Caldwell,	Haggerty,	Neel,	Stein,
Campbell, C.M.,	Hess,	Neely,	Stone,
Campbell, J. J.,	Heyburn,	Newbaker,	Swartz,
Carson,	Hibshman,	North,	Thomas,
Carter,	Hoffman,	Perry, S. J.,	Trach,
Claycomb,	Howard, J.,	Peters,	Walsh,
Cleary,	Isler,	Piper,	Walton,
Cochran,	Irwin, G. C.,	Ramsey,	Watson,
Collins,	Jackson,	Redfield,	Wettach,
Conniff,	Kaufman,	Reese,	Whitaker,
Conrade,	Keeport,	Reeser,	Whitman,
Cox,	Kennedy,	Rhoads,	Wilson, J. H.,
Currier,	Kern,	Richards,	Wilson, W. H.,
Curry,	Kitts,	Robinson,	Wiltbank,
DeFrees,	Klepper,	Roney,	Young, G. K.,
Dickinson,	Leslie,	Rothenberger,	Young, J. H.,
Donahoe,	Letzkus,	Runk,	Zimmerman,
Dunn, J. A.,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 701, as follows

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of Commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs of this Commonwealth owning

and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough who shall be known as Commissioners of Water Works

Section 2 Any borough within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any borough as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarily expended in the performance of their duty

Section 4 It shall be the duty of the commissioners of water works in each borough of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred and twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough and the penalties imposed thereby shall be collected in the same manner as penalties imposed by borough ordinances are now by law collected

Section 11 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough until the authorities thereof shall by appropriate ordinance accept the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows.

Amend section one, line 4, after the word "boroughs" by adding "or incorporated towns."

Amend line 7, after word "borough" by adding "or incorporated town.'

Section 2, line one, after the word "borough" add "or incorporated town."

Section 3, line 2, after the word "any" add "incorporated town or."

Section 4, amend in line 2, after the word borough" by adding "or incorporated town.'

Section 5, line 3, after the word "borough" add "or incorporated town."

Section 6, line 6, after the word "borough" add "or incorporated town."

Section 7, line one, after the word "borough" by adding "or incorporated town."

Amend section 9, line 2, after the word "borough" by adding "or incorporated town."

Amend section 9, line 5, after the word "borough" by adding "or incorporated town."

Amend section 10, line 3, after the word "borough" by adding "or incorporated town."

Amend section 10, line 4, after the word "by" by adding "incorporated town or"

Amend section 11, line 3, after the word "borough" by adding "incorporated town."

Amend title line one, after the word "boroughs" by adding "incorporated towns."

In last line after the word "borough" by adding "or incorporated town."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read?

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Mr. RICHARDS. Mr. Speaker, I desire to call up at this time, House Bill No. 409, file folio 1459, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the firts class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

Bills on Final Passage Postponed, page 19 of yesterday's Calendar.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 409, as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough council or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within three months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his

profession The members of the board of health shall be appointed by the president of the county in which the borough or township or borough of the first class of the borough councils or by the chairman of the board of commissioners of such township At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall **in like manner be appointed each year to serve for five years** The members of the board of health shall all be residents of the municipality for which they are appointed and shall serve without compensation provided however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a members of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the borough council or by the board of commissioners of the township of the first class and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurers of the borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occuring at the end of each month cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman.

Section 6. The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

Section 7. Said board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same.

Section 8. The board of health may inspect house drains waste and soil pipes cess-pools water-closets slaughter houses hog pens stables stable-yards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a meanace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided.

Section 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal.

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 11. All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the commissioner of health in accordance with the provisions of Section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid.

Section 12. Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expense has been rendered by him to such borough or township of the first class and demand for payment by him he shall with the approval of the Governor instiutute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law.

Section 13. All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 14. All acts entitled "An Act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred and ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided that all boards of health now in existence in borough and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified

On the question,

Shall the bill pass?

Mr. HUMES. Mr. Speaker, I have an amendment that is acceptable to the sponsor of the bill, which I would like to ask unanimous consent to have inserted in the bill. I therefore move that the vote by which this bill passed third reading be reconsidered.

Mr. SAVACOOL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows;

Amend H. B. No. 409 File Folio No.1459, Section 12 by adding after the last word of the section the following "Provided, however, that upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Commissioner of Health shall be submitted to the jury for its determination."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Is there any objection?

The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

AMENDMENTS IN TRIPLICATE

The SPEAKER. The Clerks desire that a request be made of the members, in connection with the introduction of amendments to bills, that the amendments be submitted in triplicate. When they are submitted otherwise it is necessary for the amendments to be copied in the transcribing room, and that is one of the main reasons which causes the delay in the preparation of bills and in the preparation of the Calendar. The gentlemen will kindly comply with this request whenever it is practicable to do so.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1005 (Senate Bill No. 279), entitled:

An Act authorizing State Treasurer to endorse over to the Ladies' Memorial Association of the City of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor-General's Department due to said Ladies' Memorial Association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Adams,	Ewing,	Lowers,	Runk,
Allen,	Fahey,	Malie,	Sassaman,
Alworth,	Flynn,	Mannion,	Savacool,
Arthur,	Forster, I. G.,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Frey,	Mather,	Schuck,
Baldwin, R. J.,	Gans,	Matt,	Scott, S. B.,
Barner,	Geary,	McAleer,	Semmens,
Bass,	Gibson,	McAllister,	Shaffer, C. A.,
Bayle,	Glenn,	McArdle,	Shaffer, I. E.,
Becker,	Good,	McCaig,	Shern,
Benninger,	Goss,	McClintock,	Sherwood,
Benson,	Gramley,	McDermott,	Showalter,
Bergey,	Gray, Frank,	McKay,	Smith, J. W.,
Berntheizel,	Haggerty,	Mellott,	Smith, L.,
Bigger,	Heidinger,	Metzenbacher,	Snyder,
Bittles,	Hemminger,	Miller,	Spangler,
Blair, W. A.,	Hess,	Missimer,	Speiser,
Blair, W. F.,	Heyburn,	Mitchell,	Spillinger,
Bleloch,	Hibshman,	Moore,	Steedle,
Body,	Hobbs,	Morrow,	Steele,
Brosius,	Hoffman,	Moses,	Stein,
Brown,	Howard, J.,	Moulthrop,	Stone,
Brownlee,	Howard, R.,	Murphy,	Strauss,
Burnett,	Humes,	Musser,	Swartz,
Caldwell,	Isler,	Neely,	Swift,
Campbell, C.M.,	Irwin, H. H.,	Newbaker,	Thomas,
Campbell, J. J.,	Jackson,	Newton,	Trach,
Carson,	Jones, J. R.,	North,	Ulerich,
Carter,	Kaiser,	O'Neill,	Ulman,
Claycomb,	Kaufman,	Perry, H. L.,	Walnut,
Cleary,	Keegan,	Perry, S. J.,	Walsh,
Collins,	Keeport,	Peters,	Walton,
Conner,	Kennedy,	Piper,	Watson,
Conniff,	Kern,	Post,	Wettach,
Conrade,	Kitts,	Price,	Whitaker.
Cox,	Klepper,	Ramsey,	Whitman,
Currier,	Kuhn, H. P.,	Redfield,	Williams,
Curry,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Davis,	Lanius,	Rex,	Wiltbank,
DeFrees,	Latshaw,	Rhoads,	Young, G. K,
Dickinson,	Lenker,	Richards,	Young, J. H.,
Donahoe,	Leslie,	Rockwell,	Zimmerman,
Donnally,	Letzkus,	Roney,	Alter,
Dunn, J. A.,	Light,	Rothenberger,	Speaker.
Ehrhardt,	Lohr,		
Eichenberger,			
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, entitled:

An Act to change and fix the terms of guardians of the poor and auditors authorized to audit settle and adjust accounts of said guardians of the poor in incorporated poor districts where number of said guardians and auditors respectively is four and two and said guardians and auditors are required to be elected in blocks of three fixing the times when the terms of present guardians and auditors shall expire their successors be elected and assume office

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Foster, J. D.,	Light,	Robinson,
Arthur,	Frey,	Lohr,	Rockwell,
Baldwin, R. J.,	Gans,	Lowers,	Roney,
Barner,	Geiser,	Malie,	Rothenberger,
Bayle,	Gibson,	Mannion,	Runk,
Becker,	Glenn,	Martin,	Sassaman,
Benson,	Good,	Mather,	Savacool,
Bergey,	Goss,	Matt,	Schaeffer, A. C
Berntheizel,	Gramley,	McAleer,	Schuck,
Bigger,	Gransback,	McAllister,	Scott, S. B.,
Bittles,	Gray, Frank,	McArdle,	Semmens,
Blair, W. A.,	Haggerty,	McCaig,	Shaffer, I. E.,
Blair, W. F.,	Heidinger,	McClintock,	Shern,
Bleloch,	Hemminger,	McDermott,	Sherwood,
Body,	Herman,	McKay,	Showalter,
Brown,	Hess,	Metzenbacher,	Smith, J. W.,
Brownlee,	Heyburn,	Miller,	Smith L.,
Burnett,	Hibshman,	Missimer,	Snyder,
Caldwell,	Hobbs,	Moore,	Spangler,
Campbell, C.M.,	Hoffman,	Morrow,	Speiser,
Carter,	Howard, J.,	Moses,	Spillinger,
Cheeseman,	Howard, R.,	Moulthrop,	Steedle,
Claycomb,	Humes,	Murphy,	Steele,
Cleary,	Isler,	Musser,	Stein,
Collins,	Irwin, G. C.,	Neel,	Stone,
Conner,	Irwin, H. H.,	Neely,	Strauss,
Conniff,	Jackson,	Newbaker,	Swartz,
Conrade,	Jones, J. R.,	Newton,	Swift,
Cox,	Kaiser,	North,	Thomas,
Currier,	Keegan,	O'Neill,	Ulerich,
Curry,	Keeport,	Peachey,	Ulman,
Davis,	Kennedy,	Pennock,	Walnut,
DeFrees,	Kern,	Perry, H. L.,	Walsh,
Dickinson,	Kitts,	Perry, S. J.,	Walton,
Donahoe,	Klepper,	Peters,	Watson,
Donnally,	Kuhn, H. P.,	Piper,	Wettach,
Dunn, H. B.,	Kuhns, E.G.M.,	Post,	Whitaker,
Dunn, J. A.,	Lanius,	Price,	Wilson, J. H.,
Ehrhardt,	Latshaw,	Ramsey,	Wiltbank,
Eichenberger,	Lenker,	Redfield,	Young, G. K.,
Ely,	Leslie,	Reese,	Young, J. H.,
Ewing,	Letzkus,	Reeser,	Zimmerman,
Fahey,		Richards,	Alter,
Flynn,			Speaker.
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER.

BILL ON FINAL PASSAGE.

The SPEAKER. The hour of eleven o'clock having arrived, the Chair lays before the House as a special order for this hour, House Bill No. 399, File Folio 2871, on page 1 of yesterday's Calendar, Bill on Final Passage.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 399, as follows:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

ARTICLE I

Damages by Action at Law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That in any action brought to recover damages for personal injury to an employee in the course of his employment or for death resulting from such injury it shall not be a defense

(a) That the injury was caused in whole or in part by the negligence of a fellow employee or

(b) That the employee had assumed the risk of the injury or

(c) That the injury was caused in any degree by the negligence of such employee unless it be established that the injury was caused by such employee's intoxication or by his reckless indifference to danger The burden of proving such intoxication or reckless indifference to danger shall be upon the defendant and the question shall be one of fact to be determined by the jury

Section 2 The employer shall be liable for the negligence of all employees while acting within the scope of their employment including engineers chauffeurs miners mine-foremen fire-bosses mine superintendents plumbers officers of vessels and all other employees licensed by the State or other governmental authority if the employer be allowed by law the right of free selection of such employees from the class of persons thus licensed

Section 3 An employer who permits the entry upon premises occupied by him or under his control of a laborer or of an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to such employee or contractor shall be liable to such laborer or assistant in the same manner and to the same extent as to his own employee

Section 4 No agreement composition or release of damages made before the happening of any accident except the agreement defined in Article two of this act shall be valid or shall bar a claim for damages for the injury resulting therefrom and any such agreement other than that defined in Article two herein is declared to be against the public policy of this Commonwealth The receipt of benefits from any association society or fund to which the employee shall have been a contributor shall not bar the recovery of damages by action at law nor the recovery of compensation under article two hereof and any release executed in consideration of such benefits shall be void

ARTICLE II

Elective Compensation

Section 1 When employer and employee shall by agreement either expres or implied as hereinafter provided accept the provisions of Article two of this act compensation for personal injury to or for the death of such employee by an accident in the course of his employment shall be made in all cases by the employer without regard to negligence according to the schedule contained in sections five and six of this Article provided that no compensation shall be made when the injury or death be intentionally self-inflicted but the burden of proof of such fact shall be upon the employer

The terms "injury" and "personal injury" as used in this Article shall be construed to mean only violence to the physical structure of the body and such disease or infection as naturally results therefrom and wherever death is mentioned as a cause for compensation under this article it shall mean only death resulting from such violence and its resultant effects and occurring within three hundred weeks after the accident The term "injury" by an accident in the course of his employment" as used in this article not nclude an injury caused by an act of a third person intended to injure the employee because of reasons personal to him and not directed against him as an employee or because of his employment but shall include all other injuries sustained while the employee is actually engaged in the furtherance of the business or affairs of the employer whether upon the employer's premises or elsewhere and shall include all injuries caused by the condition of the premises or by the operation of the employer's business or affairs thereon sustained by the employee who though not so engaged is injured upon the premises occupied by or under the control of the employer or upon which the employer's business or affairs are being carried on the employee's presence thereon being required by the nature of his employment

Section 2 Such agreement shall be an acceptance of all the provisions of article two of this act and shall operate as a surrender by the parties thereto of their rights to any form or amount of compensation or damages for any injury or death occurring in the course of the employment or to any method of determination thereof other than as provided in article two of this act Such agreement shall bind the employer and his personal representatives and the employee his or her wife or husband widow or widower next of kin and other dependents

Section 3 (a) In every contract of hiring made after June thirty one thousand nine hundred and thirteen and in every contract of hiring renewed or extended by mutual assent expressed or implied after said date it shall be conclusively presumed that the parties have accepted the provisions of article two of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article two of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service theerof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed within ten days after service in the Bureau of Industrial Statistics of this Commonwealth Every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before June thirty one thousand nine hundred and thirteen shall be conclusively presumed to continue subject to the provisions of article two hereof unless either party shall on or before June thirty one thousand nine hundred and thirteen in writing have notified the other party to such contract that the provisions of article two hereof are not intended to apply and unless there shall be filed in the Bureau of Industrial Statistics a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed provided however that the provisions of this section shall not be so construed as to impair the obligation of any contract now in force In the employment of minors article two shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employee of the State or of such governmental agency

(b) After June thirty one thousand nine hundred and thirteen an employer who permits the entry upon premises occupied by him or under his control of a laborer or an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to that employee or contractor shall be conclusively presumed to have agreed to pay to such laborer or assistant compensation in accordance with the provisions of article two unless the employer shall post in a conspicuous place upon the premises where the laborer's or assistant's work is done a notice of his intention not to pay such compensation and unless there be filed with the Bureau of Industrial Statistics within ten days thereafter a true copy of such notice together with proof of the posting of the same setting forth upon oath or affirmation the time place and manner of such posting and after June thirty one thousand nine hundred and thirteen any such laborer or assistant who shall enter upon premises occupied by or under the control of such employer for the purpose of doing such work shall be conclusively presumed to have agreed to accept the compensation provided in article two in lieu of his right of action at common law or under article one unles he shall have given notice in writing to the employer at the time of entering upon such employer's premises for the purpose of doing his work of his intention not to accept such compensation and unless within ten days thereafter there shall have been filed with the Bureau of Industrial Statistics a true copy of such notice accompanied by proof of service thereof upon such employer setting forth under oath on affirmation the time place and manner of such service And in such cases where article two binds such employer and such laborer or assistant it shall not be in effect between the intermediate employer or contractor and such laborer or assistant unless otherwise expressly agreed

Section 4. The contract for the operation of the provisions of article two of this act may be terminated prior to any accident by either party upon sixty days' notice to the other in writing if a copy of such notice with proof of service be filed in the Bureau of Industrial Statistics as provided in section three of this article

Section 5 The following schedule of compensation is hereby established for injuries resulting in disability

(a) For the first three hundred weeks after the fourteenth day of total disability fifty per centum of the wages received at the time of injury but the compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receves wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation And after the first three hundred weeks of total disability for the remainder of the life of the employee forty per centum of the wages received at the time of the injury but the compensation shall not be more than eight dollars per week nor less than four dollars per week Provided that if at the time of the injury the employee received wages of less than four dollars per week then he shall receive the full amount of such wages as compensation Nothing in this clause shall require the payment of compensation after disability shall cease should partial disability be followed by total disability the period of three hundred weeks mentioned in this clause during which compensation was paid for such partial disability

(b) For disability partial in character (except the) particular cases mentioned in clause (c) fifty per centum of the difference between the wages received at the time of injury and the earning power of the employee thereafter but such compensation shall not be more than ten dollars per week This compensation shall be paid during the period such paritial disability not however beyond three hundred weeks after the fourteenth day of such disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for such total disability

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand fifty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm fifty per centum of wages during two hundred and fifteen weeks

For the loss of a foot fifty per centum of wages during one hundred and fifty weeks

For the loss of a leg fifty per centum of wages during two hundred and fifteen weeks

For the loss of an eye fifty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more of such members not constituting total disability fifty per centum of wages during the aggregate of the periods specified for each

The loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of a hand arm foot leg

or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than ten dollars per week nor less than five dollars per week provided that if at the time of injury the employee receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation

(d) No compensation shall be allowed for the first fourteen days after disability begins except as hereinafter provided in clause (e) of this section

(e) During the first fourteen days after disability begins the employer shall furnish reasonable surgical medical and hospital services medicines and supplies as and when needed not to exceed twenty-five dollars in value unless the employee refuses to allow them to be furnised by the employer

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section 6 of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and hospital services and medicines nor for the expenses of the last sickness and burial Should the employee die from some other cause than the injury the liability for compensation shall cease

Section 6 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation twenty-five per centum of wages of deceased with ten per centum additional for each child in excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children twenty-five per centum of wages

3 To the widow or widower if there be one child forty per centum of wages

4 To the widow or widower if there be two children forty-five per centum of wages

5 To the widow or widower if there be three children fifty per centum of wages

6 To the widow or widower if there be four children fifty-five per cetnum of wages

7 To the widow or widower if there be five children or more sixty per centum of wages

8 If there be neither widow widower nor children then to the father and mother or the survivor of them if dependent to any extent upon the employee for support at the time of his death twenty per centum of wages

9 If there be neither widow widower children nor dependent parent then to the brothers and sisters if actually dependent to any extent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

10 Whether or not there be dependents as aforesaid the reasonable expenses of last sickness and burial not exceeding one hundred dollars (without deduction of any amounts theretofore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include step-children and adopted children if members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or should the widow or widower remarry or should the widower become capable of self-support the right of such dependent or such widow or widower to compensation under this section shall cease If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week This compensation shall be paid during three hundred weeks and in the case of chidren entitled to compensation under clause 1 of this section the compensation of each child shall (if the other parent be dead or have abandoned such child) continue until such child reach the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum

Section 7 Except as hereinafter provided all compensation payable under this article shall be payable in periodical installments as the wages of the employee were payable before the accident

Whenever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include board lodging or similar advantages received from the employer unless the money value of such advantages shall have been fixed by the parties at the time of hiring In occupations involving seasonal employment or employments dependent upon the weather the employee's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employee in which case the period of calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings In continuous employments if immediately prior to the accident the rate of wages was fixed by day or hour or by the output of the employee his weekly wages shall be taken to be five and one-half times his average earnings at such for a working day of ordinary length excluding earnings from overtime and using as the basis of calculation his earnings during so much of the preceding six months as he worked for the same employer Where the employee is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

Section 8 Compensation under this article to alien dependent widows children and parents not residents of the United States shall be the same in amount as is provided in each case for residents except that at any time within one year after death of the injured employee the employer may at his option commute all future installments of compensation to be paid to alien dependents not residents of the United States by paying to such alien dependents two-thirds of the total amount of such future installments of compensation Alien widowers brothers and sisters not residents of the United States shall not be entitled to any compensation

Section 9 Unless the employer shall have actual knowledge of the occurrence of the injury or unless the employee or some one on his behalf or some of the dependents of some one on their behalf shall give notice thereof to the employer within fourteen days after the accident no compensation shall be due until such notice be given or knowledge obtained If notice be given or the knowledge obtained after fourteen days but within thirty days after the accident the delay shall not bar compensation unless the employer shall show that he was prejudiced thereby and then only to the extent of such prejudice If the notice be given or the knowledge obtained after thirty days but within ninety days after the accident and if the employee or other beneficiary shall show that his delay in giving notice was due to his mistake or ignorance of fact or of law or to his physical or mental inability or to fraud misrepresentation or deceit or to any other reasonable cause or excuse then compensation shall be allowed except to the extent that the employer shall show that he was prejudiced by such delay Unless knowledge be obtained or notice given within ninety days after the accident no compensation shall be allowed

Section 10 The notice referred to in section nine hereof shall be substantially in the following form

To (name of employer)

You are hereby notified that an injury of the following character ( ) was received by (name of employee injured) who was in your employment at (place) while engaged as (kind of employment) on or about ( ) the ( ) day of ( ) Anno Domini ( ) and that compensation will be claimed therefor

Date Signed ( )

but no variation from this form shall be material if the notice be sufficient to inform the employer that a certain employees name received an injury the charactr of which is described in ordinary language in the course of his employment on or about a time specified and at or near a place specified

Section 11 The notices referred to in section three and section nine hereof may be served personally upon the employer or upon the manager or superintendent in charge of the works or business in which the accident occurred or by sending them through the registered mail to the employer at his or its last known residence or place of business or if the employer be a corporation either foreign or domestic then upon the president vice-president secretary or treasurer thereof Knowledge of the occurrence of the injury on the part of any of said agents shall be the knowledge of the employer

Section 12 After an injury the employee if so requested by him employer must submit himself for examination at some reasonable time and place and as often as may be reasonably requested to a physician or physicians legally authorized to practice under the laws of such place who shall be selected and paid by the employer If the employee requests he shall be entitled to have a physician or physicians of his own selection to be paid by him present to participate in such examination For all examinations after the first the employer shall pay the reasonable traveling expenses and loss of wages incurred by the employee in order to submit to such examination The refusal of the employee to submit to such examination shall deprive him of the right to compensation under this article during the continuance of such refusal and the period of such refusal shall be deducted from th period during which compensation would otherwise be payable

Section 13 In case of failure to agree upon a claim for compesation under this article between the employer and employee or the dependents of the employee either party may submit the claim as to questions of fact nature and effect of the injuries and the amount of compensation due therefor according to this article to the Court of Common Pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the Court of Common Pleas of any other county which courts shall hear and determine such disputes in a summary manner and their decisions as to all questions of fact shall be conclusive

Section 14 In case of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the acident one of the parties shall have filed a petition as provided in section fifteen hereof In cases of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a peititon as provided in section fifteen hereof Where however payments of compensation have been made in any case said limitation shall not take effect until the expiration of one year from the time of the making of the last payment

Section 15 Procedure in case of dispute shall be as follows

Either party may present a petition to said court or any judge thereof setting forth the names and residences of the parties and the facts relating to employment at the time of the accident the extent and character of the injury the amount of wages received at the time of the acident the knowledge of the employer or notice of the occurrence of the injury and such other facts as may be necessary and proper for the information of the said court shall state the matter or matters in dispute and the contention of the petitioner with reference thereto This petition shall be verified by the oath or affirmation of the ptitioner

Upon the presentation of such petition the same shall be filed with the prothonotary of the Court of Common Pleas and the court shall fix a time and place for the hearing thereof not less than three weeks after the date of the filing of said petition A copy of said petition and order shall be served upon the adverse party as a summons in a civil action may be served Within seven days after the service of such notice (unless the time be extended by the court for cause shown) the adverse party shall file an answer to said petition which shall admit or deny the substantial averments thereof and shall state the contention of the answering party with reference to the matters in dispute The answer shall be verified in like manner as the petition If no answer be filed as aforesaid evidence shall be offered at the hearing by the petitioner only The court shall in every case have authority to allow amendments of the petition or answer and to suspend the proceedings during the refusal of the employee to submit to the examination required by section twelve hereof

At the time fixed for hearing or any adjournment thereof the said court or any judge thereof shall hear the witnesses and in a summary manner decide the merits of the controversy This decision called an award shall be in writing and filed with the prothonotary of the Court of Common Pleas and shall contain a brief statement of the facts as determined by said court Costs may be awarded by said court in its discretion and when so awarded the same costs shall be allowed taxed and collected as are allowed taxed and collected for like services in the same court After petition filed the Court of Common Pleas may in its discretion upon motion of either party or of its own motion appoint one or more impartial physicians or surgeons to examine the injuries of the claimant and to report thereon to the court Said court shall have power to fix the compensation of such physicians or surgeons and to tax the same as a part of the costs of the proceedings The report of any physicians or surgeons appointed by the court as aforesaid shall be filed with the prothonotary and shall be a part of the record and shall be open to inspection by both parties Such report shall not be conclusive of the facts therein stated but shall be advisory only Appeals may be taken from the award of the Court of Common Pleas to the Supreme or Superior Courts in such manner and upon such terms as the Supreme Court shall by rule prescribe but no appeal shall operate as a supersedes unless allowed by trial or appelate court except where the compensation shall have been commuted as provided in section sixteen of this article Cases arising under this article shall have precedence both in the Courts of Common Pleas and in the appellate courts over all other civil cases

Section 16 The compensation contemplated by this article may be computed by said Court of Common Pleas at its present value when discounted at six per centum interest with annual rests disregarding the probability of the beneficiary's death (except in commuting payments due under clause (a) section five of this article) upon application of either party with due notice to the other if it appear that such commutation will be for the best interest of the employee or the dependents of the deceased employee or that it will avoid undue expense or undue hardship to either party or that such employee or dependent has removed or is about to remove from the United States or that the employer has sold or otherwise disposed of the whole or the greater part of his business or assets Except as provided in section eight hereof and in this section no commutation of compensation shall be made

An agreement or award of compensation may be modified at any time by a subsequent agreement or may be reviewed by said court upon the application of either party on the ground that the incapacity of the injured employee has subsequently increased or diminished or that the status of the dependent has changed In such case the provisions of section twelve and fifteen of this article with reference to medical examination shall apply

At any time after the entry of the award a sum equal to all future installments of compensation may (where death or the nature of the injury renders the amount of future payments certain) by leave of court be paid by the employer to any savings bank trust company or life insurance company in good standing and authorized to do business in this State and having an office in the county in which the award was entered and such sum together with all interest thereon shall thereafter be held in trust for the employee or the dependents of the employee who shall have no further recourse against the employer The payments of such sum by the employer evidenced by the receipt of the trustee noted upon the prothonotary's docket shall operate as a satisfaction of said award as to the employer Payments from said fund shall be made by the trustee in the same amounts and at the same periods as are herein required of the employer until said fund and interest shall be exhausted in the appointment of the trustee preference shall be given in the discretion of the court to the choice of the employee or the dependents of the deceased employee

Section 17 The right of compensation granted by this article of this act shall have the same preference (without limit of amount) against the assets of the employer as is now or may hereafter be allowed by law for a claim for unpaid wages for labor provided that no claim for compensation shall have priority over any mortgage or conveyance of land recorded prior to the filing of the petition or agreement as to compensation in the office of the prothonotary of the county in which such land is situated Claims or payments due under this article of this act shall not be assignable and (except as provided in section two of article III hereof) shall be exempt from all claims of creditors and from levy execution or attachment which exemption may not be waived

Section 18 Where the employer and the employee or the dependents of the employee shall after any accident agree upon the compensation payable hereunder for such accident a memorandum of such agreement signed by the parties may be filed with the prothonotary of said Court of Common Pleas The costs of the prothontary for such service shall be allowed taxed and collected as heretofore upon a confession of judgment When thus filed such agreement shall have the same effect as if it were an award of the court as provided in section fifteen hereof but shall be subject to review by the court for fraud mistake or other cause shown provided however that nothing in this Section shall be construed to permit a commutation of payments except as provided in sections eight and sixteen hereof and provided further that no agreement relating to compensation shall be valid if made within fourteen days of the accident nor shall any such agreement be valid of it vary the percentage of wages payable as compensation or the period during which compensation is to be paid as stated in sections five and six hereof

Section 19 If default shall be made by the employer for thirty days after demand in the payment of any amount due under any of the provisions of this article then upon petition of any person interested and after ten days notice thereof to the employer served in the same manner in which a summons may be served the court or any judge thereof shall if the default still exists enter judgment thereon for the amount or amounts due together with interest thereon and costs Upon such judgment no stay of execution shall be allowed except in the discretion of the court

Section 20 It shall be the duty of the prothonotary of each Court of Common Pleas to make report monthly to the Bureau of Industrial Statistics of all proceedings begun in such court under this article of this act classifying such report in such manner as to show whether the proceedings are brought for the settlement of a dispute as to liability for compensation for a modification thereof for a commutation of payments for a judgment in default of payment or for fixing of counsel fees and such report shall state the number and term of each proceeding but neither names nor further detail need be given unless required by the Bureau of Industrial Statistics

Section 21 Where a third person is liable to the employee or the dependents for the injury or death the employer shall be subrogated to the right of the employee or the dependents against such third person but only to the extent of the compensation payable under this article by the employer Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employee or to the dependents and shall be treated as an advance payment by the employer on account of any future installments of compensation

ARTICLE III

General Provisions

Section 1 Wherever in this act the singular is used the pural shall be included where the masculine gender is used the feminine and neuter shall be included

Employer is declared to be synonymous with master and includes natural persons partnerships joint stock companies corporations for profit corporations not for profit municipal corporation the Commonwealth and all governmental agencies created by it Employee is synonymous with servant and includes all natural persons who perform service for another for a valuable consideration exclusive of casual employees and exclusive of persons not employed in the course of the regular busines or domestic affairs of the employer and exclusive of persons to whom articles or materials are given out to be made up cleaned washed altered ornamented finished or repaired or adapted for sale in the workers own home or on other premises not under the control or management of the employer

The exercise and performance of the powers and duties of a local or other public authority shall for the purposes of this act be treated as the trade or business of the authority

Section 2 No claim or agreement for legal services or disbursements in support of any demand made or suit brought under the provisions of any article of this act shall be an enforceable lien against the amount to be paid as damages or compensation or be valid or binding in any other respect unless the same be approved in writing by the judge presiding at the trial or in case of settlement without trial by a judge of the Common Pleas Court of the county in which the accident occurred After such approval if notice in writing be given to the employer of such claim or agreement for legal services and disbursements the same shall be a lien against any amount thereafter to be paid as damages or compensation Provided however That where the employee's compensation is payable by the employer in

periodical installments the court shall fix at the time of approval the proportion of each installment to be paid on account of legal services and disbursements

Section 3 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of this act except that articles one and two are hereby declared to be inseparable and as one legislative thought and if either article be declared by such court void or inoperative in an essential part so that the whole of such article must fall the other article shall fall with it and not stand alone

Section 4 Nothing in this act shall affect or impair any right of action which shall have accrued before this act shall take effect

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 This act shall not apply in the case of an accident occuring prior to the first day of July next succeeding its passage and approval and it shall be known as the "Workmen's Compensation Law of one thousand nine hundred and thirteen"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The SPEAKER. This roll will be verified.

This was done as follows:

YEAS—158.

Adams,	Ehrhardt,	Letzkus,	Schuck,
Allen,	Eichenberger,	Lowers,	Scott, J. R. K.,
Ambler,	Ely,	Malie,	Scott, S B.,
Arthur,	Ewing,	Mannion,	Semmens,
Baldwin, G. A.,	Fahey,	Martin,	Shaffer, C. A.,
Baldwin, R. J.,	Flynn,	Matt,	Shaffer, I. E.,
Bass,	Forster, I. G.,	McAleer,	Shern,
Bayle,	Foster, J. D.,	McAllister,	Sherwood,
Becker,	Frey,	McClintock,	Showalter,
Benninger,	Geiser,	McDermott,	Smith, J. W.,
Benson,	Gibson,	McKay,	Smith, I.,
Bergey,	Glenn,	Miller,	Snyder,
Berntheizel,	Good,	Mitchell,	Spangler,
Bigger,	Goss,	Moore,	Speiser,
Bittles,	Gramley,	Morrow,	Spillinger,
Blair, W. F.,	Gransback,	Moulthrop,	Steedle,
Bleloch,	Gray, Frank,	Murphy,	Steele,
Brosius,	Haggerty,	Neely,	Stein,
Brown,	Heidinger,	Newton,	Swartz,
Brownlee,	Hemminger,	North,	Swift,
Burnett,	Hess,	O'Neill,	Thomas,
Campbell, C.M.,	Heyburn,	Pennegar,	Trach,
Campbell, J. J.,	Hobbs,	Pennock,	Ulerich,
Carter,	Howard, J.,	Perry, S. J.,	Ulman,
Cheeseman,	Humes,	Piper,	Walnut,
Claycomb,	Isler,	Post,	Walsh,
Cleary,	Irwin, G. C.,	Ramsey,	Walton,
Collins,	Irwin, H. H.,	Redfield,	Watson,
Conner,	Jackson,	Reese,	Wettach,
Conniff,	Jones, J. R.,	Reeser,	Whitaker,
Conrade,	Kaiser,	Rex,	Wildman,
Currier,	Keegan,	Richards,	Williams,
Curry,	Keeport,	Robinson,	Wilson, J. H.,
Davis,	Kennedy,	Rockwell,	Wilson, W. H.,
DeFrees,	Kitts	Roney,	Wiltbank,
Dickinson,	Klepper,	Runk,	Young, J. H.,
Donahoe,	Kuhn, H. P.,	Sassaman,	Zimmerman,
Donnally,	Latshaw,	Savacool,	Alter,
Down,	Lenker,	Schaeffer, A. C	Speaker.
Dunn, H. B.,	Leslie,		
Dunn, J. A.,			

NAYS—28.

Barner,	Hibshman,	Lohr,	Peachey,
Blair, W. A.,	Hoffman,	Mather,	Perry, H. L.,
Body,	Howard, R.,	Mellott,	Peters,
Caldwell,	Kern,	Moses,	Rhoads,
Carson,	Kuhns, E.G.M.,	Musser,	Rothenberger,
Cochran,	Lanius,	Neel,	Stone,
Herman,	Light,	Newbaker,	Strauss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

By Mr. REUBEN HOWARD. In casting my vote against House Bill No. 399 I do not want it understood that I am opposing the principle invoived in an adequate and proper workman's Compensation Bill. I favor such legislation if it is so drafted as to provide reasonable and proper relief to the laboring man whose protection is intended by such laws. But when an effort is made to enact a measure like this one, the effect is made to impose a burden upon the employer of the individual workman and the agricultural employer that is entirely out of proportion with the benefit to be gained by the laboring interests at large, I feel that my duty to all the people of my district obligates me to vote in the negative.

By Mr. STRAUSS. I favor a bill of this kind but farmer's should be excepted from its provisions.

By Mr. LANIUS. The bill as drafted is distinctly unjust and places undo hardship upon the farmers of this Commonwealth. Under the act they are compelled to assume the liability for their own employees and have no control under certain conditions. I have reason to believe, from past knowledge, that the act will prove nothing short of an additional tax upon the farmer since the manufacturer will undoubtedly advance the price of his products. Mr. Shern, the sponsor of this bill, has admitted upon the floor that he knows nothing of farms or farmers.

Reasons for votoing no.

For the same reason given here, namely, that this act as well as the acts immediately following are of the same class and are companion bills of this one, I vote in the negative. I believe in a compensation to the worker, but I believe that the farmer who feeds and clothes and shelters the nation should not be subjected to unjust treatment at the hands of any legislative body. Agriculture is the staff of our existence, the farmer, that great son of toil, is man's best friend, and should this act become a law, I am satisfied that the future will vindicate my views. I desire only to be just and my constituents who know me and whose confidence I enjoy will most certainly agree with me that I have acted both wisely and justly.

Reasons for voting no.

By Mr. COCHRAN. Mr. Speaker, my reason for voting against House Bill No. 399 is because the proposed law will impose a great burden upon the Agricultural Districts and the small employer of labor. I am in favor of a Workman's Compensation law that accomplishes what such laws are intended for, but I believe that the advantage which the labor interests, intended to be protected by this act, will have is not commensurate with the loss and injury that the agricultural interests and small employers of the State will sustain.

By Mr. SPANGLER. Every progressive movement of importance in the history of the world has been attended with fear, mistrust and vigorous opposition. Human nature naturally recoils at the novel, especially when it has for its purpose a change in the method of finacial responsibility, a substitution of an entirely new system for one that is old and has the sanction of time. New taxes and new methods of taxation always arouse suspicion and hostility in those who are compelled to bear their burden.

It is, therefore, little wonder that when the manufacturer or employer is brought face to face with a law that prescribes compensatory damages that are certain, direct and specific and which constitute an entire change over the old system of haphazard uncertainty, he should become fearful and anxious as regards their effect upon him.

The Workingman's Compensation law that we are to pass upon to-day is a new development in the industrial progress of Pennsylvania. In the past ten years there has been an increasing demand for improvement in the conditions surrounding labor. The employer of the present knows that the sanitary and healthful surrounding produce better workmen, and better workmen produce better work, and he has therefore come to realize that the improvements in the way of safety-devices, ventilation and sanitary facility that humane laws have compelled him to install for the well-being of his employees, have not retarded but promoted his prosperity.

Pennsylvania has, up to the present, not been abreast to the times in respect to the safeguarding of the workman against injury sustained by them in the course of employment. The right to recompense on the part of the employee is hedged about by the same limitations and restrictions that obtained a hundred years ago, with slight statutory modification and improvement. That we have entirely outgrown the present system is as patent as the contrast of the mode of dress of 1860 with that of 1913. Gradually but surely the public conscience has awakened to the belief that the workman injured in the course of employment, when that injury is not self-inflicted, should be provided for and assisted. and that the workman should not be cast upon the human scrap-heap where he becomes a burden to himself and the community that is compelled to keep him.

In order that this step of progress might be taken advisedly and not precipitately, the Legislature of 1911,

by the Act of June 14, 1911, provided for the appointment of an Industrial Accident Commission to investigate the subject. In pursuance of said Act, the Governor appointed seven eminent men who made an exhaustive investigation into the subject of workmen's compensation as applied both in this country and abroad. In their report, on page 6, the Commission condemned the present status of employers' liability as follows:

"(1) the delay while the case is awaiting trial and while appeals are pending, always preventing relief at the moment of the workman's greatest need;
(2) the technicality inseparable from hard-fought litigation;
(3) the frequent failure of cases through the employee's liability to produce "evidence of negligence";
(4) the success of a plaintiff whose conscience and whose counsel permit him to exaggerate or to lie, while one more scrupulous will be defeated in a case quite as meritorious in facts;
(5) the bitterness that nearly always results, to the injury of both employer and employee;
(6) the frequency of illogical and unjust verdicts, and the possibility of corrupt verdicts;
(7) the waste of litigation in lawyers' fees, witnesses' fees, disturbance of business and expenses of preparation for trial—a victory for the employer often costing him as much money as would have quite relieved the needs of the employee; and
(8) the exorbitant contigent fees often charged by lawyers representing the employee. It is no exaggeration to say that under this system as now applied in Pennsylvania, not more than one-third of the amount spent by the employer in claim department outlay ever reaches the employee. The balance is absorbed in transmission.

We believe that to discuss the demerits of such a system would be superfluous. It has brought injustice, suffering and discontent. Its disappearance will be welcomed by every think man."

The Commission, in their report, set forth the four general systems of compensation for injured workmen that have been tried at various times and in various countries. They are; (a) employers' liability based on fault; (b) compulsory elective insurance funds; (c) compulsory compensation by employer or employee; (d) elective compensation by employer or employee.

All of these systems have been thoroughly studied by the Commission and their advantages and defects clearly and logically set forth in the report of the Commission.

The bill that we now have before us is the bill that this committe has drafted and recommended. It is a composite of the best features of workmen's compensation laws at present in force throughout the world. On page 12, the report states: In preparation of this bill we have tried to adopt the best features of laws of the same kind in other states and countries. but with a view to the prevention of controversies and litigation we have gone farther than any other act in the definition of the term used. The schedule of compensation has been prepared with the utmost care and, while it is more liberal in its allowance of compensation for serious, permanent injury than many similar laws, that of New Jersey, for example, this feature is balanced by restricting the allowance for medical attention to a sum more nearly commensurate with the ordinary cost of such attention."

In order to protect himself, the employer will be compelled to insure against accident, which most employers do now in the absence of employers' liability act. That this insurance will adapt itself automatically to meet the degree of risk, the experience of the past has proved.

I represent a district that contains within its boundaries a city which ranks as the third city of the State in the diversity of its manufactured products. Its manufacturing plants represent millions of dollars and employ thousands of hands. I have heard fears expressed on the part of a number of large manufacturers in my city relative to the effects of this bill upon their business and some have even gone so far as to say that, in the event of the passage of this bill, they will close down their shop because of the extraordinary hazard they will be compelled to assume. I do not, however, believe that the concensus of opinion of the manufacturers who have given this bill their thorough consideration and who thoroughly understand it, will oppose it. I believe that this bill, if enacted into law, will, in all probability, need some changes which experience with its operation, alone can bring to light. If I personally believe that this bill, if enacted into a law, would not improve the general condition of the manufacturer as well as of the employee, I would feel justified not only in voting against it but in exerting my most vigorous opposition to bring about its defeat. But I believe, on the contrary, that this law is a step forward in industrial progress and that time will bring to pass its vindication and demonstrate its merit.

Mr. CARSON. Reasons for voting against Bill No. 399, or Workman's Compensation act. Will work a hardship on more persons than it will benefit. That it is a crude drawn act. Without regard to a great majority of the persons affected thereby and it will seriously affect the interests of small corporations, farm and individuals and further, section 3, article one, relieves contractors from all responsibility and puts it on owners of property which surely is illogical.

For these and others reasons, I vote in opposition to my preelection promises.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALWORTH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. ALWORTH. Mr. Speaker, not being present in the House when Bill 399 was called, I desire to be recorded as voting "aye".

The SPEAKER. The gentleman desires it to be noted upon the record that, had he been present when House Bill No. 399 was voted upon, he would have voted "aye". If there is no objection, the clerks will be directed to enter this notation immediately after the vote upon said bill.

The Chair hears no objection and it is so directed.

SPECIAL ORDER.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 401, entitled:

A joint resolution proposing an amendment to section twenty-one of article three of the Constitution of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Adams,	Ehrhardt,	Letzkus,	Savacool,
Allen,	Eichenberger,	Lowers,	Schaeffer, A. C
Ambler,	Ely,	Malie,	Schuck,
Arthur,	Ewing,	Mannion,	Scott, J. R. K.,
Baldwin, G. A.,	Flynn,	Martin,	Scott, S. B.,
Baldwin, R. J.,	Forster, I. G.,	Mather,	Semmens,
Bass,	Foster, J. D.,	Matt,	Shaffer, C. A.,
Bayle,	Frey,	McAleer,	Shaffer, I. E.,
Becker,	Geiser,	McAllister,	Shern,
Benninger,	Gibson,	McCaig,	Sherwood,
Benson,	Glenn,	McClintock,	Showalter,
Bergey,	Good,	McDermott,	Smith, J. W.,
Berntheizel,	Gramley,	McKay,	Smith, L.,
Bigger,	Gransback,	Mellott,	Snyder,
Bittles,	Gray, Frank,	Miller,	Spangler,
Blair, W. A.,	Haggerty,	Missimer,	Speiser,
Blair, W. F.,	Heidinger,	Mitchell,	Spillinger,
Brosius,	Hemminger,	Moore,	Steedle,
Brown,	Herman,	Morrow,	Steele,
Brownlee,	Hess,	Moses,	Stein,
Burnett,	Heyburn,	Moulthrop,	Strauss,
Caldwell,	Hobbs,	Murphy,	Swartz,
Campbell, C.M.,	Howard, J.,	Newbaker,	Swift,
Campbell, J. J.,	Howard, R.,	Newton,	Thomas,
Carson,	Humes,	North,	Trach,
Carter,	Isler,	O'Neill,	Ulerich,
Claycomb,	Irwin, G. C.,	Pennegar,	Ulman,
Collins,	Irwin, H. H.,	Pennock,	Walnut,
Conner,	Jackson,	Perry, S. J.,	Walsh,
Conniff,	Jones, J. R.,	Piper,	Walton,
Conrade,	Kaiser,	Post,	Watson,
Cox,	Keegan,	Ramsey,	Whitaker,
Currier,	Keeport,	Redfield,	Wildman,
Curry,	Kennedy,	Reese,	Williams,
Davis,	Kern,	Reeser,	Wilson, J. H.,
DeFrees,	Kitts,	Richards,	Wilson, W. H.,
Dickinson,	Klepper,	Robinson,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Rockwell,	Young, G. K.
Donnally,	Lenker,	Runk,	Young, J. H.,
Down,	Leslie,	Sassaman,	Zimmerman,
Dunn, H. B.,			Alter,
Dunn, J. A.,			Speaker.

NAYS—10.

Barner,	Hoffman,	Peachey,	Rothenberger,
Body,	Kuhns, E.G.M.,	Rhoads,	Stone,
Hibshman,	Lanius,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 402, entitled:

An Act regulating policies of insurance against liability arising under article two of The Workmen's Compensation Law of one thousand nine hundred and thirteen

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Donnally,	Lenker,	Schaeffer, A. C
Allen,	Down,	Leslie,	Schuck,
Ambler,	Dunn, H. B.,	Letzkus,	Scott, J. R. K.,
Arthur,	Dunn, J. A.,	Lowers,	Scott, S. B.,
Baldwin, G. A.,	Ehrhardt,	Malie,	Semmens,
Baldwin, R. J.,	Eichenberger,	Mannion,	Shaffer, C. A.,
Barner,	Ely,	Mather,	Shaffer, I. E.,
Bass,	Ewing,	Matt,	Shern,
Bayle,	Fahey,	McAleer,	Sherwood,
Becker,	Flynn,	McAllister,	Showalter,
Benninger,	Forster, I. G.,	McArdle,	Smith, J. W.,
Benson,	Foster, J. D.,	McClintock,	Smith, L.,
Bergey,	Frey,	McDermott,	Snyder,
Berntheizel,	Geiser,	Miller,	Spangler,
Bigger,	Gibson,	Mitchell,	Speiser,
Bittles,	Glenn,	Moore,	Spillinger,
Blair, W. A.,	Good,	Morrow,	Steedle,
Blair, W. F.,	Goss,	Moses,	Steele,
Bleloch,	Gramley,	Moulthrop,	Stein,
Brosius,	Gransback,	Murphy,	Stone,
Brown,	Gray, Frank,	Musser,	Strauss,
Brownlee,	Haggerty,	Neel,	Swartz,
Burnett,	Heidinger,	Neely,	Swift,
Caldwell,	Herman,	Newbaker,	Thomas,
Campbell, C.M.,	Heyburn,	Newton,	Trach,
Campbell, J. J.,	Hobbs,	North,	Ulerich,
Carson,	Howard, J.,	Pennegar,	Ulman,
Carter,	Howard, R.,	Pennock,	Walnut,
Cheeseman,	Humes,	Perry, S. J.,	Walsh,
Claycomb,	Isler,	Post,	Walton,
Cleary,	Irwin, G. C.,	Price,	Watson,
Cochran,	Irwin, H. H.,	Ramsey,	Wettach,
Collins,	Jackson,	Redfield,	Whitaker,
Conner,	Jones, J. R.,	Reese,	Wildman,
Conniff,	Kaiser,	Reeser,	Williams,
Conrade,	Keegan,	Rex,	Wilson, J. H.,
Cox,	Keeport,	Richards,	Wilson, W. H.,
Currier,	Kennedy,	Robinson,	Wiltbank,
Curry,	Kern,	Rockwell,	Young, G. K.
Davis,	Klepper,	Roney,	Young, J. H.,
DeFrees,	Kuhn, H. P.,	Sassaman,	Zimmerman,
Dickinson,	Latshaw,	Sauccol,	Alter,
Donahoe,			Speaker.

NAYS—7.

Body,	Hoffman,	Kuhns, E.G.M.,	Mellott,
Hibshman,	Kitts,	Lanius,	Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 403, as follows:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any twenty or more employers who have in the aggregate not less than five thousand employes in the State of Pennsylvania and who have accepted the provisions of article two of the workmen's compensation law of one thousand nine hundred and thirteen may form an incorporated employers' mutual liability insurance association for the purpose of insuring themselves and such other employers as may become subscribers to the association against liability for the compensation payable under the terms of article two of such act "Provided however that in the case of associations engaged only in insurance of employers engaged in agriculture the minimum number of employers shall be two hundred and the minimum number of employes shall be five hundred

Section 2 The articles of association thereof shall state

(a) The name of the association
(b) The place of its principal office
(c) The duration of the association
(d) The name and address of its treasurer

Any name not in use by an existing association may be adopted but must clearly designate the object and purpose of the association

Section 3 The subscribers to said articles of agreement shall acknowledge the same before some person empowered to take acknowledgements of deeds and forward the same in duplicate to the Commissioner of Insurance who shall certify in duplicate to the Governor whether all of the requirements hereof have been complied with Whereupon the Governor shall in case he approves the application endorse his approval thereon in duplicate and cause letters patent to issue creating the subscribers and their associates a body corporate under the name designated in said articles but such association shall not engage in business until the further provisions of this act have been complied with

Section 4 Such association shall not begin to issue policies until a list of the subscribers with the number of employes of each together with such other information as the Commissioner of Insurance may require shall have been filed at the Insurance Department nor until the president and secretary of the association shall have certified under oath that every subscription in the list so filed is genuine and made with an agreement of all the subscribers that they will take the policies subscribed for within thirty days of the granting of a license by the Commissioner of Insurance

Section 5 Upon the filing of the certificate provided for in the preceding section the Commissioner of Insurance shall make such investigations as he may deem proper and if his findings warrant it grant a license to the association to issue policies

Section 6 Charters under this act may be perpetual or limited in time as the articles of agreement shall specify

Section 7 Such association shall have the power to make by-laws for the government of its officers and the conduct of its affairs and the same to alter and amend and adopt a common seal

Section 8 The annual meeting for the election of directors shall be held at such time in the month of January as the by-laws of the association may direct Of the time and place of said meeting at least thirty days' previous written or printed notice shall be given to the subscribers or such notice may be given by publication not less than three times in at least two daily or weekly newspapers published in the city or county wherein the association has its principal office and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices Subscribers who during the preceding calendar year have paid into the treasury of the association premiums amounting to more than one-half of the total premiums received by it during that year shall constitute a quorum At such annual meeting the subscribers shall elect by ballot from their own number not less than five directors a majority of whom shall be residents of this Commonwealth to serve for at least one year and until their successors are duly chosen Provided however that such association may provide in its by-laws for the division of its board of directors into two three or four classes and for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year Vacancies may be filled by election by the board until the next annual meeting In the choice of directors and in all meetings of the association each subscriber shall be entitled to one vote for every one hundred dollars or any fraction thereof paid by him in premiums into the treasury of the association during the preceding calendar year Subscribers may vote by proxy and the record of all votes shall be made by the secretary and shall show whether the same were cast in person or by proxy and shall be evidence of all such elections Not less than three directors shall constitute a quorum The directors shall annually choose by ballot a president who shall be a member of the board a secretary a treasurer who may also be either the president or secretary and such other officers as the by-laws may provide and they shall fix the salaries of the president and secretary as well as the salaries or compensation of such other officers and agents as the by-laws prescribe Vacancies in any office may be filled by the directors or by the subscribers as the by-laws shall prescribe

Section 9 Policies of insurance issued by any such association may be made either with or without the seal thereof and they shall be signed by the president or such other officers as may be designated by the directors for that purpose and attested by the secretary

Section 10 If at any time the number of subscribers or the number of the subscribers' employes within the State falls below the minimums stated in section one hereof no further policies shall be issued until the total number of subscribers and the total number of employes within the State are not less than such minimums

Section 11 The board of directors shall be entitled to inspect the plant work-room shop farm or premises of any subscriber and for such purpose to appoint inspectors who shall have free access to all such premises during the regular working hours and the board of directors shall likewise from time to time be entitled to examine by their auditor or other agent the books records and payrolls of any subscriber for the purpose of determining the amount of premium chargeable to such subscriber

The board of directors shall make reasonable rules and regulations for the prevention of injuries upon the premises of subscribers and they may refuse to insure or may terminate the insurance of any subscriber who refuses to permit such examinations or disregards such rules or regulations and forfeit all premiums previously paid by him but such termination of the insurance of any subscriber shall not release him from

liability for the payment of assessments then or thereafter made by the board of directors to make up deficiencies existing at the termination of his insurance

Section 12 Every subscriber to such association shall be under a contingent mutual liability for the payment of losses and expenses in excess of the cash funds of the association to an amount equal to the premium paid by him during the current year

Section 13 The board of directors shall determine the amount of the premiums which the subscribers of the association shall pay for their insurance in accordance with the nature of the business in which such subscribers are engaged and the probable risk of injury to their employes under existing conditions and they shall fix premiums at such amounts as in their judgment subject to the approval of the Commissioner of Insurance shall be sufficient to enable the association to pay to its subscribers all sums which may become due and payable to their employes under the provisions of article two of the workmen's compensation law of one thousand nine hundred and thirteen and also the expenses of conducting the business of the association In fixing the premium payable by any subscriber the board of directors may take into account the condition of the plant work-room shop farm or premises of such subscriber in respect to the safety of those employed therein as shown by the report of any inspector appointed by such board and they may from time to time change the amount of premiums payable by any of the subscribers as circumstances may require and the condition of the plant work-room shop farm or premises of such subscriber in respect to the safety of their employes may justify and they may increase the premiums of any subscriber neglecting to provide safety devices required by law or disobeying the rules or regulations made by the board of directors in accordance with the provisions of section eleven of this act No policy of insurance issued to any subscriber shall be effective until he shall have paid in cash the premium so fixed and determined

Section 14 If the association be not possessed of cash funds over and above its unearned premiums on undetermined risks sufficient for the payment of incurred losses and expenses it shall make an assessment for the amount needed to pay such losses and expenses upon the subscribers liabel to assessment therefor in proportion to their several liabilities

Section 15 The board of directors may from time to time fix and determine the amount to be paid as dividends upon policies expiring each year after retaining the unearned premiums upon undetermined risks and sufficient sums to pay all the compensation then payable or which may become payable on account of injuries therefore received by employes of the subscribers and to pay the expenses incurred in the operation of the business of the association

Section 16 The board of directors may divide the subscribers into groups in acordance with the nature of their business and the probable risk of injury therein In such case they shall fix all premiums make all assessments and determine and pay all dividends by and for each group in accordance with the experience thereof but all funds of the association and the contingent liability of all the subscribers shall be available for the payment of any claim against the association Provided however that (as between the association and its subscribers) until the whole of the contingent liability of the members of any group shall be exhausted the general funds of the association and the contingent liability of the members of other groups shall not be available for the payment of losses and expenses incurred by such group in excess of the earned premiums paid by the members thereof

Section 17 A statement of any proposed premium assessment dividend or distribution of subscribers into groups shall be filed with the Insurance Department and shall not take effect until approved by the Commissioner of Insurance

Section 18 If any officer of the association shall falsely make oath to any certificate required to be filed with the Commissioner of Insurance he shall be guilty of perjury

Section 19 Any subscriber of the association who has complied with all its rules and regulations may withdraw therefrom by written notice to that effect sent by such subscriber by registered mail to the association and such withdrawal shall become effective on the first day of the month immediately following the tenth day after the receipt of such notice but such withdrawal shall not release such subscriber from liability for the payment of assessments thereafter made by the board of directors to make up deficiencies existing at the date of his withdrawal and such subscriber shall be entitled to his share of any dividends earned at the date of his withdrawal

Section 20 If the Commissioner of Insurance shall find that more than fifty per centum of the contigent liability of all the subscribers is required to pay accrued losses after charging against the funds in hand the unearned premiums on undetermined risks no further insurance shall be issued until the subscribers have made good such deficiency

Section 21 Such association shall invest and keep invested all its funds of every description excepting such cash as may be required in the transaction of its business as follows

First In such real estate as it is authorized to hold by section twenty-two of this act

Second In bonds of the United States or the District of Columbia or of any State or territory of the United States

Third In the legally authorized bonds or notes of any city county township municipality school or water district of this Commonwealth or of any other State or territory of the United States or Canada

Fourth in the bonds or notes of any solvent railroad or street railway corporation upon which no default in interest has been made

Fifth In loans upon improved and unincumbered real estate provided that no loan on such real estate shall exceed sixty-six and two-thirds per centum of the fair market value thereof at the time of making such loan

Section 22 No such association shall purchase hold or convey real estate except for the purpose and in the manner herein set forth to wit

First Such as shall be requisite for its convient accommodation in the transaction of its business

Second Such as shall have been mortgaged to it to secure loans previously contracted or for moneys due

Third Such as shall have been conveyed to it in satisfaction of debts

Fourth Such as shall have been purchased at sales upon judgments decrees or mortgages obtained or made for debts due the association or for debts due other persons where said association may have liens or incumbrances on the same

Any real estate purchased under the second third or fourth paragraphs of this section which has been held for a period of more than five years from the date of its purchase shall be sold and disposed of within a period of six months after notice to the association from the Insurance Commissioner to sell and convey the same Provided however that the Commissioner may extend the time for such disposition if he believes the interest of the association will suffer materially by a forced sale

Section 23 Any money of such association over and above the unearned premiums on undertermined risks and such sums as are required to pay all accrued losses may be invested in the securities above enumerated or loaned upon the security of the same or in the stock or other evidence of indebtedness of any solvent dividend-paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon the pledge of the same except its own stock or the stock of any other insurance company Provided the current market value of such security shall be at least twenty per centum more than the sum loaned thereon But no such association shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof for any assessment except for taxes not more than one-fifth of its capital shall be invested in a single mortgage nor shall any of its funds be loaned on personal security alone No such association shall invest in acquire or hold directly or indirectly more than ten per centum of the securities of any single company nor shall more than ten per centum of its assets be invested in the stock of a single company No such association shall enter into an agreement to withhold from sale of any of its property but the disposition of its property shall be at all times within the control of its board of directors If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Adams,	Dunn, J. A.,	Lenker,	Sassaman,
Allen,	Ehrhardt,	Lesher,	Savacool,
Alworth,	Eichenberger,	Letzkus	Schaeffer, A. C
Ambler,	Ely.	Lohr,	Schuck,
Arthur,	Ewing,	Lowers,	Scott, J. R. K.,
Baldwin, G. A.,	Fahey,	Malie,	Scott, S. B.,
Baldwin, R. J.,	Flynn,	Mannion,	Semmens,
Barner,	Forster, I. G.,	Martin,	Shaffer, C. A.,
Bass,	Foster, J. D.,	Meyer,	Shaffer, I. E.,
Bayle,	Frey,	Matt,	Shern,
Becker,	Geiser,	McAleer,	Sherwood,
Benson,	Gibson,	McAllister,	Showalter,
Berntheizel,	Glenn,	McArdle,	Smith, J. W.,
Bigger,	Good,	McCaig,	Smith, L.,
Bittles,	Goss,	McClintock,	Snyder,
Blair, W. A.,	Gramley,	McDermott,	Spangler,
Blair, W. F.,	Gransback,	McKay,	Speiser,
Bleloch,	Gray, Frank,	Miller,	Spillinger,
Body,	Haggerty,	Morrow,	Steedle,
Brosius,	Heidinger,	Moses,	Steele,
Brown,	Hemminger,	Moulthrop,	Stein,
Brownlee,	Herman,	Murphy,	Stone,
Burnett,	Hess,	Neel,	Strauss,
Caldwell,	Heyburn,	Neely,	Swartz,
Campbell, J. J.,	Hibshman,	Newbaker,	Swift,
Carter,	Hobbs,	Newton,	Thomas,
Cheeseman,	Hoffman,	North,	Trach,
Claycomb,	Howard, J.,	O'Neill,	Ulerich,
Cleary,	Howard, R.,	Pennegar,	Walnut,
Cochran,	Humes,	Pennock,	Walsh,
Collins,	Isler,	Perry, S. J.,	Walton,
Conner,	Irwin, G. C.,	Peters,	Wettach,
Conniff,	Irwin, H. H.,	Price,	Whitaker,
Conrade,	Jackson,	Ramsey,	Whitman,
Cox,	Jones, J. R.,	Redfield,	Wildman,
Currier,	Kaiser,	Reese.	Williams,
Curry,	Kaufman,	Rex,	Wilson, J. H.,
Davis,	Keeport,	Richards,	Wilson, W. H.,
DeFrees,	Kennedy,	Robinson,	Wiltbank,
Dickinson,	Klepper,	Rockwell,	Young, G. K.
Donahoe,	Kuhn, H. P.,	Roney,	Young, J. H.,
Donnally,	Latshaw.	Runk,	Zimmerman,
Down,			Alter,
Dunn, H. B.,			Speaker.

NAYS—4.

Kitts,	Kuhns, E.G.M.,	Mellott,
		Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 404, entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employees and prescribing a penalty for non-compliance therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Adams,	Down,	Latshaw,	Schaeffer, A. C
Allen,	Dunn, H. B.,	Lenker,	Scott, J. R. K.,
Alworth,	Dunn, J. A.,	Leslie,	Scott, S. B.,
Ambler,	Ehrhardt,	Letzkus,	Semmens,
Arthur,	Eichenberger,	Lowers,	Shaffer, C. A.,
Baldwin, G. A.,	Ely,	Malie,	Shaffer, I. E.,
Baldwin, R. J.,	Ewing,	Mannion,	Shern,
Bass,	Fahey,	Martin,	Sherwood,
Bayle,	Flynn,	Mather,	Showalter,
Becker,	Forster, I. G.,	Matt,	Smith, J. W.,
Benninger,	Foster, J. D.,	McAllister,	Smith, L.,
Benson,	Frey,	McCaig,	Snyder,
Bergey,	Geiser,	McClintock,	Spangler,
Berntheizel,	Gibson,	McDermott,	Speiser,
Bigger,	Glenn,	McKay,	Spillinger,
Bittles,	Good,	Miller,	Steedle,
Blair, W. A.,	Goss,	Mitchell,	Steele,
Blair, W. F.,	Gramley,	Moore,	Stein,
Bleloch,	Gransback,	Morrow,	Stone,
Body,	Gray, Frank,	Moses,	Strauss,
Brosius,	Haggerty,	Moulthrop,	Swartz,
Brownlee,	Hemminger,	Neely,	Swift,
Burnett,	Herman,	Newbaker,	Thomas,
Caldwell,	Hess,	Newton,	Trach,
Campbell, C.M.,	Heyburn,	North,	Ulerich,
Campbell, J. J.,	Hobbs,	O'Neill,	Ulman,
Carter,	Howard, J.,	Pennock,	Walnut,
Cheeseman,	Humes,	Perry, S. J.,	Walsh,
Claycomb,	Isler,	Peters,	Walton,
Cleary,	Irwin, G. C.,	Post,	Wettach,
Cochran,	Irwin, H. H.,	Ramsey,	Whitaker,
Collins,	Jackson,	Redfield,	Whitman,
Conner,	Jones, J. R.,	Reese,	Wildman,
Conniff,	Kaiser,	Reeser,	Williams,
Conrade,	Keegan,	Rex,	Wilson, J. H.,
Cox,	Keeport,	Richards,	Wilson, W. H.,
Currier,	Kennedy,	Robinson,	Wiltbank,
Curry,	Kern,	Rockwell,	Young, G. K.,
Davis,	Kitts,	Roney,	Young, J. H.,
DeFrees,	Klepper,	Sassaman,	Zimmerman,
Dickinson,	Kuhn, H. P.,	Savacool,	Alter,
Donahoe,	Lanius,		Speaker.
Donnally,			

NAYS—5.

Hibshman,	Hoffman,	Kuhns, E.G.M.,	Mellott,
	Rothenberger,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. FREY. Mr. Seaker, I desire to call up House Bill No. 50, file folio No. 125, entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and the verts conduits and pipes with the necessary inlets and ciations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

bills on third reading postponed for the present, on page 42 of yesterday's Calendar.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 50, entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and the verts conduits and pipes with the necessary inlets and ciations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Flynn,	Lowers,	Rockwell,
Ambler,	Forster, I. G.,	Malie,	Roney,
Arthur,	Foster, J. D.,	Mannion,	Rothenberger,
Baldwin, G. A.,	Frey,	Martin,	Runk,
Barner,	Geiser,	Mather,	Sassaman,
Bass,	Gibson,	Matt,	Savacool,
Bayle,	Glenn,	McAleer,	Schaeffer, A. C
Becker,	Good,	McAllister,	Schuck,
Benninger,	Goss,	McCaig,	Scott, J. R. K.,
Benson,	Gramley,	McClintock,	Scott, S. B.,
Bergey,	Gransback,	McDermott,	Semmens,
Berntheizel,	Gray, Frank,	McKay,	Shaffer, C. A.,
Bigger,	Haggerty,	Mechling,	Shaffer, I. E.,
Bittles,	Heidinger,	Mellott,	Shern,
Blair, W. A.,	Hemminger,	Metzenbacher,	Sherwood,
Blair, W. F.,	Herman,	Mitchell,	Showalter,
Bleloch,	Hess,	Moore,	Smith, J. W.,
Body,	Heyburn,	Morrow,	Smith, L.,
Brosius,	Hibshman,	Moses,	Snyder,
Brown,	Hobbs,	Moulthrop,	Spangler,
Brownlee,	Hoffman,	Murphy,	Speiser,
Burnett,	Howard, J.,	Musser,	Spillinger,
Caldwell,	Howard, R.,	Neel,	Steedle,
Campbell, C.M.,	Humes,	Neely,	Steele,
Campbell, J. J.,	Isler,	Newbaker,	Stein,
Carter,	Irwin, G. C.,	Newton,	Stone,
Cheeseman,	Irwin, H. H.,	North,	Strauss,
Cleary,	Jackson,	O'Neill,	Swartz,
Cochran,	Jones, J. R.,	Peachey,	Swift,
Conniff,	Kaiser,	Pennegar,	Thomas,
Conrade,	Kaufman,	Pennock,	Trach,
Cox,	Keegan,	Perry, H. L.,	Ulman,
Currier,	Keeport,	Perry, S. J.,	Walnut,
Curry,	Kennedy,	Peters,	Walsh,
Davis,	Kern,	Piper,	Wettach,
DeFrees,	Kitts,	Post,	Whitman,
Dickinson,	Klepper,	Price,	Wildman,
Donahoe,	Kuhn, H. P.,	Ramsey,	Williams,
Donnally,	Lanius,	Redfield,	Wilson, J. H.,
Down,	Latshaw,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Reeser,	Wiltbank,
Dunn, J. A.,	Leslie,	Rex,	Young, G. K.,
Ehrhardt,	Letzkus,	Rhoads,	Young, J. H.,
Eichenberger,	Light,	Richards,	Zimmerman,
Ely,	Lohr,	Robinson,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. HESS. Mr. Speaker, I desire to call up House Bill No. 3, file folio 2639, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Bills on Final Passage Postponed, page 20 of yesterday's Calendar.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 3, as follows:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the year one thousand nine hundred and thirteen and annually thereafter the entire net amount of tax based on the return of personal property subject to taxation for State purposes required to be made to and accepted by the State Board of Revenue Commissioners annually by county commissioners and the board of revision of taxes in cities co-extensive with counties of other counties having such boards of revision that is collected and paid into the State Treasury by a county or city co-extensive with the county shall be returned by the State Treasurer to such county or city co-extensive with the county for its own use except that the State Treasurer shall retain five per centum of the amount collected for the use of the State Provided That in consideration of the return to the counties and cities co-extensive with counties of the taxes as aforesaid no claim shall be made upon or allowed by the Commonwealth for abatements tax collectors' commissions uncollectible taxes or any other expenses whatsoever in connection with said tax

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Adams,	Dunn, J. A.,	Leslie,	Rothenberger,
Allen,	Ehrhardt,	Letzkus,	Runk,
Alworth,	Eichenberger,	Light,	Sassaman,
Ambler,	Ely,	Lowers,	Savacool,
Arthur,	Ewing,	Malie,	Schaeffer, A. C
Baldwin, G. A.,	Fahey,	Mannion,	Scott, S. B.,
Baldwin, R. J.,	Flynn,	Martin,	Semmens,
Barner,	Forster, I. G.,	Mather,	Shaffer, C. A.,
Bass,	Foster, J. D.,	Matt,	Shaffer, I. E.,
Bayle,	Frey,	McAleer,	Shern,
Becker,	Gans,	McAllister,	Sherwood,
Benninger,	Geiser,	McCaig,	Showalter,
Benson,	Gibson,	McClintock,	Smith, J. W.,
Bergey,	Glenn,	McDermott,	Smith, L.,
Berntheizel,	Good,	McKay,	Snyder,
Bigger,	Goss,	Mellott,	Spangler,
Bittles,	Gramley,	Metzenbacher,	Speiser,
Blair, W. A.,	Gransback,	Miller,	Spillinger,
Blair, W. F.,	Gray, Frank,	Missimer,	Steedle,
Bleloch,	Haggerty,	Moore,	Steele,
Body,	Heidinger,	Morrow,	Stein,
Brosius,	Hemminger,	Moses,	Stone,
Brown,	Herman,	Moulthrop,	Strauss,
Brownlee,	Hess,	Murphy,	Swartz,
Burnett,	Hibshman,	Musser,	Swift,
Caldwell,	Hobbs,	Neely,	Thomas,
Campbell, C.M.,	Hoffman,	Newbaker,	Trach,
Campbell, J. J.,	Howard, J.,	Newton,	Ulerich,
Carson,	Howard, R.,	North,	Ulman,
Carter,	Isler,	O'Neill,	Walnut,
Cheeseman,	Irwin, G. C.,	Peachey,	Walsh,
Claycomb,	Irwin, H. H.,	Pennegar,	Walton,
Cleary,	Jackson,	Perry, H. L.,	Wettach,
Cochran,	Jones, J. R.,	Perry, S. J.,	Whitman,
Conniff,	Kaiser,	Peters,	Wildman,
Conrade,	Keegan,	Ramsey,	Williams,
Cox,	Keeport,	Redfield,	Wilson, J. H.,
Currier,	Kennedy,	Reese,	Wilson, W. H.,
Curry,	Kern,	Reeser,	Wiltbank,
Davis,	Klepper,	Rex,	Young, G. K.,
DeFrees,	Kuhn, H. P.,	Richards,	Young, J. H.,
Dickinson,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
Donahoe,	Lanius,	Rockwell,	Alter,
Donnally,	Lenker,	Roney,	Speaker.
Down,			
Dunn, H. B.,			

NAYS—1.

Mitchell,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. GANS. Mr. Speaker, I desire to call up House Bill No. 810, file folio 1141, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

bills on third reading postponed for the present, page 43 of yesterday's Calendar.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Adams,	Ehrhardt,	Lanius,	Rothenberger,
Alworth,	Eichenberger,	Leslie,	Runk,
Ambler,	Ely,	Letzkus,	Sassaman,
Arthur,	Ewing,	Light,	Savacool,
Baldwin, R. J.,	Fahey,	Lohr,	Schaeffer, A. C
Barner,	Flynn,	Lowers,	Scott, J. R. K.,
Becker,	Forster, I. G.,	Mannion,	Semmens,
Benninger,	Foster, J. D.,	Mather,	Shaffer, I. E.,
Bergey,	Frey,	Matt,	Shern,
Berntheizel,	Gans,	McAllister,	Sherwood,
Bigger,	Geiser,	McArdle,	Showalter,
Bittles,	Good,	McDermott,	Snyder,
Blair, W. F.,	Goss,	Mellott,	Spangler,
Body,	Grabe,	Metzenbacher,	Speiser,
Brosius,	Gramley,	Miller,	Spillinger,
Brown,	Gransback,	Missimer,	Steedle,
Caldwell,	Gray, Joseph,	Moore,	Steele,
Campbell, C.M.,	Haggerty,	Morrow,	Stein,
Carter,	Heidinger,	Moses,	Strauss,
Claycomb,	Hess,	Musser,	Swartz,
Cleary,	Heyburn,	Neely,	Swift,
Collins,	Hibshman,	Newbaker,	Thomas,
Conner,	Hobbs,	Newton,	Trach,
Conniff,	Hoffman,	North,	Ulerich,
Conrade,	Howard, J.,	O'Neill,	Ulman,
Cox,	Howard, R.,	Perry, H. L.,	Walsh,
Currier,	Irwin, G. C.,	Perry, S. J.,	Wettach,
Curry,	Jackson,	Peters,	Whitman,
Davis,	Kaiser,	Piper,	Wildman,
DeFrees,	Keeport,	Ramsey,	Williams,
Dickinson,	Kennedy,	Reese,	Wilson, W. H.,
Donahoe,	Kern,	Richards,	Wiltbank,
Donnally,	Klepper,	Robinson,	Young, G. K.,
Down,	Kuhn, H. P.,	Roney,	Alter,
Dunn, H. B.,	Kuhns, E.G.M.,		Speaker.
Dunn, J. A.,			

NAYS—23.

Baldwin, G. A.,	Jones, J. R.,	McKay,	Smith, J. W.,
Benson,	Keegan,	Mitchell,	Smith, L.,
Brownlee,	Lenker,	Post,	Walnut,
Burnett,	Martin,	Redfield,	Watson,
Hemminger,	McAleer,	Rockwell,	Wilson, J. H.,
Irwin, H. H.,	McClintock,	Scott, S. B.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire at this time to call up House Bill No. 955, file folio 1085, on page 43 of yesterday's Calendar Bills on Third Reading Postponed for the Present.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. FREY. Mr. Speaker, I desire to call up House Bill No. 774, file folio 1137, on page 44 of to-day's Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 774, entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An

Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight"

On the question,

Will the House agree to the bill on third reading?

Mr. FREY. Mr. Speaker, when this bill was reached in its regular order on the third reading calendar some members of the House desired some information on it. As I was absent at the time, the bill was placed on the postponed calendar. In explanation of this bill I desire to say that two years ago this House passed the act which this bill seeks to repeal. It gave the United States Government jurisdiction over what is known as the Hanover Public Road. Since that time neither the United States Government nor its agents have done anything to improve this road, and it has fallen into a state of decay, and has become a menace to the traveling public. This bill will place the road in charge of persons who will see that it is in a condition that will make it safe for travel. I would therefore ask the Gentlemen of this House to support the bill.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Adams,	Flynn,	Lohr,	Roney,
Alworth,	Forster, I. G.,	Mannion,	Rothenberger,
Ambler,	Foster, J. D.,	Martin,	Runk,
Arthur,	Frey,	Mather,	Sassaman,
Baldwin, G. A.,	Gans,	Matt,	Savacool,
Baldwin, R. J.,	Geiser,	McAleer,	Schaeffer, A. C
Barner,	Gibson,	McAllister,	Schuck,
Bass,	Glenn,	McArdle,	Scott, S. B.,
Becker,	Good,	McClintock,	Semmens,
Benninger,	Goss,	McDermott,	Shaffer, C. A.,
Bergey,	Gramley,	McKay,	Shaffer, I. E.,
Berntheizel,	Gransback,	Mechling,	Sherwood,
Bigger,	Gray, Frank,	Mellott,	Showalter,
Bittles,	[illegible]gerty,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Hemminger,	Miller,	Smith, L.,
Blair, W. F.,	Herman,	[illegible]ssimer,	Snyder,
Body,	Hess,	Mitchell,	Spangler,
Brosius,	Heyburn,	Moore,	Speiser,
Brown,	Hibshman,	Morrow,	Spillinger,
Brownlee,	Hobbs,	Moses,	Steedle,
Burnett,	Hoffman,	Moulthrop,	Steele,
Caldwell,	Howard, J.,	Murphy,	Stein,
Carson,	Howard, R.,	Neel,	Stone,
Carter,	Isler,	Neely,	Strauss,
Cheeseman,	Irwin, G. C.,	Newbaker,	Swartz,
Claycomb,	Irwin, H. H.,	Newton,	Swift,
Cleary,	Jackson,	North,	Thomas,
Cochran,	Jones, J. R.,	O'Neill,	Trach,
Conner,	Kaiser,	Peachey,	Ulerich,
Conniff,	Kaufman,	Pennegar,	Ulman,
Conrade,	Keegan,	Pennock,	Walnut,
Cox,	Kenna,	Perry, H. L.,	Walsh,
Currier,	Kennedy,	Perry, S. J.,	Watson,
Curry,	Kern,	Peters,	Wettach,
Davis,	Kitts,	Piper,	Whitman,
DeFrees,	Klepper,	Post,	Wildman,
Dickinson,	Kuhn, H. P.,	Ramsey,	Williams,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Donnally,	Lanius,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Latshaw,	Reeser,	Wiltbank,
Dunn, J. A.,	Lenker,	Rex,	Young, G. K.,
Ehrhardt,	Leslie,	Rhoads,	Zimmerman,
Eichenberger,	Letzkus,	Richards,	Alter,
Ely,	Light,	Robinson,	Speaker.
Ewing,		Rockwell,	
Fahey,			

NAYS—1.

Keeport,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 519, entitled:

An Act to change and fix the terms of managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectively is nine and said managers and auditors are required to be elected in blocks of three fixing the times when the terms of present managers and auditors shall expire their successors be elected and assume office

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Adams,	Ewing,	Lohr,	Rockwell,
Allen,	Fahey,	Lowers,	Roney,
Alworth,	Flynn,	Malie,	Rothenberger,
Ambler,	Forster, I. G.,	Mannion,	Runk,
Arthur,	Foster, J. D.,	Martin,	Sassaman,
Baldwin, G. A.,	Frey,	Mather,	Savacool,
Baldwin, R. J.,	Gans,	Matt,	Schaeffer, A. C
Barner,	Geary,	McAleer,	Scott, S. B.,
Bass,	Geiser,	McAllister,	Semmens,
Becker,	Gibson,	McArdle,	Shaffer, C. A.,
Benninger,	Glenn,	McCaig,	Shaffer, I. E.,
Benson,	Good,	McClintock,	Sherwood,
Bergey,	Goss,	McDermott,	Showalter,
Bigger,	Gramley,	McKay,	Smith, J. W.,
Bittles,	Gransback,	Mechling,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Mellott,	Snavely,
Blair, W. F.,	Haggerty,	Metzenbacher,	Snyder,
Bleloch,	Heidinger,	Miller,	Spangler,
Body,	Hemminger,	Missimer,	Speiser,
Brosius,	Herman,	Mitchell,	Spillinger,
Brownlee,	Hess,	Moore,	Steedle,
Burnett,	Heyburn,	Morrow,	Steele,
Caldwell,	Hibshman,	Moses,	Stein,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stone,
Campbell, J. J.,	Hoffman,	Murphy,	Strauss,
Carson,	Howard, J.,	Musser,	Swartz,
Carter,	Isler,	Neel,	Swift,
Cheeseman,	Irwin, G. C.,	Neely,	Thomas,
Claycomb,	Irwin, H. H.,	Newbaker,	Trach,
Cleary,	Jackson,	Newton,	Ulerich,
Cochran,	Jones, J. R.,	North,	Ulman,
Collins,	Kaiser,	O'Neill,	Walnut,
Conner,	Kaufman,	Peachey,	Walsh,
Conniff,	Keegan,	Pennegar,	Walton,
Conrade,	Keeport,	Pennock,	Watson,
Cox,	Kennedy,	Perry, H. L.,	Wettach,
Currier,	Kern,	Perry, S. J.,	Whitaker,
Curry,	Kitts,	Piper,	Whitman,
Davis,	Klepper,	Post,	Wildman,
DeFrees,	Kuhn, H. P.,	Price,	Williams,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Donahoe,	Lanius,	Redfield,	Wilson, W. H.,
Donnally,	Latshaw,	Reese,	Wiltbank,
Down,	Lenker,	Reeser,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rex,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Zimmerman,
Ehrhardt,	Light,	Richards,	Alter,
Eichenberger,		Robinson,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. FRANK GRAY. Mr. Speaker, I would like to ask unanimous consent to call up House Bill No. 34, on page 44 of yesterday's Calendar, for the purpose of amending the title.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time?

Is there any objection?

The Chair hears none and consent is granted.

The House proceeded to the third reading and consideration of House Bill No. 34, as follows:

An Act providing for the safety of persons from fire or panic in certain buildings other than in cities of the first and second classes requiring proper exits fire-extinguishers and other preventatives of fire and regulating the number and width of aisles according to the seating capacity and width of auditorium and galleries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all theatres opera houses or other buildings where stage scenery moving pictures or other apparatus is used other than in cities of the first or second class there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passageways to and from the same shall be unobstructed and properly lighted Neither on or about the stage auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safely guarded All drop-curtains and sky-borders shall be of non-combustible sustance There shall also be provided for each side of the stage not less than two fire-extinguishers and one cask of not less than forty-two gallons' capacity which shall be kept full of water and two buckets for each cask buckets and casks to

be painted red and kept in readiness for immediate use All auditoriums and galleries of said buildings as described in this section shall be provided with aisles as follows

Where the rows in width of such auditorium and galleries contain six seats or less there shall be one center aisle three feet wide with three seats or less on either side

Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one centre aisle four feet wide with four seats or less on either side Where such rows contain more than eight but less than twelve seats there shall be two four foot aisles with six seats or less on either side

Where such rows contain twelve seats or more but less with ten seats or less on either side and a three foot aisle along each side wall

Where such rows contain twenty seats or more there shall be a four foot centre aisle and a four foot aisle along each side wall or at least one additonal four foot aisle for every ten seats above twenty

All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire-escapes and the words "Exit to Fire-Escapes" in large legible illuminated letters shall be posted and kept posted before each fire-escape exit and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

Every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fireproof construction public or private institution sanatorium surgical institute asylum hospital school house academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercatile establishment every hotel restaurant apartment house boarding house or lodging house in which persons reside or lodge above the second story and every tenement house apartment house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the extenral doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landing to be of a width not less than the stairway approaches thereto

In all theatres opera houses or other buildings where stage scenery moving pictures or other apparatus is used there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passage-ways to and from the same shall be unobstructed and properly lighted Neither on or about the stage auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safely guarded provided that where electrict current or gas is not available oil lamps may be used on rigid brackets not les than one foot from any wall All drop-curtains sky-borders shall be of an approved noncombustible substance and one each side of the stage standpipes of at least two inches in diamater shall be provided with hose and attachments of not less than one and one-half inches in diameter and of proper and sufficient quantity There shall also be provided for each side of the stage no less than two fire extinguishers and one cask of not less than forty-two gallons which shall be kept full of water and two buckets for each cask buckets and casks to be painted red and kept in readiness for immediate use Where the rows in width of such auditorium and galleries contain six seats or less there shall be one center aisle three feet wide with three seats or less on either side Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one center aisle four feet wide with four seats or less on either side Where such rows contain more than eight but less than sixteen seats there shall be two four foot aisles with four seats or less on either side Where such rows contain sixteen seats of more but less than twenty-seats there shall be a four foot center aisle with ten seats or less on either side and a three foot aisle along each side wall Where such rows contain twenty seats or more there shall be a four foot center aisle and a four foot aisle along each side wall or at least one additonal four foot aisle for every ten seats above twenty All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire escapes and the words "Exit to Fire Escapes" in large legible illuminated letters shall be posted and kept posted before each fire-escape exit and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

In addition to the foregoing means of escape from fire all such buildings as are enumerated in section one of this act that are more than two stories in height and buildings having one or mare galleriaes above the first floor shall have one or more fire-escapes on the outside of said buildings as may be directed by the State Fire Marshal or a Deputy fire marshal except in such cases as he may deem such fire-escape to be necessary in consequence of adequate provision having been already made for safety in event of fire or panic and in such cases of exemption the said State Fire Marshal or a deputy fire marshal shall give the owner lessee or occupant of said building a certificatoe to that effect and his reason therefor And such fire-escapes as are provided for in this section shall be of wrought iron constructed according to specifications to be issued or approved by the State Fire Marshal and shall be connected with each floor above the first firmly fastened and secured and of sufficient strength to maintain a weight of not less than four hundred pounds per step on a safety factor of four each of which fire-escapes shll have landings or balconies at each story capable of sustaining a weight of not less than eighty pounds per square foot guarded by railings not less than three feet in height and enbracing one or more windows or doors at each story and connecting with the interior by easily accessible and unobstructed openings and all the balconies or landings shall be connected by external iron stirways placed at a slant of not more than forty-five degrees protected by well secured handrails the stairway steps to be not less than six inches in width and twenty-four inches in length Fire-escapes now in use and hereafter erected must be painted once a year and be kept in safe condition and up to the standard requirements of this section

Section 4 Where any of the aforementioned buildings are so constructed that a fire-escape cannot be erected upon the same without trespassing upon the property of the owners or life tenants of adjoining lands or buildings and where permission to erect fire-escapes has been refused by said owner tenants for life lessee bailee or agent adjoining lands or buildings it shall be the duty of the owner or life tenants of any of the aforementioned buildings constructed as aforesaid to erect an internal fire-roof means of escape the same to be located and erected under the direction of the State Fire Marshal Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire-escape nor of an internal fire-proof escape it is hereby enjoined upon the State Fire Marshal to notify in writing the owner or life tenant of any buildings so constructed to discontinue the occupancy of the whole or of a part of said building for any of the purposes which make said building amenable to the fire-escapes provisions of this act

Section 5 To better secure compliance with the provisions of the foregoing sections of this act the owner or life tenant of any building now used for other purposes than aforesaid which is to be adapted to any of the aforesaid uses or of any building to be erected for any of the aforesaid purposes shall before adapting or erecting any such building submit to the State Fire Marshal architectural designs and specifications of such building showing that compliance with the requirements of the foregoing sections is provided for therein and such building shall not be so adapted or erected without the approval of the State Fire Marshal

Section 6 The owner tenant for life lessee bailee or agent of any of the buildings mentioned in the foregoing provisions of this act who shall willfully fail or refuse to comply with the provisions of this act or who shall willfully fail or refuse to observe the orders for the enforcement of this act issued to said owner or life tenant by the State Fire Marshal or a deputy fire marshal shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of five hundred dollars or six months imprisonment or either or both in the discretion of the court And in the case of fire occurring in any of said buildings in the absence of such doorways landings exits fire-escapes or fire preventives as provided for in this act the owner or life tenant aforesaid shall be liable for damages in case of death or personal injury the result of fire or panic in any of said buildings and such action for damages may be maintained by any person now authorized by law to sue as in other case of loss by death or injuries

Section 7 The act approved the third day of May one thousand nine hundred nine entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives by fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. FRANK GRAY. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend title: strike out title and insert in lieu thereof the following: "An Act providing for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire escapes, fire extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in a State Fire Marshal; and by providing proper penalties for any violation of the same'."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended, lie over for printing.

Mr. MARTIN. Mr. Speaker, I would like to call up House Bill No. 853, file folio 1205, entitled:

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employees and providing a penalty for violation thereof.

from page 44 of yesterday's Calendar, Bills on Third Reading Postponed for the present.

Agreeably to order the House proceeded to the third reading and consideration of House Bill No. 853, entitled:

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employees and providing a penalty for violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Forster, I. G.,	Lowers,	Robinson,
Alworth,	Foster, J. D.,	Malie,	Rockwell,
Arthur,	Frey,	Mannion,	Roney,
Baldwin, G. A.,	Gans,	Martin,	Sassaman,
Baldwin, R. J.,	Geiser,	Mather,	Savacool,
Barner,	Gibson,	Matt,	Schaeffer, A. C
Bass,	Glenn,	McAleer,	Schuck,
Becker,	Good,	McAllister,	Scott, S. B.,
Benninger,	Gramley,	McArdle,	Semmens,
Benson,	Gransback,	McCaig,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McDermott,	Shern,
Bigger,	Heidinger,	McKay,	Sherwood,
Bittles,	Hemminger,	Mechling,	Showalter,
Blair, W. A.,	Herman,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hess,	Metzenbacher,	Smith, L.,
Brosius,	Heyburn,	Miller,	Snyder,
Brown,	Hibshman,	Mitchell,	Spangler,
Brownlee,	Hobbs,	Moore,	Speiser,
Burnett,	Hoffman,	Morrow,	Steedle,
Caldwell,	Howard, J.,	Moses,	Steele,
Campbell, C.M.,	Humes,	Moulthrop,	Stein,
Carson,	Isler,	Murphy,	Stone,
Carter,	Irwin, G. C.,	Musser,	Strauss,
Cheeseman,	Jackson,	Neel,	Swartz,
Claycomb,	Jones, J. R.,	Neely,	Swift,
Cleary,	Kaiser,	Newbaker,	Thomas,
Collins,	Kaufman,	North,	Trach,
Conner,	Keegan,	O'Neill,	Ulerich,
Conniff,	Keeport,	Peachey,	Ulman,
Conrade,	Kennedy,	Pennegar,	Walnut,
Cox,	Kern,	Pennock,	Walsh,
Currier,	Kitts,	Perry, S. J.,	Watson,
Curry,	Klepper,	Peters,	Wettach,
Davis,	Kuhn, H. P.,	Piper,	Whitman,
DeFrees,	Kuhns, E.G.M.,	Post,	Wildman,
Dickinson,	Lanius,	Price,	Williams,
Donahoe,	Latshaw,	Ramsey,	Wilson, J. H.,
Donnally,	Lenker,	Redfield,	Wilson, W. H.,
Down,	Leslie,	Reese,	Wiltbank,
Dunn, J. A.,	Letzkus,	Reeser,	Young, J. H.,
Ehrhardt,	Light,	Rex,	Zimmerman,
Eichenberger,	Lohr,	Rhoads,	Alter,
Ely,		Richards,	Speaker.
Ewing,			

NAYS—6.

Campbell, J. J.,	Howard, R.,	Perry, H. L.,	Rothenberger,
Goss,	Missimer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 388, as follows:

An Act authorizing and empowering all cities boroughs and townships of the first class within this Commonwealth to regulate by ordinance or by-laws the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the legally constituted authorities of every city borough and townships of the first class within this Commonwealth be and they are hereby authorized and empowered to ordain and enact by city, borough or townships of the first class ordinance or ordinances duly passed rules regulations and by-laws governing regulating and controlling the mining out and removing of the coal and other minerals beneath the surface of the ground within its corporate limits so far as such mining out and removing of the coal and other minerals beneath the surface may affect or is likely to affect the safety security property and life of the inhabitants thereof or sojourners and travelers therein and where the coal and other minerals have already been mined out or removed to such an extent as endanger or threaten to endanger the security of the property and life of the inhabitants thereof or sojourners therein to require the person firm or corporation which has mined out and removed the said coal or other minerals to provide all needful means for artificial support for the said surface or in the event of the death of the person or the members of the firm or the dissolution of the corporation that mined out the said coal or other minerals the said municipality may provide the necessary support for the said surface and to create by ordinance or ordinances resolution or resolutions or by-laws all necessary bureaus offices or officers to be charged with the enforcing of such rules and regulations and such municipal officers or agents are hereby authorized and empowered in the discharge of their duties at any time to enter and inspect all such mines mine workings or underground operations as in their judgment may affect or threaten to affect the support and stability of the surface overlying or adjacent to such underground operations and said municipal officers in the discharge of their duties shall also have access at all times to and be permitted to inspect all maps drawings and records of or relative to such unnderground operations owned or in the possession of any person firm or corporation engaged in or interested in or carrying on any such mining or mine operations within the corporate limits of the said municipalities and it shall be the duty of all mine owners mine superintendent mine foreman or other official employed in or about and by person firm or corporation engaged in or concerned in any such mining or underground operations to offer and afford to such municipal officers or agents all needful information and assistance within their power necessary to enable such municipal officers or agents to perform the duties of their offices and any mine owner mine superintendent mine foreman or other officers of any firm person or corporation engaged in or interested in such mining or underground operations refusing to comply with the provisions of this act shall be guilty of a misdemeanor and upon the conviction thereof shall be sentenced to pay a fine of not more than five thousand dollars or undergo imprisonment in the county jail of the proper county for a term and period of not more than one year either or both at the discretion of the court before whom such person shall be convicted

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Adams,	Ewing,	Lohr,	Robinson,
Allen,	Fahey,	Lowers,	Rockwell,
Alworth,	Flynn,	Malie,	Roney,
Ambler,	Foster, J. D.,	Mannion,	Rothenberger,
Arthur,	Frey,	Martin,	Runk,
Baldwin, G. A.,	Gans,	Mather,	Sassaman,
Baldwin, R. J.,	Geiser,	Matt,	Savacool,
Barner,	Glenn,	McAleer,	Schaeffer, A. C
Bass,	Good,	McAllister,	Schuck,
Bayle,	Goss,	McArdle,	Scott, J. R. K.,
Becker,	Grabe,	McCaig,	Scott, S. B.,
Benninger,	Gramley,	McClintock,	Semmens,
Benson,	Gransback,	McDermott,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McKay,	Shaffer, I. E.,
Berntheizel,	Haggerty,	Mellott,	Shern,
Bigger,	Heidinger,	Metzenbacher,	Sherwood,
Bittles,	Hemminger,	Miller,	Showalter,
Blair, W. A.,	Herman,	Missimer,	Smith, J. W.,
Blair, W. F.,	Hess,	Mitchell,	Smith, L.,
Body,	Heyburn,	Moore,	Snyder,
Brosius,	Hibshman,	Morrow,	Spangler,
Brown,	Hobbs,	Moses,	Speiser,
Brownlee,	Hoffman,	Moulthrop,	Spillinger,
Burnett,	Howard, J.,	Murphy,	Steedle,
Campbell, C.M.,	Howard, R.,	Musser,	Steele,
Carson,	Humes,	Neel,	Stein,
Carter,	Isler,	Neely,	Stone,
Cheeseman,	Irwin, G. C.,	Newbaker,	Strauss,
Claycomb,	Irwin, H. H.,	Newton,	Swartz,
Cleary,	Jackson,	North,	Swift,
Collins,	Jones, J. R.,	O'Neill,	Thomas,
Conner,	Kaiser,	Peachey,	Trach,
Conniff,	Kaufman,	Pennegar,	Ulerich,
Conrade,	Keegan,	Pennock,	Ulman,
Cox,	Keeport,	Perry, H. L.,	Walnut,
Currier,	Kennedy,	Perry, S. J.,	Walsh,
Curry,	Kern,	Peters,	Watson,
Davis,	Kitts,	Piper,	Wettach,
DeFrees,	Klepper,	Post,	Whitman,
Dickinson,	Kuhn, H. P.,	Price,	Wildman,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Williams,
Donnally,	Lanius,	Redfield,	Wilson, J. H.,
Down,	Latshaw,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Reeser,	Wiltbank,
Dunn, J. A.,	Leslie,	Rex,	Young, J. H.,
Ehrhardt,	Letzkus,	Rhoads,	Zimmerman,
Eichenberger,	Light,	Richards,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 945, as follows:

An Act to amend the first and second sections of article twenty-eight of an act entitlde "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Should a mine or a portion of a mine that has at any time generated explosive gas in quantities sufficient to be detected by an approved safety lamp after the passage of this act not so generate explosive gas during any one period of one year then such mine or portion of a mine shall not be governed or controlled by the provisions of this act for mines or portions of mines generating explosive gas be and the same is hereby amended to read as follows

Section 1 Should a mine or portion of a mine that has at any time or may hereafter generate explosive gas in quantities sufficient to be detected by an approved safety lamp such mine or portion of said mine shall at all times thereafter be considered a gaseous mine and be governed and controlled by this act so that the health and safety of those employed therein may be properly protected

Section two of article twenty-eight of said act which reads as follows

"Section 2 The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall not apply to any mine wherein explosive gas is being generated only in live entries" be and the same is hereby amended to read as follows

Section 2 The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall after the date of approval of this act apply to all bituminous mines wherein explosive gas has been is being or may be in future generated in any part of said mine Provided however that the act shall not apply to any mine employing less than ten persons inside the mine in any one period of twenty-four hours

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McDERMOTT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1099, as follows:

An Act making an appropriation to cover a deficiency in the lien in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand two hundred nine dollars and eighty-two cents ($6,209.82) be and the same is hereby specifically appropriated to cover the deficiency in the appropriation made in the general appropriation act approved June fourteenth Anno Domini one thousand nine hundred and eleven to pay the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Flynn,	Lohr,	Rockwell,
Allen,	Forster, I. G.,	Lowers,	Roney,
Alworth,	Foster, J. D.,	Malle,	Rothenberger,
Ambler,	Frey,	Mannion,	Runk,
Arthur,	Gans,	Martin,	Sassaman,
Baldwin, G. A.,	Geiser,	Mather,	Savacool,
Baldwin, R. J.,	Gibson,	Matt,	Schaeffer, A. C
Barner,	Glenn,	McAleer,	Schuck,
Bass,	Good,	McAllister,	Scott, S. B.,
Bayle,	Goss,	McClintock,	Semmens,
Becker,	Gramley,	McDermott,	Shaffer, C. A.,
Benninger,	Gransback,	McKay,	Shaffer, I. E.,
Benson,	Gray, Frank,	Mellott,	Shern,
Bergey,	Haggerty,	Metzenbacher,	Sherwood,
Berntheizel,	Heidinger,	Miller,	Showalter,
Bigger,	Hemminger,	Missimer,	Smith, J. W.,
Bittles,	Herman,	Mitchell,	Smith, L.,
Blair, W. A.,	Hess,	Moore,	Snyder,
Blair, W. F.,	Heyburn,	Morrow,	Spangler,
Body,	Hipshman,	Moses,	Speiser,
Brosius,	Hobbs,	Moulthrop,	Spillinger,
Brown,	Hoffman,	Murphy,	Steedle,
Brownlee,	Howard, J.,	Musser,	Steele,
Burnett,	Howard, R.,	Neel,	Stein,
Caldwell,	Humes,	Neely,	Stone,
Campbell, C.M.,	Isler,	Newbaker,	Strauss,
Carter,	Irwin, G. C.,	Newton,	Swartz,
Cheeseman,	Irwin, H. H.,	North,	Swift,
Claycomb,	Jackson,	O'Neill,	Thomas,
Cleary,	Jones, J. R.,	Peachey,	Trach,
Cochran,	Kaiser,	Pennegar,	Ulerich,
Collins,	Kaufman,	Pennock,	Ulman,
Conner,	Keegan,	Perry, H. L.,	Walnut,
Conniff,	Keeport,	Perry, S. J.,	Walsh,
Conrade,	Kennedy,	Peters,	Watson,
Cox,	Kern,	Piper,	Wettach,
Currier,	Klepper,	Post,	Whitaker,
Curry,	Kuhn, H. P.,	Price,	Whitman,
Davis,	Kuhns, E.G.M.,	Ramsey,	Wildman,
DeFrees,	Lanius,	Redfield,	Williams,
Dickinson,	Latshaw,	Reese,	Wilson, J. H.,
Donahoe,	Lenker,	Reeser,	Wilson, W. H.,
Donnally,	Leslie,	Rex,	Wiltbank,
Dunn, H. B.,	Letzkus,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Light,	Richards,	Zimmerman,
Ehrhardt,		Robinson,	Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House bill No. 1017, as follows:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than one breast chamber or other working-face in any anthracite coal mine and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm co-partnership or corporation to place any miner in charge of more than one breast chamber or other working-face as a miner or for any miner to accept and have charge of as a miner any more than one breast chamber or other working-face in any anthracite coal mine in this Commonwealth

Section 2 It shall be the duty of the mine inspector in each district during his visits to the mines of the district to ascertain whether or not this law is being violated and if he finds that the law is being violated he shall immediately order the parties offending to cease the violation If a complaint is made by ten or more miners to the inspector of any district to the effect that this law is being violated it shall be his duty to investigate the case and in all cases where he finds the complaint to be correct shall immediately order the violation stopped If the person in authority in any mine or the miner offending shall refuse to obey the order of the mine inspector to cease violating this law the inspector shall request the district attorney of the county in which his district is situated to prosecute such party or parties for a violation of this act and it shall be the duty of the district attorney to do so In case a complaint is made to the district attorney by ten miners employed in any mine that a violation of this act exists and that the mine inspector has failed to do his duty in connection therewith it shall be his duty to investigate the cause of complaint and prosecute all parties found violating this act but nothing herein contained shall prevent any citizen a resident of this Commonwealth from prosecuting any party or parties for a violation of this act with power to employ private counsel to assist in the prosecution of the same

Section 3 Any person firm co-partnership or corporation violating any of the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars

Section 4 All fines imposed under this act shall be paid into the county treasury for the use of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Adams,	Eichenberger,	Leslie,	Rhoads,
Allen,	Ely,	Letzkus,	Richards,
Alworth,	Ewing,	Light,	Robinson,
Ambler,	Fahey,	Lohr,	Rockwell,
Arthur,	Flynn,	Lowers,	Roney,
Baldwin, G. A.,	Forster, I. G.,	Malie,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Mannion,	Runk,
Barner,	Frey,	Martin,	Sassaman,
Bass,	Gans,	Mather,	Savacool,
Bayle,	Geiser,	Matt,	Schaeffer, A. C
Becker,	Gibson,	McAleer,	Schuck,
Benninger,	Glenn,	McAllister,	Scott, J. R. K.,
Benson,	Good,	McArdle,	Scott, S. B.,
Bergey,	Goss,	McCaig,	Semmens,
Berntheizel,	Gramley,	McClintock,	Shaffer, C. A.,
Bigger,	Gransback,	McDermott,	Shaffer, I. E.,
Bittles,	Gray, Frank,	McKay,	Shern,
Blair, W. A.,	Haggerty,	Mechling,	Sherwood,
Blair, W. F.,	Heidinger,	Mellott,	Showalter,
Bleloch,	Hemminger,	Metzenbacher,	Smith, J. W.,
Body,	Herman,	Miller,	Smith, L.,
Brosius,	Hess,	Missimer,	Snyder,
Brown,	Heyburn,	Mitchell,	Spangler,
Brownlee,	Hibshman,	Moore,	Speiser,
Burnett,	Hobbs,	Morrow,	Spillinger,
Caldwell,	Hoffman,	Moses,	Steedle,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Steele,
Carson,	Howard, R.,	Murphy,	Stein,
Carter,	Humes,	Musser,	Stone,
Cheeseman,	Isler,	Neel,	Strauss,
Claycomb,	Irwin, G. C.,	Neely,	Swartz,
Cochran,	Irwin, H. H.,	Newbaker,	Swift,
Collins,	Jackson,	Newton,	Thomas,
Conner,	Jones, J. R.,	North,	Trach,
Conniff,	Kaiser,	O'Neill,	Ulerich,
Conrade,	Kaufman,	Peachey,	Ulman,
Cox,	Keegan,	Pennegar,	Walnut,
Currier,	Keeport,	Pennock,	Walsh,
Curry,	Kennedy,	Perry, H. L.,	Watson,
Davis,	Kern,	Perry, S. J.,	Wettach,
DeFrees,	Kitts,	Peters,	Whitman,
Dickinson,	Klepper,	Piper,	Wildman,
Donahoe,	Kuhn, H. P.,	Post,	Williams,
Donnally,	Kuhns, E.G.M.,	Price,	Wilson, J. H.,
Down,	Lanius,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Latshaw,	Redfield,	Wiltbank,
Dunn, J. A.,	Lenker,	Reese,	Zimmerman,
Ehrhardt,		Reeser,	Alter,
		Rex,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 464, as follows:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspector and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Dominin one thousand nine hundred and nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fire proof construction public or private institutions sanatorium surgical institute asylum hospital school house academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercantile establishment every hotel restaurant apartment house boarding house or lodging house in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire-escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto" be and the same is hereby amended as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fire proof construction public or private institutions sanatorium surgical institute asylum hospital school house academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercantile establishment every hotel restaurant apartment house boarding house or lodging house in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by ten or more persons above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire-escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Adams,	Dunn, J. A.,	Leslie,	Robinson,
Allen,	Ehrhardt,	Letzkus,	Rockwell,
Alworth,	Eichenberger,	Light,	Roney,
Ambler,	Ely,	Lohr,	Rothenberger,
Arthur,	Ewing,	Lowers,	Runk,
Baldwin, G. A.,	Fahey,	Mannion,	Sassaman,
Baldwin, R. J.,	Flynn,	Martin,	Savacool,
Barner,	Forster, I. G.,	Mather,	Schaeffer, A. C.
Bass,	Foster, J. D.,	Matt,	Schuck,
Bayle,	Frey,	McAleer,	Semmens,
Becker,	Gans,	McAllister,	Shaffer, C. A.,
Benninger,	Geiser,	McArdle,	Shaffer, I. E.,
Benson,	Gibson,	McCaig,	Shern,
Bergey,	Glenn,	McClintock,	Sherwood,
Berntheizel,	Good,	McDermott,	Showalter,
Bigger,	Goss,	McKay,	Smith, J. W.,
Bittles,	Grabe,	Mellott,	Smith, L.,
Blair, W. A.,	Gramley,	Metzenbacher,	Snyder,
Blair, W. F.,	Gransback,	Mitchell,	Spangler,
Bleloch,	Gray, Frank,	Moore,	Speiser,
Body,	Haggerty,	Moses,	Spillinger,
Brosius,	Hemminger,	Moulthrop,	Steedle,
Brown,	Herman,	Murphy,	Steele,
Brownlee,	Hess,	Musser,	Stein,
Burnett,	Heyburn,	Neel,	Stone,
Caldwell,	Hibshman,	Neely,	Strauss,
Campbell, C.M.,	Hobbs,	Newbaker,	Swartz,
Carson,	Hoffman,	Newton,	Swift,
Carter,	Howard, J.,	North,	Thomas,
Cheeseman,	Howard, R.,	O'Neill,	Trach,
Claycomb,	Humes,	Peachey,	Ulerich,
Cleary,	Isler,	Pennegar,	Ulman,
Cochran,	Irwin, G. C.,	Pennock,	Walsh,
Collins,	Irwin, H. H.,	Perry, H. L.,	Walton,
Conner,	Jackson,	Perry, S. J.,	Watson,
Conniff,	Kaiser,	Peters,	Wettach,
Conrade,	Keegan,	Piper,	Whitaker,
Cox,	Keeport,	Post,	Whitman,
Currier,	Kennedy,	Price,	Wildman,
Curry,	Kern,	Ramsey,	Williams,
Davis,	Klepper,	Redfield,	Wilson, J. H.,
DeFrees,			Wilson, W. H.,

Dickinson,	Kuhn, H. P.,	Reese,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Donnally,	Lanius,	Rex,	Young, J. H.,
Down,	Latshaw,	Rhoads,	Zimmerman,
Dunn, H. B.,	Lenker,	Richards,	Alter, Speaker.

NAYS—3.

Jones, J. R., Kaufman, Morrow.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and considerationof House Bill No. 570, as follows:

An Act requiring any individual firm or corporation or mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of th[illegible] Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at every anthracite coal mine in this Commonwealth where coal is mined and paid for by the car a record of all cars of coal mined shall be kept at the miners' chutes or at the most convenient and practical of said chutes where said coal is loaded in cars which record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or other refuse that may be loaded on said cars in the usual and natural course of mining and loading coal and which record shall be open at all times for the inspection of all miners

Section 2 Any individual firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall for each offense be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars

Section 3 That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Mr. LENKER. Mr. Speaker and Gentlemen of the House, on behalf of the Mine Workers of the Anthracite Coal Fields I presented this bill. If enacted into law it will abolish a pernicious system. The first part of Section one of this Act is intended to correct a very faulty system of keeping track of the miners' cars, closely allied to the "docking system" which I will explain later on, and which is responsible for large losses of money to the miners of most sections. I know you will all agree with me that the miners should recieve credit and pay according to their contract for each car loaded. This he does not get under most mining companies until his car of coal reaches the breaker, which generally is several miles away. Now this faulty system gives dishonest miners an opportunity to take the ticket from the car placed there by the original owner of the car and replace it with one of their own, thereby gaining credit and pay for coal which, of course, rightfully belongs to another. Now this is practiced considerably. The passage of this act would remove this opportunity of dishonest miners. It will also remove and abolish considerable suspicion and, I might even say, a deep conviction in the minds of the miners of some sections that some company officials deliberately refuse to credit the miner with his entire output. Sometimes under this system cars are emptied or wrecked before reaching the breaker. Although in charge of the mining company, the miner in no wise responsible for the loss, if the ticket becomes lost the miner does not receive credit for his coal. Now, the miner should and will, under the provisions of this proposed act, receive credit for his coal when loaded, when his responsibility should cease; even without additional cost to the mining companies, by having the loader or loader boss keep a record, the same as it is done under the Philadelphia & Reading Company's system which is very satisfactory to all concerned. Now, under this unjust system the honest miner is at all time at the mercy of the dishonest miner, and the dishonest company official. I suppose we have some of these also. Now the second part of section one of this Act was designed in order to abolish a subtle and pernicious system that is responsibile for very large losses in earnings to the miners of most sections. The injustice of this so-called "Docking System" is evident and apparent to all who understand it, and one of the greatest purposes and reasons that I can advance for this abolition is furnished by the fact that it is practiced but little, if at all, by the Philadelphia & Reading Company,—to their everlasting credit,—the largest anthracite producing Company in the State of Pennsylvania.

Now the miners are only appealing to you in this bill for justice. They are only asking for a square deal. They believe and know that when they make a contract with their inside foreman, who is in charge of all work under ground, to receive a certain stipulated price per car, that that contract so made should not be abrogated or broken by the outside foreman, who, although not a party to the contract, hires a man who is called a "Docking Boss", who must dock the miner, if it is a proper name—they call it stealing—the entire cars or portions of cars, claiming the cars contain too much rock, slate or dirt. Now, the miner must bear this unjust abrogation of the contract, notwithstanding the fact that these impurities are naturally produced in the usual and natural course of the mining of coal, for which the miner is in no-wise responsible; and notwithstanding the fact that these cars for which the miner receives little or nothing are dumped into the breaker with the other coal. This statement, startling as it may seem to some of you, is true. As a practical miner, I personally know that where the miner's coal contains impurities such as rock and slate his work is harder and extremely dangerous.

Now the reasonable and just contention of the miners is that if this coal contains impurities in undue proportions, that the Company officials should of right investigate his working place and stop it if deemed necessary, instead of using this so-called docking system as a cloak merely to take large portions of his earnings regardless as to whether or not his coal contains impurities. It is a strong statement, gentlemen, but I know of what I speak.

I now desire to present a few figures showing the practice of this nefarious system in one section. I desire to say, gentlemen. that the few figures I have here, as to the docking system, is not practiced to that extent throughout the entire anthracite region. The repeal of the Act of 1883 has removed all restrictions so that companies can now dock at will. During the month of January in the Summit Branch Coal, prepared at Lykens, at the upper end of Dauphin County, there were 13,571 cars sent to the breaker. The miners were docked 413 3-4 cars for dirt, 424 3-4 cars for slate and they lost 61 tickets. Now, gentlemen. that would be about the average throughout the entire year. Taking the month of March, 540 docked for dirt, 540 for rock. Take the month of November, 426 for dirt and 478 for rock; and so on. It runs about the same throughout the entire year.

Now, gentlemen, in conclusion, I want to say that I have a due regard for the value of our corporations, but when they use their mighty powers to crush and oppress, as some of them plainly have, under this docking system, they should be plainly shown that the people of this State can and will limit them to operations that are fair and just as well as to operations that they in the absence of specific legislation can construe as being legal. I ask you, gentlemen, in the name of the long-suffering miner of the anthracite Coal Fields, in the name of the State Federation of Labor, that knows the justice of this bill and has endorsed it, I ask you in the name of all common decency and fair play, to give this bill your unanimous support.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198.

Adams,	Ehrhardt,	Lenker,	Roney,
Allen,	Eichenberger,	Leslie,	Rothenberger,
Alworth,	Ely,	Letzkus,	Runk,
Ambler,	Ewing,	Light,	Sassaman,
Arthur,	Fahey,	Lohr,	Savacool,
Baldwin, G. A.,	Flynn,	Lowers,	Schaeffer, A. C
Baldwin, R. J.,	Forster, I. G.,	Mannion,	Schuck,
Barner,	Foster, J. D.,	Martin,	Scott, J. R. K.,
Bass,	Frey,	Mather,	Scott, S. B.,

Bayle,	Gans,	Matt,	Semmens,
Becker,	Geiser,	McAleer,	Shaffer, C. A.,
Benninger,	Gibson,	McAllister,	Shaffer, I. E.,
Benson,	Glenn,	McArdle,	Shern,
Bergey,	Good,	McCaig,	Sherwood,
Berntheizel,	Goss,	McClintock,	Showalter,
Bigger,	Grabe,	McDermott,	Smith, J. W.,
Bittles,	Gramley,	McKay,	Smith, L.,
Blair, W. A.,	Haggerty,	Mellott,	Snyder,
Blair, W. F.,	Heidinger,	Metzenbacher,	Spangler,
Bleloch,	Hemminger,	Miller,	Speiser,
Body,	Herman,	Missimer,	Spillinger,
Brosius,	Hess,	Mitchell,	Steedle,
Brown,	Heyburn,	Moore,	Steele,
Brownlee,	Hibshman,	Morrow,	Stein,
Burnett,	Hobbs,	Moses,	Stone,
Caldwell,	Hoffman,	Moulthrop,	Strauss,
Campbell, C.M.,	Howard, J.,	Murphy,	Swartz,
Campbell, J. J.,	Howard, R.,	Neely,	Swift,
Carson,	Humes,	Newbaker,	Thomas,
Carter,	Isler,	Newton,	Trach,
Cheeseman,	Irwin, G. C.,	North,	Ulman,
Claycomb,	Irwin, H. H.,	O'Neill,	Walnut,
Cleary,	Jackson,	Peachey,	Walsh,
Cochran,	Jones, J. R.,	Pennegar,	Watson,
Collins,	Kaiser,	Pennock,	Wettach,
Conner,	Kaufman,	Perry, H. L.,	Whitaker,
Conniff,	Keegan,	Perry, S. J.,	Whitman,
Conrade,	Keeport,	Peters,	Wildman,
Cox,	Kennedy,	Piper,	Williams,
Currier,	Kern,	Price,	Wilson, J. H.,
Curry,	Kitts,	Ramsey,	Wilson, W. H.,
Davis,	Klepper,	Redfield,	Wiltbank,
DeFrees,	Kuhn, H. P.,	Reese,	Young, G. K.
Dickinson,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Donahoe,	Lanius,	Rex,	Zimmerman,
Donnally,	Latshaw,	Robinson,	Alter,
Dunn, H. B.,		Roekwell,	Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate, which were laid upon the table.

RECESS.

Mr. SHERN. Mr. Speaker, I move that this House do now take a recess until 8 o'clock this evening.

The motion was agreed to, and at 1.10 P. M. the House took a recess until 8 o'clock P. M.

AFTER RECESS.

The House reconvened at 8.00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

Mr. JOHN ROBERT JONES, from the Committee on Judiciary General, reported as committed, House Bill No. 1697, entitled:

An Act authorizing the several Orphans' Courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable partition of lands held in common.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as committed House Bill No. 1578, entitled:

An Act requiring the Sheriff, Prothonotary and all other county officers receiving moneys as such officers, to be credited to others, to give quarterly written notice to such party or parties of the amount standing to his, her or their credit during the preceding quarter.

Mr. WATSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1073, entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings, for municipal purposes other than street improvements, the title to be acquired by the said municipalities shall be the fee simple title thereof.

Mr. RAMSEY, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1320, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class.

Mr. LENKER, from the Committee on Mines and Mining, reported as committed, House Bill No. 1482, entitled:

An Act fixing the compensation of the Chief Clerk and the five clerks in the Department of Mines.

Mr. W. H. WILSON, from the Committee on Judiciary General, reported as amended, House Bill No. 1301, entitled:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives, children, whether legitimate or illegitimate, or aged parents by directing that imprisonment in such cases be at hard labor in such institutions as the court shall name with the wages payable to the wives, children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct; and providing for the payment of the expenses incident to the carrying out of this act.

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 1248, entitled:

An Act to fix the salaries of the deputies in the offices of Clerk of the Courts, County Controller, Recorder of Deeds, County Treasurer, Chief Deputy Clerk, and Chief Clerk to the County Commissioners in Counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each.

Mr. BLELOCH, from the Committee on Judiciary Special, reported as committed, House Bill No. 1740, entitled:

An Act to provide for an additional law judge of the several courts of the Forty-fifth Judiical District.

Mr. STONE, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1451, entitled:

An Act providing for the resignation or retirement of certain officers and employees of state institutions and under certain conditions allowing them half pay during the remainder of their lives, and making an appropriation therefor.

Mr. STONE, from the Committee on Agriculture, reported as amended, House Bill No. 285, entitled:

An Act providing for the appointment qualifications and compensations of instructors and demonstrators in agriculture and making an appropriation for the same.

Mr. HEMMINGER, from the Committee on Mines and Mining, reported as amended, House Bill No. 573, entitled:

An Act regulating the sale of Anthracite Coal; fixing standards of size and quality thereof; and requiring inspectors of weights and measures, in certain cases to make a test thereof, and providing penalties for violation of this act.

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 80, entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven, entitled "An Act providing for the erection by the Commonewalth of Pennsylvania of a statue in memory of General George Gordon Meade, in the city of Washington, and making an appropriation therefor," and making a further appropriation.

Mr. JAS. A. DUNN, from the Committee on Labor and Industry, reported as committed, House Bill No. 871, entitled:

An Act to amend the second and third sections of an act, entitled "An Act to provide for the employment of the insane, feeble-minded and epileptic persons confined in institutions, wholly or in part maintained by the State, for the care and treatment of the insane, feeble-minded and epileptic persons; and providing for the distribution of the supplies, manufactured articles, goods and products made in State institutions for the care of the insane, feeble-minded and epileptic persons," approved the twenty-eighth day of May, Anno Domini one thousand nine hundred and seven, so as to permit of the sale of articles manufactured and produce raised by insane, feeble-minded and eplieptic inmates of such institutions for the benefit of such persons.

Mr. REESE, from the Committee on Mines and Mining, reported as amended, House Bill No. 351, entitled:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June, Anno Domini one thousand eight hundred and ninety-five, so as to make it a misdemeanor to sell anthracite coal by short weight.

Mr. STONE, from the Committee on Judiciary Special, reported as committed, House Bill No. 867 (Senate Bill No. 125), entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons.

Mr. GRANLEY, from the Committee on Education, reported as committed, House Bill No. 1302, entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing a revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini, one thousand nine hundred and eleven; amending sections 2622, 2624, 2626 and 2627 thereof; and also conferring upon tax payers similar rights in regard to the reports of auditors of school districts of the second, third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed, and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto.

Mr. BROSIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1507, entitled:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class, and prescribing its powers and duties" approved the twenty-fifth day of May, Anno Domini 1907.

Mr. BROSIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1560, entitled:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers, or policemen for incorporated or unincorporated associations, heretofore or hereafter organized, for any charitable purpose", approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five.

Mr. MITCHELL, from the Committee on Judiciary Special reported with a negative recommendation, House Bill No. 736, entitled:

An Act to amend an act approved the eleventh day of May, one thousand nine hundred and one, entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures, to which said counties would under existing laws be entitled, to be expended for the purchase and support of said library", as amended.

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed, House Bill No. 1543, entitled:

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair, build or rebuild any county bridges, without due advertisement for sealed proposals, excepting contracts not amounting to two hundred and fifty dollars.

Mr. LETZKUS, from the Committee on Labor and Industry, reported as committed, House Bill No. 1806 (Senate No. 151), entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof.

Mr. JACKSON, from the Committee on Agriculture, reported as amended, House Bill No. 1610, entitled:

An Act to prevent the spread of tree diseases by compelling the treatment of the same under certain conditions.

Mr. STEEDLE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1086, entitled:

An Act relating to meat and meat food products and providing for the inspection of such food and products and the animals from which produced and fixing penalties for violation of this act.

Mr. BIGGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1431, entitled.

An Act to amend an act, entitled, "An Act requiring the prothonotary of the several courts of Common Pleas in this Commonwealth, to keep separate dockets in certain cases," approved 22nd day of May, 1878, by authorizing the courts of Common Pleas to cause to be entered in the separate docket additional subjects, and authorizing the Common Pleas court by its order to direct the pronthonotary to enter all the subjects herein provided for in one index which after such order, shall be kept in lieu of the separate ejectment and other indexes now provided by law, and providing that such indexes shall be notice.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 870, entitled:

An Act to amend the first and second sections of an act, entitled "An Act to provide for the better protection of female insane patients in transit", approved the fourteenth day of April, Anno Domini one thousand eight hundred and ninety three, so as to extend the provisions thereof to feeble-minded and epileptic persons.

Mr. NEELY, from the Committee on Judiciary Special, reported as amended, House Bill No. 1434, entitled:

An Act to validate all sales, public and private, and all mortgages of real estate of decedents, heretofore made under authority of Orphans' Courts upon petition of Executors or Administrators for payment of debts, or for any other lawful purpose

Mr. LIGHT, from the Committee on Judiciary General, reported as amended, House Bill No. 1609, entitled:

A Joint Resolution providing for the appointment of a commission to investigate the condition of the canal formerly owned by the Susquehanna Canal Company, and making an appropriation therefor.

Mr. MORROW, from the Committee on Labor and Industry, reported as committed, House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry, defining its powers and duties establishing an Industrial Board, prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings and places where labor is employed, empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board.

Mr. KAISER, from the Committee on Appropriations, reported as committed, House Bill No. 1835 (Senate Bill No. 611), entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto."

Mr. GLENN, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 110, entitled:

An Act authorizing the several Justices of the Peace and Aldermen throughout the Commonwealth of Pennsylvania to issue writs of replevin to recover a chattel or chattels with or without damages in cases where the value of the chattel or chattels does not exceed three hundred dollars and regulating the practice thereof.

Mr. ULMAN, from the Committee on Mines and Mining, reported with a negative recommendation, House Bill No. 924, enttiled:

An Act declaring fraudulently obtaining credit for coal mined a misdemeanor and prescribing penalties therfor.

Mr. J. H. WILSON, from the Committee on Agriculture, reported as committed, House Bill No. 1620, entitled:

An Act to provide that trees, shrubs, vines, plans and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold, and providing a legal method whereby the grower can obtain financial redress from the dealer or seller, being" a Legal Indemnity plan for Growers"

Mr. KITTS, from the Committee on Judiciary General, reported as committed, House Bill, No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria County, Pennsylvania, doing business as the Woodman Lumber Company, to bring suit in the Court of Commn Pleas of Cambria County against the Commonwealth of Pennsylvania.

Mr. KITTS, from the Committee on Judiciary General, reported as amended, House Bill, No. 426, entitled:

An Act relating to actions for divorce.

Mr. SAVACOOL, from the Committee on Education, reported with a negative recommendation, House Bill No. 689, entitled:

An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties, cities boroughs towns, townships and school districts; and providing that all library property and all gifts, devises, grants or endowments for library purposes shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, townships and school districts may levy taxes, condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violation of library regulations and repealing existing laws in relation to the above subjects.

Mr. KLEPPER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1589, entitled:

An Act fixing the compensation of the Desk Clerks of the Senate and the House of Representatives.

Mr. E. G. M. KUHN, from the Committee on Judiciary Special reported as committed, House Bill No. 1523, entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election.

Mr. E. G. M. KUHN, from the Committee on Judiciary Special, reported as committed, House Bill No. 1772, entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor; prescribing the duties of such solicitor, fixing his term of office, and providing for his salary, to be paid by the proper county.

Mr. ROTHENBERGER, from the Committee on Agriculture, reported as committed, House Bill No. 1038, entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth, and making an appropriation therefor.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1436, entitled:

An Act to provide for the oral examinatin of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1762, entitled:

An Act to amend an act approved the twenty-sixth day of April one thousand eight hundred and fifty, entitled "An Act to provide for the establishment of true meridian lines, and of standard measures for surveyors' chains; and to regulate the practice of surveying in this Commonwealth."

Mr. STRAUSS, from the Committee on Judiciary General, reported as amended, House Bill No. 1003, Senate Bill No. 23, entitled:

An Act applicable to all counties f this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid from of records eligibility penalties and reports as set forth in sections one two three four five six seven and eight.

Mr. STRAUSS, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1124, entitled:

An Act amending section five of an act entitled "An Act providing when, how, upon what property, and to what extent liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances, the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved June 4, 1901, as the same was amended by an act approved March 19, 1903, by providing that public property only shall be exempt from municipal claims for municipal improvements.

Mr. GANS, from the Committee on Rules, reported as committed, Resolution No. 19.

Resolved, That Rule thirty-three be amended by inserting after the word "bill" in line one, the words "and every resolution providing for an amendment to the Constitution," by striking out in line two the words "on the bill," and insert the word "thereon," and insert on line three after the word "law" the words "and no such resolution shall be adopted."

Mr. GEISER, from the Committee on Judiciary General, reported as committed, House Bill No. 1304, entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four, entitled "An Act relating to executors and administrators.

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as committed, House Bill No. 743, entitled:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls on such land

Mr. MURPHY, from the Committee on Mines and Mining, reported as committed, House Bill No. 1219, entitled:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled "An Act amending section one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one, page five hundred and thirty-five, et cetera), increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin County and providing for certain redistricting of inspectors granting to the qualified voters of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector thereof until such time as an inspector should be duly elected" by providing for additional inspectors therein

Mr. MILLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1319, entitled:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof

Mr. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 1639, entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the province of the Acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine and June fourteenth Anno Domini one thousand nine hundred and eleven respectively creating said Commission and defining the duty thereof and making preliminary appropriations therefor

Mr. COX, from the Committee on Manufactures, reported as amended, House Bill No. 416, entitled:

An Act to prevent occupational diseases and to provide for the health of employees exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 405, entitled:

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same to inquire into the subject of fair compensation for those injured or killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen and making an appropriation for the expenses of said commission

Mr. WALNUT, from the Committee on Judiciary General, reported as committed, House Bill No. 228, entitled:

An Act to regulate and improve the Civil Service of the Commonwealth of Pennsylvania and of the Counties and Cities of the third class providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth and of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the Civil Service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violations thereof

Mr. ALWORTH, from the Committee on Judiciary Special, reported as committed, House Bill No. 1789, entitled:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act

Mr. ALWORTH, from the Committee on Judiciary Special, reported as committed, House Bill No. 1087, entitled:

An Act amending section one of an act entitled "A supplemen to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one regulating the certification recording advertising and proof of passage of legislative acts of councils and prescribing the effect of the production thereof when required as evidence" approved the seventh day of June

Anno Domini one thousand nine hundred and eleven by changing the requirements as to the publication of ordinances and resolutions

REPORT FROM COMMITTEE ON JUDICIARY GENERAL RELATIVE TO CHARGES AGAINST HON. CHARLES N. BRUMM.

Mr. ROCKWELL. Mr. Speaker, I desire to report from the Committee on Judiciary General, the report of the allegations against the Honorable C. M. Brumm, one of the judges of the Twenty-first Judicial District.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

To the House of Representatives:

The Judiciary General Committee hereby reports that after carefully examining the within charges and allegations against Honorable Charles A. Brumm, one of the Judges of the Twenty-first Judicial District, it is the opinion of the committee that if the charges are true, there is sufficient to warrant the appointment of a committee to investigate the same and hereby recommend that a committee of five members of the House be appointed to investigate the charges so made, and make such report as the circumstances and facts warrant

(Signed,) FRANK H. ROCKWELL,
Chairman.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move the adoption of the report.

Mr. SPEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL INTRODUCED.

Mr. S. B. SCOTT. Mr. Speaker,

The SPEAKER. The gentleman from Philadelphia, Mr. S. B. Scott.

Mr. S. B. SCOTT. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. The title will be read for information.

The title was read as follows:

An Act directing the legislative reference bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

Mr. S. B. SCOTT. Mr. Speaker, in explanation why I introduce this act at this time, I would like to state that this bill has been drawn in view of the reasons which the Governor gave for vetoing a bill of a somewhat similar nature last week. I have every reason to believe that this fully meets the views of his Excellency, alluded to in the act of my original bill.

The SPEAKER. The Chair hears no objection, the Clerk will receive the bill.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MITCHELL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MITCHELL. Mr. Speaker, the pink calendar quotes me as having introduced House Bill No. 1520, relating to a Highway measure in Centre County. I am not the sponsor of that bill. I believe the sponsor of that bill is Mr. Gramley.

The SPEAKER. The Clerk will make the correction.

SENATE MESSAGE.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced presented the following extract from the Journal of the Senate informing that the Senate has concurred in the Resolution from the House of Representatives, as follows:

Resolved by the House of Representatives (if the Senate concur) That House Bill No. 619, file folio 2619, entitled,

An Act to amend the fourth paragraph of section seven of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

passed on final passage Thursday, March 20th, and now in the Senate be recalled for the purpose of amendment.

The SPEAKER. What is the pleasure of the House as to this bill.

RECONSIDERATION OF VOTE.

Mr. STEELE. Mr. Speaker, I move that we reconsider the vote by which this bill passed on final passage.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEELE. Mr. Speaker, I move that we reconsider the vote by which this bill passed third reading.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. RONEY. Mr. Speaker, I ask unanimous consent to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one line nineteen by striking out after the word "offensive" the words "to prohibit within the township the burial or interment of deceased persons or within such partial limits within the same as they may from time to time prescribe and to regulate the depth of the graves"

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the Bill as amended?

Mr. R. J. BALDWIN. Mr. Speaker. I desire to offer an amendment to the title of this bill.

The SPEAKER. The Clerk will read the amendment for information.

The amendment was read as follows:

Amend after the last word in title 10 add the following: "authorizing townships of the first class to make regulation respecting pig pens slaughter houses bone boiling establishments, manure pits, drains, cesspools, cemeteries or places of burial and manufacturies that are offensive."

The SPEAKER. Will the House give its unanimous consent to the insertion of this amendment? The Chair hears no objection and the amendment will be made in accordance with the instructions of the House.

On the question recurring,

Will the House agree to the Bill on third reading as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

LEAVE OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Kaiser for the balance of the week owing to the death of his father.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, March 24, 1913.

Whereas, The work for the United States Governoment in the Frankford Arsenal, at Philadelphia, requires the construction of a magazine and a high explosive shop, to cost approximately forty thousand dollars ($40,000), which would replace inadequate, unsanitary and unsafe buildings now used for the purpose, therefore,

Be It Resolved, (if the House of Representatives concur), That the attention of the Representatives in Congress from Pennsylvania is hereby invited to the need for said buildings, and said Representatives are hereby respectfully urged to secure the appropriation of funds at the forthcoming session of Congress for the construction of said buildings as recommended by the Secretary of War.

The SPEAKER. The question is on concurring in the resolution of the Senate.

It was agreed to.

Orderd, That the Clerk inform the Senate accordingly.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, March 24, 1913.

Whereas, By an explosion at the Frankford Arsenal of the United States Government, at Philadelphia, one Patrick Glancy and Peter McColgan, lost their lives in the course of their employment in said Arsenal; and

Whereas, The widows of these men, namely Mrs. Eliza-

beth Glancy and Mrs. Annie McClogan, were left without adequate support for themselves and their small children; and

Whereas, These women have never been idemnified for the loss of their said husbands; therefore

Be it Resolved (if the House of Representatives concur) That the Representatives in Congress from Pennsylvania be respectfully requested to secure appropriate legislation to reimburse the said Mrs. Elizabeth Glancy and Mrs. Annie McColgan for the loss sustained by them through the death of their husbands while in the employ of the United States Government at the said Frankford Arsenal, at Philadelphia, Pennsylvania.

The SPEAKER. The question is on concurring in the resolution of the Senate.

It was agreed to.

Ordered. That the Clerk inform the Senate accordingly

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 470.

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

Also House Bill No. 438.

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water-closet regulating same and providing a penalty for violation thereof"

Also House Bill No. 682.

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

Also House Bill No. 723.

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

Also House Bill No. 271.

An Act to amend an act entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salares" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties

Also House Bill No. 85.

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred and ninety-seven entitled "An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same"

Also House Bill No. 270.

An Act to authorize and empower the Courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

Also House Bill No. 168.

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

Also House Bill No. 245.

An Act making an appropriation to the State Board of Censors of moving pictures

Also House Bill No. 845.

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

Also House Bill No. 850.

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new pentitentiary in Centre county for the use in the erection and equipment thereof

with information that the Senate had passed the same without amendment.

SENATE MESSAGES.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 735, entitled:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been re-conveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground.

with information that the Senate has passed the same with an amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out all after the words "An Act" to and including the words "acquired by them" and inserting in lieu thereof the following:

"To amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been re-conveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. W. H. WILSON. Mr. Speaker, the amendment really cures a defect in the title and I will ask the House to pass it.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Allen,	Forster, I. G.,	Mannion,	Sassaman,
Alworth,	Foster, J. D.,	Martin,	Savacool,
Ambler,	Gans,	Mather,	Schaeffer, A. C
Arthur,	Geiser,	Matt,	Schuck,
Baldwin, G. A.,	Glenn,	McAleer,	Scott, J. R. K.,
Baldwin, R. J.,	Goss,	McAllister,	Scott, S. B.,
Bayle,	Gramley,	McArdle,	Shaffer, I. E.,
Becker,	Gransback,	McCaig,	Shern,
Benson,	Gray, Frank,	McClintock,	Sherwood,
Bergey,	Haggerty,	McKay,	Showalter,
Bigger,	Heidinger,	Metzenbacher,	Smith, L.,
Bittles,	Hemminger,	Miller,	Smith, J. W.,
Blair, W. A.,	Herman,	Missimer,	Snyder,
Blair, W. F.,	Hess,	Mitchell,	Spangler,
Body,	Heyburn,	Moore,	Speiser,
Brosius,	Hobbs,	Morrow,	Spillinger,
Brown,	Hoffman,	Moses,	Steedle,
Brownlee,	Howard, J.,	Murphy,	Steele,
Burnett,	Howard, R.,	Musser,	Stein,
Caldwell,	Humes,	Neel,	Stone,
Campbell, C.M.,	Isler,	Neely,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Newbaker,	Swartz,
Carson,	Irwin, H. H.,	Newton,	Switt,
Carter,	Jackson,	North,	Thomas,
Cheeseman,	Jones, J. R.,	Peachey,	Trach,
Claycomb,	Keeport,	Pennegar,	Ulerich,
Cleary,	Kennedy,	Pennock,	Ulman,
Cochran,	Kern,	Perry, S. J.,	Walsh,
Conner,	Kitts,	Peters,	Walton,
Conniff,	Klepper,	Post,	Watson,
Conrade,	Kuhn, H. P.,	Price,	Wettach,
Cox,	Kuhns, E.G.M.,	Ramsey,	Whitaker,
Currier,	Latshaw,	Redfield,	Whitman,
Curry,	Lenker,	Reeser,	Wildman,
Davis,	Leslie,	Rex,	Williams,
DeFrees,	Letzkus,	Rhoads,	Wilson, J. H.,
Dickinson,	Light,	Richards,	Wilson, W. H.,
Donahoe,	Lohr,	Robinson,	Wiltbank,
Down,	Lowers,	Rockwell,	Young, G. K.,
Ehrhardt,	Malie,	Roney,	Young, J. H.,
Eichenberger,		Rothenberger,	Zimmerman,
Ely,		Runk,	Alter,
			Speaker.

NAYS—0.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz.:

House Bill No. 1166.

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth.

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendmnet will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, line 8, by striking out the word 'to" after the word "unable.'

On the question,

Will the House concur in the amendment of the Senate?

Mr. W. H. WILSON. Mr. Speaker, that amendment merely corrects a typographical error, and I ask the House to concur in it.

Agreeably to the provision of the Constitution, the yeas and nays were taken, and were as follows, viz.:

YEAS—180.

Adams,	Ehrhardt,	Lenker,	Roney,
Allen,	Eichenberger,	Leslie,	Rothenberger,
Alworth,	Ely,	Letzkus,	Runk,
Ambler,	Ewing,	Light,	Sassaman,
Arthur,	Fahey,	Lohr,	Savacool,
Baldwin, G. A.,	Flynn,	Lowers,	Schaeffer, A. C
Baldwin, R. J.,	Forster, I. G.,	Malie,	Schuck,
Barner,	Foster, J. D.,	Mannion,	Scott, J. R. K.,
Bass,	Gans,	Martin,	Shaffer, I. E.,
Bayle,	Geary,	Mather,	Shern,
Becker,	Geiser,	Matt,	Sherwood,
Benninger,	Gibson,	McAleer,	Showalter,
Benson,	Glenn,	McAllister,	Smith, J. W.,
Bergey,	Good,	McArdle,	Snyder,
Bigger,	Goss,	McCaig,	Spangler,
Bittles,	Gramley,	McClintock,	Speiser,
Blair, W. A.,	Gransback,	McDermott,	Spillinger,
Blair, W. F.,	Gray, Frank,	McKay,	Steedle,
Bleloch,	Hackett,	Metzenbacher,	Steele,
Body,	Haggerty,	Miller,	Stein,
Brosius,	Heidinger,	Missimer,	Stone,
Brown,	Hemminger,	Mitchell,	Strauss-
Brownlee,	Herman,	Moore,	Swartz,
Burnett,	Hess,	Morrow,	Swift,
Caldwell,	Heyburn,	Moses,	Thomas,
Campbell, C.M.,	Hibshman,	Murphy,	Trach,
Campbell, J. J.,	Hobbs,	Neel,	Ulerich,
Carson,	Hoffman,	Neely,	Ulman,
Carter,	Howard, J.,	Newbaker,	Walnut,
Cheeseman,	Howard, R.,	Newton,	Walsh,
Claycomb,	Humes,	North,	Walton,
Cleary,	Isler,	O'Neill,	Watson,
Cochran,	Irwin, G. C.,	Peachey,	Wettach,
Collins,	Irwin, H. H.,	Pennock,	Whitaker,
Conner,	Jackson,	Perry, S. J.,	Whitman,
Conniff,	Jones, J. R.,	Price,	Wildman,
Conrade,	Keegan,	Ramsey,	Williams,
Cox,	Keeport,	Redfield,	Wilson, J. H.,
Currier,	Kennedy,	Reese,	Wilson, W. H.,
Curry,	Kern,	Reeser,	Wiltbank,
Davis,	Kitts,	Rex,	Young, G. K.
DeFrees,	Klepper,	Rhoads,	Young, J. H.,
Dickinson,	Kuhn, H. P.,	Richards,	Zimmerman,
Donahoe,	Kuhns, E.G.M.,	Robinson,	Alter,
Donnally,	Latshaw,	Rockwell,	Speaker.
Down,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative and the amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 279.

An Act authorizing the State Treasurer to endorse over to the Ladies' Memorial Association of the city of Petersburg, Virginia, all checks, drafts or warrants for interest accruing on a bond bought from the city of Petersburg, Virginia, by the Battlefield Commission of the Third Division, Ninth Corps Army of the Potomac, said interest being by contract made on file in the Auditor General's Department due to said Ladies' Memorial Association.

Also House Bill No. 529.

An Act making an appropriation to cover the deficiency incurred in the care, treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March first one thousand nine hundred and nine and ending May thirty-first, one thousand nine hundred and thirteen.

Whereupon,

The Speaker in the presence of the House signed the same.

BILL PLACED ON CALENDAR.

Mr. NORTH. Mr. Speaker, I move that House Bill No. 736, entitled:

An Act to amend an act approved the eleventh day of May, one thousand nine hundred and one, entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended.

be placed on the calendar, notwithstanding a negative rceommendation on said bill by the Judiciary Special Committee.

Mr. NEEL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The yeas and navy were taken and were as follows:

YEAS—99.

Adams,	Gramley,	McAleer,	Semmens,
Allen,	Gransback,	McAllister,	Shern,
Alworth,	Gray, Frank,	McCaig,	Sherwood,
Ambler,	Hackett,	Mellott,	Snyder,
Arthur,	Herman,	Metzenbacher,	Spillinger,
Baldwin, R. J.,	Hess,	Miller,	Steedle,
Barner,	Hibshman,	Missimer,	Steele,
Bass,	Hoffman,	Mitchell,	Strauss,
Bayle,	Howard, R.,	Moses,	Swartz,
Becker,	Humes,	Moulthrop,	Thomas,
Blair, W. F.,	Isler,	Neel,	Trach,
Brown,	Irwin, G. C.,	Neely,	Ulerich,
Burnett,	Irwin, H. H.,	Newbaker,	Ulman,
Cleary,	Jones, E. E.,	Newton,	Walnut,
Conner,	Keegan,	North,	Walton,
Conrade,	Kennedy,	O'Neill,	Wettach,
Curry,	Kern,	Perry, S. J.,	Whitaker,
Davis,	Kitts,	Price,	Wildman,
Dickinson,	Lenker,	Ramsey,	Wilson, J. H.,
Donahoe,	Leslie,	Reese,	Wiltbank,
Ehrhardt,	Lowers,	Reeser,	Young, G. K.,
Eichenberger,	Malie,	Roney,	Young, J. H.,
Flynn,	Mannion,	Sassaman,	Zimmerman,
Forster, I. G.,	Mather,	Schaeffer, A. C	Alter,
Foster, J. D.,			Speaker.
Geiser,			

NAYS—38.

Baldwin, G. A.,	Collins,	Murphy,	Savacool,
Benninger,	DeFrees,	Peachey,	Rothenberger,
Benson,	Glenn,	Pennegar,	Schuck,
Bergey,	Gray, Joseph,	Pennock,	Shaffer, I. E.,
Bigger,	Heidinger,	Post,	Showalter,
Body,	Hemminger,	Rockwell,	Smith, J. W.,
Brownlee,	Klepper,	Rex,	Stone,
Cheeseman,	Kuhn, H. P.,	Rhoads,	Swift,
Claycomb,	Lanius,	Rockwell,	Walsh,
Cochran,	Moore,		

The SPEAKER. More than 60 votes having been cast in the affirmative, the motion is agreed to, and the bill will be placed on the calendar.

RESOLUTION RECALLING BILL FROM GOVERNOR.

Mr. KITTS offered the following resolution which was twice read, considered and agreed to:

CONCURRENT RESOLUTION.

Resolved (if the Senate concur), That House Bill No. 300 be recalled from the Governor for the purpose of amending the title thereof.

MOTION TO PLACE BILL ON CALENDAR.

Mr. MARTIN. Mr. Speaker, I offer the following motion:

The SPEAKER. The Clerk will read the motion.

The motion was read by the Clerk as follows:

Moved that House Bill No. 495, Pink file folio 2217, which if enacted, prevents wooden passenger coaches from being placed between steel passenger coaches in trains, and which has been negatived by the Committee on Railroads, be placed on the calendar, notwithstanding the negative recommendation of the Committee.

Mr. LENKER. Mr. Speaker, I second the motion.

On the question of agreeing to the motion, the roll was called as follows:

YEAS—54.

Allen,	Conner,	Lohr,	Scott, S. B.,
Alworth,	Davis,	Malie,	Shaffer, I. E.,
Baldwin, R. J.,	Good,	Martin,	Sherwood,
Bass,	Gransback,	McClintock,	Snyder,
Bayle,	Hemminger,	McKay,	Spillinger,
Bergey,	Herman,	Moses,	Steedle,
Bigger,	Hess,	Neely,	Steele,
Bittles,	Humes,	O'Neill,	Stein,
Blair, W. A.,	Isler,	Pennegar,	Thomas,
Bleloch,	Jackson,	Reeser,	Ulerich,
Brown,	Jones, J. R.,	Robinson,	Walnut,
Burnett,	Lenker,	Rockwell,	Wiltbank,
Campbell, C.M.,	Letzkus,	Schaeffer, A. C.	Young, J. H.,
Carson,		Scott, J. R. K.,	

NAYS—102.

Adams,	Kuhn, H. P.,	Kuhns, E.G.M.,	Redfield,
Ambler,	Eichenberger,	Light,	Reese,
Arthur,	Ewing,	Lohr,	Rex,
Baldwin, G. A.,	Flynn,	Mather,	Rhoads,
Barner,	Forster, I. G.,	Matt,	Roney,
Becker,	Foster, J. D.,	McAleer,	Rothenberger,
Benninger,	Geary,	McAllister,	Sassaman,
Benson,	Geiser,	McArdle,	Savacool,
Blair, W. F.,	Glenn,	McCaig,	Schuck,
Brosius,	Goss,	McDermott,	Semmens,
Brown,	Grabe,	Mellott,	Shern,
Caldwell,	Gramley,	Miller,	Showalter,
Campbell, J. J.,	Gray, Frank,	Missimer,	Smith, J. W.,
Claycomb,	Hackett,	Mitchell,	Stone,
Cochran,	Heidinger,	Moore,	Swartz,
Collins,	Heyburn,	Morrow,	Swift,
Conrade,	Hoffman,	Murphy,	Trach,
Currier,	Howard, J.,	Musser,	Ulman,
Curry,	Howard, R.,	Newbaker,	Watson,
DeFrees,	Irwin, G. C.,	Newton,	Wettach,
Dickinson,	Jackson,	Peachey,	Whitman,
Donahoe,	Jones, J. R.,	Penneck,	Wildman,
Donnally,	Kaufman,	Peters,	Wilson, J. H.,
Down,	Keegan,	Post,	Young, G. K.,
Dunn, H. B.,	Keeport,	Price,	Zimmerman,
Dunn, J. A.,	Kitts,	Ramsey,	Alter,
			Speaker.

The SPEAKER. Less than the number required by the rule having voted in the affirmative, the motion is lost.

RESOLUTION AMENDING RULE NO. THIRTY-SEVEN.

Mr. ROCKWELL. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved, That House Rule No. Thirty-seven be amended as follows: Strike out the words "sixty members" and insert in lieu thereof the words "a majority of the members present and voting."

Mr. ROCKWELL. Mr. Speaker, I ask the unanimous consent of the House for the present consideration of this resolution.

The SPEAKER. Will the House give unanimous consent to the present consideration of the resolution? Is there any objection? The Chair hears objections and the resolution will lie over for printing.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask the unanimous consent of the House to refer this resolution to the Committee on Rules.

The SPEAKER. The resolution will lie over under the rules, and cannot be considered at this time.

RESOLUTION NO. 35.

Mr. FORSTER. Mr. Speaker, I ask unanimous consent of the House to call up Resolution No. 35 at this time.

The SPEAKER. Will the House give its unanimous consent to the calling up of this resolution? Is there any objection? The Chair hears none and the resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved, That the following be a rule of this House: "No bill negatived by a committee shall be placed upon the calendar of this House unless a motion to place such bill on the calendar be made within five days after such bill is reported from committee."

On the question,

Will the House agree to the adoption of the resolution?

QUESTION OF INFORMATION.

Mr, SHERN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SHERN. Will the Speaker rule that any bills negatived prior to the passage of this resolution, should it pass, would come under the ban?

The SPEAKER. The Chair would like to hear the resolution read again before answering that question.

Mr. FORSTER. Mr. Speaker, the resolution was this: that a bill negatived by a committee must be called up for the consideration of the House within five days after the report of the committee. I believe last night the Speaker said that a reasonable construction of that would be that a bill which had been negatived prior to the passage of this resolution would have to be called up within five days after the adoption of this resolution.

Mr. ALLEN. Mr. Speaker, in a resolution of this kind, it seems to me that before it is brought up for the consideration of the members that it ought to be so drawn, even if it has to be amended, so as to be perfectly clear as to its meaning and not have the Chair or the House from time to time place a construction on it. The resolution at this time is not so vastly important that it could not lie over until to-morrow.

Mr. FORSTER. Mr. Speaker, I withdraw my request for the calling up of this resolution.

RESOLUTION NO. 19.

Mr. WALNUT. Mr. Speaker, sometime ago I introduced a resolution providing for a change of Rule Thirty-three. I do not see it among the resolutions.

The SPEAKER. The resolution was reported affirmatively by the Committee on Rules this evening.

Mr. WALNUT. Would it be in order to call up that resolution for consideration at this time.

The SPEAKER. If there is no objection, it can be called up at this time.

Mr. WALNUT. This is a resolution providing for a change of Rule Thirty-three, making it impossible to amend the Constitution by a concurrent resolution, requiring that this be done by a Joint Resolution, which shall go upon the Calendar the same as a bill, and I ask the unanimous consent of the House to consider Resolution No. 19 at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved, That Rule thirty-three be amended by inserting after the word "bill," in line one, the words "and every resolution providing for an amendment to the Constitution," by striking out in line two the words "on the bill," and insert the word "thereon," and insert on line three after the word "law" the words "and no such resolution shall be adopted."

On the question,

Will the House agree to the adoption of the resolution?

Mr. McCLINTOCK. Mr. Speaker, I introduced a resolution, which is a concurrent resolution, and which would be prevented from being acted upon if this resolution is adopted. The resolution introduced by me has been upon the files for sometime, and I would like to explain it to the House before it would be defeated in this manner. This resolution would defeat it, and I object to Mr. Walnut's resolution at this time.

The SPEAKER. The Chair hears objections, and the resolution will not be considered.

RESOLUTION NO. 9.

Mr. McCLINTOCK. Mr. Speaker, I desire to call up at this time Resolution No. 9, file folio 871, and ask the unanimous consent of the House to have it considered at this time.

The SPEAKER. Will the House give unanimous consent to the consideration of the resolution at this time? Is there any objection? The Chair hears none, and the resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Concurrent Resolution proposing an amendment to article fourteen, section two, of the Constitution of the Commonwealth of Pennsylvania

Section 1. Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concur), That the following is proposed as an amendment to

the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof:

Amend section two of article fourteen of said Constitution which reads as follows:

"Section 2. County officers shall be elected at the municipal elections and shall hold their offices for the term of four years beginning on the first Monday of January next after their election and until successors shall be duly qualified, all vacancies not otherwise provided for shall be filled in such manner as may be provided by law," so as to read as follows:

Section 2. In the county of Philadelphia the coroner, recorder of deeds, county commissioners and county treasurer shall be appointed by the mayor of the city of Philadelphia, subject to the approval of councils of the city of Philadelphia, but the county treasurer shall not be eligible to succeed himself. The register of wills in the county of Philadelphia shall be appointed by the judges of the orphans' court of said county and the clerk of the court of oyer and terminer and quarter sessions of the peace in the county of Philadelphia shall be appointed by the judges of the courts of common pleas. All other county officers shall be elected at the municipal elections and all county officers shall hold their offices for the term of four years, beginning on the first Monday of January next after their election or appointment and until their successors shall be duly qualified all vacancies not otherwise provided for shall be filled in such manner as shall be provided by law.

On the question,

Will the House agree to the adoption of the resolution?

Mr. McCLINTOCK. Mr. Speaker, about January 9th a prominent Philadelphian handed to me this resolution, which I thought at that time was a bill, and after reading the resolution I informed that gentleman that I was not in favor of it, and that I did not see how I could present it to this House. He insisted that it was one of the Committee of Seventy's measures of Philadelphia, and that they had been distributed among the Philadelphia members to be presented to this House. I being a new member at that time, not understanding fully the responsibility that is placed upon the sponsor of a resolution or a bill, accepted it and introduced it into this House. I am in the same position to-night as I was the night the gentleman presented the measure to me. I am opposed to it, but I wanted to make this statement so that the members of the House would know the reason for the resolution being presented by me. I would, therefore, move, Mr. Speaker, to strike this resolution from the calendar.

Mr. SHERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. DAVIS. Mr. Speaker, I desire at this time to call up House Bill No. 218, file folio 1919, entitled,

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania, requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth, and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees and penalties received.

from page two of to-day's calendar, postponed for the present at this morning's session.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 218, entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania, requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of the Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees, fines and penalties received.

On the question,

Will the House agree to the bill on third reading?

Mr. HERMAN. Mr. Speaker.

The SPEAKER. The gentleman from Wyoming, Mr. Herman.

Mr. HERMAN. Mr. Speaker, before I vote upon this bill I feel that it is only fair to myself that I be given a chance to state to you briefly why the local hunters and farmers of my county feel as they do towards this measure.

They see, or think they see, in this bill the hastening of the time when the local sportsman will be deprived of the privilege of not alone hunting but of enterance upon the wild lands of this Commonwealth, and when I say local hunter I do not mean the man who lives in the county only, but all those who by the force of circumstance are not able financially to own any of the unseated lands of this Commonwealth.

Mr. Speaker, you want to know how they have come to this conclusion? It is known to you that a vast part of our State is nothing more than a waste land, from which the virgin timber has been removed, and under which no minerals exist. Hence, as far as actual value is concerned, it is next to worthless. These vast tracks at present are the hunting grounds of all those who wish to avail themselves of the privilege not alone for hunting, but for pleasure.

To-day these thinly timbered lands are sold for the taxes and are being rapidly bought up by hunting clubs and private parties. In either case it is the end of the local sportsman, for no sooner do these sales take place than the parties and clubs take advantage of the trespass laws of our State and cover these tracts with warnings to the public to stay off.

It is true that this class of sportsmen have the privilege of getting the consent of the owners to enter these lands. But they ask and, I think, with reason, where and how can we find these owners? They do not reside upon these lands in far too many cases not even within the boundaries of our Commonwealth. Just a few examples to show you that this state of affairs really exists. We will take Pike and Monroe counties. No better hunting grounds can be found within our boundaries than within these two counties, and from the way the wild lands have been treated by gun clubs and men of means in this section shows that my statement is correct. The Blooming Grove Hunting and Fishing Club now owns for its own private sports and pleasures 40,000 acres. Within their boundaries are at least three large lakes, great natural resources of this State that of themselves should not be owned by private parties, but is a resource that by right belongs to the people of the whole State.

Just south of this tract the Bright Creek Park Association owns and controls 10,000 acres which are used for like purposes. Still farther south and joining the above is the Easton Anglers' Association with about 40,000 acres. Then over to the northwest of these tracts is the Scholla tract with its 32,000 acres. Then north of this property is the Billings tract, sold last summer to parties whose names I do not recall. This makes nearly a continuous tract of about 100,000 acres of wild land upon which you and I have little or no chance to enter. Nor is that all. There are about twenty-five tracts of 400 acres each in these two counties alone that have already been bought up for speculation by parties for the most part from outside of the State. These properties for the most part are leased to gun clubs.

Now, Mr. Speaker, all the other counties of the State which have been recently depleted of their forests are being subjected to like treatment by foreigners as well as native parties in my own and adjoining counties. These conditions are only in the course of beginning, but the work is surely under way.

And they argue further that, as an incentive for capital to invest in these lands, we are about to pass an act creating auxilliary forest preserves, whereby under certain conditions these waste tracts taken over by individuals and hunting clubs cannot only own and control these wilds, but will be exempt from practically all the taxes and yet put upon the State the burden of paroling these lands with State officers, a part of whose duty it will be to protect game, not for the people of the State, but for those persons or clubs who own these lands, and it is only reasonable to suppose that these lands that are now owned will be immediately changed into auxilliary preserves, so as to reduce the taxes and secure this protection.

If this bill becomes a law, they contend that the moneys raised by it will be largely used to employ professional game wardens, whose work will be to protect the game on these lands that are owned and controlled entirely for private hunting. It is true that the provisions of the bill specify that 50 per cent. of all moneys raised or to be raised is to be used to pay counties upon certain obnoxious animals. But, gentlemen of the House, they have some reason to doubt that the succeeding Legislatures will so appropriate the moneys raised by this Act that this will be done. Only a few years since the Legislature of this State told the farmers that if they would do away with their work

tax on roads and levy a cash tax they would give them $20 per mile for road purposes. Again they said to us if you will establish certain high schools and grade them to a certain standard, we will give you certain sums to help maintain these schools, and again, at the 1911 session you promised a maximum and minimum salary of $55 and $45 to teachers of a certain grade. Now, gentlemen, you know that these pledges, when kept at all, only gave us a small percentage of the moneys promised. My people naturally are in doubt whether this is not another law that takes too many legislative acts to enforce.

Gentlemen of the House, it is with regret that I have found myself forced to take a position upon this question that brings me in opposition to those who under different circumstances I should be only too glad to serve, and not these alone, but those sportsmen with whom I have spent many pleasant hours in the woods.

I thank you, gentlemen, for your kind consideration and I want to assure you that you true sportsmen have no better friends nor the State no better protectors of its game than the farmers of Wyoming county.

Mr. SHERN in the chair.

Mr. GRAMLEY. Mr. Speaker, there has been so much said on this subject up to this time that I fear that what may be said from now on may only fall on deaf ears, but I feel as if I were derelict to my duty, I feel as if I would not be representing my constituency were I to sit still and say nothing.

I will preface my few words that I have to say by holding before you a paper on which there are no less than 3,002 names protesting against the enacting of any bill into a law that will give us a hunters' license of any kind. Now, some of you may say that I have had these signatures obtained within the last two years. That is true of some part of this paper, but I would say to those persons that we are unalterably opposed to a resident hunters' license law of any kind. no mater how much you pay. I have also in my possession a letter which I received just within the last two weeks, in which the writer, who is a justice of the peace, tells me that he was asked by high authority at Harrisburg to ask me to use my efforts in behalf of this bill, but the writer tells me that, although he was asked from high authority from this town. he is not in favor of this bill, notwithstanding the fact that it might be of some financial gain to him if this bill shou'd become a law. I have also in my possession a list of thirty-seven names which I received just yesterday and which came to me in the same way. Blanks were furnished asking them to sign in favor of this bill. They signed it, but changed the reading, which makes the paper say "We are opposed to this law." I have further received from various parts of my county information in which they absolutely refused to list the blanks. They were asked to sign in favor of this bill. Now, gentlemen, this is called an act to protect wild birds and game. I feel like saking that it is paradoxical to draw up a bill which allows you to go forth with a gun loaded, and with that loaded gun to go and to take game. Isn't that bordering on the verge of the ridiculous? Wouldn't it be a better plan to protect the game by closing the season? Wouldn't it be better for us to go to work and say "We will not shoot the anima'ls for a number of years?" Wouldn't that protect them better? We are here enacting a bill into law to protect game, but the law that we are enacting allows us to go forth with a loaded gun, whether there is a license back of it or not. Gentlemen, that doesn't look right. We are told that the object and intent of this bill is to restrict hunters and sportsmen. I believe, Mr. Speaker, that perhaps the object is to restrict the hunter but the object is not to restrict the sportsman. You will not restrict the sportsman, whether you make that tax a dollar or five or ten, but you may possibly restrict the hunter by inflicting a tax for the simple reason that the hunter invariably is the young man, or the old man for all that, who lives close where the game is. But he does not go forth in the sense of sport; he does go forth with the sense of having a little pleasure and simply taking home with himself for his family something to eat. But, gentlemen, what does it matter whether you shoot that animal for sport or for food? The animal is dead. You are not sparing the game at all. The only thing, therefore, I say that will restrict the hunter or the boy is to make him pay the bill or the dollar tax. But I wonder whether that is constitutional. I wonder whether it is in line with republican forms of government. Are we not discriminating in behalf of the rich and against the poor? I wish to give you an illustration. This bill says in one place, "provided that nothing in this act shall be construed to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family of such owner or lessee such person being a citizen of the United States residing upon and cultivating lands of not less than ten acres in extent—." That simply means to say this: If I own ten acres of land, I am allowed to hunt without this license and I am allowed to hunt upon your land too, if you are adjoining mine, without paying this tax, in case you will give me permission. But, now suppose you are my next door neighbor and you own but nine acres of land, while I own ten. What is the result? Because I own ten, I can hunt on my land and on yours without paying a tax, but because you own one acre less than I do, you dare not hunt on your own or on mine until you pay the tax. Now, gentlemen, that is not fair. It is discriminating in favor of the man of wealth against the man who is not so well off. The man who has ten acres is privileged and you are, by this bill, discriminating against the man who has only nine acres. I say that is not right. There is another section in this bill that I think is not right. It refers to the fact that any person who shall be found in possession of a gun or mechnical device, and so on, shall be liable to a fine. It simply means this, gentlemen: If you are carrying a gun across a field, not on a hunting expedition, you are liable to a fine. Now, I have a concrete case in mind; I know of a case where a father and a son own a gun in common and they live about a mile and a half apart by way of the road, but only about a mile as the crow flies. I know that that father frequently carries that gun to his son's place, and the son frequently carries the gun to his father's place, and they go diagonally across the field, because it is a shorter distance. Now, gentlemen, that father and son are both liable to prosecution under this bill, if they simply carry that gun from one home to another. Is that right? But this bill, if it becomes a law, will make that possible. It is never right, gentlemen. I have also in my possession a paper which was sent me. The intent of the paper, of course, is to be in favor of this law or this bill. It shows statistics covered by the Norristown Fish and Game Protective Association. This Association is pleased to state that we have now a hunters' license in thirty-six states and seven Canadian provinces. That gives a total of forty-three political divisions, in which they have a hunters' residence license law, but the writers of this paper are not pleased to give us a report of the forty-three divisions. They are pleased to refer to but twenty-three, which is practically fifty per cent. of them, saying nothing of the others, and out of the twenty-three states to which I refer, I find that in no less than four of them they do not feel pleased to give the revenue that is obtained from this license; furthermore. in seven more the annual revenue is less than thirty thousand dollars. How much money would you have out of such a revenue if you were to use only fifty per cent. for the propagation of game, or fifty per cent. of it for bounties? I see that there are only five states here mentioned that have a revenue of between thirty and sixty thousand dollars. Out of the total of forty-three divisions, only three divisions have a revenue of over one hundred thousand dollars. The revenue coming from this, gentlemen, is not as you fancy it to be. I do not think this paper speaks so loudly in favor of this bill. We hear so much said about the careless boy. This paper calls him the reckless boy, calls him the wanton boy. Now, I plead guilty to the fact that we have some boys who are reckless with guns, but we do have sportsmen, gentlemen, who are reckless with the gun among the old and the young—among those in middle life we find an indifference and carelessness often manifested and exercised by those who hunt. You make reference to the poor boy who is not here in defense of himself; he is denied that privilege. The sportsman is here to-night; he is ready to plead his side. He is sure to put the sin upon the boy. He is sure to make the boy the scapegoat. The boy is the sinner; the sportsman is the saint. Gentlemen, is not that about the way? Now, to the sportsmen of Pennsylvania, I want to say this: Let us defeat this bill. Your interests are served just as well without this bill as with it. Defeat this bill and we welcome you when you want to hunt. Come among us and you are welcome to be there, but I am instructed by my constituents to say to the gentlemen of this House, sports-

men or hunters or whoever you are, if this bill becomes a law, you are not welcome to come within the limits of Centre county. Now, that sounds selfish. I know it does. That sounds selfish; I plead guilty to that fact; but it is true, the farmers of our county feel as if an act of injustice is done to them. They feel as if this House is in a manner putting an insult upon their boys and upon their neighbors' boys. This will not mean by its passage that the boy in the country cannot afford to lose a dollar; to that boy the dollar looks mountain-high, to you it is a mere speck. That boy is obliged to stay on the farm. He is obliged to husk corn, he is obliged to pick apples, he is obliged to do the one hundred and one chores on the farm, while the sportsman will come and shoot away the game right in front of the house of the boy. Now, gentlemen, that often happens and it is not right. Now, that may happen whether we have a license or not, but when we do not have a license there is nothing to keep a boy from having his pleasure, and a license may keep him from hunting simply because he has to pay down a dollar. I want to read to you just a little more and I shall be done. There is an amendment that I take umbrage to, exception to. The amendment providing that a tag should be worn on the back of the sleeve should be eliminated. A tag with figures to be one inch in height, if running into five figures, would require a tag two by six inches. Since it must carry the year number for which it has been issued, it is unthinkable that any Representative of the people of this grand old State should consent to tag a citizen the same as the law now provides for the tagging of a dog. We appeal to you, our representatives, to treat the man who loves his gun for the pleasure as well as benefit to be derived from it, with the same respect you would treat other citizens. Kill this obnoxious measure and give the Game Commission sufficient funds to meet their needs to the end that native game animals and birds may be propagated and preserved.

Mr. GROSS. Mr. Speaker, I call for the previous question.

Mr. SCHUCK. Mr. Speaker, I second the motion.

The SPEAKER. The previous question has been called for.

The motion was seconded by the following members:

Messrs. Becker, Bittles, Blair, William F. Body, Burnett, Caldwell, Carson, Geiser, Goss, Gray, Frank; Heidinger, Hemminger, Kuhn, Harry P.; Latshaw, Letzkus, Lohr, Matt, McCaig, Metzenbacher, Mitchell, Morrow, Musser, Sassaman, Shaffer, Ira E.; Strauss, Walsh and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the previous question now be put?

It was agreed to.

The SPEAKER. The question now before the House is,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Adams,	Dickinson,	Kuhn, H. P.,	Richards,
Allen,	Dunn, J. A.,	Leslie,	Schuck,
Ambler,	Ehrhardt,	Letzkus,	Scott, J. R. K.,
Arthur,	Eichenberger,	Lowers,	Shern,
Baldwin, G. A.,	Ely,	Mannion,	Sherwood,
Baldwin, R. J.,	Ewing,	Mather,	Snyder,
Bayle,	Fahey,	McAleer,	Speiser,
Benninger,	Geiser,	McAllister,	Spillinger,
Bigger,	Goss,	McArdle,	Steele,
Blair, W. A.,	Gransback,	McCaig,	Stein,
Blair, W. F.,	Hackett,	McClintock,	Stone,
Brosius,	Haggerty,	Miller,	Swift,
Brown,	Heidinger,	Missimer,	Trach,
Brownlee,	Howard, J.,	Mitchell,	Ulerich,
Campbell, C.M.,	Howard, R.,	Moore,	Walnut,
Campbell, J. J.,	Humes,	Morrow,	Watson,
Carson,	Isler,	Moses,	Wettach,
Carter,	Irwin, G. C.,	Moulthrop,	Wildman,
Cleary,	Irwin, H. H.,	Neel,	Wilson, J. H.,
Conner,	Keegan,	Neely,	Wilson, W. H.,
Conrade,	Keeport,	Perry, S. J.,	Wiltbank,
Currier,	Kennedy,	Ramsey,	Young, G. K.,
Curry,	Kitts,	Reeser,	Young, J. H.,
Davis,		Rex,	Alter,
			Speaker.

NAYS—79.

Barner,	Foster, J. D.,	Matt,	Roney,
Bass,	Gibson,	McDermott,	Rothenberger,
Becker,	Glenn,	McKay,	Runk,
Benson,	Good,	Mannion,	Sassaman,
Bergey,	Gramley,	Metzenbacher,	Savacool,
Bittles,	Gray, Frank,	Murphy,	Schaeffer, A. C
Bleloch,	Hemminger,	Musser,	Scott, S. B.,
Body,	Herman,	Newbaker,	Semmens,
Burnett,	Hess,	Newton,	Shaffer, I. E.,
Caldwell,	Heyburn,	North,	Showalter,
Cheeseman,	Hobbs,	O'Neill,	Smith, J. W.,
Claycomb,	Hoffman,	Peachey,	Smith, L.,
Collins,	Jones, J. R.,	Pennegar,	Steedle,
Conniff,	Kaufman,	Pennock,	Strauss,
DeFrees,		Peters,	Swartz,
Donahoe,	Klepper,	Post,	Ulman,
Donnally,	Kuhns, E.G.M.,	Redfield,	Walsh,
Down,	Lenker,	Rhoads,	Whitaker,
Dunn, H. B.,	Light,	Robinson,	Whitman,
Forster, I. G.,	Martin,	Rockwell,	Williams,

Less than the majority required by the Constitution having voted in the affirmative, the bill falls.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. CLAYCOMB. Reasons for my vote on House Bill No. 218, file folio 1919: I cast my vote in the negative on this bill for the reason that I believe the great majority of my constituents are opposed to the bill.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1032, entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines.

On the question,

Will the House agree to the bill on third reading?

Mr. REESER. Mr. Speaker, I am opposed to this bill for several reasons. In the first place I object to it because there is a bill following this which taxes traction engines for road purposes. In this bill it does not ask that there be any tax on traction engines for road purposes, only for city, county, poor and school taxes. Now, Mr. Speaker, if the intention is to tax traction engines because they hurt the roads, why does not this bill ask for a tax for road purposes. Instead of that it is only for city, county, school and poor. Now, when we come to consider this matter, let us see what the people are paying in this State on matters of this kind. Almost any farmer, and I am not standing up for the farmer, because he can stand up for himself, but there are men who have traction engines for the purpose of building roads who are paying from forty to sixty mills tax on these engines according to this bill, making it six per cent., and a great many of our townships in various counties go in debt for that purpose and buy a traction engine to work on the roads. That makes twelve per cent. that they are paying for a machine that they are only using for a few months in the year. I think it is very unfair and unreasonable. Who is there in this House to-day who would like to invest a thousand dollars and pay sixty dollars a year tax for the purpose of only using it five or six weeks in the year. I think it is an unreasonable proposition, and there is no man in this House who has ever done any business no matter whether he is a farmer or a business man who would like to do this. I think this bill is unreasonable, unjust and unfair, and I hope the members of this House will vote it down.

Mr. ROCKWELL. Mr. Speaker, the reason that this bill was introduced was that about two years ago there was a great complaint concerning traction engines, which are a great big heavy machine, some of them weighing three, four and five tons, passing over the public roads and creating great injury, breaking down the bridges and tearing up the macadam of the roads, and many of them do much more damage. It is proper that they should be used. The supervisors throughout the State made complaint about it and at their request this bill was introduced two years ago. It was passed by the Assembly and signed by the Governor, but the Attorney General construed it to mean a State tax. Now this bill is to correct that and make these traction engines liable for local purposes, for counties, townships, cities, schools, all of them, and it seems to me that it is no more than fair that these engines which damage the road should at least pay for a small proportion of the damage they do. That is all this bill is for.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—99.

Adams,	Good,	Matt,	Schuck,
Ambler,	Goss,	McAleer,	Scott, J. R. K.,
Arthur,	Gransback,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Gray, Frank,	McClintock,	Semmens,
Baldwin, R. J.,	Heidinger,	McDermott,	Shaffer, I. E.,
Becker,	Hemminger,	Mellott,	Shern,
Benninger,	Hess,	Metzenbacher,	Showalter,
Benson,	Heyburn,	Moses,	Smith, J. W.,
Bigger,	Humes,	Murphy,	Speiser,
Blair, W. A.,	Jackson,	Neel,	Spillinger,
Body,	Jones, J. R.,	Neely,	Steele,
Brosius,	Keeport,	Newton,	Stein,
Brownlee,	Kern,	North,	Stone,
Burnett,	Kitts,	Pennock,	Strauss,
Campbell, C.M.,	Klepper,	Ramsey,	Swift,
Carter,	Kuhn, H. P.,	Redfield,	Trach,
Claycomb,	Lenker,	Reese,	Ulerich,
Cleary,	Letzkus,	Rhoads,	Walnut,
Conniff,	Light,	Robinson,	Watson,
Curry,	Lohr,	Rockwell,	Wettach,
DeFrees,	Lowers,	Rothenberger,	Whitaker,
Donnally,	Mannion,	Runk,	Whitman,
Down,	Martin,	Sassaman,	Wildman,
Ehrhardt,	Mather,	Savacool,	Williams,
Geiser,			Young, G. K.,
Glenn,			

NAYS—46.

Bass,	Ewing,	Leslie,	Reeser,
Blair, W. F.,	Forster, I. G.,	McArdle,	Rex,
Campbell, J. J.,	[illegible] J. D.,	Miller,	Richards,
Carson,	Gans,	Myssimer,	Sherwood,
Cheeseman,	Hackett,	Mitchell,	Steedle,
Cochran,	Herman,	Musser,	Swartz,
Conner,	Hobbs,	Newbaker,	Ulman,
Conrade,	Hoffman,	O'Neill,	Wilson, J. H.,
Cox,	Howard, J.,	Peachey,	Wilson, W. H.,
Currier,	Howard, R.,	Pennegar,	Young, J. H.,
Donahoe,	Isler,	Post,	Zimmerman,
Dunn, J. A.,	Keegan,		

Less than the majority required by the Constitution having voted in the affirmative the question was determined in the negative. and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1102, as follows:

An Act to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth section of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act "and repealing section two of an act entitled "An act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections therof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic shall be devoted to the segregation care maintenance treatment training and education of epileptic idiotic imbecile or feeble-minded persons of both sexes and shall provide separate classification for the various grades of patients For male patients especial attention shall be given to providing an agricultural training and their employment in the cultivation of the land raising stock fruits vegetables et cetera in accordance with such regulations as the board may prescribe

Section 2 That section nine of an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor approved the fifteenth day of May Anno Domini one thousand nine hundred and three which reads as follows

"Section 9 The said commissioners upon the comp' tion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate of the name and style of the State institution for Feeble-Minded of Eastern Pennsylvania They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager" be and the same is hereby amended so as to read as follows

Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of the advice and consent of the Senate said trustees shall be a trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with body politic or corporate for the name and style of the State Institution for Feeble-Minded of Eastern Pennsylvania They shall manage control and direct all the affairs of the institution appoint and remove at pleasure all officers and employes thereof make all necessary regulations not herein otherwise specifically provided and not contrary to the Constitution and laws of this Commonwealth for the detention care treatment maintenance employment and subsistence of the inmates of the institution assign such duties as they may deem proper to the several officers and employes and exercise such other powers as are elsewhere conferred upon them by this act Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacanciese shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee

Section 3 That section thirteen of said act which reads as follows

"Section 13 Said board shall receive as inmates of said institution feeble-minded children residents of this State under the age of twenty years who shall be incapable of receiving instruction in the common schools of this State Said Board shall prescribe and cause to be printed instructions and forms of application for the admission of such children and shall include therein interrigartories to which they shall require answers under oath showing such facts as may be needed for the information of the said trustees Such printed instructions and forms shall be furnished to all applicants for the admission of any person or patient in whole or in part as a State beneficially and shall be endorsed by the board of commissioners or directors of the poor of the county in which he or she resides at the time of the making of the application" be and the same is hereby amended so as to read as follows

Section 13 Said board of trustees shall receive as inmates of said institution only such idiotic feeble-minded or epileptic persons as may be committed thereto in the manner hereinafter provided by any of the courts of quarter sessions of the following named counties in the Commonwealth namely

Adams Berks Bradford Bucks Carbon Chester Columbia Cumberland Dauphin Delaware Franklin Lackawanna Lancaster Lebanon Lehigh Luzerne Lycoming Monroe Montgromery Montour Northampton Northumberland Perry Philadelphia Pike Schuylkill Snyder Sullivan Susquehanna Tioga Union Wayne Wyoming and York

It shall be lawful for the husband wife parent guardian or other person standing in loco parentis to such idiotic feeble-minded or epileptic person his or her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic feeble-minded or epileptic person shall be resident setting forth in said petition the age sex and residence of such person the address of his or her parents and the address of the petitioner praying for the commitment of such person to The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic which said petition shall be accompanied by a certificate made under oath after a personal examination of such idiotic feeble-minded or epileptic person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiot of feeble-mind or an epileptic and a proper subject for commitment to said institution Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is an idiot of feeble-mind or an epileptic and a proper subject for commitment to said institution and that the best interests of the said person or the welfare of society require such commitment the court shall make an order committing such idiotic feeble-minded or epileptic person to the said Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and direct his or her removal thereto by a proper officer or person at the cost of the said county

At the said hearing the said court or judge shall inquire as to the estate of such idiotic feeble-minded or epileptic person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said institution otherwise that such payment be made by the husband or parent of such idiotic feeble-minded or epileptic person if it appear that the circumstance of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforcable in the same manner in which orders in desertion cases are now enforcable by law Where the estate of said idiotic feeble-mined or epileptic

person is insufficient and the circumstances of her husband or his or her parent are not such as to warrant an order for maintenance on either of them the said idiotic feeble-minded or epileptic person shall be maintained and cared for in the said institution at the cost of the Commonwealth

The costs of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fees shall be paid by the county

The said board of trustees shall also receive all such idiotic feeble-minded or epileptic persons as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

When in the opinion of the board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that his or her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing him or her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of his or her commitment the time of his or her detention the history of his or her case in the institution and the opinion of the superintendent and medical staff as to his or her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said board to discharge the said inmate from the said institution

Section 4 That sections eleven twelve fourteen and fifteen of the said act entitled "An Act to provide for the selection of a site and erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three and section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven and all acts and parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WHITAKER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. NORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1009, entitled:

An Act to repeal an act approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and three, entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, this is a repealer and I would ask that the sponsor of this bill explain the effect of the act which it repeals.

Mr. STONE. Mr. Speaker, this act repeals the act of 1893 which simply provided for the payment by the State for the examination of dead carcasses by the State Sanitary Board. An appropriation was made for the payment of this expense, and at the end of the year it was found that there had been issued certificates to the amount of $25,000 more than the amount of the appropriation. That amount now stands as an indebtedness against the State, and it was therefore thought best to repeal this act, as it was an act which never should have been passed. The State should not have to pay for meat that is infected after the cattle have been killed, and I therefore hope the members of this House will support this measure.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Dunn, H. B.,	Matt,	Sassaman,
Allen,	Dunn, J. A.,	McAllister,	Savacool,
Alworth,	Eichenberger,	McArdle,	Schaeffer, A. C
Ambler,	Ely,	McCaig,	Schuck,
Arthur,	Forster, I. G.,	McClintock,	Scott, J. R. K.,
Baldwin, G. A.,	Foster, J. D.,	McDermott,	Semmens,
Barner,	Geiser,	McKay,	Shaffer, I. E.,
Becker,	Gibson,	Mellott,	Shern,
Benninger,	Good,	Miller,	Sherwood,
Benson,	Gramley,	Missimer,	Showalter,
Bergey,	Gransback,	Mitchell,	Smith, J. W.,
Bigger,	Hackett,	Moore,	Snyder,
Bittles,	Haggerty,	Morrow,	Spangler,
Blair, W. A.,	Heidinger,	Moses,	Spillinger,
Blair, W. F.,	Hemminger,	Murphy,	Steedle,
Bleloch,	Herman,	Musser,	Steele,
Body,	Hobbs,	Neel,	Stein,
Brosius,	Howard, R.,	Neely,	Stone,
Brown,	Humes,	Newbaker,	Strauss,
Brownlee,	Isler,	Newton,	Swartz,
Burnett,	Irwin, G. C.,	North,	Swift,
Caldwell,	Jackson,	O'Neill,	Thomas,
Campbell, C.M.,	Jones, J. R.,	Peachey,	Trach,
Campbell, J. J.,	Kaufman,	Pennegar,	Ulerich,
Carson,	Keegan,	Pennock,	Ulman,
Carter,	Keeport,	Perry, S. J.,	Walnut,
Cheeseman,	Kennedy,	Peters,	Walsh,
Claycomb,	Klepper,	Post,	Watson,
Cleary,	Kuhn, H. P.,	Ramsey,	Wettach,
Cochran,	Latshaw,	Redfield,	Whitaker,
Collins,	Lenker,	Reese,	Whitman,
Conner,	Leslie,	Rex,	Wildman,
Conniff,	Letzkus,	Rhoads,	Williams,
Conrade,	Light,	Richards,	Wilson, J. H.,
Cox,	Lohr,	Robinson,	Wilson, W. H.,
Currier,	Lowers,	Rockwell,	Wiltbank,
Curry,	Mannion,	Roney,	Young, G. K.,
Dickinson,	Martin,	Rothenberger,	Zimmerman,
Donahoe,	Mather,	Runk,	Alter,
Donnally,			Speaker.
Down,			

NAYS—6.

DeFrees,	Heyburn,	Kuhns, E.G.M., Speiser,
Glenn,	Hoffman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 711, entitled:

An Act relating to the management of penitentiaries, jails, prisons, houses of correction, workhouses, houses of refuge and reformatories.

On the question,

Will the House agree to the bill on third reading?

Mr. O'NEILL. Mr. Speaker, the sponsor of this bill would like to explain the purpose of it.

The SPEAKER. The gentleman from Allegheny, Mr. Lowers.

Mr. LOWERS. Mr. Speaker, in accordance with the request of the gentleman from Philadelphia (Mr. O'Neill) I would say that this bill is simply for the purpose of making it possible for wardens of penitentiaries, jails, etc., to adopt the aggregate plan. As is well known, most modern institutions of that kind have already adopted the aggregate plans for their prisoners with the exception of one penitentiary, which still has the solitary confinement plan in vogue. And it is to make it possible to do away with this unnecessary and crude manner of keeping prisoners that this bill is introduced.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Ewing,	Lohr,	Rockwell,
Allen,	Flynn,	Lowers,	Roney,
Alworth,	Forster, I. G.,	Mannion,	Rothenberger,
Ambler,	Foster, J. D.,	Martin,	Runk,
Arthur,	Geiser,	Mather,	Sassaman,
Baldwin, G. A.,	Gibson,	Matt,	Savacool,
Barner,	Glenn,	McAllister,	Schaeffer, A. C
Becker,	Good,	McArdle,	Scott, J. R. K.,
Benninger,	Goss,	McCaig,	Scott, S. B.,

Benson,	Grabe,	McClintock,	Semmens,
Bergey,	Gramley,	McDermott,	Shaffer, C. A.,
Bigger,	Gransback,	McKay,	Shern,
Bittles,	Gray, Frank,	Mellott,	Sherwood,
Blair, W. A.,	Hackett,	Metzenbacher,	Showalter.
Blair, W. F.,	Haggerty,	Miller,	Smith, J. W.,
Bleloch,	Heidinger,	Missimer,	Snyder,
Body,	Hemminger,	Mitchell,	Spangler,
Brosius,	Herman,	Moore,	Speiser,
Brown,	Hess,	Morrow,	Spillinger,
Brownlee,	Heyburn,	Moses,	Steedle,
Burnett,	Hibshman,	Moulthrop,	Steele,
Caldwell,	Hobbs,	Murphy,	Stein,
Campbell, C.M.,	Hoffman,	Musser,	Stone,
Campbell, J. J.,	Howard, J.,	Neel,	Strauss,
Carson,	Howard, R.,	Neely,	Swartz,
Carter,	Humes,	Newbaker,	Swift,
Cheeseman,	Isler,	Newton,	Thomas,
Claycomb,	Irwin, G. C.,	North,	Trach,
Cleary,	Irwin, H. H.,	O'Neill,	Ulerich,
Cochran,	Jackson,	Peachey,	Ulman,
Collins,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaufman,	Pennock,	Walsh,
Conniff,	Keegan,	Perry, H. L.,	Wettach,
Conrade,	Keeport,	Perry, S. J.,	Whitaker,
Currier,	Kennedy,	Peters,	Whitman,
Curry,	Kern,	Post,	Wildman,
Davis,	Klepper,	Price,	Williams,
DeFrees,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Donahoe,	Latshaw,	Reese,	Wiltbank,
Donnally,	Lenker,	Reeser,	Young, G. K.
Dunn, H. B.,	Leslie,	Rex,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Zimmerman,
Ehrhardt,	Light,	Richards,	Alter,
Eichenberger,		Robinson,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric, gas or other light companies for the purpose of lighting and illuminating the streets, highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited.

On the question,

Will the House agree to the bill on third reading?

Mr. E. G. M. KUHNS. Mr. Speaker, here you have a bill giving authority to supervisors of second class townships to go into contract with lighting companies to light up our country villages. Nobody would object to that end of the proposition. But there is one thing, and this is the financial end. The bill provides that the township supervisors shall go into contract to illuminate the country towns, and those benefited thereby are to pay for the expense. Well, now, who is benefited? I think everybody would be benefited; any passrby on a dark night would be benefited. But could we collect anything? Those living nearby would all be benefited, but would they pay? Now, gentlemen, this is putting a hardship on these country people, not that they would not want it, but there are thousands of things that we people in the country would like to have in our own individual homes. But there is one reason that we do not have them, and that is because we cannot afford to pay for them. Now, I am positive that every member here from the country knows that this is one of the impossibilities, and I appeal to the city members to vote this bill down.

Mr. WILTBANK. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. E. G. M. KUHNS. Certainly, Mr. Speaker.

Mr. WILTBANK. Mr. Speaker, would this affect first class cities?

Mr. E. G. M. KUHNS. Mr. Speaker, this bill refers to townships of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Adams,	Fahey,	Mather,	Schuck,
Allen,	Forster, I. G.,	Matt,	Semmens,
Alworth,	Gans,	McAllister,	Shaffer, C. A.,
Arthur,	Gibson,	McArdle,	Shaffer, I. E.,
Baldwin, G. A.,	Glenn,	McClintock,	Shern,
Baldwin, R. J.,	Good,	McKay,	Sherwood,
Benson,	Goss,	Miller,	Showalter,
Bergey,	Gramley,	Mitchell,	Smith, J. W.,
Bittles,	Gransback,	Moore,	Snyder,
Blair, W. A.,	Gray, Frank,	Moses,	Speiser,
Bleloch,	Hackett,	Moulthrop,	Steedle,
Brosius,	Haggerty,	Murphy,	Steele,
Brown,	Hemminger,	Neel,	Stein,
Caldwell,	Hess,	Neely,	Stone,
Campbell, C.M.,	Heyburn,	Newbaker,	Strauss,
Campbell, J. J.,	Hibshman,	Newton,	Swartz,
Claycomb,	Hobbs,	North,	Swift,
Cleary,	Humes,	O'Neill,	Thomas,
Conniff,	Isler,	Pennegar,	Ulerich,
Conrade,	Irwin, G. C.,	Pennock,	Walsh,
Cox,	Jones, J. R.,	Perry, S. J.,	Watson,
Currier,	Keeport,	Ramsey,	Wettach,
Curry,	Kennedy,	Reese,	Whitaker,
Davis,	Kuhn, H. P.,	Reeser,	Whitman,
DeFrees,	Lenker,	Rex,	Wildman,
Dickinson,	Leslie,	Rhoads,	Williams,
Down,	Letzkus,	Richards,	Wilson, W. H.,
Dunn, H. B.,	Light,	Robinson,	Wiltbank,
Dunn, J. A.,	Lohr,	Roney,	Young, J. H.,
Ehrhardt,	Lowers,	Runk,	Zimmerman,
Eichenberger,	Malie,	Sassaman,	Alter,
Ely,	Martin,	Schaeffer, A. C.	Speaker.
Ewing,			

NAYS—35.

Barner,	Donahoe,	Kuhns, E.G.M.,	Musser,
Becker,	Donnally,	Lanius,	Peachey,
Benninger,	Flynn,	Latshaw,	Post,
Bigger,	Foster, J. D.,	Mannion,	Redfield,
Body,	Geiser,	McCaig,	Rothenberger,
Brownlee,	Heidinger,	McDermott,	Trach,
Carson,	Herman,	Mellott,	Ulman,
Cheeseman,	Howard, J.,	Metzenbacher,	Wilson, J. H.,
Collins,	Irwin, H. H.,	Morrow,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 834, entitled:

An Act defining foreign corporations authorizing the acquisition and conveyance of real estate and regulating the manner thereof and providing for the validating of titles to real estate now held by foreign corporations.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. GLENN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. MOULTHROP. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 917, entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of this act.

On the question,

Will the House agree to the bill on third reading?

POINT OF ORDER.

Mr. BLELOCH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. BLELOCH. Mr. Speaker, this bill is unconstitutional because it is local legislation. It applies only to Delaware county.

The SPEAKER. The Chair does not consider itself sufficiently versed in the law to decide the question, and will leave the point of order to the House.

Mr. R. J. BALDWIN. Mr. Speaker, I think, if the gentleman will read the Constitution, he will find that local legislation of this character is not prohibited by the Constitution and that the Constitution provides that legislation of this character, when advertised for thirty days in two papers in the county affected, or the territory affected, such

legislation can be enacted. I would like the Clerk to say that attached to the bill is the notice, with the necessary affidavits that it has been advertised for the necessary thirty days. I think the Clerk will say that such is on the bill.

The SPEAKER. Will the gentleman from Philadelphia (Mr. Bleloch) withdraw his point of order.

Mr. BLELOCH. Mr. Speaker, I will.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Forster, I. G.,	Martin,	Sassaman,
Allen,	Foster, J. D.,	Mather,	Savacool,
Alworth,	Geiser,	Matt,	Schaeffer, A. C
Arthur,	Gibson,	McAllister,	Schuck,
Baldwin, G. A.,	Glenn,	McArdle,	Scott, J. R. K.,
Baldwin, R. J.,	Good,	McCaig,	Scott, S. B.,
Barner,	Goss,	McClintock,	Semmens,
Becker,	Grabe,	McDermott,	Shaffer, C. A.,
Benninger,	Gramley,	McKay,	Shaffer I. E.,
Benson,	Gransback,	Mechling,	Shern,
Bergey,	Gray, Frank,	Mellott,	Sherwood,
Bigger,	Hackett,	Metzenbacher,	Showalter,
Bittles,	Haggerty,	Miller,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Missimer,	Snyder,
Body,	Hemminger,	Mitchell,	Spangler,
Brosius,	Herman,	Moore,	Speiser,
Brown,	Hess,	Morrow,	Spillinger,
Burnett,	Heyburn,	Moses,	Steedle,
Caldwell,	Hibshman,	Moulthrop,	Steele,
Campbell, C.M.,	Hobbs,	Murphy,	Stein,
Campbell, J. J.,	Hoffman,	Musser,	Stone,
Carter,	Howard, J.,	Neel,	Strauss,
Cheeseman,	Howard, R.,	Neely,	Swartz,
Claycomb,	Humes,	Newbaker,	Swift,
Cleary,	Isler,	Newton,	Thomas,
Collins,	Irwin, G. C.,	North,	Trach,
Conner,	Irwin, H. H.,	O'Neill,	Ulerich,
Conniff,	Jackson,	Peachey,	Ulman,
Conrade,	Jones, J. R.,	Pennegar,	Walnut,
Cox,	Kaufman,	Pennock,	Walsh,
Currier,	Keegan,	Perry, S. J.,	Walton,
Curry,	Keeport,	Price,	Watson,
Davis,	Kennedy,	Ramsey,	Wettach,
DeFrees,	Kern,	Redfield,	Whitaker,
Dickinson,	Kuhn, H. P.,	Reese,	Whitman,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Wildman,
Donnally,	Latshaw,	Rex,	Williams,
Down,	Leslie,	Rhoads,	Wilson, J. H.,
Dunn, H. B.,	Letzkus,	Richards,	Wilson, W. H.,
Dunn, J. A.,	Light,	Robinson,	Wiltbank,
Ehrhardt,	Lohr,	Rockwell,	Young, G. K.
Eichenberger,	Malie,	Roney,	Zimmerman,
Ely,	Mannion,	Rothenberger,	Alter,
Ewing,		Runk,	Speaker.
Flynn,			

NAYS—3.

Brownlee,	Carson,	Lenker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, as follows:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same. That from and after the passage of this act the judges of the several courts of counties having a population of one million two hundred thousand and over may appoint such janitor or janitors as may be necessary for the care of the respective court rooms with power of removal and the said janitor or janitors shall be paid by the respective counties such sum or sums for monthly service as the said judges shall fix and determine and that where the said counties are co-extensive with cities the councils of such cities shall annually appropriate the sums necessary for the payment of all janitors.

Section 2 All acts or parts of acts incosistent herewith be and the same are hereby repealed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Fahey,	Mannion,	Runk,
Allen,	Flynn,	Martin,	Sassaman,
Alworth,	Forster, I. G.,	Mather,	Savacool,
Arthur,	Foster, J. D.,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	McAllister,	Schuck,
Barner,	Geiser,	McArdle,	Scott, S. B.,
Becker,	Gibson,	McClintock,	Semmens,
Benninger,	Glenn,	McDermott,	Shaffer, C. A.,
Benson,	Good,	McKay,	Shaffer, I. E.,
Bergey,	Goss,	Mellott,	Shern,
Bigger,	Gramley,	Metzenbacher,	Sherwood,
Bittles,	Gransback,	Miller,	Showalter,
Blair, W. A.,	Gray, Frank,	Missimer,	Smith, J. W.,
Body,	Hackett,	Mitchell,	Snyder,
Brosius,	Haggerty,	Moore,	Speiser,
Brown,	Heidinger,	Morrow,	Spillinger,
Brownlee,	Hemminger,	Moses,	Steedle,
Burnett,	Herman,	Moulthrop,	Steele,
Caldwell,	Hess,	Murphy,	Stein,
Campbell, C.M.,	Heyburn,	Musser,	Stone,
Carson,	Hibshman,	Neel,	Strauss,
Carter,	Hobbs,	Neely,	Swartz,
Cheeseman,	Hoffman,	Newbaker,	Swift,
Claycomb,	Howard, J.,	Newton,	Thomas,
Cleary,	Howard, R.,	North,	Trach,
Cochran,	Isler,	O'Neill,	Ulerich,
Collins,	Irwin, G. C.,	Peachey,	Ulman,
Conner,	Irwin, H. H.,	Pennegar,	Walsh,
Conniff,	Jackson,	Pennock,	Walton,
Conrade,	Keegan,	Perry, S. J.,	Watson,
Cox,	Keeport,	Post,	Wettach,
Currier,	Kennedy,	Price,	Whitaker,
Curry,	Kern,	Ramsey,	Whitman,
Davis,	Kitts,	Redfield,	Wildman,
DeFrees,	Klepper,	Reese,	Williams,
Dickinson,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Rex,	Wilson, W. H.,
Donnally,	Lenker,	Rhoads,	Wiltbank,
Down,	Leslie,	Richards,	Young, G. K.
Dunn, H. B.,	Letzkus,	Robinson,	Young, J. H.,
Dunn, J. A.,	Light,	Rockwell,	Zimmerman,
Ehrhardt,	Lohr,	Roney,	Alter,
Eichenberger,		Rothenberger,	Speaker.
Ely,			
Ewing,			

NAYS—4.

Jones, J. R.,	Latshaw,	Scott, S. B.,	Walnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

The House proceeded to the third reading and consideration of House Bill No. 1010, as follows:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "domestic animal" as used in this act shall mean any equine animal or bovine animal or sheep or goat pig or dog or cat and shall be taken and include the singular or plural as may be necessary in any given case

Section 2 The word "owner" as used in this act shall mean any person owning any domestic animal or leasing any domestic animal from another or any person who allows a domestic animal habitually to remain about the premises inhabitated by such person

Section 3 The word "person" as used in this act shall mean any person co-partnership association or corporation and shall be taken to include the singular or plural as may be necessary in any given case

Section 4 The word "permises" as used in this act is to be taken in its widest sense and is to include land any structure erected on land and any vehicle or vessel used in transporting passengers goods or animals by land or by water

Section 5 The State Livestock Sanitary Board shall remain as at present constituted The State Veterinarian shall be ex-officio Secretary of the State Livestock Sanitary Board For the proper performance of the work of the State Livestock Sanitary Board the State Veterinarian with the approval of the Board is authorized to appoint and employ for the Board such agents and employees legal clerical and otherwise as may be deemed necessary

For services as State Veterinarian and Secretary of the State Livestock Sanitary Board he shall receive an annual salay of five thousand dollars which shall be in lieu of all compensation now received by law

In the absence of incapacity of the State Veterinarian the Deputy State Veterinarian shall act as Secretary of the State Livestock Sanitary Board and as executive officer thereof and shall have in all respects the powers and duties of the State Veterinarian under this act except that said Deputy State Veterinarian shall not be a member of the Board

For his services as Deputy State Veterinarian and services in connection with the State Livestock Sanitary Board he shall receive an annual salary of four thousand dollars which shall be in lieu of all compensation now received by law Provided however That the provisions of this act shall not apply to the terms of office of the persons now occupying the offices of State Veterinarian and Deputy State Veterinarian

The compensation of agents and other employees shall be fixed by the State Veterinarian with the approval of the Board The State Veterinarian shall assign to each agent and employee such duties as may be deemed for the best interests of the work of the Board Each officer agent and employee shall be allowed expenses actually and necessarily incurred in the performance of the duties devolved upon him All salaries compensation and expense of officers agents and employees and all other expenses under this act shall after approval by the State Veterinarian be paid by the State Treasurer upon the warrant of the Auditor General in the manner now provided by law

Section 6 It shall be the duty of the State Livestock Sanitary Board to improve the quality of the domestic animals and poultry of this Commonwealth to prevent suppress control and eradicate any transmissable diseases of such animals or poultry and to enforce the laws of the Commonwealth relating to diseases of animals and poultry and the manufacture preparation storage sale and offering for sale of the food and food products derived from diseased animals and poultry Whenever and wherever deemed necessary to prevent the spread of disease the Board may regulate and prohibit the importation into this Commonwealth of animals or poultry may cause general or special quarantine of premises and animals and poultry to be established and maintained may cause the disinfection of any premises may cause the destruction of animals and poultry and of personal property and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this Commonwealth The State Livestock Sanitery Board may also cause such investigations to be conducted as may seem advisable regarding methods of improving the quality of domestic animals and poultry and regarding the causes and the methods of preventing controlling and eradicating diseases thereof

Section 7 In the performance of the duties herein required by law the officers agents and employees of the State Livestock Sanitary Board may at any time enter any premises If permission so to enter shall be refused or delayed by any person any such officer or agent or employee may on oath or affirmation declare before any alderman magistrate or justice of the peace that he has reason to believe that diseased animals or poultry are or have been confined or kept in or on such premises and shall further declare that permission to enter and to investigate has been refused or delayed to an officer agent or employee of the Board whereupon such alderman magistrate or justice of the peace shall upon payment of a fee of one dollar issue a search warrant for such premises directed to the proper officer agent or employee Such search warrant shall describe as nearly as may be the premises which it is desired to search or investigate but need not describe the animal or animals or poultry which are alleged to be or have been diseased which are or have been confined or kept on such premises and such officer agent or employee armed with such search warrant shall have all the authority of a constable or other peace officer in the execution of such warrant It shall be unlawful for any person to refuse or delay admission to any premises to any officer agent or employee of the State Livestock Sanitary Board provided with a search warrant as herein authorized

Section 8 It shall be unlawful for any person to import or to bring into this Commonwealth any domestic animal or poultry affected with or that has been exposed to any transmissible disease of any kind in violation of the provisions of this act or to import or bring any domestic animal or poultry into this Commonwealth in violation of any of the provisions of this act

Section 9 It shall be the duty of every practitioner of veterinary medicine in Pennsylvania immediately upon receiving information thereof to report to the Secretary of the State Livestock Sanitary Board each case of any of the following diseases namely glanders anthrax blackleg or black quarter contagious pleuro-pneumonia or lung plague of cattle rinderpest or cattle plague hemorrhagic septicemita foot and mouth disease or alphthous fever of cattle southern cattle fever or Texas fever sheep scab mange of cattle or horses hog cholera or swine plague fowl cholera rabies or hydrophobias maladie du coit or dourine of horses advanced or generalized tuberculosis or tuberculosis of the udder or any other disease now or hereafter proclaimed by the State Livestock Sanitary Board to be a transmissible character or any domestic animal reacting to tuberculin or mallein test This report shall be in writing and shall include a description of each animal affected with the name and exact address of the owner or person in charge of the animal if known and the exact locality of the animal and the number of susceptible domestic animals that have been exposed to the disease

Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulations There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been trasported or moved The original of the certificate and of the chart shall be attached to the waybill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified at least one week before such animal shall be brought in The original certificate and the chart shall be in the possesion of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the Board on demand The duplicates thereof shall be sent to the Board as aforesaid Such notice to the Board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to steers spayed heifers and bovine animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper

Section 11 If the State Veterinarian shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals or shall question the competency of the person of the State of export who shall have issued such chart or certificate he may on behalf of the State Livestock Sanitary Board decline to accept the same and refuse to permit the importation of the animals concerned unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States or unless the said Board shall otherwise determine

Section 12 Each bull and heifer under six months of age except a young and apparently healthy calf accompanying a fresh cow that has passed a physical examination and the tuberculin test shall when brought into this Commonwealth be held in quarantine at the expense of the owner until it is six months old whereupon it shall be subjected to an examination and tuberculin test by an agent of the State Livestock Sanitary Board The expense of such examination test and quarantine may be recovered by the State Livestock Sanitary Board from the owner by an action at law in like manner as other debts are now recoverable

Section 13 Any bovine animal not accompanied by the health certificate and tuberculin test chart required by Section ten of this act may be brought into this Commonwealth under the direct supervision of a member officer or agent of the State Livestock Sanitary Board and subject to the following regulations

Each such animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the State Veterinarian and during the period of such quarantine shall be submitted to a physical examination and a tuberculin test by an agent of the Board The examininations and test shall be at the expense of the owner The fee for such examination and test shall be ten dollars for ten animals or less and fifty cents for each additional animal examined and tested at the same time During the continuance of such quarantine the animal shall be provided with proper quarters food and water by the owner or at his expense It shall be unlawful to remove any such animal from quarantine unless it shall have passed a satisfactory examination and test and unless the fee for examining and testing has been paid to the Board and unless the charges for the quarters feed water and attendance has been paid to the person entitled thereto Any animal that fails to pass such an examination and shall at the option of the owner be killed without compensation to the owner or continued in quarantine at the expense of the owner This section shall not apply to any animals brought into the State for immediate slaughter or to an animal for which an exhibition permit shall have been obtained as provided in Section ten of this act The fees for making such an examination and test and all expenses incurred in providing such animal or animals with proper quarters food and water may be recovered by the Board from the owner by an action at law as other debts are by law collectible It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animal brought into the State for immediate slaughter or to use or permit to be used any such animal for dairy or breeding purposes

Section 14 When notified by an officer or agent of the State Livestock Sanitary Board not to do so it shall be unlawful for any person to receive or keep or have in his keeping or possession any domestic animal imported or brought into this Commonwealth in violation of any of the provisions of this act or to allow any such domestic animal to come into contact with any other domestic animal

Section 15 Whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist anywhere in the State a quarantine of any locality or premises or of any infected or exposed animals or poultry may be established Quarantines shall be of two kinds special and general

A special quarantine shall mean a quarantine of a single animal or a quarantine of a single building structure pen coop car vessel vehicle field or enclosure or a quarantine of any number of animals or poultry when confined or contained in the same building structure pen coop car vessel vehicle field or enclosure

A general quarantine shall include all quarantines not in-

cluded under the term special quarantine as herein defined

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in Section nine of the act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or there shall be any animal or poultry which it is deemed necessary by the State Veterinarian or any other officer or agent of the State Livestock Sanitary Board to have examined or tested The State Veterinarian or any officer or agent of the State Livestock Sanitary Board shall have the power to establish and maintain any special quarantine It shall be the duty of the State Veterinarian or any officer or agent of the State Livestock Sanitary Board establishing a special quarantine to post on the building structure pen coop car vessel vehicle field or enclosure wherein the animal or animals or poultry quarantined are confined or contained a notice declaring the quarantine a description of the animal or animals or poultry quarantined and of the premises where quarantined and of the duration of such quarantine Such quarantine may continue for such time as the State Veterinarian or the officer or agent of the State Livestock Sanitary Board establishing the same may deem advisable to accomplish the purpose of quarantine

A general quarantine may be established and maintained whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist in any locality in the State larger in extent then that which may be included in a special quarantine A general quarantine shall be established and maintained by the State Livestock Sanitary Board only Such quarantine shall include such premises locality or territorial district and such animals and shall continue for such time as may be deemed necessary or advisable by the said Board In establishing and maintaining such quarantine the said Board may act through and by any member officer agent or employee of said Board to whom such power is delegated and the establishment and maintenance of such quarantine by any member officer agent or employee of said Board shall be prima facie the establishment and maintenance of quarantine by said Board Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said Board it shall be the duty of the member officer agent or employee of said Board by whom the order of said Board as to quarantine is executed to post notices within the premises locality or territorial district quarantined declaring the extent and limits of premises locality or territorial district so quarantined and the animals subject to such quarantine At least ten such notices shall be posted in the most public places within said quarantined area A copy of such notice shall be published in one newspaper published within such quarantined area or if there be no such newspaper then in one newspaper circulating generally within such area If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs so as to effectually prevent biting

Section 16 After the establishment of any quarantine authorized by this act and the posting of notices required by law it shall be unlawful for any person without a special permit in writing from the State Veterinarian or the State Livestock Sanitary Board as the case may be to remove from or to any premises within the limits of the quarantine any domestic animal or poultry or to remove from any quarantined area or premises any hay straw grain fodder or other food or animals or poultry or to remove any car or wagon or vessel so quarantined or to sell or exchange or give away or lease or lend or remove or allow to be removed any quarantined domestic animal or animals or poultry It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality unless such dog shall be muzzled so as to effectually prevent biting or for any person to remove or permit to be removed any dog from such quarantined area Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area not being muzzled as aforesaid may be secured and confined or may be shot or otherwise destroyed by any person without liability therefor

Section 17 It shall be unlawful for any person to tear down or deface or to destroy any notice of quarantine posted by any member officer agent or employee of the State Livestock Sanitary Board or to remove or destroy wholly or partially any portion of a building or tree or fence whereon the same shall have been posted

Section 18 When any quarantine shall be established under this act it shall be unlawful for the owner of any domestic animal within the limits of the quarantined area to allow such domestic animal to run at large during the continuance of the quarantine Any animal so found running at large shall be taken up by the proper constable and kept at the expense of the owner until the lifting of the quarantine For such service he shall be entitled to one dollar for each animal Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid If not paid within two weeks from the lifting of the quarantine the animal may be sold and after the deduction of all fees costs and expenses the residue shall be paid to the owner if known and if not known shall be paid into the State Treasury This section shall not apply to dogs or affect the special provisions of this act in reference to dogs

Section 19 Animals that shall be placed in quarantine by the authority of the State Livestock Sanitary Board or any member officer agent or employee of the same shall be provided with suitable quarters and fed and watered by or at the expense of the owner In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within ten days after the lifting of said quarantine the State Livestock Sanitary Board may sell any such animal at public sale to collect such expense Any surplus received at said sale over the expense aforesaid shall be paid to such owner No animal shall be removed from a quarantined area until such sale except upon payment of such expense

Section 20 Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods

First Complete cremation of the entire carcass with all its parts and products

Second Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water continuously during at least two hours

Third Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams and which shall be distant not less than one hundred feet from any water course well or spring public highway house or stable In burying such carcass it shall be covered with quick lime to a depth of not less than three inches and the top of such carcass shall not be within two feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface Such grave shall be so protected that the carcass may not be accessible to dogs or other animals

Section 21 Whenever to prevent the spread of disease it shall be deemed necessary by any member officer or agent of the State Livestock Sanitary Board to cause any domestic animal to be killed the State Veterinarian may cause to be paid to the owner of such animal two-thirds of the fair market value thereof taking into consideration the condition of the animal as to disease and the nature and extent of the disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal The amount paid by the State shall in no case exceed for a horse jack or mule the sum of sixty dollars for a non registered bovine animal the sum of forty dollars for a registered bovine animal the sum of seventy dollars for a sheep or pig the sum of ten dollars The amount paid by the State together with the estimated value of the carcass hide and offal shall not exceed ninety per centum of the fair market value of the animal When any animal is so killed the owner subject to such regulations as may be prescribed by the State Livestock Sanitary Board may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may tend to spread disease or affect the health of the public

Section 22 Whenever to prevent the spread of disease it shall be deemed necessary by the State Livestock Sanitary Board or any member officer or agent of the Board to cause any domestic animal to be killed and the proper member officer or agent of the Board cannot agree with the owner as to the value of such animal three appraisers shall be appointed one by the State Veterinarian or other member officer or agent of the Board one by the owner and the third by the two so selected If the owner shall refuse to appoint an appraiser the alderman magistrate or justice of the peace of the proper township borough or ward shall appoint such appraiser for the owner Each appraiser shall be sworn to perform faithfully his duties as appraiser The appraisers shall estimate the fair market value of each such animal taking into consideration the condition of the animal as to disease and the nature and extent of such disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal When such appraisement shall be made such animals shall be killed and two-thirds of the appraised value paid to the owner subject to the limitations imposed in Section twenty-two Each appraiser shall be entitled to one dollar for such appraisement irrespective of the number of animals appraised One-half of the expense of the appraisement shall be paid by the owner the other half by the State Livestock Sanitary Board

Section 23 The State Veterinarian and any member officer or agent of the State Livestock Sanitary Board are authorized to administer oaths and affirmations to appraisers appointed under this act

Section 24 Whenever any animal affected with any of the diseases enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this act It shall be unlawful to sell such carcass or any part thereof or any hide or offal therefrom

Section 25 Whenever any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed and the owner thereof shall not within twenty-four hours dispose of the carcass and products as required by law it shall be the duty of the State Livestock Sanitary Board or any member officer or agent of the Board to cause the same to be destroyed or disposed of according to law at the cost of such owner

The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible

Section 26 It shall be unlawful for any person to drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character except upon express permission in writing from the State Livestock Sanitary Board or any member officer or agent of the Board

Section 27 Without express permission in writing from the State Livestock Sanitary Board or a member officer or agent of the Board it shall be unlawful for any person to sell or offer for sale or to give away or allow to stray any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or any animal that has reacted to any tuberculin or mallein test or with such permission to sell or offer for sale or to give away any such animal without notifying the purchaser or prospective purchaser or the person to whom the animal shall be given that the animal is affected or has reacted as aforesaid

Section 28 The State Veterinarian may prescribe methods of making tests with tuberculin mallein or other recognized tests for the diagnosis of diseases of animals

Section 29 Each sale in this Commonwealth of tuberculin for use in testing cattle or of mallein for use in testing horses jacks or mules and each test made with tuberculin or mallein shall be reported in writing to the State Veterinarian within one week after such sale or test Each such report shall be signed by the person who shall have made the sale or test shall give the name of the purchaser of the tuberculin or mallein with the amount sold the date of sale the name and address of the owner of the cattle or horses or mules or jacks tested the locality where such test has been made a description of the animal or animals tested and a complete statement of the actual result of such test It shall be unlawful for any person whose duty it is hereby made to make such report to fail or refuse to do so

Section 30 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animals any virus or any pathogenic germs dangerous to such animal unless the express permission in writing of the State Veterinarian

Section 31 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal tuberculin mallein or other biological product used for diagnostic purposes unless such tuberculin mallein or other biological product is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 32 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal any anthrax vaccine blackleg vaccine hog cholera serum or any other biological product used for prophylactic purposes in treating or preventing diseases unless the same is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 33 Any domestic animal affected with advanced or generalized tuberculosis or with tuberculosis of the udder or any animal which has reacted to the tuberculin test may be plainly branded by any member officer agent or employee of the State Livestock Sanitary Board upon the forehead or upon the right side of the neck from six to ten inches back from the jaw bone with a capital "T" not less than two inches high one and one-half inches wide with mark one-fourth of an inch wide Such branding shall not be construed as cruelty to animals within the meaning of the penal laws of the Commonwealth

Section 34 Milk produced by a cow which has reacted to a tuberculin test or is affected with a dangerous transmissible disease shall not be used as food for animals unless it has been previously heated to at least one hundred and seventy-5-eight degrees Fahrenheit except a special examination has been made under the direction of the State Veterinarian and written permission to use such milk has been given by him

Section 35 Every owner operator or manager of a creamery cheese factory receiving station or skimming station shall before returning to delivering to any person or persons any skimmed milk or separator slop to be used for food or feeding purposes for calves or swine cause such skimmed milk to be thoroughly pasteurized by heating it to at least one hundred and seventy-eight degrees Farenheit

Section 36 To extend the efficiency of the State Livestock Sanitary Board said Board is authorized to co-operate with the proper authorities of the National Government in all matters relating to the diseases of domestic animals and poultry

Section 37 All fees and costs and mileage received by any member officer agent or employee of the State Livestock Sanitary Board in the performance of his duties shall be paid as soon as practicable to the State Veterinarian and by the State Veterinarian paid into the Treasury of this Commonwealth

Section 38 The Secretary of the State Livestock Sanitary Board shall render a report annually to the Governor of the Commonwealth concerning the work of the State Livestock Sanitary Board Such report shall be rendered oftener if so directed by the Governor Such report shall also contain such additional information and suggestions as may be requested by the Governor

Section 39 The Board of Commissioners of Public Grounds and Buildings shall provide adequate quarters for the State Livestock Sanitary Board and shall on requisition of the State Veterinarian furnish such stationery paper furniture and supplies as may be necessary in the performance of the work of the Board

Section 40 The Superintendent of Public Printing and Binding shall on requisition of the State Veterinarian furnish the State Livestock Sanitary Board with such printing and binding as may be necessary in the performance of the work of the Board

Section 41 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars For each subsequent offense such person shall be sentenced to pay a fine of not less than two hundred dollars nor more than five hundred dollars and in addition thereto such person or each of the members of the firm or each of the directors of the corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo an imprisonment in the jail of the proper county for a period of not less than ten nor more than ninety days or either or both at the discretion of the court

Section 42 The State Livestock Sanitary Board shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof

Section 43 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. STONE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be ready by the Clerk.

The Clerk read the amendments as follows:

1. Section 1, line 6, by striking out the word "and" after the word "taken," and inserting the word "to."

2. Section 13, line 34, by inserting the word "for" after the word "sell;" also to strike out the word "for" following the word "dairy," and inserting the word "or."

3. Section 19, line 2, by correcting the spelling of the word "any."

4. Section 22, line 24, by striking out the word "livestock" and inserting in lieu thereof "Livestock."

5. Section 29, line 6, by inserting the word "an" after the word "test;" also, in line 13, by striking out the first word "is," and inserting in lieu thereof the word "it."

6. Section 34, line 5, by correction of the spelling of the word "Fahrenheit."

7. Section 35, line 7, by correcting the spelling of the word "Fahrenheit."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 656, entitled:

An Act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania.

YEAS—177.

Adams,	Ely,	Leslie,	Rockwell,
Alworth,	Ewing,	Letzkus,	Roney,
Arthur,	Fahey,	Light,	Rothenberger,
Baldwin, G. A.,	Flynn,	Lohr,	Runk,
Baldwin, R. J.,	Forster, I. G.,	Lowers,	Sassaman,
Barner,	Foster, J. D.,	Mannion,	Savacool,
Becker,	Gans,	Martin,	Schaeffer, A. C
Benninger,	Geiser,	Mather,	Schuck,
Benson,	Gibson,	Matt.	Semmens,
Bergey,	Glenn,	McAleer,	Shaffer, C. A.,
Bigger,	Good,	McAllister,	Shaffer, I. E.,
Bittles,	Goss,	McArdle,	Shern,
Blair, W. A.,	Grabe,	McCaig,	Sherwood,
Bleloch,	Gramley,	McClintock,	Showalter,
Body,	Gransback,	McDermott,	Smith, J. W.,
Brosius,	Hackett,	McKay,	Snyder,
Brown,	Haggerty,	Mellott,	Speiser,
Brownlee,	Heidinger,	Metzenbacher,	Spillinger,
Burnett,	Hemminger,	Miller,	Steedle,
Caldwell,	Herman,	Missimer,	Steele,
Campbell, C.M.,	Hess,	Mitchell,	Stein,
Campbell, J. J.,	Heyburn.	Moore.	Stone,
Carson,	Hibshman,	Morrow,	Strauss,
Carter,	Hobbs,	Moses,	Swartz,
Cheeseman,	Hoffman,	Moulthrop,	Swift,
Claycomb,	Howard, J.,	Murphy,	Thomas,
Cleary,	Howard, R.,	Musser,	Trach,
Cochran,	Humes,	Neel.	Ulerich,
Collins,	Isler,	Neely,	Ulman,
Conner,	Irwin, G. C.,	Newbaker,	Walnut,
Conniff,	Irwin, H. H.,	Newton,	Walsh,
Conrade,	Jackson,	North,	Watson,
Cox,	Jones, J. R.,	O'Neill,	Wettach,
Currier,	Kaufman,	Peachey,	Whitaker,
	Keegan,		Whitman,

Curry,	Keeport,	Pennegar,	Wildman,
Davis,	Kennedy,	Pennock,	Williams,
DeFrees,	Kern,	Perry, S. J.,	Wilson, J. H.,
Dickinson,	Kitts,	Post,	Wilson, W. H.,
Donahoe,	Klepper,	Reese,	Wiltbank,
Donnally,	Kuhn, H. P.,	Reeser,	Young, G. K.
Down,	Kuhns, E.G.M.,	Rex,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Rhoads,	Zimmerman,
Dunn, J. A.,	Lenker,	Richards,	Alter,
Eichenberger,		Robinson,	Speaker.

NAYS—0.

ADJOURNMENT.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. LETZKUS. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at 11.10 P. M. the House adjourned until to-morrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, MARCH 26, 1913. No. 38.

SENATE.

WEDNESDAY, March 26, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. SNYDER presented two petitions of citizens of Schuylkill County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. WASBERS presented petition of citizens of York County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. SNYDER presented petition of Washington Camp No. 52, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. SNYDER presented petition of Washington Camp No. 52, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. CROW. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

Resolved, (if the House of Representatives concur), That when the Senate adjourns to-day it shall be to meet on Monday evening, March thirty-first, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION AUTHORIZING THE GOVERNOR TO EXPEND $50,000 FOR THE RELIEF OF OHIO FLOOD SUFFERERS.

Mr. HERBST. Mr. President, I ask unanimous consent to offer a resolution at this time. This is a resolution in regard to our stricken neighbors in the State of Ohio.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HERBST offered the following resolution, which was twice read:

Resolved, That we sincerely sympathize with the sorely stricken citizens of our neighboring State of Ohio;

Therefore, Be It Resolved, (if the House of Representatives concur), that the Governor be and he is hereby instructed to forward $50,000, or as much thereof as may be needed, to our needy neighbors in such a manner as he may consider will do the most good, and that the same be provided for in the General Appropriation Bill.

Mr. HERBST. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution may be considered at this time.

Mr. SHEATZ. Mr. President, I would like to interrogate the Senator from Berks, Mr. Herbst.

The PRESIDENT. Will the Senator from Berks, Mr. Herbst, permit himself to be interrogated?

Mr. HERBST. Mr. President, I will.

Mr. SHEATZ. Mr. President, I would like to know if this resolution carries with it an absolute appropriation of $50,000 or whether it is in the discretion of the Governor to carry it into effect.

Mr. HERBST. Mr. President, we all know that a friend in need is a friend indeed, and if we want to do anything for our neighbors we ought to do it quickly. In other words it is a matter in which, I think, our great State can do no less than at least give our neighbors $50,000, and I think they need it. The Governor has discretion to use as much of it as he thinks fit.

The PRESIDENT. Is there any objection to the immediate consideration of the resolution just read? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. McNICHOLS. Mr. President, I was absent when the resolution was read. The point I wish to raise at this time, while I believe the members of the Senate sympathize with out neighbors in Ohio, still the same reports in our papers convey the information to the members that maybe we have just as serious trouble in our own State. I noticed this morning's report that Meadville, in the upper end of the State, is under two or three feet of water; that the entire City of Meadville is flooded and I believe that it would be better to delay the consideration of this resolution until such time as we have more information.

Mr. HERBST. Mr. President, I ask that the resolution go to committee.

Mr. McNICHOL. Mr. President, I trust that the gentleman will not insist on referring that bill to committee, because, although the Senator from Lackawanna refers to Meadville with two or three feet of water, if there is any accuracy in the newspaper reports this morning that the City of Dayton is under forty or fifty feet of water, any one of us can realize what the appalling situation must be, and it is possible that this $50,000 may be but a drop in the bucket compared to the needs of these people, and I trust the gentleman will insist on his resolution, and I do not think the Senator from Lackawanna needs have any fear that if any city of Pennsylvania is in distress but that the State will respond.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

REPORTS FROM COMMITTEES.

Mr. MAGEE, from the Committee on Education, reported as amended, Senate Bill No. 655, entitled:

An Act relating to the classification of school districts and the time for levying school tax in school districts of the second class

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 738, entitled:

An Act authorizing certain corporations to issue one or more classes of stock with preferences and with prohibitions and restrictions as to its voting powers and to increase and to decrease the same

Mr. SONES, from the Committee on Elections, reported as committed, Senate Bill No. 184, (House Bill No. 13), entitled:

A joint resolution ratifying the proposed amendment to Section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

Mr. MILLS, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 678, (House Bill No. 510), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

Mr. FARLEY, from the Committee on Elections, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid upon the table:

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Philadelphia, for the term of four years, to compute from June 15, 1912:

Clinton Rogers Woodruff, Philadelphia.
George G. Pierie, Philadelphia.
John J. Green, Philadelphia.
James A. Gaynon, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PITTSBURGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

JOHN K. TENER,

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Pittsburgh, for the term of four years, to compute from June 15, 1912:

Walter J. Christy, Pittsburgh.
Charles W. Wilbert, Pittsburgh.
James Campbell Roberts, Pittsburgh.
John J. McKelvey, Pittsburgh.

JOHN K. TENER.

Mr. WASBERS, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 496, (House Bill No. 547), entitled:

A joint resolution requiring the construction of an adequate fishway in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fishway shall be constructed and providing penalties for failure to comply with the terms of this resolution

Mr. ENDSLEY, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 719, (House Bill No. 53), entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Mr. COOPER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 349, (House Bill No. 813), entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deoderants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfictants deoderants antiseptics and germicides and providing penalties for the violation of this act

Mr. KURTZ, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 695, entitled:

An Act to amend section one of an act entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and ninety-nine authorizing the use of the title Certified Public Accountants by certain copartnerships and corporations

Also from the Committee on Judiciary Special, reported as amended, Senate Bill No. 334, (House Bill No. 236), entitled:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

Mr. SNYDER, from the Committee on Municipal Affairs, re-reported with a negative recommendation Senate Bill No. 620, (House Bill No. 107), entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process of warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

MOTION TO PLACE BILL ON CALENDAR.

Mr. FARLEY. Mr. President, I move that Senate Bill 620, House Bill 107, the bill just reported, be placed upon the Calendar on first reading, notwithstanding the negative recommendation.

Mr. SALUS. Mr. President, I second the motion.

Mr. McILHENNY. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator will state his point of order.

Mr. McILHENNY. Mr. President, the order before the Senate now is reports from committees. We have not arrived at the point where a motion of this character can be made.

The PRESIDENT. Does the Senator object to the motion at this time?

Mr. McILHENNY. Mr. President, yes sir, I object.

The PRESIDENT. The Senator from Philadelphia, Mr. Farley, can make his motion a little later.

REPORTS FROM COMMITTEES.

Mr. McNICHOL, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 552, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercises to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways wih the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and [illegible] respecting the acquisition construction operation and use of transit facilities

Also from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 553, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Also from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 554, entitled:

An Act to provide for State and county purposes and in cities co-extensive with counties for municipal purposes; imposing taxes upon certain classes of personal property, and providing for the assessment and collection of the same.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 422, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class, wherein the title to the Water Works therein located is in the name of the Commissioners of Water Works, to extend their pipes and improvements beyond the city limits, and supply water to persons, corporations and municipalities within the county, and regulating the supply of water.

Mr. THOMPSON, from the Committee on Military Affairs, reported as committed, Senate Bill No. 532 (House Bill No. 258), entitled:

An Act to amend an act, entitled "An Act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," approved the 8th day of April, 1868, by requiring the Recorder of Deeds to record free of charge the discharges of all honorably discharged soldiers, sailors, and marines resident in this Commonwealth who were enlisted and mustered into the Army, Navy or Marine Corps of the United States.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 752, entitled:

A supplement to an act, entitled "An Act to incorporate an Academy or Public School in the town of Warren and for other purposes herein mentioned," approved the 2d day of April, 1822, providing authority to the Trustees of the Warren Academy or their successors, to sell and convey in fee simple certain lands.

Mr. MAGEE, from the Committee on Law and Order, reported as committed, Senate Bill No. 771, entitled:

An Act further regulating transfers of licenses to sell liquors at wholesale or retail.

Also from the Committee on Law and Order, reported as committed, Senate Bill No. 748, entitled:

An Act regulating the sale and delivery of malt and brewed liquors at wholesale and providing a penalty for the violation thereof.

Also from the Committee on Law and Order, reported as committed, Senate Bill No. 772, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof, approved the 13th day of May, A. D. 1887, by requiring the refusal of licenses by the court and by regulating appeals from such refusal.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 507, entitled:

An Act to amend sections 3 and 7 of an act, entitled "A supplement to an act, entitled 'An Act for the government of cities of the second class,' approved the 7th day of March A. D. 1901, providing for the levy, collection and disbursement of taxes and water rents, or rates, and conferring certain powers and duties in reference thereto, upon the City Treasurer the Board of Water Assessors and Collector of Delinquent Taxes; and repealing certain acts relating to certain matters herein provided for," approved May 12, 1911.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 7, entitled:

An Act relating to non-alcoholic drinks; defining the same, and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded non-alcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof.

Mr. MARTIN, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 408, (House Bill No. 39), entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act.

Mr. HOKE, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 474, (House Bill No. 356), entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 5, entitled:

An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufactufe or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods, and of foods short in weight or measrse; prescribing certain duties of the Dairy and Food Commission in reference thereto; and providing penalties for the violation thereof.

BILLS INTRODUCED.

Mr. SALUS, (by request), read in his place and presented to the Chair Senate Bill No. 776, entitled:

An Act to afford additional protection to the public against danger resulting from the caving or subsidence of the surface overlying anthracite coal mines.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 777, entitled:

An Act providing for the appointment of arbitrators to settle disputes as to certain facts concerning the damage to public or private property by mine caves and fixing their compensation and providing for the payment of the cost thereof.

Which was committed to the Committee on Mines and Mining.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 778, entitled:

An Act providing for the erection upon the grounds of the Allegheny Arsenal at Pittsburgh of a monument in memory of the persons who lost their lives by an explosion in the Arsenal in 1862; and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also, (by request), read in his place and presented to the Chair Senate Bill No. 779, entitled:

An Act making an appropriation to Grove City College, Mercer County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DEWITT read in his place and presented to the Chair Senate Bill No. 780, entitled:

An Act validating certain municipal assessments and claims and the liens filed therefor.

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 781, entitled:

An Act to authorize an appropriation for the benefit of incorporated musical organization by boroughs or municipalities of any class whatsoever in the Commonwealth.

Which was committed to the Committee on Judiciary General.

Also, (by request), read in his place and presented to the Chair, Senate Bill No. 782, entitled:

An Act to amend the first section of an act entitled "An Act to provide in cities of the firs class for delivery tickets in the sale of anthracite coal; and to authorize the designation of weighing scales and for the proper inspection thereof, for weighing coal delivered to purchasers who receive the same by cart, wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed; to provide for certification of weight and the effect thereof as evidence to the weight of coal passing such scales, and to punish for refusal of seller to allow coal weighed; and to punish fraudulent weighing at such scales, and to provide for the keeping of docket records thereof by magistrates or justices of the peace," approved the 1st day of June, A. D. 1911.

Which was committed to the Committee on Municipal Affairs.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 783, entitled:

An Act to amend an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and presrib-

ing penalties for the violation thereof; provding revenue to establsh and maintain the same, and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith.'

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 784, entitled:

An Act to amend an act approved the 9th day of June, 1911, entitled "An Act relating to the settlement and audit of the accounts of all officers, elected or appointed of boroughs, townships, poor districts and school districts; prescribing the time for such settlement and audits, for the matters to be contained in the report of settlement and audit, for the filing of said report in the office of the clerk of quarter sessions, and for appeals to the Court of Common Pleas and Superior and Supreme Courts.'

Which was committed to the Committee on Judiciary General.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 785, entitled:

An Act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of lands and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission and making an appropriation.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 786, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at a point on the New Galilee and Wampum State Highway one mile east of the Borough of New Galilee, Beaver County, and thence extending in a neasterly direction for a distance of about two and one-half miles to a point at the Borough of Koppel intersecting with Route number seventy-seven.

Which was committed to the Committee on Public Roads and Highways.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 787, entitled:

An Act making an appropriation of two hundred dollars per year for a period of two years for the purpose of maintaining a public road through the Cornplanter Indian Reservation and the bridges on said road in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 788, entitled:

An Act fixing the salaries of registers of wills in counties containing not les sthan nine hundred thousand inhabitants aad not more than one million four hundred thousand inhabitants and providing for the payment of fees or commissions earned by said officers into the county treasury.

Which was committed to the Committee on Municipal Affairs.

RESOLUTION FOR APPOINTMENT OF COMMITTEE TO DRAFT SUITABLE RESOLUTION EXPRESSIVE OF THE SENSE OF THE SENATE UPON THE DEATH OF THE LATE SENATOR DAVID A. WILBERT OF ALLEGHENY COUNTY.

Mr. KLINE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of five Senators be appointed whose duty it shal be to draft suitable resolutions expressive of the sence of the Senate upon the death of the late Senator David A. Wilbert, of Allegheny County, who died on January twenty-sixth, one thousand nine hundred and twelve, and present the said resolutions to the Senate at a special meeting to be held Tuesday afternoon, April eighth, at three o'clock.

The PRESIDENT. The Chair appoints as said Committee Senators Kline, Magee, Thompson, DeWitt and Morgan.

MOTION TO PLACE ON CALENDAR BILL REPORTED WITH A NEGATIVE RECOMMENDATION.

Mr. FARLEY. Mr. President, I move that Senate Bill No. 620, (House Bill No. 107), entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

known as the Municipal Court Bill, which was reported from committee today with a negative recommendation, be placed upon the Calendar.

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McILHENNY. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Farley.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Farley, permit himself to be interrogated?

Mr. FARLEY. Mr. President, I will.

Mr. McILHENNY. Mr. President, does the Senator from Philadelphia, Mr. Farley, realize that if this motion of his is lost it will put the Municipal Court Bill in a very precarious condition.

Mr. FARLEY. Mr. President, I presume it will, yes.

Mr. McILHENNY. Mr. President, may I ask that the Senator from Philadelphia, Mr. Farley, withdraw his motion?

Mr. FARLEY. Mr. President, no, I will not withdraw my motion.

Mr. McILHENNY. Mr. President, No friend of the municipal court in Philadelphia can vote for this motion, and therefore I move that the motion of the Senator from Philadelphia, Mr. Farley, be laid upon the table.

Mr. HEACOCK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McILHENNY. Mr. President, the friends of the municipal court in Philadelphia do not feel that a motion such as made by the Senator from Phiadelphia, Mr. Farley, will do any thing but injury to their cause. The Senate and House have passed a bill creating five new judges in the City of Philadelphia. We have now five common pleas courts of three judges each. This bill would make four judges to each of those five courts. I confess that there is some difficulty in Philadelphia in disposing of our legal business properly and efficiently, but I do deny that the creation of these five new judges would help that situation any. We have now five courts, each acting independently of the other. What we need is one court of fifteen judges, and if we had that one court of fifteen judges we would not need any new judges in the common pleas courts. The situation now is a cumberous one and the delay is more due to the delays of the system than to any need of new judges. We only have two court rooms for each of the courts, so when we are having jury trials in Philadelphia we only have ten of the fifteen judges sitting. If we have five new judges we can only have ten of the twenty judges sitting. It is proposed that a new judicial building be built on the new parkway, but that is a matter of considerable size and consequence.

It will be absolutely impossible to have any new rooms for the new judges prior to the sitting of the next Legislature. At the next session of the Legislature it will be ample time for us to increase the number of judges in Philadelphia of the common pleas courts. I can safely say that there is almost no sentiment in Philadelphia for the five new judges. The judges themselves are opposed to it, and the leading members of the bar are opposed to it.

Mr. SALUS. Mr. President, the question here involved is a municipal court, not the five judges. That bill has been passed by the Legislature and the Senator is out of order.

Mr. McILHENNY. Mr. President, the one is linked to the other. John G. Johnson wrote a letter to the Governor yesterday protesting against the five new judges and recommending a municipal court. A large delegation of the most active members of the bar of non-political character were here yesterday for that purpose. What we need in Philadelphia is an intermediate Court such as they have in Allegheny County.

The Governor stated yesterday to this delegation of lawyers that last year in Allegheny County there were three thousand cases tried in the municipal court and they had only five appeals. A municipal court trying small cases with competent lawyers is efficient, simple and inexpensive. When the common pleas courts were founded fifty years ago we had a different class of business than we have today What we need in our municipalities is diversified courts and not more judges. It has worked admirably in Allegheny County, it works well in New York, it work well in Chicago, it works well wherever it has been tried. The pub-

lic sentiment in Philadelphia demands a municipal court and not more judges, and if this motion of Senator Farley prevails to put on the Calendar, despite the recommendation, the Municipal Court Bill and it is defeated, it will be almost impossible for us to do anything further with this municipal court this session. The Governor now has before him the five judges bill, which he must sign before March 30th. He should have the privilege of having these two bills. There should be no haste in putting this bill on the Calendar and therefore I make this motion that the motion of the Senator from Philadelphia, Mr. Farley, be laid upon the table, and when the Governor has acted upon the five judges bill then we can intelligently take up the question of a municipal court. It is not proper, it is not fair, to take up the question at this time, and therefore I ask you gentlemen to vote "aye" on this motion which is, that the motion of the Senator from Phiadelphia, Mr. Farley, be laid upon the table.

Mr. VARE. Mr. President, I hope the members of the Senate will not vote to lay this matter on the table. Both these court propositions have been fairly threshed out. Three-quarters of the members of the Phiadelphia bar are in favor of the five judges and passed a resolution to that effect. I presented the five judge court bill at the request of nearly all the leading members of the Philadlphia bar, and only yesterday, only last evening, before the Committee on Judiciary Special, Francis Shunk Brown, of Simpson and Brown, who probably have the largest and best law offices in Philadelphia and employ more assistants than any one else in Philadelphia, said that the proper way to supply the necessary judges for Philadelphia was by the five judges. He descirbed it along these lines. If a man has ample stalls, keeping a livery stable, and needs more horses he does not go and build another stable to put the horses in, he buys the horses and puts them in the stalls that are already there. Now we have the rooms, the light and the heat and the fixtures and clerks of court and all that sort of thing right in Philadelphia now unused. The five judge bill is now in the hands of the Governor. All that does is to supply the judges to use the rooms and help and light and so forth that are already there without any additional expense. Another objection is that if you divide the courts all over Philadelphia you will have the lawyers running from one end of the town to the other. As to the additional expense the municipal court would create I will read from a paper which I have here in front of me that I got from Henry Walton, who is Prothonotary of Philadelphia, as to what the additional expense of the municipal court would be aside from the buildings and other expenses. The judges' salaries would be $54,500, the prothonotary's $4,000, the deputy's $2,500, nine clerks $18,000, twenty-seven tipstaffs, $54,000, court stenographers $27,000, which means, gentlemen, if this municipal court bill should pass, you would have $160,000 of expense in addition to the building and other expenses, stationery, etc. Now the report of the municipal court of Chicago that they filed, they had it down there yesterday, was that they ran $450,000 last year behind making their expenses. We are not in financial condition in Philadelphia to run any $450,000 behind expenses when we can save all of that money and a whole lot of trouble for the lawyers. One of these lawyers whom Senator McIlhenny refers to as being non-political, had the nerve to stand up down there last night and say that the five judges would not help the situation very much if at all. Just think of that! He had the nerve to stand there and say that the five judges working down there would not relieve the conditions. It appears to me just as plain as the noonday sun. We have the rooms there and we can put the judges there without putting on the city extraordinary expense; in fact, no expense at all. That is the proper remedy for the evil. I hope the gentlemen of this Senate will vote down Senator McIlhenny's motion.

Mr. McILHENNY. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Vare.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Vare, permit himself to be interrogated?

Mr. VARE. Mr. President, I will.

Mr. McILHENNY. Mr. President, I would like to ask the Senator from Philadelphia. Mr. Vare, if it is not a fact that there are only ten rooms now for the common pleas courts.

Mr. VARE. Mr. President, no, there are fourteen.

Mr. McILHENNY. Mr. President, how many courts are there? There are five now.

Mr. VARE. Mr. President, five.

Mr. McILHENNY. Mr. President, hasn't each court but two rooms?

Mr. VARE. Mr. President, some of them have three. There are fourteen large rooms and fifteen judges.

Mr. McILHENNY. Mr. President, is it not a fact that there are only ten rooms used for jury trials?

Mr. VARE. Mr. President, the rooms are there. The fact is there are only ten rooms used because we have not the judges to use them.

Mr. McILHENNY. Mr. President, we have fifteen judges and aren't we pressed for room, for more room in the City Hall of Philadelphia?

Mr. VARE. Mr. President, we are not pressed for rooms, but for the judges for the courts.

Mr. McILHENNY. Mr. President, I am perfectly willing if the Municipal Court Bill gets before the Senate to make an amendment that the prothonotary's work be done by Mr. Walton. I have always been in favor of that, but what we want is a municipal court, which is more flexible. It is the business men that want it, not only the lawyers. The newspapers of Philade phia without exception are in favor of this municipal court and against the five-judge bill. The people of Philadelphia want the municipal court. It is the kind of court they want and not more judges. The fees of the court itself would almost pay all the expenses of this court. We, a few years ago, established the Superior Court of Pennsylvania, an intermediate court that has done very valuable and efficient work, and what we need now is an intermediate court in the City of Phi'adelphia for the small cases for the business men of that city. There is no need of hurry to pass this motion to put this bill on the Calendar. We do not know what action will be taken on the five-judge bill and I hope the Senate will vote "aye" and put this motion on the table.

Mr. VARE. Mr. President, just one more word. We found out before this committee yesterday that between eighty and eighty-five per cent. of the cases in Philadelphia are for $600 and under. If that is the case, the poorer and middle classes who have small cases are just as much entit'ed to good decisions and good judges as the larger cases, and I do not see any reason why when we have the rooms and the high class judges at so much less cost, I do not see any reason why we should take those cases away from the high class judges and put them before cheaper paid judges.

Mr. McILHENNY. Mr. President, just one word. If the Senators vote "aye" on my motion it does not settle the case, merely puts it over until the Governor can act on the five-judge bill.

And the question recurring,

Will the Senate agree to the motion to lay the motion of the Senator from Philadelphia, Mr. Farley, on the table?

The yeas and nays were required by Mr. McILHENNY and Mr. HEACOCK, and were as follows, viz:

YEAS—15.

Heacock,	Judson,	McIlhenny,	Sensenich,
Hilton,	Knapp,	Miller,	Sheatz,
Hoke,	Kurtz,	Nulty,	Wasbers,
Jarrett,	Martin,	Powell,	

NAYS—24.

Beidleman,	Farley,	Hunter,	Morgan,
Buckman,	Gerberich,	Jones,	Salus,
Catlin,	Hall,	Kline	Snyder,
Cooper,	Herbst,	Magee,	Sones,
Crow,	Homsher,	McNichol,	Stineman,
Endsley,	Huffman,	Moore,	Vare,

So the question was determined in the negative.

And the question recurring

Will the Senate agree to the motion that the bill be placed on the Calendar notwithstanding the negative recommendation of the committee?

Mr. McILHENNY. Mr. President, I ask all the Senators who are in favor of the municipal court and the relief of the business men of the City of Philadelphia to vote "aye" on this question. We can put it on the Calendar and the matter can be taken up next week finally as to whether this bill shall pass or not, but I say that any man who votes "no" on this question is voting against the best interests of the City of Philadelphia.

Mr. VARE. Mr. President, any Senator voting "no" on this proposition is voting to give the people the best kind of judges without any extra cost, and I think as I said before that the middle classes and the poor are just as much entitled to good judges as the rich. Small cases are just as important to them as large ones are to the rich. I therefore hope that you will vote to keep this bill off the calendar.

And the question recurring,

Will the Senate agree to the motion that the bill be placed on the calendar notwithstanding the negative recommendation of the committee?

The yeas and nays were required by Mr. McILHENNY and Mr. HERBST, and were as follows, viz:

YEAS—12.

Alexander,	Hall,	Kurtz,	Salus,
Farley,	Herbst,	Martin,	Sensenich,
Fisher,	Hoke,	Powell,	Sheatz,

NAYS—25.

Beidleman,	Endsley,	Judson,	Morgan,
Buckman,	Heacock,	Kline	Nulty,
Catlin,	Hilton,	Knapp,	Snyder,
Clark,	Homsher,	Magee,	Sones,
Cooper,	Huffman,	McIlhenny,	Vare,
Crow,	Hunter,	McNichol,	Wasbers,
DeWitt,			

So the question was determined in the negative.

REASON FOR VOTE.

Mr. McILHENNY. Mr. President, I desire to be recorded and state in voting "no" on this motion that I do so only that I can move to reconsider the vote next week. I vote "no."

RECONSIDERATION OF HOUSE BILL NO. 883.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 627, (House Bill No. 883), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

was defeated on final passage on March 24th.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "no."

Mr. SONES. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SONES. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. KLINE. Mr. President, I have grave fears that a majority of the Senators on Monday night voted under a misapprehension. They are naturally cautious in regard to any pension funds, pensioning blacksmiths, judges and other things, and rightfully so, but in this instance this is a bill that applies only to cities of the second class and is merely an enabling act, that the employes themselves if they so desire can create a pension fund, taking the money out of their own pay, may create a pension fund for their own benefit. Therefore, it is merely an enabling act.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Martin,	Sheatz,
Beidleman,	Homsher,	McNichol,	Snyder,
Buckman,	Hunter,	Miller,	Sones,
Catlin,	Jones,	Moore,	Stineman,
Clark,	Judson,	Morgan,	Vare,
Cooper,	Kline	Nulty,	Wasbers,
Crow,	Knapp,	Powell,	Gerberich,
DeWitt,	Kurtz,	Salus,	Pres. pro tem.
Endsley,	Magee,	Sensenich,	

NAYS—2.

Herbst,	Jarrett,

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

RECONSIDERATION OF SENATE BILL NO. 597.

Mr. KLINE. Mr. President, I move to reconsider the vote by which Senate Bill No. 597, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

was defeated on final passage yesterday.

The PRESIDENT. How did the Senator vote?

Mr. KLINE. Mr. President, I voted "no."

Mr. HUNTER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HUNTER. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. ENDSLEY. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 11, entitled:

An Act defining commodities, regulating the sale thereof, and providing penalties for violation hereof.

BILL RECOMMITTED.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 189, on third reading, entitled:

An Act authorizing the State Highway Department to take over all public roads within the Commonwealth located within or bordering upon the State forest reserves and to improve and maintain the same

be recommitted to the Committee on Forestry.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 201, entitled:

An Act relating to the fees of attorney-at-law in the several courts of this Commonwealth

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Hall,	Martin,	Sensenich,
Beidleman,	Homsher,	McIlhenny,	Sheatz,
Buckman,	Huffman,	McNichols,	Snyder,
Cooper,	Jarrett,	Miller,	Sones,
Crow,	Jones,	Moore,	Stineman,
Endsley,	Judson,	Morgan,	Vare,
Farley,	Kline	Nulty,	Wasbers,
Fisher,	Kurtz,	Powell,	Gerberich,
Gyger,	Magee,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO RECOMMIT BILL.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 337, (House Bill No. 189), on second reading entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Dominj one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the county of Philadlephia in relation to promissory notes and counterfeit endorsements and for other purposes"

be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. POWELL. Mr. President, I would like to say that this act does not relate to Philadelphia at all. It was passed some time before the adoption of the Constitution, and while the title indicates that it was in relation to the vacation of Long Lane, as a matter of fact it relates only to promissory notes and it is an act that was overlooked in the repealing clause of the general Negotiable Instruments Act, and I trust the gentleman will withdraw his motion. There is absolutely no reference to Philadelphia at all except in the title, and it relates to one section of an old act in which a number of subjects were covered under one title. It is limited to one section in relation to promissory notes.

Mr. McNICHOL. With the explanation of the Senator from Allegheny, I withdraw my motion

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 337 (House Bill No. 189), entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the County of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Hall,	Kurtz,	Salus,
Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Homsher,	Martin,	Sheatz,
Catlin,	Huffman,	McIlhenny,	Snyder,
Cooper,	Hunter,	McNichol,	Sones,
Crow,	Jarrett,	Miller,	Stineman,
DeWitt,	Jones,	Moore,	Thompson,
Endsley,	Judson,	Morgan,	Vare,
Farley,	Kline,	Nulty,	Gerberich,
Fisher,	Knapp,	Powell,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, entitled:

A joint resolution providing for a commission to arrange for and supervise the transfer from the library and museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spainish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gyger,	Kline,	Powell,
Beidleman,	Hall,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Herbst,	Magee,	Sheatz,
Clark,	Hoke,	Martin,	Snyder,
Cooper,	Homsher,	McIlhenny,	Sones,
Crow,	Huffman,	McNichol,	Stineman,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Moore,	Gerberich,
Farley,	Jones,	Morgan,	Pres. pro tem
Fisher,	Judson,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President. I ask that Senate Bill No. 696, on third reading, entitled:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department or bureau or branch thereof or any committee or commission authorized by law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 700, entitled:

An Act requiring and regulating instructions in the public schools in ways and means of preventing accidents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	Miller,	Vare,
DeWitt,	Hunter,	Moore,	Gerberich,
Farley,	Jones,	Morgan,	Pres. pro tem.
Fisher,	Judson,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 735, entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend section 1, line 6, by inserting after the word "beneath" the words "such cities and boroughs as may tend to prevent."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON SECOND READING POSTPONED FOR THE PRESENT.

Mr. BEIDLEMAN. Mr. President, I move that the Senate resume consideration of Senate Bill 256, on second reading postponed for the present, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BEIDLEMAN. Mr. President, I desire to offer amendments to this bill to make it in accordance with the vinegar bill which has recently been passed by the Congress of the United States and approved, so that it makes the Pennsylvania law uniform with the National law on the subject.

And the question recurring.

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate resumed the second reading and consideration of Senate Bill No. 256, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act no person firm or corporate body shall manufacture for sale offer for sale or expose for sale sell or have in his her or their possession with intent to sell or deliver any vinegar not in compliance with the provisions of this act

Section 2 The word "vinegar" as used herein is limited to a water solution of acetic acid derived by the alcoholic and subsequent acetous fermentation of fruits grain vegetables sugar or syrups and if not distilled must carry in solution the extractive matter derived solely from the substances indicated on the label as its source

The third section of the bill was read as follows:

Section 3 No vinegar shall be sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice The term "cider vinegar" as used herein shall be construed to mean vinegar derived by the alcohlic and subsequent acetous fermentation of the expressed juice of whole apples the acidity solids and ash of which have been derived exclusively from apples and which contains not less than four and five tenths per centum of absolute acetic acid Cider vinegar which during the course of manufacture has developed in excess of five per centum acetic acid may be reduced to a strength of not less than five per centum and cider vinegar so reduced shall not be regarded as adulterated Every manufacturer or producer of cider vinegar shall plainly brand on the head of the cask barrel or keg or other container of such vinegar his name place of business and the words "cider vinegar" and no person shall mark or brand as cider vinegar any package containing that which is not cider vinegar Any vinegar sold or offered for sale shall be marked or branded plainly upon the package from which it is sold in a manner to show its true character and source

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President I move to amend section 3, line 5, by striking out the word "expressed;" also in the same line by inserting after the words "juice of" the words "clean sound;" also in line 6 by inserting after the word "apples" the words "or clean sound evaporated apple products;" also in line 8 by striking out after the word "four" the words "and five-tenths;" also in line 8, by inserting after the word "acid" the words: "Not less than 1.60 grams total solids per 100 cubic centimeters; not less than 1.40 grams non-sugar solids per 100 cubic centimeters; not less than .25 grams of ash per 100 cubic centimeters; not more than 50 per cent. of sugars in solids; not less than 10 milligrams phosphoric acid soluble in water in 100 cubic centimeters of the vinegar; not less than 30 cubic centimeters of tenth normal acid required for neutralization of the alkalinity of ash of 100 cubic centimeters." Also in line 8 by inserting before the words "cider vinegar," the words "apple or;" also in line 10 by striking out the word "five" and inserting in lieu thereof the word "four;" also in line 11, by striking out the word "five" and inserting in lieu thereof the word "four;" also in line 12 by inserting after the word "adulterated" the words "provided it is branded 'reduced with water.'"

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth and fifth sections of the bill were read as follows and agreed to:

Section 4 All sugar vinegar sold or exposed for sale as such shall be strictly and distinctly fermented from sucrose

Section 5 No vinegar shall be sold or exposed for sale as malt vinegar which is not fermented strictly and distinctly from barley malt

The sixth section of the bill was read as follows:

Section 6 No vinegar shall be sold or exposed for sale in which foreign substances drugs or acids shall have been introduced No vinegar shall contain any artificial coloring matter and all vinegar shall have an acidity of not less than four and five-tenths per centum by weight of absolute acetic acid If vinegar contains any artificial matter or less than the required amount of acidity it shall be deemed to be adulterated

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 6, line 4, by striking out after the word "four" the words "and five-tenths."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows and agreed to:

Section 7 All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded "fermented" vinegar with the name of the fruit or substance from which such vinegar has been made

The eighth section of the bill was read as follows:

Section 8 All vinegar made by acetous fermentation of dilute distilled alcohol shall be branded "distilled" vinegar together with the name of the substance or substances from which it is made

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 8 in line 2 by striking out everything after the word "vinegar."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth, tenth, eleventh and twelfth sections of the bill were read as follows and agreed to:

Section 9 Every person firm or corporate body who shall violate any of the provisions of this act shall for every such offense forfeit and pay not less than fifty dollars nor more than one hundred dollars which shall be recoverable with costs including expense of inspection and analysis by any person suing in the name of the Commonwealth as debts of like amount are by law recoverable Provided That the Department of Agriculture through its officer known as the Dairy and Food Commissioner together with deputies agents and assistants shall be charged with the enforcement of this act and shall have full access to all places of business factories mills buildings carriages cars vessels barrels tanks and packages of whatever kind used in the manufacture and transportation and sale of any vinegar or of any adulteration or imitation thereof or any package in which vinegar is mixed with articles of food They shall also have power and authority to open any package barrel or vessel containing any vinegar or any adulteration or imitation thereof which may be manufactured sold or exposed for sale and they shall have full power and authority to take the samples therefrom for analysis upon tendering the value of said samples And all charges accounts and expenses of the Department for the enforcement of this act through the said Commissioner and his deputies agents assistants chemists and counsel employed by him in carrying out the provisions of this act shall be paid by the Treasurer of the State in the same manner as other accounts and expenses of the said department are paid And all penalties and costs for the violation of the provisions of this act shall be paid to the said Dairy and Food Commissioner or his agents and by

him immediately recovered into the State Treasury to be kept as a fund for the use of the Department and to be drawn out upon the warrant signed by the Secretary of Agriculture and the Auditor General

Section 10 Every person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars and a fine of one hundred dollars for every subsequent offense Provided That all fines and costs including the expense of inspection and analysis imposed under this section shall be covered into the State Treasury as provided by section nine of this act and all vinegar sold or offered for sale in violation of the provisions of this act shall be subject to forfeiture and spoilation

Section 11 Magistrates and justices of the peace throughout this Commonwealth shall have jurisdiction to hear and determine actions arising for violations of the provisions of this act and to hold for court or impose the penalties provided herein subject to appeal as the law shall direct

Section 12 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to:

An Act permitting certain companies and corporations to sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

And said bill having been read at length the second time time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 573, on second reading, entitled:

An Act permitting certain companies and corporation to extend wires across the tracks and right of way of railroad and street railway companies and providing a means of compensation therefor

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574, as follows:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the perference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bonafide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteen day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in case of any distribution of the money funds property or other assets whatsoever of any trust company by legal process or otherwise distribution shall be made and preferred in the following order namely

"First To pay all deposits in the trust company

"Second To the payment and discharge of all the remaining liabilities of such trust company or corporation

"Third The residue if any shall be distributed to the share holders of the trust company or corporation according to their respective legal rights

"Provided however That all trust money and property shall be kept separate as provided by said act as supplemented as aforesaid and distributed to the benficiaries accordingly" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in case of any distribution of the money funds property or other assets whatsoever of any trust company in the course of its liquidation by legal process or otherwise distribution shall be made and proferred in the following order namely

First To the payment of all depositors in the trust company whether the deposits be subject to immediate check or only payable after specified notice or at the expiration of a fixed period whether or not such notice has been given or such period expired at the time of such distribution Bona fide holders for value of certified checks on such trust company or of certificates of deposit issued by such trust company or of checks or drafts of such trust company given in exchange for or in payment of checks or drafts of depositors of such company drawn thereon not exceeding the balance to the credit of such depositor shall also be treated and considered as depositors within the meaning of this act

Second To the payment and discharge of all the remaining liabilities of such trust company or corporation

Third The residue if any shall be distributed to the shareholders of the trust company or corporation according to their respective legal rights

Provided however That all trust money and property shall be kept separate as provided by said act as supplemented as aforesaid and distributed to the beneficaries accordingly

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 636, as follows:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securitites and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one Pamphlet Laws six hundred and thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one Pamphlet Laws six hundred and thirty-nine which reads

"That banks chartered under the provisions of the laws of the Commonwealth of Pennsylvania be and they are hereby authorized to loan money on the security of bonds and mortgages on unincumbered real estate situated in this State not in excess of their time deposits and to invest their funds not exceeding twenty-five per centum of their capital stock surplus and undivided profits in the purchase of such mortgages and may also purchase for investment any interest bearing bonds or other obligations of any corporation or individual" be and the same is hereby amended so as to read as follows

"That banks chartered under the provisions of the laws of the Commonwealth of Pennsylvania be and they are hereby authorized to loan money on the security of bonds and mortgages on unincumbered real estate situated in this State not in excess of their time deposits plus twenty-five per centum of their capital stock surplus and undivided profits and to invest their funds not exceeding their time deposits plus twenty-five per centum of their capital stock surplus and undivided profits in the purchase of such mortgages and may also purchase for investment any interest bearing bonds or other obligations of any corporation or individual

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 658, as follows:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Banking is authorized to appoint one additional clerk who shall receive a salary of fourteen hundred dollars per annum also one additional stenographer who shall receive a salary of one thousand dollars per annum which compensation shall be paid in monthly installments by warrant drawn by the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 659.

An Act enabling the Board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said Board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

Whereas the Board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking under and by authority of an act entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" approved June nineteenth one thousand nine hundred and eleven has accepted as security under the terms of said act for the faithful performance of the contracts entered into by certain of the licensees bonds and mortgages and judgments of record drawn to the Commonwealth of Pennsylvania which cannot be satisfied until the proper authority and direction is displayed to recorders and prothontaries in the respective counties wherein said mortgages and judgments are of record therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever it becomes necessary to satisfy any mortgage judgment or lien which has been or may hereafter be accepted by the Board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" a resolution adopted by the Board giving unto the Commissioner of Banking power of attorney shall be sufficient authority to have satisfaction or release entered upon the record in such manner and form as is now prescribed under the existing laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 713, as follows:

An Act providing for the appointment of district attorneys when vacancies occur

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any vacancy shall occur either by death resignation removal from the office or from the county or otherwise of any district attorney of this Commonwealth the Governor shall supply such vacancy by the appointment of a competent person to fill the office until the next election held for the election of municipal and county officials Provided such vacancy happens sixty days before if not then until the next like election thereafter and until a successor is duly elected and qualified

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 231, (House Bill No. 185), entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 351, (House Bill No. 181), entitled:

An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children desterted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trust or otherwise

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act granting the Delaware and Hudson Company its successor and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 464, entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred and eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 512, entitled:

An Act to prohibit coroners acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms of office and providing a penalty

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 650, entitled:

An Act requiring an inquiry and report on the criminal insane patients committed to the institution of the Commonwealth as to their personal history mental and financial condition and circumstances connected with the crime for which they are committed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758 (House Bill No. 794), entitled:

An Act making it unlawful for any person firm corporation to use the word counsul or consulate or the coat of arms of a foreign country for exhibition display or advertising purpose and providing a penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General:

REGISTER AND RECORDER AND CLERK OF THE ORPHANS' COURT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Henry Bassett, of Grand Valley, Warren County, to be Register and Recorder and Clerk of the Orphans' Court in and for the County of Warren, to serve until the first Monday of January, 1914, vice Frank A. Wood, deceased.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Wm. Henning, Pittsburgh.

CAMBRIA COUNTY.

Thomas C. Evans, Ebensburg.

INDIANA COUNTY.

Catalda Valenti, Creekside.

PHILADELPHIA COUNTY.

Frank Cerceo, Philadelphia.

WARREN COUNTY.

Miss Leah Emily Crouse, Warren.

PHILADELPHIA COUNTY.

Charles C. Leidy, Philadelphia.

MONTGOMERY COUNTY.

William A. Rossiter, Abington Township.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 25, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ERIE COUNTY.

Laverne H. Raymond, Greenfield Township, April 17, 1913.

MONTGOMERY COUNTY.

A. D. Johnson, Lansdale, April 29, 1913.

PHILADELPHIA COUNTY.

Wm. R. Newgeon, Philadelphia, April 29, 1913.
Thomas F. Gross, Philadelphia, May 12, 1913.

YORK COUNTY.

Stephen T. Bastian, Hanover, March 30, 1913.

ADAMS COUNTY.

J. L. Kendlehart, Gettysburg, March 27, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

LANCASTER COUNTY.

G. S. Royer, Ephrata, April 13, 1913.

PHILADELPHIA COUNTY.

Samuel Simpson, Philadelphia, April 12, 1913.
Leonard Rice, Philadelphia, March 29, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 26, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

CHESTER COUNTY.

James Paul MacElree, West Chester.

JOHN K. TENER.

RECONSIDERATION OF CONCURRENT RESOLUTION AUTHORIZING THE GOVERNOR TO EXPEND $50,000 FOR THE RELIEF OF OHIO FLOOD SUFFERERS.

Mr. HERBST. Mr. President, I move that the vote, by which the resolution I offered this morning relating to the floods in Ohio passed, be reconsidered.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HERBST. Mr. President, I move that the resolution be referred to the Committee on Appropriations.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED.

Mr. HOMSHER. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 789, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at the intersection of said road with State Road Number Two Hundred and Fifteen at Christiana Lancaster County and extending thence through Smyrna Green Tree Quarryville Bethesda to Holtwood passing part of the way over a section of improved highway already constructed The route being over the road commonly known as the State Road extending through the townships of Sadsburg Bart Eden East Drumore Durmore and Kartic

Which was committed to the Committee on Public Roads and Highways.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 790, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at a point south of Unicorn in East Drumore Township in Lancaster County at a point where route number one hundred and thirty-six intersects and passing through Fairmount Little Britain and Wrightsdale to a point on the Maryland line of a cross roads just beyond Rock Springs Meeting House

Which was committed to the Committee on Public Roads and Highways.

Mr. MAGEE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 791, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at to-day's session, which were laid upon the table.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session, from the Committee of Judiciary General.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Snyder,
Clark,	Hoke,	McIlhenny,	Sones,
Cooper,	Homsher,	McNichol,	Stineman.
Crow,	Huffman,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare.
Endsley,	Jones,	Mills,	Washers,
Farley,	Kline	Morgan,	Gerberich,
Fisher,		Nulty,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Elections, reported with a favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth, which were laid upon the table:

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF SCRANTON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, Mach 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Registration Commissioners in and for the City of Scranton, for the term of four years, to compute from June 15, 1912:

B. T. Jayne, Scranton.
Alex. T. Connell, Scranton.
Thos. J. Jennings, Scranton.
P. A. Ryan, Scranton.

JOHN K. TENER.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

AMENDMENT TO HOUSE BILL NO. 11, RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

Said bill having been recalled from the Governor for amendment. The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendment the concurrence of the Senate is requested.

The amendment was twice read as follows:

By striking out in section 1, lines 20, 21, 22, 23, and 24, the words "'An Act to fix the salaries of judges of the superior court, the judges of the courts of common pleas and the judges of the orphans' courts' approved the fourteenth day of April, one thousand nine hundred and three," and inserting in lieu thereof the words "'An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas and the judges of the orphans' Courts' approved the fifth day of May, one thousand nine hundred and eleven"

Mr. STINEMAN. Mr. President, I move that rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with and the Senate proceed to the consideration of the amendment made by the House of Representatives to the foregoing bill.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

And the amendment having been printed as required by the Constitution,

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Farley,	Kurtz,	Salus,
Beidleman,	Fisher,	Martin,	Snyder,
Buckman,	Hoke,	McNichol,	Stineman.
Catlin,	Homsher,	McNichols,	Thompson,
Cooper,	Hunter,	Miller,	Vare.
Crow,	Jones,	Morgan,	Washers,
DeWitt.	Kline,	Nulty,	Gerberich,
Endsley,	Knapp,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 300 RECALLED FROM THE GOVERNOR.

He also presented extract from the Journal of the House of Representatives, which was read as follows:

In the House of Representatives, March 25, 1913.

Resolved, (if the Senate concur), That House Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating the criminal trials the cross-examination of a defendant when testifying in his own behalf"

be recalled from the Governor for the purpose of amendment

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN CONCURRENT RESOLUTION URGING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR THE CONSTRUCTION OF BUILDINGS AT THE FRANKFORD ARSENAL.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House had concurred in the resolution of the Senate as follows:

In the Senate, March 24, 1913.

Whereas, The work for the United States Government in the Frankford Arsenal, at Philadelphia, requires the construction of a magazine and a high explosive shop, to cost approximately forty thousand dollars ($40,000), which would replace inadequate, unsanitary and unsafe buildings now used for the purpose, therefore

Be it Resolved (if the House of Representatives concur) That the attention of the Representatives in Congress from Pennsylvania is hereby invited to the need for said buildings and said Representatives are hereby respectfully urged to secure the appropriation of funds at the forthcoming session of Congress for the construction of said buildings as recommended by the Secretary of War.

HOUSE CONCURS IN CONCURRENT RESOLUTION REQUESTING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR MRS. ELIZABETH GLANCY AND MRS. ANNIE M'COLGAN ON ACCOUNT OF THE DEATH OF THEIR HUSBANDS WHILE EMPLOYED AT THE FRANKFORD ARSENAL.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House had concurred in the resolution of the Senate as follows:

In the Senate, March 24, 1913.

Whereas, By an explosion at the Frankford Arsenal of the United States Government, at Philadelphia one Patrick Glancy and Peter McColgan lost their lives in the course of their employment in said Arsenal, and

Whereas, The widows of those men, namely Mrs. Elizabeth Glancy and Mrs. Annie McColgan, were left without adequate support for themselves and their small children, and

Whereas, These women have never been indemnified for the loss of their said husbands; therefor

Be it Resolved (if the House of Representatives concur) That the Representatives in Congress from Pennsylvania be respectfully requested to secure appropriate legislation to reimburse the said Mrs. Elizabeth Glancy and Mrs. Annie McColgan for the loss sustained by them through the death of their husbands while in the employ of the United States Government at the said Frankford Arsenal, at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1166.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 1166, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 735.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 735, entitled:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been reconveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

TIME OF NEXT MEETING.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House had concurred in the resolution of the Senate as follows:

In the Senate, March 26, 1913.

Resolved (if the House of Representatives concur) That when the Senate adjourns to-day it shall be to meet on Monday evening, March thirty-first, at nine o'clock.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 3 (Senate Bill No. 793), entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Which was committed to the Committee on Finance.

House Bill No. 50 (Senate Bill No. 794), entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewerage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteen one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and the appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

Which was committed to the Committee on Municipal Affairs.

House Bill No. 388 (Senate Bill No. 795), entitled:

An Act entitled An act authorizing and empowering all cities and boroughs within its Commonwealth to regulate by ordinance or by-laws the mining and removing of all coal and other minerals beneath the surface of the land within their corporate limits

Which was committed to the Committee on Mines and Mining.

House Bill No. 399 (Senate Bill No. 796), entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

Which was committed to the Committee on Corporations.

House Bill No. 401 (Senate Bill No. 797), entitled:

A joint resolution proposing an amendment to section twenty-one of article three of the Constitution of Pennsylvania

Which was committed to the Committee on Corporations.

House Bill No. 402 (Senate Bill No. 798), entitled:

An Act regulating policies of insurance against liability arising under article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen

Which was committed to the Committee on Corporations.

House Bill No. 403 (Senate Bill No. 799), entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Insurance Association

Which was committed to the Committee on Corporations.

House Bill No. 404 (Senate Bill No. 800), entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employes and prescribing a penalty for non-compliance therewith

Which was committed to the Committee on Corporations.

House Bill No. 464 (Senate Bill No. 801), entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

Which was committed to the Committee on Judiciary Special.

House Bill No. 519 (Senate Bill No. 802), entitled:

An Act to change and fix the terms of managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectively is nine and said managers and auditors are required to be elected in blocks of three fixing the times when the terms of present managers and auditors shall expire their successors be elected and assume office

Which was committed to the Committee on Judiciary General.

House Bill No. 570 (Senate Bill No. 803), entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said records shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 774 (Senate Bill No. 804), entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 656 (Senate Bill No. 805), entitled:

An Act appropriating money to aid and encourage vocational education in the public schools of Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 711 (Senate Bill No. 806), entitled:

An Act relating to the management of penitentiaries jails prisons houses of correction workhouses houses of refuge and reformatories

Which was committed to the Committee on Judiciary General.

House Bill No. 751 (Senate Bill No. 807), entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 810 (Senate Bill No. 808), entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

Which was committed to the Committee on Judiciary Special.

House Bill No. 853 (Senate Bill No. 809), entitled:

An Act to promote the safety of the traveling public upon railroads by limiting the hours of service of certain employes and providing a penalty for violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 917 (Senate Bill No. 810), entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of this act

Which was committed to the Committee on Game and Fisheries.

House Bill No. 964 (Senate Bill No. 811), entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

Which was committed to the Committee on Judiciary Special.

House Bill No. 1009 (Senate Bill No. 812), entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to enforce the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

Which was committed to the Committee on Agriculture.

House Bill No. 1099 (Senate Bill No. 813), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

Which was committed to the Committee on Appropriations.

House Bill No. 1106 (Senate Bill No. 814), entitled:

An Act to change and fix the terms of guardians of the poor and auditors authorized to audit settle and adjust accounts of said guardians of the poor in incorporated poor districts where the number of said guardians and auditors respectively is four and two and said guardians and auditors are resquired to be elected in block of three fixing the times when the terms of present guardians and auditors shall expire their successors be elected and assume office

Which was committed to the Committee on Judiciary Special.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 279 entitled:

An Act authorizing State Treasurer to endorse over to the Ladies' Memorial Association of the city of Petersburg Virginia all checks drafts or warrants for interest accruing on a bond bought from the city of Petersburg Virginia by the Battlefield Commission of the Third Division Ninth Corps Army of the Potomac said interest being by contract made on file in the Auditor General's Department due to said Ladies' Memorial Association

House Bill No. 529, entitled:

An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of two years beginning June first one thousand nine hundred and eleven and ending May thirty-first one thousand nine hundred and thirteen

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

BILL INTRODUCED.

Mr. KURTZ. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 792, entitled:

An Act validating certain mechanics' claims filed in full compliance with the law where no notice of the filing has been served on the owner

Which was committed to the Committee on Judiciary General.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:10 o'clock P. M. until 9 o'clock Monday evening, March 31, 1913.

ERRATUM.

In proceedings of Senate of March 18, page 854, column 2, under heading "Bills Introduced", "Mr. JONES read in his place and presented to the Chair Senate Bill No. 638, entitled", should read "Mr. JONES, by request of Mr. GERBERICH, read in his place and presented to the Chair Senate Bill No. 638, entitled".

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 26th 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, the forces of nature are at Thy disposal and under Thy control. Thou art the Sovereign and Lord and canst work Thy will according to Thy pleasure. As the Lord Christ restrained the rushing of the wind and the troubled waters at the word of His command, so Thou canst restrain these storms that are prevailing and that are working such distress. We humbly and earnestly ask for this if it be consistent with Thy will, and we pray that those who are in the grip of these disastrous conditions may have Thy pity, that they may be relieved from their distress and enabled to stay their hearts upon Thee. And now we commit ourselves to Thy care and keeping throughout this day. May we have rule over our own spirits; may we say no word which we shall regret; may we commit no action which we shall wish to recall; may the day be filled with useful and helpful activities, and when its hours are ended and the shades of night have gathered about us, may we close our eyes to untroubled sleep because the Lord is our keeper according to our prayers. And Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Moses, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. R. J. BALDWIN. House Bill No. 1837.

An Act making an appropriation to the Taylor Hospital of Ridley Park, Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 1838.

An Act to repeal the seventh section of an act, approved the fourth day of April, one thousand eight hundred and seventy-two, entitled "An Act to authorize the borough of Phoenixville to erect water and gas works, and to supply the said borough with water and gas."

Referred to Committee on Judiciary Local.

By Mr. FAHEY. House Bill No. 1839.

An Act making an appropriation to the trustees of the Medico-Chirurgical College of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. S. B. SCOTT. House Bill No. 1864.

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the Bureau therein; fixing the compensation of the Assistant Director; and making an appropriation therefor.

Referred to the Committee on Judiciary Special.

PETITIONS.

FAVORING THE ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. FRANK GRAY presented the petition of Washington Camp 651, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. SWARTZ presented the petitions of Washington Camp No. 729 and 415 P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations.

Mr. BURNETT presented the petition of Washington Camp No. 587, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JOHN ROBERT JONES presented the petition of Washington Camp No. 52, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. STRAUSS presented petitions of Washington Camps Nos. 214 and 133, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL NO. 1139.

Mr. JOHN ROBERT JONES presented the petition of St. Joseph's Lithunian Roman Catholic Church, Schuylkill County, protesting against the passage of House Bill No. 1139.

Which was referred to the Committee on Judiciary Special.

PROTESTING AGAINST THE HUNTERS' LICENSE BILL.

The SPEAKER presented the petition of citizens of Lycoming County, protesting against the Hunter's License Bill.

Which was referred to the Committee on Game.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

The SPEAKER presented the petition of citizens of Marion Center, favoring the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

PROTESTING AGAINST CLUB LICENSE BILL.

Mr. RAMSEY presented the petition of citizens of Delaware County, protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST BILL INTERFERING WITH LEGAL RIGHTS OF SOCIAL CLUBS.

Mr. EWING presented the petition of citizens of Philadelphia, protesting against the passage of any bill interfering with the legal rights of Social Clubs.

Which was referred to the Committee on Law and Order.

Mr. STEIN presented the petition of citizens of Allegheny County, protesting against the passage of any bill interfering with the legal right of Social Clubs.

Which was referred to the Committee on Law and Order.

FAVORING THE ERECTION OF A MONUMENT TO THE FOUNDERS OF THE PUBLIC SCHOOLS.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia, favoring the erection of a monument to the Founders of the Public School System.

Which was referred to the Committee on Education.

Mr. STRAUSS presented the petition of citizens of Berks County, favoring the erection of a monument to the Founders of the Pubilc School System.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of Camp No. 52. P. O. S. of A., Schuylkill County, favoring the erection of a monument to Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. NORTH presented the petition of Camp No. 692, P. O. S. of A., Jefferson County, favoring the erection of a monument to the Public School and Founder thereof.

Which was referred to the Committee on Education.

Mr. SWARTZ presented two petition of citizens of Camps Nos. 729 and 415, P. O. S. of A., Snyder County, favoring the erection of a monument to the Public Schools and Founders thereof.

Which were referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. REESER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1816, (Senate Bill No. 518), entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population.

Mr. REESER, from the Committee on Counties and Townships, reported as committed House Bill No. 1357, entitled:

An Act concerning building regulation and inspection in townships of the first class.

Mr. BERNTHEIZEL, from the Committee on Counties and Townships, reported as amended, House Bill No. 1148, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth; fixing the compensation of assessors and assistant assessors in such townships; extending the time within which the aid assessors are required to complete their assessments, and make their return thereof; and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

Mr. JOHN ROBERT JONES, from the Committee on Elections, re-reported as amended, House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses.

Mr. W. H. WILSON, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 741, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State board of optometric examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act.

Mr. ELY, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1085, entitled:

An Act to amend sections three, four, six and seven, and to repeal section five of an act, entitled "An Act to protect the public health by providing for the prevention of the appropriation and sale of meat and food products which are unsound, unhealthful, unwholesome, and otherwsie unfit for human food; defining what shall be regarded as meat and meat food products; authorizing the appointment and compensation of local meat inspectors; authorizing the State Livestock Sanitary Board to enforce the provisions of this act, to make rules and regulations for its enforcement, and to appoint agents to assist in its enforcement; and to provide penalties for the violation or perversion hereof," approved the twenty-fifth day of May, one thousand nine hundred and seven.

Mr. LOHR, from thhe Committee on Agriculture, reported as amended, House Bill No. 1465, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven, entitled "An Act to authorize County Commissioners for the purpose of encouraging agriculture and the holding of County Agricultural Exhibitions to pay annually one thousand dollars to the incorporated agricultural association, paying premiums on agricultural exhibits holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition; and providing for the repayment to the county by the State of the sum so paid," as amended.

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 154, entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept.

Mr. WILTBANK, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 796, entitled:

An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five, nine, fifteen, nineteen, twenty and twenty-five of an act entitled "An Act to provide for the immediate registration of all births by means or certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the borough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing method for securing the given names of children making a uniform date for the returns of local registrars providing or certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates."

Mr. H. B. DUNN, from the Committee on Counties and Townships, reported as committed, House Bill No. 1346, (Senate Bill No. 386), entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townhips.

Mr. LANIUS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1590, entitled:

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates, to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act," approved the eleventh day of June one thousand eight hundred and seventy-nine.

Mr. H. L. PERRY, from the Committee on Judiciary Special, reported as amended, House Bill No. 1050, entitled:

An Act authorizing County Controllers, in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a Solicitor; prescribing the duties of the said Solicitor, and fixing his term of office and salary, to be paid by the proper county.

Mr. NEWTON, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 904, entitled:

An Act fixing the pay of assessors in the several counties.

LEAVES OF ABSENCE.

Mr. ALWORTH asked and obtained leave of absence for himself for the balance of the week.

Mr. ARTHUR asked and obtained leave of absence for Mr. Eichenberger and himself for the balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Mechling for the balance of the week.

Mr. SHERN asked and obtained leave of absence for himself for the balance of the week.

Mr. RONEY asked and obtained leave of absence for himself for the balance of the week after this morning's session.

The SPEAKER asked and obtained leave of absence for Mr. Snyder on account of illness in his family.

RESOLUTION NO. 34.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to call up Resolution No. 34.

The SPEAKER. The resolution will be read by the Clerk.

The Resolution was twice read as follows:

Whereas, The General Assembly of Pennsylvania by act of Assembly, approved the thirtieth day of March, one thousand nine hundred and eleven, appropriated the sum of three hundred thousand dollars for the purchase of a new site for the Western Penitentiary, and work done toward the erection of new buildings, and,

Whereas, Various large sums of money have been appropriated and expended in the maintenance of the present Western Penitentiary at Pittsburgh; and,

Whereas, It is widely reported that the overhead expenses of said institution have been unnecessarily increased lately to the extent of thousand of dollars per annum, which the number of inmates there confined has decreased; and,

Whereas, In matters other than financial certain serious defects in the management of this institution have come to light, namely,

It has become a matter of public record in the courts of Allegheny county that unnatural crimes are frequently committed,

That it is the common practice of the Western Penitentiary to so distribute the prisoners received that those convicted of unnatural crimes and those who are afflicted with repulsive infectious and contagious diseases are assigned places among the other inmates the majority of whom are serving on their first conviction and are young men, thus giving opportunity for the continued commission of these unnatural crimes and necessarily injuring many young men as a resultant of forced association with such demoralizing influences, giving occasion to frequent quarrels among the men and tending to the spread of disease by reason of these men all being forced to eat at the same table and drink out of the same vessels et cetera.

That prisoners are brutally, cruelly and inhumanly punished in some instances out of all proportion to the offense complained of.

That the parole act is not properly administered and that injustice is often done in its partial administration causing much complaint and unrest among the prisoners, and,

Whereas, it is alleged that upon the published account of the report that a resolution was to be introduced in the House of Representatives asking for an investigation of all State institutions appearing in the Pittsburgh newspapers on January tenth, one thousand nine hundred and thirteenth, a department of accounts in the Western Penitentiary known as the Inventory Department which prior to that date had been maintained showing all purchases and disbursements of supplies and materials in detail was hastily discontinued and in the nighttime all records were taken therefrom and destroyed, and,

Whereas, It is essential that this House should have full knowledge of the operations and expenditures of this institution, to know whether or not the reports circulated and statements made that the financial conditions of the Western Penitentiary are in a very serious state and that a very considerable shortage exists, are true in order that it may be enabled to consider intelligently legislative matters affecting said institution, and,

Whereas, As a result of the statements which have been made and the reports circulated public sentiment imperatively demands that all the transactions connected with the management maintenance and conduct of said institution should be fully investigated.

Now, therefore, Be it Resolved, That the Speaker of House of Representatives be and he hereby is authorized and directed to at once appoint a committee of five no more than two of whom shall be members of any one political party to make a full investigation of all the circumstances and transactions connected with the conduct and management of said institution. That said investigation cover fully all matters pertaining to both the old institution in Pittsburgh and the new one located in Centre county, including all contracts let and the manner of letting said contracts, all moneys expended and the manner of expending said moneys, and such other matters pertaining to the conduct, management, construction, erection and furnishing both institutions as may to said committee seem pertinent. That said investigation cover fully all matters pertaining to to summon witnesses and for the purpose of this inquiry they are hereby authorized and empowered to issue subpoenas, administer oaths and compel the attendance of witnesses, and the production of all books, bills, cheques, cheque-books, papers, minutes, records letters and contracts and such other written and documentary evidence as may be pertinent to the inquiry. And the said committee shall make a full report in writing to the House of the result of their investigation with full findings of facts and recommendations not later than April fourteenth one thousand nine hundred and thirteen.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I move that this resolution be referred to the Committee on Judiciary General.

Mr. BLELOCH. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the adoption of the resolution?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to have this resolution referred to the Committee on Judiciary General for the reason that I don't want to take up the time of the House for the discussion of this resolution and in addition to that, there are certain facts alleged in the resolution which I would not want to discuss on the floor of the House in the presence of the pages, at least, and certainly not in the presence of any ladies who might be on the floor of the House. The resolution charges, in the first place, that the overhead expenses of the penitentiary have been increased lately out of all proportion. Those expenses have been increased by increase of salaries, and certain officials placing men on the pay-roll who do practially nothing. Here is an instance that occurred within the last couple of months. In the case of a particular leader in Allegheny county who sent down a man to the penitentiary, who told the warden that a certain politician had told him to come down to take a place as a clerk. The warden said "I have nothing to do," but he said "Well, Mr. So and So told me to come here and that you would put me to work." Then the warden told somebody "Well, then give him a cap." And he was given a cap and placed at work. The report of the institution shows that notwithstanding the fact that the population of the penitentiary has decreased, the overhead expenses and salaries, etc., have been increased. Their own figures show that. There are certain other allegations made in the resolution with respect to the conditions among the inmates of the penitentiary. Within the last year a case was tried in the Court of Quarter Sessions of Allegheny county, in which one Beggs was the prosecutor and one Merrick, the Editor of a Socialist paper called "Justice" was the defendant. As I understand, Mr. Francies requested Beggs, one of the guards of the Penitentiary, to bring an action of libel against the editor of this paper. That action of libel was brought; the case came up in the proper courts of Allegheny County. The defendant had summoned some forty-seven witnesses, consisting of convicts in the penitentiary, convicts who had been discharged from the penitentiary and who had gone to all the surrounding states. Now when the prosecution had finished its testimony and when the defendant had called only seven of these forty-seven witnesses, the Commonwealth threw up its hands and dropped the case and the defendant was discharged. Now I don't want to discuss that testimony on the floor of this House. It is not fit to be discussed in public. Not only that, Mr. Speaker, but it is charged in this resolution that prisoners who are suffering from tuberculosis and certain veneral diseases are permitted to associate in the penitentiary with those who are clean and unaffected. I could give you the names, if I desired to do so, of these men or some of them at least, who are permitted to associate with other prisoners in the way I have mentioned, I can give you the number of the convict who is permitted to wait on the table, who is suffering in the last stages of a certain veneral disease. Of course, it is impossible that such conditions of these could exist without the danger of these diseases being transmitted to all the other inmates of the penitentiary. I am told on reliable authority that two-thirds of the inmates of this penitentiary are suffering from veneral diseases of one kind or another, and that notwithstanding these facts the clean prisoners are permitted to circulate and mix with and be waited upon at the table by men who are afflicted with these diseases. Not only that, but I am reliably informed that cruel and unjust punishment was inflicted on prisoners. For instance, within the last year a certain prisoner was placed in a straight jacket and kept there for ninety-two hours—almost four days,—in hot weather, lying in his own filth, until the maggots were crawling all over him and into his eyes, ears, nose and rectum, and when he was released from the straight jacket his whole body was raw.

The resolution also charges that the parole laws of this Commonwealth are not honestly administered. I presume that all the members of the House know what the parole laws of the State are. They are administered under the parole act of 1909. These laws provide that a prisoner sentenced to a minimum and maximum term may make application to the Board of Inspectors of the prison after having served the minimum sentence, for release, and it is the duty of the authorities of the prison to transmit these requests to the Governor of the Commonwealth, as I recall the act, and if this application is not favorably acted upon, that the reason for such unfavorable action shall be stated. I am told that there are hundreds of convicts in the Western Penitentiary who are, under the act of 1909, entitled to be paroled and have made application for parole, whose applications have not been acted upon and no reasons have been assigned for the failure on the part of the proper authorities to act upon them.

Now, Mr. Speaker, it seems to me that if these charges are true that they ought to be investigated. This resolution does not call for any appropriation. It will not cost the State one cent to make the proposed investigation. Not only do I ask for this investigation in behalf of the people of the Commonwealth who maintain this Penitentiary, and who furnish the funds to keep it up, but I see by this morning's Pittsburgh paper that the Board of Inspectors join in this request, and at a meeting held yesterday passed a resolution from which I quote:

"Whereas, The board of inspectors and the warden wishing the fullest investigation into all their acts and the acts of their subordinates, so that all matters relating to the institution may be placed before the legislative committee and the public;

"Resolved, That the Secretary of the Board of Inspectors be and he is hereby instructed to secure all books, bills, checks, check books, papers mintues, records, letters and contracts and have all indexed and ready to deliver to the committee when they call for the same; also he is instructed to advise the chairman of the committee that the board of inspectors and the warden are anxious to give every assistance possible so that the investigation may be complete and conclusive."

Just one other charge contained in this resolution before I sit down, that is, the charge that on the night of the 10th of January of this year a Department in the institution known as the auditing department or inventory department—the charge is that on the night of January 10th of this year that department was abruptly discontinued and all of the papers, books, vouchers and so on, records belonging to that department, were destroyed in the night time. Now if that is true that is a fact alone that ought to justify the appointment of the committee I asked for by this resolution.

I trust that the House will pass the resolution in view of the fact that the citizens of the Commonwealth are interested in knowing what is going on there, in view of the fact that things charged in this resolution are specific and definite and in view of the fact that the inspectors of the prison join in the request that the affairs of the instituion be investigated.

Mr. NORTH. Mr. Speaker, and Gentlemen of the House, in reply to what the gentleman from Beaver (Mr. Baldwin) has said relative to the conditions at the Western Penitentiary, I do not desire to take up the time of the House by way of any lengthly remarks on the question, but as a member of the Appropriation Committee in 1907, 1911 and 1913, I visited that institution and I think the members of the Committee that were with me on those various occasions will bear me out in the statement that we found conditions there in exceptionally good order, considering the conditions that they had to contend with, and owing to the fact that this institution is now in the course of being dismantled. I think it is very unwise to ask the State to go to the expense of any investigation relative to the conditions at this time and I hope the members of the House will vote this resolution down so unanimously that it will end, at least for the present session, investigations of this kind.

Mr. RONEY. Mr. Speaker, I desire to state for the information of the gentleman from Beaver and for the information of the House, the conditions under the parole act of 1909, supplemented by the Act of 1911 to cure some defects in the act of 1909. The Court fixes an indeterminate sentence, fixing both a minimum and maximum term and after the expiration of the minimum sentence the prisoner may make application to the Board of Prison Inspectors. Then the Board of Prison Inspectors pass upon his application. They absolutely decide and the only reason that record comes to Harrisburg is after the Board of Prison Inspectors decide or recommend the release of that particular defendant on parole, and then the record comes to Harrisburg, in order that the Executive Department may act on it. But the Board of Prison Inspectors, under the Act, are obliged to take upon themselves absolutely the responsibility as to when the man shall be discharged, either at the expiration of the minimum term or at such other time between the minimum and maximum period, and the prisoner is called before the Board and there states his case, and the question as to whether or not he should be paroled is decided upon by the Prison Inspectors.

Mr. G. A. BALDWIN. I desire to interrogate the gentleman from Philadelphia, (Mr. Roney).

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, I will.

Mr. G. A. BALDWIN. Mr. Speaker, I desire to ask the gentleman if it is not a fact that the parole act of 1909 requires that in cases where application of the convict is not allowed that the reason be stated, by the Board of Prison Inspectors.

Mr. RONEY. Yes, sir, I want it plain to the House that the Board of Prison Inspectors are charged with that.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to say to the House that so far as the report or resolution refers to unnatural crimes committed there, that any person who was in this House and had heard Mr. Francies in his plea to this House, asking that something be done, some relief be given to prevent just exactly that condition; that no person has ever stated conditions in the State of Pennsylvania more plainly more earnestly and I think more honestly than the keeper of that very institution. He went as far as language could be used to call the attention of the members of this House to such conditions in institutions of that character and be requested of the legislature, in the strongest and most earnest terms, to assist him in every way the legislature cou'd to prevent these conditions that are known under the name of unnatural crimes. So far as the commission of unnatural crimes is concerned, I do not see any reason for passing this resolution. So far as the other part of the resolution is concerned I do not think there is much in it. It appears to be newspaper reports. I believe all light possible should be turned on State institutions, but under the situation as I understand it and as Mr. Francies has told us: so far as unnatural crimes are concerned, every person appreciates the necessity, the absolute necessity, of doing everything we can to suppress that. I merely state this in defense of Mr. Francies, because I know he called the attention of the legislature heretofore to these conditions, and so far as the unnatural crimes are concerned, I do not see the necessity for investigation. So far as the other matters are concerned, they seemed to me to be indefinite, and I realize that this would be an expense to the State. I think it is fair to state to the House what I have said in regard to the unnatural crimes and I think the gentleman from Beaver will support me in that statement.

Mr. G. A. BALDWIN. Mr. Speaker, I heard the address of Mr. Francies delivered in this House two years ago, and I want to say that the matters referred to now have no bearing on the matters stated on that occasion. I want to state this in reply to what the gentleman has said in reference to newspaper reports: The newspaper reports have nothing to do with this investigation. I want to state that I am not in the habit of introducing resolutions which I am not willing to stand back of. I can say to the members of the House from information received that if this commission is appointed that information will be disclosed to the commission under oath. I ask that the yeas and nays be called.

Mr. S. B. SCOTT. Mr. Speaker, when a member of this House stands on his feet and says that he has information that he is willing to give to a committee of this House under oath about conditions existing in a penal institution in this State and this House refuses to give him the opportunity to do so, there will be a public disgrace that will fasten itself upon this session and go down into history. Every request for an investigation that has come before this House has been duly and properly referred to a committee and that committee in each case has given careful consideration and has advised the House what it ought to do. Sometimes the committee has advised the House that, under the conditions, there was no occasion for anything to be done. On other occasions it has advised that an investigation ought to be made. Committees have been appointed; they have worked hard. Now a member comes before us and charges the most grave dereliction upon an institution which, on account of the very nature of the institution, must have despotic power. An institution of this nature ought to be open to the most continuous and the most complete light and investigation. Now, I say, when such a responsible request comes from a member from information made of his own knowledge, and this body refuses even to send it to a committee, to my mind it is disgraceful; and the only way to correct the error which the House has already committed is to vote favorably upon this resolution.

Mr. STEIN. Mr. Speaker, replying to my friend from Philadelphia and also to my friend from Beaver, I wish to call the attention of the Gentlemen of this House to the

fact that my friend from Beaver seems to be imbued with the idea that all the ills of society can be cured by a commission of investigation. Now, you gentlemen will remember that two years ago my good friend from Beaver had a commission to investigate the town of Harrisburg, and then, I believe, it went further, or some other person went further and wanted to investigate his own quiet little village of Rochester in the County of Beaver. Now, gentlemen, I am absolutely and unalterably opposed to this investigation, and I am so opposed because of an honest belief that it will not serve any honest purpose, because it will do nothing other than scandalize our city, which has already had too much scandal in the public press throughout the country, and because the resolution is not intended to serve any good purpose, notwithstanding the very eminent position of the sponsor of the bill. Now, gentlemen, let us be fair with all concerned. Let us assume that my friend from Beaver does have complaints from some person who is confined in the penitentiary. Well, my friends, isn't that the most natural thing in the world that a man who is in jail does not like the surroundings? Why, if the surroundings are so desirable and delectable, of course it would not be a jail. You all know the old saw: That no man ever felt the halter drawn with good opinion of the law. I say, of course every prisoner in the penitentiary feels that he is innocent and feels that he is the victim of persecution, and he feels that the warden is the greatest enemy known to civilization. But, gentlemen, isn't the same thing true of the Eastern Penitentiary? Isn't the same thing true of every workhouse? Isn't the same thing true of every penal institution in the State? Why, certainly, the prisoners therein do not like their surroundings. But, gentlemen, as I said, let us be fair to all concerned. The warden of that prison is a very reputable gentleman. Mr. John Francies was a member of this House, I think, for two or three sessions and some of the older gentlemen surely remember him with interest and with pleasure. As has been suggested by Mr. Baldwin, you men remember that last year Mr. Francies, himself, came here with an awful expose of conditions which he found and which he could not control, and because of those unspeakable conditions, he asked the assistance of this Legislature in furnishing him a new site in the middle part of the State. The last session in its wisdom did furnish such a site, and of course it is most unfortunate that in the State of Pennsylvania no public enterprise can go on unless some detractor of our State and our community is always at work seeking to scandalize every person who honestly sees his duty and fearlessly tries to carry it out. Now, in the case at hand, in this investigation, I remember very distinctly what my friend from Beaver refers to. It was tried in the courts of Allegheny County. I want to say to you gentlemen, as one who was present, listening to the proceedings, securing the information that the members of the House ought to have, that we certainly do not want to spread this thing all over the State of Pennsylvania, because it plainly appears that it is nothing more than a mean, factional fight of small peanut politicians and men who are interested for no honest purposes. And, furthermore, I want to say to my friend from Beaver, whose motives of course I do not question and who is surely honest and upright in his intentions, that if he will take the trouble to investigate for himself he will agree with my friend, Mr. North, in saying that it is one of the cleanest institutions of its kind, under the circumstances that any State can wish to have. The institution is managed by a board of inspectors, and only the night before last the Governor of this State reappointed five inspectors. They are all men of standing in our community, and my friend from Beaver, I have no doubt, knows most of them. Mr. Rook, the editor of the Dispatch, Mr. McCague, of the Steel Company, Mr. Foley, and two other gentlemen whose names I cannot just now remember. I want to call to the attention of the members of this House the fact that the warden has to be re-appointed every six months. His term of office for the current six months is about to expire. Let me ask you, gentlemen, if there were any foundation for the charges made by my friend, Mr. Baldwin, do you suppose the board of inspectors sitting on that question would for one moment consider the reappointment of Mr. Francies? If those conditions were really true and if my friend from Beaver will appear before this board with the charges made by him, I am sure that the board of inspectors will welcome this investigation. We are having nothing but investigations. We are running, it seems, a government by commission and investigation, and surely we have enough investigations in this session. Now, my friends, as I said before, to be fair, both to Mr. Baldwin, the organization and to ourselves, if Mr. Baldwin has any such information, I say to him, go to the board of inspectors and give them your information, and if you do not get an honest hearing, and if you do not get a square deal, then come to this House, and I am sure we will take pleasure in giving you what you ask for. But in common sense and decency, it seems to me we ought not to scandalize our community, we ought not to cast suspicion upon a former member of this House, and we ought not to serve the mean, selfish interests of a few narrow-minded and prejudiced men. I therefore ask you gentlemen to vote this resolution down.

Mr. McALEER. Mr. Speaker, during the last session of the House I listened with particular interest to every word that was said here by Mr. Francies and the talk that he gave us interested me so that I followed up what he said. I talked with him personally and I talked with the directors of other institutions of the same kind, and I came to the conclusion that in the Western Penitentiary he did the best that he could under the circumstances. Mr. Stein, the gentleman from Allegheny, in his talk told you that an investigation of that institution would scandalize his city. That is one argument in favor of passing this resolution. I honestly believe in Mr. Francies; I have every confidence in Mr. Francies; but I think it should be the duty of this House to vote unanimously in favor of this resolution. I believe we can rely upon the Speaker to send there a commission of men who will not go there so much to criticise as to help. I think this House should, in its wisdom devote most any reasonable amount of money to remedying this condition. I think this resolution should be voted in favor of unanimously by this House, and that the Speaker should carry out its intent. If a commission be sent there and if they find these conditions as stated, I am sure they will make their criticism as charitable as possible.

Mr. JOHN R. K. SCOTT. Mr. Speaker, Mr. Francis might well to-day say, "Save me from my friends." Allegheny County has no claim alone upon John Francies. John Francies is not only a State character; with his advanced advocacy of penal instiutions he becomes a national character. The gentleman from Delaware refers to the address of John Francies here in the body of this House last session. That was the voice of a man who was advancing away beyond his period of legislation for penal institutions. He showed by his talk that he had devoted much time, that he was practically devoting his whole life to this subject. Of course, a man of the strong nature that John Francies has makes his enemies, and of course he advances new thoughts which makes enemies. He must anticipate that. He stands here to-day, possibly met by some enemies, but his worst enemies, Mr. Speaker, to-day, are his friends who ask this House to refuse to vote for an investigation that he, himself, and the worthy gentlemen who have confidence in him and who have selected him as warden of the Western Penitentiary also ask for. Now, Mr. Speaker, I think he ought not to be stopped in his great work by his friends who would send out to this community the fact that he was being protected from any wrong doing. Those of us who know him, and who heard him on the floor of this House, who heard his witty, strong arguments, have faith in him; and those of us who have faith in him want him to have this reputation kept clean as it has been in the past. I think, Mr. Speaker, that the friends of John Francies in this House, among whom I claim myself to be, do him a great harm when we vote down this motion that was made by the gentleman from Beaver to refer this resolution to the Judiciary General Committee. Therefore, Mr. Speaker, as one having faith in the man, as one having faith in the policies of the man, I move, Mr. Speaker, that the vote by which motion to refer this resolution to the Judiciary General Committee be reconsidered.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

It was not agreed to.

The question recurring,

Will the House agree to the adoption of the Resolution?

Mr. HESS. Mr. Speaker, I do not think this resolution ought to pass. In what position has John Francies placed himself? Did he wait until these accusations were made against him, or against the management of the Western

Penitentiary before he came before this House and told of the conditions that prevailed? Didn't he two years ago, when there was not a scintilla of evidence against him or his management, or a single suspicion of anything being done in that institution that could not be given to the public without reserve, didn't he, without any accusation, without any suspicion on the part of any one come here and ask this House to accord him the opportunity to speak to the members of this House as men, and didn't he exclude from the halls of the House the page boys so that he could speak without reserve, and without any suspicion? He is an honest man, and having found those conditions prevailing there, he came here and told the gentleman of the House "It is a shame on the Commonwealth of Pennsylvania that I just acknowledge to you to-day just what is being done in the institution over which I have the honor of presiding. Here are the conditions as I find them." And every one of us who sat here and listened to the very able address blushed with shame. He said, "My soul is burning with a desire to correct this. Give me the authority and means and opportunity, and I am going to do it." And we did. He told you most frankly, "I can never correct these conditions as long as you are going to confine me and the members of this institution within these four walls. Let me take these men into the central part of this State; give me land where I can work these men in a healthy vocation, and I will show you how I can improve the moral condition of this institution." And we did it, and he is at this very time engaged in carrying that into effect. I do not doubt it is true that the overhead expenses have increased. How could they fail to increase? What is the man doing to-day? He is managing the institution as it was before, and at the same time transferring the machinery and transferring everything that will be available for the building of the new institution from the old site to the new, and of course additional men are needed in supervising the erection of the new institution up in Centre County. Ought we at this time, after this man, without the finger of suspicion being pointed at him, who came before this House and told us just what conditions he found and told us that it was the passion of his life to correct it, and he is doing it now, should we not give him the opportunity of at least two years more to see whether he can do it or not. Do you believe that the newspapers will publish in connection with this investigation the fact that John Francies forewarned this Legislature and pleaded with them to give him the authority and opportunity to correct conditions existing in this institution. You know they will not. You know they will scandalize John Francies and all the penal institutions of the State, and I think this resolution should be voted down.

The question recurring,

Will the House agree to the adoption of the resolution.

The yeas and nays were required by Mr. GEORGE A. BALDWIN and Mr. SWIFT.

YEAS—49.

Baldwin, G. A.,	Cheeseman,	Martin,	Post,
Barner,	Claycomb,	Matt,	Rex,
Benninger,	Down,	McAleer,	Robinson,
Benson,	Glenn,	McClintock,	Scott, J. R. K.,
Bergey,	Grabe,	McKay,	Scott, S. B.,
Bigger,	Gray, Frank,	Metzenbacher,	Shaffer, I. E.,
Bittles,	Heidinger,	Moulthrop,	Smith, J. W.,
Bleloch,	Humes,	Musser,	Smith, L.,
Brownlee,	Irwin, H. H.,	Neely,	Steedle,
Burnett,	Jones, J. R.,	Newton,	Swift,
Campbell, J. J.,	Latshaw,	Peachey,	Trach,
Carson,	Lenker,	Pennock,	Walnut,
			Young, G. K.

NAYS—136.

Alworth,	Fahey,	Malie,	Savacool,
Ambler,	Flynn,	Mannion,	Schaeffer, A. C.
Arthur,	Forster, I. G.,	Mather,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Semmens,
Bass,	Frey,	McArdle,	Shaffer, C. A.,
Bayle,	Gans,	McCaig,	Shern,
Becker,	Geiser,	McDermott,	Sherwood,
Berntheizel,	Gibson,	Mellott,	Showalter,
Blair, W. A.,	Good,	Miller,	Snyder,
Blair, W. F.,	Goss,	Missimer,	Spangler,
Brosius,	Gramley,	Mitchell,	Speiser,
Brown,	Gransback,	Moore,	Spillinger,
Caldwell,	Haggerty,	Morrow,	Steele,
Campbell, C.M.,	Hess,	Moses,	Stein,
Carter,	Heyburn,	Murphy,	Stone,
Cleary,	Hobbs,	Neel,	Strauss,
Cochran,	Hoffman,	Newbaker,	Swartz,
Collins,	Howard, R.,	North,	Thomas,
Conner,	Isler,	O'Neill,	Ulerich,
Conniff,	Irwin, G. C.,	Pennegar,	Ulman,
Conrade,	Jackson,	Perry, H. L.,	Walton,
Cox,	Jones, E. E.,	Perry, S. J.,	Watson,
Currier,	Keegan,	Peters,	Wettach,
Curry,	Keeport,	Price,	Whitaker,
Davis,	Kennedy,	Ramsey,	Whitman,
DeFrees,	Kern,	Redfield,	Wildman,
Dickinson,	Kitts,	Reese,	Williams,
Donahoe,	Klepper,	Reeser,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Dunn, J. A.,	Leslie,	Roney,	Young, J. H.,
Ehrhardt,	Light,	Rothenberger,	Zimmerman,
Eichenberger,	Lohr,	Runk,	Alter,
Ely,	Lowers,	Sassaman,	Speaker.
Ewing,			

So the question was determined in the negative, and the resolution is not adopted.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate as follows:

TIME OF SENATE'S NEXT MEETING.

Resolved (if the House of Representatives concur) That when the Senate adjourns to-day. It will be to meet on Monday evening, March 31st, at nine o'clock.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION NO. 30.

Mr. REX. Mr. Speaker, I desire to call up Resolution No. 30.

The SPEAKER. The Resolution will be read by the Clerk.

The Resolution was read as follows:

Whereas It has been the practice and is still the practice for each member of this House to be furnished with a so-called "prize package" containing pocket knives combs hair brushes clothes brushes hat brushes fountain pens pocket books card cases silver match boxes scissors and other articles of like nature and

Whereas The said "prize package" cause an unwarranted waste of the people's money at every session of the Legislature amounting to thousand of dollars therefore be it

Resolved That this purile practice and great unwarranted waste of the people's money shall be stopped as a form of so-called "graft" that the majority of the members of this House are pledged to abate

The SPEAKER. The question is on the adoption of the Resolution.

It was not agreed to.

RESOLUTION NO. 35.

Mr. FORSTER. Mr. Speaker, I desire to call up Resolution No. 35.

The Speaker. The Resolution will be read by the Clerk.

The Resolution was read as follows:

Resolved That the following be a rule of this House

"No bill negatived by a committee shall be placed upon the calendar of this House unless a motion to place such bill on the calendar be made within five days after such bill is reported from committee"

Mr. FORSTER. Mr. Speaker, I move the adoption of the Resolution.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, I move to amend that this Resolution be referred to the Rules Committee. I think that the Resolution should be put in proper shape and that Committee will do that.

Mr. FLYNN. Mr. Speaker, I accept the amendment.

The motion as amended was agreed to.

RESOLUTION NO. 36.

Mr. ROCKWELL. Mr. Speaker, I desire to call up Resolution No. 36. It is not printed but I ask unanimous consent to refer that Resolution to the same Committee—the Committee on Rules.

Mr. ALLEN. I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. MOSES. Mr. Speaker, I would like unanimous consent to call up House Bill No. 11, file foio 3343, entited:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

Bill on Final Passage recalled from the Governor on the first page of to-day's Calendar.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 11, as follows:

An Act to provide for an additional law judge of the several courts of the Forty-seventh judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges provided for in an act entitled "An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election appointment and commissioning of judges learned in the law for the said districts in cases where such judges are not provided for by existing law" approved the eighteenth day of July one thousand nine hundred and one an additional law judge is hereby authorized and provided for the several courts of the Forty-seventh judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and he shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided by law for judges learned in the law as if the said office had been established in the time of and subject to the provisions of an act entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the orphans' courts" approved the fifth day of May one thousand nine hundred and eleven

Section 2 At the next municipal election after the passage of this act the qualified electors of the said Forty-seventh judicial district shall elect in the manner prescribed by law for the election of president judge a competent person learned in the law to serve as said additonal law judge in said district from the first Monday in January Anno Domini one thousand nine hundred and fourteen for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a smilar vacancy in the office of president judge

Section 3 The judge in said district whose commission shall first expire shall be the president judge thereof except where the president judge shall be re-elected in which case he shall continue to be president judge

Section 4 The Governor is hereby authorized by and with the consent of the Senate to appoint some competent person learned in law as additional law judge of said Forty-seventh district until the first Monday in January succeeding the next municipal election

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Adams,	Ewing,	Lohr,	Robinson,
Alworth,	Fahey,	Lowers,	Rockwell,
Ambler,	Flynn,	Malie,	Roney,
Arthur,	Forster, I. G.,	Mannion,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Runk,
Baldwin, R. J.,	Frey,	Mather,	Sassaman,
Barner,	Gans,	Matt,	Savacool,
Bass,	Geary,	McAleer,	Schaeffer, A. C
Bayle,	Geiser,	McAllister,	Schuck,
Benson,	Gibson,	McArdle,	Scott, S. B.,
Bergey,	Glenn,	McCaig,	Semmens,
Berntheizel,	Good,	McClintock,	Shern,
Bigger,	Goss,	McDermott,	Sherwood,
Bittles,	Gramley,	McKay,	Showalter,
Blair, W. A.,	Gransback,	Mellott,	Smith, J. W.,
Blair, W. F.,	Gray, Frank,	Metzenbacher,	Smith, L.,
Bleloch,	Hackett,	Miller,	Snyder,
Brosius,	Haggerty,	Missimer,	Spangler,
Brown,	Heidinger,	Mitchell,	Speiser,
Brownlee,	Herman,	Moore,	Spillinger,
Burnett,	Hess,	Morrow,	Steedle,
Caldwell,	Heyburn,	Moses,	Steele,
Campbell, C.M.,	Hibshman,	Musser,	Stein,
Campbell, J. J.,	Hobbs,	Neel,	Stone,
Carson,	Hoffman,	Neely,	Strauss,
Carter,	Howard, J.,	Newbaker,	Swartz,
Cheeseman,	Howard, R.,	Newton,	Swift,
Claycomb,	Irwin, G. C.,	North,	Thomas,
Cleary,	Irwin, H. H.,	O'Neill,	Trach,
Cochran,	Jackson,	Peachey,	Ulerich,
Collins,	Jones, E. E.,	Pennegar,	Ulman,
Conner,	Jones, J. R.,	Pennock,	Walsh,
Conniff,	Keegan,	Perry, H. L.,	Walton,
Conrade,	Keeport,	Perry, S. J.,	Watson,
Cox,	Kennedy,	Peters,	Wettach,
Currier,	Kern,	Post,	Whitaker,
Curry,	Kitts,	Price,	Whitman,
Davis,	Klepper,	Ramsey,	Wildman,
DeFrees,	Kuhn, H. P.,	Redfield,	Williams,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Donahoe,	Lanius,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Rex,	Wiltbank,
Ehrhardt,	Lenker,	Rhoads,	Young, J. H.,
Eichenberger,	Leslie,	Richards,	Zimmerman,
Ely,			Alter, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL RECOMMITTED.

Mr. BAYLE. Mr. Speaker, with the consent of the sponsor I move that House Bill No. 1126, file folio 2779, entitled:

An Act to prevent the polution of the waters of the rivers streams and lakes of this Commonwealth by requiring manufacturers to post upon the premises in a public and conspicuous place a permit to discharge refuse sewage offal or other matter in said rivers streams and lakes and such permit to be signed by the Commissioner of Health of this State and countersigned by the president of the local board of health providing for penalties for any violation thereof

on page 34 of to-day's Calendar be recommitted to the Committee on Public Health and Sanitation for further consideration.

Mr. BENSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS PLACED ON CALENDAR.

Mr. SHERN. Mr. Speaker, I move that House Bill No. 331, entitled:

An Act regulating annulment of marriage, divorces and alimony defining the kinds thereof the causes therefor and the defenses thereto regulating the jurisdiction of the courts over the same regulating the procedure of said courts in annulment and divorce proceedings the kind form enforcement and effect of the decrees of said courts and providing for appeals therefrom defining the effect of annulment or divorce upon property rights and upon the status of children and providing for the care custody and support of minor children prohibiting marriage with a particeps criminis declaring the effect of marriage on false rumor of death of either party and of foreign decrees and repealing consolidating and extending existing laws in relation to these subjects

known as the uniform divorce bill be placed on the Calendar notwithstanding the negative report of the Committee.

Mr. ROCKWELL. Mr. Speaker, under the rule I move that the House give unanimous consent to put this bill on the Calendar notwithstanding the negative report of the Committee.

The SPEAKER. Will the House give unanimous consent to placing this bill on the Calendar notwithstanding the negative report of the Committee? Is there any objections? The Chair hears none and consent is granted.

Mr. SHERN. Mr. Speaker, I also move to place House Bill No. 330, entitled:

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

on the Calendar, notwithstanding the negative report of the Committee.

Mr. KITTS. Mr. Speaker, I second the motion.

Mr. ROCKWELL. Mr. Speaker, under the rule, I move that the House give unanimous consent to this bill also.

The SPEAKER. On the question of the motion to place these bills on the Calendar notwithstanding the negative report of the Committee, 83 gentlemen having voted in the affirmative, more than the number required by the rule.

The bills will be placed on the Calendar.

Mr. STEIN. Mr. SPEAKER, I desire to offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that House Bill No. 432, defining and limiting the powers of the State Constabulary be placed on the calendar notwithstanding the negative recommendation of the Committee on Law and Order

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEIN. Mr. Speaker, I would like to suggest that this is the bill, which limits the powers of the State Constabulary by keeping them away from strikes and lockouts and so forth, and it is desired by the labor element: and I would like the Speaker to adopt the same line of action on this motion as on the previous ones disposed of.

The SPEAKER. The Chair will state that hereafter these questions will be determined by a standing vote unless a roll call is demanded.

Mr. ROCKWELL. Mr. Speaker, the purpose I had in offering this course of procedure was to save time and save a roll call.

On the question recurring,

Will the House agree to the motion?

A rising vote was then taken.

The SPEAKER. Sixty-three, or more than the number required by the rule, having voted in the affirmative, the bill will be placed upon the Calendar.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 1065, entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a Canal Board to have charge of said work prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurer of this Commonwealth authorizing the said Canal Board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

on page 37 of today's Calendar, bills on third reading, for the purpose of having it committed to the Committee on Appropriations.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1065, as follows:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indiana Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or water-way and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurer of this Commonwealth authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania shall locate construct maintain and operate a canal or waterway having a navigable depth of not less than twelve feet from the junction of the Ohio and Beaver Rivers in Pennsylvania thence by way of the Beaver and Mahoning Rivers in the State of Pennsylvania and the Mahoning River in the State of Ohio to a point at or near Niles Ohio thence northwardly through the State of Ohio to a terminal on Lake Erie at or near the mouth of Indian Creek in the State of Ohio together with all such locks dams tunnels aqueducts feeders to supply water from any lakes rivers streams or water courses docks harbors reservoir for the supply of water for the canal or its feeders basins piers quays bridges viaducts sidings offices lock houses telegraph and telephone lines power-plants and all other structures appliances or devices of any and all kinds which may be necessary or convenient for the proper construction maintenance and operation of said canal and the development and utilization of the water power that may be created in the construction and operation thereof

Whenever the words "canal or waterway and appurtenances" are hereafter used in this act they shall unless otherwise explained by the context be deemed to refer to and include the canal or waterway and all the works described in this section The cost of constructing completing and installing the aforesaid canal or waterway and appurtenances including salaries and all other expenses incurred by the board hereinafter mentioned in accordance with the provisions of this act while doing said work shall be paid out of funds provided in the manner hereinafter set forth

Section 2 The location construction maintenance management and operation of the said canal or waterway and appurtenances shall be in charge and under the control of a board to be known as "The Lake Erie and Ohio River Canal Board of Pennsylvania" which shall have the powers and duties specified in this act and all powers necessary or proper to enable it to carry out the purposes hereof

The board shall consist of five members to be appointed by the Governor by and with the advice and consent of the Senate two of whom may be non-residents of the Commonwealth of Pennsylvania The Governor shall designate one of the members of said board as president who when present shall preside at all meetings of the board The members of the board first appointed shall continue in office for the term of four five and six years respectively as designated by the Governor in making said appointments from the date of their appointment and until their successors shall have been appointed and shall have qualified The successors of the members first appointed time to time as afaoresaid shall be appointed and serve for a term of six years and until their successors shall have been appointed and shall have qualified except in cases of appointment to fill vacancies occurring otherwise than by lapse of time When a vacancy shall occur in the said board a member shall be appointed in the manner aforesaid for the unexpired term of the member in whose place the new member shall be appointed

If the Senate shall not be in session when this act is approved or when a vacancy occurs or a term of office of any member expires the Govenor shall make his appointment subject to the approval of the Senate when convened

No vacancy in the board shall impair the right of the remaining members of the board to exercise all the powers of the board

Section 3 Each member of the board shall before entering upon the duties of his office take and subscribe the oath of office prescribed by article seven of the Constitution of this Commonwealth

Each member of the board shall also before entering upon the duties of his office give an official bond payable to the Commonwealth of Pennsylvania in the sum of twenty-five thousand ($25,000.00) dollars with sufficient surety or sureties to be approved by the Governor and the Attorney General conditioned for the faithful discharge of his office and the faithful accounting of all moneys entrusted to him as such member whenever and as often as he shall be lawfully required Said oath and bond shall be filed in the office of the Secretary of the Commonwealth

No member of the board shall be interested directly or indirectly in any contract for work to be done for or supplies to be sold to the board or have any interest whatever in any hydraulic works or any company dependent upon the canal or waterway for a supply of water or in any line of boats regularly navigating the said canal Nor shall any member of the board hold any other office or position or be engaged in any business employment or vocation the duties of which are incompatible with or interfere with the performance of the duties of his office as such member of the board

Section 4 The Governor shall remove from office any member of the board for inefficiency neglect of duty or misconduct in office or who shall violate the provisions of section three of this act The Governor shall furnish to any such member of the board a copy of the charges against him and afford him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days notice If after hearing such member shall be removed the Governor shall file in the office of the Secretary of the Commonwealth a complete statement of all charges made against such member and his findings thereon together with a complete record of the proceedings and there shall be no right to review the same in any court

Section 5 The board shall have authority to make all rules and regulations consistent with the laws of this Commonwealth that it may deem necessary in the conduct of its business and the exercise of its powers

All business of said Board shall be transacted at meetings held in accordance with its rules A majority of the members of the Board shall constitute a quorum for the transaction of any business or the exercise of any power of the Board The affirmative vote of a majority of the members of the Board shall in all cases be necessary to authorize the making of any contract or the appropriation or expenditure of money

Section 6 The Board shall elect a secretary a treasurer a chief engineer and such officers engineers draughtsmen attorneys experts clerks and employes as it may deem necessary all of whom shall hold office during the pleasure of the Board and shall receive such compensation and perform such duties as may be prescribed by the Board

The Attorney General ex officio shall be the general counsel of the Board.

Section 7 It shall be the duty of the secretary to keep a full and true record of all the proceedings of the Board in a book or books to be kept for that purpose which shall contain a record of the votes of the several members of the

Board upon all resolutions authorizing the making of contracts or the expenditure or appropriation of moneys He shall be the custodian of all the records documents and papers of the Board and shall be responsible to the Board for the same

The treasurer before entering upon the duties of his office shall give bond conditioned for the faithful performance of his duties with such sureties and in such amount as may be required by the Board He shall keep full and true accounts in detail of all moneys received from all sources by the Board and the disposition made thereof He shall make all disbursements and sign all vouchers for the payment of money by the Board shall keep on file specifically itemized vouchers in such form as may be required by the Auditor General accounting for all moneys disbursed and shall perform such other duties as may be prescribed by the Board or by law

Section 8 During the time required for the preparation of the survey and the estimates provided for in section twelve of this act the President of the Board shall receive a salary at the rate of five thousand dollars per annum and each of the other members of the Board shall receive a salary at the rate of four thousand dollars per annum. They shall then serve without compensation until such time as the construction of said canal or waterway and appurtenances may be proceeded with under the terms and provisions of this act whereupon the President of the Board shall thereafter receive an annual salary of twelve thousand dollars and each of the other members of the Board an annual salary of ten thousand dollars

Each member of the Board its secretary treasurer chief engineer attorneys and other officers agents employees and appointees shall be paid in addition to their stipulated or agreed salary or compensation all traveling expenses necessarily incurred by each of them in the performance of their official duties

All salaries and compensation payable under this act shall be payable at such times as may be determined and fixed by the Board

Except as hereinafter provided all salaries and compensation and all other expenses and liabilities of every kind incurred by the Board including those for work done under contract for materials supplies machinery and property and rights acquired by purchase or condemnation when properly certified upon voucher by the treasurer and countersigned by the President of the Board shall be audited by the Auditor General and when audited and allowed shall be paid out of moneys herein specifically appropriated for this purpose by warrants drawn therefor by the Auditor General upon the State Treasurer

All expenses of the Board of such a nature as to make it impracticable for the Board to file with the Auditor General itemized receipts or vouchers prior to the advance by the accounting officers of funds sufficient to meet such expenses shall be paid out of moneys specifically appropriated for the purpose in the manner provided by an act entitled "An Act prescribing a method for disbursing and accounting for certain appropriations to departments bureaus commissions and other branches of the State Government" approved the twenty-third day of April Anno Domini one thousand nine hundred and nine

Section 9 The principal office of the Board shall be in the city of Harrisburg in rooms designated by the Board of Commissioners of Public Grounds and Buildings Branch offices may be established in the city of Pittsburgh or elsewhere as the Board may deem necessary

The Board of Commissioners of Public Grounds and Buildings shall upon requisition of the Secretary of the Board furnish the Board with all necessary books office furniture stationery and supplies

The printing and binding necessary for the proper performance of the duties of the Board shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon requisition of the Secretary of the Board

Section 10 The Board shall on or before the second Monday of January in each year make a full report to the Governor of the Commonwealth of all its operations during the year including a detailed statement of all expenditures contracts entered into cost and character of the work done and such other information as may be proper or required

Section 11 All contracts instruments and writings may be executed and suits prosecuted by the Board in the name of "The Lake Erie and Ohio River Canal Board of Pennsylvania" The Board may also sue and be sued in said name in any court of competent jurisdiction of the States of Pennsylvania or Ohio on any cause of action arising within the respective States in the same manner and to the same extent as a corporation organized under general laws of said respective States for the construction operation and maintenance of such canal or waterway and appurtenances could be sued Service of process issuing out of either the courts of this State or the State of Ohio may be made upon the Board at its principal office in the city of Harriburg or at its office in the city of Pittsburgh Pennsylvania The Board may also adopt an official seal to be furnished by the Secretary of the Commonwealth and may authenticate all its official acts with the same

Section 12 The Board so soon as there shall have been appropriated to its use sufficient funds shall prepare or cause to be prepared a survey for the said canal or waterway and appurtenances together with estimates of the cost of constructing completing and installing the same exclusive however of the cost of constructing a harbor on Lake Erie

The work of construction of said canal or waterway and appurtenances herein provided for shall not be proceeded with nor any contracts entered into nor any liability incurred therefor until there shall have been rendered available to the Treasurer of this Comonwealth by the various counties in the States of Pennsylvania Ohio and West Virginia or any of them in aid of the construction of said canal or waterway and appurtenances appropriations of money or bonds of said counties duly authorized to be issued for the purpose and until appropriations shall have been made and rendered available to the said Treasurer by this Commonwealth the State of Ohio and West Virginia the Federal Government or any of them or by any other public authority in such sums that the total amounts of the said appropriations and the said bonds shall in the aggregate be not less than the cost of constructing completing and installing the said canal or waterway and appurtenances as estimated by the Board

Section 13 The Treasurer of the Commonwealth shall from time to time notify the county commissioners of the various counties in said States which have authorized bonds to be issued in aid of said canal or waterway as aforesaid to issue and sell so many of said bonds of their respective counties as may in the opinion of said Treasurer be rendered necessary by the progress of the work each of said counties however to be required to issue and sell from time to time only its proportionate share of said bonds When so notified by the said Treasurer the county commissioners of the said counties shall issue and sell the bonds so required to be issued and sold and shall upon the sale thereof forthwith pay the proceeds derived therefrom to the said Treasurer

The proceeds of said bonds together with the other funds appropriated by the various public authorities as aforesaid shall be kept by the said Treasurer in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a sparate fund and the moneys in said separate fund are hereby specifically appropriated for the purpose of defraying the cost of constructing completing and installing the said canal or waterway and appurtenances including salaries and all other expenses incurred by the Board in accordance with the provisions of this act while doing said work and the said fund shall be disbursed by the said Treasurer without further act of apporpriation in the manner provided in section eight of this act

Section 14 The Board shall have authority to enter into such proper arrangements and agreements subject to the approval of the Auditor General and Treasurer of the Commonwealth with the respective county commissioners of the various counties of the States of Pennsylvania Ohio and West iVrrginia appropriating money or authorizing bonds to be issued in aid of said canal or waterway as to said parties may seem necessary for the purposes of co-operation safe-guarding the interests of said contributing counties with respect to their said contributions and effectively carrying into operation the provisions of this act

Section 15 Subject to the limitations specified in section twelve of this act the Board is hereby authorized empowered and directed to do or cause to be done all things necessary or proper for the construction completion and installation of the said canal or waterway and appurtenances and in the exercise of its said authority the Board may enter into all such contracts and agreements acquire all such property and rights of any and all kinds receive releases of damages and do all other acts and things which to it may seem necessary or desirable

Section 16 The Board shall have power and authority to enter upon any land for the purpose of making an examination and survey for said canal or waterway and appurtenances and shall have power and authority to enter upon take use and occupy and appropriate any lands rights rights of way rivers creeks lakes streams water-courses ponds swamps reservoirs bridges building structures or other property or rights of property whether devoted to a public or private use which in the opinion of the Board are necessary for the proper construction operation maintenance or repair of the said canal or waterway and its appurtenances and the Board shall also have power and authority to enter upon any lands adjoining or in the neighborhood of the said canal or waterway and appurtenances and to quarry dig cut take and carry away therefrom any stone gravel clay sand earth wood or other material which may be necessary or proper for the construction operation maintenance or repair of said canal or waterway and its appurtenances Provided however That before the Board shall enter upon take possession of or appropriate any such land rights rights of way rivers creeks lakes streams watercourses ponds swamps reservoirs bridges buildings structures materials or other property appropriated under the authority herein given it shall make compensation to the owner or owners thereof at such prices as may be agreed upon by the Board and said owners or file an adequate bond therefor in the court of Common Pleas of the proper county to be approved by the court Written notice shall be given by the Board to the said owner or owners or to the attorney or agent of any such person absent or to guardian or committee of any person under legal incapacity of the time and place when and where said bond shall be filed and approved And the court having jurisdiction of the matter shall have the power at any time during vacation or when such court shall not be in session to approve said bond and direct the same to be filed in court for the benefit of the parties entitled In case no agreement can be made with the said owner or owners by reason of their absence or legal incapacity or for any other reason for the compensation to be paid to him or them for the damage done or likely to be done to or sustained by said owner or owners by reason of the appropriation of said lands streams water-courses material or other property under the authority herein given the court of Common Pleas of the proper county on application thereto by petition either of said owner or owners or any one in their behalf or of said Board shall appoint seven discreet and disinterested freeholders of said county none of whom shall be residents or owners of property upon or adjoining the line of such canal or waterway and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained of which time and place ten days' notice shall be given by the petitioner to the said viewers and the other party or parties or to their authorized agents or representatives and the said viewers or any five of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a

true report make concerning all matters and things to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises they shall estimate and determine the quantity quality and value of such lands and property so taken or occupied or to be taken or occupied or the material so used or taken away as the case may be having due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said land or materials in consequence of the making or opening of said canal and of the construction of embankments locks dams buildings works and other devices connected therewith After having made a fair and just comparison of said advantages and disadvantages they shall remit and determine whether any and if any what amount of damages has been or may be sustained and to whom payable and make report thereof to the said court and if any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon which said judgment together with the costs of the proceedings shall be paid in the same manner as other expenses incurred by the Board are paid by it Each of said viewers shall be entitled to five dollars per day for every day necessarily employed in the performance of the duties herein prescribed to be paid by the said Board

Section 17 In any case when it shall be made known to the court of common pleas of the proper county by petition affidavit or otherwise that there is a disputed doubtful or defective title or that any party interested in any lands streams water-courses material or other property appropriated under the authority herein given is absent unknown or under legal incapacity or for any reason cannot be bargained with or served with notice within the county where the lands streams water-courses material or other property are situate the court which shall have jurisdiction of the appointment of viewers and assessment of damages in such case shall on application of the canal Board direct the filing of a proper bond for the use of the person or persons who may be found to be entitled to the damage done or likely to be done or sustained by the taking and appropriation of such lands streams water-courses material or other property and when such bond shall be so approved and filed and when upon the petition of said Board viewers to assess the said damages shall be appointed the said court shall direct notices of the approval and filing of said bond and of the appointment and time and place of meeting of said viewers respectively to be published in two newspapers published in the county where the lands streams water-courses material or other property are situate if two are published twice a week for two weeks after the bond is filed and before the day appointed for the meeting of the viewers and the bond so filed and the notice or notices so published shall have the like effect as if written notice of the time and place of filing and approval of said bond had been given to the parties entitled and as if personal notice had been served on the party or parties owning or claiming such lands streams water-courses material or other property Provided however That when the residences of any such parties shall be known to such board a copy of such published notices shall be sent to them by mail or otherwise

It shall be the duty of the court having jurisdiction of the appointment of viewers and assessment of damages at the time of the application of the Board for the appointment of viewers to appoint a guardian ad litem or trustee as the circumstances of the case shall require for such interested party who is absent unknown or under legal incapacity or from any cause cannot be bargained with or served with notice and such guardian ad litem or trustee shall represent the interests of the person of whom he is guardian ad litem or trustee in all the subsequent proceedings

Section 18 The viewers provided for in this act may be appointed before or after the entry for constructing said work or taking materials therefor and after filing of the bond as hereinbefore provided for and upon the report of the said viewers or any four of them being filed in said court either party within thirty days thereafter may file his her their or its appeal from said report to said court after such appeal either party may put the case at issue in the form directed by said court and the same shall then be tried by said court and a jury and after final judgment either party may have a writ of error therefor from the Superme or Superior Court in the manner prescribed in other cases The said court shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders connected with the same as may be deemed requisite. If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as before provided

Section 19 In case the said canal or waterway and appurtenances shall be located or constructed over or upon a property situate in two or more counties the board and the owners of the property or their authorized agents or representatives may by agreement submit the matter of the approval of the damage bond and the assessment of damages to the court of common pleas of either one of the counties in which the land lies Where such agreement cannot be made the court of common pleas of the county in which the principal mansion house of such property shall be situate or if there shall be no mansion house thereon then the court of common pleas of the county wherein the principal part in area of such property is situate shall have the jurisdiction of all questions of security for and assessment of damages aforesaid

Section 20 If the board shall deem it necessary in the construction of said canal or waterway and its appurtenances to change the site or location or to otherwise alter any highway public or private road bridge railroad dam water-power works waterways pipes pipe lines conduits or other avenue of transportation either public or private telegraph or telephone lines sewers drains culverts tunnels buildings or other works public or private it shall cause the same to be changed altered and reconstructed forthwith at its own proper cost and expense on the most favorable location The damages incurred in making the change and alterations herein provided for shall be ascertained and paid by the board in the manner provided for in sections sixteen seventeen eighteen and nineteen of this act

Section 21. The board in the construction of said canal shall have authority to enter upon and cross any public highway or railroad but in such places where said canal shall pass or cross any existing public highway or railroad which at the time of construction of the canal shall be opened and used as such the board shall build and keep in good repair suitable and convenient bridges over the said canal

Section 22 All contracts for work to be done under authority of this act exceding in amount the sum of five hundred dollars shall be let to the lowest responsible bidder The board shall have power to reject any or all bids not satisfactory to it and readvertise until it shall receive satisfactory bids Every person firm or corporation before being awarded any contract by the board shall furnish a bond with sufficient surety or sureties acceptable to the board in a sum equal to fifty per centum of the contract price of the work conditioned for the faithful and complete performance of his or its contract Advertisements for proposals shall be made by the board at least three weeks before the contract is awarded by notices inserted once a week in at least two newspapers of general circulation to be selected by the board Said advertisements shall designate where the plans and specifications may be had and the time and place of the reception of the bids and the letting of the contract

All contracts shall be executed in the name of the board and signed by the president and secretary

Section 23 Upon the completion of the canal or waterway and appurtenances the board shall maintain and operate the same and shall prescribe such rules and regulations for the use administration and navigation thereof as in the judgment of the board may seem expedient including the fixing and determining of the size and form of boats crafts and other vessels that shall be used for the purpose of navigating such canal the time and manner of passing the locks and the speed of vessels in passing through such canal Provided however That the same shall not be in conflict with the Constitution or laws of the State of Pennsylvania State of Ohio or of the United States

Such rules and regulations shall be posted in conspicuous and appropriate places for the information of the public and every person who shall violate any of such rules and regulations shall be deemed guilty of a misdemeanor and on conviction thereof in the proper court of the county within whose territorial jurisdiction such offense may have been committed shall be punished by a fine not exceeding five hundred ($500.00) dollars or by imprisonment not exceeding six months in the discretion of the court

Section 24 The board shall have full power and authority to fix the rate of toll to be charged the vessels boats and other craft using the said canal subject however to the approval and regulation of the Interstate Commerce Commission in cases of vessels, boats or other craft engaged in interstate commerce

Section 25 The board shall have authority from time to time to lease any water power developed or created in connection with any part of the canal of waterway and appurtenances herein authorized subject however to the following conditions

No lease shall be made of any water power until the machinery and appliances for making the same available shall have been constructed and substantially competed Before any such lease shall be made at least thirty (30) days' public notice thereof shall be given by publication in such newspapers of general circulation and by such other notices as the board may deem best The board shall have power to require the bids to be accompanied by security and may reject all bids not satisfactory to it and re-advertise until it receives satisfactory bids

No lease shall be for a period exceeding ten years, but the said board may provide for the extension of any lease from time to time not exceeding ten years at any one time at a rent to be fixed by an appraisal to be made by three disinterested appraisers to be selected or appointed in such manner as shall be provided in the lease

The board shall also have the right from time to time to sell any surplus water not needed for the operation of the canal or waterway and its appurtenances at such rates and prices as it may deem proper All agreements for sale of such surplus water shall provide that they may be terminated in whole or in part whenever the board shall deem the whole or any part of such surplus waters desirable for the purposes of the canal and its appurtenances

Section 26 All rents toll rates charges and all other income received by the said board shall be in charge of the Treasurer thereof who shall deposit the same monthly with the Treasurer of the Commonwealth The moneys so paid to the said Treasurer of the Commonwealth shall be kept by him in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a separate fund The moneys in said fund shall be used for the purpose of paying the cost of maintenance operation and improvement of said canal or waterway and appurtenances including salaries and all other expenses of the board and of making distribution among the contributing counties as provided in section twenty-seven of this act and for these purposes the said moneys in said fund are hereby specifically appropriated and shall be paid out by the Treasurer of the Commonwealth in the same manner as other expenditures herein provided for are paid by him without further act of appropriation

Section 27 That out of the surplus of rents tolls rates charges and other income accuring from the operation of said canal or waterway or the sale of water or water power remaining after the payment of the cost of operation maintenance and improvement as hereinbefore provided the Treasurer of the Commonwealth shall from time to time set aside such sums as the board may recommend and deem

consistent with the proper maintenance operation and management of the canal and its appurtenances and make pro-rata distribution thereof among the contributing counties until the said contributing counties have been repaid the amount of their contributions principal and interest each county to receive such proportionate part as its contribution bears to the total sum contributed by the various counties in aid of the construction of said canal of waterway and appurtenances

Section 28 The sum of one hundred and fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses of the board in making the survey and preparing the estimates provided for in section twelve of this act said expenses to be paid in the manner provided in section eight of this act

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1025, as follows:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of October in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act which provides as follows

"That it shall be the duty of the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of September in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils to levy and fix a tax rate on or before the first day of October in each and every year for the year next ensuing the amount of tax money collectible during the year for which such tax shall have been levied shall be ascertained by deducting from the gross amount yielded by said tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceeding as shall have remained uncollected at the end of each of the said years and the tax moneys collectible during the current year shall with the average income from sources other than from current tax moneys exclusive of sinking fund recepits (such average of income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness other than which may be outstanding at the passage of this act which the city controller may estimate to be outstanding upon the first day of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payments of interest and for sinking fund) pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year for each department board commission or trust connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been brought within the sum yielded by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the first day of October in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate" be and the same is hereby amended so as to read as follows

"It shall be the duty of the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of October in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing the amount of tax moneys collectible during the year for which such tax shall have been levied shall be ascertained by deducting from the gross amount yielded by said tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollected at the end of each of the said years and the tax moneys collectible during the current year shall with the average income from sources other than from current tax moneys exclusive of sinking fund receipts (such average of income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness other than which may be outstanding at the passage of this act which the city controller may estimate to be outstanding upon the first of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payments of interest and for sinking fund) pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year of each department board commission or trust connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been brought within the sum yielded by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the first day of December in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideraton of House Bill No. 117, as follows:

An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the payment of blls incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several objects hereinafter named for the two fiscal years commencing on the first day of June one thousand nine hundred and thirteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen to be paid out of any moneys in the Treasury not otherwise appropriated

Section 2 For the payment of the salaries of the several State officers the clerks and employees in the several departments of the State Government and for the incidental expenses of the said departments the following sums or so much thereof as may be necessary the same to be paid on the warrant of the Auditor General upon the State Treasurer in the amounts as follows and in the manner prescribed by law

EXECUTIVE DEPARTMENT

For the payment of the salary of the Governor two years the sum of twenty thousand dollars ($20,000)

For the payment of clerk hire two years the sum of twenty-six thousand two hundred dollars ($26,200)

For the payment of contingent expenses two years the sum of twenty-eight hundred dollars ($2,800)

For the payment of the salary of the Lieutenant Governor two years the sum of ten thousand dollars ($10,000)

For the payment of postage express charges and other incidental expenses of the Lieutenant Governor the sum of one thousand dollars ($1,000) for the two fiscal years commencing June first one thousand nine hundred and thirteen in addition to an amount fixed by an act of Assembly approved June twelfth one thousand eight hundred and ninety-three

For all contingent expenses including clerical and stenographic charges for the Executive Department the sum of four thousand dollars ($4,000) for the two fiscal years commencing June first one thousand nine hundred and thirteen

EXECUTIVE CONTROLLER DEPARTMENT

For the payment of the salary of the Executive Controller two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Assistant Executive Controller two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the stenographer and typewriter two years the sum of two thousand dollars ($2,000)

For the payment of contingent expenses extra clerk hire investigations and traveling expenses two years the sum of four thousand dollars ($4,000)

STATE DEPARTMENT

For the payment of the salary of the Secretary of the Commnwoealth two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the Deputy Secretary of the Commonwealth two years the sum of six thousand dolllars ($6,000)

For the payment of clerk hire including messenger and night watchman two years the sum of seventy-eight thousand five hundred dollars ($78,500)

For the payment of postage express charges and contingent expenses two years the sum of nine thousand dollars ($9,000)

AUDITOR GENERAL'S DEPARTMENT

For the payment of the salary of the Auditor General two years the sum of sixteen thousand dollars ($16,000)

For the payment of the Auditor General for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars ($1,200)

For the payment of the salary of the Deputy Auditor General two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the chief clerk two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the corporation clerk two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the clerk to the Board of Public Accounts two years the sum of one thousand dollars ($1,000)

For the payment of clerk hire two years the sum of one hundred and seventy-five thousand dollars ($175,000)

For the payment of compensation and expenses of persons appointed in pursuance of law to examine the accounts of city and county officers or of individuals required by law to make report to the Auditor General of moneys due on account of fees or taxes collected for the use of the Commonwealth two years the sum of two thousand dollars ($2,000)

For the payment of postage express charges cost of filing liens and contingent expenses two years the sum of ten thousand dollars ($10,000)

For the purchase of patent indices registers law books and other books necessary for the proper conduct of the work of collecting taxes from corporations and auditing accounts two years the sum of two thousand dollars ($2,000)

For the payment of the salaries of expert accountants appointed under authority of the act of July fifteen eighteen hundred and ninety-seven (Pamphlet Laws two hundred ninety-one) two years the sum of fiftten thousand dollars ($15,000)

For the payment of necessary expenses of said expert accountants incurred in the discharge of their duties two years the sum of twelve thousand dollars ($12,000)

DEPARTMENT OF INTERNAL AFFAIRS

For the payment of the salary of the Secretary of Internal Affairs two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the Deputy Secretary of Internal Affairs two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the clerk to the Board of Public Property two years the sum of four hundred dollars ($400)

For the payment of the salaries of the other officials clerks and employes in the Department of Internal Affairs two years the sum of eighty-seven thousand dollars ($87,000)

For the payment of the salary of the Chief of the Bureau of Standards in the Department of Internal Affairs two years the sum of four thousand dolllars ($4,000)

For the payment of contingent expenses two years the sum of six thousand dollars ($6,000)

For the payment of traveling and other incidental expenses for the collection of statistics by the Bureau of Industrial Statistics of the Department of Internal Affairs for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of twelve thousand dollars ($12,000) said amount to cover the contingent fund provided by the act of Assembly of one thousand eight hundred and seventy-four and in addition thereto the expenses of collectors of statistics appointed under the act of Assembly approved April fourth one thousand eight hundred and eighty-seven (Pamphlet Laws page twenty-six) and also to cover such extra services as may be required in compiling data for the annual report

For the payment of services rendered and expenses incurred in the collection of tax statistics and for the compilation of the same as required by the act of Assembly approved May ninth one thousand eight hundred and eighty-nine for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of ten thousand dollars ($10,000) to be paid upon the warrant of the Auditor General upon specifically itemized vouchers certified by the Secretry of Internal Affairs

For the payment of necessary services and expenses incurred through the Bureau of Railways of the Department of Internal Affairs in the investigation of complaints made against corporations under sections four and five of the act approved the eleventh day of May one thousand eight hundred and seventy-four for the necessary services and expenses incident to the investigation against delinquent corporations under the act approved the nineteenth day of April one thousand eight hundred and niney-seven and for the investigation of accidents and the securing of special reports as authorized under section eleven article seventeen of the Constitution for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of four thousand dollars ($4,000) All expenditures under this appropriation to be itemized and verified by oath on vouchers certified by the Secretary of Internal Affairs and filed with the Auditor General

For the temporary employment of draftsmen in copying of surveys or other ancient papers important to be preserved in the Land Office Bureau as required by the act approved the sixteenth day of February one thousand eight hundred and thirty-three (Pamphlet Laws page forty-seven) for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of forty thousand dollars ($40,000)

For the expenses incident to the investigating and surveying of vacant or unappropriated land as authorized and provided in the first section of the act entitled "An Act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant and unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" approved the third day of May one thousand nine hundred and nine for the two years beginning June first one thousand nine hundred and thirteen the sum of two thousand dollars ($2,000)

For the payment of postage express charges and other incidental charges and expenses of the department two years the sum of three thousand dollars ($3,000)

For the payment of skilled draftsmen surveyors and other assistants necessary to the proper continuation of the warrantee map work authorized by act of Assembly approved June thirteenth one thousand nine hundred and seven and subsequent amendments and supplements thereto including all necessary traveling and subsistence expenses in the field work of the same for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of five thousand dolllars ($5,000)

For the inspection and repairs of State boundary line monuments under authority of section two of the act of Assembly approved May fourth one thousand eight hundred and eighty-nine and subsequent amendments and supplements thereto for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of three thousand dollars ($3,000)

For the payment of traveling and other contingent expenses of the Bureau of Standards as required by the act of Assembly approved June twenty-third one thousand nine hundred and eleven for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of three thousand six hundred dollars ($3,600) and for additional equipment the sum of five hundred dollars ($500)

TREASURY DEPARTMENT

For the payment of the salary of the State Treasurer two years the sum of sixteen thousand dollars ($16,000)

For the payment of the State Treasurer for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars ($1,200)

For the payment of the salary of the cashier two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant cashier two years the sum of five thousand dollars ($5,000)

For the payment of clerk hire including messenger and two watchmen two years the sum of sixty-six thousand eight hundred dollars ($66,800)

For the payment of such compensation of such extra clerks as the State Treasurer may find it necessary to employ for the purpose of balancing and transferring accounts making new indices or for the purpose of rendering any other general assistance to the regular clerical force two years the sum of fifteen thousand dolllars ($15,000) the necessity for the employment of extra clerical assistance and the monthly wages of all extra clerks employed to be determined and fixed by the State Treasurer

For the payment of contingent expenses two years the sum of three thousand dollars ($3,000)

For the purchase of patent indices law books and other books necessary for the proper conduct of the work of the department two years the sum of one thousand dollars ($1,000)

For the payment of traveling expenses of the State Treasurer cashier and bond clerk while on departmental business two years the sum of two thousand dollars ($2,000)

For the payment of postage express charges and other incidental expenses in the office of the State Treasurer two years the sum of four thousand dollars ($4,000)

For the payment of the cost of procuring bonds required to be given by employes of the Treasury Department to the State Treasurer for the faithful performance of their duties two years the sum of one thousand dollars ($1,000)

ATTORNEY GENERAL'S DEPARTMENT

For the payment of the salary of the Attorney General two years the sum of twenty-four thousand dollars ($24,000)

For the payment of the salary of the Deputy Attorney General two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the two Assistant Deputies Attorney General two years the sum of fourteen thousand dollars ($14,000)

For the payment of clerk hire two years the sum of nineteen thousand four hundred dolllars ($19,400)

For the payment of the contingent expenses official fees witness fees serving processes and for such other costs as the Commonwealth may be liable to pay in cases in which the Commonwealth is or may be a party and for the payment of postage express charges the purchase of law books for the law library of the Attorney General's Department and other incidental expenses for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of thirty thousand dollars ($30,000)

For the payment of the services and expenses of attorneys employed by the Attorney General to assist in the prosecution and trial of cases and the prosecution of claims

in which the Commonwealth is interested and in cases in which in the judgment of the Attorney General and the Commonwealth should intervene by the employment of counsel and for the payment of the services costs and expenses of special district attorneys appointed by the Attorney General for the two fiscal years commencing June first one thousand nine hundred and thirteen and for the payment of the services costs and expenses of such attorneys or special district attorneys rendered incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirteen the sum of twenty thousand dollars ($20,000)

For the payment of costs fees and expenses in the collection of amounts due the Commonwealth for the support and maintenance of the insane confined in the various asylums in the Commonwealth and chargeable to the Commonwealth and counties the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

BANKING DEPARTMENT

For the payment of the salary of the Commissioner of Banking two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Deputy Commissioner of Banking two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Chief Clerk two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of four clerks two years two thousand eight hundred dollars each the sum of eleven thousand two hundred dollars ($11,200)

For the payment of the salaries of two stenographers and typewriters two years two thousand dollars each the sum of four thousand dollars ($4,000)

For the payment of the salary of the messenger two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the contingent expenses two years the sum of four thousand five hundred dollars ($4,500)

For the payment of the salaries of employes and other expenses incident to the supervision of private banks as provided for in the act approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" two years the sum of twelve thousand dollars ($12,000)

For the payment of the salaries and expenses of the examiners two years the sum of one hundred and fifty-five thousand dollars ($155,000) this item to include any technical or additional expert evidence which may be necessary to determine the solvency of Institutions under the supervision of the Banking Department

For the payment of necessary expenses occasioned by instituting proceedings for violation of the act approved the twenty-third day of April Anno Domini one thousand nine hundred and nine defining certain misdemeanors and authorizing the Commissioner of Banking to institute prosecutions two years the sum of three thousand dollars ($3,000)

DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of the salary of the Superintendent of Public Instruction two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the Deputy Superintendents clerks and messenger two years the sum of twenty-one thousand dollars ($21,000)

For extra clerical assistance necessary in the distribution of the appropriation to the common schools two years the sum of six hundred dollars ($600) Provided That the sum paid for such clerical assistance shall not exceed one hundred dollars per month for three months of each of said two years

For the payment of the contingent expenses two years the sum of seven thousand dollars ($7,000)

For the payment of the expenses of the State Normal School Examiners two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of the high school inspectors two years the sum of sixteen thousand dollars ($16,000)

For the payment of the traveling expenses of the high school inspectors for two years the sum of eight thousand dollars ($8,000)

For the payment of the expert assistants in drawing agricultural education and industrial education two years the sum of twelve thousand dollars ($12,000)

For the payment of traveling and other expenses of the expert assistants in drawing agricultural education and indutsrial education the sum of six thousand dollars ($6,000)

For the payment of the expenses of the examining boards for State permanent certificates two years the sum of five thousand dollars ($5,000)

For the payment of four stenographers and typewriters two years the sum of eight thousand dollars ($8,000)

For the payment of the cost of circulating the Pennsylvania School Journal two years the sum of five thousand dollars ($5,000)

For the payment of lecturers and instructors employed by the Superintendent of Public Instruction to lecture and teach at meetings and summer schools held by the Pennsylvania Educational Association by the Pennsylvania State College and by associations incorporated for the purpose of promoting education and popular culture for two years the sum of twelve thousand dollars ($12 000)

BUREAU OF PROFESSIONAL EDUCATION

For the payment of the officers and assistants and expenses of the Bureau of Professional Education in the Department of Public Instruction for two years the sum of fifteen thousand dollars ($15,000)

BUREAU OF MEDICAL EDUCATION AND LICENSURE

For the payment of the salaries and expenses of the officers and members of the Bureau of Medical Education and Licensure and for incidenutal expenses including rent clerical services stenographer typewriting and other necessary assistance for two years the sum of thirty thousand dollars ($30,000)

STATE BOARD OF EDUCATION

For the payment of the necessary expenses of the members of the State Board of Education and the salaries of clerks stenographers and other employes and of other necessary expenses of the Board two years the sum of forty thousand dollars ($40,000)

COLLEGE AND UNIVERSITY COUNCIL

For the payment of the traveling expenses of the members of the College and University Council two years the sum of one thousand dollars ($1,000)

DENTAL COUNCIL OF PENNSYLVANIA

For the payment of the necessary expenses of the Dental Council for two years the sum of four thousand dollars ($4,000)

ADJUTANT GENERAL'S DEPARTMENT

For the payment of the salary of the Adjutant General two years the sum of twelve thousand dollars ($12,000)

For the payment of clerk hire in the Adjutant General's office and employes at the State Arsenal two years the sum of seventy-seven thousand one hundred and sixty dollars ($77,160)

For the payment of contingent expenses including the shipping of arms and so forth two years the sum of seven thousand eight hundred dollars ($7,800)

For the payment of the salaries of the State Military Board two years the sum of three thousand six hundred dollars ($3,600)

For classifying preserving editing and preparing for publication in book form copies of the important and historical letters telegrams and official rolls reports and communications relating to the participation of the Commonwealth of Pennsylvania in the War for the Suppression of the Rebellion and filed in the Adjutant General's Office during the years eighteen hundred and sixty-one to eighteen hundred and sixty-five inclusive the sum of two thousand five hundred dollars ($2,500)

For the payment of services rendered in computing compiling filing and collecting the balance due on claims of the State of Pennsylvania against the Government of the United States for stores furnished and expenses incurred by the State of Pennsylvania in furnishing its quota of troops for the Spanish American War the sum of two thousand dollars ($2,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General not exceeding however five per centum of the amount collected from the Government of the United States by the State of Pennsylvania on account of said claims

For the purchase of military stores in place of those sold or exchanged by the Adjutant General under the provisions of section fifty-five of an act of Assembly approved May fifth one thousand nine hundred and eleven reading as follows "The Adjutant General may with the approval of the Commander in Chief sell or exchange from time to time such military stores belonging to the Commonwealth as are found unserviceable or in state of decay or which it may be deemed for the interests of the Commonwealth to sell or exchange" and for the expense of packing and transportation in issuing new stores or receiving old or obsolete stores returned to the State Arsenal or for expenses for military purposes as the Military Board may direct Provided That payment by the Auditor General shall not at any time be in excess of the amount paid into the State Treasury by the Adjutant General as proceeds of such sales or exchanges the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary said payments to be made on the warrants of the Auditor General drawn upon the State Treasurer upon certificates of the Adjutant General showing amount paid into state Treasury and upon properly itemized vouchers being filed by the Adjutant General

For the payment to the organizations of the National Guard of Pennsylvania entitled thereto or to the United States Government of amounts recovered and paid into the State Treasury by or on account of officers of the National Guard delinquent in accounting for public moneys paid to them or military stores or supplies issued to such officers under the provisions of an act of Assembly approved May fifth one thousand nine hundred and eleven entitled "An Act providing for the organization discipline maintenance and regulation of the Organized Militia of the Commonwealth of Pennsylvania otherwise styled the National Guard of Pennsylvania" the sum of six thousand dollars ($6,000) or so much thereof as may be necessary payment to be made by warrants of the Auditor General drawn upon the State Treasurer upon proper certificate of the Adjutant General showing collection of moneys from sureties on bonds and payment of the same into the State Treasury

To reimburse the United States Government or organizations of the National Guard of Pennsylvania for losses incurred by fire in cases where such losses have been covered by insurance placed by the Adjutant General and the losses are adjusted by the insurance company or companies and payments made to the State of such losses and the amounts so recovered has been paid into the State Treasury and also to reimburse the United States Government for any United States Government stores sold by the Adjutant General and the money received for such sale has been paid into the State Treasury the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary the reimbursement to be made by warrant of the Auditor General drawn upon the State Treasurer upon proper certificate of loss or sale and duly itemized voucher being filed with the Auditor General by the Adjutant General

STATE ARMORY BOARD

For the payment of salaries of the members of the State Armory Board except members ex-officio the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary

INSURANCE DEPARTMENT

For the payment of the salary of the Insurance Commissioner two years the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of the Deputy Insurance Commissioner two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the actuary two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the examiner-in-chief and three assistant examiners one examiner of statements and four examiners two years the sum of forty two thousand dollars ($42,000)

For the payment of the salaries of two inspectors two years the sum of eight thousand dollars ($8,000)

For the payment of clerk hire including messenger two years the sum of seventy-seven thousand dollars ($77,000)

For the payment of contingent expenses and for traveling and contingent expenses of actuary examiners and inspectors two years the sum of fifty-two thousand dollars ($52,000)

STATE FIRE MARSHAL

For the payment of the salary of the State Fire Marshal two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Chief Assistant Fire Marshal two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the first second third and fourth special deputy State Fire Marshals two years the sum of twenty-four thousand dollars ($24,000)

For the payment of the salary of a statistician two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the chief clerk two years the sum of four thousand dollars ($4,000)

For the payment of the salary of messenger and celrk two years the sum of two thousand dollars ($2,000)

For the payment of the salaries of clerks and stenographers two years the sum of thirty thousand dollars ($30,000)

For the payment of the salaries of forty deputy State Fire Marshals two years the sum of one hundred and twenty thousand dollars ($120,000)

For the payment of contingent expenses for contingent traveling expenses of the State Fire Marshal his deputies and assistants for the reporting of fires and mileage incident thereto for the investigation of fires and inspection of property for the payment of services and expenses of attorneys and detectives employed by the State Fire Marshal to assist in the detection and prosecution of the crime of arson for the payment of witness fees the taking of testimony and the serving of processes for the demolition and removal of old and dilapidated buildings et cetera and for carrying out the provisions of the act established the Department of the State Fire Marshal for two years the sum of one hundred thousand dollars $100,000)

STATE LIBRARY

For the payment of the salary of the State Librarian two years the sum of nine thousand dollars ($9,000)

For the payment of the salry of the First Assistant State Librarian two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the Second Assistant State Librarian two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the clerk two years the sum of two thousand dollars ($2,000)

For the payment of the salary of an assistant in charge of the Division of Public Records in connection with the State Library two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of two night assisants two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries and necessary expenses incident to the preservation of the public records in the Division of Public Records two years the sum of sixteen thousand eight hundred dollars ($16,800)

For the payment of the salary of the messenger two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the night watchman two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of freight expressage postage cleaning rooms and miscellaneous expenses two years the sum of seven thousand dollars ($7,000)

For the payment of the salaries of four assistants in the Library at fifty dollars per month two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the annual subscription to at least one sum of six thousand dollars ($6,000)

For the payment of the annual subscription to at least one leading newspaper in each county of the Commonwealth for permanent preservation and the newspapers of seventeen cities of the United States and for completing the files of Pennsylvania newspapers two years the sum of one thousand two hundred dollars ($1,200)

For the purchase of miscellaneous books and illustrations two years the sum of fourteen thousand dollars ($14,000)

For the purchase of such English Parliamentary papers as may be deemed advisable by the Librarian and Trustees of the State Library two years the sum of seven hundred and fifty dollars ($750)

For the payment of the salaries and expenses incident to the work of preparing a law catalogue of the State Library and for the continuation of the regular cataloguing work of the Library two years the sum of five thousand eight hundred dollars ($5,800)

For the payment of the salaries and expenses incident to the completion of the work of preparing a catalogue of the State Library on the card catalogue plan for such indexing work as may be needed two years the sum of seven thousand dollars ($7,000)

To provide for the preparation and reproduction of papers and other matter of historical value two years the sum of one thousand eight hundred dollars ($1,800)

STATE MUSEUM

To provide for the expenses of the State Museum and for the payment of the employees necessary for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of twenty-two thousand eight hundred dollars ($22,800)

For the purchase of lantern slides to be added to the collection of the education division by the State Museum two years the sum of three thousand dollars ($3,000)

PENNSYLVANIA FREE LIBRARY COMMISSION

For the payment of the salaries and expenses incident to the establishment and maintenance of traveling libraries and other work authorized by section two of the act of Assembly establishing the Free Library Commission of Pennsylvania approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine two years the sum of thirty-six thousand dollars ($36,000)

For the payment of the traveling expenses of the members of the Free Library Commission and its officers two years the sum of one thousand dollars or so much thereof as may be necessary ($1,000)

LEGISLATIVE REFERENCE BUREAU

For the payment of the salary of the director of the Legislative Reference Bureau two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant director of the Legislative Reference Bureau two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of a reference division stenographer in the Legislative Reference Bureau two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of assistant stenographer in the Legislative Reference Bureau two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the search clerk in the Legislative Reference Bureau two years the sum of four thousand dollars ($4 000)

For the payment of the salary of the cataloguer in the Legislative Reference Bureau two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the messenger in the Legislative Reference Bureau two years the sum of one thousand eight hundred dollars ($1,800)

For the payment to the director of the Legislative Reference Bureau for maintenance and incidental expenses and emergency clerical help if necessary for two years the sum of six thousand dollars or so much thereof as may be necessary ($6,000)

For the payment of the salaries of the search clerks stenographers and record clerk in the Legislative Reference Bureau as provided by law for a period of one month prior to the session of the General Assembly of one thousand nine hundred and fifteen and during such session and during one month subsequent to such session the sum of seven thousand six hundred dollars or so much thereof as may be necessary ($7,600)

STATE REPORTER

For the payment of the salary of the State Reporter two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant State Reporter two years the sum of six thousand dollars ($6,000)

For the payment of stationary clerk hire and assistance two years the sum of six thousand dollars ($6,000)

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the salary of the Superintendent of Public Grounds and Buildings two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant Superintendent two years the sum of five thousand dollars ($5000)

For the payment of the salary of the bookkeeper two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the schedule clerk two years the sum of twenty-eight hundred dollars ($2,800)

For the payment of the salary of the stenographer two years the sum of twenty-four hundred dollars ($2,400)

For the payment of the salary of the storekeeper two years the sum of four thousand dolars ($4,000)

For the payment of the salary of the (additional) assistant storekeeper two years the sum of twenty-four hundred dollars ($2,400)

For the payment of the salary of the assistant storekeeper two years the sum of two thousand dollars ($2,000)

For the payment of the salary of one clerk two years the sum of twenty-eight hundred dollars ($2,800)

For the payment of the salary of the secretary of the board two years the sum of twelve hundred dollars ($1,200)

For the payment of the salary of the stenographer for the board two years the sum of four hundred dollars ($400)

For the payment of the salaries of the chief and assistant engineers of the power plant and all other employes required in conducting cleaning and making repairs and everything necessary for the safety and keeping of the buildings and grounds for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of two hundred and fifty-one thousand one hundred and sixty dollars ($251,160)

For the payment of premiums on insurance upon the State Capitol the Library-Museum the Capitol Conservatories the State Arsenal Buildings the State Quarantine Station Buildings the Executive Mansion and stables and the respective contents of the same also upon all other State property real personal or mixed and wherever situated which may be properly under the control and supervision of the Board of Superintendent of Public Grounds and Buildings for two years the sum of thirty thousand dollars ($30,000)

For the purchase of any article of furniture furnishings stationery supplies fuel or any other matters or things and for the payment of any repairs alterations or improvement the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition is made on the Superintendent two years the sum of one hundred thousand dollars ($100,000) which appropriation shall be known as the "Board's General Fund" Provided That no expenditure from said fund shall be made by the superintendent without first receiving authority from the board so to do and provided also That from this fund shall be paid any bills for designs or specifications ordered by the board and provided also That in awarding contracts under this schedule proposals for such contracts shall be invited by the Superintendent of Public Grounds and Buildings in such manner and at such times as the Board of Commissioners of Public Grounds and Buildings in their discretion may direct

For the payment by the Superintendent for any emergency supplies the want of which may not have been anticipated at the time of the issue of the Annual Schedule and which do not appear in the same and for which requisition shall be made upon the Superintendent and for the payment by the Superintendent for emergency repairs and supplies and all temporary help for the care maintenance and preservation of the Public Grounds and Buildings including the Executive Mansion for two years the sum or twenty thousand dollars ($20,000)

For the payment of the cost of advertising of the annual schedule of supplies the sale of unserviceable furnishings the re-advertising of the annual schedule when necessary and all other advertisements as authorized by the Board or Superintendent for two years the sum of twelve thousand dollars ($12,000)

For the payment of the cost of electric light power and of steam heat and power outside of the Capitol Buildings and Grounds and for the maintenance repairing and improving the installations when necessary for two years the sum of twelve thousand dollars ($12,000)

For the payment to the city of Harrisburg for supplying the public buildings and grounds with water for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of twelve thousand dollars ($12,000)

For the payment of the rental charges for telephone services and the cost of toll and long distance telephone messages for the Senate House of Representatives the various departments boards and commissions of the State Government and the Executive Mansion for two years the sum of fifty thousand dollars ($50,000)

For the payment of the cost of general supplies including stationery supplies, furniture distribution of documents, fuel repairs, alternations or improvements and other matters needed by the Legislature, the several departments boards and commissioners of the State Government and Executive Mansion as set forth in and included in the General Annual Schedule of Supplies for the State Government two years the sum of three hundred and thirty thousand dollars (330,000)

For the payment of the cost of procuring various bonds required by statute to be given by State officials and employees for the faithful performance of their duties for two years the sum of fourteen thousand dollars ($14,000)

For the payment of the cost of erecting highway bridges under the act of one thousand eight hundred and ninety-five and the supplement of one thousand nine hundred and three the sum of three hundred thousand dollars ($300,000) or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and thirteen

For the payment of the rent of offices and rooms outside of the Capitol Buildings when necessary for the accommodation of any department board or commission of the State Government in accordance with the act approved the seventh day of June Anno Domini one thousand nine hundred and eleven for two years the sum of forey-two thousand dollars or so much thereof as may be necessary ($42,000)

For rebuilding the driveways on the State Arsenal Grounds, Eighteenth and Herr Streets, Harrisburg, Pennsylvania, the sum of three thousand dollars or so much thereof as may be necessary ($3,000)

COMMISSIONERS OF SINKING FUND

For the payment of the salaries of the three commissioners two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the clerk two years the sum of two thousand dollars (2,000)

BOARD OF PARDONS

For the payment of the salaries of the members of the Board of Pardons two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the Secretary of the Board of Pardons two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the Recorder of the Board of Pardons two years the sum of one thousand dollars ($1,000)

For the payment of the salary of the clerk two years the sum of one thousand dollars ($1,000)

For the payment of the salary of the messenger two years the sum of eight hundred dollars ($800)

For the payment of postage express charges and other incidental expenses of the Board of Pardons for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of eight hundred dollars ($800)

DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Secretary of Agriculture two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the Deputy Secretary or Agriculture two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Econmonic Zoologist of the Department of Agriculture two years the sum of five thousand dollars ($5000)

For the payment of the salary of the State Veterinarian of the Department of Agriculture two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the chief clerk of the Department of Agriculture two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the stenographer and typewriter of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the messenger of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the clerk to the Director of Farmers' Institutes of the Department of Agriculture two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the Assistant Economic Zoologist of the Department of Agriculture two years he sum of three thousand two hundred dollars ($3,200)

For the payment of the salary of the clerk to the Economic Zoologist of the Department of Agriculture two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer to the Economic Zoologist of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the messenger to the Economic Zoologist of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the Deputy State Veterinarian of the Department of Agriculture two years the sum of four hundred two hundred dollars ($4,200)

For the payment of the salary of the clerk to the State Veterinarian of the Department of Agriculture two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the stenographer to the State Veterinarian of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the contingent expenses including traveling expenses of the officers of the Department of Agriculture two years the sum of fifteen thousand dollars ($15,000)

For the payment of the expenses of the Farmers' Local Institutes including lecturess salaries two years the sum of fifty-five thousand dollars ($55,000)

For the establishment and maintenance of a bureau of statistics in the Department of Agriculture two years the sum of forty thousand dollars ($40,000)

For the payment of the cost of carrying out the provisions of the act of twenty-first March one thousand nine hundred and five entitled "An Act to provide for the protection of trees" et cetera and the amendment to said act approved the fifteenth day of April one thousand nine hundred and seven and for pest suppression for two years the sum of one hundred and sixty thousand dollars ($160,000)

For the payment of the expenses of the State Board of Agriculture and the expenses of the members of said Board including specialists of the board and expenses and compensation of lectures for two years the sum of two thousand five hundred dollars ($2,500)

For the payment of special examinations or investigations as provided for in the act of March thirteenth one thousand eight hundred and ninety-five establishing the Department of Agriculture for two years the sum of ten thousand dollars ($10,000)

For the payment of the cost of selecting samples making analyses and other expenses including salaries incident to carrying into effect the provisions of the act of Assembly entitled "An Act to regulate the manufacture and sale of commercial fertilizers" et cetera approved May first one thousand nine hundred and nine for two years the sum of fifty-seven thousand dollars ($57,000)

For the payment of the cost of selecting samples making anaylses and other expenses including salaries incident to carrying out the provisions of the act of Assembly "Regulating the sale of commercial feeding stuffs" for two years the sum of thirty-five thousand dollars ($35,000)

For payment of aid to the State Horticultural Association of Pennsylvania for two years the sum of two thousand dollars ($2,000)

For the payment of aid to the Pennsylvania Dairy Union for two years the sum of two thousand dollars ($2,000)

For the payment of aid to the Pennsylvania Live Stock Breeders' Association for two years the sum of two thousand dollars ($2,000)

For the payment of aid to the Pennsylvania State Poultry Society for two years the sum of two thousand dollars ($2,000)

For the payment of aid to the Pennsylvania Bee-Keepers' Association for two years the sum of two thousand dollars ($2,000)

For the payment of expenses of apiary inspection as provided for by act of May fifth one thousand nine hundred and eleven pamphlet laws page one hundred seventy-nine for two years the sum of three thousand dollars ($3,000)

For the payment of the cost of selecting samples and making anaylses and other expenses including salaries incident to carrying out the provisions of the act of April twenty-third one thousand nine hundred and one "To prevent adulteration of linseed oil" et cetera and the supplement thereto approved April twenty-second one thousand nine hundred and five for two years the sum of ten thousand dollars ($10,000)

For the payment of the cost of securing samples making anaylses and other expenses incident to carrying out the provisions of the act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven "Regulating the

sale of Paris Green" et cetera for two years the sum of seven thousand dollars ($7,000)

For the payment of expenses of special instruction and field demonstration work conducted by the Department of Agriculture for two years the sum of forty thousand dollars ($40,000)

For the establishment and maintenance of a Poultry Bureau in the Department of Agriculture for two years the sum of sixty thousand dollars ($60,000)

For the payment of deficit resulting from holding the Keystone State Fair Pittsburgh January fifteenth to twentieth one housand nine hundred and twelve the sum of eight housand five hundred dollars ($8,500)

DAIRY AND FOOD DIVISION OF THE DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Dairy and Food Commissioner of the Department of Agriculture two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the clerk to the Dairyy and Food Commissioner two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the messenger of the Dairy and Food Division of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salaries of the special agents of the Dairy and Food Division of the Department of Agriculture the attorneys detectives assistants and special work of the Dairy and Food Division of the Department of Agriculture the clerical and stenographers services in the Dairy and Food Division of the Department of Agriculture the chemists' salaries and incidental laboratory expenses of the Dairy and Food Division of the Department of Agriculture and the payment of traveling and necessary expenses of the Dairy and Food Commissioner and special agents including the cost of samples of food products express telegraph and other incidental expenses of the Dairy and Food Division of the Department of Agriculture two years the sum of one hundred and ninety thousand dollars ($190,000) to be paid on the warrant of the Auditor General upon the presentation of specifically itemized vouchers approved and certified to by the Secretary of Agriculture Provided That all sums of money that may be received by the said Dairy and Food Division arising from fines and costs except this appropriation shall be paid into the State Treasury daily for the use of the Commonwealth

STATE LIVESTOCK SANITARY BOARD

For the enforcement of the acts of May twenty-first one thousand eight hundred and ninety-five and March thirtieth one thousand nine hundred and five and for the payment of indemnity for animals afflicted with dangerous contagious or infectious diseases and for the expense of detecting quarantining and disposing of such animals as provided by law two years the sum of four hundred thousand dollars ($400,000)

For the payment of the cost of producing and distributing tuberculin mallein anthrax vaccine tuberculosis vaccine hog cholera vaccine for the laboratory diagnosis of the disease of animals and provide the necessary equipment for such work two years the sum of twenty-five thousand dollars ($25,000)

For the payment of the cost of supervising and enforcing the inspection of animals brought from other states into Pennsylvania as required by the act of May twenty-sixth one thousand eight hundred and ninety-seven two years the sum of ten thousand dollars ($10,000)

For the control and suppression of rabies and the quarantine of dogs as required by the act of March twenty-seven one thousand nine hundred and three two years the sum of ten thousand dollars ($10,000)

For the payment of the expenses of the State Meat Hygiene Service and for the payment of salaries and actual expenses of the agents of the State Livestock Sanitary Board in the Meat Hygiene Service as provided by law two years the sum of sixty-three thousand dollars ($63.000)

For the payment of the expenses of carrying out the provisions of the act approved April twenty-fifth nineteen hundred and seven to encourage the breeding of horses and requiring the enrollment and inspection of stallions two years the sum of ten thousand dollars ($10,000)

For the payment of a deficiency in indemnity for animals afflicted with tuberculosis for which certificates of appraisal have been issued by the State Veterinarian as provided by law said deficiency having been incurred during the fiscal year terminating May thirty-first one thousand nine hundred and thirteen the sum of twenty-one thousand dollars ($21,000)

DEPARTMENT OF FORESTRY

For the payment of the salary of the Commissioner of Forestry two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Deputy Commissioner of Forestry two years the sum of five thousand dollars ($5,000)

For the payment of clerk hire two years the sum of six thousand dollars ($6,000)

For the payment of contingent expenses two years the sum of six thousand dollars ($6,000)

For the payment of traveling and other necessary expenses of the members of the State Forestry Reservation Commission two years the sum of five thousand dollars ($5,000)

For the payment of salaries and expenses of foresters two years the sum of one hundred and seventy-five thousand dollars ($175,000)

For the payment of salaries and expenses of forest rangers two years the sum of one hundred and seventy-five thousand dollers ($175,000)

For the payment of draftsman bookkeepers stenographers and messengers two years the sum of fifteen thousand dollars ($15,000)

For the payment of surveys two years the sum of twenty thousand dollars ($20,000)

For the payment of labor two years the sum of two hundred and fifty thousand dollars ($250,000)

For the payment of examination of titles to lands purchased two years the sum of fifteen thousand dollars ($15,000)

For the payment of other expenses necessary and incidental to the conduct of the business of the department and the maintenance protection care planting and improvement of the forest reserves and to encourage and promote the development of forestry two years the sum of two hundred thousand dollars ($200,000)

For the payment of the annual fixed charge for school purposes on lands held for forest reserves two years the sum of forty-two thousand dollars ($42,000)

For the payment of the annual fixed charge for road purposes on lands held for forest reserve two years the sum of forty-two thousand dollars ($42,000)

For the purchase of lands to be set aside and held as State Forest Reserves two years the sum of two hundred thousand dollars ($200,000)

For the payment of postage and all other necessary expenses which may be incurred in the prevention and extingushment of forest fires two years the sum of fifty thousand dollars ($50,000)

For the payment of salaries and expenses of instructors clerks matron cooks waitresses light and heat stationary books and for maintenance at the State Forest Academy two years the sum of twenty-five thousand dollars ($25,000)

For the payment of examinations and furnishing advisory reports to the citizens of the State on shade trees two years the sum of five thousand dollars ($5,000)

For the payment of making examinations and furnishing advisory reports to the citizens of the State on farm forestry and farm woodlots two years the sum of seven thousand five hundred dollars ($7,500)

For the payment of a deficiency in the appropriation for the examination of titles to lands purchased to be held as State Forest Reserves for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen the sum of six thousand dollars ($6,000)

For the payment of a deficiency that has arisen in the appropriation for the payment of expenses incurred in the prevention and extinguishment of forest fires to and including May thirty-first Anno Domini one thousand nine hundred and eleven the sum of three thousand five hundred dollars ($3,500)

For the purchase of ginseng seeds and the planting of the same within the State forests for two years the sum of five thousand dollars ($5,000)

DEPARTMENT OF MINES

For the payment of the salary of the Chief of the Department of Mines two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the Deputy Chief of the Department of Mines two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the chief clerk of the Department of Mines two years the sum of three thousand two hundred dollars ($3,200)

For the payment of the salaries of the clerks stenographers and typewriters and messenger of the Department of Mines two years the sum of twenty-two thousand eight hundred dollars ($22,800)

For the payment of contingent expenses including traveling expenses books instruments chemicals plans express freight janitor telegrams stamps et cetera two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the inspectors of coal mines as provided by law two years the sum of three hundred six thousand dollars ($306,000)

For the payment of the salaries of inspectors of coal mines appointed temporarily as substitutes in case of substitutes in case of disability of any of the regular inspectors two years the sum of ten thousand dollars ($10,000)

For the payment of the actual traveling expenses of the inspectors and for their office rent stationery postage telegrams express charges instruments typewriters furniture and all other actual and necessary expenses two years the sum of seventy-eight thousand dollars ($78,000)

For the payment of the compensation and expenses attending the examination of candidates for inspectors of coal mines mine foremen assistant mine foremen and fire bosses as provided for by the acts of Assembly relating thereto such sums as may be necessary therefor not exceeding in the aggregate for two years the sum of fifty-five thousand dollars ($55,000) Provided That no examination for inspectors of coal mines shall exceed in duration the period of forty days in the bituminous districts and the period of twenty days in the anthracite districts and no examination of mine foremen assistant mine foremen and fire bosses in the bituminous districts and mine foremen and assistant mine foremen in the anthracite districts shall exceed in duration the period of ten days

For the payment of counsel fees two years the sum of ten thousand dollars ($10,000) Provided however That no indebtedness shall be incurred until the authority for the same shall have been granted by the Department of Mines and no payment for salaries or expenses incurred shall be made under this appropriation until proper specifically itemized vouchers verified under oath are made and transmitted to the chief of the said department and by him examined approved and certified to the Auditor General

For the payment of expert electrical service in connection with the installation of electrical equipment in the mines two years the sum of six thousand dollars ($6,000) or so much thereof as may be necessary

For the payment of the defieciency in the mine inspectors' traveling expense fund for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen the sum of six thousand five hundred dollars ($6,500)

For the payment of counsel fees due John R. Jones attorney Scranton Pennsylvania for professional services rendered and money expended as special counsel for the Department of Mines in the investigation of alleged violations of the Child Labor Law and for the enforcement of

the said law in the county of Lackawanna during the years one thousand nine hundred and seven and one thousand nine hundred and eight the sum of one thousand four hundred and ten dollars and seventy-one cents ($1,410.71)

DEPARTMENT OF FISHERIES

For the payment of the salary of the Commissioner of Fisheries two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the clerk two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of two stenographers two years the sum of three thousand six hundred dollars ($3,600)

For the purpose of hatching propagating and distributing food and game fish and stocking and supplying the waters of the Commonwealth with the same and distributing fish and employing the necessary labor and implements therefor and paying for the repairs improvements and necessary expenses to the State hatcheries two years the sum of ninety-six thousand dollars ($96,000)

For the payment of counsel fees and court expenses two years the sum of ten thousand dollars ($10,000)

For the payment of necessary and reasonable expenses of the Commissioner of Fisheries and other members of the Fishery Commission and office employes two years the sum of six thousand dollars ($6,000)

For the erection of fish-ways two years the sum of five thousand dollars ($5,000)

For the repairs of State fishways two years the sum of one thousand dollars ($1,000)

For the payment of salaries and reasonable expenses of fish wardens two years the sum of eighty thousand dollars ($80,000)

For the payment of contingent expenses two years the sum of four thousand dollars ($4,000)

For the purpose of maintaining and operating launch "Commodore Perry" on Lake Erie two years the sum of nine thousand dollars ($9,000)

For the purpose of repairing and placing the launch "Commodore Perry" on Lake Erie in a thoroughly seaworthy condition two years the sum of three thousand dollars ($3,000)

For field work and gathering spawn and incidental expenses thereto two years the sum of sixteen thousand dollars ($16,000)

For buildings ponds extensions and other work incidental towards completing hatcheries two years the sum of sixty-five thousand dollars ($65,000)

For building a new and permanent hatching house and equipment at Erie the sum of fifteen thousand dollars ($15,000)

For dredging out of the channels and ponds on Presque Isle Peninsula Erie county in order to restore the original spawning grounds for the fish two years the sum of twenty thousand dollars ($20,000)

For the purchase of a boat for use at Torresdale Hatchery on the Delaware for the purpose of gathering eggs and fish the sum of one thousand five hundred dollars ($1,500)

BOARD OF GAME COMMISSIONERS

For the payment of the salary of the chief game protector who is also secretary of said board two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the assistant chief game protector who is also stenographer and typewriter two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one game protector termed a trevaling game protector two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of twenty-seven additional game protectors at the rate of seventy-five dollars ($75.00) per month the sum of forty-eight thousand six hundred dollars ($48,600)

For the payment of the traveling and other necessary expenses of these thirty game protectors for the payment of services rendered or expenses incurred by either deputy game protectors or special deputy game protectors under the specific and written order of the chief game protector for the payment of incidental office expenses attorney fees and such other expenditures as may be deemed necessary by the Board of Game Commissioners for the better carrying out of the provisions of an act creating the Board of Game Commissioners two years the sum of fifty thousand dollars ($50,000)

For the purpose of creating additional game preserves for the maintenance and protection of preserves created by authority of an act of Assembly approved the eleventh day of May one thousand nine hundred and five and the act of Assembly approved the fifteenth day of April one thousand nine hundred and seven and an amendment thereto approved the fifteenth day of June one thousand nine hundred and eleven for the purchase propagation and distribution throughout the State of game as may be considered advisable two years the sum of fifteen thousand dollars ($15,000)

The appropriation to be paid quarterly to the president of the Board of Game Commissioners upon the presentation of duly certified vouchers of the expenditures of money previously drawn and satisfactory proof to the Auditor General that the expenditure is necessary for the enforcement of the laws of the Commonwealth relative to the protection of game of song and insetivorous birds or for the intelligent and necessary carrying into effect the purpose for which said Board of Game Commissioners was created

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the payment of the salary of the Superintendent of the Department of Public Printing and Binding two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the chief clerk of the Department of Public Printing and Binding two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one clerk of the Department of Public Printing and Binding two years the sum of two thousand eight hundred dollars ($2,800)

For the payment of the salary of the stenographer and clerk of the Department of Public Printing and Binding two years the sum of two thousand eight hundred dollars ($2,800)

For the payment of the salary of an expert proof-reader of the Department of Public Printing and Binding two years the sum of two thousand eight hundred dollars ($2,800)

For the payment of the salary of one clerk who is also to have in charge the supervision of the Legislative Journal two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the messenger of the Department of Public Printing and Binding two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the contingent expenses two years the sum of two thousand five hundred dollars ($2,500)

For the payment of printing binding ruling et cetera two years the sum of five hundred and fifty thousand dollars ($550,000)

For the payment of paper envelopes and other supplies two years the sum of three hundred thousand dollars ($300,000)

For the payment of plates cuts electrotypes dies and stamps two years the sum of seven thousand dollars ($7,000)

For advertising proposals for supplying the Commonwealth with paper lithographic printing and engraving plates cuts electrotypes dies and stamps two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of three proof-readers and three copyholders for the Legislative Session of one thousand nine hundred and fifteen the sum of thirty-two hundred and twenty-five dollars ($3,225) to be paid monthly to each proofreader and copyholder as follows one hundred and twenty-five dollars per month to each proofreader and ninety dollars per month to each copyholder

STATE HIGHWAY DEPARTMENT

For the payment of the salary of the State Highway Commissioner two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the First Deputy State Highway Commissioner two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Second Deputy State Highway Commissioner two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Auditor two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Chief Engineer two years the sum of fourteen thousand dollars ($14,000)

For the payment of the salary of the Bridge Engineer two years the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaries of the fifty superintendents two years the sum of one hundred and fifty thousand dollars ($150,000)

For the payment of the salaries of fifteen Assistant Engineers two years the sum of seventy-two thousand dollars ($72,000)

For the payment of the salary of the Chief Draftsman two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of four clerks two years the sum of nine thousand six hundred dollars ($9,600)

For the payment of the salaries of four assistant draftmen two years the sum of fourteen thousand four hundred dollars ($14,400)

For the payment of the salary of the chief clerk two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of four stenographers or clerks two years the sum of nine thousand six hundred dollars ($9,600)

For the payment of the salaries of two bookkeepers two years the sum of six thousand four hundred dollars ($6,400)

For the payment of the necessary traveling and other incidental expenses of the State Highway Commissioner the First Deputy State Highway Commissioner the Second Deputy State Highway Commissioner the Chief Engineer the Bridge Engineer the fifteen Assistant Engineers and the fifty Superintendents two years the sum of one hundred and fifty thousand dollars ($150,000)

For the payment of contingent and incidental expenses of the State Highway Department two years the sum of seventy-five thousand dollars ($75,000)

For the payment of the salaries and other necessary expenses of the Automobile Division of the State Highway Department two years the sum of one hundred and forty thousand dollars ($140,000)

For the payment of investigations experimental work and tests two years the sum of eighty thousand dollars ($80,000)

For the reconstruction of roadways destroyed by storm cloud-burst or other catastrophe or from other uncontrolable or unavoidable cause the sum of two hundred and fifty thousand dollars ($250,000)

For the permanent improvement of highways described in the act creating the State Highway Department approved May thirty-first one thousand nine hundred and eleven as State-aid Highways two years the sum of one million dollars ($1,000,000)

For the repair and construction of the State Highways described in the act creating the State Highway Depart-

ment approved May thirty-first one thousand nine hundred and eleven and for the payment of the State's share of the maintenance and repair of State-aid Highways constructed prior to or constructed or improved under the provisions of the act creating the State Highway Department approved May thirty-first one thousand nine hundred and eleven and for the payment of salaries and all other expenses necessary to carry on the work of the State Highway Department two years the sum of four million dollars ($4,000,000)

For the maintenance of unimproved roads known as State Highways two years the sum of two million dollars ($2,000,000)

For the payment of the necessary expenses in the acquiring of turnpike roads as authorized by the act creating the State Highway Department approved May thirty-first one thousand nine hundred and eleven two years the sum of five hundred and twenty thousand dollars ($520,000)

BOARD OF REVENUE COMMISSIONERS

For the payment of the salaries of the three members of the board two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the clerk two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the Chief Factory Inspector two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of forty-one deputy factory inspectors two years the sum of one hundred twenty-three thousand dollars ($123,000)

For the payment of the salary of the chief clerk two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the statistical clerk two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the clerk and stenographer two years the sum of twenty-eight hundred dollars ($2,800)

For the payment of the salary of the messenger two years the sum of two thousand four hundred dollars ($2,400)

For the payment for two years of the incidental and traveling expenses of the Chief Factory Inspector and his deputy factory inspectors the necessary cost and expenses incurred in the prosecution of offenders against the factory laws bakeshop law workshop law fire escape law boiler inspection law and the law for the inspection of steamboats on inland lakes and for the incidental contingent expenses for postage expressage telegraphing and such special work and investigations as may be required or necessary the sum of sixty-seven thousand dollars ($67,000)

QUARANTINE PHYSICIAN PHILADELPHIA

For the payment of the salary of the Quarantine Physician two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of two deputy maritime physicians two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the quarantine messenger two years the sum of two thousand dollars ($2,000)

For the payment of the rent of the offices for the State Quarantine Board care of the office stationery telephone and telegraph service for the payment to the Maritime Exchange of Philadelphia for reports of in-coming and out-going vessels and official expenses of the board two years also like expenses at Marcus Hook the sum of three thousand five hundred dollars ($3,500)

For the payment of the maintenance of the State Quarantine Inspection Station including the maintenance of repairs and supplies to the quarantine boats grounds and buildings erection and equipping and furnishing of necessary buildings authorized by law wages and maintenance of employes on shore and boat purchase of uniforms for employes on shore and boat drugs salaries of trained nurses heat light water keep of horses labor and fire insurance of quarantine boats two years the sum of sixty-one thousand five hundred dollars ($61,500)

HEALTH OFFICER PHILADELPHIA

For the payment of the salary of the health officer two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the clerk to the health officer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the rent and care of the office of the health officer telephone and messenger and stationery two years the sum of two thousand six hundred and forty dollars ($2,640)

DEPARTMENT OF STATE POLICE

For the payment of the salary of the Superintendent of State police two years the sum of six thousand dlolars ($6,000)

For the payment of the salary of the deputy superintendent of State Police two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of four captains (each one thousand eight hundred dollars per annum) two years the sum of fourteen thousand four hundred dollars ($14,400)

For the payment of four lieutenants (each one thousand five hundred dollars per annum) two years the sum of twelve thousand dollars ($12,000)

For the payment of four first sergeants (each one thousand two hundred dollars per annum) two years the sum of nine thousand six hundred dollars ($9,600)

For the payment of sixteen sergeants (each one thousand one hundred dollars per annum) two years the sum of thirty-five thousand two hundred dollars ($35,200)

For the payment of sixteen corporals (each nine hundred fifty dollars per annum) two years the sum of thirty thousand four hundred dollars ($30,400)

For the payment of the salaries of four blacksmiths (each nine hundred and fifty dollars per annum) two years the sum of seven thousand six hundred dollars ($7,600)

For the payment of the salaries of one hundred and eighty privates (each nine thundred dollars per annum) two years the sum of three hundred and twenty-four thousand dollars ($324,000)

For the payment of the increased salaries of re-enlisted men in accordance with the act of one thousand nine hundred and eleven two years the sum of thirty-six thousand one hundred and sixty dollars ($36,160)

For the payment of keep of horses renewal of uniforms horse equipment replacing horses rent of barracks and maintenance of sub-stations for two years the sum of one hundred and seventy thousand five hundred dollars ($170,500)

DEPARTMENT OF HEALTH

For the payment of the salary of the Commissioner of Health two years the sum of twenty thousand dollars ($20,000)

For the payment of the salaries of the assistant to the commissioner secretary general inspector auditor stenographers clerks and other general employees two years the sum of thirty-one thousand eight hundred dollars ($31,800)

MEDICAL DIVISION

For the payment of the salary of the Chief Medical Inspector two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the Associate Chief Medical Inspector two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the Assistant Chief Medical Inspector two years the sum of five thousand dollars ($5,0000)

For the payment of the salary of a chief clerk of Medical School Inspection two years the sum of three thousand dollars ($3,000)

For the payment of the salary of five stenographers two years the sum of eight thousand six hundred and forty dollars ($8,640)

For the payment of the salary of twelve clerks two years the sum of seventeen thousand two hundred and eighty dollars ($17,280)

LABORATORIES AND EXPERIMENTAL STATION

For the payment of the salary of the Chief of the Laboratories two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Bacteriologist two years the sum of four thousand five hundred and sixty dollars ($4,560)

For the payment of the salary of two technical assistants two years the sum of five thousand and forty dollars ($5,040)

For the payment of the salary of two stenographers two years the sum of three thousand one hundred and twenty dollars ($3,120)

For the payment of the salary of three clerks two years the sum of three thousand eight hundred and forty dollars ($3,840)

For the payment of the salary of four laboratory helpers two years the sum of five thousand five hundred and twenty dollars ($5,520)

DIVISION OF DISTRIBUTION OF BIOLOGICAL PRODUCTS

For the payment of the salary of the Chief of the Division two years the sum of five thousand dollars ($5,000)

For the payment of the salary of a bookkeeper two years the sum of one thousand nine hundred and twenty dollars ($1,920)

For the payment of the salary of a stenographer two years the sum of one thousand six hundred and eighty dollars ($1,680)

For the payment of the salary of two clerks two years the sum of two thousand eight hundred and eighty dollars ($2,280)

BUREAU OF VITAL STATISTICS

For the payment of the salary of the State Registrar of the Bureau of Vital Statistics two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the Chief Clerk of the Bureau of Vital Statistics two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the Classification Clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the returns clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the Search Clerk two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of eight stenographers two years the sum of twelve thousand four hundred and eighty dollars ($12,480)

For the payment of the salary of five clerks two years the sum of seven thousand two hundred dollars ($7,200)

MARRIAGE AND MORBIDITY STATISTICS

For the payment of the salary of the Supervisor of Morbidity and Marriage Statistics two years the sum of two thousand dollars ($2,000)

For the payment of the salary of nine clerks on Morbidity and Marriage Statistics two years the sum of twelve thousand nine hundred and sixty dollars ($12,960)

SANITARY ENGINEERING DIVISION

For the payment of the salary of the Chief Engineer of the Sanitary Engineering Division two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Assistant Engineer in charge of general office work two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the First Assistant Engineer on water-works and sewerage two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the Assistant Engineer on waterworks and sewerage two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the Assistant Engineer in charge of design and construction two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the Assistant Engineer on tests of water and sewage-treatment plans two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of five assistant engineers two years the sum of seventeen thousand four hundred dollars ($17,400)

For the payment of the salary of the Chief Field Inspector two years the sum of five thousand dollars ($,5000)

For the payment of the salary of eleven stenographers two years the sum of eighteen thousand eight hundred and forty dollars ($18,840)

For the payment of the salary of eleven clerks two years the sum of twenty-one thousand one hundred and sixty dollars ($21,160)

For the payment of the salary of twelve draughtsmen and map tracers two years the sum of twenty-five thousand four hundred dollars ($25,400)

DIVISION OF ACCOUNTING AND PURCHASING

For the payment of the salary of the Chief of the Division of Accounting and Purchasing two years the sum six thousand dollars ($6,000)

For the payment of the salary of four bookkeepers two years the sum of eight thousand nine hundred and sixty dollars ($8,960)

For the payment of the salary of sixteen clerks two years the sum of twenty-three thousand four hundred dollars ($23,400)

For the payment of the salary of four stenographers two years the sum of six thousand seven hundred and twenty dollars ($6,720)

DIVISION OF SUPPLIES

For the payment of the salary of the Superintendent of Division of Supplies two years the sum of five thousand dollars ($5,000)

For the payment of the salary of a stenographer two years the sum of one thousand six hundred and eighty dollars ($1,680)

For the payment of the salary of three clerks two years the sum of four thousand three hundred and twenty dollars ($4,320)

For the payment of the salary of a janitor two years the sum of one thousand five hundred and sixty dollars ($1,560)

DISPENSARIES

For the payment of the salary of the Chief of the Division of Dispensaries two years the sum of seven thousand five hundred dollars ($7,500)

For the payment of the salary of the Lecturer and Manager of the tuberculosis exhibit two years the sum of six thousand dollars ($6,000)

For the payment of the salary of a Deputy Medical Inspector two years the sum of four thousand dollars ($4,000)

For the payment of the salary of a visiting nurse two years the sum of three thousand dollars ($3,000)

For the payment of the salary of an assistant visting nurse two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of a Statistician two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of three stenographers two years the sum of five thousand and forty dollars ($5,040)

For the payment of the salary of three clerks two years the sum of four thousand three hundred and twenty dollars ($4,320)

For the payment of the cost of diphtheria antitoxin and other products for free distribution for the poor for the employment of such special and assistant engineers stream and sanitary inspectors and such other employees as may be necessary for the fees and necessary traveling expenses of the county medical inspectors and rural health officers for the necessary traveling expenses of the Commissioner of Health his assistants and other employes for the maintenance of the Bureau of Vital and Morbidity Statistics for the maintenance of laboratories and experimental station and for the payment of all other necessary expenses of the Department of Health in supervising epidemics of disease and in protecting the public health two years the sum of nine hundred and ninety thousand four hundred dollars ($990,400)

TUBERCULOSIS

For the constructing equipping and maintaining sanatoria infirmaries and dispensaries for the free treatment of indigent persons affected with tuberculosis and for the maintenance of laboratories for sanitary supervision isolation and treatment of indigent persons affected with tuberculosis and for the preventive education of the public for the payment of salaries and for all other necessary expenses which may be incurred in this tuberculosis work for two years the further sum of two million nine hundred and forty-eight thousand two hundred and forty-nine dollars ($2,948,249)

MEDICAL INSPECTION OF SCHOOLS

For the Medical Inspection of the pupils of the public schools in accordance with the provisions of the School Code the sum of two hundred and fifty thousand ($250,000) or so much thereof as may be necessary

All expenditures made by the Department of Health shall be approved by the Governor and the amounts except those of salaries specifically mentioned shall be paid to the Commissioner of Health by warrant of the Auditor General upon requisition of said Commissioner of Health and all sums so paid shall be accounted for as expended by properly itemized vouchers

DEPARTMENT OF WATER SUPPLY COMMISSION

For the payment of the salaries of the commissioners two years the sum of eighteen thousand dollars ($18,000)

For the payment of the salary of the engineer two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the necessary expenses to carry out the provisions of the act of May fourth one thousand nine hundred and five creating the Water Supply Commission of Pennsylvania two years the sum of forty thousand dollars ($40,000)

PENNSYLVANIA STATE RAILROAD COMMISSION

For the payment of the salaries of the three commissioners two years the sum of forty-eight thousand dollars ($48,000)

For the payment of the salary of the secretary two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the attorney two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the marshal two years the sum of five thousand dollars ($5,000)

For the payment of the wages or salaries of experts accountants inspectors or engineers employed by the commission the salaraies of clerks stenographers messengens janitor or other office employes and experts the fees and expenses of witnesses for the purchase of books stationery printing office supplies furniture and such other materials for which no requisition may be made by the commission under the provisions of section five of the act of May thirty-first one thousand nine hundred and seven for the compilation and printing of maps showing the lines of steam and electric railroads or railways within the State and for the necessary disbursements and contingent expenses of the commissioners their officers clerks and experts for two years the sum of one hundred and twenty-five thousand dollars $125,000) Provided That any expenditures made for the printing of maps showing the line of steam and electric railroads or railways within the State shall be made by contract said contract to be subject to the approval of the Auditor General of Pennsylvania before becoming effective

BOARD OF PUBLIC CHARITIES

For the payment of the salary of the general agent and secretary two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the secretary of the committee on Lunacy two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of two assistant general agents of the board of public charities two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the assistant secretary of the committee on lunacy two years the sum of four thousand dollars ($4,000)

For the payment of the necessary clerical aid for the board of public charities and the committee on lunacy two years the sum of thirteen thousand dollars ($13,000)

For the payment of the traveling expenses of the commissioners of the board of public charities the general agent and secretary and the two assistant general agents thereof the committee on lunacy the secretary and the assistant secretary thereof two yeare the sum of seventeen thousand dollars ($17,000) or so much thereof as may be necessary

For the payment of postage tleegrams express charges messenger charges rent fuel light and incidental expenses of the board of public charities and the committee on lunacy two years the sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary

For the payment for the services of such architects engineers and other competent persons as said board may employ to advise it in the consideration of such plans and specifications for buildings or works and imrovements or repairs therto and plants machinery or apparatus connected therewith as said board now is or may hereafter be required by law to examine and pass upon two years the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

JUDICIARY DEPARTMENT

Section 3 For the payment of the salaries of the judges of the supreme and superior courts the salaries and mileage of the president and other law judges of the several courts of Common Pleas in the Commonwealth and the judges of the separate orphans' Courts and for the compensation of Common Pleas judges holding courts in other districts and for the payment of the salaries and mileage of associate judges of the following sums or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and thirteen payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due to any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first day of March shall be reckoned as two-thirds of a quarter and at the close of a term the interval from the first day of December to the first Monday of January shall be reckoned as one third of a quarter

SUPREME COURT JUDGES

For the payment of the salaries of the supreme court judges two years the sum of one hundred and eighty-three thousand dollars ($183,000)

For the payment of the salaries of the seven clerks two years the sum of thirty-five thousand dollars ($35,000)

For the payment of the salary of the deputy prothontary eastern district two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the deputy prothonotary middle district two years the sum of one thousand four hundred and forty dollars ($1,440)

For the payment of the salary of a clerk in the office of the prothonotary of the supreme court for the eastern district two years the sum of three thousand dollars ($3,000)

For the payment of the salary of a clerk in the office of the prothonotary of the supreme court western district two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of a record clerk in the office of the prothonotary of the eastern district two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the deficiency in the salary of the record clerk in the office of the prothonotary of the eastern district for the fiscal year ending May thirty-first one thousand nine hundred and thirteen the sum of five hundred and seventy-five dollars ($575)

For the payment of the crier librarian and tipstaves of the eastern middle and western districts two years the sum of thirty-one thousand eight hundred and thirty-two dollars ($31,832)

For the payment of the deficiency in the salaries of the crier librarian and tipstaves of the eastern middle and western districts for the fiscal year ending May thirty-first one thousand nine hundred and thirteen the sum of one thousand six hundred and eleven dollars and ninety-two cents ($1,611.92)

For the payment of the cleaning and contingent expenses of the Supreme Court room at Harrisburg two years the sum of eight hundred dollars ($800)

For the care and use of the library of the Supreme and Superior Courts Philadelphia two years the sum of four thousand dollars ($4,000)

For the care and use of the library of the Supreme and Superior Courts Pittsburgh two years the sum of two thousand dollars ($2,000)

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district thereof two years the sum of five thousand dollars or so much thereof as may be necessary to be paid on the warrant of the Auditor General upon the presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the eastern district thereof ($,000)

For the payment of the deficiency in the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district for the two years ending May thirty-first one thousand nine hundred and thirteen the sum of one thousand five hundred dollars or so much thereof as may be necessary ($1,500)

For the purchase of books stationery supplies and other necessary expenses of the Supreme Court western district for two years the sum of three thousand dollars or so much thereof as may be necessary to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said western district thereof ($3,000)

SUPERIOR COURT JUDGES

For the payment of the salaries of the judges of the Superior Court two years the sum of one hundred and sixty-nine thousand dollars ($169,000)

For the payment of the salaries of the seven clerks of the Superior Court two years the sum of twenty-one thousand dollars ($21,000)

For the payment of the salaries of the crier and necessary tipstaves of the Superior Court two years the sum of fifteen thousand eight hundred dollars ($15,800)

For the payment of the deficiency in the salaries of the crier and necessary tipstaves of the Superior Court for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen the sum of two thousand four hundred and forty-nine dollars and fifty-six cents ($2,449.56)

For the purchase of books stationery supplies and other necessary expenses of the said Superior Court two years the sum of six thousand dollars to be paid on the warrant of the Auditor General upon the presentation of spcifically itemized vouchers approved by the prothonotaries of the said Superior Court Philadelphia Harrisburg and Pittsburgh ($6,000)

COMMON PLEAS JUDGES

For the payment of the salaries of the fifteen Common Pleas judges in the county of Philadelphia and the twelve Common Pleas judges in the county of Alleghenv two years the sum of five hundred and ninety-four thousand dollars ($594,000)

For the payment of the salaries of the two Common Pleas judges in the county of Dauphin two years the sum of thirty-six thousand dollars ($36,000)

For the payment of the salaries of the judges of the Courts of Common Pleas in the counties of Lackawanna and Luzerne two years the sum of one hundred and nineteen thousand dollars ($119,000)

For the payment of the salaries of the judges of the Courts of Common Pleas learned in the law in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) two years the sum of four hundred and forty-eight thousand dollars ($448,000)

For the payment of the salaries of the judges of the Courts of Common Pleas learned in the law in judicial districts having a population of less than ninety thousand (90,000) two years the sum of three hundred and ninety-six thousand dollars ($396,000)

For the payment to each of the two judges of the Court of Common Pleas of Dauphin county for clerk hire in accordance with the act of one thousand eight hundred and ninety-three (Pamphlet Laws page twenty-one) the sum of two thousand dollars ($4,000)

ORPHANS COURT JUDGES

For the payment of the salaries of the five orphans' court judge in each of the counties of Lackawanna and Luzerne court judges in the county of Allegheny two years the sum of one hundred and seventy-six thousand dollars ($176,000)

For the payment of the salaries of one orphans' court judge in each of the counties of Lackawanna and Luzerne two years the sum of thirty-four thousand dollars ($34,000)

For the payment of the salaries of six other orphans' court judges in the other districts of the Commonwealth two years sum of eighty-four thousand dollars ($84,000)

For the payment of the salary car fare and expenses of judges for holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh Anno Domini one thousand nine hundred and eleven the sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary

For the payment of the salaries of the presiding judge and judges of the county court for the county of Allegheny the sum of fifty-one thousand dollars for two years or so much thereof as may be necessary ($51,000)

For the payment of the salaries of the judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the act of Assembly approved June twenty-third Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hudnred and twenty-one) two years the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary

ASSOCIATE JUDGES

For the payment of the salaries of the associate judges for two years the sum of sixty-four thousand dollars ($64,000)

MILEAGE

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary

LEGISLATIVE DEPARTMENT

Section 4 For the payment of the expenses of the Legislative Department for the two years ending May thirty-one one thousand nine hundred and fifteen and also for the expenses of the session and recess of one thousand nine hundred and thirteen not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and the salaries and mileage of the session officers and employes of the Legislature session of one thousand nine hundred and fifteen shall only be paid after statement of the amounts due the several Senators members officers and employes shall have been certified to the Auditor General by the president pro tempore of the Senate and speaker of the House of Representatives respectively and that the Senators and members also the officers receiving fixed salaries for said session shall each be paid three hundred dollars per month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amount due them at the end of each month during the session except the last month when payment shall be made on the day fixed for the final adjournment of the Legislature or during the two days previous thereto

SENATE

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the president pro tempore of the Senate session of one thousand nine hundred and fifteen the sum of seventy-five thousand one hundred and fifty dollars or so much thereof as may be necessary ($75,150)

For the payment of the mileage of fifty Senators session of one thousand nine hundred and fifteen the sum of three thousand five hundred dollars or so much thereof as may be necessary ($3,500)

For the payment of stationery session of one thousand nine hundred and fifteen allowed by law to fifty Senators fifty dollars each the sum of two thousand five hundred dollars ($2,500)

For the payment of the postage session of one thousand nine hundred and fifteen allowed by law to fifty Senators one hundred dollars each the sum of five thousand dollars ($5,000)

For the payment of the postage session of one thousand nine hundred and fifteen allowed by law for the chief clerk and assistants the sum of one hundred dollars ($100)

For the payment of the postage session of one thousand nine hundred and fifteen allowed by law to the Lieutenant Governor the sum of one hundred dollars ($100)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifteen the sum of four thousand dollars or so much thereof a may be necessary ($4,000)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and fifteen the sum of seventy-five thousand dollars or so much thereof as may be necessary ($75,000)

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred

land fifteen the sum of two thousand seven hundred dollars ($2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifteen the sum of seven thousand dollars ($7,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifteen the sum of two thousand five hundred dollars ($2,500)

For the payment of the salary of the chief clerk of the Senate for the recess periods ending May thirty-first one thousand nine hundred and fifteen the sum of three thousand three hundred dollars ($3,300) or so much there of as may be necessary

For the payment of the salary of the secretary of the Senate for the period of two years ending May thirty-first one thousand nine hundred and fifteen the sum of ten thousand dollars ($10,000) to be paid quarterly

For the payment of the salary of the librarian of the Senate for the two years ending May thirty-one one thousand nine hundred and fifteen the sum of five thousand dollars ($5,000)

For the payment of the salary of the assistant librarian of the Senate for the two years ending May thirty-first one thousand nine hundred and fifteen the sum of three thousand dollars ($3,000)

For the payment of the salary of the clerk to the president of the Senate for two years ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer to the president of the Senate for the two years ending May thirty-one one thousand nine hundred and fifteen the sum of two thousand dollars ($2,000)

For the payment of the salaries of two watchmen of the Senate each at three dollars per day for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and fifteen as provided by law the sum of three thousand seven hundred and seventy-four dollars ($3,774)

For the payment of the salaries of two custodians of the Senate for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand seven hundred and seventy-four dollars ($3,774)

For the payment of the salary of the elevator operator of the Senate for the time employed during the recess periods in two years ending May thirty-one one thousand nine hundred and fifteen the sum of one thousand eight hundred and eighty-seven dollars ($1,887)

For the payment of the expenses of the Committee on Appropriations of the Senate session of one thousand nine hundred and fifteen in investigating schools reformatories prisons asylumns hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for the necessary clerical assistance the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General drawn in favor of the chairman of the said committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of the Secretary of the Senate Appropriations Committee session of one thousand nine hundred and fifteen for services and mileage the sum of one thousand eight hundred dollars ($1,800) to be paid to the chairman of said committee

For the payment of the messenger of the Senate Appropriations Committee session of one thousand nine hundred and fifteen for services and mileage the sum of nine hundred ($900) dollars to be paid to the chairman of the Senate Appropriations Committee on warrant drawn by the Auditor General

For the contingent expenses including clerical and stenographic charges of the President pro tempore of the Senate during the recess ending January fourth one thousand nine hundred and fifteen the sum of two thousand dollars ($2,000) and for like expenses from January fifth to May thirty-first one thousand nine hundred and fifteen the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk for the year ending May thirty-first one thousand nine hundred and fourteen the sum of three thousand nine hundred dollars ($3,900) and for the six months ending November thirty one thousand nine hundred and fourteen the sum of one thousand nine hundred and fifty dollars ($1,950) or so much thereof as may be necessary

For the payment of the incidental expenses of the Senate the six months commencing December one thousand nine hundred and fourteen such sum as may be necessary to be expended by the Chief Clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said Chief Clerk shall at no time have in his hands more than two thousand ($2,000) dollars for which accounts have not been rendered and settled and the whole amount expended by said Chief Clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the Chief Clerk

For the payment of postage labor and incidental expenses in the office of the Secretary of the Senate for the fifteen months ending May one one thousand nine hundred and fourteen the sum of two thousand two hundred and fifty dollars ($2,250) and a like sum for the year ending May thirty-one one thousand nine hundred and fifteen or so much thereof as may be necessary ($2,250)

For the payment of postage labor expenses charges and other expenses in the office of the Librarian of the Senate for the year ending May thirty-one one thousand nine hundred and fourteen the sum of three thousand one hundred ($3,100) dollars and for the year ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand three hundred ($3,300) dollars or so much thereof as may be necessary

HOUSE OF REPRESENTATIVES

For the payment of the salaries of two hundred and seven members of the House of Representatives and extra compensation allowed by law to the Speaker of the House session of one thousand nine hundred and fifteen the sum of three hundred and ten thousand six hundred and twenty-five dollars ($310,625) or so much thereof as may be necessary

For the payment of the mileage of two hundred and seven members of the House session of one thousand nine hundred and fifteen the sum of fourteen thousand dollars ($14,000) or so much thereof as may be necessary

For the payment of stationery session of one thousand nine hundred and fifteen allowed by law to two hundred and seven members fifty dollars each the sum of ten thousand three hundred and fifty dollars ($10,350)

For the payment of postage session of one thousand nine hundred and fifteen allowed by law to two hundred and seven members one hundred dollars each the sum of twenty thousand seven hundred dollars ($20,700)

For the payment of postage session of one thousand nine hundred and fifteen allowed by law for the Chief Clerk and assistants the sum of one hundred dollars ($100)

To the Chief Clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifteen the sum of six thousand five hundred dollars ($6,500) or so much thereof as may be necessary

For the payment of the salaries of the officers and employes of the House session of one thousand nine hundred and fifteen the sum of eighty-five thousand dollars ($85,000) or so much thereof as may be necessary

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and fifteen the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session one thousand nine hundred and fifteen the sum of seven thousand dollars ($7,000)

For the payment of the mileage of the returning officers of the House at the beginning of the session of one thousand nine hundred and fifteen the sum of three thousand dollars ($3,000)

For the payment of the Chief Clerk of the House of Representatives for the recess periods ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand three hundred dollars ($3,300) or so much thereof as may be necessary

For the payment of the salary of the Chief Clerk of the House of Representatives for the session of one thousand nine hundred and fifteen the sum of three thousand dollars ($3,000)

For the payment of the salary of the assistant clerk of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and fifteen the sum of three thousand one hundred and fifty-five dollars ($3,155)

For the payment of the salary of the Resident Clerk House of Representatives for the two years ending May thirty-one one thousand nine hundred and fifteen the sum of five thousand dollars ($5,000)

For the payment of the salary of the Assistant Resident Clerk of the House of Representatives for the two years ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand dollars ($3,000)

For the payment of the salaries of two watchmen of the House each at three dollars per day for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and fifteen as provided by law the sum of three thousand five hundred and fifty-two dollars ($3,552)

For the payment of the salary of the elevator operator of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and fifteen the sum of one thousand seven hundred and seventy-six dollars

For the contingent expenses including clerical and stenographic charges of the Speaker of the House of Representatives during the recess ending January the fourth one thousand nine hundred fifteen the sum of five hundred dollars ($500) or so much thereof as may be necessary

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk of the House of Representatives for the year ending May thirty-one one thousand nine hundred and fourteen the sum of three thousand five hundred dollars ($3,500) and for the six months ending November thirty one thousand nine hundred and fourteen the sum of one thousand seven hundred and fifty ($1,750) dollars or so much thereof as may be necessary

For the payment of the incidental expenses of the House of Representatives for the six months commencing December one one thousand nine hundred and fourteen such sum as may be necessary to be expended by the Chief Clerk of the House of Representatives who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said Chief Clerk shall at no time have in his hands more than two thousand dollars for which accounts have not been rendered and settled and the whole amount expended by said Chief Clerk shall not exceed the sum of ten thousand dollars ($10,000) out of which amount such necessary extra labor in the House of Representatives shall be paid as shall be certified to by the Speaker and the Chief Clerk

For the payment of postage labor express charges and other expenses in the office of the Resident Clerk of the House of Representatives for the year ending May thirty-one one thousand nine hundred and fourteen the sum of three thousand ($3,000) dollars and for the year ending May thirty-one one thousand nine hundred and fifteen the sum of three thousand five hundred ($3,500) dollars or so much thereof as may be necessary

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and fifteen in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for the necessary clerical assistance the sum of twelve thousand ($12,000) dollars or so much thereof as may be necessary to be paid on the warrant of the Auditor General drawn in favor of the chairman of the said committee on presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

LEGISLATIVE JOURNAL

Section 5 The expenses for paper and printing of the Legislative Journal shall be paid out of the general appropriations for paper and printing made to the Department of Public Printing and Binding contained in this act

Section 6 For the payment of the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives for making indices for the Journals of each house for the session of one thousand nine hundred and thirteen the sum of three hundred dollars each ($600)

For the payment of the person or persons appointed to index the Legislative Journal session of one thousand nine hundred and fifteen the sum of one thousand dollars ($1,000) in accordance with the act establishing said Journal

To the Chief Clerk of the Senate for the payment of the editing and proof-reading on all copy furnished by the Senate for the Legislative Journal session of one thousand nine hundred and fifteen the sum of two thousand five hundred ($2,500) dollars or so much thereof as may be necessary and to the Chief Clerk of the House of Representatives for the payment of like services in the House the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary

Section 7 For the payment of the compensation allowed by law to the compiler and assistant compiler of Smull's Legislative Hand Book for the year one thousand nine hundred and thirteen the sum of one thousand five hundred dollars each ($3,000) and like amounts for the years one thousand nine hundred and fourteen ($3,000)

SCHOOLS

Section 8 For the support of the public schools and normal schools of this Commonwealth for the two fiscal years commencing on the first Monday of July one thousand nine hundred and thirteen the sum of fifteen million dollars ($15,000,000) Provided The City of Philadelphia shall be entitled to a proper portion of this appropriation including not only its pro rata as provided by existing laws regulating the distribution to the several counties but also the sum of seventy-two thousand dollars or so much thereof as may be necessary for the education of teachers in the Philadelphia Normal School for girls and the Philadelphia School of Pedagogy for Young Men and out of the amount received by the City of Philadelphia there shall be paid th sum of three thousand dollars to the Teachers' Institute of said city the sum of ten thousand dollars to the Philaedlphia School of Design for Women for their corporate purposes and the sum of ten thousand dollars to the Teachers' Annuity and Aid Association of said city And provided further That out of the amount hereby appropriated there shall be paid for the education of teachers in the State Normal Schools the sum of six hundred thousand dollars to be applied as follows For each student over seventeen years of age who shall sign an agreement binding said student to teach in the common schools of this State two full annual terms there shall be paid the sum of one dollar and fifty cents a week towards the payment of exepenses for tutition for students Provided That each student in a State Normal School drawling said allowance from the State must receive regular instruction in the science and art of teaching in a special class devoted to that object for the whole time for which said allowance is drawn which amount shall be paid upon the warrants of the superintendent of Public Instruction And provided further That out of the said amount hereby appropriated there shall be set apart the sum of one hundred thousand dollars ($100,000) to aid in paying the tuition of pupils who attend high schools outside of their own district and the sum of four hundred and fifty thousand dollars ($450,000) for the encouragement and support of Township and Borough High Schools including joint high schools maintained by two or more townships or by a borough and one or more townships but no high school shall receive appropriation as a high school of the first grade unless it has three teachers who devote their entire time to high school work during a term of nine months and no high school shall receive appropriation as a high school of the second grade unless it has two teachers who devote their entire time to high school work during a period of eight months nor shall any high school receive appropriation unless it has a regular attendance of twelve pupils doing high school work And provided further That out of the said amount hereby appropriated there shall be set apart the sum of two hundred and thirty thousand dollars ($230,000) to be expended on the warrants of the Superintendent of Public Instruction for the payment of the salaries of the County Superintendents of Public Schools two years The remainder of the amount hereby appropriated shall be paid on warrants of the Superintendent of Public Instruction drawn in favor of the several school districts of the Commonwealth in amounts designated by the State Treasurer and whenever he shall notify the Superintendent of Public Instruction in writing that there are sufficient funds in the State Treasury to pay for the same

Section 9 For the payment of the salaries of assistant County superintendents for the two years beginning on the first Monday of July one thousand nine hundred and thirteen the sum of two hundred and sixty thousand dollars ($260.000) and for the payment of the increase of salaries of school teachers as provided for in section one thousand two hundred and eleven of the Schoool Code (P L 374 1911) for the two years beginning on the first monday of July one thousand nine hundred and thirteen the sum of one hundred and sixtythousand dollars ($160,000)

INTEREST ON FUNDED DEBT

Section 10 For the payment of the interest on the funded debt of the Commonwealth which falls due on the first day of August one thousand nine hundred and thirteen and the first day of February one thousand nine hundred and fourteen and on the first day of August one thousand nine hundred and fourteen and the first day of February one thousand nine hundred and fifteen the sum of sixty-two thousand and forty dollars ($62,040)

For the compensation of the fiscal agent The Farmers and Mechanics National Bank of Philadelphia the sum of three thousand ($1,000) dollars for each year ending November thirtieth one thousand nine hundred and thirteen and November thirtieth one thousand nine hundred and fourteen ($2,000)

Section 11 For the payment of persons employed by the Auditor General to discover prosecute and collect delinquent corporation taxes for the two years beginning May thirty-one one thousand nine hundred and thirteen and for the payment of persons who have been so employed prior to that date the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary

Section 12 For the payment of the compensation of informants in escheats as provided for in the act of May second one thousand eight hundred and eighty-nine and amendments thereto the fees and expenses of escheats and the services of attorneys authorized by the Auditor General in connection with such escheat proceedings for the two years beginning June one one thousand nine hundred and thirteen the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary

Section 13 For the payment of costs in suits against delinquent dealers for mercantile and other licenses incurred during the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary

Section 14 For the balance due or to become due retired county officers on account of overpayment of mercantile and other taxes collected for the Commonwealth the sum of three thousand dollars ($3,000)

Section 15 For the payment of the commission of such State Military State Agents at Washington as have been or may be employed by the accounting officers under the acts of Assembly of one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two to collect the claims due the Commonwealth from the Government of the United States for the two fiscal years commencing June first one thousand nine hundred and thirteen the sum of six thousand dollars ($6,000) or so much thereof as may be necessary subject to the approval of the Attorney General Provided however That the amount shall not exceed the sum of ten per centum collected through such agent or agents and paid into the State Treasury

Section 16 or the payment of the expenses already incurred and to be incurred for the publication in the various newspapers of the State of the several amendments to the Constitution of the Commonwealth the sum of one hundred and seventy-five thousand dollars ($175,000) or so much thereof as may be necessary

Section 17 For the payment of military claims in pursuance of the act of April sixteenth one thousand eight hundred and sixty-two the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

Section 18 For the payment of the expense of publishing the monthly statement of the General and Sinking funds as required by the act of February seventeenth one thousand nine hundred and six and for the payment of such advertisements as are required by law to be published by the accounting officers in the newspapers including advertisements for "proposals for publication of the decisions of the Supreme Court" under the provisions of an act approved the twelfth day of June one thousand eight hundred and seventy-eight the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary

Section 19 For the payment of the fees of county officers for furnishing information to the officers of the Commonwealth in accordance with the act of April fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two two years the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

Section 20 For the payment of the mileage of the appraisers of the mercantile and other license taxes of the several counties of the Commonwealth two years the sum of seventeen thousand dollars ($17,000)

Section 21 For the payment of pensions and gratuities that have been granted by act of Legislature or that may hereafter be granted according to law the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary to be paid out of any funds of the State Treasury not otherwise appropriated

Section 22 For the several fire companies of the city of Harrisburg for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of five thousand six hundred dollars ($5,600) to be distributed in equal amounts to and among said companies

Section 23 For the purpose of refunding collateral inheritance taxes paid in error for the two fiscal years be-

ginning June first one thousand nine hundred and thirteen the sum of eight thousand dollars ($8,000) said refunds being directed by the acts of Assembly of June twelve one thousand eight hundred and seventy-eight and March twenty-fifth one thousand nine hundred and one

Section 24 For the purpose of refunding of direct inheritance taxes that may have been paid into the State Treasury under the provisions of the act of May eleventh one thousand nine hundred and one the sum of five hundred dollars ($500) or so much thereof as may be necessary the direct inheritance tax laws having been declared unconstitutional

Section 25 For the payment of the various counties of the bonus paid to the State by foreign railroad corporations for the right to pass through said counties which repayment is authorized by the act of May eleventh one thousand eight hundred and ninety-nine the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary

Section 26 For the payment of such costs of contested primary and general elections as the Commonwealth may by law be liable to pay two years the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

Section 27 For the payment of the necessary expenses incurred during the past two years or which may be incurred for the two years ending May thirty-first one thousand nine hundred and fifteen in returning paupers and indigent insane persons having no legal settlement within this Commonwealth to any other State or country to which they may belong as provided by section four of an act of Assembly approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-seven (**Pamphlet Laws** page one hundred and seventy-seven) entitled "Providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth to any other State or country to which they may belong" **the sum** of one thousand dollars ($1,000) or so much thereof as may be necessary

Section 28 For the payment of compensation and expenses of members of commissions heretofore appointed by the Governor to examine judges of any of the Supreme Superior Common Pleas or Orphans' Court of this Commonwealth who by reason of physical or mental disability appear to be incapacitated from performing their judicial functions and duties as provided by the act of Assembly appproved the eleventh day of May Anno Domini one thousand nine hundred and one (Pamphlet Laws page one hundred and sixty-five) and for the two years ending May thirty-first one thousand nine hundred and fifteen the sum of two thousand dollars ($2,000)

Section 29 For the payment of the expenses of holding uniform primary elections as prescribed by the act of General Assembly of the Commonwealth of Pennsylvania approved the seventh day of February one thousand nine hundred and six for the two fiscal years beginning June first one thousand nine hundred and thirteen and for the deficiency which has arisen under the provisions of said act the sum of eight hundred thirty thousand dollars ($830,000) or so much thereof as may be necessary

Section 30 For clerical and incidental expenses of the board created for the examination of letters patent relative to the granting of charters for underground and elevated passenger railway companies the sum of one thousand five hundred dollars ($1,500) for the two fiscal years ending May thirty-first one thousand nine hundred and fifteeen

Section 31 To Walter George Smith Judge William H. Staake and Robert Snodgrass esquire commissioner in the part of Pennnsylvania of the National Commission on Uniformity of Legislation for the payment of expenses and incidentals already incurred and to be incurred during the two years beginning June first one thousand nine hundred and thirteen as members of said commission the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

Section 32 For the payment of expenses of registration of births and deaths in cities of the first and second class in accordance with the provisions of the act of Assembly approved June thirteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred) the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and thirteen

Section 33 For the purpose of refunding under the provisions of the act of June fourteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred and thirty-six) fees paid for commissions as Notary Public when such commissions have not been issued or if issued have not been recovered and have been cancelled two years the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

Section 34 For the purpose of reimbursing the several counties of the Commonwealth for payments made to Incorporated County Agricultural Associations under the provisions of the Act of June thirteenth one thousand nine hundred and seven the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary

Section 35 For the payment of rewards for convictions of violations of the Game Fish and Fire Laws under the provisions of the act of March twenty-second one thousand eight hundred and ninety-nine two years the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

Section 36 For the payment of the cost of painting the portrait of Auditor General A E Sission to be placed in the Auditor General's Department in the State Capitol Building the sum of five hundred dollars ($500) or so much thereof as may be necessary

Section 37 For the payment of the cost of painting the portrait of State Treasurer C F Wright to be placed in the State Treasury Department in the State Capitol Building the sum of five hundred dollars ($500) or so much thereof as may be necessary

Section 38 For the payment of the expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and thirteen (Act of June fourteen one thousand nine hundred and eleven) the sum of seventy-one dollars and fifty cents ($71.50) or so much thereof as may be necessary and for like expenses for issuing like certificates to the Senators of the session of one thousand nine hundred and fifteen the sum of seventy-one dollars and fifty cents ($71.50) or so much thereof as may be necessary to be paid by the State Treasurer on warrants of the Auditor General upon the presentation of vouchers approved by the President pro tempore of the Senate

Section 39 For the payment of the expenses incident to issuing certificates of election to the members of the House of Representatives for the session of one thousand nine hundred and thirteen (Act of June fourteen one thousand nine hundred and eleven) the sum of five hundred and sixty-nine dollars and twenty-five cents ($569.25) or so much thereof as may be necessary and for like expenses for issuing like certificates to the members of the House of Representatives of the session of one thousand nine hundred and fifteen the sum of five hundred and sixty-nine dollars and twenty-five cents ($569.25) or so much thereof as may be necessary to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

Section 40 For the payment of the deficit incurred in the expenses of the commission appointed under a joint resolution approved March twenty-fourth Anno Domini one thousand nine and eleven (Pamphlet Laws twenty-six) for the purpose of investigating and reporting upon both physical conditions and legal rights in the matter of surface support where anthracite coal has been removed or the right to remove said coal is vested in others than the owner of the surface and for the further purpose of suggesting new legislation relative to the same the sum of five thousand dollars or so much thereof as may be necessary ($5,000)

Section 41 For the payment to the Commission for the Investigation and Control of the Chestnut Tree Blight Disease in Pennsylvania for the field expenses the scientific work the salaries and expenses of the employes the expenses of the members of the Commission and for all other necessary expenses which properly pertain to the work for the two fiscal years beginning June first one thousand nine hundred and thirteen the sum of two hundred and seventy-five thousand dollars or so much thereof as may be necessary ($275,000)

Section 42 For the payment of the balance of salary stationery and mileage for the session of one thousand nine hundred and thirteen of Honorable John H. Riebel member of the House of Representatives from Philadelphia County deceased the sum of nine hundred ninety-four dollars ($994.00) or so much thereof as may be necessary to be paid to his legal representative the amount to be certified to the Auditor General by the Speaker of the House of Representatives paid by the State Treasurer upon warrant of the Auditor General

Section 43 For the payment to T. H. Ledden Assistant Sergeant-at-Arms of the House of Representatives for mileage and expenses incurred in serving upon the sheriff of Philadelphia County of the election proclamation issued by the Speaker of the House of Represntatives for a special election to fill the vacancy caused by the death of the Honorable John H. Riebel the sum of twenty-four dollars and fifty-five cents ($24.55) to be paid on warrant of the Auditor General drawn on the State Treasurer upon presentation of properly itemized voucher certified by the Speaker of the House of Representatives

Section 44 For the payment of the deficit for the two fiscal years ending May thirty-first one thousand nine hundred and thirteen in the salary car fare and expenses of judges holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh one thousand nine hundred and eleven the sum of ten thousand dollars or so much thereof as may be necessary ($10,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. NORTH. Mr. Speaker, I move that this bill just read, No. 1117, be recommitted to the Committee on Appropriations.

Mr. NEEL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1030, as follows:

An Act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

The first, second and third sections of the bill were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of **Pennsylvania in General** Assembly met and it is hereby enacted by the authority of the same That on and after July one nineteen hundred and thirteen it shall be unlawful for any corporation to sell

spirituous vinous or brewed liquors or any alcoholic beverages upon any dining car club car or cafe car operated upon any railroad within the limits of this Commonwealth without having first secured from the State Treasurer a special license as hereinafter provided

Section 2 The State Treasurer shall upon the written application of the general manager of the railroad corporation or other corporation operating such dining car club car or cafe car within this Commonwealth and upon the payment to the State Treasurer of the sum of one hundred dollars for each such license issue to said railroad corporation or other corporation a printed license of which he shall keep a careful record authorizing the sale of liquors as aforesaid upon such car describing such car by its name or number with the name of the corporation operating it Said license to be non-transferable and to be good only for the car described thereon for the year from January one to December thirty-one inclusive or from the date of issue until December thirty-one of the year in which it shall be issued and said license must be displayed in a public place in the car for which it is issued provided That where a car duly licensed in accordance with the provisions of this act shall have been destroyed or permanently removed from the limits of this Commonwealth the State Treasurer may upon proper evidence of the facts being presented to him issue another license for the unexpired portion of the year for which the car destroyed or removed shall have been licensed upon the payment of a transfer fee of ten dollars And provided further That for the year nineteen hundred and thirteen or the unexpired portion thereof after this act shall have gone into effect the fee for such license shall be fifty dollars for each car

Section 3 Liquors shall not be sold or served in licensed dining club or cafe cars within the limits of this Commonwealth except to passengers upon the trains to which said car is attached nor shall liquors be sold or served while the car is lying in a terminal station No liquors shall be sold or served on Sunday or to minors or to persons visibly intoxicated or to disorderly persons

Mr. McALEER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend by adding section 4 The penalty for any violation of the provisions of this act shall be the revocation of the license for the car whereon the offense was committed and no new license shall be issued for any such car

On the question,

Will the House agree to the amendment?

It was agreed to.

The title was then read and agreed to as follows:

An Act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 78, as follows:

An Act supplementing and amending sections two hundred an one (201) two hundred and two (202) and two hundred and fourteen (214) of article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election in school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the courts of common pleas of the county in which such school district is situated

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two hundred and one (201) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven which reads as follows

"Section 201 The public school system established by this act shall be administered by a board of school directors in each school district to be elected or appointed as follows" be and the same is hereby amended to read as follows

Section 201 The public school system established by this act shall be administered by a board of school directors in each school district to be elected as follows

Section 2 That section two hundred and two (202) of the above mentioned act which reads as follows

"Section 202 In each school district of the first class the judges of the Courts of Common Pleas of the county in which such school district is situated shall in October one thousand nine hundred and eleven (1911) appoint a board of fifteen (15) school directors as follows Five for two years five for four years and five for six years and in October of every second year thereafter shall appoint five members for six years Their terms of office shall begin on the second Monday of November next following their appointment" shall be amended and supplemented to read as follows

"Section 202 In each school district of the first class the people in which such school district is situated shall at the municipal election to be held in November one thousand nine hundred and thirteen elect at large a board of fifteen school directors as follows five for two years five for four years and five for six years and at each subsequent municipal election held every second year thereafter the people shall elect at large five school directors who shall serve for a term of six years Their terms of office shall begin on the first Monday of December following their election Provided that upon election and qualification of school directors as herein directed in school districts of the first class the terms of those directors now in office shall cease and determine

Section 3 That section two hundred and fourteen (214) of the above mentioned act which reads as follows

"Section 214 In case any vacancy shall occur in any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class be filled for the unexpired term by the Courts of Common Pleas of the county in which such school district is situated and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the Court of Common Pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term" shall be amended and supplemented to read as follows

Section 214 In case any vacancy shall occur on any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class if it occur more than thirty (30) days prior to the next ensuing municpal election immediately be filled by the appointment of an eligible person by the judges of the Court of Common Pleas of the county where such district is situated to serve until his successor shall be elected at the next ensuing municipal election and qualify on the first Monday of December following such municipal election to serve for the remainder of the unexpired term of the school director whose death resignation or removal from the district or otherwise caused such vacancy Provided such vacancy occur less than thirty (30) days prior to the first and next ensuing municipal election then the appointment shall be as herein directed and such director so appointed shall serve until the people of such first-class school district shall elect at the second ensuing municipal election a school director at large to serve for the unexpired term and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the Court of Common Pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term

Section 4 That section three hundred and one (301) of Article III of the above mentioned act which reads as follows

"Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts of this Commonwealth the school years shall begin on the first Monday of July each year In school districts of the first class the school directors appointed as herein provided shall meet and organize annually on the second Monday of November and in school districts of the second third and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created or when the officers of all the school directors of a district become vacant the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment" shall be amended and supplemented to read as follows

Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts of this Commonwealth the school year shall begin on the first Monday of July each year In school districts of the first class the school directors elected as herein provided shall meet and organize annually on the first Monday of December and in school districts of the second third and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created or when the offices of all the school directors of a district become vacant the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment

Section 5 That section five hundred and twenty-four (524) of the above mentioned act which reads as follows

"Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of November and before the first Monday of December following

The total annual school tax levy made in any one year by any school district of the first class shall not be less than five nor more than six mills on the dollar of the total assessment of all property assessed and certified for taxation therein" shall be amended and supplemented to read as follows

Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of December and before the first Monday of January following

The total annual school tax levy made in any one year by any school district of the first class shall not be more than six mills on the dollar of the total assessment of all property assessed and certified for taxation therein

Section 6 That the above mentioned act be amended and suppimented by adding thereto the following

Section 2825 That the meetings of all the boards of school directors created by this act or any of the committees or sub-committees of such boards of school directors shall at all times be public and any citizen shall be privileged to attend any of these meetings or examine the minutes thereof at any time

Section 7 All acts and all parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1440, as follows:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of this act

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STATE BOARD OF VOTING MACHINE EXAMINERS

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Secretary of the Commonwealth and the Attorney General and their successors in office are hereby created and constituted the State Board of Voting Machine Examiners It shall be the duty of said Board to examine all makes of voting machines submitted to it and determine whether such machines comply with the requirements of this act and can safely be used by voters at elections under the provisions of this act Any person or corporation owning or being interested in a voting machine may submit same to said board for examination and said board shall thereupon publicly examine and report upon such machine pursuant to the provisions of this act For the purpose of assistance in examining such machine the said board may employ not more than three expert machinists at a cost of not more than ten dollars each for each day employed the compensation of said machinists shall be paid by the person or corporation submitting the machine Within thirty days after competing the examination of any voting machine the board shall make and file with the Secretary its report on such machine together with such written or printed description and such drawings and photographs as shall clearly identify such machine and the mechanical operation thereof and within ten days after receiving such report the Secretary of the Commonwealth shall send a copy thereof to the county commissioners of each county and to the common council of each city within the State Any voting machine that shall receive the approval of a majority of said board may be used for conducting any or all elections subject to the provisions of this act Any machine that shall not receive said approval shall not be adopted for or used at any election After a voting machine has been approved by said board any change or improvement therein that does not impair its accuracy efficiency or capacity shall not render necessary a re-examination or re-approval thereof

DEFINITION OF TERMS EMPLOYED IN THIS ACT

Section 2 The list of officers and candidates and the statements of questions on the voting machine shall be deemed an official ballot and the words "ballot labels" as used in this act shall mean the cards paper or other material containing the name of officers and candidates and statements of questions to be voted on The word "diagram" shall mean an illustration of the official ballot when placed upon the machine showing the names of the parties officers and candidates and statements of the questions in their proper places together with the voting devices therefor and shall be considered a sample ballot The word "question" shall mean a statement of such constitutional amendment or other proposition as shall be submitted to a popuar vote at any election The words "irregular ballot" shall mean the paper or other material on which a vote is cast for persons whose names do not appear on the ballot labels The words "vote indicator" shall mean those devices with which votes are indicated for candidates or for or against questions The words "candidate counters" and "question counters" shall mean the counters on which are registered the votes cast for candidates and on questions respectively The words "public counter" shall mean a counter or other device which shall at all times publicly indicate how many times the machine has been voted on at an election The words "protective counter" shall mean a counter or "protective device" or devices that will register each time the machine is operated and shall be constructed and so connected that it cannot be reset altered or operated except by operating the machine The words "voting machine booth" shall mean the enclosure occupied by the voter when voting The word "model" shall mean a mechanically operating model of a portion of the face of machine illustrating the manner of voting The word "custodian" shall mean the person charged with the duty of testing and preparing the voting machine for the election The words "statement of canvas" shall mean a statement and return in book form of the votes cast at an election together with suitable certifications of its correctness

REQUIREMENTS OF VOTING MACHINES

Section 3 No voting machine shall be approved by the State Board of Voting Machine Examiners unless it be so constructed as to fulfill the following requirements It shall secure to the voter secrecy in the act of voting It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations and for or against as many questions as may be submitted the voting devices for the candidates shall be arranged in separate parallel party lines one line for each party and in parrallel office rows transverse thereto It shall permit the voter to vote for any person for any office that he shall have the right to vote for but none other It shall permit the voter to vote for all the candidates of one party of in part for the candidates of one party and in part for the candidates of one or more other parties It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more It shall prevent the voter from voting for the same person more than once for the same office It shall permit the voter to vote for or against any question he may have a right vote on but none other It shall correctly register or record all votes cast for any and all persons and for or against any and all questions It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of the election are closed It shall be provided with a "protective counter" or "protective device" whereby any operating or tampering with the machine before or after the election will be detected It shall be provided with a counter which shall show at all times during an election how many persons have voted It shall be provided with a mechanical model illustrating the manner of voting on the machine suitable for the instruction of voters It may also be provided with one device for each party for voting for all the presidential electors of that party by one operation and a ballot label therefor containing only the words "Presidential electors" preceded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice-President and a registering device therefor which shall register the vote cast for said electors when thus voted for collectively provided however that means shall be furnished whereby the voter can cast a vote in part for the candidates for Presidential electors of one party and in part for those of one or more other parties or in part in whole for persons not nominated by any party

VOTING MACHINE MAY BE ADOPTED PROCURED AND USED

Section 4 The county commissioners of any county the common council of any city or the township board of any township at any regular meeting or at a special meeting

called for the purpose may adopt purchase or otherwise procure and provide for the use of any voting machine approved by the State Board of Voting Machine Examiners and thereafter said machine shall be used for voting at all elections for pubic offices and on questions and for receiving registering and counting the votes thereof in such election district or districts as such county commissioners council or board shall direct The county commissioners may not later than forty days before any election create unite combine or divide one or more election districts for the purpose of using one or more voting machines therein at such election and the notion of such creating uniting combining or dividing shall be given in the manner prescribing by law for the change of election districts More than one voting machine may be used in the same election district The number of voters to be in each of such districts shall be determined by said commissioners or board but shall not exceed six hundred for each machine

PAYING FOR VOTING MACHINES

Section 5 The county commissioner of any county common council of any city or township board of any township on the adoption and purchase of a voting machine shall provide for the payment therefor in such manner as they may deem for the best interest of the county city or township either in each or by the issue of bonds certificates of indebtedness notes cr other negotiable obligations which shall be a charge upon such county city or township Said bonds certificates notes or other obligations may be made payable at such time or times as may be determined by the county commissioners common council or township board issuing same subject to the limitations imposed by the Constitution of this Commonwealth but shall not be issued or sold at less than par

PRINTED MATTER AND SUPPLIES

Section 6 Not later than forty days before each election at which voting machines are to be used the Secretary of the Commonwealth shall prepare samples of the printed matter and supplies named in this section and shall furnish one of each thereof to the board or official in charge of the election of each county city or township in which the machines are to be used such samples to meet the requirements of the election to be held and to suit the construction of the machine to be used

The board or officials charged with the duty of providing ballots shall provide for each voting machine for each election the folowing printed matter and supplies suitable printed or written directions to the custodian for testing and preparing the voting machine for the election one certificate on which the custodian can certify that he has properly tested and prepared the voting machine for the election one certificate on which some other person other than the custodian can certify that the voting machine has been examined and found to have been properly prepared for the election one certificate on which the party representatives can certify that they have witnessed the testing and preparation of the machines one certificate on which the deliverer of the machines can certify that he has delivered the machines to the polling places in good order one card stating the penalty for tampering with or injuring a voting machine two seals for sealing the voting machine one envelope in which the keys to the voting machine can be sealed and delivered to the election officers said envelope to have printed or written thereon the designation and location of the election district in which the machine is to be used the number of the machine the number shown on the protective counter thereof after the machine has been prepared for the election and the number or other designation on such seal as the machine is sealed with said envelope to have attached to it a detachable receipt for the delivery of the keys of the voting machine to the judge of election one envelope in which the keys to the voting machine can be returned by the election officers after the election one card stating the name and telephone address of the custodian on the day of election two statements of canvass on which the election officers can report the canvass of the votes as shown on the voting machine together with other necessary information relating to the election said statements of canvass to take the place of all tally papers statements and returns as provided heretofore three complete sets of ballot labels two diagrams five suitable printed instructions to judges and inspectors of election three notices to judges and inspectors of election to attend the instruction meeting three certificates that the judges and inspectors of election have attended the instruction meeting have received the necessary instruction and are qualified to conduct the election with the machine The ballot labels shall be printed in black ink on clear white material of such size and arrangement as to suit the construction of the machine provided however the ballot labels for questions may contain a condensed statement of each question to be voted on accompanied by the words "Yes" and "No" the titles of the officers on the ballot labels shall be printed in type as large as the space for such office will reasonably permit and where more than one candidate can be voted for any office there shall be printed below the office title the words "vote for any two" or such number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated

When any person is nominated for the same office by more than one party his name shall be placed upon the ticket under the designation of the party which first nominated him and when nominated by more than one party he shall within the time fixed by law for filing certificates of nomination file with the office with whom his certificate of nomination is required to be filed a written election indicating the party designation under which he desires his name to be printed on the ballot and it shall be so printed If he shall refuse or neglect to so file such an election the officer with whom the certificate of nomination is required to be filed shall place his name under the designation of either of the parties by which he was nominated but under no other designation whatsoever

If the election be one at which all the candidates for the office of Presendential elector are to be voted for with one device the county commisisoners shall furnish for each machine twenty-five ballots for each political party each ballot containing the names of the candidates for the office of Presenditial electors of such party and a suitable space for writing in names so that the voter can vote thereon for part of the candidates for the office of Presidential electors of one party and part of the candidates therefor of one or more other parties or for persons for that office not nominated by any party For election districts in which voting machines are to be used no paper ballots shall be furnishtd for any offices to be voted for on the machine

INSTRUCTION TO VOTERS BEFORE ELECTION

Section 7 Before each election at which voting machines are to be used the custodian shall place on public exhibition a suitable number of machines for the proper instruction of voters Such machines shall be so arranged and so equipped with ballot labels as to best illustrate the method of voting at that election and so far as practicable shall contain the names of the offices to be filled the names of the candidates to be voted for together with their proper party designations and statements of the questions to be voted on Not more than ten or less than three days before each election at which voting machines are to be used the board or officials charged with the duty of providing ballots shall publish in newspapers representing at least two political parties a diagram of reduced size showing the face of the voting machine after the official ballot labels are arranged thereon together with illustrated instructions how to vote and a statement of the locations of such voting machines as shall be on public exhibition or in lieu of such publication said boad or officials may send by mail or otherwise at least three days before the election a printed copy of same to each registered voter

INSTRUCTION OF JUDGES AND INSPECTORS OF ELECTION

Section 8 Where more than one machine is to be used in an election district one additional inspector shall be appointed for each additional machine Before each election at which voting machines are to be used the custodian shall instruct all judges and inspectors of election that are to serve thereat in the use of the machine and their duties in connection therewith and he shall give to each judge and inspector that has received such instruction and is fully qualified to conduct the election with the machine a certificate to that effect For the purpose of giving such instruction the custodian shall call such meeting or meetings of the judges and inspecotrs as shall be necessary Each judge and inspector shall attend such meeting or meetings and receive such instructions as shall be necessary for the proper conduct of the elections with the machine and as compensation for the time spent in receiving such instruction each judge and inspector that shall qualify for and serve in the election shall receive the sum of one dollar to be paid to him at the same time and in the same manner as compensation is paid to him for his services on election day No judge or inspector of election shall serve in any election at which a voting machine is used unless he shall have received such instruction and is fully qualified to perform his duties in connection with the machine and has received a certificate to that effect from the custodian of the machines provided however that this shall not prevent the appointment of a judge or inspector of election to fill a vacancy in an emergency

TESTING AND PREPARING VOTING MACHINES FOR ELECTION.

Section 9 The county commissioners of a county in which voting machines are to be used shall cause same to be properly prepared therefor and for that purpose shall employ one or more competent persons who shall be known as the voting machine custodians who shall be sworn to perform their duties honestly and faithfully and for such purpose shall be considered as officers of election and shall for the time spent in the discharge of their duties in the same manner as other election officers are paid One custodian shall be employed for each twenty machines if more than one be employed they shall be elected from two political parties entitled to representation on a board of election officers

In preparing a voting machine for an election the custodian shall according to the printed directions furnished by the county commissions arrange the machine and the ballot labels therefor so that it will in every particular meet the requirements for voting and counting at such election thoroughly test same and certify thereto to said commissioners the names of candidates for each office shall be grouped together in one or more lines or columns and the candidates for the several offices and of the several parties may be arranged by horizontal rows or vertical columns with the office columns or rows transverse thereto A voting machine may be so arranged for an election that the names of candidates nominated independently may be placed in the same party row with those nominated by a political party entitled to the use of a party voting device provided such placing does not prevent such independently nominated candidates from being voted for individually and provided it does not prevent or interfere with the operating of the party voting device of such party It may also be so arranged that candidates nominated independently or by political organizations which have nominated but one candidate each shall be placed in the same party row and voted for individually and in that event the party voting device of such party row shall be locked against movement and the political designations of such candidate shall

be printed upon the ballot labels in connection with their names

Before preparing the voting machine for any election the custodian shall give written notice to at least three of the principal political parties stating the time and place where machines will be prepared at which time one representative appointed by the county chairman of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election Such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal and such representatives shall certify to the number of the machine that the public counter and all the candidate and question counters register 000 the number registered on the protective counter and the number or other designating mark on the seal After being prepared for the election each machine shall be examined by some person other than the custodian preparing it and a certificate thereof filed with the county commissioners The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor After such delivery the county commissioners shall provide proper protection therefor The county commissioners shall provide a light for every machine which shall be in good order and give sufficient to enable voters while in the booth to read the ballot labels and suitable for use by the election officers in examining the counters

DELIVERY OF ELECTION SUPPLIES AND KEYS.

Section 10 The board or officials having charge of the election shall cause to be delivered to the judge or one or the inspectors of election not later than forty-five minutes before the time for opening the polls the keys for the voting machine which shall be delivered in a sealed envelope on which shall be written the designation and location of the election district the number of the voting machine the number or other designating mark on the seal and the number registered on the protective counter as reported by the custodian for which a receipt shall be taken on the blank attached thereto two diagrams one extra set of ballot labels one envelope containing seal for sealing the machine after the polls are closed one envelope for the return of the keys two statements of canvass and all other supplies necessary for conducting the election

OPENING THE POLLS

Section 11 The election officers of each election district in which a voting machine is to be used shall meet at the polling place thereof at least forty-five minutes before the time set for opening the polls and before unlocking the machine for voting shall proceed as follows They shall see that the voting machine is placed where it can be conveniently attended by the election officers and conveniently operated by the voters and where unless its construction requires otherwise the ballot labels thereon can be plainly seen by the election officers and the public when not being voted on They shall see that the model is placed where each voter can conveniently operate it and receive instructions thereon as to the manner of voting before entering the machine They shall post one diagram inside the polling room and one outside in places where the voters can conveniently examine them They shall see that the lantern or other means provided for giving light is in such condition that the voting machine is sufficently lighted to enable voters to readily read the names on the ballot labels They shall see that the ballot labels are In their proper places on the machine They shall see if the number or other designated mark on the seal setting the machine also the numbers registered on the protective counter agree with the number written on the envelope containing the keys and if same do not agree they shall at once notify the custodian and delay unlocking the machine and opening the polls until he shall have re-examined the machine If such numbers or marks do so agree the election officers shall then proceed to see if the public counter and all the candidate and question counters register 000 if any of such counters shall be found to register some number other than 000 the judge of election shall at once notify the custodian who shall set such number at 000 After performing their duties as provided in this section the election officers shall certify thereto in the appropriate places on the statement of canvass as provided thereon When the polls are declared open the judge or an inspector of election shall break the seal and unlock the machine for voting

CONDUCTING THE ELECTION

Section 12 Before each voter enters the voting machine each clerk shall insert in his list of voters opposite the voter's name the letter V and the number of his vote The election officers shall so far as possible inform him how to operate the machine and illustrate same upon the model and call his attention to the diagram No voter shall remain within the voting machine booth longer than one minute and if he shall refuse to leave at the end of that time he shall be removed by the election officers provided however that they may grant him a longer time if other voters are not waiting to vote Whenever a voter who has the right to vote only on certain offices and certain questions shall enter the machine the election officer shall so adjust same that he can vote on such offices and questions but no others If any voter shall in the presence of the election officers declare that he is unable to read or write the English language or by reason of physical disability he is unable to register or record his vote upon the machine two election officers of opposite political parties shall enter the voting machine with him and indicate and register his vote for such candidates and for or against such questions as he shall designate If any voter shall after entering the voting machine ask for information regarding its operation the election officers shall give him such necessary information Any election officer who shall deceive any voter in registering or recording his vote under this section or who shall register or record such vote in any other way than as designated by such voter or who shall give information to any person as to what candidates or for or against what questions such voter voted or who shall seek to suggest or persuade any voter to vote for any party or for any candidate or for or against any question shall be guilty of a felony and shall be sentenced to pay a fine of not more than five hundred dollars or to undergo an imprisonment by separate or solitary confinement at labor for a period not to exceed two years Except as herein provided for in cases of physically disabled voters and voters unable to read the English language the operation of voting shall be secret The election officers shall occasionally examine the face of the machine and the ballot labels to determine if same have been injured or tampered with No voter shall be permitted to enter the machine or move the operating lever more than once

CANVASSING THE VOTE

Section 13 At the hour for closing the polls the judge of election shall declare the polls of the election closed and shall not permit any further operation of the machine except provided as follows namely that such voters as shall at the hour of closing be within the polling room and awaiting their turn to vote shall be considered as having begun the act of voting and shall be permitted to cast their votes upon the machine As soon as such voters have voted the election officers shall lock and seal the machine unlock and open the doors of the county compartment and canvass the votes registered on the counters therein and the votes recorded on or in the device or devices for voting for persons not nominated and shall make two statements of canvass thereof in the following manner One election officer shall call the designating number and letter of each candidate's counter in the order given on the statements of canvass and another election officer under the scrutiny of one of a different political party shall repeat such number and letter as it is read and announce the vote registered on such counter and shall thereupon be entered in ink on each of the statements of canvass The canvass of each office shall be completed before proceeding to the next The vote on each question shall be canvassed in the same manner The votes cast on the irregular ballots shall then be canvassed All votes for persons whose names do not appear on the ballot labels must be cast in the proper places on or in the device for irregular ballots and all votes for persons whose names do appear upon the ballot labels must be cast on the counters therefor and any votes not so cast shall not be counted provided however that at all elections at which presidential electors are voted for with one device the voter may vote on or in the device for irregular ballots in part for the presidential electors of one part and in part for those of one or more other parties or in part or in whole for persons not nominated by any part After completing and writing down the canvass of the votes cast the election officers shall verify same by comparing the figures on the statements of canvass with the figures on the counters in the machine and the names recorded on or in the device for voting for persons not nominated and shall then certify in the appropriate place on each of the statements of canvass as the number of voters that voted at the election as shown by the poll list and by the number of voters that voted at the election as shown by the poll list and by the number registered on the public counter the number registered on the protective counter and the number or other designating mark on the seal with which the machine has been sealed

After completing and certifying to the statements of canvass the judge or an inspector shall read therefrom in a distinct voice the name of each candidate the designating number and letter of his counter as stated thereon and the vote entered for each also the vote for and against each question During the canvassing and announcing of the vote the counter compartment shall remain open and opportunity shall be given to any person lawfully present to examine the counters to determine the correctness of the vote as announced The counter compartment shall then be locked and all the keys of the machine shall be delivered in a sealed envelope to the officer or board in charge of the election One copy of the statement of canvass shall be delivered forthwith in a sealed envelope to the office of the city or town clerk and if the election be one at which State or county officers are voted for one copy of the returns shall be delivered in a sealed envelope to the prothonotary

PROVISIONS FOR RE-CANVASS OF VOTE

Section 14 The registering mechanism of each voting machine used in an election shall remain locked and sealed against operation for the period of thirty days following such election provided however that whenever it shall appear that there is a discrepancy in returns of any election district the county commissioners shall summon the judge and inspectors of election thereof who shall in their presence make a record of the number or other designating mark on the seal and the number on the protective counter if one is provided open the counter compartment and without locking said machine against voting shall recanvass the vote cast thereon Before making such re-canvass the county commissioners shall give notice in writing to the custodian and to each political party or organization that shall have nominated candidates for the election of the time and place where said re-canvass is to be made and each of such political parties or organizations may send two representatives to be present at such re-canvass If upon such re-canvass it shall be found that the original canvass of the returns has been correctly made from the machine and

that the discrepancy still remains unaccounted for the county commissioners with the assistance of the custodian shall in the presence of the said judge and inspectors of election and the authorized representatives of the several said political parties or organizations unlock the voting and counting mechanism of said machine and proceed to thoroughly examine and test the machine to determine and reveal the true causes if any of the discrepancy in the returns from said machine Before being tested the counters shall be set at 000 after which each counter shall be operated at least one hundred times After the completion of said examination and test the custodian shall then and there prepare a statement in writing giving in detail the result thereof and said statement shall be winessed by the persons present and shall be filed with the officer or board in charge of the election

PENALTY FOR INJURING OR TAMPERING WITH A VOTING MACHINE

Section 15 Any person who shall tamper with or injure or attempt to injure any voting machine to be used or being used in an election or who shall prevent or attempt to prevent the correct operation of such machine or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in an election shall be guilty of a felony and shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars or imprisonment in the State prison for not less than one year or more than five years or both such fine and imprisonment

ELECTION LAWS MADE APPLICABLE TO USE OF VOTING MACHINE

Section 16 All the provisions of the election law not insistent with this act shall apply to all elections in districts where voing machines are used and any provisions of law which conflict with the use of such machines as herein set forth shall not apply to the district or districts in wihch voting machines are used

DEFINITION OF THE WORDS "ELECTION" AND "ELECTIONS"

Section 17 That the words "election" and "elections" whenever used in this act shall be held to include and mean all elections and primary elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1154, as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one creating a Bureau of Public Utilities in the Department of Public Safety defining the powers and duties thereof and of the offices thereunder prescribing rules and regulations and laws respecting public utilities and authorizing imposing fines and penalties and punishment for violaton thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established a Bureau of Public Utilities in cities of the second class in this Commonwealth which bureau shall be connected with and under the control of the Department of Public Safety of said cities The director of said Department shall appoint a superintendent and such other employees in said Bureau as shall from time to time be necessary to perform the duties thereof

The councils of said cities shall fix the compensation of all persons so employed

Section 2 All persons or corporations engaged in any of the following business or supplying the following public service shall be under the terms of this act a public utility namely transportation of persons or property supply of light heat power or water or the transmission of electric currrent for telephone or telegrams

The said bureau shall have power to examine the property and equipment of such public utilities as to the manner in which they are maintaining and conducting their respective business whether such business be transacted wholly within or partly within and partly without the limits of the city and for such purpose shall have the right to go upon all the property of said persons or corporations so engaged in such business

Section 3 The said bureau shall collect the charters and all amendments and supplements thereto of all corporations exercising of claiming the right to exercise any right or privileges as public utilities in the respective municipalities also all muncipal ordinances in relation to sad utilities and also all leases or agreements which in any way relate to the performance of their public duties by said utitlities Said bureau shall cause said instruments to be collected printed and indexed

It is hereby made the duty of the said corporation and others maintaining and operating said public utilities to furnish to the said bureau before the first day of January one thousand nine hundred and fourteen certified copies of all charters ordinances leases and other instruments upon which they rely for the exercise of any right within any of the said municipalities

Whenever any rights or franchises are granted to such corporations after the first day of January one thousand nine hundred and fourteen or instruments executed by said corporations relating to the exercise of any rights or franchises certified copies of the instruments granting such rights or franchises or executed in relation thereto shall be filed with the said bureau After said first day of January one thousand nine hundred and fourteen no corporation shall exercise any franchise in said municipalities until it has been filed with said bureau certified copies of all instruments relating thereto as hereinbefore provided

Said bureau shall have the power and authority to make investigations into all matters connected with the service rendered by public utilities which shall include questions of charges character of service and every other aspect of the question of service in which the general public may be concerned or interested and for this purpose said bureau shall receive and investigate all complaints from citizens in relation to the services rendered by said public utilities The said bureau shall notify the respective utilities of said complaints and the time when both the complaint and the utilites may be heard The said utilities and their officers and agents are hereby required to furnish said bureau all information required by it in making such investigation

Section 5 All applications by any of said utilities for franchises from any of said municipalites shall be referred to said bureau which shall examine the same with a view to determining the necessity therefor and the conditions to be annexed to such grant

Section 6 The said bureau shall inquire whether any of said public utilities are not complying with the terms and conditions of ther franchises or with the provisons of any law or ordnance

Section 7 The superintendent of said bureau shall report to the mayor the result of all investigations conducted by it If said investigation concerns a rate charged by said public utilities for any service rendered or any matter incident thereto the said report shall state whether or not said rate or any practice observed by said utility in relation thereto appears to be reasonable and if not what would be a reasonable rate or practice If said investigation concerns the service furnished by said utitlity or its equipment or facilities for rendering service said report shall state whether said service facilities or equipment appear to be adequate and if not what changes should be made in methods of operation If said investigation concerns any application for a franchise by a public utility the report shall state whether said franchise appears to be necessary and what conditions should be annexed to the grant thereof The said bureau may also report to the mayor when additional franchises appear to be necessary and what conditions should be annexed to the grant thereof

Section 8 The superintendent of said bureau shall have the power to compel by subpoena the attendance and testimony of witness and the production of books papers and documents in any investigation conducted by said bureau which subpoena shall be issued and signed by the superintendent and served by any police officer of the city The said superintendent shall have the power to administer oaths and affirmations in all matters incident or belonging to the exercise of the duties or powers of the bureau

Section 9 No examination request or advice of the bureau or any investigation or report made by it shall impair in any manner or degree the legal duties or obligations of any common carrier public utility or its legal liabilities for the consequences of its act or of the neglect or mismanagement of any of its agents or employes

Section 10 Any corporation violating any of the provisions of this act shall forfeit a sum not less than one hundred dollars nor more than five hundred dollars to be recovered by the said city in an action of assumpsit in the case of a continuing violation every day's continuance thereof shall be deemed a separate offense Every officer employee or agent of any corporation who shall violate any provision of this act shall be guilty of misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars or imprisoned not more than three months or both at the discretion of the court Any other person who shall violate any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than the sum of one hundred dollars or imprisoned not longer than thirty days or both at the discretion of the court In the case of a continuing violation every day's continuance thereof shall be deemed a separate offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act regulating the number of persons required as appraisers in claiming exceptions under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April first one thousand nine hundred and nine and making legal all exemptions thereunder heretofore allowed

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all applications for any exemption under

the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April first one thousand nine hundred and nine it shall be sufficient and lawful to have two persons appraise the estate so claimed whether the same consist of real or personal property or both

Section 2 That all caims for exemption heretofore allowed under said acts and not having the legal number of appraisers are hereby validated and made legal

The title of the bill was read as follows:

An Act regulating the number of persons required as appraisers in claiming execptions under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April first one thousand nine hundred and nine and making legal all exemptions thereunder heretofore allowed

On the question,

Will the House agree to the title?

Mr. HEIDINGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title in line 2, by striking out the word "exceptions" and inserting the word "exemptions."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1246, entitled:

An Act providing for the releasing on parole of certain prisoners who have been sentenced for life

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who has been or shall be sentenced to imprisonment for life in any penal institution of this Commonwealth and who shall have served at least fifteen years of such sentence may by the court that imposed the sentence be paroled under such conditions as the court may impose No such person shall be released on parale until the warden or superintendent of the instiiution shall certify to such court that the prisoner has not during his or her confinement been guilty of any willful infraction of the rules of such institution and that the conduct of such prisoner has been such that the releasing of such prisoner would not be detrimental to the commonwealth

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section one, lines seven and eight, by striking out the words "by the court that imposed the sentence be paroled under such conditions as the court may impose," inserting in lieu thereof the following:

"be paroled by the Governor upon recommendation of the Lieutenant-Governor, Secretary of the Commonwealth, Attorney-General and Secretary of Internal Affairs, or any three of them, after full hearing upon due public notice and in open session."

Amend section one, line nine, by striking out the word "until" and inserting in lieu thereof the following:

"without the approval of the court that imposed the sentence accompanied by a certificate from"

Amend section one, line ten, by striking out the words "shall certify to such court"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was then read as follows:

An Act providing for the releasing on parole of certain prisoners who have been sentenced for life

On the question,

Will the House agree to the title?

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, line one, by inserting after the word "for" the words "and regarding"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 23, as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this State has required by ordinances and caused to be paved curbed or macadamized with brick stone or other suitable material any public street or thoroughfare or part thereof either cart way or foot walk or both or is now causing such paving curbing or macadamizing pursuant to such ordinance but owing to some defect in the petition or notice or other proceeding necessary under existing law and ordinance to give jurisdiction to such council or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made—now by this act such improvement are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or is now being made such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this State entitled to a lien under this act shall file a lien therefor in the office of the prothontary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The lien when so filed shall be proceeded upon for collection by writ of scire facias The said writ shall be made returnable to the monthly or other return day in the respective courts and shall be served upon the owner or reputed owner personally or by leaving a copy thereof duly attested with an adult member of his family or of the family in which he resides at least ten days before the return day thereof If the owner of the property cannot be found or has no residence within the county in which the property lies the sheriff shall thereupon return the said writ nihil and thereupon an alias scire facias may issue which shall be served by notice posted upon the premises stating the substance of writ at least ten days prior to the return day and also by advertisement in at least two newspapers published in the county in which the premises are located once a week for three successive weeks Such posting and publication shall be equivalent to a service

Section 4 If the writ shall have been served and no appearance entered on or before the return day thereof the plaintiff therein shall be entitled to judgment after the return day thereof for the debt interest costs and attorney's commission If an appearance be entered the plaintiff shall also be entitled to judgment unless a sufficient affidavit of defense be filed within fifteen days after the return day If such effidavit be filed the cause shall be proceeded with in accordance with the rules of law and the practice of the courts

Section 5 When final judgment shall have been entered upon such lien the plaintiff therein may have a writ of levari facias and upon the same the sheriff shall cause the said property to be advertised for sale in at least two newspapers of the proper county once a week for three weeks before the day of sale and shall also give notice by at least ten handbills posted in conspiciuous places one of which shall be posted upon the property of the time and place of sale and thereupon shall proceed to sell the same The place of sale shall be the sheriff's office The proceeds of sale shall be distributed according to law

Section 6 The term "owner or reputed owner" as used in this act shall mean any person or persons in open peaceable and notorious possession of property Remaindermen or other persons interested in expectancy not having been heard and aggrieved by such final judgment upon petition presented in the proper court may have the judgment opened at any time before the sale of the property and they allowed to defend when in the judgment of the court such opening is necessary to secure justice to all parties Sale of the property shall preclude all persons from setting up anything contrary to the record

Section 7 Nothing in this act shall be taken to restrict the right of either plaitiff or defendant in proceeding under it to appeal as in other cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1077. as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a forestry department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase of condemnation of lands for certain purposes upon the recommendation of the forestry board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an additional executive department in the government of cities of the second class is hereby created to be known as the forestry department which shall be in charge of a forestry board consisting of five persons to be appointed by the mayor to serve during his term of office and until their successors are duly appointed and qualified and who may or may not be residents of the city Three shall be a quorum An appointment to fill a causal vacancy shall be only for the unexpired portion of the term One of said board shall be designated chairman and one vice chairman. They may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the city and the laws of the Commonwelath They shall serve without compensation and shall make annually to the mayor a report of their transactions and recommendations It shall be the duty of the department to promote and enhance the natural beauty of such cities by planting setting out removing maintaining protecting and caring for trees shrubs and plants in the streets and open and unoccupied lands therein Provided however That nothing in this act shall be construed to authorize said department to interfere with or exercise control over upon or in any public park The board shall have power to employ such superintendents engineers foresters gardners laborers and other employes as may be required in the proper performances of its duties and provided for by council All salaries wages and other necessary expenses of the department including the cost and expense of protecting caring for and maintaining the trees shrubs plants and property in charge thereof shall be provided for by the proper appropriations and ordinances of the city in the discretion of the council

Section 2 Whenever the department shall propose setting out planting or removing any shade trees or the materially changing of the same along any highway or highways where the work in question can be performed conveniently at the same time as a whole it shall give at least ten days public notice by at least ten printed hand bills posted along such highway or highways where the work is proposed to be done of a time and place of meeting to consider the same and also the apportionment of the cost thereof to and upon the property abutting upon highway or highways and benefited thereby and to hear any person interested which notice shall specify the highways or portions thereof upon which the trees are intended to be planted removed or changed and the purpose of the hearing in substance as above set forth in making the plans and specifications of such planting removal or change and in the selection of the varities of trees to be cared for and maintained the board shall have regard to the best practice of the art as applied to the locality in question and the common and public benefit to be promoted thereby and have particular regard to the preservation of the view appearance light air and health of the locality and shall estimate the cost of the work to be done and apportion the same to and upon each abutting property according to the amount of the expenditure to be made in front of the same and shall have such estimates and apportionment ready for exhibition at such hearing for the information of persons interested in the same The matters aforesaid shall be heard and determined pursuant to the hearing to be had as aforesaid and upon which a majority of the board may decide and having determined the plan and estimated cost of the work and the apportionment of the cost thereof the board shall proceed with the work and cause service of notice to be made upon the owner occupant or person in possession of each abutting parcel of land of the cost of work done and apportioned thereto requiring payment thereof within thirty days to the city treasury with whom a list of such properties and apportionments shall be deposited and who shall receive and receipt for payments made pursuant to such notices and upon the expiration of notice the city treasurer shall certify to the city solicitor a list of properties whose apportionments are unpaid and the amounts thereof whereupon it shall be the duty of the city solicitor to enter and file such apportionments as liens upon such properties and the same shall be proceeded upon in like manner and with like effect as other municipal liens or in the discretion of the city solicitor he may proceed to collect such claims by actions of assumpsit

Section 3 The forestry board shall observe and examine and from time to time recommend to the mayor and the council of the city the purchase or acquisition or parcels of land for public use as open and ornamental spaces in such city The same may be acquired by the city by purchase or in the exercise of the power of eminent domain which is hereby conferred for such purposes to be exercised in the manner provided by an act entitled "An Act providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where municipalities of this Commonwealth may hercafter be authorized by law to take use and appropriate private property for the purpose of making enlarging and maintaining public parks within the corporate limits of such municipality" approved the eighth day of June Anno Domini one thousand eight hundred and ninety-five and when so acquired the planting of trees shrubs and plants upon such land and the improvement of the same according to the act of landscape shall be within the authority and jurisdiction of the board under plans approved by council and upon the proper appropriations and ordinances of the city providing for the same

Section 4 The board shall have the authority with the owner's consent to enter upon plant trees shrubs and plants and otherwise improve and maintain according to the art of landscape any conspiciuous unoccupied land within such cities

Section 5 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1329, (Senate Bill No. 46), entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1374, as follows:

An Act to aid in the suppression of insect pests in Pennsylvania by authorizing the Department of Agriculture to prepare a catalog of the insects of Pennsylvania giving their common and scientific names dates localities food enemies remedies habits and other important points as far as can be ascertained together with illustrations of some of the important types of insects and providing for the publication of said book and the distribution of the same and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is hereby directed to have prepared through the Economic Zoologist twenty thousand copies of a catalogue of the insects of Pennsylvania giving their classification common and scientific names dates localities food enemies remedies habits and other important facts as far as can be ascertained together with uncolored illustrations of some of the important types of insects Said publication shall be bound in cloth and shall be distributed by the Secretary of Agriculture and upon recommendation of the Senators and Representatives not less than sixty copies to each member of the House and not less than one hundred copies to each member of the Senate

Section 2 An appropriation of ten thousand dollars or such part thereof as is necessary is hereby made to provide for the preparation publication and distribution of this work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1196, as follows:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the

volaton thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or my be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the volation thereof providing revenue to establish and maintain the same and the method of collectng such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1207 No teacher shall be employed in this Commonwealth by any board of school directors who is related to any member of the board as father mother brother sister husband wife son daughter stepson stepdaughter grandchild nephew niece first cousin sister-in-law brother-in-law uncle or aunt unless such teacher receives the affirmative votes of three-fourths of all the members of the board" is hereby amended to read as follows

Section 1207 No teacher shall be employed in this Commonwealth by any board of school directors who is related to any member of the board as father mother brother sister husband wife son daughter stepson stepdaughter grandchild nephew niece first cousin sister-in-law brother-in-law uncle or aunt unless such teacher receives the affirmative votes of three-fourths of all the members of the board

No supervising principal or teacher shall be continued in such employment who is engaged in any other profession or business for hire or gain No married female teacher shall be employed or continued in employment unless her husband is unable to support her or unless there are no qualified single female applicants for such position

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1490, as follows:

An Act regulating the appointment confirmation duties salary and expenses of county detectives in counties containing not less than three thousand nor more than seven hundred thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage and approval of this act in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants the district attorney of the proper county shall have the power to appoint certain police officers to be designated 'county detectives' not exceeding four in number as he shall consider necessary at an annual salary of eighteen hundred ($1,800.00) dollars in addition to such expenses as are hereinafter provided for which salary and expenses shall be paid monthly from the funds of the proper county

Section 2 That such county detectives shall hold their positions during time of the term of the district attorney appointing them and shall be removable at his discretion

Section 3 That no such appointment shall be effective until confirmed by the court of quarters sessions of the proper county

Section 4 Such county detectives shall have possess and exercise all the rights and powers conferred by existing law of this Commonwealth upon constables so far as they relate to crime and criminal procedure

Section 5 That the expenses incurred by said county detectives and payable from the county treasury shall include all actual traveling and hotel expenses and all other incidental expenses incurred under the direction of the district attorney in the investigations of complaints and the discovery of evidence the procurement of information and the employment of such interpreters as may from the nature of the case be deemed necessary by the district attorney

Section 6 Tht upon the approval by the district attorney of such expense the same shall be certified to the couty controller who shall audit the same

Section 7 That all acts or parts of acts inconsistent herewill be and hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1321, as follows:

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter in any civil cause in any court in this Commonwealth a verdict of a jury is set aside and a new trial ordered such order of such court shall be in writing and shall contain the reason or reasons therefor whereupon the said order shall become a part of the record in the cause If the only reason set forth in the said order be that the damages awarded by the verdict are excessive or inadequate then the new trial shall be restricted to the question of the amount of the damages and the verdict so set aside as to the damages shall stand good in all other respects

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1344 (Senate Bill No. 370), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1350, as follows:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act relating to boarding house-keepers and authorizing the attachment of wages of persons indebted for board" approved the eighth day of May Anno Domini one thousand eight hundred and seventy-six which as heretofore amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act all keepers of hotels inns boarding houses and lodging houses in this Commonwealth in addition to the remedies now provided by law shall have the right in suits and actions brought before justices of the peace to recover pay for boarding or lodging or boarding and lodging furnished to commence such suits and actions by attachment and thereon to attach only wages due or owing to such persons as may be indebted to them or any of them for boarding or lodging or boarding and lodging not exceeding in amount the sum due for four weeks and any sum so due and so attached shall not be paid to the defendant until the judgment which may be rendered against the defendant in pursuance of a summons to him or her directed which shall issue with such attachment for such amount as may be so legally attached shall be satisfied and justices of the peace shall have jurisdiction of attachment proceedings in such case" is further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act all keepers of hotels inns boarding houses and lodging houses in this Commonwealth in addition to the remedies now provided by law shall have the right in suits and actions brought before magistrates aldermen or justices of the peace to recover pay for boarding or lodging or boarding and lodging furnished to commence such suits and actions by attachment and thereon to attach only wages due or owing to such persons as may be indebted to them or any of them for boarding or lodging or boarding and lodging not exceeding in amount the sum due for four weeks and any sum so due and so attached shall not be paid to the defendant until the judgment which may be rendered against the defendant in pursuance of a summons to him or her directed which shall issue with such attachment for such amount as may be so legally attached shall be satisfied and if the defendant neglects to satisfy such judgment or fails to appeal from the judgment of the magistrate alderman or justices of the peace within twenty days from the date of judgment then the person firm associaion or corporation in whose hands the wages are attached shall upon being duly notified by the said magistrate alderman or justice by a cer-

tificate from him that the said judgment has not been satisfied and that no appeal has been taken therefrom pay over to the said magistrate alderman or justice the amount of wages so attached or so much thereof as will fully satisfy said judgment and all costs attached thereto and magistrates aldermen or justices shall have jurisdiction of attachment proceedings in such case

Section 2 Every person firm association or corporation foreign or domestic when properly served with notice of attachment of wages in his or its hands shall be deemed to have accepted the same and become liable to the provisions of this act In addition to the method now provided by law for service upon foreign corporations registered or non-registered for the purposes of this act it shall be deemed sufficient if such foreign corporations are served in conformity with the requirements as to service upon domestic corporations

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. WALNUT. Mr. Speaker, I wish to call up House Bill No. 105, file folio 2319, on page 19 of to-day's Calendar, bills on second reading postponed.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 105, entitled:

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the chief factory inspector and others by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof and by repealing all acts and parts of acts inconsistent with the provisions thereof

The first and second sections were read and agreed to as follows:

Definitions Establishment Person Week Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable Provided That this act shall not apply to work in private homes

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

Inclusion of Plural and all Genders

Section 2 Whenever in this act the singular is used the plural shall be included and whenever the masculine gender is used the feminine and neuter shall be included

The third section of the bill was read as follows:

Hours of Labor

Section 3 (a) On and after the first day of September Anno Domini nineteen hundred and fourteen no female shall be employed or permited to work in or in connection with any establishment for more than six days in any one week or more than fifty hours in any one week or more than nine hours in any one day Provided That whenever any person shall regularly employ or permit all the females in any establishment or in any department of an establishment to work for not more than forty-eight hours in any one week and shall not employ or permit such females to work on Saturday or Sunday the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such females to work for not more than nine hours and thirty-six minutes in any one day Any person having any such permit who shall employ or permit such females or any of them to work for more than nine hours and thirty-six minutes in any one day or more than forty-eight hours in any one week or on Saturday or Sunday shall be guilty of a violation of this act

And provided further That whenever any person shall employ or permit any female over sixteen years of age to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such female to work during seven days in any one week but nothing herein shall be construed as permitting such person to employ or permit such female to work for more than nine hours in any one day or for more than fifty hours in any one week

(b) Prior to September first Anno Domini nineteen hundred and fourteen no female shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than fifty-five hours in any one week or more than ten hours in any one day Provided That whenever any person shall employ or permit any female over sixteen years of age to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such female to work during seven days in any one week which said permit shall indicate the hours of the day between which said employees shall be permitted to work but nothing herein shall be construed as permitting such person to employ or permit such female to work for more than ten hours in any one day or for more than fifty-five hours in any one week

(c) No female under sixteen years of age shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than forty-eight hours in any one week or more than eight hours in any one day

(d) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in conection with such establishment shall not exceed the number of hours prescribed in this section for such females in any one week or any one day

(e) The provisions of this section shall not apply to the work of nurses in hospitals

On the question,

Will the House agree to the section?

Mr. KITTS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Section 3, by inserting after line 29, the following: "As provided, further, That during weeks in which a legal or special holiday occurs, and is observed by an establishment, any female may be employed by such establishment during three of the five remaining days of such week, for a longer period of time than is allowed by this act, but no female shall be permitted to work more than two and one-half hours overtime during any one of such three days nor for more than the maximum number of hours per week specified in this act."

On the question,

Will the House agree to the amendment?

Mr. WALNUT. Mr. Speaker, the amendment, I believe, was asked for by the laundry interests. I believe there are two very good reasons against inserting it in the bill. The first reason is that it would increase the hours of labor of women from nine hours to eleven and one-half hours on certain days during weeks in which holidays occurred. The whole principle of this bill is based upon the proposition that extended hours of labor are injurious to the health of the working people, particularly of the women. The hours of labor are fixed at nine hours. This amendment will increase them to eleven an one half hours a day. Information received with reference to the laundry industry has shown that work in the laundry is of a particularly injurious character, and it appears to me to be a very unwise proposition to introduce an amendment of this sort, which can be taken advantage of by that particular industry, especially, and which will prevent the workers who are entitled to a holiday during a particular week from properly enjoying that week because of the increased hours of labor. Instead of making the whole holiday week a week to be looked forward to with anticipation, you will find that the holiday weeks are the most laborious weeks of the whole year. There is no single reason for protecting the laundry people in this bill. There are other industries which come in here with numerous complaints against this bill, against the particular provisions of the bill, whose complaints are based upon the fear of competition in other sections of the country where they maintain these particular conditions do not apply; but, in the case of the laundry industry, they cannot come in and say that there business will be interfered with by competition. There is no competition from outside of the boundaries of this State in the laundry industry. The laundry industry is a local industry absolutely, and it is merely a question as to whether or not the laundryman is going to be able to adapt himself to the new regulations. It is merely a question as to whether or not the consumer is going to change his methods, or the time of sending his laundry or wash to the laundry, in order to enable the laundryman to fit himself to the new conditions. I believe that in the interests of the worker this amendment ought to be voted down.

Mr. R. J. BALDWIN. Mr. Speaker, I want to say to the House that I am heartily in sympathy with the proposition of dealing with the woman and child labor question. I want to do all that is practicable to assist them. I expect to vote for the bill and support it, but I realize most fully that there is a practical side to all of these questions. We must not entirely lose sight of practical proposition that confronts us when we are passing legislation of this character. Those who are engaged in business realize the

difficulties of their business. Those who sit down to write out a theory to meet the labor conditions follow out a theory and oft-times lose entire sight of the practical side. Now, there are only, I think, eight legal holidays in the State of Pennsylvania. There are, taking out the Sundays, about three hundred and fifteen work days. This amendment will effect only eight days of the year. Now, any person who is engaged in an industry and in competition with others—and whether he be in competition or not—he does what is proper and produces his material or substance just as cheaply as possible, reserving for himself a reasonable profit. Now, if the time lost by this amendment in some of our industries means only eight days in a year that cannot be made up, unless that industry employ additional labor and that additional labor must be skilled labor, then we ought to stop and consider the proposition carefully whether we are not going backwards. Now, here is the laundry industry. I am well acquainted with the laundrymen of my county. I know the circumstances under which the business is carried on. I realize that they will lose valuable time and they are thrown back very much and hampered and probably the whole public will be dissatisfied—at least all of their patrons when they want their laundry delivered at a certain time. Now, is it not wiser to allow these only eight days a year, to increase the labor so as to make up the time, and not bring on that industry an impractical hardship. I realize the importance of this great proposition of relieving the girls and the women of this State. I think that our theorists back of this bill are a little unreasonable, and in particular this amendment ought to go in. I think, if you were to follow the subject out deeply, it is a question of whether or not that amendment does not react against the other people that they desire to relieve, because an industry must go on and the patrons must be satisfied. Now, if there were fifty holidays in a year, I would be absolutely opposed to this amendment, but there are but eight, and it is only to compensate for eight days service, when they would have, to some extent, to hire incompetent labor, which would disarrange and disorganize their whole system, because it requires a system to run a laundry. When you stop to think of the great number of patrons that a laundry has and that each and every person expects his laundry to be delivered at a certain time, you realize that to hire competent help would be very expensive, in order to help him to make good. Now, I do hope that the gentlemen will vote in favor of this bill. I do hope that the gentleman who is in favor of this bill will consent to this amendment asked for by the people who are so vitally interested. I do not believe that it is a step backward. I really believe that it will strengthen the bill. I think the House should allow this amendment to go into the bill. I am heartily in favor of what the bill stands for with reference to conditions regarding female child labor, but we ought not to go past the practical point. This amendment is practical. It is not a hardship, and I think it ought to go in. I hope the gentleman will withdraw his opposition to that amendment. This is a serious proposition.

Mr. KITTS. Mr. Speaker, I am a member of the Committee on Labor and Industry and attended the meetings because I am interested in this bill, and will give it my support. Representatives of the laundry interests came before the committee and put up their arguments to the committee, and their arguments appeared to have some merit. Unless this amendment were adopted it might resolve itself into this condition, and we could not get into the laundry before the holiday and it would mean that the laundry would be dragged back into the cellars of your homes where the servant, or if you were unfortunate enough not to have a servant your mothers and sisters would have to go back to the old kitchen washtub again. Notwithstanding the fact that two and one-half hours are added to the three days in any week in which a holiday occurs under this amendment no female would be permitted to work more than the required number of hours as provided in the rest of this bill. You gentlemen must realize that although overtime is allowed by this amendment that no employee will be permitted to work more than the required number of hours, and I cannot see how this is going to work a hardship on anyone. It does not affect the validity of the bill or the purpose of the bill but simply does, this: it meets little conditions that come up which cannot be met by the bill itself. At the hearing before the committee other manufacturers presented their side of the question but they did not appear to have merit. In a holiday week where the actual time of work is decreased by the holiday, they would not have time to get the work out unless this provision is inserted in the bill. Just before the holiday is the rush time when every one takes his laundry to the laundries. This amendment would give them the opportunity to make up that time and all the difficulties would be eliminated.

Mr. WALNUT. Mr. Speaker, I cannot altogether agree with the gentlemen who are supporting this amendment. Neither one of them, to my mind, have spoken in favor of this amendment. Now the laundry industry, or those employed by the laundries, work about five days a week, and the proposition advocated in this amendment will enable laundries during eight more weeks of the year to employ the girls or women eleven and one-half hours instead of nine hours a day. You will practically, so far as the laundry interest is concerned, nullify the very principle of this act. We have heard a very strong plea for ourselves and for the gentlemen who want their shirts to come home on time, and you have heard the terrible threats advanced that possibly our shirts will not come home on the day we expect them. There is another side to the proposition, the side of the workingman, and that is the side we are considering presumptively at least in this bill. We ought to remember that the worker is entitled when a holiday week comes along to a reasonably good week. If you are going to insist that that worker becomes thoroughly exhausted by working three days of eleven and one-half hours each, you will destroy the whole principle upon which holidays were established. They have advanced one argument in favor of the amendment, and it is purely a selfish and individual one, and that is that we do not want to be hampered in the time of securing our wash from the laundry. I cannot see that that interest will be hurt in any way, there can be no competition for their work will always have to be done. In Illinois they have this same law without the amendment, and the manner in which they work will be similar to that in the State of Illinois. Heretofore laundries have been working more than ten hours a day under pressure. They think that there is no other way to work. I have in my desk now a letter from the Pilgrim Laundry Company in Philadelphia, and another large laundry company, stating that they are satisfied with the terms of the bill, and that they can readjust their hours, and the labor arrangements in their establishments in such a way without injury to ourselves or to the patrons of the laundry to get through with their work in a proper fashion and get it out on time. I can see no reason for the adoption of this amendment, and can see very valid reasons against the adoption of it.

Mr. KITTS. Mr. Speaker, I do not think it is the intention of the gentleman from Philadelphia to mislead the members of this House, but it strikes me that some members of the House may not understand that this two and one-half extra hours applies to three days in a week in which there is a legal holiday. During that week we would have the same total number of hours as in any other week. The number of hours in a week in no instance would exceed the maximum number of hours as required in this bill.

Mr. McALEER. I think, Mr. Speaker, that the gentlemen who oppose this amendment lose sight of the fact that the larger laundries use machinery in the production of their output, rather in the doing of their work, while some of the smaller laundries work by hand. Now if the hand laundries are compelled to practically work on short time during a given week, what it will mean will be that they will either have to go out of business, perhaps, and may be not, or they will have to find some means to providing themselves with labor saving machinery, such as is used by the Pilgrim Laundry Company of which the gentleman has just spoken. If the Pilgrim Laundry Company desires to put out more work, it simply means the buying of a new machine or two. I see no reason why this amendment should not prevail, because if it does not prevail it means throwing out of work perhaps lots of people who now get work in the smaller laundries. The smaller laundries will either have to provide themselves with machinery, or go out of business, which will throw lots of laborers out of work.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman who offered this amendment.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. KITTS. I will.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if the amendment if adopted would apply to every industry.

Mr. KITTS. It would. It does not apply strictly to laundries, but would apply to any industry.

Mr. ROCKWELL. Then it is a general amendment.

Mr. KITTS. Yes, sir.

And the question recurring,

Will the House agree to the amendment?

A division having been called for, 90 voted in the affirmative and 61 in the negative, so the question was determined in the affirmative, and the amendment was adopted.

On the question,

Will the House agree to the section as amended?

Mr. LESLIE. Mr. Speaker, I desire to offer a further amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 3 by inserting after line 44 the following: "And provided further that during weeks in which a legal or special holiday occurs and is observed by an establishment, any female may be employed by such establishment during three of the five remaining days of such week, for a longer period of time than is allowed by this Act, but no female shall be permitted to work more than 2½ hours overtime during any one of such three days nor for more than the maximum number of hours per week specified in this act.

On the question,

Will the House agree to the amendment?

Mr. SPEISER. Mr. Speaker, it is not to be wondered at that this amendment is offered at this time. I am surprised that it was not offered at the same time as that of the gentleman from Erie. I had not intended to say anything on this bill this morning. I had no doubt that every man here favored the passage of this bill in its original form. I cannot see any reason why that should not be the case. I dare say there is no man on the floor of the House who does not know the merits of the bill, and no man who would not be in favor of it in its original form irrespective of any political affiliations he might have or any pledges he might have given to his constituency, nor when he was a candidate for the Assembly. Now, as the sponsor of this bill has very plainly said to you a few minutes ago, a holiday week would be something that would not be anticipated and looked forward by all the female employees that come within the purview of this act, and it strikes me as peculiar that we will deny to our own people, the people who earn their livelihood by manual labor, that little satisfaction of having a week come along in which they really have a true holiday in which they only work the ordinary hours as prescribed in other weeks, and get a day off. Are the commercial interests of Pennsylvania to be sacrificed by passing this bill in its original form. Is there a man in this room who questions for a moment that there can be any hurt to any business interest of any kind be it laundry or otherwise. The easiest way would be to engage more help, or have a little less output, and to my mind there is no question but that it is better to save the health of our women of this State who are the future mothers of future citizenship, than to increase the output, but it is a matter great enough to when it will put a greater burden upon a woman in a holiday week, when in the original form of the act she cannot be made to work more than nine hours a day while under this amendment she will be compelled to work eleven and one-half hours a day during the week in which there is a holiday. Giving her the time for her lunch, and the time occupied coming to and going from work, and you have that poor woman occupied fourteen hours a day during the week in which there is a holiday. What is the use of having holidays The work in that week is worse than the work in any other week. It is an unfair advantage to take of the women of this State, to ask them to do that. No woman can stand to work fourteen hours a day, and that is what you are doing here, and I ask you Gentlemen of the House to vote this amendment down. I am sorry that this bill could not have gone through with a clean bill of health irrespective of the minor desires of any one industry.

Mr. LESLIE. Mr. Speaker, in answer to the gentleman from Philadelphia, I wish to say that the very point that he raised is a point that this amendment tries to cover and that is to give the women a holiday. As I understand it, in the holiday week it increases the work of the laundry at least ten per cent. and decreases the hours of labor. Now this is only to laundries and establishments that observe the holidays. It is very easy for the laundry to say that you can have a holiday but you will have to work this extra day and get out the work, and this amendment is simply to provide that they will have one full holiday in every sense of the word.

Mr. ISLER. Mr. Speaker, in answer to the gentleman from Allegheny and in speaking I want to concur in every word that the gentleman from Phladelphia has said. I say why not put on more girls? The laundry interests are making plenty of money and they have been making plenty of money and they are now about forming a trust out of it, that is air-tight, over in our city. For this reason, I think this amendment should be voted down.

Mr. KITTS. Mr. Speaker, I see very little reason for this argument. The idea is not to knock the girls out of a holiday or compel them to work on a holiday but to get the work out.

Mr. WALNUT. Mr. Speaker, I think the members of the House principally miscomprehend the fundamental purpose of this bill. They have been listening here to a plea for the industry. There is no validity in that. Every one of these pleas, you and I myself know, are not well founded. They will continue to go on with the laundry business during a holiday week just as during any other week. We know the indunstry is not going to suffer. We know that if we are decent men at all that we are willing to waive some slight inconvenience ourselves in order to carry out the purpose of this bill. If there is any man here that believes that the interests are entitled to more consideration than the workers, he does not comprehend the purpose that was back of the movement during the last few years. He does not comprehend the whole movement that has been going on to secure better conditions for the employees and all the people who are at work, for all the workers. If he does not comprehend that he may properly vote for that amendment but if he does he will vote against this amendment. I call for the yeas and nays.

The SPEAKER. The question is on the adoption of the amendment. As the yeas and nays have been called for, the Clerk will call the roll. The roll will be verified.

Which was done as follows:

YEAS—55.

Allen,	Gans,	Leslie,	Rhoads,
Bayle,	Geary,	Letzkus,	Rothenberger,
Becker,	Good,	Malie,	Sassaman,
Berntheizel,	Gransback,	Matt,	Savacool,
Body,	Hess,	McAleer,	Semmens,
Brown,	Hibshman,	Mellott,	Shaffer, C. A.,
Carter,	Hoffman,	Missimer,	Smith, J. W.,
Claycomb,	Jackson,	Morrow,	Stein,
Cleary,	Kennedy,	Neel,	Swartz,
Curry,	Kern,	Neely,	Ulman,
Donahoe,	Kitts,	O'Neill,	Wettach,
Eichenberger,	Klepper,	Price,	Wilson, J. H.,
Ewing,	Kuhn, H. P.,	Ramsey,	Young, J. H.,
Flynn,	Kuhns, E.G.M.,	Reese,	

NAYS—119.

Adams,	Donnally,	Keeport,	Schaeffer, A. C
Ambler,	Down,	Lenker,	Schuck,
Baldwin, G. A.,	Dunn, H. B.,	Light,	Scott, J. R. K.,
Baldwin, R. J.,	Dunn, J. A.,	Lohr,	Scott, S. B.,
Barner,	Ehrhardt,	Mather,	Shaner, I. E.,
Bass,	Ely,	McAllister,	Sherwood,
Benninger,	Fahey,	McClintock,	Showalter,
Benson,	Forster, I. G.,	McDermott,	Smith, L.,
Bergey,	Frey,	McKay,	Snyder,
Bigger,	Geiser,	Metzenbacher,	Spangler,
Bittles,	Gibson,	Miller,	Speiser,
Blair, W. A.,	Glenn,	Moore,	Spillinger,
Bleloch,	Goss,	Moulthrop,	Steedle,
Brosius,	Grabe,	Murphy,	Steele,
Brownlee,	Gramley,	Musser,	Stone,
Burnett,	Gray, Frank,	Newbaker,	Swift,
Caldwell,	Hackett,	Newton,	Thomas,
Campbell, C.M.,	Haggerty,	North,	Trach,
Campbell, J. J.,	Heidinger,	Peachey,	Ulerich,
Carson,	Hemminger,	Pennock,	Walnut,
Cheeseman,	Herman,	Perry, H. L.,	Walton,
Cochran,	Hobbs,	Perry, S. J.,	Watson,
Conner,	Howard, R.,	Post,	Whitaker,
Conniff,			Wildman,

Conrade,	Isler,	Redfield,	Williams,
Cox,	Irwin, G. C.,	Reeser,	Wilson, W. H.,
Currier,	Irwin, H. H.,	Rex,	Wiltbank,
Davis,	Jones, E. E.,	Robinson,	Young, G. K.
DeFrees,	Jones, J. R.,	Rockwell,	Zimmerman,
Dickinson,	Keegan,	Roney,	Alter,
		Runk,	Speaker.

So the question was determined in the negative and the amendment not agreed to.

Mr. O'NEILL. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that the vote by which the amendment to section three, after line 29, was adopted, be reconsidered

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. PIPER. I rise at this time asking every member of this House to-day to vote in favor of reconsidering this vote, that is vote in favor of the motion as it is now presented before the House.

Some two or three months ago labor held a conference here in Harrisburg, at which conference they favored this bill as it was presented at that time. The labor conference did not keep any one from attending that work. All organizations of labor or unorganized labor were invited to attend that conference, hear these bills read and pass views on these bills. I rise to-day, not because I want to do any injury to any particular industry, but as I believe that some of the industries feel that they are having an injustice done to them and are not taking a true conception of the bill. I feel that if they would consider that this thing will not take effect for some time, that they will be able to eventually find some way to comply with the law if we leave it as we now have it. I would ask that each and every member of the House vote aye on this motion.

On the question recurring,

The motion was agreed to.

The SPEAKER. The question now recurs to the adoption of the amendment offered by the gentleman from Erie, (Mr. Kitts) at the end of line 29. Is the House ready for the question?

Mr. G. A. BALDWIN. Mr. Speaker I ask that the roll be called on this question.

Mr. PIPER. I second the call.

The SPEAKER. Do the gentlemen insist on their request for the calling of the roll?

Mr. G. A. BALDWIN. Mr. Speaker, I will be satisfied with a rising vote.

A division having been called for nobody having voted in the affirmative and 118 in the negative, the question was determined in the negative and the amendment not adopted.

On the question recurring,

Will the House agree to the third section?

It was agreed to.

The fourth section of the bill was then read as follows:

Night-Work Prohibition in Manufacturing Establishments

Section 4 No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten in the evening of any day provided That this section shall not apply to managers superintendents or persons doing clerical or stenographic work

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 4 line 4 by inserting after the word "ten" the word "o'clock."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth, sixth, seventh, eighth, ninth and tenth sections of the bill were then separately read and agreed to as follows:

Night-Work Prohibition Females under Twenty-One

Section 5 No female under twenty-one years of age shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day

Night-Work Prohibition Females under Sixteen

Section 6 No female under sixteen years of age shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening of any day

Mid-Day Meal Periods

Section 7 Not less than forty-five minutes shall be allowed to every female employed or permitted to work in or in connection with any establishment for the mid-day meal which period shall not be considered a part of the hours of labor Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the time allowed for the mid-day meal may be reduced to not less than thirty minutes

Employees shall not be required to remain in the work rooms during the time allowed for meals

Intervals Between Work-Periods

Section 8 No female shall be employed or permitted to work for more than six hours continuously in or in connection with any establishment without an interval of at least forty-five minutes and no period of less than forty-five minutes hall be deemed to interrupt a continuous period of work Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less tha neight hours in any one day the interval between work-periods may be reduced to not less than thirty minutes

Employees shall not be required to remain in the work-room during the rest periods required by this section

Prohibition of Work Within Four Weeks after Child-birth

Section 9 No person shall with knowledge employ or permit any female to work in or in connection with any establishment within four weeks after child-birth

Seats

Section 10 Every person employing or permitting females to work in any establishment shall provide suitable seats for their use in the rooms where they shall work and shall maintain and keep them there and shall permit the reasonable use thereof by such females At least one seat shall be provided for every three females employed or permitted to work and all seats shall during work-hours be conveniently accessible to the workers for whose use they shall be provided

The eleventh section of the bill was read as follows:

Wash and Dressing Rooms Water-Closets

Section 11 Every person employing or permitting females to work in any establishment shall provide suitable wash and dressing rooms and water-closets or privies for their use so located as to be accessible to such females In any establishment in which males and females shall be employed or permitted to work separate wash and dressing rooms and water-closets or privies shall be provided for each sex and such wash and dressing rooms and water-closets or privies for each sex shall be entirely separate from those provided for the other sex The water-closets or privies provided for females shall be in the ratio of one for every forty females employed or permitted to work All water-closets or privies shall be properly lighted and shall be separated from the rooms in which employes shall be permitted to work by partitions extending from floor to ceiling and the compartments containing such water-closets or privies shall have sufficient direct outside ventilation by window or other means The entrances to the water-closets or privies shall be screened from the rooms in which employes work and from the entrances to the water-closets or privies provided for the other sex by screens or partitions at least six feet high All water-closets or privies shall at all times be kept clean sanitary and free from all obscene writing or marking

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 11 line 12 by striking out the word "forty" and inserting in place thereof the word "seventy-five"

On the question,

Will the House agree to the amendment?

Mr. WALNUT. Mr. Speaker, section 11 provides for certain sanitary arrangements in connection with factories and in the Committee, at the instance of the gentleman from Erie (Mr. Kitts) there was a reduction made or rather an increase made from 25 to 40; that is, there was to be a toilet for every 25 females in the original draft of the bill and that suggestion was changed so as to read "one toilet for every forty females." I understand that there has been some suggestion made as to the propriety of that change and for that reason I introduced this amendment which would place that bill back in its original state.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth section of the bill was then read and agreed to as follows:

Lunch Rooms in Certain Establishments

Section 12 Any person employing or permitting any female to work in any establishment where white lead arsenic or other poisonous substances or injurious fumes dust or gases shall be present shall provide and maintain a suitable room free from the aforesaid substances fumes dust and gases for the use of said female employees and no such person shall during the time allowed for meals permit any such female to remain in any room where the aforesaid substances fumes dust and gases shall be present

The thirteenth section of the bill was read as follows:

Exhaust Fans in Certain Establishments

Section 13 Any person who shall employ or permit any female to work in any establishment in which poisonous or dangerous dust fumes or gases shall be created by the machinery or material in process of manufacture shall provide proper hoods and pipes connected with exhaust fans of sufficient capacity to remove such dust fumes or gases at their point of origin and prevent them from mingling with the air in the room and such fans shall be kept running constantly while such dust fumes or gases shall be generated

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section 13 line 3 by striking out the word "dangerous" and inserting in place thereof the word "injurious."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourteenth section of the bill was then agreed to as follows:

Drinking Water

Section 14 Any person employing any female in any establishment shall make reasonable efforts to at all times provide a sufficient supply of clean and pure drinking water Such water shall be supplied through proper pipe connections with water mains which furnish water for domestic purposes or from a spring or well or body of pure water If drinking water be placed in receptacles in the establishment such receptacles shall be properly covered to prevent contamination and shall at all times be kept thoroughly clean Provided that no employer in any establishment shall collect from any such female employee any money for ice furnished in his establishment for drinking purposes for the use of the employees

The fifteenth section was read as follows:

Section 15 Every person employing or permitting any female to work in any establishment shall keep posted in a conspicuous place in the room where such female shall be employed or permitted to work a printed abstract of the provisions of this act and a schedule of the hours of labor of such female Provided That when any female shall be employed or permitted to work in more than one room in any establishment the aforesaid abstract and schedule shall be required in only one of the said rooms If any female shall be employed or permitted to work in connection with any establishment but not in such establishment the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment

The schedule of hours of labor herein required shall contain the name of the female employed or permitted to work the maximum number of hours such female shall be required or permitted to work on each day of the week with the total for the week the hours of commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such female may begin work after the time for beginning and stopping before the time for ending work stated in such schedule but she shall not otherwise be employed or permitted to in or in connection with any establishment except as stated in such schedule

The Chief Factory Inspector shall prepare the abstract of the provisions of this act and a form for the schedule of hours of labor required by this section Copies of such abstract and such form shall be printed in accordance with the laws of this Commonwealth regulating printing and publishing under the supervision of the Superintendent of Public Printing and Binding and the Chief Factory Inspector shall supply the same upon application to all persons required to post the abstract and schedule aforesaid

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 15, line 5, by inserting between the words "in" and "conspiciuous" the article "a"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The sixteenth, seventeenth and eighteenth sections of the bill were read and agreed to as follows:

Enforcement Proof of Age of Certain Females

Section 16 Whenever any female shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day who in the judgment of the Chief Factory Inspector or his deputy is under twenty-one years of age or whenever any female shall be employed or permitted to work in any establishment before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening of any day or for more than eight hours in any one day or more than forty-eight hours in any one week who in the judgment of the Chief Factory Inspector or his deputy is under sixteen years of age such officer may demand from any person employing or permitting any such female to work in or in connection with his establishment that such person shall either furnish to such officer within ten days satisfactory evidence such as shall be required by law for the issuing of employment certificates to minors that such female is in fact twenty-one years of age or over or sixteen years of age or over as the case shall be or shall cease to employ or permit such female to work in or in connection with such establishment before or after the hours above named or for more than eight hours in any one day or forty-eight hours in any one week as the case shall be Provided That such employer by thus ceasing to employ or permit such female to work shall not be relieved from any of the penalties provided in this act for the employment or work of a female contrary to law In case such employer shall fail to furnish to said officer within ten days after making such written demand the required evidence of age and shall thereafter continue to employ such female or permit her to work in or in connection with such establishment before or after the hours aforesaid or for more than eight hours in any one day or more than forty-eight hours in any one week as the case shall be proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such female in any prosecution brought therefor

Enforcement Hindering or Delaying Factory Inspectors

Section 17 No person shall hinder or delay the Chief Factory Inspector or any of his deputies in the performance of his duties in the enforcement of this act or refuse to admit or lock out any inspector from any place which said inspector shall be authorized to inspect or refuse to give any inspector any information required for the proper enforcement of this act

Enforcement By the Factory Inspectors

Section 18 It shall be the duty of the Chief Factory Inspector and his deputies to enforce all the provisions of this act They shall visit and inspect establishments and shall have power at any reasonable time to visit and inspect any establishment in or in connection with whcih any female shall be employed or permitted to work They shall investigate all complaints of violations of this act received by them and shall institute prosecutions for violations of the provisions thereof

The nineteenth section of the bill was read as follows:

Enforcement Prosecutions procedure

Section 19 In all cases the prosecution shall be instituted in the name of the Commonwealth by the deputy factory inspector of the district where the offense is committed and any such inspector who shall fail to institute such prosecutions within a reasonable time after the application made to him by any person accompanied by a sworn statement of facts constituting a vioation of this law shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a penalty of not less than ten dollars nor more than one hundred dollars and shall be dismissed from office Provided that when the prosecution is instituted upon such sworn statement of facts and no conviction shall result the person making the application for such prosecution shall be liable for the costs thereof if in the opinion of the court there shall not have been reasonable grounds for its institution

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 19 by striking out the present section and substituting the following:

(Enforcement Private Prosecutions Procedure)

Section 19 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a viloation Provided That any person other than a public officer who shall institute a prosecution which shall fail to resulting in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have been reasonable grounds for instituting the prosecution.

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth sections of the bill were read and agreed to as follows:

Prosecutions Procedure Appeals

Section 20 All prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall ssue a summons commandng the person charged with a violaton of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken to the court of proper jurisdiction within twenty days after the imposition of the penalties aforesaid The defendant may take an appeal by depositing with the magistrate alderman or justice of the peace a sum equal in amount to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Penalties First and Second Offenses Continued Violations Cumulative Penalties Exemption of Person from Punishment Under Certain Circumstances

Section 21 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provision of this act shall be guilty of a misdemeanor Upon conviction for a violation of any provision of sections three four six seven eight or nine of this act he shall be punished for each and every female in connection with whose employment or work such provision shall have been violated for a first offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or by both at the discretion of the court and whenever any person shall have been notified by the Chief Factory Inspector or his deputy or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification

Upon conviction for a violation of any of the provisions of sections ten eleven twelve thirteen fourteen fifteen sixteen or seventeen of this act the punishment shall be without regard to the number of females employed for a first offense not less than twenty-five ($25) dollars or more than fifty ($50) dollars for a second or subsequent offense a fine of not less than fifty ($50) dollars or more than two hundred ($200) dollars or imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the Chief Factory inspector or his deputy that he is violating such provision and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Factory Inspector or his deputy for remedying the aforesaid condition Provided

First That any person who shall demand evidence such as shall be required by law for the issuing of employment certificates to minors that any applicant for employment or permission to work in or in connection with his establishment is twenty-one years of age or sixteen years of age as the case shall be and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age shall not be liable to punishment for the violation of sub-section (c) of section three or of sections five or six of this act though it shall subsequently appear that such applicant was in fact less than twenty-one years of age or less than sixteen years of age as the case shall have been Provided That this provision shall not apply to any person who shall demand and receive the evidence herein provided for if he knows at the time of receiving such evidence than the applicant is in fact less than twenty-one years of age or less than sixteen years of age as the case shall be nor shall this provision prevent the punishment of any person for violating sub-section (c) of section three of sections five or six of this act after knowledge of the true age of the female employed

Second That whenever a violation of any provision of this act shall also be a violation of another provision or other provisions of this act penalties may be imposed for the violation of each and every such provision

Third That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fourth That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of minors penalties shall be imposed under only one of such acts

Suspension of Sentence Prohibited for Second Offenses

Section 22 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense if there be a second prosecution and conviction for a violation of the same provision of this previously violated the full penalty for the first offense shall be imposed in adition to the penalty imposed for the second offense

Disposition of Fines

Section 23 All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector who shall pay the same into the office of the State Treasurer for the use of the Commonwealth

Construction of the Act Not to Affect Industrial Training or Other Education Unconstitutionality of a Part of the Act

Section 24 Nothing in this act shall be construed to prevent females of any age from receiving industrial training or other education in or in connection with any school or educational institution in this Commonwealth

Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section sub-section sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining phrases clauses sentences sub-sections and sections of this act shall not be affected thereby

The twenty-fifth section of the bill was read as follows:

Acts Repealed

Section 25 The following acts or parts of acts are hereby repealed

The act entitled "An Act for the preservation of the health of female employes in manufacturing mechanical and mercantile establishments" approved the twenty-second day of March Anno Domini eighteen hundred and eighty-seven (Pamphlet Laws seven)

Section ten of the act entitled "An Act to regulate the employment and provide for the safety of women and children in manufacturing establishments mercantile industries laundries or renovating establishments and to provide for the appointment of inspectors to enforce the same and other acts providing for the safety or regulating the employment of said persons" approved the third day of June Anno Domini eighteen hundred and ninety-three (Pamphlet Laws two hundred seventy-six)

Sections four and eight of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-sixth day of April Anno Domini eighteen hundred and ninety-seven (Pamphlet Laws thirty)

Sections six and ten of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of May Anno Domini nineteen hundred and one (Pamphlet Laws three hundred and twenty-two)

Sections three seven and eight of the act entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employees in all industrial establishments and of men women and children in school houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusement in which proper fire escapes exists and extinguishers are required to provide for the health of all employees and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" approved the second day of May Anno Domini nineteen hundred and five (Pamphlet Laws three hundred and fifty-two)

The following acts or parts of acts are hereby repealed in so far as they are inconsitent with the provisions of this act

Section two of the act entitled "An Act for the relief of the heirs of James Caldwell deceased and relatives to the hours of labor in manufacturing establishments" approved the twenty-first day of April Anno Domini one thousand eight hundred and forty-nine (Pamphlet Laws six hundred and seventy-one)

Sections one and two of the act entitled "An Act to limit the hours of labor constituting a day's work in this State to eight hours" approved the fourteenth day of April Anno Domini one thousand eight hundred and sixty-eight (Pamphlet Laws ninety-nine)

Section eleven of the act entitled "An Act to regulate the employment and provide for the safety of women and children in manufacuring establishments mercantile industries laundry or renovating establishments and to provide for the appointment of inspectors to enforce the same and other acts providing for the safety or regulating the employment of said persons" approved the third day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws two hundred and seventy-six)

Sections one and nine of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and to provide for the appointment of inspectors office clerks and

others to enforce the same" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws thirty)

Sections one and eleven of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacturing establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of May Anno Domini nineteen hundred and one (Pamphlet Laws three hundred and twenty-two)

The act entitled "An Act prohibiting athletic exhibitions of longer duration than twelve hours in each calendar day" approved the eleventh day of April Anno Domini nineteen hundred and three (Pamphlet Laws one hundred and sixty-six)

Sections nine and ten of the act entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employees in all industrial establishments and of men women and children in school houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusement in which proper fire escapes exists and extinguishers are required to provide for the health of all employees and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" approved the second day of May Anno Domini nineteen hundred and five (Pamphlet Laws three hundred and fifty-two)

Section five of the act entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof approved the twenty-ninth day of April Anno Domini nineteen hundred and nine (Pamphlet Laws two hundred and eighty-seven)

And all other acts or parts of acts not herein particularly specified which are inconsistent with the provisions of this act

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 35, line 23, by striking out the word "sixth" and inserting the word "ninth"

Amend section 25, line 124, by striking out the word "Seven" and insert the word "three"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-sixth section and the title of the bill were read separately and agreed to as follows:

Date of Operation

Section 26 Except as herein otherwise provided this act shall take effect on the first day of September Anno Domini nineteen hundred and thirteen

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the chief factory inspector and others by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof and by repealing all acts and parts of acts inconsistent with the provisions thereof

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. WALNUT. Mr. Speaker, I desire to call up House Bill No. 119, file folio 2343, on page 19 of to-day's Calendar, bills on second reading postponed.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 119, entitled:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuances re-issuances filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posted providing for the enforcement of this act by officers of the Department of Factory Inspection and the Department of Mines by the superintendent of public instruction by officers of the boards of school directors and by police officers prescribing penalties for violations of the provisions of this act and defining private prosecutions for violations thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

The first, second and third sections of the bill were read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "minor" when used in this act shall mean any individual under twenty-one years of age

The term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable except a farm or private home Provided That wherever "establishment" is used in any provision of this act such provision shall be construed not to affect work at any of the occupations mentioned in section thirteen of this act

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

Inclusion of Plural and all Genders

Section 2 Whenever in this act the singular is used the plural shall be included and whenever the masculine gender is used the feminine and neuter shall be included

Work by Child Under Fourteen Prohibited In Any Establishment Anywhere During School Hours

Section 3 No child under fourteen years of age shall be employed or permitted to work in or in connection with any establishment nor shall any child under fourteen years of age be permitted to work on a farm or in a private home or at any of the occupations mentioned in section thirteen of this act during the hours when the public schools of the school district in which such child resides shall be in session

The fourth section of the bill was read as follows:

Work by Child Under Sixteen Prohibited in Injurious Occupations

Section 4 No child under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines circular or band saws wood shapers wood jointers planers sandpaper or wood polishing machinery wood-turning or boring machinery picker machines or machines used in picking wool cotton hair or any other material carding machines paper-lace machines leather burnishing machines job or cylinder printing presses operated by power other than foot power boring or drill presses stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories metal or paper cutting machines corner staying machines in paper box factories corrugating rolls as are used in corrugated paper or in roofing or washboard factories steam boilers dough brakes or cracker machinery of any description wire or iron straightening or drawing machinery rolling mill machinery power punches or shears washing or grinding or mixing machinery calendar rolls in paper and rubber manufacturing or other heavy rolls driven by power laundering machinery

No child under sixteen years of age shall be employed or permitted to work in any capacity in adjusting or assisting in adjusting any belt to any machinery in proximity to any hazardous or unguarded belts machinery or gearing in connection with any process in which dangerous or poisonous acids are used in such quantity as to be injurious to the health in the manufacture or packing of paints colors or white or red lead in occupations causing dust in injurious quantities in the manufacture or use of dangerous or poisonous dyes in the manufacture or preparation of compositions with dangerous or poisonous gases in the manufacture or use of compositions of lye in which the quantity thereof is injurious to the health upon any railroad whether steam electric or otherwise upon any vessel or boat engaged in the transportation of passengers or merchandise in operating motor vehicles of any description on scaffolding in heavy work in the building trades in any anthracite or bituminous coal mine or in any other mine tunnel or excavation or in any coal breaker washery or any of the outside workings of any mine except in any office thereof in stripping assorting manufacturing or packing tobacco in or about any distillery brewery or any other establishment where alcoholic liquors are manufactured or bottled in any acrobatic or gymnastic performance or in any other occupation similarly dangerous to the life and limb or injurious to the health or morals of such child which may be found so to be by the Chief Factory Inspector or the Chief of the Department of Mines as hereinafter provided

On the question,

Will the House agree to the section?

Mr. MILLER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

In line 20 after the word "machinery" insert "or in operating a moving picture machine"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

In Section 4, line 37, strike out the word "anthracite."
In Section 4, lines 38 and 39, strike out the following words: "or in any coal breaker, washery or in any of the outside workings of any mine."

On the question,

Will the House agree to the amendment?

Mr. CONNIFF. Mr. Speaker, I am in hearty accord with the provisions of this bill, but it seems that its framers in drawing this bill made a mistake, and it is a serious mistake as far as the anthracite regions are concerned. The Mine and Mining Commission, both the minority and the majority have said that the age limit should be fixed at sixteen to enter the mines and at fourteen to enter the breakers. The breakers in the anthracite region form the chief industry for working boys, and most boys enter these breakers at the age of thirteen and it doesn't do them any harm. I, myself, worked in the breakers before the age of sixteen—at about fifteen, I believe—and it did not do me any harm. Most of my colleagues who have worked in the breakers began at the age of fourteen, some of them at an age less than that. It is all right to prohibit the boys from entering the mines at an age less than sixteen, but it is not proper to prohibit them from entering the breakers at an age less than sixteen, and it unfortunately happens in our anthracite regions that many widows depend upon the support of their boys at this age, at the ages of fourteen and fifteen. And I am telling you these facts, gentleman, candidly. The labor men have suggested to me that these amendments be offered. The labor men told me also that they are in hearty accord with the general provisions of this bill, but in the interests of those widows in the anthracite regions who depend upon the support of their boys at the ages of fourteen and fifteen, they ask for these amendments and ask you to support them.

Mr. REESE. Mr. Speaker, I would like to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CONNIFF. Yes, sir, Mr. Speaker.

Mr. REESE. You mean to change the age from sixteen to fourteen years?

Mr. CONNIFF. At the breakers.

Mr. REESE. Mr. Speaker, I am in accordance with the gentleman; it not only works a harship to the boys, but in many instances we have collieries and operations that are situated miles from town. It gives employment to these boys, and if the age of the breaker boys should be changed to sixteen, it would be impossible to do this work. I, myself, went in when I was nine years old. I never lost anything by it and I think that at fourteen it is proper, and I ask the members of the House to support the measure.

I would like to state, in answer to a question as to whether it is dangerous work, that those things are protected by the mine owners.

Mr. WALNUT. Mr. Speaker, I want to state to the House the reasons for inserting this provision in the bill. We have classified here a number of industries. In the majority of industries it is permissible under the bill for a boy to go to work at the age of fourteen. In certain other industries which are classified as being extraordinarily hazaradous or being injurious to the health of the boy, we have raised the age to sixteen. We have classified breakers of the anthracite mines in the class of industries, in which the boy should be particularly protected. For that reason we have fixed the age limit for boys in the breakers at sixteen. The age limit for the boys who work in mines has also been fixed at sixteen,—fixed at sixteen in 1911. I understand that there has been no complaint from the bituminous mining regions. They would be affected by this provisions just as the anthracite regions are affected. The provision relative to boys being employed in connection with the working of mines on the outside—that provision would apply just as well to the bituminous as to the anthracite regions. I feel, gentlemen, that while I am not thoroughly acquainted with the character of the work in the breakers, the provisions have been inserted there upon the experience of people who know very much more about it than I do myself. I have spoken to a number of men who have labored in the breakers in the anthracite regions, and they tell me that this provision raising the limit to the age of sixteen in the case of the breakers was properly inserted in the bill.

Mr. CONNIFF. Mr. Speaker, I merely desire to inform the members of the House, in answer to Mr. Walnut's suggestion that no complaints come from the bituminous regions, the reason is that there are no breakers in the bituminous region.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth, sixth and seventh sections of the bill were read and agreed to as follows:

Work by Child Under Eighteen Prohibited In Extra-Hazardous Occupations

Section 5 No child under eighteen years of age shall be employed or permitted to work in or about blast furnaces docks wharves or quarries in the outside erection or repair of electric wires or upon or in connection with any dangerous electrical machinery or appliances in the running or management of elevators lifts or hoisting machines in oiling or cleaning machinery in motion in the operation or use of emery wheels or any abrasive polishing or buffing wheel where articles of the baser metals or of iridium are manufactured at switch tending gate tending or as brakeman fireman engineer motorman or conductor upon a railroad as pilot fireman or engineer upon any boat or vessel as chauffeur of an automobile or aeroplane in or about establishments wherein gunpowder nitro-glycerine dynamite or other high or dangerous explosive is manufactured compounded or stored in the manufacture of white or yellow phosophorous or phosphorous matches in any other occupation similarly dangerous to the life limb or injurious to the health of morals of such child which may be found so to be by the Chief Factory Inspector or the Chief of the Department of Mines as hereinafter provided

Work by any Minor Prohibited In Saloons

Section 6 No minor shall be employed or permitted to work in or in connection with any saloon or bar-room where alcoholic liquors are sold

Hours of Labor

Section 7 (a) No child under sixteen years of age shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than forty-eight hours in any one week or more than eight hours in any one day

(b) On and after the first day of September Anno Domini nineteen hundred and fourteen no male under sixteen years of age and no female minor shall be employed or permitted to work in or in connection with an establishment for more than six days in any one week or more than fifty hours in any one week or more than nine hours in any one day

Provided That whenever any person shall regularly employ or permit all the males under eighteen years of age and all the female minors in any establishment or in any department of an establishment to work for not more than forty-eight hours in any one week and shall not employ or permit any such males or females to work on Saturday or Sunday the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person in employ or permit such males and females to work for not more than nine hours and thirty-six minutes in any one day Any person having any such permit who shall employ or permit such males or females or any of them to work for more than nine hours and thirty-six minutes in any one day or for more than forty-eight hours in any one week or on Saturday or Sunday shall be guilty of a violation of this act Provided further That whenever any person shall employ or permit any male between the ages of sixteen and eighteen years or any female between the ages of sixteen and twenty-one years to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such male or female to work during seven days in any one week which said permit shall indicate the hours of the day between which said employees shall be permitted to work but nothing herein shall be construed as permitting such person to employ or permit such male or female to work for more than nine hours in any one day or for more than fifty hours in any one week

The eighth section was read as follows:

Night Work Children Under Sixteen

Section 8 No child under sixteen years of age shall be employed or permitted to work in or in connection with any establishment before the hours of seven o'clock in the morning or after the hour of six o'clock in the evening of any day

On the question,

Will the House agree to the section?

Mr. LETZKUS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 8 by adding at the end of the section the following:

Excepting that where the process of manufacture or the nature of the business is of a kind that necessitates a continuous day and night employment male minors not under fourteen years of age may be employed day or night or partly day and partly night: Provided however that the parent or guardian of a boy or boys over fourteen years of age furnish the employer with an affidavit that wages earned by said boy are necessary for the maintainance of said boy or the family of which he is a member and that said parent or guardian is unable in any other manner to provide said maintainance and provided further that said employment shall not exceed nine hours during any twenty-four hours for minors under the age of sixteen years.

On the question,

Will the House agree to the amendment?

Mr. WALNUT. Mr. Speaker, I would like to point out to the House the seriousness of this amendment. It is an amendment that has been tacked on to the Child Labor Bill for a number of years in this State. It has been the intention of the legislation to prevent the working of boys at night between the ages of fourteen and sixteen, and our statute books present a very curious legislation, an act prohibiting the working of boys at night time. This amendment in addition to permitting the employment of children at night, would increase the hours of labor from eight to nine for boys between the ages of fourteen and sixteen years. This amendment, if passed, would nullify the whole bill. There would not be enough of the bill left scarcely to make it worthy of passage and I therefore ask you to vote this amendment down.

Mr. LETZKUS. Mr. Speaker, this amendment has been introduced at the request of the glass workers in my district, all union glass factories. Last fall at the settlement of the scale of wages the workers accepted a twenty per cent. reduction in order to compete with the machine made bottle plants. If this amendment is not attached to the bill, you will do away with one hour a day of the workman in the bottle factories who work piece work, and it will be reducing their wages just one hour per day more than they had to accept last fall in the settlement of the wages. I ask that this amendment go through. I do not think there is a man in this House who wants to reduce anybody's wages, and this bill in its original form will reduce the wages in the glass houses. The work is not hard, and the boys between the ages of fourteen and sixteen do not work hard, and it is sometimes necessary for them to work in order to provide the necessities of life for the family. If you do not vote for this amendment, you are going to vote to reduce the wages of the men who accepted a twenty-per cent cut, in order to compete with the machine plants.

Mr. PIPER. Mr. Speaker, I do not desire to have any quarrels with my colleague from Allegheny, or Pittsburgh, but I am fearful of this amendment on the grounds that I am employed in a different industry from the industry that my colleague wants to benefit in his particular district. If I could be sure that this amendment would not open up the way for every other industry throughout the State of Pennsylvania, then I might feel somewhat inclined to help that particular industry. But as I can read this amendment, as I construe the amendment, I realize that by opening up the way for the glass workers of Pittsburgh, we are opening up the way for every other industry in the State of Pennsylvania. The textile industry in the city of Philadelphia may take advantage of this opening, and they may say that they will have to work their boys and say that it is necessary to do so and what evidence have we that it is not necessary? I have no great bad feeling towards the amendment, but I am going to ask in the interest of my own particular industry of this State that the amendment be not carried here today.

Mr. LETZKUS. Mr. Speaker, the provisions of this bill plainly state that where the Factory Inspector has decided that it does not necessitate continuous day or night work, the work shall not be carried on in that line, and this amendment specifically states that where it necessitates night work, it shall only be done where it is necessary. In the glass house, the glass must be worked when it is clear and melted. A boy has to go into a glass house when he is young to become a mechanic in order that they may be able to compete with the machine made glass plants. The work in a glass factory is not a hardship to the boys. Most of them who get through at three o'clock in the morning, stay around until daylight and will play a game of ball, so you can readily see that the work is not hard. If you do not want to reduce their wages any further than at the present time, vote for this amendment.

Mr. WALNUT. Mr. Speaker, in case that there may be no misunderstanding, I would like to call your attention to the fact that that glass-blowers association or glass manufacturers are objecting most strenuously to the bill as it now stands. They have advanced the plea that the industry is going to be seriously affected, and have also advanced the same proposition as the gentleman from Allegheny relative to the places where children are now engaged. A great deal of testimony has been secured after a careful investigation of the conditions in the very places that the gentleman has referred to, and from a medical observation has been determined that not only the children but the men as well but it is particularly injurious to the children, and this was so well recognized that every industry in every other state engaged in this business has enacted this very proposition that we propose to enact here. The industry would not be affected, nor would the glass blowers, but this bill would merely put Pennsylvania in her proper place by recognizing the needs of the children of the State.

Mr. LETZKUS. Mr. Speaker, the reason that it does not affect the other States is because they have machine plants, machine bottle plants, which they do not have in Pittsburgh, where they are all hand blown plants. The machine plants have all moved from that district because of the bonuses offered by the different cities to those plants to come and install the automatic machines for blowing glass.

The question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The ninth, tenth, eleventh and twelfth sections were read and agreed to as follows:

Night Work, Female Minors

Section 9. No female minor shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day.

Night Work By Messengers

Section 10. No minor shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution transmission or delivery of goods or messages before the hour of six o'clock in the morning or after the hour of eight o'clock in the evening of any day.

Mid-day Meal Periods Males under Eighteen, Female Minors

Section 11. Not less than forty-five minutes shall be allowed to every male under eighteen years of age and to every female minor employed or permitted to work in or in connection with any establishment for the mid-day meal which period shall not be considered a part of the hours of labor: Provided That whenever any such male or female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the time allowed for the mid-day meal may be reduced to not less than thirty minutes employes shall not be required to remain in the work rooms during the time allowed for meals.

Intervals between Work Periods Males under Eighteen Female Minors

Section 12. No male under eighteen years of age and no female minor shall be employed or permitted to work for more than six hours continuously in or in connection with any establishment without an interval of at lest forty-five minutes and no period of less than forty-five minutes shall be deemed to interrupt a continuous period of work: Provided That whenever any such male or female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the interval between work-periods may be reduced to not less than thirty minutes.

Employes shall not be required to remain in the work-rooms during the rest-periods required by this section.

Street Trades Prohibited to Boys under Twelve Girls under Eighteen

The thirteenth section was read as follows:

Section 13. No boy under twelve years of age and no girl under eighteen years of age shall in any street or public place distribute sell expose or offer for sale any newspaper magazine periodical or any other article or merchandise of any description or exercise the trade of bootblack or scavanger or any other trade.

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 13, line 2, by striking out the word "ten" and inserting in lieu thereof the word "twelve."

On the question,

Will the House agree to the amendment?

Mr. WALNUT. Mr. Speaker, section thirteen is the section covering street trades. In the original draft of the bill it provided that no boy under twelve years of age could engage in street trade. This provision was amended in committee to reduce the age from twelve to ten. The amendment I now introduce is to restore it to the original condition. The purpose of course of regulating street trades has not been recognized for a great many years. We have had a theory that a boy in a street trade is a sort of an independent tradesman and his business is to be encouraged. In the last ten or fifteen years we have come to the conclusion through a careful investigation of the conditions existing among the street traders that some regulation of their business should be enacted. As a result of that investigation, we find that among the street traders these little boys of the street are, the largest proportion of delinquents that exists among any group of boys in the community. By being placed on the street, the effect upon their character and habits of work is very serious and the effect also upon the morals has been determined also to be serious. For that reason we have introduced this regulation to prevent boys under twelve years of age from engaging in street trade. The amendment will restore the section to its original condition.

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The section following the thirteenth section was read as follows:

Street Trades Hours of Labor and Night Work

No boy under sixteen years of age shall engage in any of the trades or occupations mentioned in section thirteen to this act for more than eight hours in any one day or before five o'clock in the morning or after eight o'clock in the evening of any day

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, there seems to be a skip between the thirteenth section and the fifteenth section, and I desire to offer an amendment to the section following the thirteenth section,

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the section by inserting in line two before the word "no" the words "section fourteen."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifteenth section was read and agreed to as follows:

Enforcement Employment Certificates Required under Certain Circumstances

Section 15 No person shall employ or permit any child under sixteen years of age to work in or in connection with any establishment or during the hours when the public schools of the school district in which such child shall reside are in session on any farm or in any private home or at any of the occupations mentioned in section thirteen of this act until he shall have received an employment certificate for such child issued in the manner provided in this act

The sixteenth section was read as follows:

Enforcement Employment Certificates To be Issued to Employer Filing Return

Section 16 Every employment certificate shall issued to person who shall expect to employ or permit the child for whom it shall be issued to work When issued it shall forthwith be sent by mail to such person who shall if he employ or permit the child to work keep it on file accessible to any authorized inspector or attendance officer as long as the employment or work shall continue and in case the child shall not be employed or permitted to work or after the person employing or permitting him to work shall have discharged him or shall have been notified that he had permanently terminated his employment or work such person shall within two days return the certificate by mail to the official who shall have issued it

If at any time an employment certificate be received by any person whose name shall not appear thereon such person shall immediately return it by mail to the official by whom it shall have been issued

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 16, line 15, by inserting after the word "it," the following: "Provided, that in no case shall such person retain a certificate for a longer period than one week after the termination of the child's employment or work."

On the question,

Will the House agree to the amendments?

The section as amended was then agreed to.

The seventeenth section was read as follows:

Enforcement Employment Certificates By Whom to be Issued

Section 17 Employment certificates shall be issued for children either residing within their respective school districts or residing without the Commonwealth and employed within such districts as follows In school districts having a district superintendent or suvrising principal by such superintendent or supervising principal of a parochial or private school In school districts having no district superintendent or supervising principal by the secretary of the board of school directors of that district or by he superintendent or supervising principal of any parochial or private school within said districts provided that any district superintendent supervising principal or secretary of the board of school directors or any superintendent or supervising principal of any parochial or private school hereby authorized to issue such certificates may authorize and deputize in writing any officer or individual who is regularly employed by the board of school directors or by the superintendent of any parochial or private school of that district to act in his stead for the purpose of issuing such certificates provided also, that no certificate shall be issued by any individual to any minor in or about to enter such individual's employment or the employment of a partnership or other unincorporated association or corporation of wihch such individual is a member officer or employee

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 17 by striking out the entire section and inserting in lieu thereof the following:

Enforcement Employment Certificates By Whom to be Issued

Section 17 Employment certificates shall be issued by the following officers, for children residing within their respective school districts In school districts having a district superintendent or supervising principal by such superintendent or supervising principal In school districts having no district superintendent or supervising principal by the secretary of the board of school directors of that district Provided that any district superintendent supervising principal or secretary of the board of school directors hereby authorized to issue such certificates may authorize and deputize in writing any individual to act in his stead for the purpose of issuing such certificates but no certificates shall be issued by any individual to any child in or about to enter such individual's own employment or the employment of a partnership or other unincorporated association or corporation of which such individual shall be a member officer or employee

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth sections were read and agreed to as follows:

Enforcement Employment Certificates Pre-Requisites to Issuance

Section 18 The officer authorized to issue employment certificates shall in each case before issuing a certificate receive examine approve and file the following papers duly executed viz

(a) A statement signed by the person for whom the child shall expect to work or by someone duly authorized by such person that he expects to give such child present employment and setting forth the character of such employment

(b) The record of such child properly filled out and signed as hereinafter provided except that for the issuance of a special summer certificate as hereinafter provided no school record shall be required

(c) A certificate signed by a physician appointed by the board of school directors of the school district stating that the child has been thoroughly examined by the said physician and in his opinion has reached the normal development of a child of the age required by law for the occupation in which he shall expect to engage and is in sound health and physically able to be employed in such work as he shall intend to do

(d) Evidence showing that the child is of the age required by law for the occupation in which he shall expect to enagage

Enforcement Employment Certificates Evidence of Age

Section 19 The evidence of age required by section eighteen of this act shall consist of either

(a) A duly certified transcript of the official record showing

the date of birth issued by an officer charged with the duty of recording birth or

(b) A baptism certificate or transcript of the record of baptism duly certified and showing the date of birth or

(c) A passport or record of immigration or transcript thereof duly certified showing the age of the immigrant or

(d) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may except in lieu thereof any other documentary record of age (other than a school record or an affidavit of age) or transcript thereof duly certified provided such record shall be at least two years old and shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age or

(e) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may except in leiu thereof a record of age as given in the register of a school which the child shall have attended at least two years prior to his application for an employment certificate or

(f) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may accept in lieu thereof the signed statement of the physician appointed by the board of school directors stating that after examination it is the opinion of such physician that the child has attained the age required by law for the occupation in which he shall expect to engage Such statement shall be accompanied by a statement signed by the child's parent guardian or custodian (or in case he shall have no parent guardian custodian by his next friend being an adult) certifying to the name date and place of birth of the child and that the parent guardian custodian or next friend signing such statement is unable to produce any of the proofs of age specified in the preceding subdivisions of this section

Enforcement Employment Certificates School Record

Section 20 The school record required by section eighteen of this act shall be filled out and signed by the principal or chief executive officer of the school which the child shall have last attended or by someone duly authorized to act for said principal or chief executive officer and shall be furnished upon demand to the chid who after due examination shall be found entitled thereto It shall state the grade last completed by such child and the studies pursued in completion thereof the number of weeks he shall have attended school during the twelve months previous to applying for such school record his name date of birth and residence shown on the records of the school and the name of his parent guardian or custodian

No school record shall be issued or accepted unless it shall certify that the child can read intelligently and write correctly simple sentences in the English languages and has completed a course embracing the following studies writing spelling arithmetic English language and geography Such studies shall have been pursued to the extent usual in the first five yearly grades in the public schools of this Commonwealth

It shall be the duty of the Superintendent of Public Instruction to ascertain from time to time and to publish by general order for the purpose of this act the extent to which he shall find that the aforementioned studies are pursued in the usual courses completed in such grades Provided That wherever special courses embracing mannual or vocational training or domestic science shall have been established such of these courses as shall be found by the Superintendent of Public Instruction to be substantially equivalent to the courses usually completed in the first five yearly grades in the public schools of this Commonwealth may be accepted in leiu of any or all of the studies aforementioned

When duly executed by the proper authorities of public private or parish schools school records setting forth the facts above enumerated shall be conclusive evidence of such facts

Enforcement Employment Certificates Shall be Issued Fees

Section 21 After the papers required by section eighteen of this act shall have been approved and filed an employment certificate shall be issued for the child applying therefor unless it shall appear to the officer authorized to isuue the same that the employment contemplated is contrary to the provisions of any law of this Commonwealth regulating the employment of children

No fee shall be exacted for issuing an employment certificate or any paper required by section eighteen of this act

Enforcement Employment Certificates Contents Signature

Section 22 The employment certificate shall state the name sex date and place of birth place of residence color of hair and eyes and any distinguishing facial marks of the child for whom it shall be issued It shall state the name and place of business of the person expecting to employ or permit such child to work It shall certify that the child named has personally appeared before the issuing officer and has been examined and that all the papers required by section eighteen of this act have been duly examined approved and filed and that all the conditions and requirements for issuing an employment certificate have been fulfilled Every certificate shall be signed in the presence of the issuing officer by the child for whom it shall be issued It shall bear a number show the date of its issue and shall be signed by the issuing officer

Enforcement Employment Certificates Re-Issuing Thereof

Section 23 Whenever an employment certificate shall have been returned to the official by whom it shall have been issued it shall upon the application in person of the child whose name it bears be re-issued or a transcript thereof shall be issued upon presentation to the said official of a statement signed by the person for whom the child shall except to work or by someone duly authorized by such person that he expects to give such child present employment and getting forth the character of such employment Provided That such official may before re-issuing such certificate or issuing a transcript thereof require a new physician's certificate such as is required by section eighteen of this act to be approved and filed The re-issued certificate or transcript shall contain the name of the person to whom it shall be issued and shall be mailed filed and at the termination of the employment or work returned in the manner prescribed in section sixteen of this act

Enforcement Special Summer Employment Certificates

Section 24 Special summer employment certificates may be issued good for employment only during the regular summer vacation of the public schools of the district in which the children for whom they shall be issued shall reside All the conditions and requirements prescribed in this act for the issuing of employment certificates shall apply to the issuing of special summer employment certificates except that the school record and all educational requirements shall be waived Such special summer employment certificates shall expire and become void upon the first day after they shall have become effective that the public schools of the school district in which the respective children shall reside shall be open Such certificates shall bear a conspicious printed statement of the date upon which they may become effective and shall become void and the words "Special Summer Employment Certificate" They shall be of a color distinct from regular employment certificates

The twenty-fifth section was read as follows:

Enforcement Badges Required for Newsboys et cetera To be Conspicuously Worn Non-Transferable

Section 25 No boy under sixteen years of age shall engage in any of the occupations mentioned in section thirteen of this act unless a badge shall have been issued to him in the manner provided in this act and any boy to whom a badge shall have been issued in the manner provided in this act shall wear it conspicuously exposed whenever he shall be working at any such occupation

No boy to whom a badge shall have been issued in the manner provided in this act shall transfer the same to any other boy

On the question,

Will the House agree to the section?

Mr. LETZKUS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend Section 25 by adding: "provided that this section in this act shall not apply to any boy or boys selling or distributing newspapers within this Comonwealth."

On the question,

Will the House agree to the amendment?

Mr. LETZKUS. Mr. Speaker, my intention in introducing this amendment is to do away with the badge question. Where I reside we have something like fifty boys selling newspapers. They must be licensed under this bill. They must secure a badge and a lot of these boys sell papers between the hours of 4:15 and 5:30 in the evening, which is about one hour and fifteen minutes, and often times, there are times when these boys have some other work to do for their mothers or some other kind of work to do about the house and they don't carry the papers themselves on that evening but they delegate some other young chums of theirs to carry their papers for them. Under the provisions of this act that cannot be done: and they cannot do that unless they have badges. I don't believe in tagging boys for one hour and fifteen minutes a day only for distributing newspapers, and if they did not have a badge they could not do this work and they would be the sufferers. His customers would also suffer. Yet we all want our papers in the evening when we are accustomed to them and when we do not get them, we will be likely to heap comp'aint on the boy because he was not there. I ask that this amendment go through.

Mr. LOWERS. Mr. Speaker, I think we are rapidly becoming extremists. I believe in the general provisions of this bill but as a boy of ten I devoted a part of my spare time out of school hours to pedding newspapers. I don't think I am any worse for it and, as I said before, I believe we are depriving a boy of a natural outlet for the energy that is within him. I think we are drawing the line entirely too fine. We are inclined to make loafers out of boys by placing these restrictions on them. I think we ought to give the boys a chance for the outlet of that energy which is within them.

Mr. WALNUT. Mr. Speaker, there has been considerable discussion upon this question, on the matter of the wearing of badges of boys in the street trades. If we eliminate the question of badges of the regular boys who are engaged in work on the street trades, this measure is worthless; and there cannot be any force in this measure without it, because there is no means of telling what age the boy is and the only way we can identify him under this measure is by the badge as a trader on the street (which is the same as an employment certificate) provided for any boy between fourteen and sixteen years of age. There is no other way of determining this, so far as the boy between

fourteen and sixteen is concerned, who is properly engaged in a street trade. There is no way of telling whether he is entitled to be there or whether he ought to be in school. If we are going to wipe out the badge provision we might as well wipe out the whole measure and defeat the whole bill. They have been doing it in Boston, New York and Buffalo and there they find it works no hardship on the boy or on the community .

Mr. WILDMAN. Mr. Speaker, I am in hearty sympathy with this measure but I believe that the idea of placing a badge upon a boy who is working for his livlihood, for himself and perhaps a widowed mother, is a matter that is ridiculous and absurd. I can see absolutely no good in placing this badge upon a boy. It makes it, to a certain extent, ridiculous and I hope that this amendment will pass.

On the question,

Will the House agree to the adoption of the amendment?

The yeas and nays were required by Mr. WALNUT and Mr. SWIFT.

YEAS—78.

Adams,	Hibshman,	McCaig,	Sassaman,
Allen,	Hobbs,	McClintock,	Savacool,
Bigger,	Hoffman,	McDermott,	Schuck,
Blair, W. A.,	Howard, R.,	Mellott,	Semmens,
Body,	Isler,	Morrow,	Shaffer, C. A.,
Campbell, C.M.,	Jackson,	Moses,	Snyder,
Campbell, J. J.,	Keegan,	Moulthrop,	Spangler,
Carter,	Keeport,	Neely,	Spillinger,
Claycomb,	Kennedy,	Newbaker,	Steedle,
Cleary,	Klepper,	Newton,	Steele,
Cochran,	Kuhn, H. P.,	O'Neill,	Stein,
Currier,	Kuhns, E.G.M.,	Perry, H. L.,	Strauss,
Dickinson,	Lanius,	Perry, S. J.,	Swartz,
Donnally,	Leslie,	Peters,	Ulman,
Ewing,	Letzkus,	Price,	Wettach,
Flynn,	Light,	Rhoads	Wildman,
Gans,	Lowers,	Richards,	Wiltbank,
Geiser,	Malie,	Rothenberger,	Young, G. K.
Goss,	Matt,	Runk,	Young, J. H.,
Greyburn,			Zimmerman,

NAYS—86.

Arthur,	Davis,	Latshaw,	Roney,
Baldwin, G. A.,	DeFrees,	Lenker,	Schaeffer, A. C
Barner,	Donahoe,	Lohr,	Scott, J. R. K.,
Bass,	Dunn, J. A.,	Mannion,	Scott, S. B.,
Becker,	Ehrhardt,	Martin,	Shaffer, I. E.,
Benninger,	Eichenberger,	Mather,	Sherwood,
Benson,	Ely,	McAleer,	Showalter,
Bergey,	Fahey,	McAllister,	Smith, J. W.,
Bittles,	Forster, I. G.,	McKay,	Smith, L.,
Bleloch,	Foster, J. D.,	Metzenbacher,	Speiser,
Brosius,	Frey,	Miller,	Stone,
Brown,	Geiser,	Moore,	Swift,
Brownlee,	Glenn,	Musser,	Thomas,
Burnett,	Gramley,	Peachey,	Trach,
Carson,	Hackett,	Piper,	Ulerich,
Cheeseman,	Haggerty,	Post,	Walnut,
Collins,	Heidinger,	Ramsey,	Walsh,
Conner,	Hemminger,	Redfield,	Whitaker,
Conniff,	Herman,	Rex,	Williams,
Conrade,	Humes,	Robinson,	Wilson, W. H.,
Cox,	Jones, J. R.,	Rockwell,	Alter,
Curry,	Kern,		Speaker.

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth and thirty-sixth sections of the bill were then read separately and agreed to as follows:

Enforcement Badges By Whom to be Issued

Section 26 The badges required by section twenty-five of this act shall be issued by the same officers who are in section seventeen of this act authorized to issue employment certificates to children

Enforcement Badges Pre-Requisites to Issuance

Section 27 Any officer authorized to issue the badges required by section twenty-five of this act shall before issuing a badge to any boy receive examine approve and file evidence as defined in section nineteen of this act that such boy is twelve years of age or over

Enforcement Badges Shall Be Issued

Section 28 After the evidence required by section twenty-seven of this act shall have been approved and filed a badge shall be issued to the boy applying therefor unless after due investigation it shall be the opinion of the officer authorized to issue the same that such boy is physically or otherwise unfit for such work as he expects to do or is incompetent or unable both to work at the occupation in which he expects to engage and to comply with the laws of this Commonwealth governing school attendance

No fee shall be exacted for issuing a badge or any paper necessary to prove age under section twenty-seven of this act

Enforcement Badges Contents and Form

Section 29 The badges issued by each school district in accordance with the provisions of this act shall be consecutively numbered in the order of their issuance Each badge shall contain on its face its number and the name of the school district in which it shall have been issued

The form of the badges issued in each school district shall be determined by the board of school directors of such district

Enforcement Public Record of the Issuance of Employment Certificates and Badges of the Refusal of the same

Section 30 Public records shall be kept in the office of the officer authorized to issue the employment certificates and badges required by this act in which shall appear all the facts contained in every employment certificate which shall be issued in such office the name of every boy to whom a badge shall have been issued by such officer together with the number of the badge issued to such boy and the name of every child whose application for an employment certificate or badge shall have been refused by such officer with the reason or reasons for refusal and with the name of the school which such child should attend

The files containing the papers required by section eighteen of this act and the evidence of age of boys to whom badges shall have been issued shall be open to public inspection

All such records and papers on the file shall be preserved until the children to whom they shall refer shall have attained the age of sixteen years

Enforcement Posting Abstract of This Act and Schedule of Hours of Labor

Section 31 Every person employing or permitting any male under eighteen years of age or any female minor to work in any establishment shall keep posted in a conspicuous place in the room where such male or female shall be employed or permitted to work a printed abstract of the provisions of this act and a schedule of the hours of labor of such male or female Provided That where any such male or female shall be employed or permitted to work in more than one room of any establishment the aforesaid abstract and schedule shall be required in only one of the said rooms If any male under eighteen years of age or any female minor shall be employed or permitted to work in connection with any establishment but not in such establishment the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment

The schedule of the hours of labor aforesaid shall contain the name and the date of birth of the male or female the maximum number of hours such male or female shall be required or permitted to work on each day of the week with the total for the week the hours of commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such male or female may begin work after the time for beginning and stop before the time for ending work started in such schedule but shall not otherwise be employed or permitted to work in or in connection with any such establishment except as stated in such schedule

Enforcement Proof of Age of Certain Minors

Section 32 Whenever any minor shall be employed or permitted to work at any occupation who in the judgment of any officer charged with the enforcement of this act is under the legal age for such work or is working at a time forbidden by law for such minor or whenever any minor shall be employed or permitted to work in or in connection with any establishment or during school hours on any farm or in any private home or at any occupation mentioned in Section thirteen of this act who in the judgment of any officer charged with the enforcement of this act is under sixteen years of age and for whom the person employing or permitting such minor to work shall not be keeping on file an employment certificate such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer within ten days evidence of age as defined in Section nineteen of this act that such minor is in fact of the legal age for the work in which he is engaged or over or sixteen years of age or over as the case shall be or shall cease to employ or permit such minor to work as aforesaid Provided That such person by thus ceasing to employ or permit such minor to work shall not be relieved from any of the penalties provided in this act for the employment or work of a minor contrary to law In case such person shall fail to furnish to said officer within ten days after the making of such demand the required evidence of age and shall thereafter continue to employ such minor or permit him to work as aforesaid proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor in any prosecution brought therefor

Enforcement Hearings to Determine the Nature of Certain Occupations Publications of Findings

Section 33 It shall be the duty of the Chief Factory Inspector and the Chief of the Department of Mines within their respective jurisdictions to hold hearings from time to time upon due notice to interested parties and to determine and find as a fact whether or not any particular trade process of manufacture or occupation or any particular method of carrying on such trade process of manufacture or occupation not specially enumerated in sections four and five of this act is within the prohibitions of the said sections The said officials shall immediately publish any determinations and findings so

made by advertisement in at least two public newspapers within this Commonwealth and in an appropriate trade journal if any such trade journal exist and shall include within their respective annual reports all such determinations and findings therefore made whether by themselves or their predecessors

Enforcement Printing and Distribution of Forms and Abstracts By Certain Officers

Section 34 The Superintendent of Public Instruction shall prepare a form of the employment certificates required by section fifteen of this act and of the papers pre-requisite to the issuance thereof as prescribed in section eighteen of this act and he shall supply copies of the same to all officers authorized to issue employment certificates

The Chief Factory Inspector and the Chief of the Department of Mines within their respective jurisdictions shall prepare the abstract of the provisions of this act and a form for the schedule of hours of labor required by section thirty-one of this act and shall distribute copies of the same upon application to all persons required to post such abstract and schedule

Copies of the forms and abstract aforesaid shall be printed in accordance with the laws of this Commonwealth regulating printing and publishing under the supervision of the Superintendent of Public Printing and Binding

Enforcement By the Chief Factory Inspector the Chief of the Department of Mines and the School Attendance Officers

Section 35 It shall be the duty of the Chief Factory Inspector and his deputies to enforce all of the provisions of this act except such as relate to occupations in or in connection with a mine or the outside workings thereof which provisions shall be enforced by the Chief of the Department of Mines and his deputies or to work on a farm or in a private home which shall be enforced by the attendance officers of the several school districts or to the occupations mentioned in section thirteen of this act which shall be enforced as hereinafter provided All the provisions of this act which relate to children under sixteen years of age shall also be enforced by the attendance officers of the several school districts

All of the officers aforesaid shall visit and inspect establishments and shall have power at any time to visit and inspect any place in or in connection with which any minor is employed or permitted to work They shall investigate all complaints of violations of the provisions of this act received by them and shall institute prosecutions for such violations The said officers shall have power to cause the employment certificates required by this act to be produced for their inspection the failure of any employer to produce for such officer upon demand of an employment certificate when the same shall be required by this act shall be prima facie evidence of the illegal employment of any child whose employment certificate shall not be so produced Said officers shall report at once to the officer authorized to issue employment certificates in the school district the name and residence of any child under sixteen years of age discharge for illegal employment Attendance officers shall report at once to the inspector having jurisdiction the name of any minor found illegally employed the name and place of business of the employer and the date of such illegal employment

Enforcement Of Street Trades Provisions by Police and Attendance Officers Special Attendance Officers

Section 36 The provisions of this act relating to children engaged in the corporation mentioned in section thirteen of this act shall be enforced by police officers and by the attendance officers of the respective school districts of this Commonwealth who are hereby vested with full police power for such purpose

The board of school directors of each school district may appoint or designate one or more special attendance officers to have supervision over children engaged in the occupations mentioned in section thirteen of this act and enforce the provisions of this act relating thereto

The thirty-seventh section was read as follows:

Enforcement Prosecutions Procedure

In all cases the prosecution shall be instituted in the name of the Commonwealth by the deputy factory inspector of the district where the offense is committed and any such inspector who shall fail to institute such prosecution within a reasonable time after application made to him by any person accompanied by a sworn statement of facts constituting a violation of this law shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a penalty of not less than ten dollars nor more than one hundred dollars and shall be dismissed from office Provided that when the prosecution is instituted upon such sworn statement of facts and no conviction shall result the person making the application for such prosecution shall be liable for the costs thereof if in the opinion of the court there shall not have been reasonable grounds for its institution

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 37 by striking out the entire section and inserting in lieu thereof the following:

Enforcement Private Prosecutions Procedure

Section 37 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a violation provided that any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have ben reasonable grounds for instituting the prosecution

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth forty-seventh, forty-eighth, forty-ninth and fiftieth sections of the bill and title were then separately read and agreed to as follows:

Prosecutions Procedure Appeals

Section 38 All prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall issue a summons commanding the person charged with a violation of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed which shall be final unless an appeal be taken to the court of proper jurisdiction within twenty days after the imposition of the penalties aforesaid The defendant may appeal by depositing with the magistrate alderman or justice of the peace a sum equal to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Penalties First and Second Offenses Continued Violations Cumulative Penalties Exemption of Employers from Punishment under Certain Circumstances

Section 39 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provisions of this act shall be guilty of a misdemeanor Except as provided in sections forty to forty-five inclusive of this act upon conviction for a violation of any provisions thereof he shall be punished for each and every minor in connection with whose employment or work such provision shall have been violated for a first offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court whenever any person shall have been notified by any officer charged with the enforcement of this act or by the service of a summons in a prosecution that he is violating any provision of this act he shall be punished by like penalties in addition for each and every day that such violation have continued after such notification provided

First That any person to whom an employment certificate shall have been issued for any child by an official authorized to issue employment certificates and who shall have kept the same on file and in the case of such child shall have complied with all the requirements of this act applying to a child of the age stated in such certificate shall not be punished for the employment of such child though it shall subsequently appear that the certificate was improperly issued by such official Provided That immediately upon learning that the certificate was improperly issued such person shall have ceased to employ or permit the child to work until he shall have received a new employment certificate for such child

Second That any person who shall demand the evidence of age defined by section nineteen of this act that any applicant for employment or permission to work is of the legal age for such employment or work or over sixteen years of age as the case shall be and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to an individual of the age stated in such evidence of age shall not be liable to punishment for employing or permitting such applicant to work contrary to the provisions of this act forbidding the work of minors of such applicant's age at certain occupations and at certain times or without an employment certificate as the case shall be though it shall subsequently appear that such applicant was in fact under the legal age for such employment or under sixteen years of age Provided That this provision shall not apply to any person who shall demand and receive the evidence of age herein provided for if he shall know at the time of receiving such evidence that the applicant is in fact under the legal age for such employment or under sixteen years of age as the case shall be nor shall this provision prevent the punishment of any person for violating the aforesaid provisions of this act after knowledge of the true age of the minor employed

Third That whenever a violation of any provision of this act shall also be a violation of another provision or other provision of this act penalties may be imposed for the violation of each and every such provision

Fourth That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fifth That whenever a violation of any of the provisions of the act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of females penalties shall be imposed under one of such acts

Special Penalties for Hindering an Enforcing Officer

Section 40 Any person who shall hinder or delay any officer in the performance of his duties in the enforcement of this act or who shall refuse to admit any such officer to or shall lock him out from any place which he is authorized to inspect or who shall refuse to give to the said officer such information as may be required for the enforcement of this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than twen-

ty-five ($25) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than fifty ($50) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties For Encouraging Violations

Section 41 Any person who shall furnish or sell to minor any article of any description with the knowledge that such minor any article of any description with the knowledge that such minor intends to sell such article in violation of any of the provisions of this act or any person who shall knowingly procure aid or abet any minor to violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties For Improperly Issuing Certificates or Badges

Section 42 Any district superintendent of schools or other person authorize to issue the employment certificates or badges required by this act or any other person charged with the enforcement of any of the provisions of this act who shall violate or fail to comply with any of the provisions of this act or who shall knowingly certify to any untrue statement provided for in this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties Upon Unauthorized Persons for Issuing Certificates or Badges

Section 43 Any person other than the persons authorized by this act to issue employment certificates or badges who shall issue an employment certificate for any child or a badge such as is required by section twenty-five of this act to any boy shall be guilty of a misdemeanor and for a first offense he shall be punished by a fine of not less than one hundred ($100) dollars or by imprisonment for not more than sixty days or both at the discretion of the court for a second or subsequent offense by a fine of not less than two hundred ($200) dollars or by imprisonment for not more than ninety days or both at the discretion of the court

Special Penalties Upon Parents for Compelling or Permitting Violations

Section 44 Any Parent guardian or custodian having a minor under his control who shall compel or permit such minor to work in violation of any of the provisions of this act or who shall knowingly certify to any untrue statement for the purpose of obtaining the illegal employment of such minor shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than five ($5) dollars or more than twenty-five ($25) dollars for a second or subsequent offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars or by imprisonment for not more than thirty days or both at the discretion of the court

Special Penalties Upon Minors Who Disobey Street Trades Provisions

Section 45 Any child who shall engage in any of the occupations mentioned in section thirteen of this act in violation of any of the provisions of this act shall after a first offense be warned by the officers whose duty it is to enforce the provisions of this act relating to such occupations and his parent guardian or custodian shall be notified that the child is violating the law In case of a second violation such child may be arrested and dealt with as a delinquent

Upon the recommendation of the pricipal or chief executive officer of the school which he is attending or upon his complaint of any attendance officer police officer or probation officer the badge of any boy who shall violate any of the provisions of this act or who shall become delinquent or fail to comply with the legal requirements concerning school attendance may be revoked for a period of three months and taken from such boy by the officer who shall have issued the same

If any boy shall refuse to surrender his badge after his revocation or continue to work at any occupation mentioned in section thirteen of this act after notice of the revocation of his badge, he shall be guilty of a violation of this act and subject to arrest as above provided

Suspensions of Sentence Prohibited for Second Offenses

Section 46 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense, if there be a second prosecution and conviction for a violation of the same provision of this act previously violated the full penalty for the first offense shall be imposed in addition to the penalty imposed for the second offense

Disposition of Fines

Section 47 All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector or the Chief of the Department of Mines within their respective jurisdictions who shall pay the same into the office of the State Treasurer for the use of the Commonwealth except that fines collected in the enforcement of the provisions relating to the occupations mentioned in section thirteen of this act shall be paid to the treasurer of the board of school directors for the use of the schools of the school district in which the offending child shall have lived

Construction of the Act Not to Affect Industrial Training of Other Education Unconstitutionally of a Part of the Act

Section 48 Nothing in this act shall be construed to prevent minors of any age from receiving industrial training or other education in or in connection with any school or educational institution in this Commonwealth

Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section sub-section sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining phrases clauses sentences subsections and sections of this act shall not be affected hereby

Acts Repealed

Section 49 The act entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" approved the twenty-ninth day of April Anno Domini nineteen hundred and nine with all amendments thereto is hereby repealed

The act entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" approved the first day of May Anno Domini nineteen hundred and nine with all amendments thereto is hereby repealed

Sections fourteen hundred and nineteen and fourteen hundred and twenty of Article fourteen of the act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini nineteen hundred and eleven are hereby repealed

All other acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed

Date of Operation

Section 50 Except as herein otherwise provided this act shall take effect on the first day of September Anno Domini nineteen hundred and thirteen

The title of the bill was then read as follows:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuance reissuance filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posted providing for the enforcement of this act by officers of the Department of Factory Inspection and the Department of Mines by the Superintendent of Public Instruction by officers of the Boards of School Directors and by police officers prescribing penalties for violations of the provisions of this act and defining private prosecutions for violations thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

APPOINTMENT OF COMMITTEE TO INVESTIGATE CHARGES AGAINST SCHUYLKILL COUNTY JUDGE.

The SPEAKER. The Chair desires to announce that in purance of the recommendation in the report of the Committee on Judiciary General adopted by the House yesterday evening directing the Chair to appoint a committee of five to investigate the charges against one of the common pleas judges of the County of Schuylkill, the Chair appoints Messrs. Stone, Speiser, Mitchell, Glenn and Claycomb.

BILLS INTRODUCED

Mr. RONEY. Mr. Speaker, I ask unanimous consent to introduce two bills at this time. I thought they had gone in with a number of revenue bills on Monday night, but I find they have not.

The SPEAKER. These are bills recommended by the Joint Committee on the State Tax Revenue Laws. Their introduction was inadvertently overlooked. Will the House give unanimous consent? The Chair hears no objection and the Clerk will receive the bills.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WILTBANK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. WILTBANK. On page 1000 of the Legislative Journal, at the bottom of the first column, I am reported as saying: "Any man on God's foot stool who will travel with a woman is not fit to breathe the free air of the country."

What I said was:

"Any man on God's foot stool who will triffle with the virtue of a woman is not fit to breathe the free air of the country."

The SPEAKER. The correction will be made in the Legislative Journal.

RECESS.

Mr. ROCKWELL. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

The motion was agreed to.

Accordingly (at 1:30 P. M.) the House took a recess until 8 o'clock this evening.

AFTER RECESS.

The House reconvened at 8.00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGES.

SENATE CONCURS IN AMENDMENTS.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows, viz:

House Bill No. 11.

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district

said bill having been recalled from the Governor for the purpose of amendment.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, returned bill the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, March, 25, 1913.

Resolved, (if the Senate concur), That House Bill No. 300, entitled:

An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf"

be recalled from the Governor for the purpose of amending the title.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill 189:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employes

House Bill No. 883:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the County of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

with information that the Senate has passed the same without amendment.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 886, entitled:

An Act prohibiting trespassing on any railroad railway or any railroad or railway cars in the Commonwealth of Pennsylvania and providing a penalty therefor

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person not authorized nor employed except employes off duty and men seeking employment so to do to willfully enter loiter walk ride or otherwise trespass upon any railroad or raiway or any railroad engine or car whether the same be passenger freight or other car upon any railroad or railway in any city or county of this Commonwealth Provided that this act shall not apply to public highways or to designated places for entering or leaving passenger trains

On the question,

Will the House agree to the section?

Mr. HOFFMAN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section one by striking out of line 10 the word "county" and substituting the word "borough."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections were then read and agreed to as follows:

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof before any magistrate or justice of the peace of the city or county wherein such offense shall have been committed shall be sentenced to pay a fine of not more than twenty-five ($25.00) or undergo imprisonment in the jail of the proper county or city or the house of correction for not more than thirty (30) days after either or both at the discretion of the court and a violation of the first section of this act on the Sabbath Day commonly called Sunday is hereby declared to be a breach of the peace

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read and agreed to as follows:

An Act prohibiting trespassing on any railroad railway or any railroad or railway cars in the Commonwealth of Pennsylvania and providing a penalty therefor

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1398 (Senate No. 275), entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authorities and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-sixth day of March one thousand eight hundred ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same" which reads as follows

"Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of May of each and every year by advertisement inserted daily until the day of letting of contracts in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government Executive Mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of

the several departments boards commissions and the Executive Mansion said proposals to be delivered to the Board of Public Grounds and Buildings on or before twelve o'clock meridian on the first Tuesday of June following the date of advertisement who shall on said first Tuesday of June at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Audtitor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in June" is amended so as to read as follows

Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of April of each and every year by advertisement inserted daily until the day of opening of bids in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government executive mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered on or before twelve o'clock meridian one the first day of May following the date of advertisement to the Board of Public Grounds and Buildings who shall on said first Tuesday of May at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Auditor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in April Provided That in any such instance or in the event that requisitions are made upon the Superintendent of Public Grounds and Buildings for any article of furniture furnishing stationery supplies fuel or any other matters or things or for the making of any repairs alterations or improvements the want of which was not anticipated at the time of the making of the annual schedule the said Board of Public Grounds and Buildings may in its discretion authorize the Superintendent of Public Grounds and Buildings to invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

The second section was read as follows:

Section 2 That the third section of said act which reads as follows

"Section 3 That no proposal for any contract shall be considered or accepted unless such proposal be accompanied by the bond in such form and amount as the Board of Public Grounds and Buildings shall direct with at least two sureties or one surety company approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside conditioned for the faithful performance of the terms of the contract In the event th contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting" is amended so as to read as follows

Section 3 No proposal for any contract shall be considered unless such proposal be accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Board of Public Grounds and Buildings Such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposal may reside or of the county wherein shall be located the principal place of business of the persons firm or corporation making such proposal or one surety company authorized to act as surety in this Commonwealth A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond In the event the contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney-General to bring suit against the falling contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting

On the question,

Will the House agree to the section?

Mr. RHOADS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amendments to Senate Bill 275, File Folio 685.

In line 51, page three, strike out "sec nd" and insert "third."

In line 65, page four (4), strike out "first" and insert "second."

In line 67, page 4, strike out "first" and insert "second."

In line 79, page four (4), strike out word "first" and insert "second."

In line 79 strike out word "April" and insert "May."

On the question.

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third. fourth and fifth sections were then read and agreed to as follows:

Section 3 That the fourth section of said act which reads as follows

"Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the day of opening the proposals after which time they shall be returned upon application to the parties filing them" is amended so as to read as follows

Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify said copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the date of opening the proposals after which time they shall be returned on application to the parties submitting them

Section 4 The fifth section of said act which reads as follows

"Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of April in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first Tuesday of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum prices fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated

time for the failure of a contractor or contractors to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractor's bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and when the same have been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened Such bids as may be made together with a bond in such form as may be prescribed by the Board of Public Grounds and Buildings conditioned for the faithful discharge of the bidders propositions shall be enclosed in envelopes and securely sealed and shall be addressed to and to be mailed or delivered to the Board of Public Grounds and Buildings who shall retain the envelopes unopened until the time fixed by said board for the opening thereof and the board shall have the right to reject any or all bids The bids so received and opened shall be tabulated and be subject to examination by all persons submitting bids and a record thereof shall be made by the Superintendent in a book to be kept for that purpose" is amended so as to read as follows

Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of February in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first day of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractor's to finish or furnish the work or materials or contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractors bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and may standarize any or all supplies stationery and paper in such a way as to secure the maximum of economy commensurate with efficiency When the list or schedule has been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided shall cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened All bids shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper bond or certified check as provided in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the board of public grounds and buildings who shall retain all envelopes unopened until the time fixed by law for the opening thereof the board shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all the bidders A record of such bids shall be made by the superintendent in a book to be kept for that purpose

Section 5 That the ninth section of said act which reads as follows

"Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the ending of each fiscal year ending the first Tuesday in June he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year" is amended so as to read as follows

Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the end of each fiscal year ending the thirty-first day of May he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year

The title was read and agreed to as follows:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commisioners to carry into effect the provisions of section twelve article three of the Constitution relative to conracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commisions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bil's to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1388 (Senate No. 67), entitled:

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement of an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty ninth one thousand eight hundred and three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1242, as follows:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

Whereas Owing to the loose and inefficient methods of listing and indexing now employed by many burial ground and cemetery companies and associations it has become exceedingly difficult and at times impossible to discover the location of certain graves or even to find a record of names of persons known to be buried therein therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every burial ground or cemetery company or association shall keep a complete list of the names of every person buried in such burial ground or cemetery arranged alphabetically with the date of burial the exact location of the grave and the number and owner of the lot in which the grave is situated This shall be accomplished by means of a card index or other system in such a way that knowledge of the name of a person or of the lot in which he or she is buried or of the date of burial will furnish a ready reference to the complete record

Section 2 Within two years after the passage of this act every burial ground or cemetery company or association shall have on file for public inspection a complete record of all past burials made in such burial ground or cemetery arranged in conformity with the requirements of section one of this act

Section 3 Every person firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 804, as follows:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million ($1,000,000) dollars or so much thereof as may be necessary for the two years beginning June first Anno Domini one thousand nine hundred and thirteen is hereby appropriated for the purpose of aiding and assisting cities and boroughs and other municipalities to pay the cost of sewage disposal plants as herein further provided

Section 2 Whenever after the passage of this act it shall become necessary for any city borough or other municipality in this Commonwealth in accordance with existing laws to cease discharging their sewage into the waters of the State and for this purpose such city borough or other municipality shall submit plans and specifications for the construction of a sewage disposal plant to the Commissioner of Health and such plans and specifications shall have been approved by the Commissioner of Health the councils or other proper authorities of such city borough or municipality may at any time before the first day of March of any even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen give notice to the Auditor General of the Commonwealth on forms furnished by the Commissioner of Health for that purpose that such plans and specifications have been submitted to and approved by the Commissioner of Health which notice shall also contain the estimated cost of the construction of said plant

Section 3 Immediately after the first day of March of each even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen the Auditor General of the Commonwealth shall place to the credit of the cities boroughs or other municipalities from which notices have been received in accordance with section two of the act its estimated proportionate share of any moneys appropriated by act of Legislature for the two years beginning the first day of June of such odd numbered year based upon the total estimated cost of the plants for which such notices have been received and the total appropriation therefor

Section 4 Whenever any city borough or other municipality after having complied with the provisions of section two of this act act having actually begun the construction and erection of a sewage disposal plant upon plans and specifications approved by the Commissioner of Health the councils or other proper authorities of such city borough or other municipality shall render quarterly on or within thirty days after the first day of March June September and December respectively beginning with the first day of March Anno Domini one thousand nine hundred and fourteen to the Auditor General of the Commonwealth a statement of the cost of labor and natural labor and material for the said sewage disposal plant for the previous quarter or if it be the first statement from the time the work was begun

Section 5 During the construction and erection of any sewage disposal plant receiving State aid the Commissioner of Health to direct and supervise the work and the material used in order that the same may be up to and in accordance with the plans and specifications approved by him as required by this act The expenses of such direction and supervision including services of inspectors travelling and other necessary expenses incident thereto shall be paid by the Commissioner of Health out of money appropriated for the general expenses of the Department of Health and shall be certified quarterly to the Auditor General of the Commonwealth and shall be deducted from the amount payable to the city borough or other municipality constructing such disposal plant and credited by the State Treasurer to the appropriations to the Department of Health

Section 6 Upon the receipt of a quarterly statement as provided by in section four of this act from the authroities of any city borough or municipality the Auditor General of the Commonwealth shall submit the same to the Commissioner of Health for his approval and when such statement is so approved by the Commissioner or Health shall honor the requisition of the proper authorities of such city borough or other municipality for a proportionate part of its share of monies appropriate for that purpose withholding however from each quarterly payment fifteen per centum of the amount to which such city borough or other municipality would be entitled as a reserve fund to be paid upon final settlement and the adjustment of possible differences between estimated and actual cost and also deducting therefrom the cost of the direction and supervision of the work by the Department of Health

Section 7 Any city borough or other municipality having a sewage disposal plant in the course of construction and unfinished on the first day of June of any odd numbered year may continue to receive its proper proportion of any moneys appropriated for the preceding two years and placed to its credit as provided in section three of this act but may not share in any appropriation for any other period

Section 8 No contribution made by any State appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay the cost of such sewage disposal plants

Section 9 Nothing contained in this act shall be construed to in any way repeal or interfere with the enforcement of the provisions of an act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1244, as follows:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five so as to include gas and water companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity"

"Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits or cables of the said telegraph telephone light or power company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation"

"Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light or power company to properly erect or construct and maintain its poles wires conduits and cables or to relieve

it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence" be amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone light power gas or water company occupying the highways of said municipality with its poles wires conduits cables pipes or mains as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the incorporation and regulation of said poles wires conduits cables pipes or mains under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits cables pipes or mains of the said telegraph telephone light power gas or water company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation

Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light power gas or water company to properly erect or construct and maintain its poles wires conduits cables pipes or mains or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1226, entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the center line of any highway constitutes the dividing line between any city or borough and a township located in the same county it shall be lawful for the commissioners of the county and for the commissioners or road supervisors of such township as the case may be to enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of the roadway of said highway the cost thereof to be borne one-half by the city or borough and one-half by the county and township in equal portions

The second section was read as follows:

Section 2 The said alteration or improvement shall be constructed under the supervision of the proper authorities of the said city or borough in compliance with existing laws governing the construction of such alterations or improvements in said city or borough and in further compliance with plans and specifications to be agreed upon in writing between said city or borough and the commissioners of the county and commissioners or road supervisors of the said township

On the question,

Will the House agree to the section?

Mr. MITCHELL. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section 2, line 2, by inserting after the word "constructed" the words "and subsequent repairs shall be made."

Add to section 2: The cost of repairs shall be borne one-half by the city or borough and one-half by the county and township in equal portions.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The third section was read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent with this act are repealed

The title was read and agreed to as follows:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1074, as follows:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the municipalities of this Commonwealth are hereby authorized to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities provided the municipality shall purchase and own all of the capital stock and bonds of the said company

Section 2 All the capital stock and bonds of bridge companies which have been or may hereafter be held by any municipality shall be and the same are hereby exempted from State taxation

Section 3 That any act or part of acts conflicting with the provisions of this act be and the same is hereby repealed

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1266, as follows:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for his services upon the client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from the commencement of any action or proceeding either at law in equity or otherwise howsoever or the filing of any counter-claim or any pleading the attorney who appears of record for a party therein shall have a lien for his compensation for his services upon his client's cause of action claim or counter claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands they may come and the said lieu shall not be affected or defeated by any compromise or settlement between the parties before or after judgment Provided however that nothing herein contained shall prevent the bona fide compromise or settlement of litigation by the parties thereto subject to the lien of the attorney as provided by this act

Section 2 That the court in which the cause is brought shall on the petition of the client or of the attorney have jurisdiction to determine and enforce the lien subject to the right of appeal to the person aggrieved as in other cases

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 365, entitled:

An Act to prevent the procreation of idiots imbeciles and feeble-minded persons by the process of sterilization under cer-

tain circumstances and prescribing the conditions under which it may be performed

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirteen it shall be lawful for every institution in this State having the care of idictic imbecile feeble-minded or chronic insane persons which is wholly or in part supported by the State to have on its regular staff of physicians either consultant or resident a neurologist and a surgeon of recognized ability one of whom may be the chief physician of the institution who with the chief physician shall constitute a commission to examine the mental and physical condition of certain of the inmates with the view of deciding upon the necessity of sterilizing them as an adjunct to their medical treatment and when it shall be for the benefit of the patient

The second section was read as follows:

Section 2 Whenever at any time the said neurologist surgeon and chief physician agree with respect to any such idiot imbecile feeble-minded or chronic insane person that any progeny of such person would probably be idiotic imbecile or feeble-minded and that such person is hopelessly and incurably idiotic imhecile feeble-minded or insane and that sterilization would be for the benefit of the patient and the community and so report in writing signed by all of them to the board of trustees managers or directors of such institutions and where such board approves such recommendation by the affirmative vote of not less than three-fourths of all the members thereof they shall record upon their minutes an order providing for his or her sterilization by such operation as may be proper for the purpose and they shall report their finding to the court of common pleas of the county to which the patient belongs or of the county in which the hospital is located if the patient shall have no legal settlement in Pennsylvania If the said court shall grant its consent the said operation may be performed Thereupon it shall and may be lawful for any proper surgeon upon the staff of said institution under the direction of the physicians of said institution to perform such operation Provided That such operation shall not be performed except in cases where the report of the surgeon neurologist and chief physician hereinabove provided for shall be based on at least one year's observation and test of the idiot imbecile or feeble-minded or chronic insane person within such institution Provided further that when the chief physician is also the surgeon or neurologist above he may sign the said report in both capacities named

On the question,

Will the House agree to the section?

Mr. BLELOCH. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, line 4, by striking out words "or feeble-minded" and inserting in lieu thereof the words "feeble-minded for insane."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The preamble was read and agreed to as follows:

Whereas Heredity plays a most important part in the transmssion of idiocy and imbecility and it is of very great importance that this class of defectives shall not be allowtd to freely propagate their kind and increase the number of the dependents supported by the State therefore

The title was read as follows:

An Act to prevent the procreation of idiots imbeciles and feeble-minded persons by the process of sterilization under certain circumstances and prescribing the conditions under which it may be performed

On the question,

Will the House agree to the title?

Mr. BLELOCH. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out in line 1 of title the words "and feeble-minded' and inserting in lieu thereof the words 'feeble-minded and insane' and adding after the word "sterilization" in line 2 of title the word "of certain idiots" imbecles, feeble-minded or insane persons"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1480, as follows:

An Act amending section fourteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to proscribe the form of government for townships of each class'" approved the seventh day of June one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of the act entitled "An Act to provide for the classification of the township of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one thousand nine hundred and ninety-nine as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the seventh day of June one thousand nine hundred and seven which section fourteen as thus amended reads as follows

"Section 14 Each township treasurer shall receive as full compensation for his services a sum equal to five per centum of all taxes receiver or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him unless a different rate be fixed by ordinance of the township commissioners passed sixty days prior to his election" be and the same is hereby amended so as to read as follows

Section 14 Each township treasurer shall receive as full compensation for his services a sum equal to three per centum of all taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him unless a lower rate be fixed by ordinance of the township commissioners passed thirty days prior to his election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 414, entitled:

An Act to regulate the sale for agricultural purposes of crushed lime gypsum and related products defining said products and requiring that they be sold under official tags bearing the manufacturer's or dealer's guaranty providing for its enforcement and prescribing penalties for its violations

The first, second, third, fourth, fifth, sixth, seventh and eighth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every bag barrel or other package or quantity of any pulverized limestone ground oyster shells artificial carbonate of lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime marl gypsum or land plaster sold offered or exposed for sale within this Commonwealth for use as a soil amendment or as an ingredient or reagent in the preparation of any fungicide or insecticde shall have attached to it or be accompanied in the manner provided in section three hereof by a plainly printed statement giving the name and address of the manufacturer or importer and his place of business the brand or trade-name of said material the net weight of the contents of the package when sold in package and a statement declaring with respect to pulverized limestone ground oyster shells and artificial carbonate of lime (a) the degree of fineness of the material in terms of the minimum sieve mesh expressed in fractions of an inch through which the coarsest particles of said material can pass and (b) the minimum percentages contained of available oxids of calcium and magnesium respectively combined as carbonates with respects to lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime and marl the minimum percentages contained of the available oxids of calcium and magnesium respectifully and with respect to gypsum or land plaster the minimum percentages contained of available calcium oxid and sulphur tri-oxid or sulphuric acid (SO3) respectively which statement shall be held to be the guaranty of the manufacturer or importer that the lot of materials is good to which said statement refers are of

the kind and quality or composition and fineness so set forth The provisions of this act shall not however apply to air slacked lime kiln slacks gas house lime or tanners' lime when sold as such

Section 2 For the purposes of this act the materials named in the foregoing section are defined as follows

(1) Limestone is the rock commonly known by that name and consisting chiefly of calcium carbonate or of said carbonate with a smaller molecular proportion of magnesium carbonate

(2) Pulverized limestone is limestone reduced by mechanical means to a fine powder

(3) Artificial carbonate of lime is carbonate of lime artificially produced by any method other than the exposure of lime ground lime slaked lime hydrated lime or spraying lime to the action of the atmosphere

(4) Lime is the product obtained by the complete burning of limestone in a kiln and capable of being reduced by slaking to a fine powder

(5) Ground lime is lime reduced to a fine powder by grinding

(6) Spraying lime is lime of high purity containing not less than ninety-three (93) per centum of calcium oxid and not more than five (5) per centum of magnesium oxid not more than five (5) per centum of carbon dioxide nor more than five (5) per centum of acid insoluble matters iron and aluminum oxids collectively

(7) Slaked lime is the dry finely divided product obtained by the addition of water to lime

(8) Hydrated lime is slaked lime prepared by the aid of stirring or of stirring grinding and screening machinery and is free from hard lumps

(9) Hydrated spraying lime is dry finely divided hydrated lime of purity not less after taking the water of hydration into account than that herein required in the case of spraying lime and of such fineness that all shall pass a standard sieve of one hundred (100) meshes to the inch

(10) Air slaked lime is the more or less finely divided product obtained when lime slaked lime hydrated lime or spraying lime is exposed for a considerable time to the action of the air

(11) Marl is clay highly charged with carbonate of lime-Shell marl is marl in which the carbonate of lime is present chiefly in the form of molluscan shells

(12) Gypsum or land plaster is the finely divided mineral commonly known by that name and consisting chiefly or calcium sulphate

(13) Kiln slaks is refuse lime mixed with ashes and 'core' or imperfectly burned limestone

(14) Gas-house lime is spent lime that has been used as a purifier in the manufacture of illuminating gas

(15) Tanner's lime is spent lime that has been used in the curing of hides

The statement required by section one of this act shall in the case of goods sold in package be plainly printed upon the package or upon a tag or label fastened thereto of such quality and in such manner that it shall not be detached in handling and in the case of goods sold in bulk the said statement shall be delivered to the purchaser either with the invoice therefor or with the goods

Section 4 Every manufacturer or importer of one or more of the materials named in Section one of this act for either or both of the purposes therein stated shall on or before the first day of January of each year or before offering them for sale in this Commonwealth for either of said purposes file annually with the Secretary of Agriculture a statement of the names and number of brands of such materials having distinct trade names that he shall offer for sale for either or both of said purposes during the next ensuing Calendar year or remainder thereof together with a copy of the statement declaring the composition of these several brands of said materials as required by Section one of this act

Section 5 In addition to the statement required by sections four of this act every manufacturer or importer of any of the materials named in section one of this act shall on or before the first day of January of each year or before offering them for sale within this Commonwealth file annually with the Secretary of Agriculture an affidavit showing as nearly as practicable the weight of each brand of said materials sold by him or if the producer or vendor be a firm or corporation by its managers officers and agents within the Commonwealth for either or both of the purposes named in section one of this act during the last preceding year and for each brand so sold he shall pay to the Secretary of Agriculture a license fee according to the weight sold as follows For an amount of one hundred tons or less five dollars for an amount exceeding one hundred tons but not exceeding one thousand tons ten dollars for an amount exceeding one thousand tons but not exceeding five thousand tons fifteen dollars and for an amount exceeding five thousand tons twenty dollars and when said fees shall have been paid and the statements required by section four of this act have been filed with the Secretary of Agriculture the party or parties who have made such payment and otherwise complied with the provisions of this act shall be entitled to sell within the Commonwealth the goods specified in said statement and covered by said fees during the year or fraction of a year immediately following said statement If the manufacturer or importer shall not have made during the preceding year any sales within the Commonwealth for the aforesaid purposes of any brand to be offered for sale during the year for which the fee is to be paid he shall pay for each such brand a fee of five dollars Provided that all monies so received shall be immediately paid by the Secretary of Agriculture into State Treasury for the use of the Commonwealth

Section 6 Any person or persons selling offering or exposing for sale for either of the purposes stated in section one of this act any of the materials named therein or brand of the same unless accompanied by the statement required by section one of this act or when so accompanied if the said statement shall be false in any particular or without having complied with all the foregoing provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars for the first offense and not less than two hundred dollars for each subsequent offense it shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and all penalties costs and fines recovered shall be paid to him or his duly authorized agent and by him shall be immediately paid into the State Treasury for the use of the Commonwealth

Section 7 The Secretary of Agriculture is hereby empowered to collect samples of the materials named in Section one of this act either in person or by his duly qualified agent or representative to have them analyzed and to publish the results for the information of the public and for this purpose the said Secretary of Agriculture such assistants agents experts chemists detectives and counsel as he shall duly authorize shall have full access ingress and egress to and from all places of business quarries kilns factories barns buildings carriages cars and vessels used in the manufacture storage transportation or sale of any of the said materials They shall also have power to open any package or vessel containing or supposed to contain any of the said materials and to take therefrom samples for anailysis upon tendering the value of said samples Provided That any manufacturer or producer of any of the materials named in section one of this act located in the Commonwealth shall be entitled to have a single sample of any distinct brand for the sale of which he has paid the fee required by section five of this act analyzed by the Department of Agriculture with respect to the points of composition specified in said section one upon sending sample properly sealed and carriage prepaid together with a fee of one dollar for each such analysis but not more than two brands shall be analyzed under the privilege conferred by this proviso for one manufacturer or producer in a single year

Section 8 This act shall go into effect on the first day of January Anno Domini one thousand nine hundred and fourteen

The title was read as follows:

An Act to regulate the sale for agricultural purposes of crushed limestone lime gypsum and related products defining said products and requiring that they be sold under official tags bearing the manufacturer's or dealer's guaranty providing for its enforcement and prescribing penalties for its violations

On the question,

Will the House agree to the title?

Mr. LOHR. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend by striking out the title and inserting in lieu thereof the following:

An Act to regulate the sale for agricultural purposes of crushed limestone, lime, gypsum and related products; defining said products and prescribing penalties for the violation of this act.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1386, (Senate No. 52), entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act of Assembly entitled "An Act regulating lateral railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

"That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land he or they their engineers agent and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property ex-

plored and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by the said railroad when making up their report or forming their verdict thereon" be and the same is hereby amended to read as follows namely

That if any owner or owners lessee or lessees of land mills quarries coal mines lime kiln fire clay minerals or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvana and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in the said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening lands by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

The title was read as follows:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lesses of fire clay and minerals and changing number of viewers

On the question,

Will the House agree to the title?

Mr. KLEPPER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by inserting after "lessees" the words "as well as owners of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 423, entitled:

An Act prohibiting the placing of earth or any other material in any run creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such run creek river or stream without first having constructed in accordance with plans specifications and application approved by the water supply commission of Pennsylvania a retaining way or walls along the banks of said runs creeks rivers or streams under the supervision of the water supply commission of Pennsylvania and providing a penalty for the violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm municipality or heretofore or hereafter created corporation to deposit any earth or other material in any run creek river or stream or to place or deposit any earth or other material upon the banks of the same or to place or deposit any earth or other material in any place where the same would be likely to slide into until such person firm or corporation or municipality shall have constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania a retaining wall or walls along the banks of the same under the supervision of the Water Supply Commission of Pennsylvania when in the judgment of said Water Supply Commission a retaining wall or walls is necessary to prevent said earth or other material from filling in the channels or any run creek river or stream

On the question,

Will the House agree to the section?

Mr. SEMMENS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one, line 18, by striking out the word "or" and insert in lieu thereof the word "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and the title were separately read and agreed to as follows:

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty of not less than one hundred dollars ($100) and not exceeding five thousand dollars ($5,000)

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act prohibiting the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such run creek river or stream without first having constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania a retaining wall or walls along the banks of said runs creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 106, as follows:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That two thousand five hundred and twenty ($2,520.00) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Attorney General for the purpose of paying and satisfying the judgment obtained by W. C. Wolfe in the court of common pleas of Dauphin county Pennsylvania at Number one hundred thirty-four Commonwealth Docket one thousand nine hundred and eleven for the destruction of and damage to real estate and personal property belonging to said W. C. Wolfe by the orders of the Adjutant General and the State Board

of Health of the State of Pennsylvania in the month of June one thousand eight hundred and eighty-nine and the costs accruing thereon which said judgment was obtained pursuant to suit brought by virtue of the act of Assembly approved March thirtieth one thousand nine hundred and five authorizing the said W. C. Wolfe to bring suit against the Commonwealth of Pennsylvania The said sum in satisfaction of said judgment to be paid by the Attorney General to the said plaintiff or his attorney of record

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1022, entitled:

Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every municipality shall have power by ordinance to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes and to locate streets or alleys theretofore opened or used for highway purposes of a greater width and to include therein such streets or alleys or parts thereof and to revise the lines of such streets or alleys in accordance therewith and to place the same on the general plan of the streets and alleys of such municipality of such greater width All sub-divisions of property thereafter made shall conform thereto No such location shall be construed to authorize the entry upon taking or appropriation of any property within such located street or alley not heretofore opened or used for highway purposes nor shall the same interfere in any way with the rights of the owners to the full use and enjoyment of such property except that whenever thereafter such located street or alley shall be ordered to be opened widened extended or straightened acording to such location buildings erected upon property within the lines of such located streets or alleys after such location was made shall be removed at the expense of the owner and without any liability therefor to such municipality

On the question,

Will the House agree to the section?

Mr. ISLER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend on page 2, line 15, strike out the word "hereto" at the end of the line and substitute therefore the word "thereto."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

A supplement to an act entitled "An Act in relaion to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof opened or used for highway purposes

On the question,

Will the House agree to the title?

Mr. ISLER. Mr. Speaker, I desire to offer an mendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend last line of title by inserting the word "theretofore" at the beginning of the line immediately before the words "opened or used for highway purposes."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1404, as follows:

An Act authorizing police magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances on certain terms and conditions and providing for the appointment of probotion officers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person shall be adjudged guilty of any violation of law or city ordinances by any police magistrate of a city of the second class of which he has jurisdiction under the laws of this Commonwealth and the circumstances of the case lead the police magistrate to believe that it is possible that the defendant may be redeemed from an evil course and that the public good does not demand or require that he or she should suffer the penalty imposed by law or city ordinance the said police magistrate shall have power to suspend the imposing of sentence on condition that the defendant shall immediately go to and remain in some remedial or industrial institution which shall be suggested by or be acceptable to the police magistrate or agree to remain in charge of a probation officer appointed as hereinafter provided for such time and on such terms and conditions as the police magistrate may deem right and proper Provided however That the length of said period of detention or probation shall not be more than the maximum term for which the defendant might have been imprisoned Said suspension of sentence and agreement of defendant and terms and conditions to be duly entered of record as part of the judgment of the police magistrate

Section 2 Whenever a defendant so placed in an institution or in charge of a probation officer as aforesaid shall violate the terms and conditions of said suspended sentence he or she shall be subject to arrest in the same manner as in the case of escape from a penal institution and shall be brought before a police magistrate who may thereupon pronounce upon said defendant such sentence as may be prescribed by law or city ordinance to begin at such time as said police magistrate may direct

Section 3 Whenever in the judgment of a police magistrate the defendant upon whom sentence has been suspended in the manner above set forth has satisfactorily met the terms and conditions of the suspension of sentence he shall discharge said defendant and cause record thereof to be made

Section 4 The mayor by and with the approval of council shall appoint or designate one or more discreet persons of good character to serve as probation officers during the pleasuse of the mayor Said probation officer shall not receive any compensation from the public treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1359, as follows:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalies for violation of its several provisions" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BROSIUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Game.

Mr. LOHR. Mr. Speaker. I second the motion.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 520, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the eighteenth section of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" which reads as follows

"Section 18 It shall be unlawful for any person to shoot at or take or kill or wound or attempt to take or kill or wound any deer in this Commonwealth except from the fifteenth day of November to the first day of December of the same year or to kill in any one season more than one deer which in every instance shall be a male deer with horns visible above the hair or to have a deer so killed or taken or any part thereof in possession except during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or any part thereof shall unless the head bearing horns be attached thereto or unless said head bearing horns shall be immediately produced upon demand made by an officer of the Commonwealth whose duty it is to protect the game of the State in all instance be prima facie evidence of a violation of the provisions of this act and shall render the person in whose possesion or under whose control the same may be found or who may be proven to own the same liable to a penalty of one hundred dollars for each offense

Each and every person violating any provisions of this section shall be sentenced to pay a penalty of one hundred dollars for each offense" is hereby amended to read as follows

Section 18 It shall be unlawful for any person to shoot at or take or kill or wound or attempt to take or kill or wound any deer in this Commonwealth except from the tenth day of November to the twenty-fifth day of November inclusive of the same year or to kill in any one season more than one deer which in every instance shall be a male deer with horns two inches above the hair or have a deer so killed or taken or any part thereof in possession except during said open season and for thirty days thereafter Provided That the possession of the dead body of a deer or any part thereof shall unless the head bearing horns be attached thereto or unless said head bearing horns shall be immediately produced upon demand made by an officer of the Commonwealth whose duty it is to protect the game of the State in all instances be prima facie evidence of a violation of the provisions of this act and shall render the person in whose possession or under whose control the same may be found or may be proven to own the same liable to a penalty of one hundred dollars for each offense Each and every person violating any provisions of this section shall be sentenced to pay a penaly of one hundred dollars for each offence

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1184, as follows:

An Act to amend an act approved the sixteenth day of May one thousand eight hundred and ninety-one entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of damages cost of expenses thereof including damages to private property resulting therefrom" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sixth section of an act approved the sixteenth day of May one thousand eight hundred and ninety-one entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" which as heretofore amended reads as follows

"Section 6 Upon the report of said viewers of any two of them being filed in said court any part interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or change the assessments made therein or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same confirmed nisi and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of any report any interested party may appeal from the said decree to the Superior Court or to the Supreme Court as the case may be The said report when and as finally confirmed shall be conclusive as to any assessments made therein to pay the costs and expenses of any sewer street or other improvement And within thirty days after said report is filed in court as aforestated any party whose propery is taken injured or destroyed or who is assessed benefits to pay damages for property taken injured or destroyed may appear to the court of common pleas and demand a trial by jury according to the course of the common law Every appellant shall state in the appeal the grounds upon or for which the appeal is taken and the same shall be signed by the party or parties taking the appeal or by his or their agent or attorney and shall be accompanied by an affidavit of the appellant or of his or their agent or attorney that the appeal is not taken for the purpose of delay but because the appellant firmly believes that injustice has been done Upon the trial of any such appeal in court the report of the viewers as finally approved confirmed modified or changed by the court shal be prima facie evidence of the benefits as therein mentioned and in case the party appellant does not obtain a verdict more favorable than was the report of viewers as finally confirmed modified or changed the said appellant shall not recover any costs on the appeal The said court of common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and make all and such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Court as in other cases No appeal taken under this act shall prevent the filing of liens by any municipality for any assessment made by said report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper" is hereby further amended to read as follows

Section 6 Upon the report of said viewers of any two of them being filed in said court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or change the assessments made therein or refer the same back to the same or any viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same confirmed nisi and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of any report any interested party may appeal from the said decree to the Superior Court or to the Supreme Court as the case may be The said report when and as finally confirmed shall be conclusive as to any assessments made therein to pay the costs and expenses of any sewer street or other improvement as against all such person in interest as shall not have taken an appeal from such assessment within thirty days after said report shall have been filed and in case of any such appeal the same shall be tried according to law in an issue to be framed by direction of the court wherein the appellant shall be plaintiff and the municipality defendant And within thirty days after said report is filed in court as aforestated any party whose property is taken injured or destroyed or who is assessed benefits to pay damages for property taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury acording to the court of the common law Every appellant shall state in the appeal the grounds upon or for which the appeal is taken and the same shall be signed by the party or parties taking the appeal or by his or their agent or attorney and shall be accompanied by an affidavit of the appellant or of his or their agent or attorney that the appeal is not taken for the purpose of delay but because the appellant firmly believes that injustice has been done Upon the trial of any such appeal in court the report of the viewers as finally approved confirmed modified or changed by the court shall be prima facie evidence of the benefits therein mentioned and in case the party appellant does not obtain a verdict more favorable than was the report of viewers as finally confirmed modified or changed the said appellant shall not recover any costs on the appeal The said court of common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and make all and such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Court as in other cases No appeal taken under this act shall prevent the filing of liens by any liens by any municipality for any assessment made by said report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1072, as follows:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers now existing in the cities of this Commonwealth over the public streets and highways therein said cities shall have the power to use the streets and highways within said cities for all purposes which may be deemed necessary convenient and expedient by said cities to the fuller and more complete public enjoyment and benefit therefrom and for this purpose said cities shall have the power to provide comfort houses drinking places and waiting conveniences and for temporary market purposes or for other similar purposes and to more fully accomplish said purposes shall have power to erect or permit the erection of structures both above and below the grade or level of such streets for the purpose of providing such conveniences comforts and privileges to the general public

Section 2 All of the rights powers and privileges herein conferred upon the cities of this Commonwealth in section one hereof as to the public streets shall extend also to the sidewalks in public streets and highways therein

Section 3 That all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 740, entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all locomotives except those used exclusively in switching and transfer service operated on any railroad in this Commonwealth by any common carrier shall be equipped between sunset and sunrise with headlights in good and efficient working order of sufficient candle power measured with the aid of a reflector so as to distinguish under normal conditions at a distance of eight hundred feet an object the size of a man and shall be equipped with cab lights of at least eight candle power All locomotives used exclusively in switching and transfer service shall be equipped with headlights as hereinbefore provided of a sufficient candle power measured with the aid of a reflector so as to distinguish under normal conditions at a distance of three hundred fifty feet an object the size of a man and shall be equipped with cab lights of at least eight candle power

On the question,

Will the House agree to the section?

Mr. H. H. IRWIN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend section one by striking out first three lines.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections and the title were separately read as follows and agreed to.

Section 2 At least twenty-five per centum of all locomotives operated within this Commonwealth by any common carrier shall be equipped with headlights and cab lights as provided in section one of this act by the first day of January one thousand nine hundred and fourteen fifty per centum by the first day of January one thousand nine hundred and fifteen seventy-five per centum by the first day of January one thousand nine hundred and sixteen and all such locomotives so operated shall be equipped as hereinbefore provided by the first day of January one thousand nine hundred and seventeen

Section 3 Any person firm or corporation or any member of such firm or officer or director of such corporation that shall willfully violate any of the provisions of this act shall be guilty of a misdemeaner and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) Provided however That this section shall not have failed during any trip and are shown to have been in good and efficient working order when such trip was begun

Section 4 All acts and parts of acts inconsistent with this act are repealed

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1373, as follows:

An Act making an apropriation for the erection at Carlisle of a monument to commemorate the heroine of the battlefield of Monmouth in one thousand seven hundred and seventy-eight known in history as "Molly Pitcher" and providing for the appointment of a commission to select a model for and supervise the erection thereof

Whereas Mary Ludwig of Carlisle married John Hays of Carlisle who enlisted in the Continental Army and

Whereas Mary Hays accompanied her husband to the war and nursed and carried water in a pitcher to the soldiers on many a battlefield for which many acts of kindness and heroism she was given the name of "Molly Pitcher" and

Whereas At the battle of Monmouth June twenty-eighth one thousand seven hundred and seventy-eight John Hays was shot down at the mouth of his cannon and before the command could be obeyed "to the rear with that unmanned gun" Molly Pitcher took the place of her husband and served in his place for eight hours rallied the troops and assisted in winning the battle for which heroic action she was called before Washington and brevetted sergant the French calling her E Captain or Captain Molly and

Whereas Mary Hays returned to Carlisle with her husband and after the death of her husband John Hays she married ..... McCauley after whose death the Legislature of Pennsylvania granted her a pension of forty dollars a year "for services rendered in the Revolutionary War" indexed "Molly McCauley Revolutionary heroine" (the only woman so indexed in the archives of Pennsylvania) the vouchers for this pension she signed by making her mark of which she spells her name McKolly and some McCauley and

Whereas The citizens of Carlisle erected an humble monument to mark her grave in the old graveyard at Carlisle and the State of Pennsylvania has never erected a proper monument to the only woman cannoneer of the Revolutionary War Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the sale That Roy L. Schuyler of Lock Haven William A. Rupp of Carlisle William S. Wacker of Philadelphia and Herman A. Miller of Easton be a commission of citizens of this Commonwealth together with three other citizens of this Commonwealth to be appointed by the Governor which commission shall serve without compensation except traveling and incidental expenses and shall have in charge the selection of the plan and the erection of such a monument at Carlisle expending the money hereby appropriated

Section 2 That in the aid of the object aforesaid and in order to secure a monument which shall be as to art and materials in every way worthy thereof the sum of fifteen thousand dollars ($15,000) is hereby appropriated the said sum to be expended under the direction of the commission hereby provided for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECOMMITTED.

Mr. C. M. C. CAMPBELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. LOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1471, entitled:

An Act providing that no self playing piano orchestrion or other mechanically operated musical instrument shall be played operated of permitted in any hotel tavern inn saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee

of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

The first, second, third and fourth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That No self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tarven inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of moving pictures for the use and benefit of this Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechaically operated musical instrument

Section 2 Any violation of this act shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars for each offense

Section 3 The State Board of Censors of moving pictures are hereby charged with the enforcement of this act

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel taven inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

On the question,

Will the House agree to the title?

Mr. J. A. DUNN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Amend the title on line 8, after the word "censors" insert the words "of moving pictures."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 734, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection ad the preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 22 of an act entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insertiverous other wild birds and prescribing penalties for violation of its several provisions which now reads as follows

"Section 22 No person shall at any time buy sell or expose for sale or offer for sale any ruffed-grouse commonly called pheasant or quail commonly called Virginia partridge nor any deer or part thereof which shall have been caught killed or taken within this Commonwealth No person shall at any time try to sell expose for sale or offer for sale any ruffed-grouse commonly called pheasant which shall have been killed caught or taken outside of this Commonwealth save only during the open season for ruffed-grouse in this Commonwealth and for thirty days thereafter and no person shall at any time buy sell expose for sale or offer for sale any woodcock or the dead body or any part thereof of any wild-turkey or of any Hungarian quail whether caught killed or taken within or without this Commonwealth Each and every person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each deer or part thereof and twenty-five dollars for each game-bird named in this section of for any part thereof bought sold exposed or offered for sale or otherwise held contrary to any provisions thereof" shall be amended so as to read as follows

Section 22 No person shall at any time within this Commonwealth buy or sell or barter or expose for sale or barter or have in possession for sale or barter any elk or any deer or any part of either an elk or a deer that has been killed taken or captured in a wild state in this Commoonwealth and no person shall at any time within this Commonwealth buy or sell or barter or attempt to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any wild duck or any wild goose or any other bird of the kind commonly known as wild waterfowl that shall have been killed taken or captured in this Commonwealth or that may have been brought into this Commonwealth for sale between the first day of January and the first day of September of each year Provided that nothing in this section shall be construed to prevent the purchase or sale or introduction into this State at any time of either elk or deer or birds alive for propogating purposes

Each and every person who shall violate any of the provisions of this section relative to the purchase or sale or barter of elk or of deer shall be liable to a penalty of one hundred dollars for each offense

Each and every person who shall violate any provision of this section relative to the purchase or sale or barter of ruffed grouse or of wild turkey or of woodcock or of quail shall be liable to a penalty of twenty-five dollars for each bird or part thereof in any way had in possession or handled contrary to the provisions of this section

Each and every person in any way violating the provisions of this section relating to the sale or barter of wild waterfowl or the bringing of such wild waterfowl into this Commonwealth shall be liable to a penalty of ten dollars for each bird in any way handled contrary to the provisions of this section

The title was read as follows:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions" that reads as follows

On the question,

Will the House agree to the title?

Mr. STEELE. Mr. Speaker, I desire to offer an amendment to this title.

The SPEAKER. The amendment will be read by the Clerk.

The aemndment was read as follows:

Amend th etitle by striking out the last four words as they now appear in said title, the words "that reads as follows" and lieu thereof insert the following "By giving additional protection to ruffed grouse, woodcock and wild water fowl."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1347, (Senate Bill No. 517), entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the

acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1156, as follows:

An Act empowering cities to enact ordinances relating to repairs to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cases where the obligation to pave repave grade regrade repair or otherwise improve streets in cities has been imposed by contract ordinance or otherwise upon some person or corporation other than the municipality said cities are hereby empowered to enact ordinances regulating the time and manner of making such improvements or repairs Said ordinances may specify the methods of structure and the materials to be used for street paving foundations street railway tracks pipes conduits or other structures in under or upon said streets and may contain any other regulations necessary or desirable in order that said improvements or repairs may be properly and promptly made Said cities are further empowered to enforce said ordinances by imposing a fine or penalty for non-compliance therewith which penalty may be a percentage of the cost of said improvements or repairs not exceeding twenty-five per cent when said improvements or repairs shall be made by said cities after the parties liable to make said improvements or repairs have failed to do so The determination of the necessity for making improvements or repairs shall remain as heretofore with the administrative officer or officers of the several cities and the remedies provided by this act shall be in addition to those already possessed by said cities

Section 2 All act or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1120, entitled:

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class" which reads as follows

ARTICLE I

"Section 1 In cities of second class the executive power shall be vested in a city recorder and in the department authorized by this act The office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

"If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be chosen by councils in joint convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten or more than twenty days after such vacancy shall take place

"Until the vacancy is filed the president of select council shall act as city recorder

"It shall be the duty of the city recorder

"I To cause the ordinances of the city and the laws of the State to be executed and enforced

"II To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

"III To recommend by message in writing to the councils all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

"IV To call special meetings of councils or either of them when required by public necessity

"V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

"The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least one a month and at such meetings he may call on the heads of department for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted' 'is hereby amended to read as follows

ARTICLE I

Section 1 In cities of second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether apointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of mayor for the next succeeding term

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in convention assembled immediately upon their organizations

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a mayor pro tempore shall be chosen by council in convention by the votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such convention to be held not less than ten days nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of select council shall act as mayor

It shall be the duty of the mayor

I To cause the ordinances of the city and the laws of the State to be executed and enforced

II To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as council may from time to time require

III To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

IV To call special meetings of councils or either of them when required by public necessity

V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and sufficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting apointing and promoting those found to be the best fitted

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendements:

The amendments were read by the Clerk as follows:

Section 1, line 116: Strike out "select."
Section 1, line 119: Strike out "select."
Section 1, line 122: Strike "sause" and insert in lieu thereof "cause."
Section 1, line 133: Strike out "councils or either of them" and insert in lieu thereof "council."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1168, as follows:

An Act to provide for the payment of costs and charges on writs of execution or attachments and fixing the liability of sheriff in the execution thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever writs of execution or attachment are lodged with the sheriff of any county of this Commonwealth in the execution of which he is compelled to seize or take into his custody and possession goods and chattels the person or persons lodging the said writ shall pay to the sheriff the cost charges and expenses incident to the maintenance of the lien of the execution or attachment and the proper keep and conservation of said goods and chattels and should the said person fail or refuse to pay the said costs and charges as aforesaid the said sheriff shall be relieved of any and all liability and responsibility for the loss destruction removal or clothing of said goods and chattels

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1356, as follows:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty which reads as follows to wit

Section 2 "That the said John S. Law James Clarkson Patrick Moffit R. E. Marvin and James Stott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by the name style and title of the Directors of the poor of the city of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and hereditaments not exceeding in value five thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city hall aforesaid" be amended so as to read as follows

Section 2 "That the said John S. Law James Clarkson Patrick Moffit R. E. Marvin and James Stott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by the name style and title of the Directors of the poor of the city of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and hereditaments not exceeding in value five thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city hall aforesaid"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classifications thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into three classes

Those containing a population of one million or over shall constitute the first class

Those containing a population of one hundred thousand and under one million shall constitute the second class

Those containing a population under one hundred thousand shall constitute the third class" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into four classes

Those containing a population of one million or more shall constitute the first class

Those containing a population of five hundred thousand or more and under one million shall constitute the second class

Those containing a population of one hundred thousand or more and under five hundred thousand shall constitute the third class

Those containing a population under one hundred thousand shall constitute the fourth class

All laws now in force applying to cities of the second class shall apply to both cities of the second and third class herein provided

On the question,

Will the House agree to the section?

Mr. GLENN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend said bill by adding at the end thereof the words: "All laws now in force applying to cities of the third class shall apply to cities of the fourth class herein provided"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1365, as follows:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne County Pennsylvania"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sixth section of an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne County Pennsylvania" which reads as follows

"Section 6 On the first Monday of January in each succeeding year the owners of the stock of said company shall assemble at some place to be designated by the directors thereof at Milanville and such number of them as represent a majority of the stock of said company when so assembled may elect a new board of directors thereof and the board of directors so elected and their successors shall continue in office until the first Monday of January next after they shall have been elected and until others have been elected in their places and they and the directors so appointed shall continue in office until the first Monday of January next after they are appointed and until others shall be elected or appointed in their places The directors of said company shall have power to appoint a president secretary and treasurere from their number who shall continue in office until the first Monday in January next after their appointment and until others are elected or appointed in their places The treasurer shall before entering upon the duties of his office give a bond to the board of directors in an amount and with sureties to be approved by said board of directors A majority of said directors at a meeting duly called and when all have been notified of the business to be transacted shall be a quorum capable of transacting the business of the company and shall have power to make such by-laws rules and regulations not inconsistent with the laws of the United States this State or the State of New York or the provisions of this act as shall be necessary and proper for regulating the time and manner of calling meetings of said board and for the government and management of the affairs of the company its officers and agents" is hereby amended to read as follows

Section 6 On the second Monday of January in each succeeding year the owners of the stock of said company shall assemble at some place to be designated by the directors thereof at Milanville and such number of them as represent a majority of the stock of said company when so assembled may elect a new board of directors thereof and the board of directors so elected and their successors shall continue in office until the second Monday of January next after they shall have been elected and until others have been elected in their place and they and the directors so appointed shall continue in office until the second Monday of January next after they are appointed and until others shall be elected or appointed in their places The directors of said company shall have power to appoint a president secretary and treasurer from their number who shall continue in office until the second Monday in January next after their appointment and until others are elected or appointed in their places The treasurer shall before entering upon the duties of his office give a bond to the board of directors in an amount and with sureties to be approved by said board of directors A majority of said directors at a meeting duly called and when all have been notified of the business to be transacted shall be a quorum capable of transacting the business of the company and shall have power to make by-laws rules and regulations not inconsistent with the laws of the United States this State or the State of New York or the provisions of this act as shall be necessary and proper for regulating the time and manner of calling meetings of said board and for the government and management of the affairs of the company its officers and agents

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 471 as follows:

An Act authorizing the Board of County Commissioners of the several counties of the State to apropriate money for co-operative agricultural work for the purpose of improving and developing the agricultural resources of the proper counties

Whereas The United States Department of Agricultural is starting a co-operative work with the Pennsylvania State College having for its ultimate object the locating of a trained agriculture agent in every county and

Whereas Certain measures now pending in Congress provide for a complete gradual development of such work through the Agricultural Extension Departments of the various Land Grant Colleges of the county and

Whereas One of the conditions of such co-operative work is that the State county college or local authorities bear at least half of the expense now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of each county are hereby authorized to appropriate from the funds of the county a sum not to exceed fifteen hundred dollars ($1,500) annually agricultural extension work in co-operation wtih the Pennsylvania State College in encouraging improved methods of farm management and home economies and giving practical instruction and demonstrations in agriculture for the purpose of improving and developing the agricultural resources of the county

Section 2 Where practicable and desirable the board of county commissioners are also authorized to provide office in the county court house for the headquarters for each co-operative work

Section 3 The money so appropriated shall be expended according to rules and regulations prescribed or approved by such board of county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1229, as follows:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case' which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act it shall not be necessary on the trial of any case civil or criminal in any court of record in this Commonwealth for the trial judge to allow an exception to any ruling of his but upon request by counsel made immediately succeeding such ruling the official stenographer shall note such exception and it shall thereafter have all the effect of an exception duly written out signed and sealed by the trial judge" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act it shall not be necessary on the trial of any case civil or criminal in any court of record in this Commonwealth for the trial judge to allow an exception to any ruling of his but immediately succeeding such ruling the official stenographer shall note such exception and it shall thereafter have all the effect of an exception duly written out signed and sealed by the trial judge

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1191, as follows:

An Act to amend sections five hundred and forty and five hundred and forty-one of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred forty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and

repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 540 In all school districts of the third and fourth class in this Commonwealth the school taxes shall be levied and assessed upon all the property upon which the county taxes are levied and assessed" is hereby amended to read as follows

Section 540 In all school districts of the third and fourth class in this Commonwealth the school taxes shall be levied and assessed upon all the property upon which the county taxes are levied and assessed providing that in any school district of the third class comprising a city of the school taxes may be levied and assessed upon all the property upon which the city taxes are levied and assessed

Section 2 Section five hundred forty-one of said act which reads as follows

"Section 541 In order to enable the board of school directors in each school district of the third and fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year the county commissioners in each county shall on or before the first day of April in each year at the expense of the county furnish to each school district of the third or fourth class therein for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable for county purposes in such school district stating the name of each taxable and the valuation description and kind of property or occupation assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each school district of the third and fourth class" is hereby amended to read as follows

Section 541 In order to enable the board of school directors in each school district of the third and fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year the county commissioners in each county shall on or before the first day of April in each year at the expense of the county furnish to each school district of the third or fourth class therein for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable for county purposes in such school district stating the name of each taxable and the valuation description and kind of property or occupation assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each school district of the third or fourth class provided if the board of school directors in any school district of the third class in this Commonwealth comprising a city elects to assess and levy the necessary school taxes required by such district upon the city assessment then in such case in order to enable the said board of school directors to assess and levy the necessary school taxes required by such district in any year the city clerk or other proper official at the request of said school district shall on or before the first day in April in any year at the expense of the city furnish to such school district for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable for city purposes in such school district stating the name of each taxable and the valuation description and kind of occupation assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each school district of the third class comprising a city as aforesaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1263 as follows:

An Act to provide that fines and forfeitures levied and collected for violations of the game laws of the Commonwealth shall be paid to the Game Commissioner for the purpose of acquiring and maintaining game preserves and for acquiring progating and distributing game

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act all fines and penalties levied and collected for the violation of any law of this Commonwealth enacted for the protection of game animals and game birds shall be paid to the Game Commission for the purpose of acquiring maintaining game preserves for the purpose of propagating game animals and game birds therein and for the purpose of acquiring propagating and distributing such game animals and game birds in the public covers of the Commonwealth

Section 2 The said moneys shall be deposited with the State Treasurer and shall be paid out upon the presentation of properly certified vouchers of the expenditure of money previously drawn and of satisfactory proof to the Auditor General that the expenditure is duly authorized by law and is not excessive for the purpose intended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 878, as follows:

An Act to amend an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to amend sections two and three of an act entitled 'An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force defining the powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employees of the Department of State Police also the salaries of the officers and men of the State Police"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established the Department of State Police the head of which shall be the Superintendent of State Police to be appointed by the Governor by and with the advice and consent of the Senate to serve for a term of four years from the date of his appointment and who shall receive a salary of three thousand dollars per annum to be paid quarterly upon warrant of the Auditor General drawn on the State Treasurer" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established the Department of State Police the head of which shall be the Superintendent of State Police to be appointed by the Governor by and with the advice and consent of the Senate to serve for a term of four years from the date of his appointment and who shall receive a salary of five thousand dollars per annum to be paid quarterly upon warrant of the Auditor General drawn on the State Treasurer

Section 2 The second section of said act as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to amend sections two and three of an act entitled 'An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employees of the Department of State Police also the salaries of the officers and men of the State Police" which as amended reads as follows

"Section 2 The Superintendent of State Police shall be provided by the Board of Public Grounds and Buildings with suitable buildings at the Capitol in Harrisburg and shall give a bond to the Commonwealth in the sum of twenty thousand dollars for the faithful performance of his duties He is authorized to appoint a deputy superintendent at a salary of two thousand five hundred dollars per annum one book keeper at a salary of fifteen hundred dollars per annum and one stenographer at a salary of twelve hundred dollars per annum is hereby further amended to read as follows

Section 2 The Superintendent of State Police shall be provided by the Board of Public Grounds and Buildings with suitable offices at the Capitol in Harrisburg and shall give a bond to the Commonwealth in the sum of twenty-five thousand dollars for the faithful performance of his duties He is authorized to appoint a deputy superintendent at a salary of two thousand five hundred dollars per annum one bookkeeper at a salary of fifteen hundred dollars per annum and one stenographer at a salary of twelve hundred dollars per annum

Section 3 The third section of said act as amended which reads as follows

"Section 3 He is also authorized to appoint the State Police force which shall consist of four troops each consisting of a captain at a salary of eighteen hundred dollars per annum a lieutenant at a salary of fifteen hundred dollars per annum a first sergeant at a salary of twelve hundred dollars per annum four sergeants each at a salary of eleven hundred dollars per annum four corporals each at a salary of nine hundred and fifty dolars per annum one blacksmith with rank of corporal at a salary of nine hundred and fifty dollars per annum and forty-five privates each at a salary of nine hundred dollars per annum

"The members of the State Police force shall be enlisted for a priod of two years and each member of said State Police shall receive an increase in pay of five dollars per month during a second continuous enlistment and an additional increase in pay of five dollars per month during a third continuous enlistment

"No applicant shall be appointed to the State Police force until he has satisfactorily passed a physical and mental examination based upon the standard provided by the rules and regualtions of the police force of the cities of the first class in addition to which each applicant must be a citizen of the United States and of sound consitution able to ride of good moral character and between the ages of twenty-one and forty years" is hereby amended to read as follows

Section 3 He is also authorized to appoint the State Police force which shall consist of four troops consisting of a captain at a salary of eighteen hundred dollars per annum a lieutenant at a salary of fifteen hundred dollars per annum

a first sergeant at a salary of twelve hundred dollars per annum four sergeants each at a salary of eleven hundred dollars per annum four corporals each at a salary of nine hundred and fifty dolars per annum one blacksmith with rank of corporal at a salary of nine hundred and fifty dollars per annum and seventy-five privates each at a salary of nine hundred dollars per annum

The member of the State Police force shall be enlisted for a period of two years and each member of said Police force shall receive an increase in pay of five dollars per month during a second continuous enlistment and an additional increase in pay of five dollars per month during a third continuous enlistment

No applicant shall be appointed to the State Police force until he has satisfactorily passed a physical and mental examination based upon the standard provided by the rules and regualtions of the police force of the cities of the first class in addition to which each applicant must be a citizen of the United States and of sound consitution able to ride of good moral character and between the ages of twenty-one and forty years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. AMBLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. EWING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1202, as follows:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second hand store or junk shop for failure to provide and keep books showing entries of receipts or acceptance of goods by purchase exchange or otherwise said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any keeper owner proprietor or employe of any junk shop second hand store storage or warehouse within any city of this Commonwealth to purchase exchange buy or accept of any person whatsoever except plumbers holding licenses as such from such city or the owner or owners of buildings from which the material is taken any pipe faucet boilers spigots coils or any other like material whatever or to barter purchase exchange buy receive or accept any other second hand goods wares or merchandise of any kind or nature whatever without providing and keep books and making therein at the time of such purchase exchange receiving or accepting the entries hereinafter provided

Section 2 Every owner of such junk shop second hand store storage or warehouse shall provide and constantly keep a book in which shall be fairly written down in English language at the time of every purchase of any such material a description of all articels so purchased the name and residence of the person from whom such purchase was made and the day and hour of such purchase and such books shall at all times be open to the inspection of any and every member of the police and detective forces of such city and shall file on Monday of each week with the superintendent of police of such city a true and correct copy of the weekly purchase as set forth in said book properly sworn and subscribed to before any official authorized by law to administer oaths in this Commonwealth

Section 3 Any person who shall violate or neglect fail or refuse to comply with all of the provisions of this act or any of them shall be guilty of a misdemeanor and shall for every offense be fined a sum not exceeding five hundred dollars ($500) and in default of payment thereof be imprisoned for a period not exceeding ninety days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1203, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation being in possession of goods and chattels of any description belonging to another either as storage or warehouse-man pawn broker second-hand dealer or junk dealer to conceal from any constable or sheriff entrusted with the execution of any writ any such goods or chattels with intent to prevent any such goods or chattels from being taken or levied upon under any such writ

The second section of the bill was read as follows:

Section 2 The refusal to disclose or point out to any such constable or sheriff the whereabouts of any such goods or chattels as provided for in section one of this act

On the question,

Will the House agree to the section?

Mr. SPEISER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section two, line 3, by inserting after the word "chattels" the following "shall be evidence of the intent to conceal such goods and chattels."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section and title of the bill were separately read and agreed to as follows:

Section 3 Any keeper owner proprietor or any person in charge of any such storage or warehouse pawnshop second-hand store or junk shop who shall violate neglect fail or refuse to comply with all of the provisions of this act or any of them shall be guilty of a misdemeanor and upon conviction before any court of competent jurisdiction be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo an imprisonment of not more than one year or both at the discretion of the court

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 969, as follows:

An Act relatives to commissioners of townships of the first class and regulating their term and election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election held in the year one thousand nine hundred and fifteen and quadrennially thereafter the qualified electors of each township of the first class shall elect the commissioners for such township who shall serve for a term of four years from the first Monday of January next succeeding such election If such township shall have five or more election districts the qualified electors of each district shall each elect one commissioner If such township shall have four election districts the qualified voters of the district having polled the largest vote at the preceding election shall elect two commisioners and the remaining district each one commissioner If the township shall have but three election districts the qualified voters of the two districts polling the largest vote at the preceding election shall each elect two commissioners and in the remaining district one commissioner If the township shall have but two election districts the qualified voters in the district polling the largest vote at the preceding election shall elect three commissioners in the other district two commissioners shall be elected If the township has but one election district the qualified voters of such district shall elect five commissioners The terms of the present commisioners of townships of the first class are hereby extended to the first Monday of January one thousand nine hundred and sixteen

Section 2 All acts and parts of act inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1152, as follows:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to privde by assessment upon the cities boroughs and township within the limits thereof

Whereas The establishment of Suburban Metropolitan Planning Commissions having jurisdiction over territory adjacent to cities of the first class is desirable in order to provide for its proper development by the co-operation of the various local governmental units in matters pertaining to their common welfare and

Whereas It is desirable that there should be co-ordination of effort with Urban Metropolitan Planning Commissions relating to cities of the first class themselves wherever the same may exist

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to secure co-ordinated comprehensive plans of highways and roads parks and parkways and all other means of inter-communication water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation and health playgrounds civic centers and other public improvements as hereinafter provided for the districts surrounding and within twenty-five miles of the limits of cities of the first class whether in one or more counties and in order to prevent waste by unnecessary duplication the areas included within twenty-five miles of the limits or cities of the first class shall be denominated the Suburban Metropolitan Districts of cities of the first class of Pennsylvania When any city borough or township is partly within and partly without the twenty-five mile limit the whole of such city borough or township shall be regarded as within the Suburban Metropolitan District

Section 2 There shall be an Executive Department created for every Suburban Metropolitan District to be known as the Department of Suburgan Metropolitan Planning which shall be in charge of a Suburban Metropolitan Planning Commission

Section 3 The Suburban Metropolitan Planning Commission shall be appointed by the Governor of the State of Pennsylvania and shall consist of fifteen members who may or may not hold other public office whether for profit or otherwise of whom twelve shall be residents of the district involved and three shall be residents of the said city of the first class five members to be appointed to serve for one years five for two years five for three years then thereafter each appointment to be for three years

An appointment to fill a casual vacanacy shall be for the unexpired portion of the term Nine shall constitute a quorum

The Suburban Metropolitan Planning Commission shall make and alter rules and regulations for its own organization and procedure consistent with the laws of the Commonwealth From its own members it shall choose a Chairman and vice-chairman Each member shall serve without compensation On or before January tenth of each and every year the Commission shall make to the Mayor of each city to councils of each borough to the commissioners of each first class township and to the supervisors of each second class township within the Suburban Metropolitan District to the Mayor of the said city of the first class and to the Governor of the State of Pennsylvania a report of its transactions and recommendations The Commission may employ a secretry engineers and other experts and persons whose salaries and wages as well as all the other necessary expenses of the Commission and members thereof shall be provided for as hereinafter set forth

Section 4 The Suburban Metropolitan Planning Commission shall make or cause to be made and laid before the respective governmental authorities of the district and in its discretion caused to be published a map or maps of the entire district or any portion or portions thereof showing any or all systems of transportation highways and roads parks parkways water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation playgrounds ad civic centers or of other natural physical features of the district and it shall prepare plans for any new or enlarged facilities for intercommunication parks parkways water supply systems sewers sewage disposal garbage disposal land plottings and housing arrangements playgrounds and civic centers or any other public improvement that will affect the character of the District as a whole or more than one political unit within the District or any widening extension or relocation of the same or any change in the existing township or borough or city plans by it deemed advisable And it shall make recommendations to the respective governmental authorities from time to time concerning any such matters or things aforesaid for action by the respective legislative administrative or governmental bodies thereon and in so doing have regard for the present conditions and future needs and growth of the district and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use and the planning sub-division and laying out for urban uses of private grounds brought into the market from time to time

Section 5 Any city borough or township within any Suburban Metropolitan District may request the Suburban Metropolitan Planning Commission of that district to prepare plans concerning any of the subjects set forth in Section four of this act whereupon it shall be the duty of the Commission to prepare such plans with dispatch

Section 6 The Suburgan Metropolitan Planning Commission may make recommendations to any public authorities or any corporation or individual in said districts with reference to the locaton of any buildings and structures to be constructed by them

Section 7 The plans so made and laid before the respective governmental authorities by the Suburban Metropolitan District Planning Commission according to sections four five and six shall be considered by such respective authorities and followed by them in so far as shall be determined by each authority

Section 8 On or before January tenth of each and every year the Commission shall prepare an estimate of its expenses for the ensuing year setting forth with as much detail as is practicable the items of which such estimate is composed and shall cause the amount of its expenses so estimated after deducting the cash on hand and the unpaid assessmets to be assessed against the cities boroughs and townships within the district in proportion to their respective tax duplicates The itemized estimate of expenses and a statement of the rate of assessment shall be spread upon the minutes of the Commission which shall be kept open at all times for public inspection Each and every assessment when certified by the chairman and secretary of the Commission shall constitute a charge on the treasury of the respective city borough and township and its immediate payment shall be at once provided for The commission shall have power to secure payment of the assessments by suits of mandamus or otherwise

Provided that the rate of assessment shall not exceed one-tenth of one mill

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1328, (Senate No. 100), entitled:

An Act to establish a State Fair Commission to provide for holding an annual State Fair and making an appropriation therefor and to prohibit the selling or otherwsie dispose of intoxicating liquors gaming and the conducting of immoral exhibitions at or near the fair grounds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. NORTH. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1029, as follows:

An Act supplementary to an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April one thousand nine hundred and three providing for the separation of dependant and neglected children from incorrgible and delinquent children in places of detention of minors in the custody of the Juvenile Courts of the several counties

Whereas the ocupancy of places of detentiion by children of the dependant or neglected class in common with children of the delinquent and incorrgible class tends to the corruption of the innocent and is injurious to public morals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the County Commissioners of the several counties of the Commonwealth to provide and maintain suitable places of detention including lavoratories and toilet accommodations and sleeping and eating quarters for the use of the incorrigible and delinquent children of each sex in the custody of the Juvenile Court of their respective counties which quarters shall be separate and apart from the place of detention provided for the use of dependent and neglected children and without means of inter-communication open to the children The cost of providing and maintaining such separate quarters shall be borne by the respective counties

Section 2 All minors coming into the custody of the Juvenile Courts shall be classified according to the cause of such custody and each class of each sex shall thereafter be detained exclusively in the respective separate quarters provided in acordance with section one hereof Provided That if at any time it shall appear to the chief probation officer that a child of one of said classes should be removed to the place of detention provided for children of the other class because of probable injury to the moral welfare either of such child or of the other children there detained said chief probation officer may so remove such child such removal to be subject to summary review by the Juvenile Court petition of any person in interest

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 4 This act shall take effect on the first day of July one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1464, as follows:

An Act regulating the openings of buildings upon over or under external fire escapes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That exits to external fire escapes shall be by means of doors of fireproof construction in which doors there may be placed wire glass if glass is required for lighting the interior and all windows hereafter opening upon over or under external fire escapes shall be of fireproof construction with wire therein and with metal fireproof frames around the windows

Section 2 Every person firm or corporation trustee board of education and board of school directors or any person or persons having charge either as agents trustees or as a commission having charge of any building neglecting or refusing to comply with section one of this act shall be deemed guilty of a misdemeanor punishable by a fine of not more than three hundred dollars or an imprisonment for not more than two months or either or both within the discretion of the court Provided That nothing in this act shall interfere with fire escapes now in use approved by the proper authorities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1414, as follows:

An Act reorganizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the Attorney General the Attorney General's Department shall consist of the following officers clerks and employes

In lieu of the positions of Deputy Attorney General Assistant Deputy Attorney General and Second Deputy Attorney General as now provided by law there is hereby created the office of First Deputy Attorney General whose salary shall be five thousand dollars ($5,000) per annum Second Deputy Attorney General whose salary shall be four thousand two hundred and fifty dollars (4,250) per annum and Third Deputy Attorney General whose salary shall be three thousand five hundred dollars ($3,500) per annum all of whom shall be appointed by the Governor one chief clerk learned in the law who shall receive the sum of two thousand four hundred dollars ($2,400 per annum one law clerk learned in the law who shall receive the sum of two thousand four hundred dollars ($2,400) per annum one private secretary who shall be a skilled stenographer and shall receive the sum of two thousand dollars ($2,000) per annum three stenographers who shall each receive the sum of twelve hundred dollars ($1,200) per annum one messenger who shall receive the sum of eleven hundred dollars ($1,100) per annum all of whom shall be appointed by the Attorney General

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and considsideration of House Bill No. 1408, as follows:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the reading clerks of the Senate and the House of Representatives shall each receive one thousand eight hundred dollars ($1,800) for each regular biennial session ten dollars ($10.00) per diem for each special or extraordinary session and five dollars ($5.00) per diem during the interim between legislative sessions The milage and salary of the said reading clerks as returning officers shall be as heretofore authorized by law

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 688, as follows:

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed making it the duty of supervisors to cut or destroy such weeds on or along public highways and providing penalties for failure to comply with the provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every person copartnership or corporation owning or having in charge by lease or otherwise seated lands in any of the counties of this Commonwealth in which any of the plants commonly known as wild mustard wild carrot wild onion hose nettle or Russian thistle may be growing to cut the same so as to prevent their going to seed and their seed ripening and every person co-partnership or corporation that shall have land upon which any of such aforesaid plants are growing who shall neglect or refuse to comply with this act shall forfeit and pay a fine of ten dollars for every such offense neglect or refusal the same to be recovered by action for debt in the name of the Commonwealth before any justice of the peace or alderman of the proper county with costs of suit such fine to go to school board of the proper township to be applied to the township school fund

Section 2 It shall be lawful for any person or persons owning lands adjacent to premises on which any of the weeds or plants named in section one of this act are growing and which are not being cut by the owners or custodians of such premises as provided in said section and are therefore likely to ripen seed who may consider themselves liable to be injured by such neglect to inform by written notice any constable or supervisor of the township or district in which any of the said plants or weeds may be growing whose duty it shall be to give ten days' notice in writing to the owner or owners or custodian of the lands upon which such plants or weeds may be growing to cut and destroy them and if they neglect or refuse to cut and destroy the same at the end of five days after such notice it shall be the duty of the officer giving such notice to enter upon such premises with what help he may employ and cut down and destroy such plants or weeds aforesaid and the said officer and other persons employed by him shall be entitled to receive and recover from such person or persons owning or holding said land as aforesaid compensation at the rate of two dollars a day for the time employed and the officer serving such notice shall likewise be entitled to a fee of two dollars for such service to be recovered as debts of like amount are recoverable before any justice of the peace alderman or court of the proper county

Section 3 It shall be the duty of the supervisors of the public roads in every township or district as aforesaid to cut and destroy all such aforesaid plants or weeds as specified in section one of this act growing along the public roads or highways of their districts at such periods as to prevent their ripening seed and if any constable or supervisor shall neglect or refuse to perform his duties as prescribed by this act he shall be liable to a penalty of ten dollars the same to be sued for and recovered before a justice of the peace alderman or court by the party or parties aggrieved or likely to be injured by such neglect or refusal and paid to the treasurer of school board of the proper township and applied to the township school fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 960, as follows:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent

therewith" which reads as follows

"Section 1207 No teacher shall be employed in this Commonwealth by any board of school directors who is related to any member of the board as father mother brother sister husband wife son daughter stepson stepdaughter grandchild nephew niece first-cousin sister-in-law brother-in-law uncle or aunt unless such teacher receives the affirmative votes of three-fourths of all the members of the board" is hereby amended to read as follows

Section 1207 No teacher shall be employed in this Commonwealth by any board of school directors who is related to any member of the board as father mother brother sister husband wife son daughter stepson stepdaughter grandchild nephew niece first-cousin sister-in-law brother-in-law uncle or aunt unless such teacher receives the affirmative votes of two-thirds of all the members of the board This section shall not apply to the election of any teacher who shall have taught in such district prior to the election of all of the members of such board

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 542, as follows:

An Act supplementary to an act entitled "An Act defining the powers of the several courts of Quarter Sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and neglected children under the age of sixteen years and providing for the means in which such power may be exercised" approved April twenty-three Anno Domini one thousand nine hundred and three conferring power upon the judge or judges of the courts of Quarter Sessions of the peace who are from time to time assigned to the sessions of said court known as the juvenile court to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court defining the purpose method and extent of such examination and the character and use of the reports of examining physicians designating the time and place of and authorizing the necessary equipment for such examinations and providing for the installation of said equipment and payment therefor and for the appointment and compensation of examining physicians and assistants for the said work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the judge or judges of the courts of Quarter Sessions of the peace within this Commonwealth who from time to time are assigned to sessions of said court known as the juvenile court shall from the date of passage of this act have the power and authority to promulgate a standing rule of the juvenile court within their jurisdiction requiring the compulsary physical and mental examination of all children who shall come within the custody or control of such court and shall have the power and authority upon making such standing rule to appoint a competent physician and assistants for the purpose resident within the jurisdiction at a salary of not more than $1,800.00 a year for each physician and not more than $1,200.00 a year for each assistant to be paid out of the public treasury in the manner provided for the compensation of other county officers said physician and assistants to be removable for cause at the will of the judge or judges of said court The judge or judges aforesaid shall further have the power and authority to designate and set apart suitable quarters for such examination on the premises regularly used as a place of detention of wards of the juvenile court and to direct that such quarters be adequately equipped at the public expense as aforesaid and under the advice and assistance of the chief examining physician with the furnishment and apparatus necessary for the purpose and shall have the power and authority to make and enforce general rules for the conduct of such examinations not inconsistent with the provisions of this act

Section 2 Such examination shall be thorough for the purpose of diagnosing any physical or mental defect or disorder of the child and shall include examination of the eyes ears teeth throat and nose and lungs the skin vital functions genito-urinary organs and general nervous condition of the child as well as the application of adequate mental tests for the determining of material deficiency in any of the senses or mental faculties

Section 3 Such examinations shall be conducted within the place of detention provided in the respective counties for the custody of wards of juvenile court in the quarters regularly set apart therein for such examinations and shall be begun and completed immediately upon admission of the child to such place of detention or at the earliest possible time thereafter In the case however of children not actually in the place of detention the examination may be conducted in the home or dwelling place of the child if in the opinion of the examining physician it is suitable for the purpose The parents of the child or any person standing in loco parentis shall have the right to be present at the examination unless there appear to the examining physician special reasons against their presence in the particular case in which event the juvenile court or a judge thereof shall determine and pass finally upon the right to be present of such parents or persons standing in loco parentis

Section 4 Genito-urinary examinations of female children may in the discretion of said court be conducted by a properly qualified woman physician appointed as provided by section one of this act

Section 5 The results of all examinations shall be fully set down at the time thereof by the examining physician or the assistant and tabulated upon blank forms which shall be supplied by the county commissioners of the proper counties upon the order of said juvenile courts and it shall be the duty of the State Board of Health to prescribe the form of such blank promptly after the passage of this act Each examination blank shall be fully filed in and shall be signed and dated by the examination physician and shall be filed in the probation office as part of the history of the case for the use and information of the court and proper probation officer in dealing with the same Such reports shall in no sense constitute a part of the public record but shall be submitted to the court at the hearing of the case They shall not however be open to the inspection of any person or persons other than the judge or judges of said court the proper probation officer the parents of the child or those standing loco parentis except by special order of said court

Section 6 In the event that contagious or infectious disease is discovered or suspected by the examining physician the child under examination shall forthwith be sent to the proper hospital for treatment upon summary order of the examining physician Such order with the physicians report fully setting forth the circumstances shall be submitted to the juvenile court at its first setting thereafter or to a judge of said court in the interval for confirmation

Section 7 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 967, entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amedatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by a amendatory act entitled "An Act amending article two article six article sixteen and paragraph twenty-four of article nineteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one by providing for an increase in the number of executive departments in said cities from nine to ten by the creation of the Department of Public Health by increasing the number of persons constituting the Department of Assessors and enlarging and increasing the jurisdiction and powers of said department by providing for an increase in the number of police magistrates in said cities from five to eight and supplement said act by authorizing the creation of the Department of Public Health providing for the appointment of a director thereof fixing the maximum of his salary and defining the jurisdiction of said department and approved the first day of April Anno Domini one thousand nine hundred and nine which article as so amended reads as follows

"ARTICLE VI"

Department of Assessors

This department shall consist of no less than five (5) nor more than nine persons who shall have been residents of the city for at least ten years all of whom shall not be of the same political party The number of assessors in this department shall be designated by ordinance and they shall from time to time make all valuations for purposes of municipal taxation

They shall classify and divide all real estate in the city into three classes namely built up which shall pay full rates suburban or rural which shall pay two-thirds and agricultural which shall pay one-half They shall trienally make a valuation for all purposes of municipal taxation and shall have the power to administer oaths They shall have the power to make a new assessment in any ward or wards they deem necessary in any subsequent year other than triennial years in the manner prescribed by law for the triennial assessment Any property owners shall have a right to be head by the full board sitting as a board of revision on appeal from any valuation The asessment as aforesaid shall remain the lawful asessment for purposes of city taxation until the next assessment nothing herein contained shall be construed to repeal the act of July nine one thousand eight hundred and ninety-seven providing for the classification of real estate and other property for the purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class except so far as the same is inconsistent herewith

The councils shall by ordinance make all further needful rules and regulations for the government of this department and as affected by an act entitled "An Act providing a uniform rate of asessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven which last mentioned act reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all real estate now asessed and taxed in cities of the second class shall be assessed and taxed for all purposes of such taxation at a uniform rate based on its valuation without discrimination or distinction of any kind and no classification of such real estate for purposes of taxation shall hereafter be made Provided This act shall not effect the assessment of taxes for the year one thousand nine hundred and eleven

"Section 2 All acts or parts of acts inconsistent herewith are hereby repealed" shall be and the same is hereby amended so as to read as follows

"ARTICLE VI"

Department of Assessors

This department shall consist of no less than five (5) nor more than nine persons who shall have been residents of the city for at least ten years all of whom shall not be of the same political party The number of assessors in this department shall be designated by ordinance and they shall from time to time make all valuations for purposes of municipal taxation

They shall classify all real estate in the city in such a manner and upon such testimony as may be adduced before them so as to discriminate between the buildings on land and the land exclusive of the buildings and to certify to the councils of said city the aggregate valuation of city property subject to taxation it shall be the duty of said councils in determining the rate for the year one thousand nine hundred and fourteen to assess a tax upon the buildings to nine-tenth of the highest rate of tax required to be assessed for said year and for the year one thousand nine hundred and sixteen to assess a tax upon the buildings equal to eight-tenths of the highest rate of tax required to be assessed for that year and for the year one thousand nine hundred and nineteen to assess a tax upon the buildings equal to seven-tenths of the highest rate of tax required to be assessed for that year and for the year one thousand nine hundred and twenty-two assess a tax upon buildings equal to six-tenths of the highest rate of tax required to be assessed for that year and for the year one thousand nine hundred and twenty-five and for each year thereafter to assess a tax upon the buildings equal to five-tenths of the highest rate of tax required to be asessed for the year one thousand nine hundred and twenty-five and for each year thereafter respectively so that upon the said classes of real estate of said city there shall in any year be two rates of taxation

They shall triennially make a valuation for all purposes of municipal taxation and shall have the power to administer oaths They shall have the power to make a new assessment in any ward or wards they deem necessary in any subsequent year other than triennial years in the manner prescribed by law for the triennial asessment Any property owners shall have the right to be heard by the full board sitting as a board of revision on appeal from any valuation The asessment as aforesaid shall remain the lawful assessment for purposes of city taxation until the next assessment Nothing herein contained shall be construed to repeal the act of July nine one thousand eight hundred and ninety-seven providing for the classification of real estate and other property for purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class except so far as the same may be inconsistent herewith

The councils shall by ordinance make all further needful rules and regulations for the government of this department

On the question,

Will the House agree to the section?

Mr. STEIN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 1, line 18, by substituting for "supplement," "supplementing."

Amend section 1, line 82, by substituting for "descriminate," "distinguish."

Amend section 1, line 87, by adding after "fourteen," "and one thousand nine hundred and fifteen."

Amend section 1, line 86, by changing the word "year" to "years."

Amend section 1, line 89, by changing the first word "year" to "years;" the fifth word "year" to "years;," and by adding after the word "sixteen," "one thousand nine hundred and seventeen and one thousand nine hundred and eighteen."

Amend section 1, line 91, by substituting for the words "that year," "those years."

Amend section 1, line 92, by changing the word "year' to "years" and adding after "nineteen," "one thousand nine hundred and twenty and one thousand nine hundred and twenty-one."

Amend section 1, line 94, by substituting for the words "that year," "those years."

Amend section 1, line 95, by changing the word "year" to "years and after the word "twenty-two" add "one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four."

Amend section 1, line 97, by substituting for the words "that year," "those years."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section and title were then separately read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessments and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1309, entitled:

An Act enabling The Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to bring directly to the farmers of Pennsylvania the results of the thirty-one years of experiments conducted by the Agricultural Experiment Station in soil fertilization farm crops fruits vegetables dairying poultry and farm animals and in order thereby to increase rural prosperity and to better rural conditions the trustees of the Pennsylvania State College may employ and maintain resident county advisers and traveling experts in farm management conduct farmers' weeks co-operative experiments and field demonstrations for purposes of instruction make exhibits and demonstrations at county fairs prepare and operate exhibit cars maintain reading and correspondence courses intended for rural communities conduct contests among school children in growing corn vegetables fruit and flowers and in preserving canning and sewing co-operate with the State Superintendent of Public Instruction in advancing agriculture household management nature study and manual training in the rural schools in the normal scholos and in teachers' institutes prepare print and distribute pamphlets leaflets and outlines and conduct such other forms of extension work as may seem to the trustees of said institution practicable and profitable to the people of the State

The second section of the bill was read as follows:

Secion 2 In order carry the foregoing provision into effect the sum of one hundred thousand dollars ($100,000) be and is hereby specificaly appropriated for the two fiscal years beginning June first one thousand nine hundred and thirteen to the trustees of the Pennsylvania State College

On the question,

Will the House agree to the section?

Mr. PENNOCK. Mr. Speaker, I desir to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 2, line 1, after the word "order" by inserting the word "to."

In line 3, after the word "and" insert the words "the same."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was then read as follows:

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. NORTH. Mr. Speaker, as this bill carries an appropriation, I move that it be recommitted to the Committee

on Appropriations.

Mr. PENNOCK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 398, entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirteen every physician in this Commonwealth attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead phosphorous arsenic brass wood-alcohol mercury or their compounds or from anthrax or from compressed air illness or any other ailment or disease contracted as a result of the nature of the patients' employment shall within forty-eight hours send to the State Registrar of Vital Statistics a report stating (a) name address and occupation of patient (b) name address and business of employer (c) nature of disease and (d) such other information as may be reasonably required by the State Board of Health

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for The posting of the report within the time required in a stamped envelope addressed to the office of the State Registrar of Vital Statistics shall be in compliance with this section

On the question,

Will the House agree to the section?

Mr. HEIDINGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1, line 15, strike out "reasonabl" and insert the word "resonably."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second, third and fourth sections and title were then read and agreed to as follows:

Section 2 The State Board of Health and Vital Statistics shall prepare and furnish free of cost to the physicians included in section one standard schedule blanks for the reports required under this act The form and contents of such blanks shall be determined by the State Board of Health and Vital Statistics

Section 3 Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported

Section 4 Any physician who neglects or refuses to send the report or reports as herein required shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five ($5.00) dollars nor more than fifty dollars at the discretion of the court

Section 5 It shall furthermore be the duty of the State Board of Health and Vital Statistics to transmit forthwith a copy of all such reports of occupational disease to the Chief Facory Inspector

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

And said bill having been read at length the second time and agreed to, as amended,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1310, as follows:

An Act providing that whenever hereafter before the register of wills of any county of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said register a disputable matter shall come into controversy the said register shall immediately certify the same into the orphans' court of the said couny for hearing and determination and defining when a disputable matter shall be deemed to come into controversy before the register within the meaning of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter before the register of wills of any county of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said register a disputable matter shall come into controversy the said register shall immediately certify the same to the orphans' court or the said county for hearing and deermination whereupon said orphans court shall have all the powers now vested by law in the said register as to the granting or refusing issues for trial by jury or as to any other matter

Section 2 A disputable matter shall be deemed to come into controversy before the register of wills within the meaning of the first section of this act whenever to a petition of application presented to the register for the exercise of any jurisdiction conferred on him by law an answer under oath is filed by any party in interest resisting the prayer of the petition whereupon without any further proceedings by the register by way of inquiry into the said controversy or otherwise he shall immediately certify the said matter to the orphans' court as provided in the first section of this act

Secion 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in thise case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 799, as follows:

An Act authorizing persons corporations associations and corporations to lend money and to change and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the Court of Quarter Sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act it shall be lawful for any person persons partnership association or corporation within this Commonwealth who shall comply with the requirements of this act to loan money at interest and charge and collect for the loan thereof interest in excess of six per centum per annum under the following conditions

(a) Any person persons partnership association or corporation desiring and intending to loan money at interest at a charge in excess of six per centum per annum shall on or before the first day of September in each and every year file with the court of quarter sessions for the county in which such applicant desires to carry on the business of loaning money as aforesaid an application in writing for a license to carry on said business of loaning money as aforesaid within the said county and shall set forth in said application the age place of birth place of residence of applicant or applicants if they be and individual or individuals and the same information as to all the partners if the applicant be a partnership and the full names and adresses with places of birth of all officers and directors if the applicant be an association or corporation together with a true and correct copy of the articles of co-partnership or association or of the charter if the applicant be a partnership association or corporation the location of the office or place where the said business is to be conducted the amount of money or assets to be used in and applied to the said business together with a statement of the fact if said applicant or any of them or any of said officers or directors has ever been convicted of any crime The said application shall be signed by the applicant or applicants if an individual or individuals by all the partners if the applicant be a co-partnership by the president and secretary if the applicant be an association or corporation and in addition the said application shall be sworn and subscribed to by one of the persons so signing before a clerk of the said quarter sessions court before it shall be filed

(b) Notice of all such applications together with time and place for hearing the same shall be advertised by the clerk of the court of quarter sessions at the expense of the applicant in two papers of general circulation printed in the English language in the county in which said court is situate twice a week for a period of four weeks and said applications shall be heard by one or more judges of the said court of quarter sessions at such time as the said court shall appoint at which hearing the applicant shall appear and shall answer under oath all questions of the said court and shall be subject to cross-examination as the said court may direct and any person or persons who shall have filed with the clerk of the said court in writing verified under oath at least five clear days before the time of said hearing a remonstrance against the granting of a license to said applicant shall be heard by said court at the said hearing upon said application

(c) If after hearing the said court shall be of the opinion that the application is a proper one they shall grant to the applicant a license to loan money at a rate of interest in excess of six per centum per annum for a period of one calendar year from date of issuance of said license The said court shall not be required to write an opinion in the event of refusing to grant a license to any such applicant and no person or persons co-partnership association or cor-

poration applicant or remonstrant shall have any right of review of any decision of said court or appeal therefrom

(d) Any person persons co-partnerships associations or corporation to whom a license shall be granted under the provision of this act shall pay to the clerk of the court of quarter sessions upon the issuance of the same the sum of one hundred dollars which shall be for use of the county within which said license is issued and shall be the license fee to do business for a period of one year

A license so granted and issued shall not be transferable and shall entitle the holder to conduct the said business at only one location within the said county said license shall not give the holder the right to loan money conduct or solicit business except by advertising in newspapers either by agents solicitors or mailed matter or in any other way outside of the county in which said license is issued

Any person persons co-partnership association or corporation desiring to conduct said business at more than one location in the same county shall apply for a separate license for each location and if it or they be granted shall pay one hundred dollars license fee as aforesaid for each license

(e) Before any license shall be issued by the clerk of the court of quarter sessions as aforesaid the applicant for a license shall file with the said court a bond in the sum of five thousand dollars with good and sufficient surety to be approved by the court and conditioned for the faithful observance of the provisions of this act and for the payment of all fines penalties or judgments which may or shall be imposed upon or recovered against the said licensee under the provisions of the act said bond to be for a period of three years and to remain in force for a period of two years after such time as said licensee shall fail to receive or shall suffer the same to be revoked

(f) A license shall not be granted to any person or to any co-partnership any member of which or to any association any officer or director of which is not a citizen of the United States of America or who has at any time been convicted in any jurisdiction of foregery perjury false swearing larceny false pretence embezzlement robbery or conspiracy to defraud

Section 2 Any person persons co-partnership association or corporation who shall obtain a license in accordance with the provisions of section one of this act shall be entitled to loan money at his their or its place of business for which said license is issued and to charge the borrowers thereof for its use or loan On any loan less than five dollars a total sum not exceeding six per centum of the amount loaned on any loan of five dollars or over and less than ten dollars a total sum not exceeding three dollars on any loan of ten dollars or over or less than thirty dollars total sum not exceeding five dollars on any loan of thirty dollars or over and less than fifty dollars a total sum not exceeding six dollars on any loan of fifty dollars or over and less than one hundred dollars a total sum not exceeding eight dollars and on any loan of one hundred dollars and over a total sum not exceeding eight dollars plus six per centum of the excess the said loan over one hundred dolllar said charges shall be for a period of six months If any loan shall be made and shall be repayable or shall be repaid within a less time than six months from the date at which said loan shall be made the charge allowable shall be the proportionate part of the charges set forth above to wit

If the said loan is for one month then the charge shall be one-sixth of the amount above allowed if for two months the charge shall be for one-third of the amount allowed above and so on If the said loan shall be for a longer period than six months or shall be repaid at a date later than six months from the time at which said loan is made then the charge which the said licensee shall be permitted to collect shall also be in proportionate amount for the time in excess of six months of the charges above allowed said charges shall not be payable in advance and shall not be deducted at the time of making said loan from the amount loaned It shall not be lawful for said lender to divide or split up applications for loans or said loans under any pretext whatsoever so as to require or exact any other or greater charges than prescribed herein or to make any charges for renewals or extensions or for any transfers or changes of any loan or loans within six months of the date of the original loan If interest or charges in excess of those hereinbefore prescribed shall be received by any licensee the said license shall thereupon lose all his right to collect or receive the interest and charges allowed under this act and shall be entitled to recover from the borrower only the amount actually loaned together with interest at the rate of six per centum per annum upon unpaid balances less any and all amounts already paid by the borroyer on account of said loan either as principal or inter-borrow on account of said loan either as principal or interest Any person borrowing money from any license under this act and who shall be charged and pay any charges or interest in excess of those prescribed and allowed by the provisions of this act shall be entitled to recover back from the lender by action at law begun at any time within two years from the date of the last payment any and all sums of money so charged and paid in excess of the amount of the original loan together with interest at the rate of six per centum per annum upon unpaid balances up to the date of final payment of said loan

Section 3 Whenever payment is made on account of a loan to which the provisions of this act shall apply the person receiving such payment shall when payment is made give to the person paying a receipt setting forth the amount then paid the total amount previously paid and the amount remaining due identifying the interest accompanying the loan to which the payment is to be applied

Section 4 Any licensee who shall make a loan under the provisions of this act on account of salary or wages to be earned in the future by the borrower upon an assignment or note covering such loans or advances shall not acquire any right to collect or attach said salary or wages while in possession or control of the employer unless such note or assignment is dated on the same day on which the loan is actually made and unless within a period of three days after such loan and assignment or note are actually made the licensee shall have filed with the employer of the borrower a duly authenticated copy of such agreement or notes under which the claim is made The day of making a loan within the meaning of this act shall be deemed to be the day when the money loaned is delivered to the borrower

A licensee under the provisions of this act shall not ask or accept or receive from any borrower or intending borrower any power of attorney or written instrument authorizing or purporting to authorize any person or persons either individually or acting as officer or agent for any person persons co-partnership association or corporation either within or outside of this Commonwealth to sign make or execute any note instrument or written promise to pay any sum or sums of money whatsoever Any note instrument or written promise to pay any sum of money made or executed by virtue or authority of any such power of attorney o rwritten authorization shall be null and void and proof that the same was made in said manner shall be sufficient to prevent recovery being had upon the same in any court of this Commonwealth

Section 5 Every person co-partnership association or corporation or any partner director officer agent or member thereof who shall violate any provision of this act or shall direct or consent to such violation or who shall lend money and charge or receive for the loan or use thereof interest in excess of six per centum per annum without first having complied with the provisions of Section one of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars for the first offense and for each subsequent offense a like fine and to suffer imprisonment not to exceed six months and to have his or their license revoked forthwith in the discretion of the court

Section 6 This act shall not apply to any person or persons co-partnership association or corporation operating or doing business by authority or or under the laws of this Commonwealth relating to banks trust companies building associations or pawnbrokers

Section 7 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1218, as follows:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalent of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalent of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of said act which reads as follows

"Section 9 The divisions of each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and shall receive the same allowances for armory rent for rifle practice for clothing and equipment as are received by such companies The battalions shall be treated as batallions in the National Guard and shall be entitled to all allowances of such battalions for army rent rifle practice clothing and equipment The Naval Force when organized shall be entitled to all the privileges and allowances of a regiment of the National Guard The word "armory" as used in this act and in the Military Code of Pennsylvania shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purposes of instruction drill or defence" be and the same is hereby amended to read as follows

"Section 9 The divisions in the Naval Force shall be considered the equivalents of field batteries of the National Guard and shall receive the same allowances as are received by such field batteries for armory rent for rifle practice for clothing and equipment which allowances shall also be additionally available for such subsistence and additional general military purposes as may from time to time be authorized by the Adjutant General The battalions of the Naval Force shall be treated as battalions in the National Guard and shall be entitled to all allowances of such battalions for armory rent rifle practice clothing and equipment which allowances shall also be additionally available for such subsistence and additional general military purposes as may from time to time be authorized by the Adjutant General The Naval Force when

organized shall be entitled to all the privileges and allowances of a regiment of the National Guard The word "armory" as used in this act and in the Military Code of Pennsylvania shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purpose of instruction drill or defence"

And said bill having been read at length the second time and agreed to.

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1024, entitled:

An Act to amend sections one and eight of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An ac to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight no individual partnership or unincorporated association shall hereafter engage directly or indirectly in the business of receiving deposits of money for safe-keeping or for the purpose of transmission to another or for any other purpose without having first obtained from a board consisting of the State Treasurer the Secretary of the Commonwealth the commissioner of Banking hereinafter referred to as the "Board" a license to engage in such business Before receiving such license the applicant shall file with the Commissioner of Banking a written statement in the form to be prescribed by the Commissioner of Banking and verified under oath showing the amount of the assets and liabilities of the applicant designating the place where the applicant proposed to engage in business the names and addresses of all partners or members of the unincorporated association that the applicant is a citizen or if the applicant shall constitute a partnership or unincorporated association that a majority of the members thereof having a controlling interest in the business of such partnership are citizens of the Commonwealth of Pennsylvania In addition thereto there shall be presented to the Commissioner of Banking a bond to the Commonwealth of Pennsylvania executed by the applicant and by a surety or sureties approved by the Board conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited upon the faithful transmission of any money which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant upon his payment of the full amount recoverable under the conditions of such bond to the assignee receiver or trustee of the applicant as the case may require for the benefit of the persons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The penalty of the bond shall be a sum fixed by the Board which shall not be more than fifty thousand dollars nor less than ten thousand dollars In lieu of the aforesaid bond the applicant may deposit and the Commissioner of Banking shall accept money and securities consisting of bonds of the United States or of this Commonwealth or any municipality thereof or other securities approved by the Board The money and securities so deposited shall be held in the conditions specified in the aforesaid bond If securities be deposited in lieu of the aforesaid bond and shall be accepted as hereinafter provided the Commissioner of Banking shall require the applicant to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such money and securities shall be so deposited Upon the receipt of such application the Commissioner of Banking shall cause to be made an examination of the financial standing and moral character of the applicant as to whether the statements contained in the application are true and to this end the application shall be advertised by the Commissioner of Banking at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation and in the legal periodical if any in the county where applicant proposes to do business or nearest county where such newspapers are published After such advertisement the Board may in its discretion approve or disapprove the application In the event of his approval he shall accept the money securities and bond if there be one and hold them for the purpose herein set forth and shall issue a license authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate For such license the licensee shall pay a fee of fifty dollars Such license shall not be transferred or assigned It shall not authorize the transaction of business at any place other than that described in the license certificate except with the written approval of the Board Immediately upon the receipt of the license certificate issued by the Commissioner of Banking pursuant to this article the licensee named therein shall cause such license certificate to be posted and at times conspicuously displayed in the place of business for which it is issued so that all persons visiting such place may readily see the same It shall be unlawful for any person or partnership or incorporated association holding such license certificate to post such certificate or to permit such certificate to be posted upon premises other than those designated therein or to which it has been transferred pursuant to the provisions of this article or knowingly to deface or destroy any such license certificate If it shall be established to the satisfaction of the Board in accordance with the rules and regulations by it prescribed that an unexpired license certificate issued in accordance with the provisions of this article has been lost or destroyed without fault on the part of the holder the Board shall issue a duplicate license therefor The money and securities deposited with the Commissioner of Banking as herein provided and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and of such persons as shall deliver money to such licensee for transmission to another and such beneficiaries shall be entitled to an absolute preference as to such moneys or securities over all general creditors of the license Such money and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner of Banking on the order or judgment of a court of competent jurisdiction to the assignee receiver or trustee of the licensee designated in such order or judgment The Commissioner of Banking shall cause to be printed annually on the first day of January and distributed upon application a list of all licenses granted and remaining unrevoked the Commissioner of Banking shall from time to time pay over to each such licensee all moneys received by him as interest upon any moneys or securities deposited in accordance with the provisions of this article All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State Treasury and receipted for by the State Treasurer to the depositor and to be subject to withdrawal only upon the warrant of the Commissioner of Banking and all interest coupons on any securities deposited with the State Treasurer shall be surrendered when due to the owners of said securities upon their request" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight of this act it shall be unlawful for any individual partnership or unincorporated association to engage directly or indirectly in the business of receiving deposits for safe-keeping or for the purpose of transmission to another or for any other person unless a license shall have been obtained therefor in accordance with the provisions of this act Such license shall be issued only by a Board which shall consist of the Commissioner of Banking the Secretary of the Commonwealth and the State Treasurer No such license shall issue until the applicant shall have

1 Filed with the said Commissioner a written statement in the form prescribed by the Commissioner and verified under oath showing the assets and liabilities of the applicant designating the place where the applicant proposes to engage in said business setting forth the name and address of the individual applicant or of each partner or of the members of the association as the case may be The statement shall further show that the individual applicant or a majority of the partners or members having a controlling interest in the business as the case may be are citizens of the United States

2 Filed with the said Commissioner a bond to this Commonwealth executed by the applicant conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited and conditioned upon the faithful transmission of any moneys which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant also conditioned upon the payment of the full amount recoverable under the conditions of the bond to the Commissioner of Banking for the benefit of the persons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The amount of the bond shall be fixed by the Board and shall not be less than ten thousand dollars ($10,000) nor more than fifty thousand dollars ($50,000) such bond shall have as surety a surety company authorized to act as surety in Pennsylvania or at least two sureties approved by the Board

3 Deposited in lieu of such bond money and securities to an amount fixed by the Board The securities may be bonds of the United States or of this Commonwealth or of any municipality of this Commonwealth or other securities approved by the Board The money and securities so deposited shall be held subject to the same conditions as are required in case of a bond If securities shall be deposited and accepted in lieu of a bond the Commissioner shall require the applicant to maintain such deposit at a vlue equal to the amount that would be fixed in case of a bond

4 Paid into the State Treasury the sum of fifty dollars as a license fee

Upon receipt of such application the Commissioner shall cause an examination to be made of the financial standing and moral character of the applicant to ascertain whether the statements contained in the application are true A copy of such application shall by the Commissioner be published at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation in the county where the applicant proposes to do business

After such publication has been completed the Board may in its discretion approve or disapprove the application If the application and the bond (or the securities) shall be

appproved the bond (or securities) shall be accepted and held for the uses and purposes aforesaid Upon payment by the applicant of the costs of said advertising the license shall then issue authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate Such license shall not be transfered nor assigned and shall be valid until revoked Except on the express written approval of the Board such license shall not authorize the transaction of said business at any place or by an person otherwise than as designated in the license certificate

Immediately upon receipt of the said license certificates which shall be issued by the Commissioner on the direction of the Board the licensee or licensees named therein shall cause such certificate to be posted and at all times conspicuously displayed in the place of business for which it shall be issued so that all persons visiting such place may readily see the same

It shall be unlawful for any person partnership or unincorporated association holding such license certificate to post it or permit it to be posted upon premises other than the place designated therein or to which it shall have been transferred in accordance with this act It shall be unlawful for any person to deface or destroy any such certificate or knowingly to permit it to be defaced or destroyed

Whenever it shall be established to the satisfaction of the Board in accordance with rules and regulations by it prescribed that any such license certificate has been lost or defaced or destroyed without fault on the part of the holders the Board shall issue a duplicate license therefor which shall be marked "Duplicate"

The money and securities deposited as aforesaid with the Commissioner and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and for the benefit of such persons as shall deliver money to such licensee for transmission to another Such beneficiaries shall be entitled to an absolute preference as to such moneys and securities over all general creditors of the licensee Such moneys and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner on the order or judgment of a court of competent jurisidiction to the assignee receiver or trustee of the licensee designated in such order or judgment

The Commissioner shall cause to be printed on or about the first day of January of each year and distributed upon application a list of all licenses granted and remaining unrevoked

The Commissioner shall from time to time pay over to each such license all moneys received by him as interest upon any moneys or securities deposited in accordance with the provisions of this act

All moneys and securities so deposited with the Commissioner shall be turned over to the State Treasurer and receipted for by said State Treasurer to the Commissioner and shall be subject to withdrawal only upon written order of the Commissioner All interest coupons on any securities so deposited with the State Treasurer shall be surrendered when due to the respective owners of the securities upon their request

On the question,

Will the House agree to the section?

Mr. SEMMENS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend House Bill No. 1024 by inserting in Clause 4, of section one, in line 181, at the top of page 8, after the words "general circulation" "and in the legal periodical if any designated by rules of court for the publication of legal notices."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was then read as follows:

Section 2 The eighth section of said act which reads as follows

"Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any express company or telegraph company receiving money for transmission provided such company is not engaged directly or indirectly in the sale of steamship tickets nor (four) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the Commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amount nor (five) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or accounts of any depositor with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency or government State or municipal nor to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor nor (six) to any person firm partnership or unincorporated association now engaged in business as private bankers when such person firm partnership or unincorporated association and his or their predecessors or one or more of the members in such private banking institutions continuously and in the same locality have conducted the business of private banking for a period of seven (7) years prior to the approval of this act and such banking institution is not engaged in the sale as agent or otherwise of railroad or steamship tickets" is hereby amended to read as follows

Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amounts not (four) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or account of any deposit with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency of government State or municipal to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor

On the question,

Will the House agree to the section?

Mr. HESS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 2 line 78: Add at the end thereof the following: "nor (five) to any person, firm, partnership or unincorporated assoiation now engaged in business as private bankers, when such person, firm, partnership or unincorporated association and his or their predecessor, predecessors or one or more of the members in such private banking institution continuously and in the same locality, have conducted the business of private banking for a period of twenty (20) years prior to the approval of this act, and such banking institution is not engaged in the sale, as agent or otherwise, of railroad or steamship tickets.'

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to amend section one and eight of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 30, as follows:

An Act to protect the public health by prohibiting in certain places the furnishing of any towel intended for the use of more than one person

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to proffer keep or maintain for the use of the public on any premises where toilet or wash rooms are kept open to or frequented by the public any towel intended for the use of more than one person when such towel has not been cleaned after each individual use

Section 2 Upon any premises where toilet or wash rooms are kept open to and frequented by the public towels shall be kept and maintained for individual use and no towel shall be kept or used for more than one person such towels to be clean sanitary and fit and proper for the use of one person

Section 3 Every person firm or corporation that shall hereby violate any provision of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not more than one dollar for the first offense not more than five dollars for any subsequent offense and each day's continuel violation of the said act will constitute and be considered a separate offense

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1353, as follows:

An Act making an appropriation of two hundred dollars per year a period of two years for the purpose of maintaining a public road through the Corplanter Indian Reservation and the bridges on such road in Elk township Warren County Pennsylvania

Whereas The Commonwealth of Pennsylvania granted to the Cornplanter Indian a branch of the Seneca tribe about six hundred and forty acres of land on the west bank of the Allegheny River now in the township of Elk county of Waren which land is not subject to taxation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the annual sum of two hundred dollars ($200) per year be and the same is hereby specifically appropriated out of any money in the treasury not otherwise appropriated to be paid to the treasurer of Elk township Warren county on warrant drawn on the State Treasurer by the Auditor General which money shall be disbursed under the direction of the supervisors of said Elk township for the maintenance in good repair of the public road or highway passing through said Indian Reservation and the bridges thereon Provided That this act shall only continue in force for the period of two years and shall terminate on the first day of June one thousand nine hundred and fifteen

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DE FREES. Mr. Speaker, I move that this bill be now recommitted to the Committee on Appropriations.

Mr. I. E. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1377, as follows:

An Act to prevent the person holding the office of president vice-president secretary or treasurer of any Building and Loan Association incorporated under the laws of this Commonwealth or doing business herein from holding the office or performing any of the duties of conveyancer for such Building Association and providing for a penalty for the breach thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any person who shall be the president vice-president secretary or treasurer of any Building and Loan Association incorporated under the laws of this Commonwealth or doing business herein shall hold the office or perform any of the duties of Conveyancer for any Association of which he may be the president vice-president secretary ar treasurer

Section 2 That any Building and Loan Association incorporated under the laws of this Commonwealth or doing business herein whose president vice-president secretary or treasurer shall at the same time hold or fill the office of conveyancer for such Building and Loan Association shall be liable to a fine in the sum of five hundred dollars to be collected by lawful process instituted by the Attorney General of this Commonwealth for information furnished by the Commonwealth of Banking to be paid to the treasurer of the Commonwealth and for the use of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 225, as follows:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each motor boat shall carry one life preserver of the standard prescribed by the Board of United States Supervising Inspectors for every person carried on such boat Each such boat shall be equipped with adequate whistle or bell

The second section of the bill was read as follows:

Section 2 Each motor boat over twenty feet in length shall show in all weather from sunset to sunrise the following lights when under way

First A white light in the bow visible from straight ahead to ten points one either side thus showing an arc of twenty points of the compass

Second A green light on the starboard or right side visible from straight ahead to two points abaft the beam showing an arc of ten points of the compass

Third A red light on the port or left side visible from straight ahead to two points abaft of the beam

The starboard light must not be seen from the port side of the bow nor the port light from the starboard side of the bow

Fourth An after white light which will be visible around the horizon and be placed directly above the keel and higher than the bow light so that it will show distinctly from the bow light and be in straight line with it when the vessel is seen coming bow on

On the question,

Will the House agree to the section?

Mr. HEIDINGER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 2, line 5: Strike out word "one" and insert in lieu thereof the word "on."

Section 2, line 17: Insert after the word "in" the article "a."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The third fourth, fifth, sixth, seventh, eighth and ninth sections and title were then separately read and agreed to as follows:

Section 3 Each motor boat less than twenty feet in length may carry in lieu of the above running lights a combination bow light showing white in the centre red on the port side and green on the starboard side

Section 4 When at anchor each such boat irrespective of its length shall carry from sunset to sunrise a white light showing clear around the horizon and elevated well above the dock

Section 5 The word motor boat whenever used in this act shall mean and include all boats propelled in whole or in part by machinery

Section 6 Each row boat and each canoe used or operated or being at anchor shall show from sunset to sunrise a white light in the bow

Section 7 Any person who shall keep or use or operate any motor boat or row boat or canoe in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace shall be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than thirty days or both such fine and imprisonment

Section 8 This act shall not apply to such water craft as are regulated by the laws of the United States

Section 9 All acts or parts of acts inconsistent with this act are hereby repealed

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1019, entitled:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That whenever the Commissioner of Banking shall have reason to conclude that any corporation subject to his supervision and examination is solvent or is in an unsafe and unsound condition to do business or what its business or manner of conducting the same is injurious and contrary to the interests of the public or in case any such corporation shall contrary to law suspend payment of its obligations the Commissioner of Banking shall forthwith communicate the facts to the Attorney General and notify the officers and directors of such corporation thus reported to appear before the Atorney Genetral for a hearing within five days after the service of such notice If after such hearing it is determined that the corporation is in an unsafe and unsound condition to do business or its manner of conducting the same is injurious and contrary to the interests of the public the Commissioner of Banking with the assent of teh Attorney General may forthwith take possession of all the property assets and business of such corporation and retain possession of the same until such corporation shall be permitted to resume business or until its affairs are finally liquidated and its dissolution decreed as herein provided Whenever a corporation admits its insolvency the hearing before the Attorney General may be waived with the assent of the corporation affected Immediately upon the taking possession of any such corporation the Commissioner of Banking shall advise the principal officers thereof the reasons for taking such possession and shall also forthwith give notice to any and all banks trust companies corporations associations and individuals holding or in possession of any of the assets of such corporation No bank trust association or individual after such notice has been given by the Commissioner of Banking of his having taken possession of any such corporation shall have obtain or make a lien or charge for any payment advance or clearance thereafter made or liability thereafter incurred against any of the assets of sucn corporation

On the question.

Will the House agree to the section?

Mr. MOORE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as ofllows:

House Bill No. 1019 file folio 3271 amend section 1 line 7 by striking out the word "what" after the word "or" and insert the word "that."

On the question.

Will the House agree to the amendment.

It was agreed to.

The section as amended was then agreed to.

The second, third, fourth, fifth and sixth sections were then read and agreed to as follows:

Section 2 If any such corporation whose property assets and business have been taken possession of by the said Commisioner of Banking deems itself in any way aggreived thereby it may within ten days after the said Commissioner of Banking has taken possession appeal to the Court of Common Pleas of the county in which said corporation is located or to the court of common pleas of Dauphin county and said court of Common Pleas to which said appeal is taken may thereupon grant a rule upon the said Commissioner of Banking to show cause why the proceedings should not be discontinued and why possession of said property and assets should be surrendered and upon the hearing of the appeal the said Court of Common Pleas shall determine whether said coropration is insolvent or is in an unsafe or unsound condition to do business or whether its busness and manner of conducting the same is injurious and contrary to the interests of the public or whether said corporation has contrary to law suspended payment of any of its obligations After hearing the evidence and determining the facts upon the merits the said court may either dismiss said appeal or sustain the same and direct the Commissioner of Banking to re-deliver the business property and assets of such corporation

Section 3 After taking possession of the property assets and business of any such corporation the Commissioner of Banking shall proceed to collect all moneys accounts debts and claims due or belonging to such corporation and may bring such suits and actions and do all other acts that he may deem necessary to conserve its assets and business Notice of the fact that such possession has been taken by the Commissioner of Banking shall be given by advertisement once a week for at least three months in not less than two newspapers of the county in which said corporation may be located calling upon all persons who have claims against such corporation to present the same to the Commissioner of Banking and to make legal proof thereof not later than one week from the last day of publication of said notice and upon all persons indebted to the corporation to pay such indebtedness

Section 4 Within sixty days after taking possession of the property and assets of any such corporation under the provisions of this act the Commissioner of Banking shall cause an inventory to be made of all such property and assets together with a statement of the liabilities One copy of said inventory shall be kept in the office of the Commissioner of Banking and another copy shall be filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings in said case have already been commenced or if no proceedings have been commenced then in the Court of Common Pleas of the county in which said corporation is located.

Section 5 The Commissioner of Banaking shall in the first instance pass upon all claims made against such corporation and may reject any claim which does not appear to be valid Notice of the rejection of any claim shall be served personally or by registered letter upon the claimant Any stockholder or other person in interest may file objections to the allowance or to the rejection of any claim by the Commissioner of Banking prior to the time when the Commissioner of Banking shall file his account as hereinafter provided and such objections shall be supported by affidavit Said Commissioner of Banking may apply to the court in which proceedings with reference to the said corporation have already been had or inventory filed for authority to sell or compound any or all bad or doubtful debts or authority to sell real estate or personal property or assets of such corporation which authority may be granted on such terms as the court may direct All claims against such corporation shall be made within six months after possession of such corporation has been taken by the Commissioner of Banking

Section 6 If after taking possession of the business assets and property of such corporation an investigation shall disclose that by proper management the business assets and property may be so managed and conserved as to ultimately render such corporation solvent the Commissioner of Banking may retain possession of such business assets and property and manage the same until such time as he may deem said corporation solvent whereupon the Commissioner of Banking shall surrender to the said corporation the business assets and property aforesaid or the balance thereof remaining after the payment of the whole indebtedness or of such part of the indebtedness as cannot be safely carried by such corporation

The seventh section was read as follows:

Section 7 The Commissioner of Banking may under his hand and official seal appoint one or more deputies to assist him in the collection liquidation distribution management and conservation of the assets of such corporation and certificates of said appointment shall be kept in his office and a copy thereof filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings have been had or inventory filed The Commissioner of Banking may employ such expert legal and other assistants as may be deemed necessary by the said Commissioner of Banking or his deputies in each particular case The Commissioner of Banking may require from any deputies such security for the faithful performance of their duties as he may deem proper The compensation of all deptuy commissioners expert legal and othe asistants and all the expenses of supervision and liquidation management and exoneration shall be fixed by the Commissioner of Banking subject to the approval of the Court of Common Pleas of the county in which proceedings have been had or inventory filed and shall be paid out of the assets of such corporation The moneys collected by the Commissioner of Banking shall from time to time be deposited in one or more banks or trust companies incorporated under the laws of the State of Pennsylvania and shall be properly earmarked and kept separate and apart from the general funds of such banks or trust companies

On the question.

Will the House agree to the section?

Mr. MOORE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 7 line 8 by striking out the word "Banding" and insert the word "Banking."

On the question.

Will the House agree to the amendment.

It was agreed to.

The section as amended was then agreed to.

The eighth and ninth sections were read and agreed to as follows:

Section 8 At the expiration of six months from the taking possession of the said corporation or as soon thereafter as is practicable unless the Commissioner of Banking is able to manage and conserve the assets and business of the corporation as provided in section six of this act he shall file a complete account in the Court of Common Pleas of the county in which proceedings have been had or inventory filed showing all the deposits and assets of said corporation all the moneys paid to him on account of the same all exceptions filed to any claims or accounts all indebtedness and all payments made or contracted for by him and the proposed method of distribution to creditors depositors shareholders or stockholders which said method of distribution shall be in accordance with existing laws Notice of the filing of such account shall be advertised as the court may direct Said accounts shall be proceeded with and passed upon as other accounts are in said court If exceptions have been filed with the Commissioner of Banking they shall have the same force and effect as if filed in the court to the said account If no exceptions shall be filed to said account within thirty days after the filing of the same the account shall be confirmed absolutely Upon such confirmation or upon final disposition of the exceptions to the account the Commissioner of Banking shall distribute the money as shown by said account or as decreed by the court and upon the complete distribution of all the assets of said corporation shall

report the fact of said distribution to the Court whereupon the said court shall enter a decree of dissolution of said corporation

Section 9 All acts and parts of acts inconsistent with this act are hereby repealed

The title was read and agreed to as follows:

An Act providing for the liquidation distribution of assets and dissolution of corporation under the supervision of the Commission of Banking and providing for the conservation and management of such corporations and their business

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1379, as follows:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of each county are authorized to appropriate moneys for the erection of monuments or memorials in memory of soldiers sailors and marines of the Spanish-American war

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1208, entitled:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefore imposing certain duties upon the seller and the buyer upon the sellor or pledgor and the buyer and pledgee making their violation a misdemeanor and providing penalties therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonweal hof Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to sell or pledge in bulk the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures other than in the ordinary course of trade and in the regular and usual course of the seller's business unless the seller or pledgor shall first make and deliver to the purchaser or pledgee a full and complete inventory of the merchandise so proposed to be sold or pledged in which inventory the values shall be set out at the ruling wholesale price and shall further make a true and correct schedule of all persons to whom the seller or pledgor is indebted stating therein the business address of each of said creditors and the amount owing to each of them to which inventory and schedule shall be attached the affidavit of the seller or pledgor that the same is true and correct The purchaser or plegee and the seller or pledgor shall join in giving written notice of the proposed sale or pledge to each of the creditors named in such schedule at least ten days before such sale or pledge shall be consummated and before the purchaser or pledgee takes possession of the merchandise or fixtures proposed to be sold or pledged Such notice may be delivered in person to the creditors or transmitted to them by registered letter postage prepaid addressed according to the schedule furnished Such notice shall state the aggregate value of the merchandise proposed to be sold or pledged as shown by the said inventory the consideration to be paid therefor or the amount to be loaned thereon and the time and manner of making such payment

Section 2 Should said seller or pledgor fail to make such inventory of such merchandise or fixtures or should such inventory of such merchandise or fixtures fail to state the true value of said merchandise and fixtures as above required or should said sellor or pledgor fail to make such true schedule of creditors as herein provided and the purchaser or pledgee shall have knowledge of the fact or in the event the seller or pledgor shall assert that there are no debts against him and the purchaser or pledgee shall fail to require the affidavit above mentioned or should the seller or pledgor and the purchaser or pledgee fail to give each of said creditors named in such schedule the notice above required in the manner above required or should such notice not correctly state the amount of such merchandise proposed to be sold or pledged and the consideration to be paid therefor or the amount to be loaned thereon and the time and manner of making the same then in either of such events such sale or pledge shall be deemed fraudulent and voidable as against the creditors of the seller or pledgor and the purchaser or pledgee shall be liable to the extent of the value of the merchandise so received by him and shall upon application of any of the creditors of the seller or pledgor become receiver and be held accountable to such creditors Provided however that no proceedings at law or equity shall be brought against the purchaser or pledgee to invalidate any such sale or pledge after the expiration of ninety days from the consummation thereof

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 4 Nothing contained in this act shall prevent voluntary assignments for the benefit of creditors or sales under order of court or by executors administrators receivers or any public officer in his official capacity or by any officer of a court

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing for certain requirements therefore imposing certain duties upon the seller and the buyer upon the seller or pledgor and the buyer or pledgee making their violation a misdemeanor and providing penalties therefor

Will the House agree to the title?

Mr. GANS. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title in line four by striking out the word "therefore" and inserting in lieu thereof the word "therefor."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 666, as follows:

An Act relating to the administering of oaths or affirmations to administrators executors committees or guardians to qualify them for the performance of their respective duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the oath or affirmation required by law to be administered to administrators executors committees or guardians to qualify them for the performance of their respective duties may be administered by any justice of the peace or notary public authorized by law to adminster oaths and affirmations generally within this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 759, as follows:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court and providing for the sentencing of either or both in their absence

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every case heretofore and hereafter tried in any criminal court or courts of any county within this Commonwealth which results or resulted in a verdict of 'not guilty' and a direction that the prosecutor or defendant or both pay the costs and the prosecutor or defendant or both depart or departed the jurisdiction of the court without leave and before sentence it shall be lawful for the judge of said court trying or who tried said case on motion of the district attorney to sentence either or both of said parties so directed to pay said costs in the manner or proportion directed by the petit jury with same force and effect as though said party or parties were personally present at such sentence

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 699, as follows:

An Act authorizing the Department of Forestry of the Commonwealth of Pennsylvania by and with the consent of the Governor to sell and convey any land owned or possessed by the Commonwealth for forest reservation purposes which land so to be sold in the judgment of the Forestry Reservation Commission is suitable for building sites or agricultural purposes or which is not deemed advisible for the Commonwealth to keep and providing a method of conveying the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry by and with the consent of the Governor of the Commonwealth of Pennsylvania be and is hereby authorized and empowered to sell and convy in fee simple to any person or persons any land owned or possessed by the Commonwealth for forest reservation purposes in any county which land so to be sold in the judgment of the Forestry Reservation Commission is suitable for building sites or for agricultural purposes or which is not deemed advisible for the Commonwealth to keep which sale is to be made under and according to the provisions contained in section two of this act

Section 2 Any person or persons desiring to purchase any such land owned by the Commonwealth shall present his her or their petition to the Department of Forestry on such blanks or forms as prescribed by the said Department setting forth such desire which petition shall contain the name and residence of the petitioner or petitoners the location of the land giving the county and township wherein situate a particular description of the land sought to be purchased the amount thereof in square rods or acres together with a draft plot or survey thereof the character of the soil whether containing timber thereon or not and any natural or artificial boundaries and also the estimated value of the same and the price or sum which the petitioner or petitioners are willing to pay therefor

Upon the receipt of any such petition the Department of Forestry shall if it appear that such petition is a proper petition to consider cause an investigation to be made of the land sought to be purchased and after such investigation if in the judgment of the Forestry Reservation Commission it shall appear that the tract or parcel of land sought to be purchased is suitable for building sites or for agricultural purposes or land which it is not deemed advisable for the Commonwealth to keep the Department of Forestry shall notify the petitioner or petitioners that the petition is approved whereupon if the price or sum offered for such land is in the judgment of the Forestry Reservation Commission adequate or if the price or sum so offered is not deemed adequate and a higher price shall be agreed upon by the Forestry Department and the petitioner or petitoners which sum in any case shall not be less than the maximum price per acre which the Commonwealth is authorized by law to pay for forestry lands and if the said petition shall be approved by the Governor of the Commonwealth upon the receipt of the price or consideration agreed upon for such land a patent or deed of conveyance shall be made to the petitioner or petitioners for the land desscribed in the petition and agreed upon signed by the Commissioner of Forestry of the Commonwealth and countersigned by the Secretary of the Forestry Reservation Commission and under the State seal in the form following namely

The Commonwealth of Pennsylvania To all whom these presents shall came greeting Know ye that in consideration of the sum ..... dollars lawful money paid by ..... into the Treasury of this Commowealth there is granted by the said Commonwealth unto the said ..... of ..... a certain tract or parcel of land containing acres lying in the county of ..... and township of ..... bounded and described as follows (here insert description of land) To have and to hold the said tract or parcel of land with the appurtenances unto the said ..... and ..... heirs forever

In witness whereof (insert name of) Commissioner of Forestry of the Commonwealth of Pennsylvania hath hereunto set his hand and caused the State seal to be hereunto affixed the ..... day of Anno Domini ..... Attest..... Secretary of the Forestry Reservation Commission

Provided That no conveyance to any one person shall be for more than one hundred acres of land And provided further That all moneys received for the sale of any lands under the provisions of this act shall be paid into the Treasury of the Commonwealth

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1284, as follows:

An Act fixing the salary of the messenger in the State Library

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the messenger in the State Library shall be one thousand two hundred dollars ($1,200.00) per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration og House Bill No. 1419, entitled:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

The first, second, third and fourth sections were then read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the corporate authorities of each city and borough within this Commonwealth having a populaion of more than twelve thousand inhabitants according to the last decennial census of the United States to erect and maintain public comfort stations for the use of the general public

Section 2 The corporate authorities of each municipality as provided in section one of this act shall immediately after the approval of this act provide for the erection of one or more public comfort stations as the population of such municipality may require Said authorities shall by due advertisement invite sealed proposals for bids for the erection of such public comfort stations and shall let the contracts therefor to the lowest responsible bidder and shall take from such bidder a bond with sufficient security conditioned for the faithful performance of such contract

Section 3 The corporate authorities of any such municipality are empowered to provide for the cost of the erection of such public comfort stations from funds in the treasury of such municipality or to issue bonds therefor in the manner now provided for the issuing of bonds by an act of assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" with its several amendments and supplements

Section 4 The public comfort stations provided for in this act shall be centrally located and shall be so erected that they can be maintained in a sanitary condition Such stations shall have at least one compartment for men and one compartment for women and shall be constructed so as to afford privacy

The fifth section was read as follows:

Section 5 If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall become the duty of the Commisioner of Health of the Commonwealth to let contracts in accordance with the provisions of this act for the erection of such public comfort stations in such municipality Any such contract shall be let in the name of such municipality and the cost of the erection of such public comfort stations shall be paid by the proper municipality and the contractor in any such contract is empowered to sue any such municipality in a court of competnet jurisdiction and to recover any amount which may be due upon such contract

On the question,

Will the House agree to the section?

Mr. STEELE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Strike out section 5: Insert in lieu thereof the following: "Section 5 If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall be the duty of the Commissioner of Health to erect such public comfort stations under the provisions of this act as he may deem necessary, and collect the cost thereof with an additional penalty of twenty per centum from the proper municipality, in an action of assumpsit, and in the name of the Commonwealth, in the same manner as debts of like amount are recoverable."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The sixth section was read and agreed to as follows:

Section 6 All acts or parts of acts inconsistent with this act are repealed

The title was read and agreed to as follows:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 867 (Senate Bill No. 125), entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1047, as follows:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof' approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers roads juries of view and commisioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third days of June Anno Domnin one thousand nine hundred eleven which reads as follows

"In counties having more than one millian inhabitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of not less than two or more than five dollars for each day actually and necessarily spent by him in the performance of the duties of his office as the judge of the proper county may determine The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties" be and the same is hereby amended to read as follows

Section 4 In counties having more than one million in habitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office and each surveyor and each member of the bar learned in the law shall receive the sum of five ($5.00) dollars per day and each of the other members of the said board of viewers shall receive the sum of not less than two ($2.00) dollars nor more than five ($5.00) dollars per day of each day actually and necessarily spent by him in the performance of the duties of his office as the judge of the proper county may determine The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 940. as follows:

An Act defining and regulating the occupation of barbering providing for the licensing of persons engaged in barbering providing for the regulation of barber shops barber schools and barber colleges and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to follow the occupation of a barber in this Commonwealth unless he or she shall have first obtained a certificate of registration as provided in this act provided however that nothing in this act contained shall apply to or effect any person who is now actually engaged in such occupation except as hereinafter provided

Section 2 A Board of Examiners to consist of five persons is hereby created to carry out the purposes and enforce the provisions of this act Said Board shall be appointed by the Governor the appointees to be chosen from practical barbers who have had at least five years prior to their appointment followed the occupation and have been residents of this Commonwealth for a period of five years Each member of said Board shall serve for a term of three years and until his successor is appointed and qualified except in the case of the first board who shall serve one two and three years respectively vacancies in said Board shall be filled by the Governor for the unexpired portion of the term Each member of said Board shall take the oath provided by law for public officers

Section 3 Said Board shall have power to appoint deputies to assist in carrying out the provisions of this act The salary of said deputies shall be fixed by the Board in a sum not to exceed three dollars ($3.00) for each day so employed

Section 4 Said Board shall elect a president secretary and treasurer shall have its headquarters at such place in the Commonwealth as the Board may determin shall have a common seal shall have the power to administer oaths A majority of said Board may in meeting duly assembled perform the duties and exercise the powers devolving upon said Board under the provisions of this act The secretary of said Boad shall receive a salary of fifteen hundred dollars ($1,500.00) annually The member of said Board shall receive for their compensation five dollars ($5.00) per diem and their expenses actually and necessarily incurred

Section 5 The Board shal lreport annually to the Governor of his Commonwealth a full statement of the receipts and disbursements of the Board by giving an itemized account and a copy furnished to the legislature and a full statement of its doings and proceedings and such recommendations as to it may seem proper looking to the better carrying out of the purposes of this act

Section 6 All moneys received by the said Board from fees or otherwise shall be deposited within thirty days from its receipt with the State Treasurer All disbursements shall be paid on warrants of the Auditor General on the State Treasurer upon the requisition of the Board of Examiners

Section 7 Said Board shall hold public examinations on the first Tuesdays of Mach June September and December in the cities of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the said Board shall prescribe

Section 8 Every person now engaged in the occupation of a barber in this Commonwealth shall with ninety days after said Board is appointed file with the secretary of said Board an affidavit setting forth his or her name age residence and length of time during which and the place where he or she has practiced said occupation and shall pay to the secretary of said Board one dollar and a certificate of registration entitling him or her to practice said occupation thereupon shall be issued to him or her

Section 9 Any person not holding a license under the provisions of the preceding section and desiring to obtain a license under this act shall make application in such form as the Board shall prescribe and shall be vertified by the applicant as to the truth of the statements or answers therein made to said Board therefor and shall pay to the secretary of said Board an examination fee of five dollars and shall present him or herself at the next regular meeting of said Board for examination of applicants whereupon said Board shall proceed to examine such person and being satisfied that he or she is above the age of nineteen years of good moral character (free from contagious and infectious disease) has either (a) studied the occupation for a period of three (3) years as apprentice under a qualified and practicing barber or (b) studied the occupation in a properly appointed and conducted barber school under the instruction of a competent barber for a period of at least three (3) years or (c) practiced the occupation in another state for a period of at least (3) years and is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antseptic preparation of the tools shaving hiar cutting and all the duties and services incident thereto and is posessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation his or her name shall be entered by said Board in the register hereinafter provided for and a certificate of registration shall be issued to him or her authorizing him or her to practice such occupation in this Commonwealth

Section 10 Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other State or county and shows the proper credentials showing that he or she is a fully qualified barber under the laws of this Commonwealth may be granted a certificate by said board without practical examination upon the payment of the registration fee of one dollar

Section 11 Nothing in this act shall prohibit any person from serving as an apprentice in said occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth provided that such apprentice or student shall apply to said board to have his or her name registered with said board in a book which shall be kept by the board for the registering of apprentices or students and secure a permit to practice as an apprentice or student under a duly resgistered barber such permit to be displayed in front of his or her working chair After having practiced the occupation for three years under a registered barber such apprentice or student shall be eligible to become a registered barber and shall present him or herself at the next meeting of the board held nearest to him or her for the examination of applicants and pay the fee as provided for in section eight of this act

Section 12 Said board shall furnish to each person to whom a certificate of registration is issued a card bearing the seal and signature of said board certifying that the holder thereof is entitled to practice the occupation of a

barber in this Commonwealth and it shall be the duty of the holder of such card to post the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

Section 13 Said card shall be renewed on or before the first day of January in each year and the holder of said certificates of registration shall pay the secretary of said board the sum of one dollar for said renewal card Upon the failure of any holder of a certificate of registration to apply for a renewal of his or her card before the first day of January in each year his or her certificate shall be revoked by said board

Section 14 Said board shall have the power to revoke any certificate of registration granted by it under this act for (a) habitual drunkenness (b) having or imparting any contagious or infectious disease (c) for doing work in an unsanitary or filthy manner or (d) gross incompetency Provided however that before any certificate shall be revoked the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice at least five days after the service thereof be given a public hearing and full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate has been so revoked may after the expiration of ninety days on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased

Section 15 Said board shall have power to adopt reasonable rules and regulations prescribing the sanitary requirements of a barber shop barber school or college subject to the approval of the Department of Health and to cause the rules and regulations so approved to be printed in a suitable form and to transmit a copy thereof to the proprietor of or person operating each barber shop barber school or college which shall at all times be kept conspicuously displayed in each barber shop barber school or college in this Commonwealth Any member of said board or duly authorized deputy shall have power to enter and make reasonable examination of any barber shop barber school or college in this Commonwealth during the business hours for the purpose of ascertaining the sanitary condition thereof Any barber shop barber school or college in which tools appliances and furnishings in use therein are kept in an unclan and unsanitary condition so as to endanger health is hereby declared to be a public nuisance and the proprietor thereof or person operating such barber shop barber school or college shall be subject to prosecution and punishment therefor

Section 16 Said board shall keep a register in which shall be entered the names of all persons to whom certificates are issued and to whom permits for serving apprenticeship or as students are issued under this act and said register shall at all times be open to public inspection

Section 17 No person practicing or learning the occupation of a barber in any barber shop barber school or college in this Commonwealth shall serve a person afflicted with eryspelas eczema impetigo sycosis tuberculosis or any other contagious or infectious disease Any person so afflicted shall not be served in any barber shop barber school or college in this Commonwealth

Section 18 Nothing in this act shall prohibit any person from serving as an apprentice in said occupation under license issued by said board to a barber registered to practice in the same under this act nor from serving as a student in any barber school or college for the teaching of said occupation under the instructions of a registered barber In no barber shop shall there be more than two apprentices to any one shop authorized under this act to practice said occupation but all barber shops having but one chair shall be entitled to one apprentice all barber schools or colleges shall have not less than one teacher or instructor for every ten students and all barber schools or colleges shall keep prominently displayed a sign barber college or barber school Any firm corporation or person desiring to operate or conduct a barber school or college in this Commonwealth shall first secure from said board a permit to do so and shall keep the same prominently displayed Said board shall have the right to pass upon the qualifications appointments and course of study in said college which shall be not less than three years There shall be no money collected by said college or any of its students or teachers in the practice of the trade therein taught

Section 19 To shave or trim the beard or cut or shampoo the hair or massage the face or head by either manual or mechanical means or apply hot cloths to the face of any person for hire or reward received by the person performing such service or any other person shall be considered as practicing the occupation of barber within the meaning of this act

Section 20 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($ 00.00) or to undergo an imprisonment in the jail of the proper county not exceeding ninety (90) days or both One week's continuous violation of this act shall constitute a separate offense

Section 21 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 234, as follows:

An Act to provide for the safety of persons employed in the bituminous coal mines and to provide for the examination and granting of certificates of competency to persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That No person shall be employed as a miner in any bituminous coal mine in the State of Pennsylvania until he shall have first obtained a certificate of competency and qualification from a "Miners' Examining Board" of some county of the State Provided that any miner actually employed in this State when this act becomes effective who has been employed as a miner in the coal mines shall be entitled to a certificate of service which shall be granted to him by the said Miners' Examining Board and which said certificate of service must be secured by such miner within ninety (90) days after the passage of this act permitting him to work in the bituminous mines of this State as a practical miner and Provided further that any certified miner may have one uncertified person working with him and under his direction for the purpose of learning said business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act and Provided further however that in cases where a miner holds a certificate and has two or more sons who do not hold certificates they shall have the right to work with him if he so desires

Section 2 In each county of this State where the business of bituminous mining is carried on there shall be created a board to be styled "The Miners' Examining Board" to consist of three practical experienced and skillful miners of at least five years continuous experience who have been residents of the county for which they are apointed least one full year immediately preceding their appointment Such appointments shall be made by the Court of Common Pleas in their respective counties immediately after the approval of this act and on or before the tenth day of January in each year thereafter All vacancies in said board shall be at once filled by the Court of Common Pleas of the county in which such vacancy occurs

Each of said Boards shall organize by electing one of the members president and one member secretary and every member of said Board shall within ten days after his appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which he resides that he will honestly and impartially discharge his official duties each of said Boards shall provide itself with an impression seal having engraved thereon the name of said Board and the county for which they are appointed

Each member of said Board shall receive a compensation for his services of three and fifty hundredths dollars ($3.50) per day for each day actually engaged in his official duties and all legitimate and necessary expenses incurred in attending the meetings of said Board under the provisions of this act No part of the salary of the members of said Board or the expenses thereof shall be paid out of the State Treasury except as hereinafter provided

Section 3 Each of said Examing Boards shall designate some convenient meeting place in their respective counties of which due notice shall be given by advertisement in two or more newspapers of the proper county At such meetings a book of registration shall be kept in which shall be registered the name and address of each person to whom said Board shall issue a certificate of competency under this act

Section 4 Each applicant for examination for the certificate herein provided shall pay a fee of one dollar and the amount derived from this source shall be held by said boards respectively and applied to the expenses and salaries provided and such as may arise under the provisions of this act The said boards shall report in writing quarterly to the court appointing them all moneys received and disbursed under the provisions of this act together with the number of miners examined under this act and the number failing to pass the required examination

All monies over and above the amount required to pay the salaries of the members of said board in their respective counties and the necessary actual expenses while in the performance of their duty as such board shall be paid to the State Treasurer on the second Wednesday of each and every month All said moneys so paid into the State Treasury shall constitute a special fund for the purposes of this act and all moneys in said fund are hereby specifically appropriated to carry out the intent of this act and the same shall be paid out by said State Treasurer only upon warrants issued by the president judge of the Court of Common Pleas of the county for which the said board was appointed Said warrants shall show on their face that they are for the payment of the salary and necessary actual expenses of the members of said board in such county

Section 5 It shall be the duty of said boards to meet on the first Tuesday of each month and to remain in session for a period of four days and no longer and said meeting shall be public The said board shall examine under oath all persons residing in the county in which said board resides who apply for certificates as provided in this act The said board shall grant such certificates of competency or qualification to such applicants as are qualified which certificates shall entitled the holders thereof to be employed as and to do the work of bituminous miners in any county in this State without other or further examination

No certificate of competency shall be granted to any person under this act unless he shall produce evidence of having had not less than two years of practical experience as a miner or with a miner and in no case shall an applicant be deemed competent unless he appears in person

before the said board and orally answer intelligently and correctly at least twelve practical questions propounded to him by the board pertaining to the requirements and qualifications of a practical miner except as otherwise provided in section one of this act

The said board shall keep an accurate record of the proceedings of their meetings and in such record shall show a correct detailed account of the examination of each applicant with questions asked and their answers and at each of these meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act shall not be transferable and any transfer of the same shall be deemed a violation of this act Such certificates shall be granted only at meetings of said boards and said certificates shall not be legal unless then and there signed by at least two members of said board and sealed with the seal of the board granting the certificates

Section 6 That no person shall hereafter engage as a miner in any bituminous coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a minor who shall not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a minor except as herein provided who does not hold such certificate Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not more than five hundred dollars or shall undergo imprisonment in the county jail for a term of not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 It shall be the duty of the several miners' examining boards to investigate all complaints or charges of noncompliance with or violation of the provisions of this act and to prosecute all persons so offending and it shall be the duty of the prosecuting attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of such prosecuting attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act Upon conviction of any of the members of the Miners' Examining Board for any violations of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of said board

Section 8 For the purpose of this act the members of the said Miners' Examining Board shall have the power to administer oaths and affirmations

Section 9 This act shall apply only to mines that come under the regulation of the mine inspectors

Section 10 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Adams,	Dunn, H. B.,	Lowers,	Rothenberger,
Allen,	Dunn, J. A.,	Malle,	Runk,
Ambler,	Ehrhardt,	Mannion,	Sassaman,
Baldwin, G. A.,	Eichenberger,	Martin,	Savacool,
Baldwin, R. J.,	Ewing,	Mather,	Schaeffer, A. C
Bass,	Fahey,	Matt,	Semmens,
Bayle,	Foster, J. D.,	McCaig,	Shaffer, C. A.,
Becker,	Geiser,	McClintock,	Shaffer, I. E.,
Benninger,	Gibson,	McDermott,	Sherwood,
Benson,	Good,	McKay,	Showalter,
Bergey,	Grabe,	Mellott,	Smith, J. W.,
Bigger,	Gramley,	Metzenbacher,	Smith, L.,
Bittles,	Gransback,	Mitchell,	Speiser,
Blair, W. A.,	Gray, Frank,	Moore	Spillinger,
Blair, W. F.,	Haggerty,	Morrow,	Steedle,
Bleloch,	Heidinger,	Moses,	Steele,
Body,	Herman,	Moulthrop,	Stein,
Brosius,	Heyburn,	Murphy,	Stone,
Brown,	Hibshman,	Musser,	Strauss,
Brownlee,	Hobbs,	Neely,	Swartz,
Burnett,	Hoffman,	Newbaker,	Swift,
Caldwell,	Howard, J.,	Newton,	Thomas,
Campbell, C.M.,	Isler,	North,	Trach,
Campbell, J.J.	Irwin, G. C.,	O'Neill,	Ulman,
Carson,	Irwin, H. H.,	Peachey,	Walnut,
Carter,	Jackson,	Pennegar,	Walsh,
Claycomb,	Jones, J. R.,	Pennock,	Walton,
Cleary,	Keeport,	Perry, H. L.,	Wettach,
Cochran,	Kennedy,	Peters,	Whitaker,
Collins,	Kern,	Piper,	Whitman,
Conner,	Kitts,	Post,	Wildman,
Conniff,	Kuhn, H. P.,	Price,	Williams,
Conrade,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Cox,	Lanius,	Reese,	Wilson, W. H.,
Currier,	Latshaw,	Reeser,	Wiltbank,
Curry,	Lenker,	Rhoads,	Young, G. K.,
Davis,	Leslie,	Richards,	Young, J. H.,
DeFrees,	Letzkus,	Robinson,	Zimmerman,
Dickinson,	Light,	Rockwell,	Alter,
Donahoe,			Speaker.
Down,			

NAYS—7.

Goss,	Howard, R.,	McAllister,	Spangler,
Hemminger,	Lohr,	Schuck,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WHITMAN. Mr. Speaker, I desire to call up House Bill No. 276, file folio 2641, entitled:

An Act regulating the deposit of county funds.

from page 21 of today's Calendar, bills on final passage postponed.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 276, as follows:

An Act regulating the deposit of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners treasurer and controller or auditors of each county having less than one hundred and fifty thousand inhabitants shall constitute a depository board It shall be the duty of the board to designate a bank or trust company of the county as the official depository for county funds The board shall in the month of December in each year cause to be inserted in two newspapers of the county once a week for four successive weeks an advertisement soliciting from incorporated banks or trust companies of the particular county sealed proposals for the payment of interest on county funds The advertisement shall state the time and place when and where the proposals shall be opened and the probable maximum amount of money to be deposited with the depository All proposels shall be in writing and delivered or sent to the office of said treasurer sealed in envelopes Each proposal shall be accompanied by a bond in double the amount of the probable amount of county funds to be deposited in the county depository The bond shall be conditioned for the faithful performance of all the terms and conditions of the contract to be entered into between the successful bidder and said board The bond shall have as surety one surety company authorized to act as surety in this Commonwealth or at least two sureties to be approved by the Court of Common Pleas of the proper county On the first Monday of January next following such advertisement the proposals shall be opened in the office of the county treasurer in the presence of a majority of the board The bank or trust company that shall offer the highest rate of interest on the county funds deposited with it shall be designated as the county depository for one year from the said first Monday of January and a contract shall be entered into between said board and the depository providing for the payment of said interest on the funds so deposited unless for any reason the board shall reject any or all bids in which case the board may advertise again for proposals giving fifteen days' notice of the time and place and where the same shall be opened If two or more banks or trust companies offer the same rate of interest the board shall select the depository The bonds of all unsuccessful bidders shall be returned to the respective bidders The bonds of the sucessful bidder shall remain in the custody of the controller or auditor

Section 2 It shall be the duty of the county treasurer to deposit in the county depository all funds other than an amount actually necesary to meet current expenses This amount to be determined by the county commissioners and the county treasurer shall be notified of the same on the day when the depository is selected County funds exceeding one-half of the amount of the bond shall not be deposited in any depository but the bond of the depository may be increased from time to time subject to the terms of the contract of deposit If the depository shall refuse or neglect to furnish such increased bond the board may for the unexpired portion of the year designate another additional depository in the same manner and subject to the same conditions as the original designation The treasurer shall not be held liable for any county money that shall be lost by reason of the failure or insolvency of any bank or trust company designated as county depository

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Mr. WHITMAN. Mr. Speaker, I desire to explain the purpose for which this bill was introduced. It applies only to counties of less than one hundred and fifty thousand population. It was introduced to correct a wrong existing in our county and it is duplicated in many counties of the State and to prove it, yesterday there was a meeting of the County Treasurers of different counties of the State held to protest against the passage of this bill.

In our county for years we have been asking the County Treasurer to deposit the county funds at fixed interest in some bank whereby the tax payers could profit by the proceeds. We have been refused this, saying that there was no act by the Legislature to do this. It was carried so far in some counties of the State that the Treasurer has deposited his fund in a bank and is drawing interest on it and in one conuty in the State the tax payers found that the Tresaurer had collected fifteen hundred dollars

interest on the County funds. They intended to have the Treasurer pay this over but the judge decided that they had no power to force him to return the fifteen hundred dollars and that he was only controlling a lot of money that the county turned over to him and all that was demanded of him was that he account for the amount charged. I am asking the support of the House to pass this bill because it is intended to correct a condition that exists not alone in our county but in other counties.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—95.

Adams,	Dunn, H. B.,	Kuhn, H. P.,	Sherwood,
Allen,	Fahey,	Leslie,	Showalter,
Ambler,	Foster, J. D.,	Lohr,	Smith, J. W.,
Baldwin, G. A.,	Geiser,	Mannion,	Smith, L.,
Bass,	Gibson,	McAllister,	Spangler.
Becker,	Glenn,	McCaig,	Spillinger,
Benninger,	Good,	McClintock,	Steele,
Benson,	Goss,	McKay,	Stein,
Bergey,	Grabe,	Mitchell,	Strauss,
Bittles,	Gramley,	Moore,	Swartz,
Blair, W. A.,	Gransback,	Moses,	Swift.
Bleloch,	Gray, Frank,	Moulthrop,	Thomas,
Brosius,	Haggerty,	Neel,	Trach,
Brown,	Heidinger,	Neely,	Walnut,
Burnett,	Hemminger,	Newton,	Wettach,
Campbell, C.M.,	Herman,	North,	Whitman,
Cleary,	Hibshman,	Peachey,	Williams,
Cochran,	Hobbs,	Pennock,	Wilson, J. H.,
Conner,	Hoffman,	Piper,	Wilson, W. H.,
Conrade,	Isler,	Reese,	Young, G. K.
Cox,	Jackson,	Schaeffer, A. C	Young, J. H.,
Currier,	Jones, J. R.,	Scott, J. R. K.,	Alter,
Curry,	Kaufman,	Scott, S. B.,	Speaker.
DeFrees,	Keegan.	Semmens,	
Down,			

NAYS—58.

Baldwin, R. J.,	Ely,	Mather,	Rothenberger,
Barner,	Ewing,	Matt,	Savacool,
Bayle,	Heyburn,	McDermott,	Schuck,
Bigger,	Howard, J.,	Mellott,	Shaffer, C. A.,
Blair, W. F.,	Irwin, G. C.,	Murphy,	Shaffer, I. E.,
Body,	Kern,	Musser,	Speiser,
Brown,	Kitts,	Newbaker,	Steedle,
Caldwell,	Klepper,	O'Neill,	Stone,
Cheeseman,	Kuhns, E.G.M.,	Peters,	Ulman,
Claycomb,	Lanius,	Post,	Walton,
Conniff,	Lenker,	Price,	Watson,
Davis,	Letzkus,	Redfield,	Whitaker,
Dickinson,	Lohr,	Reeser,	Wiltbank,
Donahoe,	Martin,	Rhoads,	Zimmerman,
Ehrhardt,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 701, as follows:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of Commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorpoated town

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as commissioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any incorporated town or borough as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarly expended in the performance of their duty

Section 4 It shall be the duty of the commissioners of water works in each borough or incorporated town of the Commonwealth where a commission of water works established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough or incorporated town if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred and twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough or incorporated town within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds' They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each sum requisition shall be accompanied by a detailed statement of the work done and matrials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed thereby shall be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

Section 11 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporatedw town until the authorities thereof shall be appropriate ordinance accept the provisions of this act

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Adams,	Down,	Lohr,	Rockwell,
Allen,	Dunn, H. B.,	Lowers,	Rothenberger.
Ambler,	Dunn, J. A.,	Mannion,	Runk,
Baldwin, G. A.,	Ehrhardt,	Martin,	Sassaman,
Baldwin, R. J.,	Ewing,	Mather,	Savacool,
Barner,	Fahey,	Matt.	Schaeffer, A. C
Bass,	Forster, I. G.,	McAllister,	Scott, S. B.,
Bayle,	Foster, J. D.,	McArdle,	Semmens,
Becker,	Geiser,	McCaig,	Shaffer, C. A.,
Benninger,	Gibson,	McClintock,	Shaffer, I. E.,
Benson,	Good,	McKay,	Sherwood,
Bergey,	Grabe,	Mellott.	Showalter,
Bigger,	Gramley,	Metzenbacher,	Smith, J. W.,
Bittles,	Gransback,	Mitchell,	Smith, L.,
Blair, W. A.,	Gray, Frank,		Speiser,

Blair, W. F.,	Haggerty,	Moore,	Spillinger,
Bleloch,	Heidinger,	Moses,	Steedle,
Body,	Hemminger,	Moulthrop,	Steele,
Brosius,	Herman,	Murphy,	Stein,
Brown,	Heyburn,	Musser,	Stone,
Brownlee,	Hibshman,	Neel,	Strauss,
Caldwell,	Hobbs,	Neely,	Swartz,
Campbell, C.M.,	Hoffman,	Newbaker,	Swift,
Campbell, J. J.,	Howard, J.,	Newton,	Thomas,
Carter,	Isler,	North,	Trach,
Cheeseman,	Irwin, G. C.,	O'Neill,	Ulman,
Claycomb,	Irwin, H. H.,	Peachey,	Walnut,
Cleary,	Jackson,	Pennegar,	Walton,
Cochran,	Jones, J. R.,	Pennock,	Watson,
Collins,	Keegan,	Peters,	Wettach,
Conner,	Keeport,	Piper,	Whitaker,
Conniff,	Kern,	Post,	Whitman,
Conrade,	Kitts,	Price,	Williams,
Cox,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Currier,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Curry,	Latshaw,	Reese,	Wiltbank,
Davis,	Lenker,	Reeser,	Young, G. K.,
DeFrees,	Letzkus,	Rhoads,	Young, J. H.,
Dickinson,	Light,	Richards,	Zimmerman,
Donahoe,		Robinson,	Alter,
Donnally,			Speaker.

NAYS—5.

Burnett,	Carson,	Goss,	Howard, R.,
		Mechling,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the consideration on final passage of H. R. bill No. 1010, as follows:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "domestic animal" as used in this act shall mean any equine animal or bovine animal or sheep or goat pig or dog or cat and shall be taken to include the singular or plural as may be necessary in any given case

Section 2 The word "owner" as used in this act shall mean any person owning any domestic animal or leasing any domestic animal from another or any person who allows a domestic animal habitually to remain about the premises inhabitated by such person

Section 3 The word "person" as used in this act shall mean any person co-partnership association or corporation and shall be taken to include the singular or plural as may be necessary in any given case

Section 4 The word "permises" as used in this act is to be taken in its widest sense and is to include land any structure erected on land and any vehicle or vessel used in transporting passengers goods or animals by land or by water

Section 5 The State Livestock Sanitary Board shall remain as at present constituted The State Veterinarian shall be ex-officio Secretary of the State Livestock Sanitary Board For the proper performance of the work of the State Livestock Sanitary Board the State Veterinarian with the approval of the Board is authorized to appoint and employ for the Board such agents and employees legal clerical and otherwise as may be deemed necessary

For services as State Veterinarian and Secretary of the State Livestock Sanitary Board he shall receive an annual salay of five thousand dollars which shall be in lieu of all compensation now received by law

In the absence of incapacity of the State Veterinarian the Deputy State Veterinarian shall act as Secretary of the State Livestock Sanitary Board and as executive officer thereof and shall have in all respects the powers and duties of the State Veterinarian under this act except that said Deputy State Veterinarian shall not be a member of the Board

For his services as Deputy State Veterinarian and services in connection with the State Livestock Sanitary Board he shall receive an annual salary of four thousand dollars which shall be in lieu of all compensation now received by law Provided however That the provisions of this act shall not apply to the terms of office of the persons now occupying the offices of State Veterinarian and Deputy State Veterinarian

The compensation of agents and other employees shall be fixed by the State Veterinarian with the approval of the Board The State Veterinarian shall assign to each agent and employee such duties as may be deemed for the best interests of the work of the Board Each officer agent and employee shall be allowed expenses actually and necessarily incurred in the performance of the duties devolved upon him All salaries compensation and expense of officers agents and employees and all other expenses under this act shall after approval by the State Veterinarian be paid by the State Treasurer upon the warrant of the Auditor General in the manner now provided by law

Section 6 It shall be the duty of the State Livestock Sanitary Board to improve the quality of the domestic animals and poultry of this Commonwealth to prevent suppress control and eradicate any transmissable diseases of such animals or poultry and to enforce the laws of the Commonwealth relating to diseases of animals and poultry and the manufacture preparation storage sale and offering for sale of the food and food products derived from diseased animals and poultry Whenever and wherever deemed necessary to prevent the spread of disease the Board may regulate and prohibit the importation into this Commonwealth of animals or poultry may cause general or special quarantine of premises and animals and poultry to be established and maintained may cause the disinfection of any premises may cause the destruction of animals and poultry and of personal property and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this Commonwealth The State Livestock Sanitery Board may also cause such investigations to be conducted as may seem advisable regarding methods of improving the quality of domestic animals and poultry and regarding the causes and the methods of preventing controlling and eradicating diseases thereof

Section 7 In the performance of the duties herein required by law the officers agents and employees of the State Livestock Sanitary Board may at any time enter any premises If permission so to enter shall be refused or delayed by any person any such officer or agent or employee may on oath or affirmation declare before any alderman magistrate or justice of the peace that he has reason to believe that diseased animals or poultry are or have been confined or kept in or on such premises and shall further declare that permission to enter and to investigate has been refused or delayed to an officer agent or employee of the Board whereupon such alderman magistrate or justice of the peace shall upon payment of a fee of one dollar issue a search warrant for such premises directed to the proper officer agent or employee Such search warrant shall describe as nearly as may be the premises which it is desired to search or investigate but need not describe the animal or animals or poultry which are alleged to be or have been diseased which are or have been confined or kept on such premises and such officer agent or employee armed with such search warrant shall have all the authority of a constable or other peace officer in the execution of such warrant It shall be unlawful for any person to refuse or delay admission to any premises to any officer agent or employee of the State Livestock Sanitary Board provided with a search warrant as herein authorized

Section 8 It shall be unlawful for any person to import or to bring into this Commonwealth any domestic animal or poultry affected with or that has been exposed to any transmissible disease of any kind in violation of the provisions of this act or to import or bring any domestic animal or poultry into this Commonwealth in violation of any of the provisions of this act

Section 9 It shall be the duty of every practitioner of veterinary medicine in Pennsylvania immediately upon receiving information thereof to report to the Secretary of the State Livestock Sanitary Board each case of any of the following diseases namely glanders anthrax blackleg or black quarter contagious pleuro-pneumonia or lung plague of cattle rinderpest or cattle plague hemorrhagic septicemita foot and mouth disease or alphthous fever of cattle southern cattle fever or Texas fever sheep scab mange of cattle or horses hog cholera or swine plague fowl cholera rabies or hydrophobias maladie du coit or dourine of horses advanced or generalized tuberculosis or tuberculosis of the udder or any other disease now or hereafter proclaimed by the State Livestock Sanitary Board to be a transmissible character or any domestic animal reacting to tuberculin or mallein test This report shall be in writing and shall include a description of each animal affected with the name and exact address of the owner or person in charge of the animal if known and the exact locality of the animal and the number of susceptible domestic animals that have been exposed to the disease

Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulations There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been trasported or moved The original of the certificate and of the chart shall be attached to the waybill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified at least one week before such animal shall be brought in The original certificate and the chart shall be in the possesion of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the Board on demand The duplicates thereof shall be sent to the Board as aforesaid Such notice to the Board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination

and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to steers spayed heifers and bovine animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper

Section 11 If the State Veterinarian shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals or shall question the competency of the person of the State of export who shall have issued such chart or certificate he may on behalf of the State Livestock Sanitary Board decline to accept the same and refuse to permit the importation of the animals concerned unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States or unless the said Board shall otherwise determine

Section 12 Each bull and heifer under six months of age except a young and apparently healthy calf accompanying a fresh cow that has passed a physical examination and the tuberculin test shall when brought into this Commonwealth be held in quarantine at the expense of the owner until it is six months old whereupon it shall be subjected to an examination and tuberculin test by an agent of the State Livestock Sanitary Board The expense of such examination test and quarantine may be recovered by the State Livestock Sanitary Board from the owner by an action at law in like manner as other debts are now recoverable

Section 13 Any bovine animal not accompanied by the health certificate and tuberculin test chart required by Section ten of this act may be brought into this Commonwealth under the direct supervision of a member officer or agent of the State Livestock Sanitary Board and subject to the following regulations

Each such animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the State Veterinarian and during the period of such quarantine shall be submitted to a physical examination and a tuberculin test by an agent of the Board The examinination and test shall be at the expense of the owner The fee for such examination and test shall be ten dollars for ten animals or less and fifty cents for each additional animal examined and tested at the same time During the continuance of such quarantine the animal shall be provided with proper quarters food and water by the owner or at his expense It shall be unlawful to remove any such animal from quarantine unless it shall have passed a satisfactory examination and test and unless the fee for examining and testing has been paid to the Board and unless the charges for the quarters feed water and attendance has been paid to the person entitled thereto Any animal that fails to pass such an examination and shall at the option of the owner be killed without compensation to the owner or continued in quarantine at the expense of the owner This section shall not apply to any animals brought into the State for immediate slaughter or to an animal for which an exhibition permit shall have been obtained as provided in Section ten of this act The fees for making such an examination and test and all expenses incurred in providing such animal or animals with proper quarters food and water may be recovered by the Board from the owner by an action at law as other debts are by law collectible It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animal brought into the State for immediate slaughter or to use or permit to be used any such animal for dairy or breeding purposes

Section 14 When notified by an officer or agent of the State Livestock Sanitary Board not to do so it shall be unlawful for any person to receive or keep or have in his keeping or possession any domestic animal imported or brought into this Commonwealth in violation of any of the provisions of this act or to allow any such domestic animal to come into contact with any other domestic animal

Section 15 Whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist anywhere in the State a quarantine of any locality or premises or of any infected or exposed animals or poultry may be established Quarantines shall be of two kinds special and general

A special quarantine shall mean a quarantine of a single animal or a quarantine of a single building structure pen coop car vessel vehicle field or enclosure or a quarantine of any number of animals or poultry when confined or contained in the same building structure pen coop car vessel vehicle field or enclosure

A general quarantine shall include all quarantines not included under the term special quarantine as herein defined

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in Section nine of the act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or there shall be any animal or poultry which it is deemed necessary by the State Veterinarian or any other officer or agent of the State Livestock Sanitary Board to have examined or tested The State Veterinarian or any officer or agent of the State Livestock Sanitary Board shall have the power to establish and maintain any special quarantine It shall be the duty of the State Veterinarian or any officer or agent of the State Livestock Sanitary Board establishing a special quarantine to post on the building structure pen coop car vessel vehicle field or enclosure wherein the animal or animals or poultry quarantined are confined or contained a notice declaring the quarantine a description of the animal or animals or poultry quarantined and of the premises where quarantined and of the duration of such quarantine Such quarantine may continue for such time as the State Veterinarian or the officer or agent of the State Livestock Sanitary Board establishing the same may deem advisable to accomplish the purpose of quarantine

A general quarantine may be established and maintained whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist in any locality in the State larger in extent then that which may be included in a special quarantine A general quarantine shall be established and maintained by the State Livestock Sanitary Board only Such quarantine shall include such premises locality or territorial district and such animals and shall continue for such time as may be deemed necessary or advisable by the said Board In establishing and maintaining such quarantine the said Board may act through and by any member officer agent or employee of said Board to whom such power is delegated and the establishment and maintenance of such quarantine by any member officer agent or employee of said Board shall be prima facie the establishment and maintenance of quarantine by said Board Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said Board it shall be the duty of the member officer agent or employee of said Board by whom the order of said Board as to quarantine is executed to post notices within the premises locality or territorial district quarantined declaring the extent and limits of premises locality or territorial district so quarantined and the animals subject to such quarantine At least ten such notices shall be posted in the most public places within said quarantined area A copy of such notice shall be published in one newspaper published within such quarantined area or if there be no such newspaper then in one newspaper circulating generally within such area If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs so as to effectually prevent biting

Section 16 After the establishment of any quarantine authorized by this act and the posting of notices required by law it shall be unlawful for any person without a special permit in writing from the State Veterinarian or the State Livestock Sanitary Board as the case may be to remove from or to any premises within the limits of the quarantine any domestic animal or poultry or to remove from any quarantined area or premises any hay straw grain fodder or other food or animals or poultry or to remove any car or wagon or vessel so quarantined or to sell or exchange or give away or lease or lend or remove or allow to be removed any quarantined domestic animal or animals or poultry It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality unless such dog shall be muzzled so as to effectually prevent biting or for any person to remove or permit to be removed any dog from such quarantined area Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area not being muzzled as aforesaid may be secured and confined or may be shot or otherwise destroyed by any person without liability therefor

Section 17 It shall be unlawful for any person to tear down or deface or to destroy any notice of quarantine posted by any member officer agent or employee of the State Livestock Sanitary Board or to remove or destroy wholly or partially any portion of a building or tree or fence whereon the same shall have been posted

Section 18 When any quarantine shall be established under this act it shall be unlawful for the owner of any domestic animal within the limits of the quarantined area to allow such domestic animal to run at large during the continuance of the quarantine Any animal so found running at large shall be taken up by the proper constable and kept at the expense of the owner until the lifting of the quarantine For such service he shall be entitled to one dollar for each animal Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid If not paid within two weeks from the lifting of the quarantine the animal may be sold and after the deduction of all fees costs and expenses the residue shall be paid to the owner if known and if not known shall be paid into the State Treasury This section shall not apply to dogs or affect the special provisions of this act in reference to dogs

Section 19 Animals that shall be placed in quarantine by the authority of the State Livestock Sanitary Board or any member officer agent or employee of the same shall be provided with suitable quarters and fed and watered by or at the expense of the owner In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within ten days after the lifting of said quarantine the State Livestock Sanitary Board may sell any such animal at public sale to collect such expense Any surplus received at said sale over the expense aforesaid shall be paid to such owner No animal shall be removed from a quarantined area until

such sale except upon payment of such expense

Section 20 Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods

First Complete cremation of the entire carcass with all its parts and products

Second Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water continuously during at least two hours

Third Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams and which shall be distant not less than one hundred feet from any water course well or spring public highway house or stable In burying such carcass it shall be covered with quick lime to a depth of not less than three inches and the top of such carcass shall not be within two feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface Such grave shall be so protected that the carcass may not be accessible to dogs or other animals

Section 21 Whenever to prevent the spread of disease it shall be deemed necessary by any member officer or agent of the State Livestock Sanitary Board to cause any domestic animal to be killed the State Veterinarian may cause to be paid to the owner of such animal two-thirds of the fair market value thereof taking into consideration the condition of the animal as to disease and the nature and extent of the disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal The amount paid by the State shall in no case exceed for a horse jack or mule the sum of sixty dollars for a non registered bovine animal the sum of forty dollars for a registered bovine animal the sum of seventy dollars for a sheep or pig the sum of ten dollars The amount paid by the State together with the estimated value of the carcass hide and offal shall not exceed ninety per centum of the fair market value of the animal When any animal is so killed the owner subject to such regulations as may be prescribed by the State Livestock Sanitary Board may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may tend to spread disease or affect the health of the public

Section 22 Whenever to prevent the spread of disease it shall be deemed necessary by the State Livestock Sanitary Board or any member officer or agent of the Board to cause any domestic animal to be killed and the proper member officer or agent of the Board cannot agree with the owner as to the value of such animal three appraisers shall be appointed one by the State Veterinarian or other member officer or agent of the Board one by the owner and the third by the two so selected If the owner shall refuse to appoint an appraiser the alderman magistrate or justice of the peace of the proper township borough or ward shall appoint such appraiser for the owner Each appraiser shall be sworn to perform faithfully his duties as appraiser The appraisers shall estimate the fair market value of each such animal taking into consideration the condition of the animal as to disease and the nature and extent of such disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal When such appraisement shall be made such animals shall be killed and two-thirds of the appraised value paid to the owner subject to the limitations imposed in Section twenty-two Each appraiser shall be entitled to one dollar for such appraisement irrespective of the number of animals appraised One-half of the expense of the appraisement shall be paid by the owner the other half by the State Livestock Sanitary Board

Section 23 The State Veterinarian and any member officer or agent of the State Livestock Sanitary Board are authorized to administer oaths and affirmations to appraisers appointed under this act

Section 24 Whenever any animal affected with any of the diseases enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this act It shall be unlawful to sell such carcass or any part thereof or any hide or offal therefrom

Section 25 Whenever any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed and the owner thereof shall not within twenty-four hours dispose of the carcass and products as required by law it shall be the duty of the State Livestock Sanitary Board or any member officer or agent of the Board to cause the same to be destroyed or disposed of according to law at the cost of such owner The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible

Section 26 It shall be unlawful for any person to drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character except upon express permission in writing from the State Livestock Sanitary Board or any member officer or agent of the Board

Section 27 Without express permission in writing from the State Livestock Sanitary Board or a member officer or agent of the Board it shall be unlawful for any person to sell or offer for sale or to give away or allow to stray any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or any animal that has reacted to any tuberculin or mallein test or with such permission to sell or offer for sale or to give away any such animal without notifying the purchaser or prospective purchaser or the person to whom the animal shall be given that the animal is affected or has reacted as aforesaid

Section 28 The State Veterinarian may prescribe methods of making tests with tuberculin mallein or other recognized tests for the diagnosis of diseases of animals

Section 29 Each sale in this Commonwealth of tuberculin for use in testing cattle or of mallein for use in testing horses jacks or mules and each test made with tuberculin or mallein shall be reported in writing to the State Veterinarian within one week after such sale or test Each such report shall be signed by the person who shall have made the sale or test shall give the name of the purchaser of the tuberculin or mallein with the amount sold the date of sale the name and address of the owner of the cattle or horses or mules or jacks tested the locality where such test has been made a description of the animal or animals tested and a complete statement of the actual result of such test It shall be unlawful for any person whose duty it is hereby made to make such report to fail or refuse to do so

Section 30 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animals any virus or any pathogenic germs dangerous to such animal unless the express permission in writing of the State Veterinarian

Section 31 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal tuberculin mallein or other biological product used for diagnostic purposes unless such tuberculin mallein or other biological product is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 32 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal any anthrax vaccine blackleg vaccine hog cholera serum or any other biological product used for prophylactic purposes in treating or preventing diseases unless the same is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 33 Any domestic animal affected with advanced or generalized tuberculosis or with tuberculosis of the udder or any animal which has reacted to the tuberculin test may be plainly branded by any member officer agent or employee of the State Livestock Sanitary Board upon the forehead or upon the right side of the neck from six to ten inches back from the jaw bone with a capital "T" not less than two inches high one and one-half inches wide with mark one-fourth of an inch wide Such branding shall not be construed as cruelty to animals within the meaning of the penal laws of the Commonwealth

Section 34 Milk produced by a cow which has reacted to a tuberculin test or is affected with a dangerous transmissible disease shall not be used as food for animals unless it has been previously heated to at least one hundred and seventy-eight degrees Fahrenheit except a special examination has been made under the direction of the State Veterinarian and written permission to use such milk has been given by him

Section 35 Every owner operator or manager of a creamery cheese factory receiving station or skimming station shall before returning to delivering to any person or persons any skimmed milk or separator slop to be used for food or feeding purposes for calves or swine cause such skimmed milk to be thoroughly pasteurized by heating it to at least one hundred and seventy-eight degrees Fahrenheit

Section 36 To extend the efficiency of the State Livestock Sanitary Board said Board is authorized to co-operate with the proper authorities of the National Government in all matters relating to the diseases of domestic animals and poultry

Section 37 All fees and costs and mileage received by any member officer agent or employee of the State Livestock Sanitary Board in the performance of his duties shall be paid as soon as practicable to the State Veterinarian and by the State Veterinarian paid into the Treasury of this Commonwealth

Section 38 The Secretary of the State Livestock Sanitary Board shall render a report annually to the Governor of the Commonwealth concerning the work of the State Livestock Sanitary Board Such report shall be rendered oftener if so directed by the Governor Such report shall also contain such additional information and suggestions as may be requested by the Governor

Section 39 The Board of Commissioners of Public Grounds and Buildings shall provide adequate quarters for the State Livestock Sanitary Board and shall on requisition of the State Veterinarian furnish such stationery paper furniture and supplies as may be necessary in the performance of the work of the Board

Section 40 The Superintendent of Public Printing and Binding shall on requisition of the State Veterinarian furnish the State Livestock Sanitary Board with such printing and binding as may be necessary in the performance of the work of the Board

Section 41 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be

sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars For each subsequent offense such person shall be sentenced to pay a fine of not less than two hundred dollars nor more than five hundred dollars and in addition thereto such person or each of the members of the firm or each of the directors of the corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo an imprisonment in the jail of the proper county for a period of not less than ten nor more than ninety days or either or both at the discretion of the court

Section 42 The State Livestock Sanitary Board shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof

Section 43 All acts and parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Mr. STONE. Mr. Speaker, a number of gentlemen of the House have asked me concerning this bill. I desire to state at this time, for the benefit of those who may desire to ask something more in regard to the bill that this is nothing more or less than a codification and amendment of the laws affecting the Sanitary Board, which by the experience of seventeen years, has been found to be necessary in order to perfect the organization of this Board. There are but very few changes from the old law. There are a few duties enjoined, and only a few, so that the State Veterinarian and the Secretary are simply one office. There is one material change in the last section of the bill which I know some of the members of the House will be interested in, specially the farmers, and that is in regard to pasterurizing or hearting the skimmed milk to 175 degrees Fahrenheit. Some might question the expense of that. I have spoken with some fifteen or twenty men of my county; I have also spoken with the members of the Sanitary Board in regard to this expense. If they were obliged to put in the compelte pasteurizing equipment, it might cost five or six hundred dollars, but that, I find, is not necessary. That can simply be done by passing steam through a pipe into the milk, and will not delay the farmers in waiting for their milk more than ten minutes, and by that means they will wipe away all danger of inoculation which may affect the hogs and the pigs and that is about the purpose of the bill, simply to perfect the purposes of the Board for the last seventeen years.

Mr. E. G. M. KUHNS. Mr. Speaker, I quite agree with the gentleman that the material changes in this bill are very few, but I wish to call the attention of the members of the House to page 21 of the bill, Section 38, which reads: "The Secretary of the State Livestock Sanitary Board shall render a report annually to the Governor of the Commonwealth concerning the work of the State Livestock Sanitary Board. Such report shall be rendered oftener if so directed by the Governor," and so forth. Now, gentlemen, does the State Livestock Sanitary Board work for the Governor of this Commonwealth, or does this Board work for the general public? Does the Governor of this Commonwealth have any animals to be inspected? Does the Governor of this Commonwealth need any inspection as to his sanitary condition? If so, I think Section 38 is all right. If not, I do not agree with the section, and I doubt whether the members on the floor of the House can agree with that section. If his State Livestock Sanitary Board is to look after the general public's affairs, why not have the annaul report go to the general public ,instead of to the Governor? Further, I agree with the gentlemen that the material changes of the bill are mighty few, because I cannot find hardly any changes except a salary increaser. increasing the salary of the Secretary of the State Livestock Sanitary Board to five thousand dollars and the Deputy from one to four thousand dollars. Now, gentlemen, I have a resolution in my hand that I received from an organization during the week, a class of people who are interested in the work of the State Livestock Sanitary Board, who are unalterably opposed to this salary increase. They cannot see the necessity for it. They think that those men get all the money for their services that they deserve. Now, since the material changes in the bill are so little that it is simply keeping away the report from the general public that belongs to the general public, and the salary increaser, I ask you members on the floor of the House to defeat the bill and leave the law as it is.

BILL POSTPONED.

Mr. STONE. Mr. Speaker, I am afraid that, in view of the fact that there has been a mistake made in the title, it should be amended. I therefore move the postponement of this bill for the present.

Mr. E. G. M. KUHNS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 34, entitled:

An Act providing for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in a State Fire Marshal and by providing proper penalties for any violation of the same

On the question,

Shall the bill pass finally?

Mr. FRANK GRAY. Mr. Speaker, if the Clerk can read this bill, he can do more than I can. It seems that this bill is all mixed up.

The SPEAKER. The Chair does not quite follow the gentleman.

Mr. FRANK GRAY. Mr. Speaker, the bill is all mixed up. The title is in the middle.

The SPEAKER. The Chair will state for the information of the gentleman that the Clerk has ordered another copy of this bill to be printed, by reason of errors which the printer has made in the bill which is on the desks; consequently, it might be well to simply pass this bill in its place until it is properly printed.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 409, as follows:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough council or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within three months after the passage of this act

Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board of health shall be appointed by the president of the county in which the borough or township or borough of the first class of the borough councils or by the chairman of the board of commissioners of such township At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall all be residents of the municipality for which they are appointed and shall serve without compensation provided however if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3 The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a members of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the borough council or by the board of commissioners of the township of the first class and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 4 The secretary of the board shall keep the minutes of their proceedings shall keep accurate accounts of the expenditures of the board shall draw and certify under the seal of the board of health all orders upon the treasurers of the borough or township of the first class for the payment of monies on account of the board of health and shall present the same to the president of the board for his approval shall render statements for the expenditures to the board at each stated meeting or as frequently as they may require shall prepare under the directions of the board the annual report to the borough council or township commissioners together with the estimate of appropriation needed for the ensuing year he shall report to the State Department of Health at the end of each week and for the fraction of each week occuring at the end of each month cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health and shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board may require

Section 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman.

Section 6. The said Board of Health shall have the power and it shall be their duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and such further regulations as the Board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom They shall also have power with the consent of councils in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

Section 7. Said board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same.

Section 8. The board of health may inspect house drains waste and soil pipes cess-pools water-closets slaughter houses hog pens stables stable-yards and any conditions or places whatsoever in the borough or township of the first class which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class they shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a meanace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein they shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be by ordinance of the borough or township of the first class be provided.

Section 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary and the said board shall in the month of January of each year submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary and councils or township commissioners shall publish the same in their official journal.

Section 10 Whenever in the opinion of the Commissioner of Health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first class township or if it be known to him that any borough or township of the first class is without an existing or efficient board of health the Commissioner of Health may enter and take full charge of and administer the health laws regulations and ordinances in such borough or township of the first class and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township of the first class and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 11. All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the commissioner of health in accordance with the provisions of Section ten of this act shall be paid by the borough or township of the first class wherein such duties are performed in the same manner as other expenses of such borough or township of the first class are paid.

Section 12. Whenever expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class in accordance with the provisions of this act shall remain unpaid by said borough or township of the first class for a period over three months after a statement of such expense has been rendered by him to such borough or township of the first class and demand for payment by him he shall with the approval of the Governor instiutute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class in the same manner as debts of like amount are collected by law Provided however that upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Commissioner of Health shall be submitted to the jury for its determination

Section 13. All expenses incurred by the Commissioner of Health in the administration of health laws in any borough or township of the first class when paid to him by such borough or township of the first class or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 14. All acts entitled "An Act to enable borough councils to establish boards of health" approved the eleventh day of May Anno Domini one thousand eight hundred and ninety-three and an act "To enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health and providing for the payment of the expenses thereof by the township" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed provided that all boards of health now in existence in borough and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Adams,	Dickinson,	Lenker,	Sherwood,
Allen,	Donahoe,	Leslie,	Showalter,
Ambler,	Donnally,	Letzkus,	Smith, J. W.,
Baldwin, R. J.,	Dunn, J. A.,	Light,	Smith, L.,
Barner,	Ehrhardt,	Lowers,	Spangler,
Bass,	Ely,	Malie,	Speiser,
Bayle,	Ewing,		Spillinger,
Becker,	Fahey,	McAllister,	Steedle,
Bigger,	Forster, I. G.,	McCaig,	Steele,
Bittles,	Foster, J. D.,	McClintock,	Stein,
Blair, W. A.,	Geiser,	Mitchell,	Stone,
Blair, W. F.,	Good,	Moore,	Strauss,
Body,	Gransback,	Moses,	Swartz,
Brosius,	Gray, Frank,	Musser,	Thomas,
Brown,	Haggerty,	Neel,	Trach,
Brownlee,	Heidinger,	Newbaker,	Ulerich,
Burnett,	Heyburn,	Newton,	Ulman,
Caldwell,	Howard, J.,	Pennock,	Walnut,
Campbell, C.M.,	Irwin, G. C.,	Price,	Walton,
Carson,	Jackson,	Richards,	Watson,
Carter,	Jones, J. R.,	Robinson,	Wettach,
Cleary,	Keeport,	Rockwell,	Whitaker,
Conner,	Kennedy,	Runk,	Whitman,
Conniff,	Kern,	Sassaman,	Williams,
Conrade,	Klepper,	Schaeffer, A. C.	Wilson, W. H.,
Cox,	Kuhn, H. P.,	Schuck,	Wiltbank,
Currier,	Kuhns, E.G.M.,	Scott, S. B.,	Young, G. K.,
Curry,	Lanius,	Semmens,	Young, J. H.,
Davis,	Latshaw,	Shaffer, C. A.,	Zimmerman,
DeFrees,		Shaffer, I. E.,	Alter, Speaker.

NAYS—20.

Baldwin, G. A.,	Hemminger,	Matt,	Peters,
Cheeseman,	Keegan,	McDermott,	Redfield,
Claycomb,	Lohr,	Mellott,	Rothenberger,
Cochran,	Martin,	Metzenbacher,	Swift,
Grabe,	Mather,	Peachey,	Wilson, J. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM THE COMMITTEE ON RULES.

Mr. ALLEN. Mr. Speaker, I desire to present the following report from the Committee on Rules.

Th SPEAKER. The Report will be read by the Clerk.

The Report was read by the Clerk as follows:

That beginning with Tuesday, April first, the regular sessions of the House shall begin at one o'clock P. M., and that a recess shall be taken each day, from six o'clock to eight o'clock p. m.

Messrs, Allen
Gans
Sassaman
Cochran
Alter
Ehrhardt
Com. on Rules.

Mr. ALLEN. Mr. Speaker, the Rules Committee, while they agree upon this plan, offer the matter at this time so that the members may have the opportunity to discuss it, and I would ask that the matter pass over until Monday evening for final action.

The SPEAKER. There being no objection, the matter will lie over until Monday evening.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 210, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation therewith" approved the third day of June one thousand nine hundred and eleven

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. NEWBAKER. Mr. Speaker, I move that further consideration of this bill be postponed for the present, owing to the absence of its sponsor.

Mr. KERN. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1051, entitled:

An Act making it a misdemeanor for any officer or employe of any of the departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KITTS. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 719, entitled:

An Act empowering cities and boroughs to erect construct maintain and operate telephone police and fire alarm systems and to furnish said service to partnerships corporations or individuals and to connect with other telephone companies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Adams,	Donahoe,	Klepper,	Rothenberger,
Allen,	Donnally,	Kuhn, H. P.,	Runk,
Ambler,	Dunn, H. B.,	Kuhns, E.G.M.,	Sassaman,
Baldwin, G. A.,	Dunn, J. A.,	Lanius,	Savacool,
Baldwin, R. J.,	Ehrhardt,	Latshaw,	Schaeffer, A. C
Barner,	Ely,	Lenker,	Semmens,
Bayle,	Fahey,	Leslie,	Shaffer, C. A.,
Becker,	Forster, I. G.,	Letzkus,	Shaffer, I. E.,
Benninger,	Foster, J. D.,	Light,	Sherwood,
Benson,	Geiser,	Lohr,	Showalter,
Bigger,	Gibson,	Lowers,	Smith, J. W.,
Bittles,	Good,	Martin,	Spangler,
Blair, W. A.,	Goss,	Mather,	Speiser,
Blair, W. F.,	Grabe,	Matt,	Spillinger,
Bleloch,	Gramley,	McClintock,	Steedle,
Body,	Gransback,	McDermott,	Steele,
Brosius,	Gray, Frank,	McKay,	Stein,
Brown,	Haggerty,	Mellott,	Stone,
Brownlee,	Heidinger,	Metzenbacher,	Strauss,
Burnett,	Hemminger,	Mitchell,	Swartz,
Caldwell,	Herman,	Moses,	Swift,
Campbell, C.M.,	Heyburn,	Moulthrop,	Thomas,
Campbell, J. J.,	Hibshman,	Murphy,	Trach,
Carson,	Hobbs,	Musser,	Ulerich,
Carter,	Hoffman,	Neely,	Ulman,
Cheeseman,	Howard, J.,	Newbaker,	Walnut,
Claycomb,	Howard, R.,	Newton,	Walton,
Cleary,	Humes,	North,	Watson,
Cochran,	Isler,	Peachey,	Wettach,
Collins,	Irwin, G. C.,	Pennock,	Whitaker,
Conner,	Jackson,	Perry, S. J.,	Williams,
Conniff,	Jones, J. R.,	Post,	Wilson, J. H.,
Conrade,	Keegan,	Price,	Wilson, W. H.,
Cox,	Keeport,	Redfield,	Wiltbank,
Currier,	Kennedy,	Rhoads,	Young, G. K.
Curry,	Kern,	Richards,	Young, J. H.,
Davis,	Kitts,	Rockwell,	Zimmerman,
Dickinson,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 887, entitled:

An Act providing for the creation of the Bureau of Public Morals in the Department of Public Safety in cities of the second class defining its purposes and providing for the payment of expenses incurred thereby

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Ehrhardt,	Light,	Rothenberger,
Allen,	Ely,	Lohr,	Runk,
Ambler,	Fahey,	Lowers,	Sassaman,
Baldwin, G. A.,	Forster, I. G.,	Malie,	Savacool,
Baldwin, R. J.,	Geiser,	Mannion,	Schaeffer, A. C
Barner,	Gibson,	Martin,	Semmens,
Bayle,	Good,	Mather,	Shaffer, C. A.,
Benson,	Gramley,	McAllister,	Shaffer, J. E.,
Berntheizel,	Gransback,	McCaig,	Sherwood,
Bigger,	Gray, Frank,	McClintock,	Showalter,
Bittles,	Haggerty,	McDermott,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McKay,	Smith, L.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Spangler,
Bleloch,	Heyburn,	Mitchell,	Speiser,
Body,	Hibshman,	Moore,	Spillinger,
Brosius,	Hobbs,	Moses,	Steedle,
Brown,	Hoffman,	Moulthrop,	Steele,
Brownlee,	Howard, J.,	Murphy,	Stein,
Burnett,	Howard, R.,	Musser,	Stone,
Caldwell,	Humes,	Neely,	Strauss,
Campbell, C.M.,	Isler,	Newbaker,	Swartz,
Campbell, J. J.,	Irwin, G. C.,	Newton,	Swift,
Carson,	Irwin, H. H.,	North,	Thomas,
Carter,	Jackson,	Peachey,	Trach,
Cheeseman,	Jones, J. R.,	Pennegar,	Ulman,
Claycomb,	Keegan,	Pennock,	Walnut,
Conner,	Keeport,	Perry, S. J.,	Walton,
Conniff,	Kennedy,	Peters,	Watson,
Conrade,	Kern,	Piper,	Whitaker,
Cox,	Kitts,	Post,	Whitman,
Currier,	Klepper,	Price,	Williams,
Curry,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Davis,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
DeFrees,	Lanius,	Reese,	Wiltbank,
Dickinson,	Latshaw,	Rhoads,	Young, G. K.
Donahoe,	Lenker,	Richards,	Young, J. H.,
Donnally,	Leslie,	Rockwell,	Zimmerman,
Down,	Letzkus,	Roney,	Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after passage of this act the fees to be paid to received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from alderman or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to Eastern or Western Penitentiary fifty cents

Commitment to county prison fifty cents

Commitment to house of refuge fifty cents

Commitment to insane hospital fifty cents

Certificate of election of constables et cetera one dollar

Certificate and seal fifty cents

Certificate of acknowledgment and seal fifty cents

Certificate for Fairmount Park Commissioners in duplicate two dollars

Certificate of city treasurer one dollar and twenty-five cents

Certificate for payment of jurors fifty cents

Certificate for payment to road jurors fifty cents

Certificate to sheriff to draw jurors two dollars

Certificate to sheriff to draw grand jurors two dollars

Certificate to sheriff to draw special venire and return thereto five dollars

Certificate of official capacity under seal one dollar

Certificate to police department upon return of stolen property each twenty-five cents

Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents

Certificate and seal of ignored bill seventy-five cents

Certificate and seal in breach of peace seventy-five cents

Certificate and seal in apprentices seventy-five cents

Certificate and seal in reconsideration of sentence seventy-five cents

Certificate to Board of Charities of court order of non-support and seal one dollar

Certificate of probation one dollar

Certificate to Director of Public Safety upon application for detective license one dollar

Certificate to prothonotary of elective justices of the peace each name twenty-five cents

Certificate to county commissioners of elective election officers each name twenty-five cents

Certificate to county commissioners (Witness fees) and seal each twenty-five cents

Commission on lunacy swearing commission filing and recording three dollars and fifty cents

Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents

Certified copy bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Certified copy of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy docket entry in road cases not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy notes of testimony charge of court and all other papers filed in any case per page twenty cents

Citation and seal one dollar

Constable's return on liquor licenses and seal one dollar and fifty cents

Dog register and seal one dollar and fifty cents

Declaration to become a citizen and seal two dollars

Discharge on ignored bill and seal seventy-five cents

Discharge on bail entered seventy-five cents

Discharge of prisoner from dock seventy-five cents

Exemplification of record bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Exemplification of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Exemplification certificate and seal one dollar and twenty-five cents

Entering satisfaction of judgment fifty cents

Entering judgment on bond or recognzance upon confession for want of affidavit or defence upon verdict of demurrer one dollar and twenty-five cents

Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars

Entering revival of judgment by agreement one dollar and twenty-five cents

Filing and entering motion and reason for new trial seventy-five cents

Filing and entering motion in arrest of judgment seventy-five cents

Filing and entering reconsideration of sentence seventy-five cents

Filing and entering bond or recognizance from magistrate seventy-five cents

Filing and entering expense account of candidate for nomination and election to public office under fifty dollars ($50) one dollar

Filing and entering expense account of candidate for nomination and election to public office over fifty dollars ($50) two dollars

Filing and entering expense account of ward and county committees three dollars

Filing and entering magistrate's return seventy-five cents

Filing and entering coroner's return each seventy-five cents

Filing and entering petitions for appointment of auditors et cetera one dollar

Filing and entering auditor's reports per page twenty cents

Filing and entering petitions and papers not otherwise provided for first page fifty cents

Each additional page twenty cents

Filing petition for change of polling place two dollars

Filing and entering of plea autrefois convict fifty cents

Filing and entering of plea autrefois acquit fifty cents

Filing and entering nolle contendere fifty cents

Filing and entering nolle prosequi ten dollars

Filing and entering docket entries true bill three dollars

Filing and entering docket entries ignored bill two dollars

Filing and entering opinion of court of common pleas Superior Court and Supreme Court one dollar

Filing end entering opinion of court of oyer and terminer et cetera quarter sessions one dollar

Filing and entering certiorari or appeal from Superior or Supreme Court three dollars

Filing and entering remittitur from Superior or Supreme Court two dollars

Filing and entering bill of exceptions three dollars

Filing and entering certificate from city controller upon loan bill five dollars

Filing and entering return of election of increase or indebtedness for each return twenty-five cents

Filing and entering certificate et cetera ordinance of councils upon loan bill three dolars

Filing and entering answer to writ of habeas corpus fifty cents

Filing and entering answer to warrant of seizure fifty cents

Filing and entering answer to rules in non-support cases fifty cents

Filing and entering traverse fifty cents

Filing and entering rule for bill of particulars fifty cents

Filing and entering bill of particulars fifty cents

Filing and entering exceptions to bill of particulars fifty cents

Filing petition for division of election districts townships boroughs wards et cetera two dollars

Annexation and incorporation of each two dollars

Recording proceedings on above each one hundred words fifty cents

Filing bond and justification upon peddlers junk dealers and itinerant venders license two dollars and fifty cents

Filing and issuing summons on recognizance filing appearance affidavit of defense one dollar and fifty cents

Filing and indexing in card index record of commitment to Eastern or Western Penitentiary each twenty-five cents

Filing plans in road cases one dollar

Filing appeals in road cases seventy-five cents

Filing motion to quash indictment fifty cents

Filing and entering pleas not otherwise provided for each defendent twenty-five cents

Filing and issuing fieri facias sur debt seventy-five cents

Indexing judgments fines et cetera on judgment index each twenty-five cents

Joinder in issue twenty-five cents

Jury fee in each case four dollars

Jurors defaulting issuing notices to one dollar and fifty cents

Liquor license filing application for affidavit and seal five dollars and fifty cents

Liquor license filing interrogatories in application for and seal fifty cents

Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal six dollars and seventy-five cents

Liquor license filing and justification et cetera in transfer of five dollars and fifty cents

Liquor license filing petition for revocation of one dollar

Monthly return to board of charities to be paid by county twenty-five dollars

Mandamus and seal four dollars and twenty-five cents

Motions and rules not otherwise herein provided for each fifty cents

Naturalization certificate of certificate of duplicate each two dollars and twenty-five cents

Non-support cases record of two dollars

Non-support cases all services not otherwise provided for two dollars

Order of court in non-support cases and seal fifty cents

Order of court in juvenile cases and seal fifty cents

Petition and order for a view and review of a road or bridge et cetera filing report recording et cetera fifteen dollars

Petition filing of docketing proceedings and court orders habitual drunkard two dollars

Petition filing of feeble minded person one dollar

Petition filing of insane person one dollar

Petition filing of insane criminal one dollar

Petition filing of writ of habeas corpus two dollars

Release from any institution by order of court fifty cents

Recognizance calling and entering forfeiture of fifty cents

Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving on entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Road viewers filing and entering report of five dollars
Search judgment single forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scieri facias sur bond three dollars
Scieri facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollar
Seal in every case not otherwise provided for twenty-five cents
Supreme court entering appeals to one dollar and fifty cents
Supreme court on warrant of seizure one dollar and fifty cents
Supreme court return to writ of error one dollar
Superior court entering appeals to one dollar and fifty cents
Superior court on warrant of seizure one dollar and fifty cents
Superior court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bill of costs other than the clerk of the court one dollar
Venire for grand jury one dollar
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar service provided however that the provisions of this act shall not apply to counties having a population of less than one million as computed by the last preceding United States census

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. SHERWOOD. Mr. Speaker, I ask the unanimous consent of the House to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Line 8: Strike out "alderman justice" and insert in lieu thereof "aldermen justices."
Line 12: Insert before "trial" the word "upon."
Line 26: Strike out "Fairment" and insert in lieu thereof "Fairmount."
Line 29: Strike out "to" and insert in lieu thereof "of."
Line 68 Strike out "age" and insert in lieu thereof "page."
Line 83: Insert after "exemplification" the word "of."
Line 83: Strike out "seal" and insert in lieu thereof "seals."
Line 86: Insert after "defense" the word "or."
Line 86: Strike out "demurer" and insert in lieu thereof "demurrer."
Line 105: Strike out "te" and insert in lieu thereof "or examiners et."
Line 106: Insert before "reports" the following: "or examiner's."
Line 113: Strike out "nolle" and insert in lieu thereof "plea of nolo."
Line 114: Strike out "nolle and insert in lieu thereof "nolo."
Line 120: Strike out "et cetera" and insert in lieu thereof "or."
Line 121: Strike out "from" and insert in lieu thereof "to."
Line 130: Strike out "certificate et cetera" and insert in lieu thereof "certified copy of."
Insert between lines 153 and 154 a new line as follows: "filing and entering reports in road cases five dollars." Remember the following lines in accordance therewith.
Line 157: Strike out "firi" and insert in lieu thereof "fieri."
Line 159: Insert after "issue" the words "each defendant."
Line 170: Insert after "justification" the words "of bond constable fee."
Line 174: Strike out "twenty-five" and insert in lieu thereof "five."
Line 178: Insert after "certificate" the words "duplicate copy."
Line 180: Strike out "two" and insret in lieu thereof "three."
Line 185: Insert after "road" the word "street."
Line 186: Strike out "fifteen" and insert in lieu thereof "ten."
Line 187: Insert before "docketing" the words "habitual drunkard."
Line 188: Strike out "habitual drunkard" and insert in lieu thereof the word "thereon."
Line 192: Strike out "of" and insert in lieu thereof "for."
Line 206: Strike out the entire line.
Line 215: Strike out "scieri" and insert in lieu thereof "scire."
Line 216: Strike out "scieri" and insert in lieu thereof "scire."
Lines 222-3-5-6-7-9: Strike out "court" and insert in lieu thereof "Court."
Line 234: Strike out "other than the clerk of the court."
Insert after line 236 an additional line as follows: "Venire to draw special jury, two dollars and fifty cents" Renumber the following lines accordingly.
Line 241: Strike out "provided" and insert in lieu thereof "Provided."
Section 2, line 3: Insert after "individual" the words "or corporation."

The SPEAKER. Will the House give unanimous consent to insert amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1052, as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth requiring that not less than two miners be employed and engaged in the robbing of pillars where the seam of coal has a pitch of twenty-five degrees or more and fixing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the pasage of this act it shall be unlawful to mine or remove any pillars of coal in any anthracite mines of this Commonwealth where the seam has a pitch of twenty-five degrees or more unless two or more miners are employed and engaged at the same time in the work of robbing or removing such pillars of coal

Section 2 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars and not more than one hundred dollars

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Adams,	Donahoe,	Lenker,	Rothenberger,
Allen,	Donnally,	Leslie,	Runk,
Ambler,	Dunn, H. B.,	Letzkus,	Sassaman,
Baldwin, G. A.,	Dunn, J. A.,	Light,	Savacool,
Baldwin, R. J.,	Ehrhardt,	Lohr,	Schaeffer, A. C
Barner,	Ely,	Malie,	Shaffer, C. A.,
Bass,	Forster, I. G.,	Martin,	Shaffer, I. E.,
Bayle,	Foster, J. D.,	Mather,	Sherwood,
Becker,	Geiser,	McCaig,	Showalter,
Benninger,	Gibson,	McDermott,	Smith, J. W.,
Benson,	Good,	McKay,	Smith, L.,
Bigger,	Goss,	Mellott,	Spangler,
Bittles,	Gramley,	Metzenbacher,	Speiser,
Blair, W. A.,	Gray, Frank,	Moore,	Spillinger,
Blair, W. F.,	Haggerty,	Morrow,	Steedle,
Bleloch,	Heidinger,	Moses,	Steele,
Body,	Hemminger,	Moulthrop,	Stein,
Brosius,	Herman,	Murphy,	Stone,
Brown,	Heyburn,	Musser,	Strauss,
Brownlee,	Hibshman,	Neely,	Swartz,
Burnett,	Hobbs,	Newbaker,	Swift,
Caldwell,	Hoffman,	Newton	Thomas,
Campbell, C.M.,	Howard, R.,	North,	Trach,
Campbell, J. J.,	Humes,	O'Neill,	Ulerich,
Carson,	Isler,	Pennegar,	Walnut,
Carter,	Irwin, G. C.,	Pennock,	Walton,
Cheeseman,	Irwin, H. H.,	Peters,	Wettach,
Claycomb,	Jackson,	Piper,	Whitaker,
Cleary,	Jones, J. R.,	Post,	Williams,
Cochran,	Keegan,	Price,	Wilson, J. H.,
Collins,	Keeport,	Ramsey,	Wilson, W. H.,
Conner,	Kennedy,	Redfield,	Wiltbank,
Conniff,	Kern,	Reese,	Young, G. K.
Conrade,	Kitts,	Rhoads,	Young, J. H.,
Cox,	Klepper,	Richards,	Zimmerman,
Currier,	Kuhn, H. P.,	Rockwell,	Alter,
Curry,	Kuhns, E.G.M.,	Roney,	Speaker.
DeFrees,			
Dickinson,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 557, entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for merchantable forest products whether such be of natural reproduction or from seed sown or trees planted out or all combined surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

Scetion 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the "State Forestry Reservation Commission" of his desire in the manner and form to be prescribed by said Commission Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the Commission may require If upon receipt and consideration of this notice the Commission shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the commissioners of the county in which said land is located

Section 3 Upon receipt by the county commissioners of such certificate of the Commission it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the Commission become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the deComission shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the Commission to care for the trees growing thereon according to the instructive and directions of the Commission up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land as agreed with the Commission and due proof thereof is made the Commission may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care tor the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the Commission proceed to recover from said owner for the of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the Commission shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the Commission that he desires such removal

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the Commission shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut if in the judgment of the Commission there be any and the cutting and removal of said trees so designated shall be in acordance with the instructions of the Commission

Section 5 If the owner of said surface land faithfully carried out the instructions of the Commission with regard to the removal and marketing of such mature or other trees as may be designated in the instruction of the said Department and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the aproval of the Commission then such surface land shall remain in the said class established by section one of this act otherwise the Department shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Commission in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of said surface land by the Commission shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove therefrom trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Commission be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privileged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary under any statutory or judicial proceeding whatsoever whether of any state or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 558, as follows:

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection distribution and use of the taxes collected therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law shall be rated in value for the purpose of taxation not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however that if the said surface land be underlaid with coal iron ore oil gas or other vauable minerals said minerals may be separately assessed The assessors in the several districts in which such land are situate shall assess such lands in the manner now or hereafter provided for the assessment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their returns to the county commissioners in like manner as is now or hereafter may be provided by law subject to exception appeal and final adjustment

Section 2 Upon receipt of assessment returns from the various assessors the county commissioners shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with them by the "State Forestry Reservation Commission" and the original assessment returns made by said assessors shall be preserved

Section 3 Whenever timber on land which is included in the class of land as auxiliary forest reserves is about to be harvested the then owner of the timber on said land shall give a bond to the county treasurer in twenty per centum of the amount of the estimated value of the timber to be harvested and to be approved by the court of the county conditioned to pay to the county treasurer within ninety days after harvesting ten per centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the county commissioners one to the county treasurer and one to the commissioners immediately after harvesting by the them owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each county to the county and to the poor district the road district and the school district of the township in which the auxiliary reserve is situate pro rata based upon the last assessed mileage of taxation for county poor road and school purposes within said taxing district

Such sum of money when ascertained to be due as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the county treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made

And be it further provided that all moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the public roads now or hereafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves about on such highways then said moneys shall be used for general township road purposes

Section 4 Should the county commissioners be dissatisfied with the return made as hereinbefore provided in section three hereof the court of common pleas of the proper county on petition of the commissioners shall appoint a board of three appraisers who shall go upon the land in question estimate the quantity and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be duly sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have right of appeal to the court of common pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be filed by the court both to be paid by the county commissioners

Section 5 In case of the removal of said lands from the class known as auxiliary forest reserves prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the county commissioners shall on notice from the commissioner ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in section two of this act adding legal interest from the date when each tax payment would have become delinquent The said commissioners shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection of county taxes under general laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of a matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary forest reserves

Section 6 This act shall take effect only beginning with assessments made for the purpose of levying taxes for the fiscal year one thousand nine hundred and fourteen

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 559, as follows:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Whereas, By existing law of the State forest reserves are subject to an annual charge of two cents per acre for the bentfit of schools and two cents per acre for the benefit of roads in the respective districts in which said reserves are located and

Whereas, It would be a hardship to withhold from school and road districts the taxes which would otherwise be collected from land classified as auxiliary forest reserves therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all lands which shall hereafter be classified as auxiliary forest reserves shall be subject to an annual charge of two cents per acre for the benefit of the schools and two cents per acre for the benefit of the roads in the respective districts in which said reserves are located Said charge is hereby made payable by the State

Section 2 The State Forestry Reservation Commission shall certify to the respective school districts and road districts throughout the Commonwealth in which auxiliary forest reserves are located the number of acres thus set apart and classified in each district and the charge against the same and shall furthermore certify to the State Treasurer the number of acres as aforesaid and the charge against the same in favor of the respective school and road districts The State Treasurer shall upon the approval of the proper warrants of the commission pay to the several school districts and road districts the amount due the same from the Commonwealth as derived under this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 648, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. ADAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. FORSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 195, as follows:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building or part of a building used for purpose of fornication lewdness assignation or prostitution shall be a nuisance

Section 2 Any person knowing or having reason to believe that any building or part of a building is so used may in writing notify the owner and agent of the owner that such building or part of a building is so used A copy of said notice shall be served on the person using said building or part thereof as aforesaid Such notification may be served personally or by registered mail Any such agent shall be guilty of a misdemeanor who shall receive such notification and who shall not within twenty-four hours either deliver the same to the owner personally or mail the same to the owner by registered mail Testimony showing that such notice was served on the owner or agent as aforesaid shall in any proceeding under this act be prima facie evidence that such owner or agent has knowledge of the nuisance If such nuisance be not abated within one week after service of such notice as aforesaid the court of common pleas of the county on the petition of the district attorney or of any citizen of the county shall grant a preliminary injunction directed to the owner of such building and to the person so using the same restraining such owner and such person from using or permitting such building to be used as aforesaid Such petition shall recite the said nuisance and the service of notice on the owner and such person as aforesaid and the failure of the owner and such person to abate the nuisance and shall be vertified by affidavit of the petitioner or of one of the petitioners

Section 3 Service of such injunction shall be made personally upon the owner and on such person if they can be found in the county If they cannot be so found a copy thereof shall be delivered to any adult residing in said building and upon the agent if any of the owner If no such adult be found and service be had upon such agent if any then a copy shall be posted upon any outer door of such building and a copy shall be published in one or more newspapers of general circulation in the county as the court may direct If any person other than such owner shall be served with any such notice of injunction and shall not within twety-four hours thereafter deliver the same to said owner or mail it to said owner by registered mail such person shall be guilty of a misdemeanor

Section 4 The hearing on such injunction shall not be more than four days after the service of the notice or after the last day of publication of such notice as aforesaid If after consideration the court shall find that the building or part thereof was used as aforesaid the injunction shall be made a perpetual injunction restraining the owner his heirs and assigns or successors forever from using such building or any part thereof as aforesaid or permitting the same to be done and restraining said person from using said building or any part thereof in the manner aforesaid A copy of the petition injunction and decree shall be recorded in the office of the recorder of deeds of the county in the same manner as a mortgage would be recorded if given by said owner Such record shall thereafter forever be public notice to all owners of said property of the continuance of such injunction If any owner shall violate such owners shall in addition to attachment for contempt be guilty of a misdemeanor and be punishable as hereinafter provided

Section 5 If the preliminary injunction be dissolved the costs shall be imposed as directed by the court If the injunction be not dissolved the owner shall pay all costs which shall include an attorney's fee for petitioner of seventy-five dollars

Section 6 Any owner of such building or any agent of such owner who after such injunction be made permanent shall use such building or any part thereof as aforesaid or knowingly permit the same to be used shall be guilty of a misdemeanor

Section 7 Any person using said building or part thereof as aforesaid and enjoined with such owner as aforesaid who shall use said building or part thereof or any other building or part thereof in violation of such injunction shall be guilty of a misdemeanor

Section 8 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred nor more than one thousand dollars and to undergo an imprisonment in the jail of the county for a period of not less than six months nor more than two years without suspension of sentence

Section 9 This act is not intended to repeal any of the provisions of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" or any amendments thereof or supplements thereto

BILL POSTPONED.

Mr. SWIFT. Mr. Speaker. I move that further considera tion of this bill be postponed for the present.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I second the motion.

Whereupon a division was called for, 137 gentlemen or more than a majority of the whole House having voted in the affirmative.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 157, as follows:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

Whereas, Several years ago certain residents of Crawford County by popular subscription raised the money and purchased certain grounds at Conneaut Lake Crawford County and donated the same to the State of Pennsylvania for the use of the Department of Fisheries in erecting a Fish Hatchery thereon. And,

Whereas, After a thorough trial it had been demonstrated to the satisfaction of the Commissioner of Fisheries and certain other experts who have examined carefully into the situation that the local conditions make it impossible to maintain an efficient hatchery thereon and the Fisheries Commission has determined that the best interests of the Commonwealth require the amandonment of the said property as a hatchery. Therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Fisheries is authorized and directed to sell at public or private sale for the best price obtainable all of the real estate to which the Commonwealth of Pennsylvania now has title composing the Fish Hatchery grounds at Conneaut Lake Crawford County in the following manner The said property shall be first exposed to public sale at the Court House in Meadville Crawford County after advertisement once a week for four weeks in at least two newspapers of general circulation in the County of Crawford and in the event that a proper and adequate price for said property cannot be obtained by exposing the same to public sale then the said Commissioner of Fisheries is hereby authorized to sell said property at private sale for a price to be approved by the Fisheries Commissioner and the Governor of the Commonwealth

Section 2 The amount realized from such sale however made shall be in cash and the said Commissioner of Fisheries is hereby authorized to ascertain the names of subscribers to the fund with which the property was originally purchased and the amount of each subscription and if the property shall bring a sum less than the total of such subscriptions then said amount without any deductions for costs of advertisement or sale shall be distributed pro rata in the proportion which said amount bears to the amount subscribed by each person to the original purchasers and donors of the property their heirs or personal representatives Provided however that if any of the subscribers their heirs or personal representatives cannot be found after a deliberate search then the share of such person be put into the general fund of the State Treasury and if the amount received from the property at the sale as aforesaid shall exceed the amount originally subscribed by all the subscribers to the purchase fund such balance after distribution as aforesaid shall be deposited in the State Treasury

BILL POSTPONED.

Mr. CURRIER. Mr. Speaker. I move that further consideration of this bill be postponed for the present.

Mr. HOWARD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 461, as follows:

An Act to further amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourteenth section of the act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and publishing certain offenses in regard to such elections" approved the tenth day of June eighteen hundred and ninety-three which as amended by an act approved the twenty-ninth day of April nineteen hundred and three reads as follows

"Section 14 When Presidential electors are to be voted for the names of candidates for Presidential electors shall be arranged in party groups as presented in the several certificates of party nomination and nomination papers and the groups shall be printed upon the ballot in order of the vote obtained in the State at the last Presidential election by the parties nominating beginning with the party which obtained the highest vote Provided That in the case of political parties not represented on the ballot in the last Presidential election the order of arrangement shall be alphabetically

"At the head of each group of candidates shall be printed the appropriate party name or political appellation together with the surnames of the candidates of such party for President and Vice President underneath which shall be printed the names of the appropriate candidates for Presidential electors

"At the right of the space containing the surnames of the candidates for President and Vice President and their party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X) and at the right of the name of each candidate for Presidential elector there shall be a similar but smaller square

"The names of candidates for all other offices shall in all cases be arranged under the title of the office for which they are candidates and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election beginning with the party obtaining the highest vote Provided That in case of parties not represented on the ballot at the last Presidenial election the name of the nominee of such parties shall be arranged alphabetically according to the party name or political appellation At the right of the name of each nominee or candidate shall be printed the name or appellation of the political party presenting or nominating him and at the right of such party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark

"Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the name of such candidate arranged in the same order as candidates names are grouped that is to say in the order of the votes obtained by such party at the last preceding Presidential election beginning with the party obtaining the highest vote If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election the name of such parties shall follow the other names and be arranged alphabetically according the party name or appellation At the right of every party name or political appellation shall be a square of sufficient size for the convenient insertion of a cross-mark

"There shall be left at the end of the groups of candidates for Presidential electors and of the list of candidates for each different office (or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor) as many blank spaces as there are persons to be voted for for such office in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office and such insertion shall count as a vote without the cross-mark as hereinafter mentioned

'Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question shall be printed upon the ballot in brief form and followed by the words 'yes' and 'no' and if such question be submitted at an election of public officers it shall be printed after the list of candidates

"The ballots shall be so printed as to give it to each voter a clear opportunity to designate his choice of candidates by cross-mark (X) in a square of sufficient size at the right of the name of each candidate and inside the line enclosing the column and in like manner answers to questions submitted by similar marks in squares at the right of the words 'yes' and 'no' And on the ballot may be printed instructions how to mark and such words as will aid the voter to do this as 'mark one' 'mark two' and the like

"Provided That a voter may designate his choice of an entire group of candidates for Presidential electors by one cross-mark (X) in a large square which shall be placed at the right of the names of the candidates for President and Vice-President at the head of each group and such mark shall be equivalent to a mark against every name in the group

"Provided further That each voter may have the apportunity of designating his choice for all the candidates as nominated by one politcial party there shall be printed on the extreme left of the ballot and separated from the rest of the ballot by a space of at least one-half inch a list of the names of all political parties or groups of nominees represented on such ballot and presenting candidates to be voted for at such election

Such names shall be arranged in the order of the votes obtained at the last Presidential election by the candidate at the head of the respective tickets of the parties or bodies nominating beginning with the party that received the highest vote cast Following the name of such political parties shall be the names of the parties or principles not pre-

sented on the ballot at the last Presidential election arranged alphabetically according to the party name or political appellation A square of sufficient size for the convenient insertion of a cross-mark shall be placed at the right of each party name or appellation Every mark within such square shall be equivalent to a mark against every name designated by that political appellation or party name including candidates nominated by more than one party of group of citizens

"At the head of every ballot shall be printed the following instructions

"To vote a straight party ticket mark a cross (X) in the square opposite the name of the party of your choice in the first column A cross-mark in the square opposite the name of any candidate indicates a vote for that candidate" be and the same is hereby amended so as to read as follows

Section 14 When Presidential electors are to be voted for the names of candidates for Presidential electors shall be arranged in party groups as presented in the several certificates of party nomination and nomination papers and the groups shall be printed upon the ballot in order of the vote obtained in the State at the last Presidential election by the parties nominating beginning with the party which obtained the highest vote Provided That in the case of political parties not represented on the ballot in the last Presidential election the order of arrangement shall be alphabetically Provided further however that when any group of electors shall receive more than one nomination the names of such electors shall be printed once only but there shall be printed at the head of such group the appropriate party names or political appellations of the parties nominating arranged in the order hereinafter provided with a square of sufficient size for the insertion of cross-marks (X) at the right of each party name for political appellation

At the head of each group of candidates shall be printed the appropriate party name or political appellation together with the surnames of the candidates of such party for President and Vice-President underneath which shall be printed the names of the appropriate candidates for Presidential electors

At the right of the space containing the surnames of the candidates for President and Vice-President and their party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X) and at the right of the name of each candidate for Presidential electors there shall be a similar but smaller square

The names of candidates for all other offices shall in all cases be arranged under the title of the office for which they are candidates and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election beginning with the party obtaining the highest vote Provided That in the case of parties not represented on the ballot at the last Presidential election the names of the nominees of such parties shall be arranged alphabetically according to the party name or political appellaiton at the right of the name of each nominee or candidate shall be printed in smaller type the name or names of the political party or parties presenting him at the right of such party name or names there shall be one square of sufficient size for the convenient insertion of a cross-mark

Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the same of such candidate arranged in the same order as candidates names are grouped that is to say in the order of the votes obtained by such party at the last preceding Presidential election beginning with the party obtaining the highest vote If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election the name of such parties shall follow the other names and be arranged alphabetically according the party name or appellation At the right of every party name or political appellation shall be a square of sufficient size for the convenient insertion of a cross-mark

There shall be left at the end of the groups of candidates for Presidential electors and of the list of candidates for each different officer or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor as many blank spaces as there are persons to be voted for such office in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office and such insertion shall count as a vote with or without the cross-mark as herein mentioned

Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question shall be printed upon the ballot in brief form and followed by the words 'yes' and 'no' and if such qu stion be submitted at an election of public officers it shall be printed after the list of candidates

The ballots shall be so printed as to give to each voter a clear opportunity to designate his choice of candidates by a cross-mark (X) in a square of sufficient size at the right of the name of each candidate and inside the line enclosing the column and in like manner answers to questions submitted by similar marks in squares at the right of the words 'yes' and 'no' And on the ballot may be printed instructions how to mark and such words as will aid the voter to do this as "Mark one" "mark two" and the like

Provided That a voter may designate his choice of an entire group of candidates for Presidential electors by one cross-mark (x) in a large square which shall be placed at the right of the names of the candidates for President and Vice-President at the head of such group and such mark shall be equivalent to a mark against every name in group

At the head of every ballot shall be printed the following instructions

A cross-mark (X) in the square opposite the name of any candidate indicates a vote for that candidate

Section 2 That the twenty-second section of the said act approved the tenth day of June Anno Domini eighteen hundred and ninety-three which as amended by the act approved the twenty-ninth day of April nineteen hundred and three reads as follows

Section 22 On receipt of his ballot the voter shall forthwith and without leaving the space enclosed by the guard rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then prepare his ballot as follows

"If he desires to vote for every candidate of a poiltical party he may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked

"If he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the party of his choice If he desires to divide his vote among candidates from different groups of Presidential electors he shall make a cross-mark in the appropriate squares to the right of the name of each candidate for Presidential elector for whom he desires to vote Provided That a mark in the straight party column opposite the name of the party of his choice shall also be counted as a mark for each Presidential elector nominated by such party

"He may vote according to the above provisions for the candidate of his choic for each office to be filled according to the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

"Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in the same way it was folded when received by him and he shall keep the same so folded and deposit it in the ballot box without undue delay and shall quit the enclosed space immediately thereafter" be and the same is hereby amended as to read as follows

Section 22 On receipt of this ballot the voter shall forthwith and without leaving the space enclosed by the guard-rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then prepare his ballot as follows

He shall make a cross-mark in the appropriate square at the right of the name of each candidate for whom he wishes to vote Provided That if he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the candidates for President and Vice President at the head of such group and such mark shall be counted as a vote for every Presidential elector in the group

He may vote according to the above provisions for the candidate of his choice for each office to be filled according to the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in the same way it was folding when received by him and he shall keep the same so folded and deposit it in the ballot box without undue delay and shall quit the enclosed space immediately thereafter

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. METZENBACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 256. entitled:

An Act providing for the publication and distribution of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs making an propriation for the work of revising compiling and proof-reading and an apropriaion for printing binding and mounting the same and for paper

BILL POSTPONED.

Mr. W. F. BLAIR. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. C. A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. MOSES. Mr. Speaker, I desire to call up House Bill No. 803, file folio 2861, on page 38 of to-day's Calendar, for the purpose of amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 803, as follows:

Further amending section two of an act approved the seventh day of June one thousand nine hundred one entitled 'An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and ferfeitures for violation thereof' as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors

Whereas, There is no provision for the appointment and payment of a plumbing inspector in second and third class cities of this Commonwealth and

Whereas, The act of June seven one thousand nine hundred and one Pamphlet Laws four hundred and two and the act of May fourteenth one thousand nine hundred and nine Pamphlet Laws eight hundred and forty pertaining to the business or work of plumbing of house drainage have been held constitutional by the highest courts of this State that are practically without force or effect without such a provisions and

Whereas, The lack of uniformity and system is the result thereof greatly to the injury of the said cities and the plumbing and house drainage thereof and

Whereas, The courts of this State have held that "The real trouble in the administration of this act of Assembly is that in its passage the legislature assumed it to be a fact that the office of Plumbing Inspector existed in all cities of the third class when it did not now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business of work of plumbing or ..... house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by Section two of the act of May fourteeth Anno Domini one thousand nine hundred and nine (Pamphlet Laws eight hudred and forty) which reads as so amended as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any other advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the boad of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or boad o bueau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby amended to read as follows:

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provisions for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers'

names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license to the department or board or bureau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class cities of this Commonwealth to engage in or work at the business of plumbing and work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

On the question,

Will the House agree to the bill on third reading?

Mr. MOSES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the Preamble, page 2, line 5, by striking out the word "two" and inserting the word "ninety-three"

Amend the Preamble, page 2, line 9, by striking out the word "that" and inserting the word "and."

Amend Section 1, line 6, by striking out the word "of" and inserting the word "or."

Amend Section 1, line 54, by striking out the word "other."

Amend Section 1, line 65, by inserting after the word "board" the words "or bureau."

Amend Section 1, line 73, by inserting after the word "between" the word "the."

Amend Section 1, line 85, by inserting after the words "register of" the word "all."

Amend Section 1, line 93, by inserting after the word "other" the word "city."

Amend Section 1, line 117, by striking out the word "entitled" and inserting the word "entitle."

Amend Section 1, line 191, by inserting after the word "work" the words "desiring to do plumbing or drainage work."

Amend Section 1, line 192, by striking out the word "then" and inserting the word "than."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. NEELY. Mr. Speaker, I desire to call up House Bill No. 2054, file folio 2463 on page 27 of to-day's Calendar.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1054, entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claim filed therefor the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

On the question,

Will the House agree to the bill on third reading?

Mr. NEELY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

On page 2, line 11, insert the word "June" in front of the words "Anno Domini."

On page 2, line 19, strike out double quotation marks (") before the word "but," and substitute therefore a single quotation mark (').

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

REPORTS OF COMMITTEES.

Mr. JOHN ROBERT JONES, from the Committee on Elections, reported as amended, House Bill No. 497, entitled:

An Act providing for the nomination of candidates for the office of United States Senator and requiring candidates for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth named in nomination papers to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at the General election next preceding the elction of a United States Senator by the General Assembly

Mr. COX, from the Committee on Judiciary Local, reported as committed, House Bill No. 1400, (Senate Bill No. 405), entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospital or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy

Mr. COX, from the Committee on Judiciary Local, reported as committed, House Bill No. 1401, (Senate Bill No. 406), entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

Mr. SPANGLER, from the Committee on Elections, reported as amended, House Bill No. 1004, (Senate Bill No. 120), entitled:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

Mr. SPANGLER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1109, entitled:

An Act amending section one of an act entitled "An Act empowering cities of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended by Act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three by changing the requirements in respect to publication of ordinances introduced and providing for the grading paving curbing macadamizing or otherwise improving any public street or public alley or part thereof where there is no petition of the property owners

Mr. GIBSON, from the Committee on Public Roads, reported as committed, House Bill No. 1062, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehana River at Montgomery Borough in Lycoming County and making an appropriation therefor

Mr. GIBSON, from the Committee on Public Roads, reported as committed, House Bill No. 1063, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Duboistown Borough and making an appropriation therefor

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 695, entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as committed, House Bill No. 1574, entitled:

An Act creating and empowering a commision to purchase or condemn property covered by natural lakes as a public pleasure resort conferring the management thereof upon the Board of Commissioners of Public Grounds and Buildings and making an appropriation therefor

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as committed, House Bill No. 1660, entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended

Mr. CONRADE, from the Committee on Insurance, reported as amended, House Bill No. 1060, entitled:

An Act to prevent fire insurance companies entering into or maintaining pools trusts conspiracies or agreements to control rates of insurance and prescribing penalty et cetera

Mr. MOORE, from the Committee on Insurance, reported as amended, House Bill No. 1447, entitled:

A further supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children so as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven, to provide revenue for the enforcement of the act to which this is a supplement by imposing a tax upon the premiums of all fire insurance companies and associations doing business in this Commonwealth.

Mr. MOORE, from the Committee on Insurance, reported as amended, House Bill No. 1446, entitled:

A supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of every fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshal with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshal and providing a penalty for the violation of this act.

Mr. GEORGE A. BALDWIN, from the Committee on Banks and Banking, reported as amended, House Bill No. 1089, entitled.

An Act regulating pawnbrokers.

Mr. NEWTON, from the Committee on Insurance reported as committed, House Bill No. 1444, entitled:

An Act to amend the second, third, fourth, fifth, sixth, seventh, eighth, eleventh, twelfth, and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties; providing for his compensation, and the maintenance of his office; giving courts the power to punish witnesses for contempt of his authority, and to review his orders; and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste," approved the third day of June, one thousand nine hundred and eleven, by extending the powers and duties of the State Fire Marshal, his deputies and assistants and providing penalties for violations of said act as amended; and to repeal the fourteenth section of said act.

Mr. CHEESEMAN, from the Committee on Game, reported with a negative recommendation, House Bill No. 1737, entitled:

An Act to amend section one of an act entitled "An Act to provide for the better protection and preservation of game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" approved the third day of June, Anno Domini one thousand nine hundred and eleven.

Mr. MOSES, from the Committee on Judiciary Local, reported as amended, House Bill No. 1437, entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane, in counties containing less than one hundred and fifty thousand inhabitants.

Mr. KEEPORT, from the Committee on Insurance reported as committed, House Bill No. 1586, entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of, and to refuse admission to companies, associations, societies or orders from any state which refuses to permit like companies, associations, societies or orders organized and operating under the laws of this State to do like business in said state, and designating who may and who may not make examination of said companies, associations, societies or orders, and providing who shall pay the expenses of examinations of such companies, associations or orders.

Mr. LOWERS, from the Committee on Game, reported as committed, House Bill No. 1454, entitled:

An Act for the better protection of wild turkeys in this Commonwealth.

Mr. JACKSON, from the Committee on Game, reported with a negative recommendation, House Bill No. 1834, (Senate Bill No. 565), entitled:

An Act to amend the first section of an act approved the third day of June, one thousand nine hundred and eleven, entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions.

Mr. SWARTZ, from the Committee on Judiciary Local, reported as committed, House Bill No. 1385, entitled:

An Act creating a commission to provide for the construction of a nautical school ship, prescribing its powers and duties and making an appropriation therefor.

Mr. CLEARY, from the Committee on Public Roads, reported as committed, House Bill No. 1330, (Senate Bill No. 68), entitled:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

Mr. STEELE, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1544, entitled:

An Act to repeal section twelve of an act entitled "An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth" approved the eighteenth day of June Anno Domini one thousand eight hundred and ninety-five.

Mr. LIGHT, from the Committee on Judiciary General, reported as committed, House Bill No. 1647, entitled:

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1798, entitled:

An Act to amend the fifth section of an act, approved the fifth day of May, Anno Domini one thousand nine hundred and eleven, entitled "An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, and the judges of the Orphans' Courts," providing the annual salary of each of the judges of the Courts of Common Pleas, learned in the law, in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1070, entitled:

An Act to repeal an act of Asembly approved the twelfth day of July, Anno Domini one thousand eight hundred and ninety-seven, entitled "An Act to amend section one of an act approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, entitled 'An Act to amend an act, entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings,' approved the eleventh day of June, Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole on in part for offices not to fire proof construction."

Mr. STEIN, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 727, entitled:

A supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors, or any admixture thereof."

Mr. WETTACH, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 448, entitled:

An Act to protect the public health and providing for the examination and licensing of persons engaged in the purchase of preparation of food for public use or consumption, and providing penalties for violation of this act.

Mr. McCAIG, from the Committee on Public Roads, reported as committed, House Bill No. 1658, entitled:

An Act to amend section 18 of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein: making such originally constructed or improved roads and highways county roads; authorizing the relocation opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary providing that the County Commissioners of any County may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violaton thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement and authorizing the vacation of any county road," approved the 11th day of May, Anno Domini, one thousand nine hundred and eleven, by authorizing counties to contract with borough in the improvement of a borough street connecting with a county road, providing for the cost thereof; prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough.

Mr. GLENN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1371, entitled:

An Act empowering poor districts to establish and maintain an industrial home for the care and training of pauper children.

Mr. HUMES, from the Committee on Judiciary General, reported as committed House Bill No. 1327, entitled:

An Act regulating the returns by constables of violations of the laws of this Commonwealth.

Mr. J. H. WILSON, from the Committee on Game, reported as amended, House Bill No. 1809, (Senate Bill No. 316), entitled:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions.

Mr. NEWBAKER, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1713, entitled:

An Act to require every physician or other person who vaccinates any person to furnish a written statement to the person vaccinated setting forth the name of the maker of the vaccine virus used and certain dates on the original package or container from which the vaccine virus used is taken and to require laboratory tests of the virus used to be made and recorded and to provide for damages for the violation of this act and to provide certain rules of procedure in suits under this act.

Mr. DONOHOE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1813, (Senate Bill No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March, Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States."

Mr. MELLOTT, from the Committee on Ways and Means, reported as amended, House Bill No. 1335, (Senate Bill No. 77), entitled:

An Act to exempt from the payment of inheritance taxes bequests and devices to institutions of purely public charity.

Mr. E. G. M. KUHNS, from the Committee on Public Roads, reported as committed, House Bill No. 1733, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Middletown borough in Dauphin County; and making an appropriation therefor.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1704, entitled:

An Act to amend an act, approved the twenty-fifth day of May, one thousand nine hundred and seven, entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail, in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1550, entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," approved the fifth day of May, one thousand nine hundred and eleven, as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof,' approved the fifth day of May, one thousand nine hundred and eleven, and changing the election of the judges therein mentioned from the general election to the municipal election, as now provided by law, in accordance with the requirements of the Constitution of Pennsylvania,' approved the sixth day of June, one thousand nine hundred and eleven, by increasing the salaries of the judges of said court.

Mr. REUBEN HOWARD, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1538, entitled:

An Act providing that it shall not be unlawful for any municipality in this Commonwealth or any officer thereof or for any Board of Health or any officer thereof or for any Commissioner officer of Board created or authorized by law to quarantine restrain or coerce any person for not having been vaccinated or to release from quarantine any person who has been quarantined on account of exposure to smallpox (variola or varioloid) because such person has been vaccinated or consents to be vaccinated.

Mr. KEEGAN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1424, entitled:

An Act to amend an act "providing for the appointment of a Board of Visitation for Institution, Societies, and Associations caring for dependent, neglected or delinquent children," approved the 26th day of February, A. D. 1903, and making it the duty of the Board of Visitation to visit all institutions within the county which receive her inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institution which are wholly supported and managed by any county, city, borough or township of the poorer district of the Commonwealth, and providing for the making of nominations of appointment on the Board of Visitation.

Mr. MUSSER, from the Committee on Judiciary Local, reported as committed, House Bill No. 1607, entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population, prescribing their powers, duties, authority and compensation.

Mr. GEISER, from the Committee on Judiciary General, reported as committed, House Bill No. 1722, entitled:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection of rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

Mr. GEISER, from the Committee on Judiciary General, reported as committed, House Bill No. 1134, entitled:

An Act conferring jurisdiction on the several Orphans' Courts of this Commonwelath over estates held by a feme covert to her sole and separate use and authorizing said Courts upon cause shown to give her portions of the corpus of the estate in addition to the income thereof

Mr. PETERS, from the Committee on Game, reported with a negative recommendation, House Bill No. 1651, entitled:

An Act regulating the taking of bear by means of traps and prescribing the penalty for violation of this act

Mr. CONNIFF, from the Committee on Judiciary General, reported as amended, House Bill No. 1581, entitled:

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain cases

Mr ROCKWELL, from the Committee on Judiciary General, reported as committed, House Bill No. 1631, entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts

comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

LEAVES OF ABSENCE.

Mr. GRAMLEY asked and obtained leave of absence for himself for the balance of the week.

Mr. CONNOR asked and obtained leave of absence for Mr. Missimer for the balance of the week, on account of illness.

Also for Mr. Gans for the balance of the week.

BILL ON SECOND READING.

Mr. PIPER asked and obtained unanimous consent to call up House Bill No. 176, file folio 2291, on page 2 of to-day's Calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 176, entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and express prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of the inspectors of weights and measures in cities of the first class in the county commissioners

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayor of the several cities of the Commonwealth may and are hereby authorized to appoint such numbers of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures provided that county inspectors of weights and measures shall have no authority to inspect weights and measures in cities or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities within limits of their respective counties Neither shall the city inspectors have any jurisdiction outside of their respective cities

"The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowance for expenses shall be paid by appropriations made from the respective city treasuries" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayor of cities of the second and third classes of the Commonwealth may and are hereby authorized to appoint such numbers of competent persons as persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures Provided That the county inspectors of weights and measures shall have no authority to inspect weights and measures in cities of the second and third classes or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities of the second and third classes within the limits of their respective counties neither shall the inspectors in cities of the second and third classes have any jurisdiction outside of their respective cities In the cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located

The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries

The title of the bill was read as follows:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for the compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

On the question,

Will the House agree to the title?

Mr. PIPER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, line 3, by striking out after the word "for" the word "the" and inseting the word "their."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

On the question,

Will the House agree to the bill on second reading?

ADJOURNMENT.

Mr. McDERMOTT. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 10.45 o'clock P. M.) the House adjourned until to-morrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

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HOUSE OF REPRESENTATIVES

THURSDAY, March 27, 1913.
The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, with the light of this new day, we praise Thee and we thank Thee for the opportunities which Thous hast set before us. Thou hast refreshed us with sleep. Thou hast provided food and raiment for us. Thou hast exempted us from the pitiless storms which are elsewhere prevailing. Thou hast enriched us with homes and surrounded us with friends. Thou art giving to us the opportunity and privilege of daily work and for all this, we render to Thee our thanks. We ask now that Thou wouldst help us to do the work of this day honestly and earnestly and faithfully. Bless the people whom we represent . May they have a goodly measure of that virtue and prosperity and well-being and comfort and opportunity for honest work and the earning of an equitable wage which we are earnestly endeavoring to secure for them in our work here. We pray for those who are otherwise conditioned; who have been turned out from their homes and occupations and whose future is so uncertain. God pity and help them. We ask it in His name who has taught us to say: Our Father, Who art in Heaven, hallowed be Thy name, Thy kingdom come. Thy will be done, on earth as it is in Heaven. Give us this day our daily bread and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory, forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. W. F. Blair, the further reading was dispensed with.

BILLS INTRODUCED AND REFERRED.

By Mr. RONEY. House Bill No. 1865.

An Act to provide revenue by taxation.

Referred to the Committee on Ways and Means.

By Mr. RONEY. House Bill No. 1866.

An Act to provide for the assessment and collection of taxes on personal property.

Referred to the Committee on Ways and Means.

REPORTS FROM COMMITTEES.

Mr. FRANK GRAY, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1661, entitled:

An Act to repeal clause (f) of the second section of an act approved the twentieth day of April Anno Domini one thousand nine hundred and five entitled "An Act to provide for the protection of the public health by giving and granting to those having charge of the public health and sanitation in cities of the first class of this Commonwealth full power to make rules and regulations governing the care and control of persons suffering from cholera yellow fever typhoid fever typhus fever scarlet fever relapsing rever small-pox (variola or varioloid) chicken-pox (varicella) diphtheria diphtheritic croup membraneous croup cerebro spinal meningitis measles mumps whooping-cough tuberclosis (in any of its diverse forms) pneumonia erysipelas puerperal fever plague (Bubonic) trachoma leprosy tetanus glanders hydrophobia (rabies) or anthrax also to make rules and regulations governing the sanitary control and disinfection of premises where persons may be or have been suffering from said diseases and of persons coming in contact therewith and the burial of persons coming in contact therewith and the burial of persons who may die from any of said diseases also fixing fines and penalties for the violation thereof and the enforcement of the same."

Mr. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 174, entitled:

An Act providing for the transportation to Gettysburg of State officials, guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg; providing for the expenses of the Commission in charge of the transportation; prohibiting misrepresentation in obtaining transportation; fixing penalties for violation thereof; and making an appropriation.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1250, entitled:

An Act to amend the first section of an act, entitled "An act relating to the competency of experts and to the rules of evidence in questions of simulated (or altered) handwriting, declaring and defining some of the existing rules of law upon these subjects, and also extending some of the provisions of the same," approved the fifteenth day of May, A. D. 1895, by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question.

Mr. MORROW, from the Committee on Railroads, reported with a negative recommendation, House Bill No. 932, entitled:

An Act relating to railroad tickets.

Mr. STEEDLE, from the Committee on Counties and Townships, reported as amended, House Bill No. 1053, entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand, to purchase land, when adjacent or contiguous to county roads, for park purposes or for public comfort stations; providing for the improvement and maintenance thereof; authorizing the adoption of rules relating to the management and control of such property, and providing penalties for the breach thereof; and limiting the amount to be expended for the purposes aforesaid.

Mr. CONRADE, from the Committee on Public Buildings, reported as amended, House Bill No. 1476, entitled:

An Act creating a rebuilding and Insurance fund under the control of the Board of Commissioners of Public Grounds and Buildings for the restoration and repairing of any structure, building or equipment owned by the Commonwealth and accidentally destroyed or damages, and for the payment of premiums of insurance upon such property; and making an appropriation to carry out the provisions of this act.

Mr. RAMSEY, from the Committee on Public Buildings, reported as committed, House Bill No. 754, entitled:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway, at the State Arsenal, Harrisburg, Pennsylvania, and making an appropriation therefor.

Mr. H. B. DUNN, from the Committee on Judiciary General, reported as committed, House Bill No. 872, entitled:

An Act to further amend the sixth section of an act approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled "An Act defining the powers of the several Courts of Quarter Sessions of the Peace within this Commonwealth, with reference to the car, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such powers may be exercised," by extending the application of said section to dependent, neglected and incorrigible children.

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 183, entitled:

An Act defining public service companies prescribing and defining the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating and establishing a public service commission for the supervision and regulation of public service companies; prescribing and defining the powers and duties of such Commission and its officers, counsel and employees; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin County and giving such Court exclusive jurisdiction of such appeals and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders subject to an appeal from all decrees of said court to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of such orders or of the provisions of this act, and repealing the Act approved May thirty-first, one thousand nine hundred and seven, which provided for other legislation inconsistent with this act, and making it a duty of the Public Service Commission to enforce the provisions of the Act of June 1911, entitled "An Act to promote the safety of travelers and employes upon railroads, by compelling common carriers by railroad to properly man their trains."

Mr. DONNALLY, from the Committee on Public Roads, reported as committed, House Bill No. 1303, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river between Herndon and Port Trevorton; and making an appropriation therefor.

Mr. NEELY, from the Committee on Judiciary Special, reported as committed, House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained billboards, signs, or other advertising devices, the increased value of such lands resulting from the use of such premises for advertising.

Mr. BAYLE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1683, entitled:

An Act to regulate the taking of samples of foodstuffs by the Dairy and Food Commissioner and any Board of Health or Health officer, or any agent or employees thereof from any producer or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire into or determine the purity and quality of the said sample or foodstuff so taken, and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Robinson for the balance of the week.

Mr. LORENO SMITH asked and obtained leave of absence for himself for the balance of the week.

Mr. O'NEILL asked and obtained leave of absence for himself for the balance of the week.

Mr. GIBSON asked and obtained leave of absence for himself for the balance of the week.

Mr. PEACHEY asked and obtained leave of absence for himself for the balance of the week after eleven o'clock to-day.

Mr. KLEPPER asked and obtained leave of absence for himself for the balance of the week after eleven o'clock to-day.

Mr. LIGHT asked and obtained leave of absence for himself for the balance of the week after eleven o'clock to-day.

Mr. BARNER asked and obtained leave of absence for himself for the balance of the week after eleven o'clock to-day.

RESOLUTION TO FIX DATE OF FINAL ADJOURNMENT.

Mr. SCHUCK. Mr. Speaker I offer the following resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Resolved, (if the Senate concur), That Thursday, May 8, be set as the date for final adjournment of the 1913 session of the General Assembly.

Mr. EHRHARDT. I make a motion that this resolution be referred to the Committee on Rules.

Mr. KLEPPER askd and obtained leave og absence for motion.

POINT OF ORDER.

Mr. SCHUCK. Mr. Speaker, I would like to raise a point of order. It occurs to me that this form of resolution does not belong to the Committee on Rules.

The SPEAKER. Any resolution belongs to any Committee the House sees fit to send it to.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING.

The SPEAKER. When the House adjourned last night it had under consideration on Second Reading, House Bill No. 176, entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectos of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

on page 2 of yesterday's Calendar,

The question being,

Will the House agree to the bill on second reading.

Mr. BLELOCH. Mr. Speaker, I offer the following motion:

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by Mr. Bleloch, seconded by Mr. Heidinger, that the vote by which the title to House Bill No. 176, file folio 2291, was agreed to on second reading, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. PIPER. Mr. Speaker, last evening while other members of the House were asking unanimous consent to call up bills for the purpose of amendment I felt it was an opportune time for me to do likewise. At the particular time I do not believe there was a quorum of the House and the Speaker realized such was the fact and declared an adjournment. I would now, Mr. Speaker, request that the members do not consider this motion at this time, as I myself would far rather move to postpone further consideration of this bill at this time.

Mr. BLELOCH. Mr. Speaker, at the time the gentleman from Philadelphia arose last night and asked unanimous consent of the House to have House Bill No. 176 taken up on the second reading Calendar for the purpose of amendment, we had no objection to that because we had in mind some amendments to section one and also the title of that bill. Owing to the confusion of many men leaving the hall the Speaker, I am satisfied, did not see my efforts to attract his attention to the fact that I had amendments also to offer to the first section of that bill. Under the circumstances the gentleman from Philadelphia has already admitted that he is satisfied that there was no quorum in this House when that section one was agreed to and when the title was agreed to. Therefore I ask that the vote by which the title passed second reading be reconsidered and then I propose to ask that the vote by which section one was agreed to on second reading be also reconsidered, for the purpose of amendment.

On the question recurring,

Will the House agree to the motion?

The Speaker declared the nays seem to have it.

Whereupon a division was called for, 46 voting in the affirmative and 6 in the negative.

And the question was determined in the negative.

The question recurring,

Will the House agree to the bill on second reading?

BILL POSTPONED.

Mr. PIPER. Mr. Speaker, I move at this time that the further consideration of this bill be postponed for the present.

Mr. WILTBANK. Mr. Speaker, I second the motion.

It was agreed to.

BILL ON FINAL PASSAGE.

Mr. STONE. Mr. Speaker, I ask unanimous consent of the House to call up at this time, on page 20 of yesterday's Calendar, bills on final passage. House Bill No. 1010, file folio 3529.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1010, entitled.

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mal-

lein, and other biological products for use in testing domestic animals and providing penalties for the violation of this act.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. STONE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MATHER. Mr. Speaker, I second the motion.

The motion was agreed to.

The question recurring,

Will the House agree to the bill on third reading?

Mr. STONE. Mr. Speaker. I ask the unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title: line 6: Insert after the word "animals" the following:
"defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof; fixing the compensation of the State Veterinarian."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Mr. HERMAN. Mr. Speaker, I desire to call up at this time, on page 26 of yesterday's Calendar, House Bill No. 387, file folio 3711.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 387, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish with this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" which reads as follows

"Section 2 That it shall be unlawful to use any device means or method whatsoever for taking fish from the waters within this Commonwealth except the following to wit For game fish with rods and lines or with hand line and for pickerel and yellow perch also with tip-up and for suckers through the ice with pole and burr hook for bait fish in any manner or at any time except by use of poison or explosives for food fish with rods and lines and hand line at any time of the year outline otherwise called set line dip net eel pot or a fyke net each without wings a seine or a fish basket Provided That nothing herein shall be held to apply to fishing with rod and line or hand line unless the person fishing therewith shall have in possession any fish which may not lawfully be caught And provided That no device except a single rod and line shall be used by any person in waters inhabited by charr or trout except that in such waters suckers may be taken with pole and burr hook And provided further That in streams not inhabited by trout eels carp suckers and mullets may be taken by the use of a gig or spear during the months of July August September and October of each year Provided further That no person shall use when fishing for pickerel or yellow perch more than eight tip-ups Provided also That both rods and lines or hand line shall not have attached to it more than three hooks and that one burr of three hooks shall be considered as one hook Provided further That the nets and devices described hereinbefore as legal may also be used under the conditions and regulations hereinafter set forth but that nothing herein shall be held to forbid the use of the gaff or the landing-net to assist in landing fish already caught by lawful devices Provided further That no fishing of any kind or with any device shall be done by any person or persons on the first day of the week commonly called Sunday Any person violating any of the provisions of this section shall on conviction as provided in section twenty-seven of this act be subject to a penalty of twenty dollars except as hereinafter otherwise provided" is hereby amended to read as follows

Section 2 It shall be unlawful to use any device means or method whatsoever for taking fish from the waters within this Commonwealth except the following to wit For game fish with rods and lines or with hand line and for pickerel and yellow perch also with tip-up and for suckers through the ice with pole and burr hook For bait fish in any manner or at any time except by use of poison of explosives for food fish with rods and lines and hand lines at any time of the year out-line otherwise called set line dip net eel pot or fyke net each without wings or seine or a fish basket Provided That nothing herein shall be held to apply to fishing with rod and line or hand line unless the person fishing therewith shall have in possession any fish which may not lawfully be caught and provided further That it shall be lawful within the waters of this Commonwealth to take carp eels suckers and mullets with set lines and gig or spear during the months of July August September and October of each year Provided further That no person shall use when fishing for pickerel or yellow perch more than eight tip-ups Provided further That nets and devices described herein before as legal may also be used under the conditions and regulations hereinafter set forth but that nothing herein shall be held to forbid the use of the gaff or the landing net to assist in landing fish already caught by lawful devices Provided further That no fishing of any kind or with any device shall be done by any person or persons on the first day of the week commonly called Sunday Any person violating any provision of this section shall on conviction as provided in section twenty-seven of this act be subject to a penalty of twenty dollars except as hereinafter otherwise provided Any act or acts conflicting herewith be and are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. HERMAN. Mr. Speaker, I ask the unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Page 4, amend section 2 making it read section 3, and properly numbering the line of each section of the bill.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

On the question,

Will the House agree to the bill on third reading?

Mr. HOBBS. Mr. Speaker, I desire to call up at this time from page 38 of yesterday's Calendar, House Bill No. 1176, file folio 2857.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1176, as follows:

An Act to amend an act approved the fourth day of April one thousand eight hundred sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington each to elect a poor director of the Lake View poor district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" which reads as follows

"Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said township and borough or either of them to join said corporation it shall be lawful for said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint some suitable person citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the usual spring election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for three years and the same shall be done every three years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estatt erecting the building and filling up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provisions hereinbefore contained in this act" as amended to read as follows

Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said townships and borough or either of them to join said corporation it shall be lawful for either of said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint some suitable person or citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the municipal election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for three years and the same shall be done every three years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estate erecting the building and filling up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provision hereinbefore contained in this act The boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington in the county of Lackawanna are hereby made parts of said corporation At the municipal election in the year one thousand nine hundred and thirteen and quadrenially thereafter said boroughs and townships shall each elect one suitable and competent citizen thereof to act as director for four years from the first Monday of January next succeeding his election

Mr. HOBBS. Mr. Speaker, I ask unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 1, line 61, strike out "three" and insert "four."

Section 1, line 62, strike out "three" and insert "four."

Title, line 6, after "Abington" and insert "in the county of Lackawanna."

Section 1, line 38, strike out "as" and insert "is."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 420, entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State normal schools

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—150.

Baldwin, G. A.,	Ehrhardt,	Lohr,	Savacool,
Baldwin, R. J.,	Ely,	Lowers,	Schuck,
Barner,	Forster, I. G.,	Malie,	Scott, S. B.,
Bass,	Foster, J. D.,	Mannion,	Semmens,
Becker,	Geiser,	Martin,	Shaffer, C. A.,
Benninger,	Gibson,	Mather,	Shaffer, I. E.,
Benson,	Good,	Matt,	Sherwood,
Berntheizel,	Goss,	McAllister,	Showalter,
Bigger,	Gransback,	McCaig,	Smith, J. W.,
Bittles,	Gray, Frank,	McDermott,	Smith, L.,
Blair, W. A.,	Haggerty,	McKay,	Spangler,
Blair, W. F.,	Heidinger,	Mellott,	Speiser,
Bleloch,	Hemminger,	Metzenbacher,	Spillinger,
Body,	Herman,	Miller,	Steedle,
Brosius,	Hess,	Moore,	Steele,
Brownlee,	Heyburn,	Morrow,	Stein,
Burnett,	Hibshman,	Moses,	Stone,
Campbell, C.M.,	Hobbs,	Moulthrop,	Strauss,
Campbell, J. J.,	Hoffman,	Murphy,	Swartz,
Carson,	Howard, J.,	Musser,	Swift,
Carter,	Howard, R.,	Neel,	Thomas,
Cheeseman,	Humes,	Neely,	Trach,
Claycomb,	Isler,	Newbaker,	Ulerich,
Cleary,	Irwin, G. C.,	North,	Ulman,
Cochran,	Irwin, H. H.,	O'Neill,	Walnut,
Collins,	Jackson,	Peachey,	Walton,
Conner,	Jones, J. R.,	Pennegar,	Watson,
Conniff,	Keeport,	Pennock,	Wettach,
Conrade,	Kennedy,	Piper,	Whitaker,
Cox,	Kern,	Post,	Whitman,
Currier,	Kitts,	Price,	Wildman,
Curry,	Klepper,	Ramsey,	Williams,
Davis,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Dickinson,	Lanius,	Reeser,	Wiltbank,
Donahoe,	Latshaw,	Rhoads,	Young, G. K.,
Donnally,	Leslie,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Light,	Rothenberger,	Zimmerman,
Dunn, J. A.,		Runk,	Alter,
		Sassaman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 795, entitled:

An Act prohibiting the doing of certain acts by persons who have been disbarred from practicing before the courts of any county and providing a penalty for violation thereof

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Blair, Mr. Claycomb, permit himself to be interrogated?

Mr. CLAYCOMB. Mr. Speaker, yes, sir.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to have the sponsor of the bill explain its provisions to the House.

Mr. CLAYCOMB. Mr. Speaker, the purpose of this bill is to prevent any one who has been disbarred and who has not taken an appeal to the Supreme Court to practice law, making it unlawful for him to practice before any alderman or justice of the peace or magistrate. For the reason, that should he be disbarred evidently there is some circumstance that would justify the people from being preyed upon by any one who unscrupulously would endeavor to hold himself up to practice law. It is evident that if a man should be disbarred that he is less worthy to be trusted before an alderman or a court of any kind than when he had even never been admitted. It simply protects the public from a man who is unworthy to practice law.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Baldwin, G. A.,	Dunn, J. A.,	Mannion,	Savacool,
Baldwin, R. J.,	Ehrhardt,	Martin,	Schaeffer, A. C
Barner,	Ewing,	Mather,	Schuck,
Becker,	Forster, I. G.,	Matt,	Semmens,
Benninger,	Foster, J. D.,	McAllister,	Shaffer, C. A.,
Berntheizel,	Frey,	McDermott,	Shaffer, I. E.,
Bigger,	Geary,	McKay,	Showalter,
Blair, W. F.,	Geiser,	Mellott,	Smith, J. W.,
Body,	Gibson,	Metzenbacher,	Spangler
Brosius,	Good,	Miller,	Spillinger,
Brown,	Goss,	Mitchell,	Steedle,
Brownlee,	Grabe,	Moore,	Steele,
Burnett,	Gransback,	Morrow,	Stein,
Campbell, C.M.,	Haggerty,	Moses,	Stone,
Campbell, J. J.,	Hemminger,	Moulthrop,	Strauss,
Carson,	Herman,	Murphy,	Swartz,
Carter,	Hibshman,	Musser,	Swift,
Cheeseman,	Howard, J.,	Neel,	Thomas,
Claycomb,	Humes,	Neely,	Trach,
Cleary,	Jackson,	Newbaker,	Ulerich,
Cochran,	Jones, J. R.,	Newton,	Ulman,
Collins,	Keeport,	North,	Walton,
Conner,	Kennedy,	Peachey,	Watson,
Conniff,	Kern,	Post,	Wettach,
Conrade,	Kitts,	Price,	Whitaker,
Cox,	Klepper,	Ramsey,	Whitman,
Currier,	Kuhn, H. P.,	Redfield,	Wildman,
Curry,	Latshaw,	Reese,	Williams,
Davis,	Leslie,	Reeser,	Wilson, J. H.,
DeFrees,	Light,	Rhoads,	Wiltbank,
Dickinson,	Lohr,	Rockwell,	Young, G. K.,
Donahoe,	Lowers,	Rothenberger,	Zimmerman,
Donnally,	Malie,	Runk,	Alter,
Down,		Sassaman,	Speaker.
Dunn, H. B.,			

NAYS—4.

Bass,	Hobbs,	O'Neill,	Sherwood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, entitled:

An Act providing for the arrest and conviction of any person found visiting a gambling house and providing penalty for same

BILL POSTPONED.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to have the sponsor of this bill explain the object of the bill.

The SPEAKER. Mr. Letzkus, from Allegheny, is the sponsor of this bill, but he is absent this morning.

Mr. MALIE. Mr. Speaker, owing to the absence of the sponsor of this bill, I move that further consideration of this bill be postponed for the present.

Mr. E. G. M. KUHNS. Mr Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1049, as follows:

An Act providing a means of identifying certain persons in this Commonwealth requiring certain duties of employers and fixing penalties for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person partnership or corporation to employ or retain in employment any person not a citizen of this Commonwealth unless such person so employed shall give to such employer his or her correct name A list of such names shall be kept by such employer and shall be open to inspection by any assessor tax collector or constable of the proper county If such employe be designated by a number the number shall be given on said list opposite the respective name Said list shall be revised and supplemented from time to time as employes shall be discharged or shall die or leave such employment

Section 2 It shall be unlawful for any such employee when thereto requested by such person partnership or corporation or by any constable tax collector or assessor to refuse to give his correct name.

Section 3 Every person partnership or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the county shall be sentenced to pay a fine of not less than ten dollars ($10) nor more than fifty dollars ($50)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Baldwin, G. A.,	Foster, J. D.,	Lohr,	Runk,
Baldwin, R. J.,	Frey,	Lowers,	Sassaman,
Barner,	Forster, I. G.,	Malie,	Schaeffer, A. C
Bass,	Geiser,	Mannion,	Schuck,
Becker,	Gibson,	Martin,	Scott, S. B.,
Benson,	Glenn,	Matt,	Semmens,
Bergey,	Good,	McAllister,	Shaffer, C. A.,
Berntheizel,	Goss,	McCaig,	Shaffer, I. E.,
Bigger,	Gransback,	McClintock,	Sherwood,
Bittles,	Gray, Frank,	McDermott,	Showalter,
Blair, W. A.,	Haggerty,	McKay,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Mellott,	Spangler,
Body,	Hemminger,	Metzenbacher,	Speiser,
Brosius,	Herman,	Miller,	Spillinger,
Brown,	Hibshman,	Mitchell,	Steedle,
Brownlee,	Hobbs,	Moore,	Steele,
Burnett,	Hoffman,	Morrow,	Stein,
Campbell, C.M.,	Howard, J.,	Moses,	Stone,
Campbell, J. J.,	Howard, R.,	Moulthrop,	Strauss,
Carson,	Humes,	Murphy,	Swartz,
Carter,	Isler,	Neel,	Swift,
Cheeseman,	Irwin, G. C.,	Neely,	Thomas,
Claycomb,	Irwin, H. H.,	Newbaker,	Trach,
Cleary,	Jackson,	Newton,	Ulerich,
Collins,	Jones, E. E.,	North,	Ulman.
Conner,	Jones, J. R.,	O'Neill,	Walton,
Conniff,	Keeport,	Peachey,	Watson,
Conrade,	Kennedy,	Pennegar,	Wettach,
Cox,	Kern,	Pennock,	Whitaker,
Currier,	Kitts,	Piper,	Wildman,
Curry,	Klepper	Post,	Williams,
Davis,	Kuhn, H. P.,	Price,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dickinson,	Lanius,	Redfield,	Wiltbank,
Donahoe,	Latshaw,	Reese,	Young, G. K.
Donnally,	Leslie,	Reeser,	Young, J. H.,
Down,	Light,	Rockwell,	Zimmerman,
Dunn, J. A.,		Rothenberger,	Alter,
Ehrhardt,			Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determned in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1151, entitled:

An Act to authorize the township commissioners of townships of the first clas to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expenses from the public funds of the township

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Baldwin, G. A.,	Donahoe,	Leslie,	Scott, J. R. K.,
Baldwin, R. J.,	Donnally,	Light,	Scott, S. B.,
Barner,	Ehrhardt,	Lohr,	Semmens,
Bass,	Ely,	Lowers,	Shaffer, C. A.,
Becker,	Forster, I. G.,	Malie,	Shaffer, I. E.,
Benninger,	Foster, J. D.,	Mannion,	Sherwood,
Benson,	Frey,	Martin,	Showalter,
Bergey,	Geiser,	Matt,	Smith, J. W.,
Berntheizel,	Gibson,	McAllister,	Smith, L.,
Bigger,	Good,	McCaig,	Spangler,
Bittles,	Grabe,	McClintock,	Speiser,
Blair, W. A.,	Gray, Frank,	Mellott,	Spillinger,
Blair, W. F.,	Haggerty,	Metzenbacher,	Steedle,
Body,	Heidinger,	Moore,	Steele,
Brosius,	Hemminger,	Moses,	Stein,
Brown,	Herman,	Moulthrop,	Stone
Brownlee,	Heyburn,	Murphy,	Strauss,
Burnett,	Hibshman,	Neel,	Swartz,
Campbell, C.M.,	Hoffman,	Newbaker,	Thomas,
Campbell, J. J.,	Howard, J.,	North,	Trach,
Carson,	Irwin, G. C.,	O'Neill,	Ulman,
Carter,	Irwin, H. H.,	Peachey,	Walnut,
Cheeseman,	Jackson,	Pennegar,	Walton,
Claycomb,	Jones, E. E.,	Pennock,	Watson,
Cleary,	Jones, J. R.,	Ramsey,	Wettach,
Collins,	Keeport,		Whitaker,

Conner,	Kennedy,	Reese,	Whitman,
Conniff,	Kern,	Reeser,	Wildman,
Conrade,	Kitts,	Rhoads,	Williams,
Cox,	Klepper,	Rothenberger,	Wilson, J. H.,
Currier,	Kuhn, H. P.,	Runk,	Wilson, W. H.,
Curry,	Kuhns, E.G.M.,	Sassaman,	Wiltbank,
Davis,	Lanius,	Savacool,	Young, G. K.
DeFrees,	Latshaw,	Schaeffer, A. C	Zimmerman,
Dickinson,		Schuck,	Alter,
			Speaker.

NAYS—11.

Cochran,	Goss,	McDermott,	Musser,
Dunn, H. B.,	Hobbs,	McKay,	Post,
	Howard, R.,	Miller,	Swift,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care of training of orphans or other children

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I want to ask the author to make a little explanation of this bill as to what the purpose is.

BILL POSTPONED.

Mr. MOORE. Mr. Speaker, at the request of the sponsor of this bill, I move that the further consideration be postponed for the present.

Mr. PIPER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1158, as follows:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended proving that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" which as amended reads as follows

"Section 4 Any company incorporated under this act desiring authority to construct any branch or extension shall file in the office of the Secretary of the Commonewalth a duly certified copy of a resolution of its stockholders setting forth in detail the route of the proposed branch or extension which paper shall be forthwith presented to the Governor for his approval and if the Governor shall be of opinion that said proposed branch or extension is within the general scope of the original charter and does not conflict with any rights previously granted and in existence he shall approve the same whereupon the Secretary of the Commonwealth shall issue a certificate that said branch or extension has been duly authorized and upon the same having been duly recorded in the county or counties within which such extension lies said company shall be vested with the right to construct and operate the same provided it receives consent from the proper local authorities" be and the same is hereby further amended to read as follows

Section 4 Any company incorporated under this act desiring authority to construct any branch or extension shall file in the office of the Secretary of the Commonwealth a duly certified copy of a resolution of its stockholders setting forth in detail the route of the proposed branch or extension which paper shall be forthwith presented to the Governor for his approval and if the Governor shall be of opinion that said proposed branch or extension is within the general scope of the original charter and does not conflict with any rights previously granted by the proper local or municipal authority he shall approve the same whereupon the Secretary of the Commonwealth shall issue a certificate that said branch or extension has been duly authorized and upon the same having been duly recorded in the county or counties within which such extension lies said company shall be vested with the right to construct and operate the same provided it receives consent from the proper local authorities provided further that the right granted by the Commonwealth to construct a branch or extension by any street railway company shall not be an exclusive right until the street railway company shall have applied for and obtained the consent of the proper municipal authorities to occupy and use the streets and highways of any city borough or township but when such consent from the proper municipal authorities has been obtained the right to occupy and use the streets and highways or portions thereof mentioned in the said certificate issued by the Secretary of the Commonwealth shall be an exclusive right for the time limited by such consent or any legal extension thereof and provided further that the Governor in his discretion shall have the power to grant a branch or extension to two or more street railway companies over the same streets and highways at any time prior to the granting by the proper municipal authorities of the consent to occupy and use the said streets and highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Baldwin, G. A.,	Ehrhardt,	Lowers,	Schuck,
Baldwin, R. J.,	Ely,	Malie,	Scott, J. R. K.,
Barner,	Forster, I. G.,	Mannion,	Semmens,
Bass,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Becker	Frey,	Mather,	Shaffer, I. E.,
Benninger,	Geiser,	Matt,	Sherwood,
Benson,	Gibson,	McAllister,	Showalter,
Bergey,	Good,	McCaig,	Smith, J. W.,
Berntheizel,	Goss,	McClintock,	Smith, L.,
Bigger,	Grabe,	McDermott,	Spangler,
Bittles,	Gransback,	McKay,	Speiser,
Blair, W. A.,	Gray, Frank,	Miller,	Spillinger,
Blair, W. F.,	Haggerty,	Mitchell,	Steedle,
Body,	Heidinger,	Moore,	Steele,
Brosius,	Hemminger,	Morrow,	Stone,
Brown,	Heyburn,	Moses,	Strauss,
Brownlee,	Hibshman,	Moulthrop,	Swartz,
Burnett,	Hobbs,	Murphy,	Swift,
Campbell, C.M.,	Hoffman,	Musser,	Thomas,
Campbell, J. J.,	Howard, J.,	Neel,	Trach,
Carson,	Howard, R.,	Newbaker,	Ulerich,
Carter,	Irwin, G. C.,	North,	Ulman,
Claycomb,	Jackson,	O'Neill,	Walnut,
Conner,	Jones, E. E.,	Peachey,	Walsh,
Conniff,	Jones, J. R.,	Piper,	Walton,
Conrade,	Keeport,	Post,	Watson,
Cox,	Kennedy,	Price,	Wettach,
Currier,	Kern,	Ramsey,	Whitaker,
Curry,	Kitts,	Redfield,	Whitman,
Davis,	Klepper,	Reese,	Wildman,
DeFrees,	Kuhn, H. P.,	Reeser,	Williams,
Dickinson,	Kuhns, E.G.M.,	Rhoads,	Wilson, J. H.,
Donahoe,	Latshaw,	Rockwell,	Wilson, W. H.,
Donnally,	Leslie,	Rothenberger,	Wiltbank,
Down,	Light,	Runk,	Young, G. K.
Dunn, H. B.,	Lohr,	Sassaman,	Zimmerman,
Dunn, J. A.,		Schaeffer, A. C	Alter,
			Speaker.

NAYS—2.

Humes,	Mellott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 296, entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Baldwin, R. J.,	Down,	Malie,	Shaffer, C. A.,
Barner,	Dunn, J. A.,	Mannion,	Shaffer, I. E.,
Bass,	Ehrhardt,	Mather,	Sherwood,
Bayle,	Ely,	McCaig,	Showalter,
Becker.	Ewing,	McClintock,	Spangler,
Benson,	Forster, I. G.,	McKay,	Speiser,
Bergey,	Foster, J. D.,	Miller,	Spillinger,
Berntheizel,	Frey,	Mitchell,	Steedle,
Bigger,	Geiser,	Moore,	Steele,
Blair, W. A.,	Gibson,	Morrow,	Stein,
Blair, W. F.,	Good,	Moulthrop,	Stone.
Body,	Grabe,	Murphy,	Strauss,
Brosius,	Gransback,	Neel,	Swift,
Brown,	Gray, Frank,	Neely,	Thomas,
Brownlee,	Haggerty,	North.	Ulerich,
Campbell, C.M.,	Heidinger,	O'Neill,	Ulman,
Campbell, J. J.,	Heyburn,	Pennock,	Walnut,
Carter,	Hibshman,	Price,	Walton,
Claycomb,	Hoffman,	Ramsey,	Watson,
Cleary,	Jackson,	Reese,	Whitaker,
Conner,	Jones, J. R.,	Rhoads,	Wildman,
Conniff,	Keeport,	Rockwell,	Williams,
Conrade,	Kennedy,	Rothenberger,	Wilson, J. H.,
Cox,	Kern,	Sassaman,	Wilson, W. H.,
Currier,	Kitts,	Savacool,	Wiltbank,
Curry,	Klepper,	Schaeffer, A. C	Young, G. K.,
Davis,	Kuhn, H. P.,	Scott, J. R. K.,	Zimmerman,
DeFrees,	Leslie,	Scott, S. D.,	Alter,
Dickinson,	Light,	Semmens,	Speaker.
Donahoe,			

NAYS—24.

Benninger,	Hobbs,	Martin,	Post,
Burnett,	Howard, R.,	Matt,	Redfield,
Carson,	Jones, E. E.,	McDermott,	Reeser,
Cheeseman,	Kuhns, E.G.M.,	Moses,	Smith, J. W.,
Donnally,	Lanius,	Newton,	Swartz,
Hemminger,	Latshaw,	Peachey,	Trach,
			Whitman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1144, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, In the absence of the sponsor I move that further consideration of this bill be postponed for the present.

Mr. O'NEIL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1039, as follows:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tax to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act an act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all dogs made taxable by the act to which this is a supplement shall be required to wear at all times a substantial color to which shall be attached the tag hereinafter mentioned said collar to be furnished by the owner of said dog or dogs and said tag to be furnished by the county commissioners and to be paid for by them out of the fund realized from the taxation of dogs" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all dogs of four months old and upwards shall be required to wear at all times a substantial collar to which shall be attached the tag hereinafter mentioned said collar to be furnished by the owner of said dog or dogs and said tag to be furnished by the county commissioners and to be paid for by them out of the fund realized from the taxation of dogs

Section 2 That section three of said act which reads as follows

"Section 3 At the time of payment of dog tax by the owner of such dog the tax collector shall give to said owner one of said tags prepared for the year for which said tax is paid which said tag shall thereupon be attached to the collar of the dog for which said tax was paid by the owner of said dog" is hereby amended to read as follows

Section 3 At the time of payment of dog tax by the owner of such dog the tax collector shall give to said owner one of said tags prepared for the year for which said tax is paid which said tag shall thereupon be attached to the collar of the dog for which said tax was paid by the owner of said dog and in case the assessor has failed for any reason at the time of making the general assessment to assess any dog it shall be lawful for the owner thereof to pay to the tax collector the dog tax for the current year the same as though such dog had been regularly assessed and in such case it shall be the duty of the tax collector to furnish to such owner a tax tag to be attached to collar of such dog as above provided Provided however that nothing herein contained shall be construed as lessening the responsibility and duty of all assessors to assess all dogs that he is able to assess at the time of making the general assessment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Baldwin, R. J.,	Donnally,	Lowers,	Schuck,
Bass,	Down,	Malie,	Scott, S. B.,
Bayle,	Dunn, H. B.,	Mannion,	Semmens,
Becker,	Dunn, J. A.,	Mather,	Shaffer, C. A.,
Benninger,	Ehrhardt,	Matt,	Shaffer, I. E.,
Benson,	Ely,	McAllister,	Sherwood,
Bergey,	Forster, I. G.,	McCaig,	Showalter,
Berntheizel,	Foster, J. D.,	McClintock,	Smith J. W.,
Bigger,	Geiser,	McDermott,	Speiser,
Bittles,	Good,	Mellott,	Spillinger,
Blair, W. A.,	Gray, Frank,	Miller,	Steedle,
Blair, W. F.,	Haggerty,	Mitchell,	Steele,
Bleloch,	Heidinger,	Moore,	Stein,
Brosius,	Hemminger,	Morrow,	Stone,
Brown,	Heyburn,	Moses,	Strauss,
Brownlee,	Hibshman,	Moulthrop,	Swartz,
Campbell, C.M.,	Hobbs,	Murphy,	Swift,
Campbell, J. J.,	Hoffman,	Neel,	Thomas,
Carson,	Howard, R.,	Neely,	Trach,
Carter,	Humes,	Newbaker,	Ulerich,
Cheeseman,	Irwin, G. C.,	North,	Ulman,
Claycomb,	Irwin, H. H.,	O'Neill,	Walnut,
Cleary,	Jackson,	Peachey,	Walsh,
Collins,	Jones, E. E.,	Pennegar,	Walton,
Conner,	Jones, J. R.,	Pennock,	Watson,
Conniff,	Keeport,	Piper,	Wettach,
Conrade,	Kennedy,	Post,	Whitaker,
Cox,	Kern,	Price,	Whitman,
Currier,	Kitts,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Davis,	Lanius,	Reese,	Wilson, W. H.,
DeFrees,	Latshaw,	Reeser,	Wiltbank,
Dickinson,	Leslie,	Rockwell,	Zimmerman,
Donahoe,	Lohr,	Sassaman,	Alter,
		Schaeffer, A. C	Speaker.

NAYS—7.

Barner,	Grabe,	Kuhns, E.G.M.,	Rothenberger,
Body,	Keegan,	Martin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CORRECTION OF VOTE.

Mr. GRABE. Mr. Speaker, I would like to know how I am recorded as voting on Bill No. 1039, file folio 2707, on page 25 of to-day's Calendar.

The SPEAKER. The record has gone into the transcribing room. How did the gentleman vote?

Mr. GRABE. Mr. Speaker, I voted "no" under a misapprehension; I would like to be recorded as voting "aye."

The SPEAKER. The gentleman from Butler, Mr. GRABE, desires it to be stated upon the record that he voted "NO" on House Bill No. 1039, under a misapprehension; otherwise he would have voted "AYE". If there is no objection, the clerks will be directed to make this insertion in the Journal immediately following the record of the vote on that bill. The gentleman's explanation will appear in the record accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 677, entitled:

An Act to amend section thirty-four of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Baldwin, R. J.,	Foster, J. D.,	Light,	Rothenberger,
Barner,	Frey,	Lohr,	Runk,
Bass,	Gans,	Lowers,	Savacool,
Bayle,	Geary,	Malie,	Schaeffer, A. C.
Becker,	Geiser,	Mannion,	Schuck,
Benninger,	Glenn,	Martin,	Scott, S. B.,
Benson,	Good,	Mather,	Semmens,
Berntheizel,	Gransback,	Matt,	Shaffer, I. E.,
Bigger,	Gray, Frank,	McCaig,	Sherwood,
Bittles,	Haggerty,	McClintock,	Showalter,
Blair, W. A.,	Heidinger,	McDermott,	Smith, J. W.,
Bleloch,	Hemminger,	Mellott,	Spangler,
Body,	Herman,	Metzenbacher,	Speiser,
Brosius,	Hibshman,	Miller,	Spillinger,
Burnett,	Hobbs,	Missimer,	Steedle,
Caldwell,	Hoffman,	Mitchell,	Steele,
Campbell, C.M.,	Howard, R.,	Moore,	Stein,
Campbell, J. J.,	Humes,	Morrow,	Stone,
Claycomb,	Isler,	Moses,	Swartz,
Cleary,	Irwin, G. C.,	Moulthrop,	Swift,
Cochran,	Irwin, H. H.,	Murphy,	Thomas,
Collins,	Jackson,	Musser,	Trach,
Conner,	Jones, E. E.,	Neel,	Ulerich,
Conniff,	Jones, J. R.,	Newbaker,	Walnut,
Conrade,	Keegan,	Newton,	Watson,
Cox,	Keeport,	North,	Wettach,
Currier,	Kennedy,	O'Neill,	Whitaker,
Curry,	Kern,	Pennegar,	Whitman,
Dickinson,	Kitts,	Pennock,	Wildman,
Donahoe,	Klepper,	Piper,	Williams,
Donnally,	Kuhn, H. P.,	Post,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Reese,	Wiltbank,
Dunn, J. A.,	Latshaw,	Reeser,	Young, J. H.,
Ehrhardt,	Leslie,	Rhoads,	Zimmerman,
Ely,	Letzkus,	Richards,	Alter,
Ewing,		Rockwell,	Speaker.
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1042, entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. ULERICH. Mr. Speaker, I would like to make an explanation of this bill. This little bill of mine provides for an amendment to section 1125 of the School Code. In that section it provides that the county commissioners of each county shall furnish suitable offices for the county superintendents. In the last sentence of that section it says: "they shall also provide for the use of such superintendents and assistant superintendents the necessary stationery, printing and blanks." I have added to that "and postage other than that connected with the annual county teachers' institute." I have made that exception for this reason, that the teachers' institute is paid for by the teachers themselvs, and by an appropriation made by the county commissioners of two hundred dollars to each county superintendent, so the county superintendent does not have to pay that postage. The average salary of county superintendents in this state is a little over twenty-three hundred dollars. There are forty-one county superintendents who are paid less than twenty-three hundred dollars. Out of his salary each county superintendent has to pay his traveling expenses and hotel bills and all other necessary expenses that are generally provided for for the other county officials, so that out of his salary he must pay at least thirty per cent. of his salary, and there is that percentage of it that he does not get any use of at all. Of one fourth of this expense is postage, writing to the teachers, directors and anybody who may ask for information, or in sending out Schools laws, etc. The county superintendent surely has no right to pay for postage of this kind since no other county official does so. Therefore, gentlemen, I ask you to support this measure.

The queston recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Baldwin, R. J.,	Ewing,	Leslie,	Roney,
Barner,	Fahey,	Letzkus,	Rothenberger,
Bass,	Forster, I. G.,	Light,	Runk,
Bayle,	Foster, J. D.,	Lohr,	Savacool,
Becker,	Geary,	Lowers,	Schaeffer, A. C.
Benson,	Geiser,	Malie,	Schuck,
Bergey,	Gibson,	Mannion,	Scott, S. B.,
Berntheizel,	Glenn,	Martin,	Semmens,
Bigger,	Good,	Mather,	Shaffer, I. E.,
Bittles,	Goss,	Matt,	Sherwood,
Blair, W. A.,	Grabe,	McCaig,	Showalter,
Blair, W. F.,	Gray, Frank,	McClintock,	Smith, J. W.,
Bleloch,	Haggerty,	McDermott,	Spangler,
Body,	Heidinger,	Metzenbacher,	Speiser,
Brosius,	Hemminger,	Mitchell,	Spillinger,
Brown,	Herman,	Moore,	Steedle,
Brownlee,	Heyburn,	Morrow,	Steele,
Burnett,	Hibshman,	Moses,	Stein,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stone,
Carson,	Hoffman,	Murphy,	Strauss,
Carter,	Howard, R.,	Musser,	Swartz,
Cheeseman,	Humes,	Neel,	Swift,
Cleary,	Isler,	Neely,	Thomas,
Cochran,	Irwin, G. C.,	Newton,	Trach,
Collins,	Irwin, H. H.,	North,	Ulerich,
Conner,	Jackson,	Pennegar,	Walnut,
Conniff,	Jones, E. E.,	Pennock,	Watson,
Conrade,	Jones, J. R.,	Piper,	Wettach,
Curry,	Keeport,	Post,	Whitaker,
Dickinson,	Kennedy,	Price,	Wildman,
Donahoe,	Kitts,	Ramsey,	Wilson, J. H.,
Donnally,	Klepper,	Reese,	Wiltbank,
Down,	Kuhn, H. P.,	Reeser,	Young, G. K.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Lanius,	Robinson,	Zimmerman,
Eichenberger,	Latshaw,	Rockwell,	Alter,
Ely,			Speaker.

NAYS—3.

Currier,	Miller,	Shaffer, C. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1071, as follows:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any person in any county in the State of Pennsylvania to hold himself out to the public as being entitled to practice law before the courts of the county or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to convey the impression that he is a legal practitioner in said county or in any manner to advertise that he either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office of any kind for the practice of law without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth" be and it is hereby amended so as to read as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any person in any county in the State of Pennsylvania to hold himself out to the public as being entitled to practice law or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to convey the impression that he is a practitioner of the law of this or any other State nation country or land or in any manner to advertise that he either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office or any kind for the practice of the law of this or any other State nation country or land without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth"

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I want to say just a word in relation to this bill. The bill is more apt to apply to the larger cities than the smaller ones and this measure comes endorsed not only by the bar association of Allegheny but by the members of the bar of that county. It is brought about by these conditions: there are in that county as there are in all large centers, men of foreign nationality who have been admitted to the bar for the practice of law either in this country or at the bars of foreign countries; or represent themselves in some capacity as an attorney or otherwise and they impose upon the foreign element in these large centers by representing themselves as not only practitionrs of the local bar but in foreign lands and thereby there are able to extort large sums of money from people in these large centers where foreign nationalities are living who are compelled to get help and when they get these cases they are obliged to get local representatives to help them in the courts and thereby doubling up the fees. The purpose of the measure is the protection of clients and not the attorneys, in large centers in which we have these foreign settlements. This bill was drawn or prepared by the Allegheny Bar Association and has the endorsement of not only that Bar Association but the members of the bar and the Courts. I hope that every member will endorse this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Allen,	Dunn, H. B.,	Lanius,	Rothenberger,
Baldwin, R. J.,	Dunn, J. A.,	Latshaw,	Runk,
Bayle,	Ehrhardt,	Letzkus,	Savacool,
Becker,	Ely,	Lohr,	Schaeffer, A. C.
Benninger,	Ewing,	Lowers,	Scott, S. B.,
Benson,	Fahey,	Malie,	Semmens,
Bergey,	Forster, I. G.,	Mannion,	Shaffer, C. A.,
Berntheizel,	Foster, J. D.,	Martin,	Shaffer, I. E.,
Bigger,	Frey,	Mather,	Sherwood,
Bittles,	Geiser,	Matt,	Showalter,
Blair, W. A.,	Good,	McClintock,	Smith, J. W.,
Blair, W. F.,	Grabe,	McDermott,	Spangler,
Bleloch,	Gray, Frank,	McKay,	Speiser,
Body,	Haggerty,	Mellott,	Spillinger,
Brosius,	Heidinger,	Metzenbacher,	Steedle,
Brown,	Hemminger,	Miller,	Steele,
Brownlee,	Heyburn,	Mitchell,	Stein,
Burnett,	Hibshman,	Moore,	Stone,
Campbell, C.M.,	Hobbs,	Morrow,	Strauss,
Campbell, J. J.,	Hoffman,	Moses,	Swartz,
Carson,	Howard, R.,	Moulthrop,	Swift,
Carter,	Humes,	Murphy,	Thomas,
Cheeseman,	Isler,	Musser,	Trach,
Claycomb,	Irwin, G. C.,	Neel,	Ulerich,
Cleary,	Irwin, H. H.,	Neely,	Ulman,
Cochran,	Jackson,	Newbaker,	Walnut,
Collins,	Jones, E. E.,	North,	Walton,
Conner,	Jones, J. R.,	Peachey,	Watson,
Conniff,	Keegan,	Pennegar,	Wettach,
Conrade,	Keeport,	Pennock,	Wildman,
Currier,	Kennedy,	Piper,	Wilson, J. H.,
Curry,	Kern,	Post,	Wilson, W. H.,
DeFrees,	Kitts,	Redfield,	Wiltbank,
Dickinson,	Klepper,	Reese,	Young, G. K.
Donahoe,	Kuhn, H. P.,	Reeser,	Zimmerman,
Donnally,	Kuhns, E.G.M.,	Rhoads,	Alter,
Down,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 41, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. KEEPORT. Mr. Speaker, this act applies to third class cities and there is but small change in it over the old act that all are operating under. The change is this: To permit cities of the third class passing ordinances to determine whether they have a hundred thousand population or not and if they have, they can apply to the Governor and get a charter granting the second class privileges. There are no other changes at all in the bill other than this. In section 2, line 34, it begins "or according to the last preceding census taken in pursuance of an ordinance of the proper city." That is all the change there is that the third c ass cities are operating under now.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Allen,	Good,	Mannion,	Schaeffer, A. C
Bayle,	Grabe,	Martin,	Schuck,
Becker,	Haggerty,	Mather,	Scott, J. R. K.,
Benninger,	Heidinger,	Matt,	Scott, S. B.,
Benson,	Hemminger,	McClintock,	Semmens,
Bergey,	Heyburn,	McDermott,	Shaffer, C. A.,
Berntheizel,	Hibshman,	McKay,	Shaffer, I. E.,
Bigger,	Hobbs,	Mellott,	Sherwood,
Blair, W. A.,	Hoffman,	Metzenbacher,	Showalter,
Bleloch,	Howard, R.,	Mitchell,	Smith, J. W.,
Body,	Humes,	Moore,	Spangler,
Brosius,	Isler,	Morrow,	Speiser,
Brown,	Irwin, G. C.,	Moses,	Spillinger,
Burnett,	Irwin, H. H.,	Moulthrop,	Steedle,
Campbell, C.M.,	Jackson,	Musser,	Steele,
Campbell, J. J.,	Jones, E. E.,	Neel,	Stein,
Carson,	Jones, J. R.,	Neely,	Stone,
Carter,	Keeport,	Newbaker,	Strauss,
		North,	Swartz,

Claycomb,	Kennedy,	Peachey,	Thomas,
Cleary,	Kern,	Pennock,	Ulman,
Cochran,	Kitts,	Perry, H. L.,	Walnut,
Conner,	Klepper,	Piper,	Walton,
Conniff,	Kuhn, H. P.,	Price,	Wettach,
Currier,	Kuhns, E.G.M.,	Ramsey,	Whitman,
Curry,	Lanius,	Redfield,	Wildman,
Dickinson,	Latshaw,	Reese,	Wiltbank,
Donahoe,	Letzkus,	Reeser,	Young, G. K.
Dunn, J. A.,	Lohr,	Rhoads,	Zimmerman,
Ely,	Lowers,	Rockwell,	Alter,
Ewing,	Mellott,	Rothenberger,	Speaker.
Fahey,			
Geiser,			

NAYS—4.

Brownlee,	Post,	Swift,	Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on third reading of H. R. bill No. 1094, as follows:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where private sales of real estate have been held by receivers subsequent to the passage of an act entitled "An Act relating to receiver's sales passed the eleventh day of May Anno Domini one thousand nine hundred and eleven" where notices of the intention to present the petition for the said sale to the court has been mailed at least ten days prior to the presentation of such petition to all known creditors and other parties in interest at their last known addresses and an averment under oath of the mailing of such notices appears in the said proceedings the same shall be deemed to be good and valid for all purposes and a sufficient compliance with the conditions of the said act

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, just a word in relation to this bill and the next bill. Under the act of 1911 there was no provision made in relation to how service should be made where sales had been made by receivers. This bill simply cures defects in that law, making such sales valid where notice of the sale and the time of its confirmation is printed in the newspapers had been mailed to the creditors. I ask that this bill pass, as it only cures those defects. It is for no individual case, Mr. Speaker, it is a general law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Allen,	DeFrees,	Kuhn, H. P.,	Savacool,
Baldwin, G. A.,	Dickinson,	Lanius,	Schaeffer, A. C.
Baldwin, R. J.,	Donahoe,	Letzkus,	Semmens,
Bayle,	Donnally,	Lowers,	Shaffer, C. A.,
Becker,	Dunn, H. B.,	Malie,	Shaffer, I. E.,
Benninger,	Dunn, J. A.,	Mannion,	Sherwood,
Benson,	Ehrhardt,	Martin,	Showalter,
Bergey,	Ely,	Mather,	Smith, J. W.,
Berntheizel,	Forster, I. G.,	Matt,	Spangler,
Bigger,	Foster, J. D.,	McClintock,	Spillinger,
Bittles,	Geiser,	McDermott,	Steedle,
Blair, W. A.,	Good,	McKay,	Stein,
Blair, W. F.,	Goss,	Mellott,	Stone,
Bleloch,	Grabe,	Metzenbacher,	Strauss,
Body,	Haggerty,	Morrow,	Swartz,
Brosius,	Heidinger,	Moses,	Swift,
Brownlee,	Hemminger,	Moulthrop,	Thomas,
Burnett,	Heyburn,	Murphy,	Trach,
Campbell, C.M.,	Hibshman,	Neely,	Ulerich,
Campbell, J. J.,	Hobbs,	Newbaker,	Ulman,
Carson,	Howard, R.,	Newton,	Walton,
Carter,	Isler,	North,	Whitaker,
Cheeseman,	Irwin, G. C.,	Peachey,	Whitman,
Claycomb,	Jackson,	Pennock,	Wildman,
Cleary,	Jones, E. E.,	Piper,	Young, J. H.,
Collins,	Jones, J. R.,	Post,	Wiltbank,
Conner,	Keeport,	Reese,	Young, G. K.,
Conniff,	Kennedy,	Reeser,	Young, J. H.,
Conrade,	Kern,	Rothenberger,	Zimmerman,
Currier,	Kitts,	Runk,	Alter,
Curry,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on third reading of H. R. bill No. 1097, as follows:

An Act to amend section two of "An Act entitled an act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of providing the giving of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act relating to receiver's sales" approved May eleventh one thousand nine hundred and eleven which reads as follows

"Section 2 At least ten days' notice of the intention to present such petition to the court shall be given by the petitioner to all known creditors and other parties in interest previous to the presentation of the same to the court" shall be amended to read as follows

Section 2 Notice of an intention to present such petition to the court shall be given by the petitioner by mailing it least ten days prior to the presentation of said petition postal cards or letters addressed to all known creditors and stockholders at their last known addresses containing a brief description of the property proposed to be sold the name of the purchaser the terms of the said sale and the date and place of presentation of the said petition and an averment under oath by the said petitioner in the said proceedings that such notice has been given in the manner aforesaid shall be considered evidence thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Adams,	Donnally,	Kuhns, E.G.M.,	Runk,
Baldwin, G. A.,	Down,	Lanius,	Savacool,
Bayle,	Dunn, H. B.,	Latshaw,	Schaeffer, A. C.
Becker,	Dunn, J. A.,	Letzkus,	Scott, S. B.,
Benninger,	Ehrhardt,	Lohr,	Semmens,
Benson,	Ely,	Lowers,	Shaffer, C. A.,
Bergey,	Foster, J. D.,	Malie,	Shaffer, I. E.,
Berntheizel,	Frey,	Mannion,	Sherwood,
Bigger,	Geiser,	Martin,	Showalter,
Bittles,	Good,	Mather,	Smith, J. W.,
Blair, W. A.,	Goss,	McClintock,	Spangler,
Blair, W. F.,	Grabe,	McDermott,	Speiser,
Body,	Haggerty,	McKay,	Spillinger,
Brosius,	Heidinger,	Mellott,	Steedle,
Brown,	Hemminger,	Metzenbacher,	Steele,
Brownlee,	Heyburn,	Mitchell,	Stein,
Burnett,	Hibshman,	Moses,	Stone,
Campbell, C.M.,	Hobbs,	Moulthrop,	Strauss,
Carson,	Howard, R.,	Murphy,	Swartz,
Carter,	Humes,	Musser,	Thomas,
Claycomb,	Isler,	Neel,	Trach,
Cleary,	Irwin, G. C.,	Neely,	Ulman,
Cochran,	Jackson,	Newbaker,	Walnut,
Collins,	Jones, E. E.,	North,	Walton,
Conner,	Jones, J. R.,	Peachey,	Wettach,
Conniff,	Keeport,	Pennock,	Wildman,
Conrade,	Kennedy,	Perry, H. L.,	Wiltbank,
Currier,	Kern,	Piper,	Young, J. H.,
Curry,	Kitts,	Post,	Zimmerman,
Dickinson,	Kuhn, H. P.,	Reese,	Alter,
Donahoe,		Rothenberger,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. HUMES. Mr. Speaker, I ask unanimous consent to call up House Bill No. 1051, file folio 1563, entitled:

An Act making it a misdemeanor for any officer or employe of any of the departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for any pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act

page 21 of yesterday's Calendar, which was postponed last night, for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order.

The House resumed the third reading and consideration of House Bill No. 1051, entitled:

An Act making it a misdemeanor for any officer or employe of any of the department of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitiously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend House Bill 1051, file folio 1563, by inserting before the word "department" in line 5, of section 1, the following: "executive or administrative bureaus or" also insert before the words "boards' in line 6, the following: "or on or under any of the."

Amend the title by inserting before the words "departments" in line 2 the following: "executive or administrative bureaus or."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL INTRODUCED.

Mr. PIPER. Mr. Speaker, I would like to have the unanimous consent to introduce a bill at this time, which was sent to me by one of my constituents too late to present before the expiration of the time limit for presentation of bills.

The title of the bill was read for information.

The SPEAKER. Will the House give unanimous consent? The Chair hears no objection and the Clerk will receive the bill.

RESOLUTION NO. 29.

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent to call up Resolution No. 29, file folio 2637, for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent to the consideration of the resolution at this time? The Chair hears no objection and consent is granted.

The resolution was read by the Clerk as follows:

Whereas, It is important that the assessmnt of real and personal property in the varicus counties of this Commonwealth should be made upon systems which protect the interest of the Commonwealth and which prevent discrimination between individuals and localities,

Therefore Be It Resolved, (if the Senate concur), That the Speaker of the House of Representatives be and he is hereby authorized to appoint five members of the House of Representives and that the President pro tempore of the Senate be and he is hereby authorized to appoint three Senators who together shall constitute a commission whose duty it shall be to investigate between the sessions of the Legislature the varicus systems of assessment of real and personal property in use in this Commonwealth The chairman of said commission shall be elected by the members thereof and all subpoenas issued by said commission shall be signed by him Said commission shall have full power to administer oaths and to compel the attendance of witnesses, the production of books, documents, records and papers as to in its judgment will assist in the performance of its duties Each member of said commission before entering upon his duties shall take and subscribe to the oath prescribed in the Constitution of the Commonwealth for the faithful performance of his duties The commission shall hold such hearings which shall be public at such times and places as it may deem proper. The members of said commission shall serve without compensation, but shall be allowed their actual necessary expenses. It shall have the right to employ such officers and employees as may be needed to enable it to properly perform its duties and the expenditures thereof shall be limited to the amount provided for in the general appropriation bill. Said commission shall make a full and true report in writing of its investigations together with such recommendations and suggestions as it may deem necessary to the next General Assembly of Pennsylvania at its first session in the year one thousand nine hundred and fifteen.

On the question,

Will the House agree to the resolution?

Mr. McCLINTOCK. Mr. Speaker, I offer the following amendment,

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend resolution by adding at the end thereof the following: "The total expenses of the said commission shall not exceed the sum of two thousand dollars ($2,000), which amount shall be appropriated in the general appropriation bill."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. McCLINTOCK. Mr. Speaker. I ask unanimous consent to have the resolution now go over for further consideration.

The SPEAKER. Will the House give its consent? The Chair hears no objection and consent is granted.

BILL ON THIRD READING.

Mr. H. B. DUNN. Mr. Speaker, I ask unanimous consent to call up House Bill No. 113, file folio 303, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixtures thereof"

on page 39 of yesterday's calendar, bills on third reading postponed for the present, for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent? The Chair hears no objection and consent is granted.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 113. entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixtures thereof"

On the question,

Will the House agree to the bill on third reading?

Mr. H. B. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section one by striking out all of the words of the section after the word "retail" in line 6, and inserting instead the following words: "or an employee of the person or corporation so licensed to receive payment from any person for intoxicating liquors furnished or drank by any other person on the premises."

Amend Section two by striking out all of section 2 and inserting instead the following: "Section 2. This Act shall not be construed to prohibit the payment by one person of liquor drank by another in connection with a meal served in the regular dining room of the hotel."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears objections and the amendments are not inserted.

Mr. H. B. DUNN. Mr. Speaker, I move to go into committee of the whole for the purpose of considering the amendments.

Mr. ALLEN. Mr. Speaker, if the gentleman will withdraw his request at this time and bring that request when there is anything like a House here I assure the gentleman that I will have no objections personally and will not interfere because it changes the entire purpose of the bill as the amendments are offered.

The SPEAKER. The Chair would suggest to the gentleman from Huntingdon that this is a very inopportune time to make a motion to go into a committee of the whole. We might find ourselves without a quorum and make it embarrassing to some of the other members.

BILL POSTPONED.

Mr. H. B. DUNN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. SWIFT. Mr. Speaker. I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. NEELY. Mr. Speaker, I move that House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained billboards signs or other advertising devices the increased value of such lands resulting from the use of such premises for advertising

which has just been reported from the Committee on Judiciary Special, be recommitted to the Committee on Municipal Corporations.

Mr. CARTER. Mr. Speaker. I second the motion.

ADJOURNMENT.

Mr. ALLEN. I move the House do now adjourn.

The motion was agreed to and (at 12.10 P. M.) the House adjourned until Monday. March 31, 1913, at 8.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MARCH 31, 1913. No. 40.

SENATE

MONDAY, March 31, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McNICHOLS, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HEACOCK presented petition of citizens of Montgomery County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. CROW presented petition of citizens of Fayette County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HERBST presented petition of citizens of Berks County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. KLINE presented five petitions of citizens of Allegheny County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented petition of citizens of Monroe County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. CROW presented petition of citizens of Fayette County favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HERBST presented petition of citizens of Berks County and petition of Washington Camp, No. 68, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. HUFFMAN presented petition of Washington Camp, No. 483, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. CROW presented petition of citizens of Fayette County favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

Mr. HERBST presented petition of citizens of Berks County and petition of Washington Camp, No. 68. P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

Mr. HUFFMAN presented petition of Washington Camp. No. 483, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The Deputy Secretary of the Commonwealth being introduced presented communication in writing from the Secretary of the Commonwealth, which was laid upon the table.

LEAVES OF ABSENCE.

Mr. McNICHOLS asked and obtained leave of absence for the Senator from Delaware, Mr. Sproul, for the balance of the week, on account of illness.

The CHAIR asked and obtained leave of absence for the Senator from Cambria, Mr. Stineman, on account of illness, and presented communication, which was read as follows:

EDWARD PARDOE, M. D.
South Fork, Pa.

Hon. Daniel P. Gerberich,
President Pro Tem Senate of Penna.,
Harrisburg, Pa.

Dear Sir:—I beg to report that the Hon. J. C. Stineman of South Fork is confined to his home with an attack of facial erysipelas, which will necessitate his absence from your honorable body for some time to come. While he is quite ill we are not alarmed over his condition at present time.

Very sincerely yours,
EDWARD PARDOE.

March, 29th, 1913.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 31.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 27, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 31, entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 63.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 63, entitled "An Act providing for another judge in each of the Courts of Common Pleas of Philadelphia County."

JOHN K. TENER.

NOMINATIONS BY THE GOVERNOR.

Also, communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief

Clerk during the interim, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March, 31, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

A. W. Forsyth, Pittsburgh, April 17, 1913.

BEAVER COUNTY.

J. D. Strock, Beaver Falls, April 24, 1913.

LACKAWANNA COUNTY.

Fred C. Hanyen, Scranton, April 12, 1913.

PHILADELPHIA COUNTY.

Joseph G. Patterson, Jr., Philadelphia, April 13, 1913.
H. H. Sinnamon, Philadelphia, April 29, 1913.

YORK COUNTY.

J. F. Buser, Mount Wolf, April 7, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March, 31, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Mrs. Pearl M. Merit, Pittsburgh.
Anthony T. Pascone, Pittsburgh.
Delmont A. Barbor, East Pittsburgh.
Miss Helen M. Griffin, McKeesport.

BEAVER COUNTY.

R. H. McCaskey, Freedom.

DAUPHIN COUNTY.

Martin A. Brinton, Harrisburg.

PHILADELPHIA COUNTY.

Norman S. Sherwood, Philadelphia.
Harry J. Standring, Philadelphia.
Giorlando Tumolillo, Philadelphia.
Charles P. Ulmer, Philadelphia.
George H. Shevlin, Philadelphia.

WASHINGTON COUNTY.

O. G. Frazier, Donora.

WESTMORELAND COUNTY.

Miss Rose Sarver, Greensburg.

JOHN K. TENER.

BILLS INTRODUCED.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 815, entitled:

An Act providing for the making valid of charters of certain corporations heretofore incorporated for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth

Which was committed to the Committee on Judiciary General.

Mr. POWELL read in his place and presented to the Chair Senate Bill No. 816, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to locate construct maintain and operate a reservoir at or in the vicinity of the head waters of the Youghiogheny River upon lands situate wholly in this State or partly in this State and partly in the State of Maryland for the purpose of controlling and regulating the flow of the said Youghiogheny River and the river or rivers to which it is tributary defining the powers of said Commission for the purpose providing for the payment of damages for property and rights taken in exercise of the right of eminent domain herein conferred and making an appropriation for carrying out the provisions of this act

Which was committed to the Committee on Appropriations.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 817, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintainence and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 818, entitled:

A joint resolution providing for the erection of a monument at Valley Forge in memory of General Stephen Moylan and making an appropriation therefor

Which was committed to the Committee on Appropriations.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 819, entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a Board for the Assessment and Revision of Taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said Board of Collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

Which was committed to the Committee on Judiciary Special.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 820, entitled:

An Act repealing an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" so far as it relates to taxes

Which was committed to the Committee on Judiciary General.

Also, read in his place and presented to the Chair Senate Bill No. 821, entitled:

An Act providing for the payment of the minimum teachers' salaries by the Commonwealth and making an appropriation therefor

Which was committed to the Committee on Education.

Also, read in his place and presented to the Chair Senate Bill No. 822, entitled:

An Act requiring property owners in townships to clean highway from brush and providing for the work to be done by the supervisors in the event of the neglect or failure of the property owners so to do and the manner of collecting the cost of the same and providing for penalties in case of failure

Which was committed to the Committee on Judiciary General.

Also, by request, read in his place and presented to the Chair Senate Bill No. 823, entitled:

An Act authorizing tender of money or judgment in all claims and actions of torts of every kind in relief from liability for costs

Which was committed to the Committee on Judiciary General.

Mr. DEWITT read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act providing for and regulating the taking of land by condemnation proceedings to enlarge certain cemeteries now or hereafter incorporated

Which was committed to the Committee on Judiciary Special.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 825, entitled:

An Act prohibiting fish wardens game wardens and game protectors from hunting and fishing in Pennsylvania

Which was committed to the Committee on Game and Fisheries.

Also, read in his place and presented to the Chair Senate Bill No. 826, entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of Township Supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 827, entitled:

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into cooperative relations with local associations established for the purpose of preventing forest fires

Which was committed to the Committee on Forestry.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 828, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for the certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace

Which was committed to the Committee on Judiciary Special.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 829, entitled:

An Act to establish as a "State Highway" a certain section of road commencing at Gold in Potter county at a point on route numbered one hundred three thence by way of Newfield West Bingham Hicox and Genesee to the New York State line

Which was committed to the Committee on Public Roads and Highways.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 830, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employment by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" as amended

Which was committed to the Committee on Judiciary Special.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the 2d day of April, 1903, entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries," by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries, and repealing certain acts.

Which was committed to the Committee on Judiciary Special.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 832, entitled:

An Act regulating the number and election of members of borough councils.

Which was committed to the Committee on Judiciary Special.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 735, as follows:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities and boroughs in their corporate capacity are hereby authorized and empowered to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CROW. Mr. President, on behalf of the Senator from Luzerne, Mr. Catlin, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. VARE. Mr. President. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 256, as follows:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act no person firm or corporate body shall manufacture for sale offer for sale or expose for sale or have in his her his or their possession with intent to sell or deliver any vinegar not in compliance with the provisions of this act

Section 2 The word "vinegar" as used herein is limited to a water solution of acetic acid derived by the alcoholic and subsequent acetous fermentation of fruits grain vegetables sugar or syrups and if not distilled must carry in solution the extractive matter derived solely from the substances indicated on the label as its source

Section 3 No vinegar shall be sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice The term "cider vinegar" as used herein shall be construed to mean vinegar derived by the alcoholic and subsequent acetous fermentation of the juice of clean sound whole apples or clean sound evaporated apple products the acidity solids and ash of which have been derived exclusively from apples and which contains not less than four per centum of absolute acetic acid Not less than one and sixty one-hundredths grams total solids per one hundred cubic centmeters Not less than one and forty one-hundredths grams non-sugar solids per one hundred cubic centimeters not less than twenty-five one hundredths grams of ash per one hundred cubic centimeters not more than fifty per centum of sugars in solids not less than ten milligrams phosphoric acids soluble in water in one hundred cubic centimeters of the vinegar not less than thirty cubic centimeters of tenth normal acid required for neutralization of the akalinity of ash of one hundred cubic centimeters Apple or cider vinegar which during the course of manufacture has developed in excess of four per centum acetic acid may be reduced to a strength of not less than four

per centum and cider vinegar so reduced shall not be regarded as adulterated provided it is branded "reduced with water" Every manufacturer or producer of either cider vinegar shall plainly brand on the head of the cask barrel or keg or other container of such vinegar his name place or business and the words "cider vinegar" and no person shall mark or brand as cider vinegar any package containing that which is not cider vinegar Any vinegar sold or offered for sale shall be marked or branded plainly upon the package from which it is sold in the manner to show its true character and source

Section 4 All sugar vinegar sold or exposed for sale as such shall be strictly and distinctly fermented from sucrose

Section 5 No vinegar shall be sold or exposed for sale as malt vinegar which it not fermented strictly and distinctly from barley malt

Section 6 No vinegar shall be sold or exposed for sale in which foreign substances drugs or acids shall have been introduced No vinegar shall contain any artificial coloring matter and all vinegar shall have an acidity of not less than four per centum by weight of absolute acetic acid If vinegar contains any artificial matter or less than the required amount of acidity it shall be deemed to be adulterated

Section 7 All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded "fermented" vinegar with the name of the fruit or substance from which such vinegar has been made

Section 8 All vinegar made by acteous fermentation of dilute distilled alcohol shall be branded "distilled" vinegar

Section 9 Every person firm or corporate body who shall violate any of the provisions of this act shall for every such offense forfeit and pay not less than fifty dolllars nor more than one hundred dollars which shall be recoverable with costs including expense of inspection and analysis by any person suing in the name of the Commonwealth as debts of like amount are by law recoverable Provided That the Department of Agriculture through its officers known as the Dairy and Food Commisisoner together with deputies agents and assistants shall be charged with the enforcement of this act and shall have full access to all places of business factories mills buildings carriages cars vessels barrels tanks and packages of whatever kind used in the manufacture and transportation and sale of any vinegar or of any adulteration or imitation thereof or any package in which vinegar is mixed with articles of food They shall also have power and authority to open any package barrel or vessel containing any vinegar or any adulteration or imitation thereof which may be manufactured sold or exposed for sale and they shall have full power and authority to take the samples thereform for analysis upon tendering the value of said samples And all charges accounts and expenses of the Department for the enforcement of this act through the said Commissioner and his deputies agents assistants chemists and council employed by him in carrying out the provisions of this act shall be paid by the Treasrer of the State in the same manner as other accounts and expenses of the said department are paid And all penalties and costs for the violation of the previsions of this act shall be paid to the said Dairy and Food Commssioner or his agents and by him immediately recovered into the State Treasury to be kept at a fund for the use of the Department and to be drawn out upon the warrant signed by the Secretary of Agriculture and the Auditor-General

Section 10 Every person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars and a fine of one hundred dollars for every subsequent offense Provided That all fines and costs including the expenses of inspection and analysis imposed under this section shall be covered into the State Treasury as provided by section nine of this act and all vinegar sold or offered for sale in violation of the provisions of this act shall be subject to forfetiure and spoilation

Section 11 Magistrates and justices of the peace throughout this Commonwealth shall have jurisdiction to hear and determine actions arising for violations of the provisions of this act and to hold for court or impose the penalties provided herein subject to appeal as the law shall direct

Section 12 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16.

Alexander,	Crow,	Jarrett,	Sensenich,
Beidleman,	Endsley,	Jones,	Thompson,
Buckman,	Fisher,	Kline,	Vare,
Cooper,	Hoke,	McNichols,	Gerberich, Pres. pro tem.

NAYS—20.

Clark,	Hall,	Judson,	Morgan,
DeWitt,	Heacock,	Kurtz,	Nulty,
Farley,	Herbst,	Martin,	Sheatz,
Graff,	Hilton,	Miller,	Sones,
Gyger,	Huffman,	Mills,	Wasbers,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 334 (House bill No. 236), as follows:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcements of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "mattress" as used in this act shall be construed to mean any quilted pad mattress mattress pad bunk quilt or cushion stuffed or filled with wool hair or other soft material except feathers to be used on a couch or other bed for sleeping or reclining purposes

(2) The term "person" as used in this act shall be construed to include all individuals and all firms or co-partnerships

(3) The term "corporation" as used in this act shall be construed to include all corporations companies associations and joint stock associations or companies

(4) Whenever the singular is used in this act it shall be construed to include the plural whenever the masculine gender is used in this act it shall include the feminine and neuter genders

Prohibitions Upon the Making and Sale of Mattresses

Section 2 1 No person or corporation by himself or by his agents servants or employes shall employ or use in the making remaking or renovating of any mattress

(a) Any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease or for or about any person having any infections or contagious disease

(b) Any material known as "shoddy" and made in whole or in part from old or worn clothing carpets or other fabric or material previously used or any other fabric or material from which shoddy is construed

(c) Any material not otherwise prohibited by this act of which prior use has been made unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Health of this Commonwealth

2 No person or corporation by himself or by his agents serservants or employes shall directly or indirectly at wholesale or have in his possession with intent to sell deliver or consign any mattress made remade or renovated in violation of subsection one of this section

Descriptive Statements Upon Mattresses

Section 3 No person or corporation by himself or his agents scervants or employes shall directly or indirectliy at wholesale or retail or otnerwise sell offer for sale deliver or consign or have in his possession with intent to sell deliver or consign any mattress that shall not have plainly and indellibly written or printed thereon or upon a muslin or linen tag securely sewed to the covering thereof a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress and whether the same are in whole or in part new or old or second-hand and the name and address of the manufacturer or vendor thereof or both

When Description as Felt May Be made

Section 4 It shall be unlawful to use in the said statement concerning any mattress the word "Felt" or words of like import if there has been used in filing said mattress any materials which are not felted and filled in layers unless the said statement shall plainly set forth all the different materials so used

Misleading Description Prohibited

Section 5 It shall be unlawful to use in any way the description in the said statement any misleading term or designation or term or term or designation likely to mislead

Form of Statement

Section 6 The statement required under section three of this act shall be the following form

Materials Used in Filling

.....
.....
Made by .....
Address .....
Vendor .....
Address .....
This article is made in compliance with the act of Assembly of Pennsylvania approved the ..... day of ..... one thousand nine hundred and thirteen

Removal of Description

Section 7 Any person who shall remove deface alter or in any manner attempt the same or shall cause to be removed defaced or altered any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act

Separate Offenses

Section 8 The unit for a separate and distinct offense in violation of this act shall be each and every mattress made remade renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof

Penalties

Section 9 Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before a magistrate or justice of the peace shall be punished by a fine of not less than twenty-five dollars and not more than fifty dollars for each offense

Duties of Commissioner of Health

Section 10 Within sixty days after any process of sterlization and disinfection shall have been submitted to the Commissioner of Health of this Commonwealth under sub-section one (c) of section two of this act the said Commissioner shall approve or disapprove the same and if he disapproves shall state his reasons therefor

Duties of Chief Factory Inspector

Section 11 All places where mattresses are made remade or renovated or materials for mattresses prepared or where mattresses are offered for sale or are in the possession of any person or corporation with intent to sell deliver or consign them shall be subject to inspection by the Chief Factory Inspector whose duty it shall be in case he has reason to believe any person or corporation is violating this act to prosecute such person or corporation therefor

Information by Individuals Enforcement by Individuals

Section 12 Any individual who has reason to believe that this act has been or is being violated may present the relevant facts to the Chief Factory Inspector or any of his deputies in which case it shall be the duty of the Chief Factory Inspector to make an investigation of such facts as on his own initiative and if he is of opinion that the act has been or is being violated to prosecute the person or corporation guilty thereof

Any individual may institute proceedings to enforce this act and to punish violations of its provisions

Repeal

Section 13 All acts or parts of acts inconsistent herewith are hereby repealed

Time in Effect

Section 14 This act shall take effect the first day of January Anno Domini one thousand nine hundred and fourteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Hall,	Knapp,	Powell,
Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Herbst,	Martin,	Sensenich,
Clark,	Hilton,	McIlhenny,	Sheatz,
Cooper,	Hoke,	McNichol,	Sones,
Crow,	Huffman,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Mills,	Washers,
Farley,	Jones,	Moore,	Gerberich,
Fisher,	Judson,	Morgan,	Pres. pro tem.
Graff,	Kline,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section one of an act entitled " A supplement to an act of Asesmbly of the Commonwealth of Pennsylvania entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely February sixteen one thousand eight hundred seventy-four May twenty-four one thousand eight hundred eighty-one May twenty-nine one thousand eight hundred eighty-five June eleven one thousand eight hundred and eighty-five June twenty-five one thousand eight hundred eighty-five May nine one thousand eight hundred eighty-nine May twenty-nine one thousand eight hundred ninety-five June twenty-six one thousand eight hundred ninety-five June twenty-seven one thousand eight hundred ninety-five May two one thousand nine hundred one June four one thousand nine hundred one April twenty-one one thousand nine hundred three April seventeen one thousand nine hundred five iteralia providing for the establishment and regulation of trust companies" approved the eighth day of May one thousand nine hundred seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or off certificates of deposit issued by a trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Martin,	Sensenich,
Cooper,	Hilton,	McIlhenny,	Sheatz,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Vare,
Farley,	Jarrett,	Mills,	Washers,
Fisher,	Jones,	Moore,	Gerberich,
Graff,	Judson,	Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 636, entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred one Pamphlet Laws six hundred thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr .HOKE. Mr. President, I ask unanimous consent to amend section 1, line 11, by inserting before the word "that" the word and figure "Section 1;" also in line 21 by inserting before the word "that" the word and figure "Section 1."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amened be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Fisher,	Judson,	Nulty,
Beidleman,	Graff,	Kline,	Powell,
Buckman,	Hall,	Martin,	Sones,
Cooper,	Hilton,	McNichols,	Thompson,
Crow,	Hoke,	Miller,	Washers,
DeWitt,	Huffman,	Mills,	Gerberich,
Endsley,	Hunter,	Moore,	Pres. pro tem.
Farley,	Jarrett,	Morgan,	

NAYS—1.

Herbst,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 659, entitled:

An Act enabling the board consisting of State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction or record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteen one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Fisher,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Martin,	Sones,
Crow,	Hilton,	McNichol,	Stineman,
DeWitt,	Hoke,	McNichols,	Wasbers,
Endsley,	Huffman,	Miller,	Gerberich,
Farley,	Hunter,	Mills,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 696, entitled:

An Act regulating the employment of attorneys and other legal counsel to represent this Commonwealth or any department or bureau or branch thereof or any committee or commission authorized by law.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, by request of the Senator from Schuylkill, Mr. Snyder, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. POWELL. Mr. President, that motion not being seconded, I move that the bill be recommitted to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President I second the motion of the Senator from Fayette, Mr. Crow.

Mr. CROW. Mr. President, I would say for the information of the Senator from Allegheny, Mr. Powell, that Senator Snyder is detained at home on account of sickness, and it seems to me that this is a mere matter of courtesy to him, and inasmuch as it is his request I would ask the members of the Senate to vote for the motion to postpone.

Mr. POWELL. Mr. President, this bill should properly be entitled a bill to authorize the Attorney General to appoint everybody, and we consented to its going over in its order last Wednesday when Senator Snyder was outside of the door by about a foot and a half and was in by about fifty-six seconds after we consented to it going over in its order. It does seem to me that we ought to have some information on this bill and something ought to be done on it one way or the other. If we are going to get a postponed calendar here directly of fifteen or twenty bills or maybe fifty or sixty that simply means that any one who is interested in any one of these bills has to be here every minute of the time, and it does seem to me that the bill either ought to be on the calendar and acted upon or off the calendar, and I am very much interested that the bill do not go on the postponed calendar. Let us act on the bill one way or another. Senator Snyder was here on Wednesday last week, and we consented that the bill go over in its order, and it ought to go to the proper Committee and it being concerned with lawyers it ought to go to the Committee on Judiciary General and I move to amend the motion to place it on the postponed calendar by amending that the bill be referred to the Committee on Judiciary General for the purpose of amendment.

Mr. KNAPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion to amend?

Mr. HERBST. Mr. President I am certainly opposed to the bill, per se, but there has been always a good deal of senatorial courtesy and if Senator Snyder is home sick I do not think this amendment should carry. I shall vote against the bill whenever or at any time that it comes up but under these circumstances I think the motion of the Senator from Fayette, Mr. Crow, should prevail and the amendment should not prevail. It is merely a matter that there is no use trying to hit a man that is down. The Senate has never been in the habit of doing that. I think the bill is a bad one. I don't like it at all, but I think under the circumstances the postponed calendar is really a short one and this bill can never come up again until the Senator is here to call it up, and I think there will always be somebody on guard to watch him when he shall come I therefor hope the amendment will not prevail and the original motion will.

Mr. POWELL. Mr. President. senatorial courtesy is the last thing for any of us to violate, but it seems to me that senatorial courtesy would have required from Senator Snyder that he call this bill up himself, or dispose of the motion when he was in here before the next bill was acted upon, and if we are going to allow senatorial courtesy to clutter our calendar up with bills which everybody admits are bad, merely because a member of the Senate is not here at the time it comes up on third reading then that is to provide that anybody who is absent for any reason may introduce in this Senate any vicious bill and put it on third reading and then be absent, and out of courtesy ask us to put it on the postponed calendar where it is always a potential vicious bill at least. If this bill is vicious there is but one thing to do with it, that is, dispose of it. I have talked this matter over with Senator Snyder. I would have made this motion if I had then known Senator Snyder was going to be absent to-night, but the arrangement was to come up one way or the other. Senator Snyder talked to me and I consented to have the bill go over. I told him I was against the bill and he at first told me the bill was only a "fun" bill, proposed in fun and no one took it seriously except myself and I said "I have gotten into the habit of taking all bills seriously when they are on the third reading calendar and I hope the other Senators get into the same habit. There is but one thing to do upon this bill and that is, act upon it now and refer it to the proper committee and get it off the calendar.

Mr. CROW. Mr. President, I have no personal interest whatever in this bill. My views of the merits of the bill are about the same as those of the Senator from Berks, but if a member of the Senate is not entitled to the protection that we have asked for Senator Snyder under these circumstances, then none of us will be safe. If I have legislation upon this calendar and members of the Senate would not extend me enough courtesy to allow me to be present when it is considered on final passage. I would regard myself as better off at home than here. I have no personal interest in this matter. I am asking this as a courtesy to a member of this Senate and I think it is a very small courtesy to grant under the circumstances and certainly hope the motion and not the amendment will prevail.

Mr. POWWELL. Mr. President, that this may not go any further I will call this matter to the attention of all the members who have spoken to-day to-morrow when I ask that woman suffrage be put on the postponed calendar on account of the absence of Senator Stineman and some others. I withdrew my motion.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 713, entitled:

An Act providing for the appointment of district attorneys when vacancies occur.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gyger,	Knapp,	Salus,
Beidleman,	Hall,	Martin,	Sensenich,
Clark,	Heacock,	McIlhenny,	Sheatz,
Cooper,	Herbst,	McNichol,	Sones,
Crow,	Hilton,	McNichols,	Thompson,
DeWitt,	Hoke,	Mills,	Vare,
Endsley,	Hunter,	Moore,	Wasbers,
Farley,	Jarrett,	Morgan,	Gerberich,
Fisher,	Jones,	Nulty,	Pres. pro tem.
Graff,	Judson,	Powell,	

NAYS—1.

Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 231 (House Bill No. 185), entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 284, as follows:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State hospital for criminal insane

Whereas, By deed of indenture dated the nineteenth day of February Anno Domini one thousand nine hundred and seven the Delaware and Hudson Company Conveyed to the Commonwealth of Pennsylvania for a nominal consideration certain pieces or parcels of land situate partly in the township of Canaan and partly in the borough of Waymart county of Wayne and State of Pennsylvania said lands being intended to be used for the erection of a State hospital for the criminal insane and upon which said hospital has since been erected and

Whereas, Since the erection of the said hospital the said Delaware and Hudson Company has located a station upon its railroad abutting upon the said described land principally for the use of said hospital and at a point designated by the trustees of the said hospital as most convenient for its use and

Whereas, The said railroad station so located and the approaches thereto require the occupancy of the land hereinafter described therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby granted to the Delaware and Hudson Company its sucessors and assigns the right to occupy and use with its railroad station buildings and the approaches thereto the following described piece or parcel of land situate in the township of Canaan county of Wayne bounded and described as follows to wit

Beginning at a point in the southeasterly right of way line of the Honesdale Branch of the party of the second part hereto said point being distant southeasterly forty (40) feet measured at right angles from the center line of said Honesdale Branch and distant on a course north twenty degrees and forty-eight minutes east (N 20 degrees 48 minutes E) thirty-five and eighth-tenths (35.8) feet from the northeast corner of the passenger station the said point being also in the center of the old Milford and Owego turnpike thence along the center of said turnpike south fifty-four degrees and fifty-three minutes (S 54 degrees 53 minutes E) one hundred and one and nine-tenths (101.9) feet or thereabout to a point distant southeasterly one hundred and forty (140) feet measured at right angles from the said center line thence southwesterly by a line parallel with said center line three hundred and seventy (370) feet thence southwesterly by a straight line one hundred and eighty-six and eight-tenths (186.8) feet to a point on the aforesaid southeasterly right of way line distant southeasterly forty (40) feet measured at right angles from said center line thence northeasterly along said right of way line parallel with said center line five hundred and two (502) feet or thereabout to the place of beginning containing one acre of land more or less and being a portion of the second parcel described in a deed from the Delaware and Hudson Company to the Commonwealth of Pennsylvania dated February nineteenth one thousand nine hundred and seven

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 351 (House Bill No. 181), as follows:

An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrfist trusts or otherwise

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" approved the fifth day of March one thousnad nine hundred and seven which now reads as follows

"Section 2 The information proceedings thereon and warrant shall be returned to the next court of quarter sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of such sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith" be and the same is hereby amended to read as follows

Section 2 The information proceedings thereon and warrant shall be returned to the next court of quarter sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of such sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the compliance with the said order the court may issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise Where an attachment execution is issued the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, as follows:

An Act granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

Whereas By deed of indenture dated the nineteenth day of February Anno Domini one thousand nine hundred seven the Delaware and Hudson Company conveyed to the Commonwealth of Pennsylvania for a consideration of five dollars ($5.00) certain pieces or parcels of land situate partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne and State of Pennsylvania which are in said deed duly recorded in the county of Wayne fully described the said lands being intended to be used for the erection of a State hospital for the criminal insane and upon which such hospital has since been erected and

Whereas, In making the said conveyance the said the Delaware and Hudson Company expressed a desire to retain the use

of certain telegraph lines and water rights in and upon the said lands but refrained from excepting and reserving the same in the deed and

Whereas, The said the Delaware and Hudson Company by deed dated the twenty-ninth day of May Anno Domini one thousand nine hundred twelve conveyed to the Commonwealth of Pennsylvania for a consideration of five dollars ($5.00) certain other lands adjoining and contiguous to the lands previously conveyed as aforesaid which said deed contained the following provision

"A part of the consideration for the foregoing conveyance and by the acceptance thereof the said Commonwealth of Pennsylvania agrees to grant and hereby grants to the Delaware and Hudson Company its successors and assigns the rights to operate and maintain a line of telegraph poles and wires over and across the lands described in and conveyed by deed dated February nineteenth one thousand nine hundred and seven from The Delaware and Hudson Company to the Commonwealth of Pennsylvania for certain lands in the township of Canaan and borough of Waymart County of Wayne and State of Pennsylvania and duly recorded with the right to enter said lands for the purpose of inspecting repairing and renewing the said line from time to time as may be necessary and also agrees to grant and hereby grants to the said The Delaware and Hudson Company its successors and assigns the right to use and maintain the water pipe line extending from a certain large spring onl the westerly end of the first parcel of land in the said deed described to the locomotive water tank near the northeasterly end thereof and the privilege of taking and using by and through said pipe line and equal quantity of water from said spring to that which has heretofore been used and required by the said Delaware and Hudson Company before any water shall be taken therefrom by any person for any other purpose together with the right at any and all times to enter upon said described parcel of land for the purpose of repairing maintaining and renewing the said spring and water pipe line and in the event that the said Commonwealth of Pennsylvania does not within two (2) years from the date hereof by appropriate legislation or otherwise formaly grant or confirm such rights as aforesaid to the Delaware and Hudson Company its successors and assigns all and singular the right title and interest acquired by the party of the second part hereto under this conveyance shall thereupon terminate and the hereby conveyed premises shall at the option of the party of the first part its successors and assigns revert to it and it shall have the unrestricted right thenceforth to take and hold possession thereof or to dispose of the same at its discretion" therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby granted to The Delaware and Hudson Company its successors and assigns the right to operate and maintain the line of telegraph poles and wires over and across the lands described in the deed aforesaid which is now located and has heretofore been operated thereon partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne with the right to enter upon said lands for the purpose of inspecting repairing and renewing the said line from time to time as may be necessary and there is also granted to the said The Delaware and Hudson Company its successors and assigns the right to use and maintain the present water pipe line extending from a certain large spring on the westerly end of the first parcel of land in the said deed described to the locomotive water tank near the southeasterly end thereof and the privilege of taking and using by and through the said pipe line and equal quantity of water from said spring to that which is now and has heretofore been used and required by the said Company before any water shall be taken therefrom by any person or for any other purpose together with the right at any and all times to enter upon said described parcel of land for the purpose of repairing maintaining and renewing said spring and water pipe line

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 433, as follows:

An Act establishing a Commission of Water Works in boroughs of this Commonwealth providing for the appointment of commisisoners of Water Works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a Commission of Water Works to be composed of five citizens of said borough who shall be known as Commissioners of Water Works

Section 2 Any borough within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of Commissioners of Water Works

Section 3 It shall be the duty of the judges of the Court of Common Pleas upon the application of any borough as aforesaid to appoint such Commisisoners of Water Works one of whom shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and annually thereafter the judges of said court shall appoint one citizen to serve as Commissioner of Water Works for a term of five years in the case of a vacancy the said court shall fill the same for the unexpired term thereof Such Commissioners of Water Work shall not receive any salary for their services but shall be paid all such sums necessarily expended in the performance of their duty

Section 4 It shall be the duty of the Commissioners of Water Works in each borough of the Commonwealth where a commisison of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough and if said commisioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the Court of Common Pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to views land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough within this Commonwealth may upon the request of the Commissioners of Water Works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the forms and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied to a detailed statement of the work done and materials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purpose for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough and the penalties imposed thereby shall be collected in the same manner as penalties imposed by borough ordinances are now by law collected

Section 11 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provisions of this act the councils of such boroughs and the commisioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the Court of Common Pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

Section 12 All acts and parts of acts local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough until the authorities thereof shall by appropriate ordinance accept the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 464, entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thouhand nine hundred and eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred and eleven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the fees to be received by the several prothonotaries of the courts of common pleas to this Commonwealth in counties having a population of over two hundred thousand and under one million shall be as follows

"Issuing writ of summons in ejectment docketing same and entering return of service but not more than three names one dollar and fifty cents

"Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment index not more than three parties or more than one description three dollars

"Entering and docketing amicable ejectment including entering judgment theron and indexing in ejectment docket not more than three names or more than one description four dollars

"Issuing writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description three dollars

"Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents

"Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars

"Alias summons or capias one dollar and fifty cents

"Alias summons in ejectment two dollars

"Issuing and docketing atachment execution or mandamus execution or alias atachment execution or alias mandamus execution not more than three names two dollars

"Entering amicable action filing papers and docket entries not more than three names three dollars

"Isuing every writ of certiorari docketing same services at court and entering judgment thereon not more than three names three dollars

"Issuing writ of replevin docketing entering return of service filing bond and declaration three dollars

"Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents

"Each additional name twenty-five cents

"Each additional description fifty cents

"Stationary fifty cents

"Filing and docketing appearance statement declaration affidavit of defense demurer pleas or any other paper in an action pending twenty-five cents

"Placing case upon issue list to be paid by the county each twenty-five cents

"Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents

"Suggesting death of a party diminution record or amending record fifty cents

"Framing an issue in any action one dollars

"Entering motions twenty-five cents

"Entering order of court in any action pending twenty-five cents

"Filing praecipe for jury trial list twenty-five cents

"Placing case upon the argument list twenty-five cents

"All services during the trial of a cause including swearing of jury and witnesses two dollars

"Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents

"Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents

"Each additional name twenty-five cents

"Entering rule of reference appointment of arbitrators and service incident thereto two dollars

"Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar

"Each additional name twenty-five cents

"Filing and docketing appeal from award of arbitrators one dollar

"Entering discontinuance of suit one dollar

"Every suit ended before issue joined or before jury trial two dollars

"Entering judgment on bonds and warrant of attorney upon confession by defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar

"Each additional name twenty-five cents

"Entering satisfaction of judgment thirty cents

"Entry of assignment or release of lien or judgment each property fifty cents

"Attestation twenty-five cents

"Reporting list of judgments assignments and satisfactions entered to be paid by the county each twenty-five cents

"Filing and entering appointments made by the court to be paid by the county two dollars and fifty cents

"Certificates of appointment to be paid by the county each fifty cents

"Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents

"Adoption including decree certificate thereof and all docket entries two dallars and fifty cents

"Filing and entering appeal from report of auditors two dollars and fifty cents

"Filing and entering county controller's report to be paid by the county two dollars and fifty cents

"Bail-piece one dollar and fifty cents

"Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger copartnership or dissolution of partnership two dollars and fifty cents

"Certificate under seal fifty cents

"Entering docketing and making return of certiorari to supreme or superior court filing bond and filing and docketing remittitur therefrom five dollars

"Commission to take testimony entering return and notifying each party of return of commission one dollar and fifty cents

"Citation and seal and motion therefor one dollars and fifty cents

"Writ of habeas corpus and all proceedings to be paid by the county two dollars

"Filing and docketing orders of the ocurt to be paid by the courty each two dollars and fifty cents

"Petition for divorce order thereon and subpoena in divoice including docketing same four dollars

"Receiving disbursing and accounting for deposit in divorce one dollars

"Alias subpoena in divorce one dollar

"Application for maintenance or alimony one dollars

"Filing and docketing rule for final decree one dollar

"Filing and docketing motions and rules and other pleadings in divorce each fifty cents

"Entering decree in minute book docket and indexing in index docket one dollar

"Certificate of divorce under seal two dollars

"Filing and docketing municipal or tax lien each two dollars

"Filing election returns and all proceedings thereon to be paid by the county each district three dollars

"Entering indexing and docketing judgments against tax collectors to be paid by the county each one dollar and fifty cents

"Entering and docketing exemplication of record not more than three names one dollar and fifty cents

"Each additonal name twenty-five cents

"Exemplified record per hundred words twenty-five cents minimum fee two dollars

"Entering and filing mechanics lien one description and not more than three names two dollars and fifty cents

"Entering and filing stipulation against liens two dollars

"Entering and filing building agreement one description not more than three names two dollars and fifty cents

"Each additional name twenty-five cents

"Each additional description fifty cents

"Transcribing same in full per one hundred words twenty-five cents

"Drawing special jury striking same and copies for parties seventy-five cents

"Certificate for pay for jurors each juror to be paid by the county fifty cents

"Rules for interrogatories and entering return of service each garnishee one dollars

"Reporting election of justices of the peace to the Secretary of the Commonwealth to be paid by the county each fifty cents

"Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents

"Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in re habitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon each two dollars and fifty cents

"Issuing commission in lunacy and entering return one dollar

"Writ to sheriff in lunacy one dollar

"Entering confirmation of inquisition and appointment of committee in lunacy one dollar

"All services on sale of lunatic's habitual drunkard's estate including filing account of committee two dollars and fifty cents

"Filing each subsequent account one dollars

"Filing and docketing other documents in said proceedings each twenty-five cents

"Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents

"Isuing attachment for contempt and motion therefore to be paid by the county each one dollar

"Certificate of notary public twenity-five cents

"Administering oath other than on the trial of a case twenty-five cents

"Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars

"Each additional description fifty cents

"Each additional name twenty-five cents

"Filing power of attorney twenty-five cents

"Reporting to Secretary of Commonwealth copies of election returns for each person or party returned to be paid by the county fifty cents

"Issuing every writ alias or pluries writ of fieri facias one dollar

"Issuing every writ alias or pluries writ of venditioni exponas levari facias habere facias capias ad satisfaciendum one description one dollar

"Each additional description fifty cents

"Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars

"Entering revival of judgment by agreement two dollars

"Entering testatum fi fa ca sa or vend ex one dollar

"Issuing testatum fi fa ca sa or vend ex one dollar

"Filing and docketing petition for a sheriff's interpleader including orders of court thereon two dollars and fifty cents

"Entering transcript of judgment or appeal from justice of the peace magistrate including docket entries one dollars and twenty-five cents

"Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

"Entering appointments of guardian ad litem fifty cents

"Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents

"Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars

"Proclamation one dollar and fifty cents

"Registration of student-at-law physician veterinarian or dentist one dollar

"Taxing bill of costs twenty-five cents

"Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents

"Re-taxing bill of costs each hour one dollar

"Taking testimony thereon per one hundred words twenty-five cents

"Taking a recognizance twenty-five cents

"Entering a rule to take depositions fifty cents

"Issuing a subpoena under seal thirty cents

"Registration of stallion one dollar

"Statement twenty-five cents

"Making search for liens in judgment docket index for five years last past one dollar

"Making search in any other docket for five years last past each twenty-five cents

"Each reference found ten cents

"Each reference cited twenty cents

"Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto two dollars and fifty cents

"Filing and docketing suggestions sur municipal lien one dollar

"Services of each minute or court clerk during sessions of court to be paid by the county each day four dollars

"Receiving and distributing money paid into court for each dollar under five hundred dollars two cents

"For each dollar exceeding five hundred dollars one cent

"Recording any document required by law to be recorded per one hundred words twenty-five cents

"Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-five cents

"Filing and docketing account or report of assignee auditors trustee committee sequestrator master or examiner two dollars and fifty cents

"Transcribing report per one hundred words twenty-five cents

"Filing docketing and all proceedings in assignments for the benefit of creditors up to and including bond and justification of assignee and surety five dollars

"Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents

"Issuing and docketing order of sale in partition one dollar and fifty cents

"Filing and docketing exemplification of judgment from another county one dollar and fifty cents

"Indexing suit against a decedent's estate twenty-five cents

"Filing and indexing sheriff's certificate of attachment upon real estate one dollar

"Certificate to exemplification of record under act of Congress one dollar

"Entering transcript from the Orphans' court of amount due by executors administrators or guardians each entry two dollars

"Entry of precept from the Orphans' court two dollars and fifty cents

"Each entry upon locality index twenty-five cents

"Filing and docketing any petition not herein provided for two dollars and fifty cents

"Filing and docketing bill in equity rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents

"Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three plaintiffs three dollars and fifty cents

"Each additional defendant fifty cents

"Entering appearance filing answer demurrer replication twenty-five cents

"Entering any order of court minimum fifty cents

"Entering judgment one dollar

"Entering serving and returning decree nisi three dollars

"Filing any paper not above specified twenty-five cents

"The fee for services not herein specially provided for shall be the same as for similar services and provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be received by the several prothonotaries of the courts of Common Pleas of the Commonwealth in counties having a population of over one hundred fifty thousand and under one million shall be as follows

Issuing every writ of summons or capias docketing same and entering return of service but not more than three names one dollar and fifty cents

Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment index not more than three parties or more than one description three dollars

Entering and docketing amicable ejectment including entering judgment thereon and indexing in ejectment docket not more than three names or more than one description four dollars

Issuing writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description three dollars

Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents

Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars

Alias summons or capias one dollar and fifty cents

Alias summons in ejectment two dollars

Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names two dollars

Entering amicable action filing papers and docket entries not more than three names three dollars

Issuing every writ of certiorari docketing same services at court and entering judgment thereon not more than three names three dollars

Issuing writ of replevin docketing entering return of service filing bond and declaration three dolars

Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents

Each aditional name twenty-five cents

Each additional description fifty cents

Stationery fifty cents

Filing and docketing appearance statement declaration affidavit of defense demurrer pleas or any other paper in an action pending twenty-five cents

Placing case upon issue list to be paid by the county each twenty-five cents

Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents

Suggesting death of a party diminution record or amending record fifty cents

Framing an issue in any action one dollar

Entering motions twenty-five cents

Entering order of court in any action pending twenty-five cents

Filing pracipe for jury trial list twenty-five cents

Placing case upon the argument list twenty-five cents

All services during the trial of a cause including swearing of jury and witnesses two dollars

Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents

Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents

Each additional name twenty-five cents

Entering rule of reference appointment of arbitrators and service incident thereto two dollars

Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar

Each additional name twenty-five cents

Filing and docketing appeal from award of arbitrators one dollar

Entering discontinuance of suit one dollar

Every suit ended before issue joined or before jury trial two dollars

Entering judgment on bond and warrant upon bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar

Each additional name twenty-five cents

Entry of assignment or release of lien or judgment each property fifty cents

Attestation twenty-five cents

Reporting list of judgments asignments and satisfaction entering to be paid by the county each twenty-five cents

Filing and entering appointments made by the court to be paid by the county two dollars and fifty cents

Certificates of appointment to be paid by the county each fifty cents

Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents

Adoption including decree certificate thereof and all docket entries two dollars and fifty cents

Filing and entering appeal from report of auditors two dollars and fifty cents

Filing and entering county controller's report to be paid by the county two dollars and fifty cents

Bail-piece one dollar and fifty cents

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger co-partnership or dissolution of partnership two dollars and fifty cents

Certificate under seal fifty cents

Entering docketing and making return or certiorari to Supreme or Superior Court filing bond and filing and docketing remittitur therefrom five dollars

Commission to take testimony entering return and notifying each party of return of commission one dollar and fifty cents

Citation and seal and motion therefor one dollar and fifty cents

Writ of habeas corpus and all proceedings to be paid by the county two dollars

Filing and docketing orders of the court to be paid by the county each two dollars and fifty cents

Petition for divorce order thereon and subpoena in divorce including docketing same four dollars

Receiving disbursing and accounting for deposit in divorce one dollar

Alias subpoena in divorce one dollar

Application for maintenance or alimony one dollar

Filing and docketing rule for final decree one dollar

Filing and docketing motions and rules and other pleadings in divorce each fifty cents

Entering decree in minute book docket and indexing in index docket one dollar

Certificate of divorce under seal two dollars

Filing and docketing municipal or tax liens each two dollars

Filing election returns and all proveeding thereon to be paid by the county each district three dollars

Entering indexing and docketing judgment against tax collectors to be paid by the county each one dollars and fifty cents

Entering and docketing exemplification of record not more than three names one dollar and fifty cents

Each additional name twenty-five cents

Exemplified record per hundred words twenty-five cents minimum fee two dollars

Entering and filing mechanic's lien one description and not more than three names two dollars and fifty cents

Entering and filing stipulation against liens two dollars

Entering and filing building agreement one description not more than three names two dollars and fifty cents

Each additional name twenty-five cents

Each additional description fifty cents

Transcribing same in full per one hundred words twenty-five cents

Drawing special jury striking same and copies for parties seventy-five cents

Certificate for pay for jurors each juror to be paid by the county fifty cents

Rule for interrogatories and entering return of service each garnishee one dollar

Reporting election of justices of the peace to the Secretary of the Commonwealth to be paid by the county each fifty cents

Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents

Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in rehibitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with and proceedings including order of court thereon each two dollars and fifty cents

Issuing commission in lunacy and entering return one dollar

Writ to sheriff in lunacy one dollar

Entering confirmation of inquisition and appointment of committee in lunacy one dolllar

All services on sale of lunatic's habitual drunkard's estate including filing account of committee two dollars and fifty cents

Filing each subsequent account one dollars

Filing and docketing other documents in said proceedings each twenty-five cents

Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents

Issuing attachment for contempt and motion therefor to be paid by the county each one dollar

Certificate of notary public twenty-five cents

Administering oath other than on the trial of a case twenty-five cents

Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars

Each additional descrpition fifty cents

Each additional name twenty-five cents

Filing power of attorney twenty-five cents

Reporting to Secretary of Commonwealth copies of election returns for each person or party returned to be paid by the county fifty cents

Issuing every writ alias or pluries writ of fieri facias one dollar

Issuing every writ alias or pluries writ of venditioni exponas levari facias habere facias ad satisfaciendum one description one dollar

Each additional description fifty cents

Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance such certificate of the orphans court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars

Entering revival of judgment by agreement two dollars

Entering testatum fi fa ca sa or vend ex one dollar

Issuing testatum fi fa ca sa or vend ex one dollar

Filing and docketing petition for a sheriffs' interpleder including orders of court thereon two dollars and fifty cents

Entering transcript of judgment or appeal from justice of the peace or magistrate including docket entries one dollar and twenty-five cents

Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

Entering appointment of guardian ad litem fifty cents

Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents

Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars

Proclamation one dollar and fifty cents

Registration of student-at-law physician veterinarian or dentist one dollar

Taking bill of costs twenty-five cents

Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents

Re-taxing bill of costs each hour one dollar

Taking testimony thereon per one hundred words twenty-five cents

Taking a recognizance twenty-five cents

Entering a rule to take depositions fifty cents

Issuing a subpoena under seal thirty cents

Registration of stallion one dollar

Starement twenty-five cents

Making search for liens in judgment docket index for five years last past one dollar

Making search in any other docket for five years last past each twenty-five cents

Each reference found ten cents

Each reference cited twenty cents

Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto two dollars and fifty cents

Filing and docketing suggestions sur municipal lien one dollar

Services of each minute or court clerk during sessions of court to be paid by the county each day four dollars

Receiving and distributing money paid into court for each dollar under five hundred dollars two cents

For each dollar exceeding five hundred dollars one cent

Recording document required by law to be recorded per one hundred words twenty-five cents

Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-five cents

Filing and docketing account or report of assignee auditors trustee committee sequestrator master or examiner two dollars and fifty cents

Transcribing report per one hundred words twenty-five cents

Filing docketing and all proceedings in assignments for the benefit of creditors up to and including bond and justification of assignee and surety five dollars

Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents

Issuing and docketing order of sale in partition one dollar and fifty cents

Filing and docketing exemplification of judgment from another county one dollar and fifty cents

Indexing suit against a decedent's estate twenty-five cents

Filing and indexing sheriff's certificate of attachment upon real estate one dollar

Certificate to exemplification of record under act of Congress one dollar

Entering transcript from the orphan's court of amount due by executors administrators or guardians each entry two dollars

Entry of precept from the Orphans' court two dollars and fifty cents

Each entry upon locality index twenty-five cents

Filing and docketing any petition not herein provided for two dollars and fifty cents

Filing and docketing bill in equity and rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents

Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three plaintiffs three dollars and fifty cents

Each additional defendant fifty cents

Entering appearance filing answer demurrer replication twenty-five cents

Entering any order of court minimum fifty cents

Entering judgment one dollar

Entering serving and returning decree nisi three dollars

Filing any paper not above specified twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar services And provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 1, line 171, by striking out the words "for the sale;" also by striking out line 362; also in line 506 by striking out "fo" and inserting in lieu thereof the word "of;" also in line 519 by striking out "taing" and inserting in lieu thereof the word "taxing."

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of Common Pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

And said bill having been read at length the third time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 512, as follows:

An Act to prohibit coroners acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms in office and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genral Assmbly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any coroner acting coroner or deputy coroner in the Commonwealth of Pennsylvania to be engaged in business as an undertaker or to be interested directly or indirectly in such business during their term of office

Section 2 Any person violating any provision of this act shall be deemed guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than three hundred dollars dred dollars ($100) nor more than three hundred dollars offense shall in addition be sentenced to undergo imprisonment in the jail of the county for not less than sixty (60) days nor more than one year for each offense

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act permitting certain companies and corporations to extend wires across the tracks and right of way of railroad and street railway companies and providing a means of compensation therefor

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every telegraph company telephone company and every corporation incorporated under the laws of this Commonwealth and engaged in the business of furnishing electricity for heat light or power may extend the proper telegraph wires or telephone wires or wires carrying such electricity over the tracks and right of way of any railroad company or street railway company Such extension of wires may be done at such point or points as may be necessary or reasonable

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 643, as follows:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations within the Commonwealth of Pennsylvania incorporated under the laws of the Commonwealth of Pennsylvania or which may hereafter be incorporated under the authority of the same have and shall have the right to own hold use and enjoy real estate within this Commonwealth of the clear yearly value rental or income of fifty thousand dollars anything contained in the charters of such corporations to the contrary notwithstanding

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 650, as follows:

An Act requiring an inquiry and report on the criminal insane patients committed to the institutions of the Commonwealth as to their personal history mental and financial condition and circumstances connected with the crime for which they are committed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any criminal insane patient shall be committed to any of the institutions of this Commonwealth an inquiry shall be made by the court making such commitment or such person or persons as the court may deputize for that purpose as to the personal history of said patient the causes of his condition and any facts or circumstances connected with the crime for which he is committed which may throw light upon his mental condition or the causes therefor and as to whether said patient is indigent or has property which can be applied to his maintenance and support in said institution and a record of such facts shall be filed with the clerk of said court and a return thereof made to the institution to which said patient is committed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 655, as follows:

An Act relating to the classification of school districts and the time for levying school tax in school districts of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each school district having a population of eight hundred thousand (800,000) or more shall be a school district of the first class

Section 2 Each school district having a population of thirty thousand (30,000) or more but less than eight hundred thousand (800,000) shall be a school district of the second class

Section 3 In all school districts of the second class all school taxes shall be levied and assessed by the board of school directors therein during the months of January February March April or May of each year for the ensuing fiscal year

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed insofar as they are inconsistent with this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 661, as follows:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

Whereas at the one thousand nine hundred and eleven session of the Legislature the bill making an appropriation to the American Oncologic Hospital at Philadelphia for maintenance was not finally passed by the Legislature through some misapprehension and

Whereas the chairman of the Senate and House Appropriations Committee for the session of one thousand nine hundred and eleven were under the impression that the said bill had been favorably reported and had finally passed and the said chairmen have certified to the hospital authorities that it was the intention of said committee to provide maintenance for the hospital for the two fiscal years beginning June one thousand nine hundred and eleven and

Whereas appropriations for maintenance were made to the American Oncologic Hospital at Philadelphia at the sessions of the Legislature of one thousand nine hundred and five one thousand nine hundred and seven and one thousand nine hundred and nine now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the American Oncologic Hospital at Philadelphia on account of deficiency for the two fiscal years beginning June first one thousand nine hundred and eleven for the following purposes namely

For the purpose of maintenance the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758 (House Bill No. 794), as follows:

An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met ad it is hereby enacted by the authority of the same That from and after the passage of this act any person

firm or corporation in the Commonwealth of Pennsylvania who for exhibition display or advertisement purposes shall use the word Consul or Consulate or any derivative or equivalent thereof in any language or the coat of arms of any foreign nation or any simulation thereof for like purpose tending to convey the impression that the business so advertised has official relation to any foreign government shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment for not more than one year either or both in the discretion of the court provided the provision of this act shall not apply to a consular official of a foreign nation or country duly accredited to any city in the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 5, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious food and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commission in reference thereto and providing penalties for the violation thereof

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 7, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale or exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation thereof

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 184 (House Bill No. 13), entitled:

A joint resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 408 (House Bill No. 39), entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 474, (House Bill No. 356), entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 496 (House Bill No. 547), entitled:

A joint resolution requiring the construction of an adequate fishway in the dam constructed across the Susquehanna river by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fishway shall be constructed and providing penalties for failure to comply with the terms of this resolution

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 507, entitled:

An Act to amend sections three and seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of watr assessors and collector of delinquent taxes and repealing certain acts relating to certain matters herein provided for" approved May twelve one thousand nine hundred and eleven

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order

The Senate proceeded to the first reading and consideration of Senate Bill No. 532 (House Bill No. 258), entitled:

An Act to amend an act entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the Army Navy or Marine Corps of the United States

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 540, (House Bill No. 813), entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercises to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 553, entitled:

A supplement to an act entitled "An act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facalities of cities of the first class

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

BILLS INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 833, entitled:

An Act to consolidate the five courts of common pleas of Philadelphia County.

Which was committed to the Committee on Judiciary Special.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 834, entitled:

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose.

Which was committed to the Committee on Agriculture.

REPORTS FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 819, entitled:

A supplement to an act approved the 24th day of March, 1905, entitled "An act establishing in counties containing a population of from three hundred thousand to one million, a Board for the Assessment and Revision of Taxes for State and county purposes; prescribing their powers and duties; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and County taxes" providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the 2nd day of April, 1903, entitled "An act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries," by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries, and repealing certain acts.

BILLS ON FIRST READING.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act to provide for State and county purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 678 (House Bill No. 510), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act to amend section one of an act entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and ninety-nine authorizig the use of the title Certified Public Accountants by certain copartnerships and corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 719, (House bill No. 53), entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 719, (House Bill No. 53), the bill just read, be recommitted to the Committee on Public Health and Senitation for the purpose of a hearing.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 738, entitled:

An Act authorizing certain corporations to issue one or more classes of stock with preference and with prohibitions and restrictions as to its voting powers and to increase and to decrease the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 748, entitled:

An Act regulating the sale and delivery of malt and brewed liquors at wholesale and providing a penalty for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. JUDSON. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Salus, the chairman of the Committee on Law and Order.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus, permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. JUDSON. Mr. President, when did that committee meet for the consideration of Senate Bills Nos. 748, 771 and 772?

Mr. SALUS. Mr. President, that committee did not meet. I went around and spoke to the members of the Committee and handed them the bill and asked them if they were satisfied for the bill to be reported. I did not speak to the Senator from Washington, Mr. Judson. I did ask Senator Sensenich and other members, handed them the three bills, and asked them whether or not they were satisfied for this bill to be reported out of committee. I met a majority of the men on the committee and they agreed. I do not believe I saw the Senator from Washington, Mr. Judson. Senator Sensenich spoke to me about it and wanted to know when the committee met, and then I reminded him of the fact that he had read over all three of the bills, and he will so tell the Senate. There was one other Senator who asked me about it.

Mr. JUDSON. Mr. President, I want to enter my protest against bills being reported out of committee without the committee first being notified of a meeting and considering them in their regular order according to the rules.

Mr. SALUS. Mr. President, I understand I have a perfect right to report a bill out if a sufficient number of the members agree that the bill shall be reported out without a meeting having been called. I understand I have that right under the rules.

Mr. JUDSON. Mr. President, I do not so understand it. I understand that these bills come up first before the committee all together in regular order and action taken upon these bills by the committee. Therefore I object to any bills being reported out without having first been passed upon by the committee after notice of meeting.

Mr. SALUS. Mr. President, in order that there may be no misunderstanding in reference to this matter I would like the President to make a ruling on the question as to whether I was right or wrong.

The PRESIDENT. The Chair knows nothing whatever of the action of the committee, but the majority of the committee acting on a bill has a right to say as to what shall be done with the bill.

Mr. JUDSON. Mr. President, I am a member of the committee and I would like to know when the committee meets and take part in its consideration and deliberation, especially when it is a matter in which I am interested.

The PRESIDENT. That is a question w[illegible] from Washington, Mr. Judson, will have to settle with the chairman of the committee.

Mr. JUDSON. Mr. President, that is the situation. I want to know about it.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 752, entitled:

A supplement to an act entitled "An act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or other successors to sell and convey in fee simple certain lands

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 771, entitled:

An Act further regulating transfer of licenses to sell liquors at wholesale and retail

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 772, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CROW. Mr. President, I move that Senate Bill No. 819, entitled:

A supplement to an act approved the 24th day of March, 1905, entitled: "An act establishing in counties containing a population of from three hundred thousand to one million, a Board for the Assessment and Revision of Taxes for State and county purposes, prescribing their powers and duties; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes," providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors.

and Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the 2nd day of April, 1903, entitled: "An act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries," by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries, and repealing certain acts.

which were reported from committee at this evening's session, be read for a first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 819, entitled:

A supplement to an act approved the 24th day of March, 1905, entitled: "An act establishing in counties containing a population of from three hundred thousand to one million, a Board for the Assessment and Revision of Taxes for State and county purposes, prescribing their powers and duties; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes." providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the 2nd day of April, 1903, entitled: "An act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries," by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries, and repealing certain acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS.

Mr. KLINE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE.

Mr. HEACOCK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEACOCK, from the Committee on Education, reported as amended. Senate Bill No. 592 (House Bill No. 655), entitled:

An Act defining vacational education, providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts and reimbursement thereof by the State.

JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF ILLINOIS APPROVING AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROHIBITING POLYGAMY.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Law and Order:

Pennsylvania.
Office of the Secretary of the Commonwealth,
Harrisburg, March 31, 1913.

The Honorable the Senate and the House of Representatives:

Gentlemen:—I have the honor to transmit herewith a copy of a Joint Resolution adopted by the Legislature of the State of Illinois.

ROBERT McAFEE,
Secretary of the Commonwealth.

48th GENERAL ASSEMBLY OF ILLINOIS—1913.

Regular Session.

Senate Joint Resolution No. 12.

"Whereas, It appears from the investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof; and

"Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the subject under federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce; now, therefore,

Resolved, By the Senate of the State of Illinois, the House of Representatives concurring therein, That the application be made and hereby is made to Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved, That the Legislatures of all other States of the United States, now in session, or when next convened, be and they hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution

Resolved, Further, That the Secretary of State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein; also to transmit copies hereof to the legislatures of all other States of the United States."

Adopted by the Senate, February 27, 1913.

Concurred in by the House, March 12, 1913.

UNITED STATES OF AMERICA, | ss:
State of Illinois, |

Office of the Secretary of State.

I, Harry Woods, Secretary of State of the State of Illinois, do hereby certify that the foregoing Joint Resolution of the Forty-Eighth General Assembly of the State of Illinois, passed and adopted at the regular session thereof, is a true and correct copy of the original joint resolution now on file in the office of the Secretary of State.

In Witness Whereof, I hereunto set my hand and affix the Great Seal of State at the City of Springfield, this 20th day of March, A. D. 1913.

(Seal.)

HARRY WOODS,
Secretary of State.

CHAPTER....., LAWS OF 1913.

Joint Resolution.

Whereas, It appears from investigations recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof, and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the subject under Federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce; now, therefore

Be it resolved by the Senate, the Assembly concurring, That the application be made and hereby is made to Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved, further, That the Legislatures of all other States of the United States, now in session or when next convened, be and they hereby are respectfully requested to join in this application by the adoption of this or equivalent resolution.

Resolved further, That the Secretary of State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein; also to transmit copies hereof to the legislatures of all other States of the United States.

THOMAS MORRIS,
President of the Senate.

MERLIN HULL,
Speaker of the Assembly.

A. C. TRETOW,
Acting Chief Clerk.

Department of State,
Received March 26, 1913, 9:10 A. M.

J. S. DONALD,
Secretary of State.

CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JOINT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO INVESTIGATE THE WORKINGS OF THE CIVIL SERVICE LAWS IN THE CITIES OF THE FIRST CLASS.

He also laid before the Senate for concurrence resolution which was read as follows and referred to the Committee on Judiciary Special:

In the House of Representatives, March 3, 1913.

Resolved (If the Senate concur) That the Speaker of the House of Representatives shall appoint four members and the President pro tempore of the Senate shall appoint three Senators who shall constitute a joint committee whose duty it shall be to investigate the workings of the civil service law or laws in the cities of the first class

Said committee shall have power to elect its own chairman to employ legal counsel and such other officers and employes as may be needed to enable it to properly perform its duties as aforesaid but its expenditures shall be limited to the amount of one thousand dollars which shall be appropriated in the general appropriation bill

Said committee shall also have power to issue subpoenas signed by its chairman requiring the attendance of persons and the production of books and papers as in its judgment will assist in the performance of its duties as aforesaid and shall report to this General Assembly not later than April twentieth one thousand nine hundred and thirteen with recommendations as to the necessity of improving extending or repealing of the said civil service law or laws in the cities of the first class

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurence bills of the House of Representatives as folows:

House Bill No. 41, (Senate Bill No. 835), entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith"

Which was committed to the Committee on Judiciary Special.

House Bill No. 234, (Senate Bill No. 836), entitled:

An Act to provide for the safety of persons employed in the butuminous coal mines and to provide for the examination and granting of certificates of competency to persons seeking employment as coal miners and to prohibit the employment of incompetent persons as miners and providing penalties for the violation of the same

Which was committed to the Committee on Mines and Mining.

House Bill No. 296, (Senate Bill No. 837), entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 409, (Senate Bill No. 838), entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

Which was committed to the Committee on Public Health and Santitation.

House Bill No. 420, (Senate Bill No. 839), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) makieg an appropriation to pay the tuition of students in State normal schools

Which was committed to the Committee on Appropriations.

House Bill No. 677, (Senate Bill No. 840), entitled:

An Act to amend section thirty-four of an act approved the thirty-first of March one thousand eight hundred and sixty entitled "An act to consolidate revise and amend the penal laws of this Commonwealth"

Which was committed to the Committee on Judiciary General.

House Bill No. 701, (Senate Bill No. 841), entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

Which was committed to the Committee on Judiciary Special.

House Bill No. 719, (Senate Bill No. 842), entitled:

An Act empowering cities and boroughs to erect construct maintain and operate telephone police and fire alarm systems and to furnish said service to partnerships corporations or individuals and to connect with other telephone companies

Which was committed to the Committee on Judiciary Special.

House Bill No. 795, (Senate Bill No. 843), entitled:

An Act prohibiting the doing of certain acts by persons who have been disbarred from practicing before the courts of any county and providing a penalty for violation thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 887, (Senate Bill No. 844), entitled:

An Act providing for the creation of the Bureau of Public Morals in the Department of Public Safety in cities of the second class defining its purposes and providing for the payment of expenses tehreby

Which was committed to the Committee on Law and Order.

House Bill No. 1039, (Senate Bill No. 845), entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An act supplementary to 'An act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

Which was committed to the Committee on Judiciary Special.

House Bill No. 1042, (Senate Bill No. 846), entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts threof that are or may be inconsistent therewith"

Which was committed to the Committee on Education.

House Bill No. 1049, (Senate Bill No. 847), entitled:

An Act providing a means of identifying certain persons in this Commonwealth requiring certain duties of employes and fixing penalties for violation hereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1052 (Senate Bill No. 848), entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of this Commonwealth requiring that not less than two miners be employed and engaged in the robbing of pillars where the seam of coal has a pitch of twenty-five degrees or more and fixing a penalty for the violation of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 1071 (Senate Bill No. 849), entitled:

An Act amending an act entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

Which was committed to the Committee on Judiciary General.

House Bill No 1094 (Senate Bill No. 850). entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

Which was committed to the Committee on Judiciary General.

House Bill No. 1097 (Senate Bill No. 851), entitled:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

Which was committed to the Committee on Judiciary General.

House Bill No. 1151 (Senate Bill No. 852), entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

Which was committed to the Committee on Judiciary Special.

House Bill No. 1158 (Senate Bill No. 853), entitled:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

Which was committed to the Committee on Corporations.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 808 (House Bill No. 810), entitled:

An Act providing for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 443, entitled:

An Act fixing the number and salaries of clerks and other employes in the Auditor-General's Department

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

ADJOURNMENT.

Mr. KLINE. Mr. President, I move that the Senate do now adjourn until to-morrow morning at 11 o'clock.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.36 o'clock P. M. until 11 o'clock Tuesday morning. April 1, 1913.

HOUSE OF REPRESENTATIVES

MONDAY, March 31, 1913.

The House met at 8.00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

The Chaplain. Rev. J. E. Wright, offered the following prayer :

O, God, we thank Thee for the dignity with which Thou hast crowned us. Thou has created us in Thine image; Thou hast redeemed us by Thy grace; Thou hast enriched us with Thy spirit; Thou hast instructed us out of Thy word; and all this that we may enter into partnership with Thee in the making of this world better. We need enlightenment to this end, for there are questions which perplex us and which we cannot solve if left to ourselves. There are issues which give us hesitation and doubtfulness. Wilt thou enlighten our minds and illuminate our understandings and control our wills that we may be brought into harmony with Thee.

We pray for Thy blessing upon this assembly and upon Thy servant who orders the conduct of its business and upon whose energy and efficiency and wisdom and skill so much depends.

We pray that Thou wilt honor the work which is here being wrought. May it conduce to the welfare of the Commonwealth and to the good of the people; and Thy name shall have the praise of it now and forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of the preceding session, March 27, 1913.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. Donnally the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. PIPER. House Bill No. 1870.

An Act to prohibit the killing and to provide for the protection and preservation of the skunk and prescribing penalties for the violation thereof.

Referred to the Committee on Agricultural.

By Mr. H. B. DUNN. House Bill No. 1872.

An Act to repeal and act, approved the eighth day of April, 1867, entitled "An Act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon."

Referred to the Committee on Game.

PETITIONS.

FAVORING AMENDMENT TO THE SPROUL ACT.

The SPEAKER presented the petition of citizens of Venango and Clarion counties favoring amendment to the Sproul Act.

Which was referred to the Committee on Public Roads.

PROTESTING AGAINST THE CLUB LICENSE BILL.

The SPEAKER presented the petition of citizens of Phi'adelphia protesting against the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING CHILD LABOR BILL.

The SPEAKER presented the petition of citizens of Philadelphia praying for the passage of the Child Labor Bill.

Which was referred to the Committee on Labor and Industry.

FAVORING ATTACHMENT OF WAGES.

Mr. NORTH presented the petition of Business Men's Association, Jefferson County, favoring attachment of wages on judgments.

Which was referred to the Committee on Labor and Industry.

FAVORING THE ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. JOHN ROBERT JONES presented the petition of Camp No. 76, P. O. S. of A., of Schuylkill County, favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. FRANK GRAY presented the petition of Citizens of Philadelphia favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. BURNETT presented the petition of Camp No. 171, P. O. S. of A., Cumberland County, favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING HUNTERS' LICENSE BILL.

Mr. DAVIS presented the petition of Citizens of Lackawanna County favoring the Hunter's License Bill.

Which was referred to the Committee on Game.

FAVORING PROTECTION FOR RACCOONS.

Mr. WHITAKER presented the petition of Citizens of Chester County favoring protection for Raccoon.

Which was referred to the Committee on Game.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

The SPEAKER presented the petition of Citizens of Philadelphia favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. ULERICH presented the petition of Citizens of Westmoreland County favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of Camp No. 76, P. O. S. of A., Schuylkill County, favoring the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

FAVORING THE ERECTION OF A MONUMENT TO THE PUBLIC SCHOOLS AND FOUNDERS THEREOF.

The SPEAKER presented the petition of Citizens of York County, favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. HARRY L. PERRY presented a petition of Citizens of York County favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of Camp No. 46, P. O. S. of A., Schuylkill County, favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. FRANK GRAY presented the petition of Camp No. 361, P. O. S. of A., Philadelphia, favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. JAMES A. DUNN presented the petition of Citizens of Philadelphia favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

FAVORING SENATE BILL NO. 102.

Mr. ULMAN presented the petition of Teachers of Lycoming County praying for the passage of Senate Bill No. 102.

Which was referred to the Committee on Judiciary Special.

THE SECRETARY OF THE COMMONWEALTH PRESENTS RETURNS OF SPECIAL ELECTION.

The Deputy Secretary of the Commonwealth being introduced, presented the returns of the special election held in the 13th Representative District for the office of Representative in the General Assembly, for Philadelphia County, March 28th, 1913.

OPENING OF RETURNS.

Mr. CARTER. Mr. Speaker, I move that the returns be opened and read.

Mr. McARDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

The Clerk then read the returns as follows:

To the House of Representatives of Pennsylvania:
State of Pennsylvania,
County of Philadelphia, ss:

I, Henry F. Walton, Prothonotary of the Court of Common Pleas in and for said county, do hereby certify that it appears from the returns of the Special Election held in said county on Friday, March 28, 1913, as computed in the presence of the Judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Thirteenth Representative district of said County to supply vacancy.

DEMOCRATIC.

Leonard Stork had 1243 votes.

WASHINGTON.

Leonard Stork had 536 votes.

REPUBLICAN.

Max Aron had 4107 votes.

SOCIALIST.

Harry Strubel had 105 votes.

PROHIBITION.

William A. Huston had 25 votes.

INDEPENDENT.

Joseph Donnelly had 31 votes.

In testimony whereof I have hereunto set my hand and caused the Seal of the said Court to be affixed, this 31st day of March, A. D. 1913.

(Seal) HENRY F. WALTON,
Prothonotary.

Seal attached.

The SPEAKER. It appearing from the returns that Max Aron has been elected, if he is present in the House, he will present himself before the Bar of the House to take the oath of office.

ADMINISTRATION OF OATH OF OFFICE TO MEMBER ELECT.

Mr. MAX ARON presented himself before the Bar of the House.

The oath of office was then administered by the Honorable S. J. M. McCarrell, Judge of Dauphin County.

The SPEAKER. The gentleman will now take his seat as a member of the House.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Barner for to-night.

Mr. SPANGLER asked and obtained leave of absence for Mr. Frey for to-morrow's session.

Mr. SPANGLER asked and obtained leave of absence for himself for to-morrow's session.

The SPEAKER asked and obtained leave of absence for Mr. Geiser indefinitely on account of illness.

RESOLUTION NO. 32.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to call up Resolution No. 32, file folio 3147.

The SPEAKER. The Resolution will be read by the Clerk.

The Clerk then read the Resolution as follows:

Providing for the appointment of a joint committee of the House of Representatives and the Senate to investigate the workings of the Civil Service laws in the cities of the first class

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint four members and the President pro tempore of the Senate shall appoint three

Senators who shall constitute a joint committee whose duty it shall be to investigate the workings of the civil service law or laws in the cities of the first class

Said committee shall have power to elect its own chairman to employ legal counsel and such other officers and employes as may be needed to enable it to properly perform its duties as aforesaid but its expenditures shall be limited to the amount of one thousand dollars which shall be appropriated in the general appropriation bill

Said committee shall also have power to issue subpoenas signed by its chairman requiring the attendance of persons and the production of books and papers as in its judgment will assist in the performance of its duties as aforesaid and shall report to the General Assembly not later than April twentieth one thousand nine hundred thirteen with recommendations as to the necessity of improving extending or repealing of the said civil service law or laws in the cities of the first class

On the question,

Will the House agree to the adoption of the resolution?

Mr. WALNUT. Mr. Speaker, I would ask that the Speaker withdraw his decision on this question. The reason I did not attempt to attract the attention of the Speaker at the time was due to the fact that the sponsor of the bill was on his feet, and I thought the Speaker had noticed him. For that reason I did not attempt to attract the attention of the Chair.

The SPEAKER. The Chair has not yet made any decision on the question, and it appears that the reason advanced by the gentleman from Philadelphia, Mr. Walnut, is a sufficient one, and the Chair recognizes the gentleman from Philadelphia, Mr. Walnut.

Mr. WALNUT. Mr. Speaker, I understand reasonably well the purpose of this resolution. We have in Philadelphia to-day a Civil Service Commission that has made a very great effort to enforce thoroughly and efficiently the Civil Service laws. Naturally any Civil Service Commission that does such a thing gets itself into considerable trouble, and generally is made the object of considerable antagonism. I have spoken to the Commissioners of Philadelphia in connection with this resolution, and while I do not believe that there is any reason for this resolution whatever, I would like it to pass, particularly as the members have stated to me that they would welcome this investigation, and that they have long wanted an opportunity to present their side of the case in a way that would receive popular recognition. For that reason, although I do not appreciate the purpose for which the resolution was introduced, and also I do not believe that there is any necessity for it, I am very glad to have the opportunity given to the Commission to have their side of the question presented. I, therefore, am perfectly ready and willing to support this resolution, and to assure you that you are doing a favor to the Philadelphia Civil Service in having this opportunity presented to them.

Mr. S. B. SCOTT. Mr. Speaker, I am personally acquainted with each one of our Civil Service Commissioners of cities of the first class and I have the utmost confidence in each one of them. I know the difficulty of the work which they have to do because they are compelled, under the law, to define the deficiencies of hundreds of men who think they are competent to hold office and you can readily understand how unpopular and how difficult their position naturally is. They have been so unjustly and so often attacked, even before our Committee in the House, where all sorts of absurd attacks have been made upon them, and the attacks have been answered so absolutely from the records, that I believe the best thing that could be done for the furtherance of the reform of the Civil Service of the State is to have a responsible committee of the House with a right to hear everything within the control of the body, and I think if this is done it will be the opinion of all that the benefits of the Civil Service Commission will rise very much in the estimation of all men.

Mr. JAMES A. DUNN. Mr. Speaker, that is just my purpose. The Civil Service Commission welcomes the investigation. One of the Directors of Philadelphia, the Director of Public Works, spoke in Chicago a few days ago and he said to the people of Chicago that the Civil Service Commission's work in Philadelphia is among the best in the world. There is no other class that this investigation appeals to any more than the class that has been removed from that particular work. Down there in the County of Philadelphia the laboring classes are appealing to me for an investigation; they all want an investigation, and, still further, an act making it a State-wide examination for the whole State. I think when it comes back to this body, to the representatives of this body, in a manner so that when this act comes up for a State-wide Civil Service, the evidence will be so complete that they will judge very carefully whether we shall make that a State-wide Civil Service or not. I say that the laboring classes are all welcoming this investigation.

On the question,

Will the House agree to the adoption of the resolution?

It was agreed to.

RESOLUTION RECALLING HOUSE BILL NO. 170 FROM THE GOVERNOR.

Mr. JACKSON offered the following resolution, which was twice read and agreed to:

Resolved (if the Senate concur), That House Bill No. 170 file folio 269, entitled "An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon county is located and providing for the disposition of the fund," be recalled from the Governor for the purpose of amendment.

RESOLUTION NO. 19.

Mr. WALNUT. Mr. Speaker, I desire to call up Resolution No. 19.

The SPEAKER. The resolution is not on the calendar.

Mr. WALNUT. Mr. Speaker, Resolution No. 19 was introduced at least a month ago. It was reported out of Committee last week.

The SPEAKER. The gentleman from Philadelphia calls up Resolution No. 19, which was reported from the Committee on Rules with an affirmative recommendation and which the Clerk will read.

The resolution was read by the Clerk, as follows:

Resolved, That Rule thirty-three be amended by inserting after the word "bill" in line one, the words "and every resolution providing for an amendment to the Constitution;" by striking out in line two the words "on the bill," and insert the word "thereon," and insert on line three after the word "law" the words "and no such resolution shall be adopted."

On the question,

Will the House agree to the adoption of the resolution?

Mr. WALNUT. Mr. Speaker, this amendment will merely prevent the amendment of our Constitution by a concurrent resolution or by an amendment to an amendment which I believe any man who is familiar with the careless manner of adopting concurrent resolution understands and will agree with me that it is not the proper manner in which to amend our Constitution. The amended section of the rule will merely read as follows: "Every bill shall be read at length on three different days," etc. That is the gist of the change in the section.

On the question recurring,

Will the House agree to the adoption of the resolution?

It was agreed to.

HOUSE BILL NO. 709 MADE A SPECIAL ORDER.

Mr. KITTS. Mr. Speaker, I desire to present a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk, as follows:

Moved by Miles B. Kitts that House Bill No. 709, File Folio No. 2599, on page 54 of to-day's calendar, entitled "An Act regulating the sale or distribution of vinous spirituous malt or brewed liquors by any club society or organization formed for certain purposes and imposing penalties for violation of this act," be made a special order of business for second reading on Tuesday, April 1st, 1913, at 11 o'clock a. m., and a special order of business for third reading of Wednesday, April second, 1913, at 11 o'clock a. m., provided however that if the session usually held in the forenoon shall commence at one o'clock p. m. on the above named days then in that case the said special orders shall be set for two o'clock p. m. instead of 11 o'clock a. m.. as above noted.

Mr. S. B. SCOTT. Mr. Speaker, I second the motion.

Mr. KITTS. Mr. Speaker, I wish to call the attention of the House to the fact that this is Mr. S. B. Scott's bill and that Mr. Scott is the sponsor thereof.

Mr. SPEISER. Mr. Speaker, will the gentleman who introduced this motion amend it so as to strike out the special order for a third reading? I think that is a presumption on the prerogative of this House. I am not quite so sure that it is going to be on the calendar after second reading. There is just a possibility that it will not reach third reading. We had better prepare to meet the other contingency when it arises.

The SPEAKER. That will probably take care of itself.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL PLACED ON CALENDAR.

Mr. HUMES. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read, as follows:

Moved by E. L. Humes, seconded by W. L. Metzenbacher, that House Bill No. 200, entitled:

"An Act to amend an act approved the eleventh day of May one thousand nine hundred and one, entitled 'An Act to provide for the removal of judges of the Supreme Superior Common Pleas and Orphans' Courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and filling of vacancies caused by such removal,' as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven, entitled 'An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior Comomn Pleas and Orphans' Courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal," approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives,'" be placed upon the calendar notwithstanding the negative recommendation of the Committee on Judiciary General.

Mr. HUMES. Mr. Speaker, I want to call the attention of the House to the fact that this bill is a bill repealing the Judges' Pension Act of 1911. The repeal is in the nature of an amendment which restores the act of 1901 permitting the retirement of judges in the case of a physical disability. I think from the feeling that was manifested on the part of the people of the State during the last two years that that ought to be evidence that the people are not yet prepared for pension bills of this kind. I believe that there is a very general demand over the State that we should not establish any such precedence as this, for if this is continued on the statute books, there is no telling where the pension business will end. I hope that the House will vote to place this bill on the calendar in order that the advisability of the modification and repeal may be intelligently and seriously considered by this House as the people have a right to demand that it be well considered.

Mr. FORSTER. Mr. Speaker, as has just been said, the object of this is to repeal an act of 1911 known as the Judges' pension bill. This act passed in 1911 and has not been in force two years. It has not had a trial. It is impossible to say what will be the practical results of such an act. Any act that has passed this House after the deliberation and consideration which it must receive upon the floor of this House at any time, is entitled to a fair trial. I believe this act is a good act. I believe that if it is enforced long enough to show its practical working to the people of this State, there would be a unanimous demand for us to support the act. As it is now, the people of the State do not know how this act will work. I do not know of any opposition, either from the bar or from the people in any part of the State. I have heard of no opposition, except from the gentleman who has just spoken. I, therefore, ask the gentlemen of this House to vote this motion down.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. Seventy-five gentlemen, or more than the number required by the rules, having voted in the affirmative, the bill will be placed upon the calendar.

RESOLUTION AUTHORIZING THE PRINTING OF AN ACT RELATIVE TO THE UNLAWFUL USE OF THE AMERICAN FLAGS, APPROVED MAY 23, 1907.

Mr. GRAMLEY offered the following resolution, which was twice read and laid over under the rules:

Whereas, Many persons in this Commonwealth are not aware of the provisions of the act of May 23rd, 1907 (P. L. 225), prohibiting the unlawful use of the flags of the United States and of this State, therefore be it

Resolved (if the Senate concur), That fifty thousand (50,000) copies of the above mentioned act be printed; twelve thousand copies (12,000) for the use of the House; eight thousand (8,000) copies for the use of the Senate and the remaining thirty thousand (30,000) copies for distribution by the Daughters of the American Revolution.

BILL PLACED ON CALENDAR.

Mr. MILLER. Mr. Speaker, I move that House Bill 146, entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defrauding public officers," approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county.

be placed upon the calendar, notwithstanding negative recommendation of the committee.

Mr. MORROW. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MILLER. Mr. Speaker, a few weeks ago there was a bill rushed through here creating the office of County Controller in counties containing 100,000 to 150,000 inhabitants. Now, the impression that was prevalent at that time was that the newly created office of Controller not only abolished the old county auditors, but also took the place of the special auditor appointed annually in counties to audit the books of the prothonotary's office, orphans' court, court of quarter sessions, and recorder of deeds. But, in examining the act of 1895, I find that the controller does not audit those accounts. They are still audited by the old special auditor. That special auditor, under the act of 1846, is allowed a dollar and a half a day for his services. Now, it is ridiculous to think that the county controller, the newly created officer, shall be allowed $2,500 annually for his services for doing practically the same work, while this special auditor, whose work is just as serious, just as important, if properly performed, is allowed only one dollar and a half a day. Now, this bill which I ask to be placed upon the calendar is nothing more than, insofar as the salary is concerned, that it places it within the power of the court to fix the salary of the special auditor. My idea was to make the salary $5 per day, but, at the suggestion of members of the Judiciary General Committee, that salary was made optional with each county court. It was made optional in the second bill which was introduced, and that second bill came into the hands of the Committee on Counties and Townships, and went to the Committee on Judiciary General, and it was negatived by the latter committee. I am asking that this bill be placed upon the calendar. There seems to be a lot of merit and justice in it.

Mr. JOHN R. K. SCOTT. Mr. Speaker, if bills that have been negatived are to be placed upon the calendar, I think we ought to have some word from the Chairman of the Committee that negatived the bill, so that we can act intelligently. We have here but one request made to put the bill on the calendar. It is really making a farce of a reform rule that this House has made, and which this House ought to stand by. Now this bill, whatever it be, came here negatived after full deliberations It has been negatived after possibly a sub-committee has passed upon it, and we have no benefit here in the House of their deliberations. We ought to hear from the Chairman of the Committee who had charge of the bill, or any bill—I am not referring particularly to the gentleman's bill, because I am not familiar with the bill he is asking to be placed on the calendar. After it has been negatived, I feel that we ought to hear from the Chairman of the Committee, or from the Chairman of the Sub-Committee on this bill, of the consideration given to it in the committee.

Mr. ROCKWELL. Mr. Speaker, having had in my possession as Chairman of the Judiciary General Committee about three hundred bills, practically two hundred of them we have acted on, I do not exactly recall the provisions of this bill, sought to be placed upon the calendar, but as I do recall it, it is this: Under the present law the State requires a tax of fifty cents each on deeds, mortgages and judgments, and that a special auditor is appointed by the court to audit the accounts of the prothonotary, of the register of wills and the recorder of deeds. My recollection does not harmonize with that of the gentleman from Lehigh, Mr. Miller. My recollection of this act is that the auditor gets two dollars a day and the general experience is that he only spends about an hour in the office and calls it a day, and before he gets through he figures up a pretty big bill, as big as though he were getting five dollars a day, and it was under this knowledge, that the committee, as I recall it, negatived this bill.

Mr. MILLER. Mr. Speaker, the section of the act of 1846 is section 10, which says that

"The judges thereof shall appoint one competent person as auditor, who, after being sworn or affirmed to perform the duties of his office with fidelity and correctness, shall immediately after the first of January succeeding his appointment, proceed to examine the accounts and dockets of the prothonotary, register nad recorder, and clerks of the several courts of the county for which his appointment was made, and generally shall perform, with as much dispatch as possible, all the duties heretofore imposed by law on the county auditors, respecting the fees of said officers and the tax of judicial proceedings; and shall further ascertain the whole amount of fees charged, as well as the whole amount of fees received by each of said officers during the preceding year, and make return thereof in his account to the Auditor General; and the person appointed shall, as soon as his duties are performed, receive for his service, out of the proper county treasury, one dollar and fifty cents for each day necessarily spent in the performance of his duties."

Now, I repeat that the act of 1895, which creates this office accepts the accounts which are gone over by the special auditor. The acceptance is contained in these words:

"That all duties devolved on the county auditors by the act of April fifteenth, one thousand eight hundred and thirty-four, and all powers conferred on them by said act shall be performed and exercised by the county controller so far as regards county accounts and State taxes for which the county is or may be liable, and all other accounts with the treasurer with the Commonwealth shall be audited by the auditor of the accounts of prothonotaries, clerks, et cetera, appointed by the court of common pleas under the act of twenty-first of April, one thousand eight hundred and forty-six and its supplements."

Now, to refresh the memory of the gentleman from Tioga, I wish to say that an act was introduced early in the session changing this fee from one dollar and a half to five dollars. At the suggestion of the gentleman on the Committee of Judiciary General, another act was introduced making the fee optional with the court, that is, leaving it to the discretion of the court, because it was felt in some counties the work was negligently and inefficiently done; consequently, there was another act introduced. That act fell into the hands of the Committee on Counties and Townships and was the act which was negatived and which I ask to be placed on the calendar. Now, I repeat that this work is very important, and if the controller is allowed annually for the performance of his work $2,500, surely the work of a man which is just as important—the auditing of the books of the several offices I have referred to—should be allowed more than one dollar and a half a day.

On the question recurring,

The SPEAKER. Seventy gentlemen, or more than the number required by the rule, having voted in the affirmative, the bill will be placed on the calendar.

BILL PLACED ON CALENDAR.

Mr. ALLEN. Mr. Speaker, I move that House Bill No. 1107, entitled:

An act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fruad against innkeepers and hotelkeepers.

which was reported from the Judiciary Special Committee with a negative recommendation, be placed upon the calendar, notwithstanding the negative recommendation of said committee.

Mr. KENNEDY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, in connection with this motion I desire to say just a word, that the members of the House may understand what they are voting upon. The bill, as prepared and submitted to that Committee, was the same general bill that has passed and is now upon the statute books of twenty-seven or twenty-eight different States in the Union. It is a bill which limits the liability of the hotel keeper for packages entrusted to his care. The bill is fair in every particular. I think and feel, and have felt and did feel at the time I introduced the bill, that it was inflicting no hardship upon any one, but was a bill that ought to stand and ought to be passed by this House. I believe if the members of this House were to see the bill in print, that when the bill came up for passage there would be little if any question as to its ultimate passage. I would ask that the members support this motion and place it on the calendar, so that we may see what the bill is. The bill was reported out with a negative recommendation and was not printed.

The SPEAKER. The bill is 1107 on the pink calendar.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill was referred to the Judiciary Special Committee. The Judiciary Special Committee referred it to a sub-committee. The subcommittee, I believe, the gentleman from Allegheny was chairman of. I am not quite sure whether Mr. Bigger of Allegheny was chairman. The bill was in the hands of the sub-committee for a week and was given full consideration and then it was subsequently reported back by the subcommittee to the general committee with a negative recommendation and the general committee, being an open committee, as all of our committee meetings are, gave it full discussion, and the consensus of opinion of that committee was that the bill was bad legislation. They refused to comply with the recommendation of the subcommittee and referred this bill to the House with a negative recommendation. It was not a bill that was illy considered. It was a bill that was fully considered. It was a bill that had the expression of the opinion of the members of the sub-committee and that was fully discussed by the committee in general.

Now, for the benefit of the members of the House who are to vote on this, I want to say that the committee thought that the bill was not proper legislation, because it was legislation that took from the innkeeper a responsibility that he ought to assume. I do not remember fully the details of the bill, but as I remember the bill now it was that for no greater sum than three hundred dollars could the innkeeper be held responsible for and that he had to enter into, if I remember rightly, a written stipulation for the amount of jewelry or amount of valuables that were placed in the safe of the innkeeper. Having such a multiplicity of bills in the committee, I have not a full recollection of the details of the bill and I might be mistaken, but I ask the gentleman to correct me if I am mistaken; but it is not a bill that the House should simply place upon the calendar without giving it full consideration. When the bill was sent to the Judiciary Special Committee that bill, as every bill, was heard publicly, discussed publicly and the vote taken and the record made of it by the stenographer in charge of the committee. Now, it is a bill that has been given full consideration by the committee. While I have no opposition to the gentleman from Allegheny having the bill placed upon the calendar, I merely state my position in reference to this bill, as I do with respect to the great number of bills that are now placed upon the calendar after a negative recommendation without giving them a full consideration. At the beginning of this session, Mr. Speaker, there was passed a reform in the rules. One of them was the rule that allowed sixty members to put the bill on the calendar after it was negatived. It was a rule that was passed for the purpose of stopping the pernicious practice of stifling good legislation in the committees. It was never meant that that rule was to be used for the purpose of making committee work a farce. This bill, as all bills coming from the committee that I have the honor to be the chairman of, was given full and complete consideration. While we are very liable to make errors in the recommendation of our bill, I do not think that this House should place a bill on the calendar until they have been convinced by the sponsor of the bill that the action of the committee was not proper nor logical and the result was not the result that this House desires to abide by.

Mr. ALLEN. Mr. Speaker, I desire to correct my friend from Philadelphia in just a few particulars. In relation to the provisions of the bill, he is almost correct. The limitation placed upon the liability of the hotel or innkeeper toward his guests for that which is left, as suggested, was three hundred dollars, provided that they were left with him after the vaults had been closed to which he might have access. The other provisions of the bill were practically told you by the Chairman of the Judiciary Special Committee, whose committee handled this bill. In relation to the proceedings which were taken by that committee, Mr. Speaker, upon this bill, I must challenge what the gentleman has said. If my recollection serves me rightly in connection with this bill, I was informed by the Chairman when I was at a meeting with that committee in relation to some other bills that I had then pending in the committee that the bill, with two other bills, was referred the same day to a special committee, a sub-committee, along with one of those other two bills. Some one of that sub-committee—I do not recollect who now—spoke to me here upon the floor of the House in relation to the bill. There was no hearing; not even the sponsor of the bill before the com-

mittee. There was no hearing before the committee of any one who was interested in the outcome of the bill, and I take it that the statement of the gentleman who is chairman of the committee might mislead the members of the House into thinking that this matter had been proposed and the points brought to the attention of the Committee on Judiciary Special. The next thing that I knew in relation to the bill, and that was some time afterwards—because it is impossible to follow these bills as reported here, especially if you have a number—the next thing I knew was when the pink calendar was printed some time later, and this was behind, as it is to-night, showing that the bill received a negative recommendation. Then it was that I in turn spoke to the chairman of the committee and some others in relation to it. We simply talked about it in a general way and, inasmuch as nothing has been done, I made this motion at this time. I have never yet at any time, and I feel the members of the House will bear me out in that, I have never asked the House to take a stand which I did not feel was justified by the matter. I believe that no harm can come from the placing of this bill on the calendar; I think it has taken more time to bring about this action than the time that will be consumed when the bill comes up on its merits. I believe if the members of this House would see this bill in print, as I said a moment ago, they will agree with me that there is merit in this bill and that it deserves fullest and sincerest consideration. If it had not merit in it, gentlemen, it seems strange to me that the same bill, identically the same bill, with perhaps a few words—not more than a half dozen—changed, now is written upon and in the statutes, as I said a moment ago, of 27 or 28 States at this time. I ask you to stand with me in this matter and place this bill on the calendar.

Mr. JOHN R .K. SCOTT. Mr. Speaker, I hope that the gentleman from Allegheny will not misunderstand my position. I do not desire to oppose his piece of legislation. I merely feel that this being a bill which was passed upon by the Judiciary Special Committee, as chairman of the committee, I should make this statement. Personally, I think this bill is not good legislation. That was the opinion of the committee. I do not stand here and upon the floor of the House and ask any member of the body to vote against the motion of the gentleman from Allegheny, other than a question of principle that the committee has given full consideration to this bill and if that has not been overcome by any statement by the sponsor, whoever he might be, that the committee ought to be sustained in its action. I merely make my position plain, so that I stand by the rule, and this rule I believe to be a good rule and I believe on this particular piece of legislation the committee worked fully and it deserves to remain where it is, and the bill should never become a law.

On the question recurring,

Will the House agree to the motion?

A rising vote was taken.

The SPEAKER. Sixty-seven, or more than the number required by the rule, having voted in the affirmative, the bill will be placed upon the calendar.

REPORT FROM THE COMMITTEE ON RULES.

Mr. ALLEN. Mr. Speaker, I presume we ought to call up the report that was offered by the Committee on Rules last Wednesday and laid over until to-night.

The SPEAKER. A report from the Committee on Rules may be called up at any time under any order of business.

Mr. ALLEN. I call up the report of the Committee on Rules offered on Wednesday of last week.

The SPEAKER. The report of the Committee on Rules will be read by the Clerk.

The report of the Committee on Rules was read by the Clerk as follows:

That beginning with Tuesday, April 1st, the regular sessions of the House shall begin at one o'clock p. m. and that a recess shall be taken each day from six o'clock to eight eight o'clock P. M.

Messrs. ALLEN,
GANS,
SASSAMAN,
COCHRAN,
ALTER,
EHRHARDT,
Committee on Rules.

Mr. ALLEN. Mr. Speaker, I move the adoption of the report.

On the question,

Will the House agree to the motion?

Mr. R. J. BALDWIN. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend to read, "Morning sessions from ten to one o'clock; afternoon sessions from two to six; night sessions when necessary."

Mr. R. J. BALDWIN. Mr. Speaker, it has been suggested that we make the afternoon session from three to six and I accept that suggestion.

On the question,

Will the House agree to the amendment?

Mr. R. J. BALDWIN. Mr. Speaker, my reason for offering this amendment is to call the attention of the House to the fact that the stenographers of this House, if the original report goes through, will not finish their work here in this House until probably 12 o'clock at night, or 11 o'clock, if that hour is fixed, and then it will be necessary after that hour of the night for the stenographers to transcribe all their work. It will mean that very frequently, and the next day this work will not be printed and placed upon the calendars of the House. If you acept the amendment that I have offered, it will mean that we will have a morning session and an afternoon session and the stenographers will be ready to begin their work of transcribing at six o'clock in the evening, and the amendment I offer will actually expedite the business of the House, and it will take into consideration the hardest worked branch of this legislative body. I do think the House ought to take into consideration that if they pass the original report it means that the stenographers of this body will have to work until three, four or five o'clock in the morning, in order to get that work out. I feel that we can just as well do the committee work in the evening and we will be more likely to get the members to come out at ten o'clock than if the sessions begin at one o'clock, and I am inclined to believe that we will get better committee work under this mode of procedure and that is my reason for offering the amendment.

Mr. ALLEN. Mr. Speaker, in relation to the amendment which has been offered by the gentleman from Delaware, I will say that the rule as it stands practically is as the amendment would make this resolution, if I follow it correctly. Our sessions now are of certain hours, morning and afternoon, and the only thing that the additional amendment would give, would be the evening session if necessary, and we have evening sessions when necessary, as the House sees the necessity of the thing. In relation to the work, the question which has been suggested, as to the matter of stenographic work, I believe it is a matter of small moment. We have running the greater portion of this session with the Legislative Journal behind, and the stenographic work is the work which goes into the Legislature Journal. I presume that there are a number of members on the floor of the House who have not examined the Journal since the House began its session, and surely not from day to day. Our Journal, I am informed, is not printed for the session of last Thursday, and is not before the members even at this time. That is not the fault of the stenographers, and they cannot be held accountable for any dereliction of duty somewhere along the line. After some investigation by the members of the committee in relation to the clerical work as required from the employees of the House, we believe that with the addition of an assistant to one department, that this work can be kept up, and not only kept up, but kept up to the hour. We have been going since the beginning of this session oftentimes with our morning sessions, and then a break in the afternoon in order to give the House over to some public hearing, and during which time no member could come into the House, get down to his desk and do any work. Committees have taken advantage of the afternoon to hold sessions, and the hours for those sessions, as you all know, are fixed by the Chairman of Committees, and conflict with the members, members sometimes being called upon to meet one, two or three committees at the same hour. Now the plan which was suggested by the Committee on Rules in the original resolution before this amendment was offered simply intended this, that the morning should be given over to the committee when no one would be tired out, when they would be absolutely free, when those interested in the committees' work could attend the committees and such hearings as might be set when the hearings would

not be filled up with a mob in order to make a showing, because of the fact that those people who would come to hearings before the committees, public hearings, would be required to be here the night before in order to attend the public hearings the next morning, at least those people who come from any distance. Now it would cut down the great masses that come here to the public hearings, and it would simplify these matters so far as the committees are concerned. The mornings would be taken up with that kind of work, and if those members who were not tired down with that work, saw fit, they could prepare themselves on the bills that would be before them in the afternoon and evening sessions and know something of what was on the calendar instead of being taken off our guard as we are. Now in relation to the work at the desk, after some investigation, we concluded this; that by having an assistant to help make up the calendar and to prepare the bills for passage where amendments had been made, that the work could be handed down to the Clerk who was to prepare them, be sent down in sections just as the work was completed up here, and he, in turn, could send it to the printer so that every wheel which is of assistance to this House in the operation of getting legislation through here would be all working at the same time. As it is now, practically everything is clogged until the gavel falls at the close of the session and then the work is made up for the printer and goes to him, and he himself, in turn, prepares it and sends it back to the House. By the addition of one man, as I said a moment ago, we felt that a portion of the work could be sent down hour after hour and that one in charge below could in turn prepare it for the printer, and the printer could get it and be working on it within two hours after the session of the House is over. I believe, Mr. Speaker, that the members of this House will agree with me that our night sessions during the week accomplish more than the day sessions. Of course, Monday night is given over to getting ready for the week, and very little as a rule is accomplished on Monday night. And this is an important matter, and we believe it is such an important matter that the House will appreciate the benefits of it the moment it is put into effect. We think that the time is coming now when the evenings are much more pleasant than the entire hot portion of the day. When we are going to adjourn in the afternoon for the purpose of allowing the committees to work, we sit here and work until two, half-past two and even three o'clock, which simply puts the committee out of harmony with itself, and sometimes puts a little disgruntled spirit into the personality of some of the members of this House. We feel that the rule suggested would be a rule which would expedite business, that the members of the House would appreciate those hours better than other hours. Not only that, but it keeps the members here at the time when with the work before us we can attend to it and get away from here and go to our homes and rest and be refreshed and be ready for committee work in the morning, and for the general work in the afternoon, having had the benefit of the morning hours to prepare ourselves for the work which is on the calendar. It seems to me, Mr. Speaker, that the amendment which has been offered by the gentleman from Delaware should be defeated at this time, and a trial made, at least, upon the suggestion of the committee.

Mr. S. B. SCOTT. Mr. Speaker, I am in favor of the amendment. I fear that the sessions as suggested by the Committee on Rules will simply result in the loss of our mornings. I think the time is soon coming when we ought to have morning, afternoon and evening sessions, and if we establish the custom of having no morning sessions, it will be hard to go back to it, and I am afraid we will lose those mornings.

Mr. BALDWIN. Mr. Speaker, I don't want to take the time of the House, but my experience has taught me that members are very liable to get tired in the afternoon if we begin the work on committee work as the resolution first called for. When it comes toward evenings, members go out and go home, and you sometimes reach the point where you want them and there are not enough members present to risk the passage of a bill. I do not believe you will expedite matters, I believe you will retard matters. May be some of the members misunderstand just what the original resolution is. It means, as I understand it, that we are to have an afternoon and a night session. The amendment means that we are to have a morning and an afternoon session, and in my judgment under the amendment we will expedite matters because we will have the members here fresh when important propositions are reported to the House. All committee work is subject to revision, the work of the House is not, unless it is a reconsideration of a vote by which a bill is lost. In my judgment, the amendment is the better propostition to try first.

Mr. HOBBS. Mr. Speaker, I believe that we should sustain the report of the committee and defeat this amendment, for the reason that we are here to do the work before us, and there should be a definite period when we should do that work, and leave nothing indefinite. The gentleman from Delaware suggests that we should work evenings when it is necessary. It will be necessary to work day time and evenings both, with doubt, but who is the judge? Let us come here at one o'clock and work until six, which means five hours, and from eight o'clock until eleven, which is three hours more, or eight hour per day. On Monday evenings, we work three hours, and let us work four days each week, being thirty-two hours, plus three hours, or thirty-five hours each week, and get the large amount of work out of the way before the time of adjournment.

Mr. MOSES. Mr. Speaker, I am in favor of the amendment, and I believe the House will make a mistake if they do not accept the amendment offered by the gentleman from Delaware.

Mr. STONE. I am in favor of the amendment offered by the gentleman from Delaware. Now we have a large number of bills before this House. There has been a propostion that we fix a time for adjournment. I would not agree to that. We are elected here by the people of this Commonwealth to attend to the business before the House and I do not believe in fixing any time for adjournment of the House until the business has been entirely completed, and the proposition of the gentleman from Delaware certainly would accelerate the business of the House, and we will be able to accomplish a third more business by having a morning and afternoon session, and an evening session when necessary. We can do it without hurting anybody by having the two sessions a day and for that reason I am in favor of the amendment.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the adoption of the report as amended?

It was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1526, entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation to pay for the care, treatment and maintenance of the indigent insane for the two years ending May thirty-one, one thousand nine hundred and fifteen.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1819. (Senate No. 588), entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act providing for the further government and regulation of cities of the second and third class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 899, entitled:

An Act to amend an act entitled "An act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanor and providing penalties for violations thereof," approved the fifth day of March one thousand nine hundred and six.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 303, entitled:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor, flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1092, entitled:

An Act to amend an act approved the second day of May Anno Domini one thousand nine hundred and one entitled "An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five" creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of this Commonwealth or near thereto and fixing penalties for committing such offense by chauging and enlarging the penalties for committing such offense.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale between certain designated hours of the day and on certain holidays and prohibiting the use of certain devices intended to increase sales.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1697, entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable partition of lands held in common.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1578, entitled:

An Act requiring the sheriff prothonotary and all other county officers receiving moneys as such officers to be credited to others to give quarterly written notice to such party or parties of the amount standing to his her or their credit during the preceding quarter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1073, entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1482, entitled:

An Act fixing the compensation of the chief clerk and the five clerks in the Department of Mines.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1301, entitled:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives children whether legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institutions as the court shall name with the wages payable to the wives children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1248, entitled:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1740, entitled:

An Act to provide for an additional law judge of the several courts of the forty-fifth judicial district.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 285, entitled:

An Act providing for the appointment qualification and compensations of instructors and demonstrators in agriculture and making an appropriation for the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 573, entitled:

An Act regulating the sale of anthracite coal fixing standards of size and quality thereof and requiring inspectors of weights and measures in certain cases to make a test thereof and providing penalties for violation of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 80, entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 871, entitled.

An Act to amend the second and third sections of an act entitled "An Act to provide for the employment of the insane feeble-minded and epilieptic persons confined in institutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeble-minded and epileptic persons" approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven so as to permit of the sale of articles manufactured and produce raised by insane feeble-minded and epileptic inmates of such institutions for the benefit of such persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 351, entitled:

An Act to amend an act entitled "An act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdemeanor to sell anthracite coal by short weight.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1302, entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred twenty-two thousand six hundred twenty-four two thousand six hundred twenty-six and two thousand six hundred twenty-seven thereof and also conferring upon taxpayers similar rights in regard to the reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending section upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1507, entitled:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred seven

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1560, entitled:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 736, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and foreitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1543, entitled:

An Act making it unlawful for the commissioners of any county in this Comonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1806, (Senate No. 151), entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1610, entitled:

An Act to prevent the spread of tree diseases by compelling the treatment of the same under certain conditions

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act relating to meat and meat food products and providing for the inspection of such food and products and the animals from which produced and fixing penalties for violation of this act

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1431, entitled:

An Act to amend an act entitled "An Act requiring the prothonotary of the several courts of common pleas in this Commonwealth to keep separate dockets in certain cases" approved the twenty-second day of May one thousand eight hundred seventy-eight by authorizing the courts of common pleas to cause to be entered in the separate docket additional subjects and authorizing the common pleas court by its order to direct the prothonotary to enter all the subjects herein provided for in one index which after such order shall be kept in lieu of the separate ejectment and other indexes now provided by law and providing that such indexes shall be notice

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 870, entitled:

An Act to amend the first and second sections of an act entitled "An Act to provide for the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three so as to extend the provisions thereof to feeble minded and epileptic persons

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1434, entitled:

An Act to validate all sales public and private and all mortgages of real estate of decedents heretofore made under authority of orphans' courts under petition of executors or administrators for payment of debts or for any other lawful purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1609, entitled:

A joint resolution providing for the appointment of a commission to investigate the condition of the canal formerly owned by the Susquehanna Canal Company and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1835 (Senate No. 611), entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and or the payment of the expenses of maintaining and treating persons committed thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1620, entitled:

An Act to provide that trees shrubs vines plants and seeds sold in Pennsylvania may be guaranted true to the

variety for which they are sold and providing a legal method whereby the grower can obtain financial redress from the dealer or seller being "a legal indemnity plan for growers"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of Common Pleas of Cambria County against the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 426, entitled:

An Act relating to actions for divorce.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1589, entitled:

An Act fixing the compensation of the desk clerks of the Senate and the House of Representatives

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1523, entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1772, entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1038, entitled:

An Act authorizing the apointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1436, entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1003 (Senate No. 23), entitled:

An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one three four five six seven and eight

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1762, entitled:

An Act to amend an act approved the twenty-sixth day of April one thousand eight hundred and fifty entitled "An act to provide for the establishment of true meridian lines and of standard measures for surveyors' chains and to regulate the practice of surveying in this Commonwealth"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1304, entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An act relating to executors and administrators."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 743, entitled:

An Act relating to landlard and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls on such land

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1219, entitled:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled "An act amending sections one two three seven and fifteen article two of an act entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith aproved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection district approving for the examination of candidates for Dauphin county and providing for certain redistricting of inspectors granting to the qualified voters of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector thereof until such time as an inspector should be duly elected" by providing for additional inspectors therein

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1319, entitled:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1639, entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine and June fourteen Anno Domini one thousand nine hundred and eleven respectively creating said commission and defining the duties thereof and making preliminary appropriations therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 416. entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof of

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 405, entitled:

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same to inquire into the subject of fair compensation for those injured or killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen and making an appropriation for the expenses of said commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 228, entitled:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania and of the counties and cities of the third class providing that the act shall take effect at once in so far as it relates to the civil service of the Commonwealth and of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the civil service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violations thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1789, entitled:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and considerationtion of House Bill No. 1087, entitled:

An Act amending section one of an act entitled "A supplement to an act entitled "An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one regulating the certification recording advertising and proof of passage of legislative acts of councils and prescribing the effect of the production thereof when required as evidence" approved the seventh day of June Anno Domini one thousand nine hundred and eleven by changing the requirements as to the publication of ordinances and resolutions.

BILL RECOMMITTED.

Mr. BIGGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1816 (Senate No. 518), entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1357, entitled:

An Act concerning building regulating and inspection in townships of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1148, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant asseors in such townships extending the time within which the aid assessor are required to complete their assessments and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of negelect or refusal and making it the duty of the Commissioner of Health to report.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act regulating annulment of marriage divorce and alimony defining the kinds thereof the causes therefor and the defenses thereto regulating the jurisdiction of the courts over the same regulating the procedure of said courts in annulment and divorce proceedings the kind form enforcement and effect of the decrees of said courts and providing for appeals therefrom defining the effect of annulment or divorce upon property rights and upon the status of children and providing for the care custody and support of minor children prohibiting marriage with a particeps criminis declaring the effect of marriage on false rumor of death of either party and of foreign decrees and repealing consolidating and extending existing laws in relation to these subjects.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act defining the duties of State Police

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 741, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State board of optometric examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1085, entitled:

An Act to amend sections three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fith day of May one thousand nine hundred and seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1465, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricutluaral association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 154, entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1346 (Senate No. 386), entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1590, entitled:

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June one thousand eight hundred and seventy-nine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill 1050, entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act providing for the nomination of candidates for the office of United States Senator and requiring candidates for the office of Senator or Member of the House of Representaives of the General Assembly of this Commonwealth named in nomination papers to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at the general election next preceding the election of a United States Senator by the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1400 (Senate No. 405), entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1401 (Senate No. 406), entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1004 (Senate No. 120), entitled:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act amending section one of an act entitled "An act empowering cities of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended by act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three by changing the requirements in respect to publication of ordinances introduced and providing for the grading paving curbing macadamizing or otherwise improving any public street or public alley or part thereof where there is no petition of the property owners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. LETZKUS. Mr. Speaker, I move this bill be recommitted to the Committee on Municipal Corporations.

Mr. C. M. CAMPBELL. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and considera tion of House Bill No. 1062, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Montgomery borough in Lycoming county and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1063, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Duboistown borough and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 695, entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1574, entitled:

An Act creating and empowering a commission to purchase or condemn property covered by natural lakes as a public pleasure resort conferring the management thereof upon the Board of Commissioners of Public Grounds and Buildings and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1660, entitlled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to prevent fire insurance companies entering into or maintaing pools trusts conspiracies or agreements to control rates of insurance and prescribing penalty et cetera.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1447, entitled:

A Further Supplement to an act entitled "An act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making

it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven to provide revenue for the enforcement of the act to which this is a supplement by imposing a tax upon the premiums of all fire insurance companies and associations doing business in this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1446, entitled:

A Supplement to an act entitled "An act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of every fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshal with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshal and providing a penalty for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act regulating pawnbrokers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1444, entitled:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of the State Fire Marshal his deputies and assistants and providing penalties for violations of said act as amended and to repeal the fourteenth section of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1437, entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1586, entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of and to refuse admission to companies associations societies or orders from any State which refuses to permit like companies associations societies or orders organized and operating under the laws of this State to do a like business in said State and designating who may and who may not make examination of said companies associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1454, entitled:

An Act for the better protection of wild turkeys in this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1385, entitled:

An Act creating a commission to provide for the construction of a nautical school ship prescribing its powers and duties and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1330 (Senate Bill No. 68), entitled:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Comonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1798, entitled:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts" providing the annual salary of each of the judges of the Courts of Common Pleas learned in the law in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

Ordered, To be laid aside for second reading.
And said bill having been read at length the first time,
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1070, entitled:

An Act to repeal an act of assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven entitled "An Act to amend section one of the act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part of offices not to fireproof construction"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1658, entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways country roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining such roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing cost of maintenance of such street on the borough

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1371, entitled:

An Act empowering poor districts establish and maintain an industrial home for the care and training of pauper children

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act regulating the returns by constables of violations of the laws of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1809 (Senate Bill No. 316), entitled:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violations of its several provisions

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1813 (Senate Bill No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathy Examiners to define the powers and duties of said Board of Osteopathy Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled 'An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners the power to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1335 (Senate Bill No. 77), entitled:

An Act to exempt from the payment of inheritances taxes bequests and devices to institutions of purely public charity.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1733, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Middletown borough in Dauphin county and making an appropriation therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1704, entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of Sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill 1550, entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by the act entitled 'An Act to amend section two of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pensylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1424, entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the 26th day of February A. D. 1903 and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported or managed by any county city borough or township of the poorer district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1607, entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1722, entitled:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1134, entitled:

An Act conferring jurisdiction on the several Orphans' Courts of this Commonwealth over estates held by a feme covert to her sole and separate use and authorizing said Courts upon cause shown to give her portions of the corpus of the estate in addition to the income thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1581, entitled:

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain places

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1631, entitled:

An Act to validate certain characters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29, 1874, entitled "An act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 174, entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1250, entitled:

An Act to amend the first section of an act entitled "An act relating to the competency of experts to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1053, entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1476, entitled:

An Act creating a rebuilding and insurance fund under the control of the board of commissioners of public grounds and buildings for the restoration and repairing of any structure building or equipment owned by the Commonwealth and accidentally destroyed or damaged and for the payment of premiums of insurance upon such property and making an appropriation to carry out the provisions of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway at the State Arsenal Harrisburg Pensylvania and making an appropriation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 872, entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An act defining the powers of the several courts of quarter sessions of the peace within the Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 183, entitled:

An Act defining public service companies prescribing and defining the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating and establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the court of common pleas of Dauphin county and giving such court exclusive jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal from all decrees of said court to the supreme court prescribing penalties fines and imprisonment for the violation of such orders or of the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for other legislation inconsistent with this act and making it a duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. ROCKWELL. Mr. Speaker, I move that this bill be re-committed to the Judiciary General Committee.

Mr. WALTON. Mr. Speaker, I second the motion.

It was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1303, entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river between Herndon and Port Trevorton and making an appropriation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1683, entitled:

An Act to regulate the taking of samples of foodstuffs by the Dairy and Food Commissioner and any board of health or health officer or agent or employes thereof from any producer or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire into or determine the purity and quality of the said sample or foodstuffs so taken and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, viz:

APPROVAL OF HOUSE BILL NO. 564.

Commonwealth of Pennsylvania,
Executive Chambers, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 564, entitled "Joint Resolution directing the publication of the pamphlet containing the game, fish and forestry laws."

(Signed) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 88.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 88, entitled

An Act to amend the first section of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled "An Act to amend section one and sixteen of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county' approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies" approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having over one hundred thousand (100,000) inhabitants.

(Signed) JOHN K. TENER.

Also. APPROVAL OF HOUSE BILL NO. 260.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House No. 260, entitled

An Act making valid the bonds or other obligations issued prior to the first day of January one thousand nine hundred and thirteen by counties cities boroughs twonships school districts and other municipalities or incorporated districts not in excess of two per centum of the assessed valuation of taxable property in the respective county city borough township school district or incorporated district in all cases where there has been a failure to file in the office of the clerk of the court of quarter sessions of the proper county the statement required by the act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to

impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" approved the thirteenth day of April one thousand eight hundred and ninety-seven and designating the time when said statement must be filed.

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 24.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, Pa., March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed the House Bill No. 24, entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 25.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 25, entitled

An Act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 89.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 89, entitled An Act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made.

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 248.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 248, entitled An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five, entitled "An Act to honor the United States flag as the national emblem of a free people and to protect it from domestic and foreign insult'

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 301.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 301, entitled An Act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof"

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 352.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 352, entitled An Act to amend sections three and four of an act approved the eighth day of June one thousand eight hundred and ninety-three entitled "An Act relating to husband and wife enlarging her capacity and dispose of property to sue and be sued and to make last will and enabling them to sue and testify against each other in certain cases" by providing that they may sue each other and testify against each other in certain cases.

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 454.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 454, entitled An Act providing for the amendment or alteration of the charters of corporations having toll bridges across any rivers or streams in this Commonwealth whose travel by horses wagons et cetera has been diverted or taken away by the erection of free public bridges so that it may not be obligatory upon said companies to maintain their bridges for such travel.

(Signed,) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. BASS. Mr. Speaker, I move that the vote by which House Bill No. 1032, file folio 1515, entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

was defeated on final passage, be reconsidered.

Mr. MITCHELL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ROCKWELL. Mr. Speaker, when the vote was taken on this bill, the membership of the House was very light, and a large number of the members apparently did not vote. In explanation of this vote, I simply wish to say this: That in 1911 the General Assembly passed a law providing that heavy traction engines shold be taxed—that is, that local authorities should be allowed to collect a certain amount of the tax out of them for the damage did to the public roads. The Attorney General construed that act as not making a local taxation, but as a state tax, and only held that they were taxable four mills on the dollars. This bill was up a few days ago, and another bill, a reperaler, to change this bill, if enacted into law. The one which is sought to be reconsidered here will provide that these heavy machines, weighing upwards of several tons, damaging the roads, shall be taxed for road purposes,—county, township and road purposes. It seems to me tht it is only a proper measure for the House to consider that and that these big machines should pay their part of the tax. Now they pay no tax at all except four mills to the State, the same as money at interest, and if this bill becomes a law it will repeal that, and these machines ought to pay taxes for local purposes for the benefit of the roads that they damage.

Mr. REESER. Mr. Speaker, I would like to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. ROCKWELL. Certainly, Mr. Speaker.

Mr. REESER. Mr. Speaker, is there anything in this bill stating that they should pay a road tax assessed against traction engines?

Mr. ROCKWELL. Mr. Speaker, the bill provides that they shall be taxed for road purposes—county, city, borough and township—and the township tax is the road tax.

Mr. REESER. Mr. Speaker, the way I read the bill, it says county, school and poor tax—nothing said about road tax.

Mr. ROCKWELL. Mr. Speaker, it does not mention the road tax specifically, but it says "township tax." The only township tax is for road purposes.

Mr. REESER. Mr. Speaker, I only have this to say, as I said the other night, that the tax on traction engines for county, school and poor purposes is outrageous. I stated that the other night. I do not think it is necessary to go over this again. If you want to put a road tax on traction engines, put on a road tax, not a county, borough, school and poor tax. I don't think it is fair.

Mr. E. G. M. KUHNS. Mr. Speaker, the objection throughout the agricultural regions to this bill is simply this: You will find that forty-eight out of every fifty farmers have a gasoline engine to do their threshing, their sowing, and their power work, until you meet one farmer with a traction engine. Now, did it never occur to anyone's mind that the gasoline engine, the self-binder, the mower, the plow, or anyone of those farming implements are to be taxed? You can plainly see that if one farmer out of every fifty should accidentally have a traction engine to do the same kind of work as all the other forty-nine do with the gasoline engine, you do not need to wonder why this one farmer objects to having the machine taxed, used for the

same purposes that the other forty-nine use their gasoline engines without tax. That is the objection to this bill throughout the agricultural regions of the Commonwealth.

Mr. ROCKWELL. Mr. Speaker, I wish to state that the gentleman seems to be under a misapprehension. The portable engine which the farmer uses is not a traction engine. A traction engine is a big, powerful machine, running on its own power over the public roads. I have seen them drawing four to six and eight loads of stone, ties and lumber behind them. We have them up in our County drawing two to three heavy wagonloads of milk, and doing great damage to some township roads, more than the whole thing is worth. The gentleman's objection with reference to a portable engine does not apply to this bill. My thought was, Mr. Speaker, that if this bill were reconsidered, that I would move to have it put on the postponed Calendar, and await the action on the bill coming from the Senate, which as I understand it provides that traction engines shall be licensed the same as automobiles. If that bill goes through, it will probably take the place of this, and if the bill is reconsidered and placed on the Calendar I will move to have it postponed and await action on the other.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1032, entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ROCKWELL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WALTON. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor which was read as follows:

VETO OF HOUSE BILL NO. 300.

Executive Chamber, Harrisburg, March, 27, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, House Bill No. 300, entitled:

"An Act to amend an act approved the fifteenth day of March one thousand nine hundred and eleven entitled 'An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf.'"

The subject of the act approved in 1911, which act it is now proposed to amend by this bill, is the cross-examination of defendants in criminal trials, whereas the subject of the proposed amendment is the introduction in evidence, by the Commonwealth, in chief or in rebuttal, of the record of a prior conviction of a defendant. It is, therefore, at least questionable, whether the proposed amendment is germane to the subject matter of the prior act, as expressed in the title thereof, namely, cross-examination. Apart from this question of constitutionality, however, the approval of the amendment might tend to defeat the proper administration of the criminal law, especially in the trial of defendants charged with second offences.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary, notwithstanding?

Mr. KITTS. Mr. Speaker, I move that the roll call be postponed for the time being and that the veto message be laid upon the table.

Mr. SPEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. STEEDLE. Mr. Speaker, I move that the vote by which House Bill No. 218, File Folio 1919, entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

was defeated on Tuesday, March 25, 1913, be reconsidered.

Mr. SEMMENS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. LOWERS. Mr. Speaker, I think that it is only fair that this action be reconsidered, inasmuch as the sponsor of the bill, at the time at which action was taken by this House, was not given an opportunity to be heard on this measure. The previous question was moved while he was on his feet, seeking to secure recognition of the Chair, and for that reason, if for no other, I think the House ought to reconsider their action at this time.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The house resumed the consideration on final passage of H. R. bill No. 218, entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

On the question,

Shall the bill pass finally?

Mr. RUNK. Mr. Speaker I will promise to delay you but a few moments on this bill. If you will look over the vote that was cast, you will find there were one hundred and thirty members outside of the cities in this House. Out of that number only thirty-three voted for the bill. There are sixty-two votes in Philadelphia and Pittsburgh. You certainly have no hunting in Philadelphia and Pittsburgh—not for rabbits, anyhow. The country people have outside, in the first thirty-one counties where game is to be found, fifty-two members in this House. On last Tuesday night fifty-one of these voted against this license and one voted for it. Mr. Keeport is the only man in those thirty-one counties that voted for the license. Now, that is true. In the next twelve counties, where there are thirty-two representatives, fourteen voted for it and fourteen against it, and four did not vote. In the city of Philadelphia, twenty-four voted for it and twenty-four in Pittsburgh: In Erie, Harrisburg, Allentown, Newcastle and Scranton, altogether, are sixty-one votes out of the ninety-seven votes cast for this bill. Sixty-one of them were from the cities. Now, gentlemen, I think that the country people that take care of the game, feed it and care for it and are glad to have the city people come out and hunt with them, ought to settle this question. For that reason, I am opposed to this license. I will take any member of this House coming to Franklin County, I will promise to take him out, but I will not promise that he will get to hunt there. I will take him out if I can. The people in my county are unanimously against this bill, because it is class legislation. There is no question about the fact that Section one, Article 9, of the Constitution says "all taxes shall be uniform upon the same class of subjects". Now, if you can license me and not license a farmer, then you are not certain to pass a constitutional bill. It cannot exist under the Constitution. I do not care for the dollar; I can pay that; but when you look over the vote cast last Tuesday night, you will find, as I told you, that out of thirty-one of the best hunting counties of this State there was but one vote for it, and fifty-one against it. In the next twelve counties, fourteen were for it and fourteen against it—four did not vote, which I presume is eighteen against it. These are facts that were laid upon your table to-night, which you can read. You cannot deny it. The Harrisburg Star-Independent is opposing this bill hard, and so does the Mountain and Stream, and other sportmen's papers of this county are opposed to this bill, if you have read them. I oppose this license. It rests upon the country people to protect the game. If you pass this bill, the boys in the country will kill the birds; they will shoot the quail in bunches. For that reason I am opposed to this bill and think it ought not to pass.

Mr. DAVIS. Mr. Speaker, the purpose of this bill is to create revenue whereby the game shall be protected and

also propagated. The people who are willing to pay this revenue are the sportsman. They number thousands in this State and the only opposition to this bill comes from the rural districts and I think they are unfair. I have in my hands a letter which I received from a farmer, which I will read:

"The only opposition arising to this Bill appears to come through a misunderstanding of its provisions. It is plainly a Bill that is fair to the interests of the land owners, because it does not permit gunning or trespassing, where hunters are not wanted. One of the important favorable features is that the gunner is to wear a number corresponding with the number of his license, which also gives his name, and thus he is readily identified.

The reputable sportsman has been greatly injured by the hoodlum hunter, who has not cared for reputation, and has not only been careless with property, but has been actually destructive. Farmers are frequently requesting the Game Commission to arrest hunters who have shot and stolen their poultry and other produce. This is not within the province of the Game Commission, and it brings hunters into disrepute with the farming people. Such a Bill as this would provide better protection against poachers and destructive trespassers, and at the same time would make more game for the legitimate hunter. It would also provide funds for further game protection and the operations of our Game Commission, and also for the payment of such bounties as the Legislature sees fit to pay. Above all else it would give needed protection to country life and property, and if this is not done, it must be understood that the 97 per cent. of our agricultural population who do not hunt will arise and demand legislation absolutely prohibiting that form of trespass on their premises which is popularly termed "hunting," and which is too often but the guise to turn hoodlums loose on farm property.

In the interests of the agriculturists of this Commonwealth, who when they understand it, universally support this measure, I urge united favorable action in its behalf."

This comes from a farmer in the State of Pennsylvania.

Mr. RUNK. Please give the name, Mr. Davis.

Mr. DAVIS. I do not want to take the liberty of doing so.

Mr. BAYLE. Mr. Speaker and Gentlemen of the House, it has been stated time and time again during the discussion of this bill that the farmers of the Commonwealth of Pennsylvania were against it. I can point you to a section of this old Commonwealth, second to but few in the strength of its agriculture, in its resources, from the farmers view, where almost every man is for this bill. Yes, gentleman, that is right, and gentlemen it was stated the other night that the farmer's boy could not afford to pay a dollar license. Show me a farmer's boy with the right grit, with the right strength that will grow into an American citizen, who can neither borrow a gun or buy one, that cannot raise a dollar to pay his license. I was a farmer's boy and so were some of you and I never lacked long, and neither did you, but a dollar.

Now, gentlemen, let us look at this. There is too much carelessness in the handling of guns. May I point you to a little personal matter? Last summer when campaigning for this high office that I now hold, when working for this seat, right up here, this one, number two, gentlemen, on the old country road in Erie County, we met a careless sportsman from the City of Erie carrying his gun. We said to him "What luck?" "Bad luck, gentlemen, we just shot a man." That case is pending in the Erie Courts to-day. His dog had been run over and he had shot the man. He was not under the dollar license. If they had asked a dollar from him he never would have had it. He would never had his gun. He would never have shot the man. Tell me that in the old Commonwealth of Pennsylvania there is a man, that is, if he handles a gun and goes across our fields to hunt the game that nests there, that is not able to pay one pauper dollar to the revenues of the State of Pennsylvania and we Pennsylvanians. Mr. Speaker and gentlemen, I close, but I say to you in behalf of the Commonwealth and its revenues, and everything that pertains to the safety of the individual, make that man that comes from the city or comes from the farm, or comes from the country hamlet, pay his dollar for the handling of his gun.

Mr. SPANGLER. Mr. Speaker, I am opposed to this bill for the reason that it discriminates against the occasional hunter, against the man who works in the factory and on the farm, who has an opportunity to hunt probably not oftener than once or twice during the course of the hunting season, and if you impose upon that man a license of one dollar and compel that man to take out a license in the prothonotary's office, which requires considerable time, it will mean that you deprive a great number of the citizens of our Commonwealth, particularly the poorer classes of the citizens of our Commonwealth, from the right of free citizens of this Commonwealth, which is a right that has extended during all the years of existence of the Commonwealth, namely, the right to hunt the wild game of our State.

The mere fact that the license fees are to be devoted to the payment of bounties is a subretfuge. If the State at the present time pays bounties for killing noxious animals, it is the duty of the State of Pennsylvania to make an appropriation for the amount of money that is now due and which the State of Pennsylvania now owes for that purpose, but I do not think that this is the way to collect that money. We already have on our statute books ample laws for the protection of game and it seems to me that this is a superfluous act under the conditions. I therefore ask you, gentlemen, in the name of the poorer classes of citizens, both in the country and in the cities, to oppose this measure.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman from Franklin, Mr. Runk.

The SPEAKER. Will the gentleman from Franklin permit himself to be interrogated.

Mr. RUNK. Mr. Speaker, I will.

Mr. LOWERS. Mr. Speaker, I desire to ask the gentleman if it is not true that during the past ten years he has held a commission as deputy game warden in this State?

Mr. RUNK. Mr. Speaker, No sir, it is not.

Mr. LOWERS. Then you have not held a commission?

Mr. RUNK. I did not. Under Governor Stuart he appointed me as a Game Warden and I acted for a while and when I sent reports to the Game Commission they ignored them and when they did send men they generally sent men with bad women with them.

Mr. LOWERS. I desire to further interrogate the gentleman; I want to ask the gentleman how many arrests he made during the time he was a deputy game warden, of violators of the game law?

Mr. RUNK. Mr. Speaker, I want to say to you, I did not arrest anybody. I did not take it with any promise that I would arrest anybody, but that I would report to the Game Commission any violations that I heard of and they would send men there to make the arrests.

Mr. LOWERS. Mr. Speaker, my reasons for interrogating the gentleman along this line were simply these; that in a speech made here some few day ago, the statement was made that the men in authority who were elected by the people of this State to protect the game, were not doing their whole duty, and I am glad the gentleman himself has informed you that he knew of hunters who not only violated the game laws, the laws relating to wild animal life, but infringed upon the decency and morals of the community. This is a measure for the poor man as well as the rich man. At the present time, those who are familiar with the situation in this State, recognize the fact that the rich men, driven to the point where they must do something to preserve the wild animal life in order to enjoy the privilege of gunning, have bought up many thousands of acres of land in this State and they have fenced them and forbid hunting upon these preserves, everybody excepting themselves and their friends. The Game Commission at the present time has stocked a number of preserves throughout this State, one of which is located about two and one-half hours ride from the town in which I live. I want to say to you that the town is in the heart of the greatest manufacturing district in the world and that we have a great many men employed in these shops and these mills, who enjoy a day's hunting, and they are all willing and anxious to contribute the small sum of one dollar towards making it possible for them to enjoy their one day's hunt in the woods because they recognize that with a sufficient fund in the hands of the Game Commission, it will be possible for them in two and one-half hours' ride to reach a point where they will have a fair opportunity of shooting and bringing home a deer, something worth while to every hunter; and so I urge upon the members of this House to give this measure their vote to place it on the statute books.

Mr. STEEDLE. Mr. Speaker, I move the previous question.

The SPEAKER. The previous question has been called for.

The motion was seconded by the following members: Messrs. Steedle, Letzkus, W. A. Blair, Moses, Keeport, Lowers, Snyder, Whitman, Brosius, Missimer, Adam C. Schaeffer, H. B. Dunn, Forster, George A. Baldwin, Reese, Swift, Mit-

chell, Thomas, Heyburn, Schuck, Newton, Goss, Reuben Howard, Down, Sassaman, Caldwell, Rex and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the previous question now be put?

It was agreed to.

The SPEAKER. The question now before the House is shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Ehrhardt,	Letzkus,	Sassaman,
Allen,	Eichenberger,	Lohr,	Schuck,
Alworth,	Ely,	Lowers,	Scott, J. R. K.
Ambler,	Ewing,	Malie,	Semmens,
Arthur,	Fahey,	Mannion,	Sherwood,
Arthur,	Geary,	Mather,	Smith, L.,
Baldwin, G. A.,	Goss,	McAleer,	Snyder,
Baldwin, R. J.,	Grabe,	McAllister,	Spillinger,
Bass,	Gransback,	McArdle,	Steedle,
Bayle,	Gray, Joseph	McClintock,	Steele,
Benninger,	Haggerty,	McNichol,	Stein,
Bergey,	Heidinger,	Mechling,	Stone,
Bigger,	Hemminger,	Missimer,	Swift,
Blair, W. A.,	Heyburn,	Mitchell,	Thomas,
Blair, W. F.,	Howard, J.,	Moore,	Trach,
Brosius,	Howard, R.,	Morrow,	Ulerich,
Brown,	Irwin, G. C.,	Moses,	Walton,
Brownlee,	Irwin, H. H.,	Moulthrop,	Watson,
Campbell, J. J.,	Kaiser,	Neel,	Wettach,
Carter,	Keegan,	Neely,	Wildman,
Cleary,	Keeport,	O'Neill,	Wilson, J. H.,
Cochran,	Kennedy,	Perry, S. J.,	Wilson, W. H.,
Conrade,	Kern,	Piper,	Wiltbank,
Cox,	Kitts,	Ramsey,	Young, G. K.
Currier,	Kuhn, H. P.,	Reese,	Young, J. H.,
Curry,	Latshaw,	Reeser,	Zimmerman,
Davis,	Leslie,	Rex,	Alter,
DeFrees,		Richards,	Speaker.
Dunn, J. A.,			

NAYS—77.

Ambler,	Forster, I. G.,	Matt,	Rothenberger,
Barner,	Frey,	McDermott,	Runk,
Becker,	Gibson	McKay,	Savacool,
Benson,	Glenn,	Mellott,	Schaeffer, A. C
Bittles,	Good,	Metzenbacher,	Scott, S. B.,
Bleloch,	Gramley,	Miller,	Shaffer, C. A.,
Body,	Gray, Frank,	Musser,	Shaffer, I. E.,
Burnett,	Hackett,	Newbaker,	Showalter,
Caldwell,	Herman,	Newton,	Smith, J. W.,
Campbell, C.M.,	Hess,	North,	Spangler,
Carson,	Hibshman,	Peachey,	Speiser,
Cheeseman,	Hobbs,	Pennegar,	Strauss,
Claycomb,	Jones, J. R.,	Pennock,	Swartz,
Collins,	Kaufman,	Perry, H. L.,	Ulman,
Dickinson,	Klepper,	Peters,	Walnut,
Donahoe,	Kuhns, E.G.M.,	Post,	Walsh,
Donnally,	Lanius,	Redfield,	Whitaker,
Down,	Lenker,	Rhoads,	Whitman,
Dunn, H. B.,	Martin,	Rockwell,	Williams,
Flynn,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. PIPER. Mr. Speaker, I desire to be recorded as voting aye on this bill.

Mr. GIBSON. Mr. Speaker, was the gentleman in his seat? Is the gentleman entitled to vote?

The SPEAKER. The Chair assumes that he is entitled to vote. What is the objection?

Mr. GIBSON. The gentleman from Philadelphia was not in his seat.

The SPEAKER. The gentleman is not required to be in his seat.

Mr. PIPER. Mr. Speaker, I desire to know how any man can question whether I was in the hall of the House unless he was out of the hall himself?

The SPEAKER. The gentleman is presumed to have been in the hall of the House unless the contrary appears.

Mr. GIBSON. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Piper.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PIPER. I will.

Mr. GIBSON. Mr. Speaker, I would like to ask the gentleman if he was in the hall.

Mr. PIPER. Mr. Speaker, when you started to call the roll I was in the lobby of the House talking to some of my friends.

The SPEAKER. The gentleman will be recorded as voting aye.

Mr. JAMES A. DUNN. Mr. Speaker, not hearing my name called, I would like to be recorded as voting aye.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HOBBS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOBBS. It is a question of information; whether a member is required to be within the halls of the House or within the lobby when he votes.

The SPEAKER. The rule is that when the gentleman is within the halls of the House when his name is called, he has the right to have his vote recorded.

Mr. HOBBS. Mr. Speaker, what constitutes the hall of the House?

The SPEAKER. Anywhere inside of the first doors—the first doors from this point.

Mr. HOBBS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. James A. Dunn.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. DUNN. I will.

Mr. HOBBS. Were you within the hall of the House when the roll was called?

Mr. JAMES A. DUNN. I would like to interrogate you? Were you within the hall of the House?

Mr. HOBBS. That does not answer my question?

Mr. JAMES A. DUNN. I was within the hall of the House.

POINT OF ORDER.

Mr. FLYNN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FLYNN. In order to simplify this matter I would state that when an objection is raised to a member voting after his name has been passed on the roll, that under the rules he shall then not be permitted to vote. After his name has been passed on the roll call, under the rules, he cannot vote if there is objection, whether he is in the House or out of the House.

The SPEAKER. The Chair rules that the point of order of the gentleman from Elk is not well taken, if the gentleman desiring to be recorded is within the hall of the House when the roll was called.

Mr. FLYNN. Well, Mr. Speaker, do I understand you to rule that after a member's name is passed he shall be permitted to be recorded, even if objections are raised?

The SPEAKER. The Chair so understands the rule, provided the member has been within the hall of the House at the time his name was called. The gentleman states that he didn't hear his name called.

Mr. FLYNN. Mr. Speaker, I hestitate to take issue with the Chair, but it has been the custom of this House at all times that the time to record a vote is when the name is called, and if it is passed, the member shall not be permitted to vote if objections are raised.

The SPEAKER. Rule 49 provides that no member shall be permitted to vote on any question unless he be within the bar, and when the yeas and nays are called, he be present to answer to his name. The gentlemen have stated that they were within the bar of the House but did not hear their names called.

Mr. FLYNN. Mr. Speaker, I do not think that that covers the point that I raised. A member must vote when his name is called, otherwise, if there is objection, he shall not be permitted to record his vote. I understand, Mr. Speaker, that that has been the ruling of the Chairmen of this House since I can remember. I would call your attention to Rule 56 which provides, that no member shall be permitted to record his vote who neglects to vote when his name is first called by the Clerk.

The SPEAKER. The Chair would not construe that a member so neglecting to vote when through disorder or any other cause he failed to hear his name called.

Mr. FLYNN. Mr. Speaker, I would still maintain, with due respect to your opinion, that the time to make objection is during the roll call, not after the roll call has been completed. A member can certainly rise in his place and demand that the roll call proceed in its order.

The SPEAKER. The Chair would consider that the interruption of the roll call in that way would tend to disorder, and calling attention to the fact immediately upon the completion of the roll call is a substantial compliance with the rule, and tends greatly to the good order of the proceedings of the House.

Mr. S. B. SCOTT. Mr. Speaker, I rise for information—where is the bar of the House spoken of in rule 46?

The SPEAKER. The Chair is of the opinion that under the practice of the House, inside the three doors of the House is inside the bar.

Mr. S. B. SCOTT. Mr. Speaker, I understand then that the whole House is inside the bar.

Mr. GIBSON. Mr. Speaker. I would like to call your attention to rule 56.

The SPEAKER. The gentleman from Elk has read the rule. The gentleman from Philadelphia, Mr. James A. Dunn, desires to be recorded as voting "aye". Unless the vote is challenged it will be received.

Mr. HOBBS. Mr. Speaker, I challenge the vote.

The SPEAKER. The gentleman will state the grounds in writing.

Mr. HOBBS. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. JAMES A. DUNN. Mr. Speaker, No, sir; it is too late.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALLEN. Mr. Speaker, In the proceedings of this House it has always been the rule that when a vote has been challenged that shall be put in writing. If the gentleman from Lackawanna Mr. Hobbs, challenges the vote of the gentleman from Philadelphia, the grounds of his challenge should be submitted in writing.

The SPEAKER. A challenge must be in writing where the proceedings of the vote would effect the result as to the passage of the bill. The Chair is informed by the Clerk that the receiving of this vote would not effect the result as to the passage of the bill.

Mr. HOBBS. Mr. Speaker, if we can get down to a matter of fact in this proposition, it is all I care for. I desire to ascertain whether the gentleman had the right to vote or not and therefore, I want the decision positive whether the gentleman was within the bar of this House or not when the roll was called. I insist upon an answer from the gentleman from Philadelphia.

The SPEAKER. Did the Chair understand the gentleman from Philadelphia (Mr. James A. Dunn) to state that he was within the bar of the House at the time his name was called?

Mr. JAMES A. DUNN. Mr. Speaker, Yes sir; I so stated to the Chair.

The SPEAKER. The word of the gentleman from Philadelphia can not be questioned in this matter.

Mr. HOBBS. Mr. Speaker, I am satisfied.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 34, as follows:

An Act providing for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in a State Fire Marshal and by providing proper penalties for any violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fireproof construction public or private institution sanatorium surgical institute asylum hospital school house academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercatile establishment every hotel restaurant apartment house boarding house or lodging house in which persons reside or lodge above the second story and every tenement house apartment house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire escapes on the outside of such building or to stairways on the inside Where any of said buildings is designated for the or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passage-way of not less than five feet in the clear and shall have landings inside of the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landing to be of a width not less than the stairway approaches thereto

Section 2 In all theatres opera houses or other buildings where stage scenery moving pictures or other apparatus is used there shall be provided one or more direct exterior doorways from the stage and for dressing-rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passage-ways to and from the same shall be unobstructed and properly lighted Neither on or about the stage auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safely guarded provided that where electric current or gas is not available oil lamps may be used on rigid brackets not less than one foot from any wall All drop-curtains sky-borders shall be of an approved noncombustible substance and one each side of the stage standpipes of at least two inches in diamater shall be provided with hose and attachments of not less than one and one-half inches in diameter and of proper and sufficient quantity There shall also be provided for each side of the stage not less than two fire extinguishers and one cask of not less than forty-two gallons capacity which shall be kept full of water and two buckets for each cask buckets and casks to be painted red and kept in readiness for immediate use Where the rows in width of such auditorium and galleries contain six seats or less there shall be one center aisle three feet wide with three seats or less on either side Where the rows in width of such auditorium and galleries contain eight seats or less there shall be one center aisle four feet wide with four seats or less on either side Where such rows contain more than eight but less than sixteen seats there shall be two four foot aisles with four seats or less on either side Where such rows contain sixteen seats of more but less than twenty-seats there shall be a four foot center aisle with ten seats or less on either side and a three foot aisle along each side wall Where such rows contain twenty seats or more there shall be a four foot center aisle and a four foot aisle along each side wall or at least one additonal four foot aisle for every ten seats above twenty All such aisles shall provide a continuous unobstructed passageway to the main exits and to the exits leading to the fire escapes and the words "Exit to Fire Escapes" in large legible illuminated letters shall be posted and kept posted before each fire-escape exit and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein

Section 3 In addition to the foregoing means of escape from fire all such buildings as are enumerated in section one of this act that are more than two stories in height and buildings having one or more galleries above the first floor shall have one or more fire-escapes on the outside of said buildings as may be directed by the State Fire Marshal or a Deputy fire marshal except in such cases as he may deem such fire-escape to be necessary in consequence of adequate provision having been already made for safety in event of fire or panic and in such cases of exemption the said State Fire Marshal or a deputy fire marshal shall give the owner lessee or occupant of said building a certificate to that effect and his reason therefor And such fire-escapes as are provided for in this section shall be of wrought iron constructed according to specifications to be issued or approved by the State Fire Marshal and shall be connected with each floor above the first firmly fastened and secured and of sufficient strength to maintain a weight of not less than four hundred pounds per step on a safety factor of four each of which fire-escapes shll have landings or balconies at each story capable of sustaining a weight of not less than eighty pounds per square foot guarded by railings not less than three feet in height and enbracing one or more windows or doors at each story and connecting with the interior by easily accessible and unobstructed openings and all the balconies or landings shall be connected by external iron stirways placed at a slant of not more than forty-five degrees protected by well secured handrails the stairway steps to be not less than six inches in width and twenty-four inches in length Fire-escapes now in use and hereafter erected must be painted once a year and be kept in safe condition and up to the standard requirements of this section

Section 4 Where any of the aforementioned buildings are so constructed that a fire-escape cannot be erected upon the same without trespassing upon the property of the owners or life tenants of adjoining lands or buildings and where permission to erect fire-escapes has been refused by said owner tenants for life lessee bailee or agent adjoining lands or buildings it shall be the duty of the owner or life tenants of any of the aforementioned buildings constructed as aforesaid to erect an internal fire-roof means of escape the same to be located and erected under the direction of the State Fire Marshal Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire-escape nor of an internal fire-proof escape it is hereby enjoined upon the State Fire

Marshal to notify in writing the owner or life tenant of any buildings so constructed to discontinue the occupancy of the whole or of a part of said building for any of the purposes which make said building amenable to the fire-escapes provisions of this act

Section 5 To better secure compliance with the provisions of the foregoing sections of this act the owner or life tenant of any building now used for other purposes than aforesaid which is to be adapted to any of the aforesaid uses or of any building to be erected for any of the aforesaid purposes shall before adapting or erecting any such building submit to the State Fire Marshal architectural designs and specifications of such building showing that compliance with the requirements of the foregoing sections is provided for therein and such building shall not be so adapted or erected without the approval of the State Fire Marshal

Section 6 The owner tenant for life lessee bailee or agent of any of the buildings mentioned in the foregoing provisions of this act who shall willfully fail or refuse to comply with the provisions of this act or who shall willfully fail or refuse to observe the orders for the enforcement of this act issued to said owner or life tenant by the State Fire Marshal or a deputy fire marshal shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of five hundred dollars or six months imprisonment or either or both in the discretion of the court And in the case of fire occurring in any of said buildings in the absence of such doorways landings exits fire-escapes or fire preventives as provided for in this act the owner or life tenant aforesaid shall be liable for damages in case of death or personal injury the result of fire or panic in any of said buildings and such action for damages may be maintained by any person now authorized by law to sue as in other case of loss by death or injuries

Section 7 The act approved the third day of May one thousand nine hundred nine entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives by fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Adams,	Dunn, J. A.,	Letzkus,	Reese,
Alworth,	Ehrhardt,	Lowers,	Roney,
Ambler,	Eichenberger,	Malie,	Schaeffer, A. C
Aron,	Ewing,	Martin,	Scott, J. R. K.,
Arthur,	Fahey,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Forster, I. G.,	McAleer,	Sherwood,
Bass,	Gans,	McArdle,	Smith, L.,
Bergey,	Gramley,	McClintock,	Spangler,
Bigger,	Gransback,	McKay,	Speiser,
Blair, W. A.,	Gray, Frank,	McNichol,	Spillinger,
Bleloch,	Hackett,	Mitchell,	Stone,
Brosius,	Haggerty,	Moore,	Swift,
Brown,	Heidinger,	Moses,	Walnut,
Brownlee,	Hemminger,	Murphy,	Walsh,
Cheeseman,	Hibshman,	Musser,	Wildman,
Conniff,	Irwin, H. H.,	Neel,	Williams,
Conrade,	Jones, J. R.,	O'Neill,	Wilson, W. H.,
Cox,	Keeport,	Peachey,	Young, G. K.
Curry,	Lanius,	Pennock,	Alter,
DeFrees,	Latshaw,	Post,	Speaker.
Dickinson,	Lenker,	Redfield,	
Dunn, H. B.,			

NAYS—87.

Allen,	Herman,	Metzenbacher,	Semmens,
Baldwin, R. J.,	Hess,	Miller,	Shaffer, C. A.,
Becker,	Heyburn,	Missimer,	Shaffer, I. E.,
Benninger,	Hobbs,	Morrow,	Showalter,
Benson,	Howard, R.,	Moulthrop,	Smith, J. W.,
Blair, W. F.,	Humes,	Neely,	Snyder,
Body,	Irwin, G. C.,	Newbaker,	Steedle,
Caldwell,	Jackson,	Newton,	Steele,
Campbell, C.M.,	Kaiser,	Pennegar,	Strauss,
Carson,	Kaufman,	Perry, H. L.,	Thomas,
Claycomb,	Keegan,	Peters,	Trach,
Cleary,	Kennedy,	Price,	Ulman,
Cochran,	Kern,	Ramsey,	Walton,
Collins,	Kitts,	Reeser,	Watson,
Currier,	Kuhn, H. P.,	Rex,	Wettach,
Davis,	Kuhns, E.G.M.,	Richards,	Whitaker,
Donahoe,	Letzkus,	Rockwell,	Whitman,
Donnally,	Mannion,	Rothenberger,	Wilson, J. H.,
Down,	Matt,	Runk,	Wiltbank,
Flynn,	McAllister,	Sassaman,	Young, J. H.,
Foster, J. D.,	McDermott,	Savacool,	Zimmerman,
Geary,	Mellott,		
Good,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 569, as follows:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after passage of this act the fees to be paid to received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as ronows

Appeals from alderman justices of the peace or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than upon trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to Eastern or Western Penitentiary fifty cents

Commitment to county prison fifty cents

Commitment to house of refuge fifty cents

Commitment to insane hospital fifty cents

Certificate of election of constables et cetera one dollar

Certificate and seal fifty cents

Certificate of acknowledgment and seal fifty cents

Certificate for Fairmount Park Commissioners in duplicate two dollars

Certificate of city treasurer one dollar and twenty-five cents

Certificate for payment of jurors fifty cents

Certificate for payment of road jurors fifty cents

Certificate to sheriff to draw jurors two dollars

Certificate to sheriff to draw grand jurors two dollars

Certificate to sheriff to draw special venire and return thereto two dollars

Certificate of official capacity under seal one dollar

Certificate to police department upon return of stolen prop- each twenty-five cents

Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents

Certificate and seal of ignored bill seventy-five cents

Certificate and seal in breach of peace seventy-five cents

Certificate and seal in apprentices seventy-five cents

Certificate and seal in reconsideration of sentence seventy-five cents

Certificate to Board of Charities of court order of non-support and seal one dollar

Certificate of probation one dollar

Certificate to Director of Public Safety upon application for detective license one dollar

Certificate to prothonotary of elective justices of the peace each name twenty-five cents

Certificate to county commissioners of elective election officers each name twenty-five cents

Certificate to county commissioners (witness fees) and seal each twenty-five cents

Commission on lunacy swearing commission filing and recording three dollars and fifty cents

Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents

Certified copy bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Certified copy of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy docket entry in road cases not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy notes of testimony charge of court and all other papers filed in any case per page twenty cents

Citation and seal one dollar

Constable's return on liquor licenses and seal one dollar and fifty cents

Dog register and seal one dollar and fifty cents

Declaration to become a citizen and seal two dollars

Discharge on ignored bill and seal seventy-five cents

Discharge on bail entered seventy-five cents

Discharge of prisoner from dock seventy-five cents

Exemplification of record bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Exemplification of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Exemplification certificate and seal one dollar and twenty-five cents

Entering satisfaction of judgment fifty cents

Entering judgment on bond or recognizance upon confession for want of affidavit or defence or upon verdict of demurrer one dollar and twenty-five cents

Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars

Entering revival of judgment by agreement one dollar and twenty-five cents

Filing and entering motion and reason for new trial seventy-five cents

Filing and entering motion in arrest of judgment seventy-five cents

Filing and entering reconsideration of sentence seventy-five cents

Filing and entering bond or recognizance from magistrate seventy-five cents

Filing and entering expense account of candidate for nomination and election to public office under fifty dollars ($50) one dollar
Filing and entering expense account of candidate for nomination and election to public office over fifty dollars ($50) two dollars
Filing and entering expense account of ward and county committees three dollars
Filing and entering magistrate's return seventy-five cents
Filing and entering coroner's return each seventy-five cents
Filing and entering petitions for appointment of auditor or examiners et cetera one dollar
Filing and entering auditor's reports per page twenty cents
Filing and entering petitions and papers not otherwise provided for first page fifty cents
Each additional page twenty cents
Filing petition for change of polling place two dollars
Filing and entering of plea autrefois convict fifty cents
Filing and entering of plea autrefois acquit fifty cents
Filing and entering plea of nolo contendre fifty cents
Filing and entering nolo prosequi ten dollars
Filing and entering docket entries true bill three dollars
Filing and entering docket entries ignored bill two dollars
Filing and entering opinion of court of common pleas Superior and Supreme Court one dollar
Filing end entering opinion of court of oyer and terminer or quarter sessions one dollar
Filing and entering certiorari or appeal to Superior or Supreme Court three dollars
Filing and entering remittitur from Superior or Supreme Court two dollars
Filing and entering bill of exceptions three dollars
Filing and entering certificate from city controller upon loan bill five dollars
Filing and entering return of election of increase of indebtedness for each return twenty-five cents
Filing and entering certified copy ordinance of councils upon loan bill three dollars
Filing and entering answer to writ of habeas corpus fifty cents
Filing and entering answer to warrant of seizure fifty cents
Filing and entering answer to rules in non-support cases fifty cents
Filing and entering traverse fifty cents
Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for divisicn of election districts townships boroughs wards et cetera two dollars
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders license two dollars and fifty cents
Filing and issuing summons on recognizance filing appearance affidavit of defense one dollar and fifty cents
Filing and indexing in card index record of commitment to Eastern or Western Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing order of satisfaction in road cases twenty-five cents
Filing appeals in road cases seventy-five cents
Filing and entering report in road cases five dollars
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendent twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue each defendant twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogatories in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal frame and glass six dollars and seventy-five cents
Liquor license filing and justification of bond constable fee et cetera in transfer of five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to board of charities to be paid by county five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents
Naturlization certificate duplicate each two dollars and twenty-five cents
Non-support cases record of three dollars
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view and review of a road or bridge et cetera filing report recording et cetera ten dollars
Petition filing of habitual drunkard docketing proceedings and court orders two dollars
Petition filing of feeble minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing for writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents
Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving on entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Search judgment single name forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scieri facias sur bond three dollars
Scieri facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollar
Seal in every case not otherwise provided for twenty-five cents
Supreme court appeals one dollar and fifty cents
Supreme court on warrant of seizure one dollar and fifty cents
Supreme court return to writ of error one dollar
Supreme court appeals to one dollar and fifty cents
Superior court on warrant of seizure one dollar and fifty cents
Superior court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bill of costs one dollar
Venire for grand jury one dollar
Venire to draw special Jury two dollars and fifty cents
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar service provided however that the provisions of this act shall not apply to counties having a population of less than one million as computed by the last preceding United States census

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual or corporation the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Flynn,	Mannion,	Sassaman,
Allen,	Forster, I. G.,	Martin,	Savacool,
Alworth,	Foster, J. D.,	Mather,	Schaeffer, A. C
Ambler,	Gans,	Matt,	Schuck,
Aron,	Geary,	McAleer,	Scott, J. R. K.,
Arthur,	Gibson,	McAllister,	Semmens,
Baldwin, R. J.,	Glenn,	McArdle,	Shaffer, C. A.,
Bass,	Good,	McClintock,	Shaffer, I. E.,
Bayle,	Gramley,	McKay,	Sherwood,
Becker,	Gransback,	McNichol,	Showalter,
Benson,	Gray, Frank,	Mechling,	Smith, J. W.,
Bergey,	Gray, Joseph,	Metzenbacher,	Smith, L.,
Bigger,	Hackett,	Miller,	Snavely,
Blair, W. A.,	Haggerty,	Missimer,	Spangler,
Blair, W. F.,	Heidinger,	Mitchell,	Speiser,
Bleloch,	Hemminger,	Morrow,	Spillinger,
Brosius,	Hess,	Moses,	Steedle,
Brown,	Heyburn,	Murphy,	Steele,
Brownlee,	Hibshman,	Musser,	Stein,
Burnett,	Hobbs,	Neel,	Stone,
Caldwell,	Howard, J.,	Neely,	Strauss,
Campbell, C.M.,	Howard, R.,	Newbaker,	Swartz,
Carter,	Humes,	Newton,	Swift,
Cheeseman,	Isler,	North,	Thomas,
Claycomb,	Irwin, G. C.,	O'Neill,	Trach,
Cleary,	Irwin, H. H.,	Peachey,	Ulerich,
Cochran,	Jackson,	Pennegar,	Ulman,
Collins,	Kaiser,	Pennock,	Walsh,
Conniff,	Keegan,	Perry, S. J.,	Walton,
Conrade,	Keeport,	Piper,	Watson,
Cox,	Kennedy,	Post,	Wettach,
Currier,	Kern,	Price,	Whitaker,
Curry,	Kitts,	Ramsey,	Whitman,
Davis,	Klepper,	Redfield,	Wildman,
DeFrees,	Kuhn, H. P.,	Reese,	Williams,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wilson, J. H.,
Donahoe,	Lanius,	Rex,	Wilson, W. H.,
Donnally,	Lenker,	Rhoads,	Wiltbank,
Dunn, H. B.,	Leslie,	Rockwell,	Young, J. H.,
Dunn, J. A.,	Lowers,	Roney,	Zimmerman,
Ehrhardt,	Malie,	Rothenberger,	Alter,
Eichenberger,		Runk,	Speaker.
Ely,			
Fahey,			

NAYS—2.

Jones, J. R., Walnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1054, as follows:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales' 'approved the fourth day of June Anno Domini one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) which reads as follows

"Section 12 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims shall include the lot in front of or upon which the work is done of such depth as is usual in properties of the same kind or character in the particular neighborhood 'but not including any part of a lot abutting at the rear thereof on another highway other than an alley Where the lot as used does abut at the rear thereof on another highway other than an alley the lot shall be so apportioned as to give to both front and rear an appropriate depth suitable as far as may be for the purposes thereof" shall be and the same is hereby amended to read as follows

Section 12 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims for the recovery of assessments made against properties benefited by any of the municipal improvements in this act mentioned shall include the entire property abutting on such improvement to the depth to which the same is found to be benefited In other cases the property described in municipal claims shall include the lot in front of or upon which the work is done of such depth as is usual in properties of the same kind or character in the particular neighborhood

No municipal or tax claim shall be invalidated by reason of including therein property to a greater depth than hereby subjected to such claim but the court in which the same is filed may at any time prior to judgment thereon but not afterwards upon it appearing that such claim includes property to a greater depth than hereby made subject to such claim limit the lien thereof to the proper depth

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Adams,	Forster, I. G.,	Leslie,	Robinson,
Allen,	Foster, J. D.,	Letzkus,	Rockwell,
Alworth,	Frey,	Lohr,	Roney,
Ambler,	Gans,	Lowers,	Rothenberger,
Aron,	Geary,	Malie,	Runk,
Arthur,	Gibson,	Mannion,	Sassaman,
Baldwin, G. A.,	Glenn,	Martin,	Savacool,
Baldwin, R. J.,	Good,	Mather,	Schaeffer, A. C
Bass,	Goss,	Matt,	Schuck,
Bayle,	Grabe,	McAleer,	Scott, J. R. K.,
Benninger,	Gramley,	McAllister,	Semmens,
Benson,	Gransback,	McArdle,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Bigger,	Haggerty,	McDermott,	Showalter,
Bittles,	Heidinger,	McKay,	Smith, J. W.,
Blair, W. A.,	Hemminger,	McNichol,	Snavely,
Bleloch,	Hess,	Mechling,	Snyder,
Brosius,	Heyburn,	Mellott,	Spangler,
Brown,	Hibshman,	Metzenbacher,	Steedle,
Brownlee,	Hobbs,	Miller,	Steele,
Burnett,	Howard, R.,	Missimer,	Stein,
Campbell, C.M.,	Howard, R.,	Mitchell,	Stone,
Carson,	Humes,	Moore,	Strauss,
Carter,	Isler,	Morrow,	Swartz,
Claycomb,	Irwin, G. C.,	Moses,	Swift,
Cleary,	Irwin, H. H.,	Neel,	Thomas,
Cochran,	Jackson,	Neely,	Trach,
Collins,	Jones, E. E.,	Newbaker,	Ulman,
Conrade,	Jones, J. R.,	Newton,	Walsh,
Cox,	Kaiser,	North,	Walton,
Currier,	Kaufman,	O'Neill,	Watson,
Curry,	Keegan,	Peachey,	Whitaker,
Davis,	Keeport,	Pennegar,	Whitman,
DeFrees,	Kennedy,	Pennock,	Wildman,
Dickinson,	Kern,	Perry, S. J.,	Williams,
Donahoe,	Kitts,	Piper,	Wilson, J. H.,
Donnally,	Klepper,	Post,	Wiltbank,
Down,	Kuhn, H. P.,	Price,	Young, G. K.,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Young, J. H.,
Dunn, J. A.,	Lanius,	Redfield,	Zimmerman,
Ehrhardt,	Latshaw,	Reeser,	Alter,
Eichenberger,	Lenker,	Rhoads,	Speaker.
Ely,			
Flynn,			

NAYS—1.

Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 803, as follows:

An Act further amending section two of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors

Whereas, There is no provision for the appointment and payment of a plumbing inspector in second and third class cities of this Commonwealth and

Whereas, The act of June seven one thousand nine hundred and one Pamphlet Laws four hundred and ninety-three and the act of May fourteenth one thousand nine hundred and nine Pamphlet Laws eight hundred and forty pertaining to the business or work of plumbing of house drainage have been held constitutional by the highest courts of this State and are practically without force or effect without such a provisions and

Whereas, The lack of uniformity and system is the result thereof greatly to the injury of the said cities and the plumbing and house drainage thereof and

Whereas, The courts of this State have held that "The real trouble in the administration of this act of Assembly is that in its passage the legislature assumed it to be a fact that the office of Plumbing Inspector existed in all cities of the third class when it did not now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business or work of plumbing ..... house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one as amended by Section two of the act of May fourteeth Anno Domini one thousand nine hundred and nine (Pamphlet Laws eight hudred and forty) which reads as so amended as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necesary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby amended to read as follows:

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitled him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the board or Bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provisions for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate or registry to the board or bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between first and thirty-first days of December of each and every year surrender the said certificate or license to the department or board or bureau of health and register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journey-men plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class cities of this Commonwealth to engage in or work at the business of plumbing and drainage work desiring to do plumbing or drainage in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Foster, J. D.,	Malie,	Runk,
Ambler,	Gans,	Mannion,	Sassaman,
Aron,	Geary,	Martin,	Savacool,
Arthur,	Gibson,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Glenn,	Matt,	Schuck,
Baldwin, R. J.,	Good,	McAleer,	Scott, S. B.,
Bass,	Goss,	McAllister,	Semmens,
Bayle,	Gramley,	McArdle,	Shaffer, I. E.,
Becker,	Gransback,	McDermott,	Sherwood,
Benninger,	Gray, Frank,	McKay,	Showalter,
Benson,	Gray, Joseph,	McNichol,	Smith, J. W.,
Berntheizel,	Hackett,	Mechling,	Smith, L.,
Bigger,	Haggerty,	Miller,	Snavely,
Bittles,	Heidinger,	Missimer,	Snyder,
Blair, W. A.,	Hemminger,	Mitchell,	Spangler,
Bleloch,	Herman,	Moore,	Speiser,
Brosius,	Hess,	Morrow,	Spillinger,
Brown,	Heyburn,	Moses,	Steedle,
Brownlee,	Hibshman,	Moulthrop,	Steele,
Caldwell,	Hobbs,	Musser,	Stone,
Claycomb,	Howard, J.,	Neel,	Strauss,
Cleary,	Howard, R.,	Neely,	Swift,
Cochran,	Isler,	Newbaker,	Thomas,
Collins,	Irwin, G. C.,	Newton,	Trach,
Conner,	Irwin, H. H.,	North,	Ulerich,
Conniff,	Jackson,	O'Neill,	Ulman,
Conrade,	Jones, E. E.,	Peachey,	Walnut,
Cox,	Jones, J. R.,	Pennegar,	Walsh,
Currier,	Kaiser,	Pennock,	Walton,
Curry,	Kaufman,	Perry, S. J.,	Wettach,
Davis,	Keegan,	Peters,	Whitaker,
DeFrees,	Keeport,	Piper,	Whitman,
Dickinson,	Kitts,	Price,	Wildman,
Donahoe,	Klepper,	Ramsey,	Williams,
Donnally,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Rex,	Wiltbank,
Dunn, J. A.,	Latshaw,	Rhoads,	Young, J. H.,
Ehrhardt,	Leslie,	Richards,	Zimmerman,
Eichenberger,	Letzkus,	Rockwell,	Alter,
Ely,	Lohr,	Roney,	Speaker.
Fahey,	Lowers,	Rothenberger,	
Flynn,			
Forster, I. G.,			

NAYS—4.

Humes,	Lenker,	Post,	Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1010, as follows:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof fixing the compensation of the State Veterinarian and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "domestic animal" as used in this act shall mean any equine animal or bovine animal or sheep or goat pig or dog or cat and shall be taken to include the singular or plural as may be necessary in any given case

Section 2 The word "owner" as used in this act shall mean any person owning any domestic animal or leasing any domestic animal from another or any person who allows a domestic animal habitually to remain about the premises inhabitated by such person

Section 3 The word "person" as used in this act shall mean any person co-partnership association or corporation and shall be taken to include the singular or plural as may be necessary in any given case

Section 4 The word "permises" as used in this act is to be taken in its widest sense and is to include land any structure erected on land and any vehicle or vessel used in transporting passengers goods or animals by land or by water

Section 5 The State Livestock Sanitary Board shall remain as at present constituted The State Veterinarian shall be ex-officio Secretary of the State Livestock Sanitary Board For the proper performance of the work of the State Livestock Sanitary Board the State Veterinarian with the approval of the Board is authorized to appoint and employ for the Board such agents and employees legal clerical and otherwise as may be deemed necessary

For services as State Veterinarian and Secretary of the State Livestock Sanitary Board he shall receive an annual salay of five thousand dollars which shall be in lieu of all compensation now received by law

In the absence of incapacity of the State Veterinarian the Deputy State Veterinarian shall act as Secretary of the State Livestock Sanitary Board and as executive officer thereof and shall have in all respects the powers and duties of the State Veterinarian under this act except that said Deputy State Veterinarian shall not be a member of the Board

For his services as Deputy State Veterinarian and services in connection with the State Livestock Sanitary Board he shall receive an annual salary of four thousand dollars which shall be in lieu of all compensation now received by law Provided however That the provisions of this act shall not apply to the terms of office of the persons now occupying the offices of State Veterinarian and Deputy State Veterinarian

The compensation of agents and other employees shall be fixed by the State Veterinarian with the approval of the Board The State Veterinarian shall assign to each agent and employee such duties as may be deemed for the best interests of the work of the Board Each officer agent and employee shall be allowed expenses actually and necessarily incurred in the performance of the duties devolved upon him All salaries compensation and expense of officers agents and employees and all other expenses under this act shall after approval by the State Veterinarian be paid by the State Treasurer upon the warrant of the Auditor General in the manner now provided by law

Section 6 It shall be the duty of the State Livestock Sanitary Board to improve the quality of the domestic animals and poultry of this Commonwealth to prevent suppress control and eradicate any transmissable diseases of such animals or poultry and to enforce the laws of the Commonwealth relating to diseases of animals and poultry and the manufacture preparation storage sale and offering for sale of the food and food products derived from diseased animals and poultry Whenever and wherever deemed necessary to prevent the spread of disease the Board may regulate and prohibit the importation into this Commonwealth of animals or poultry may cause general or special quarantine of premises and animals and poultry to be established and maintained may cause the disinfection of any premises may cause the destruction of animals and poultry and of personal property and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this Commonwealth The State Livestock Sanitery Board may also cause such investigations to be conducted as may seem advisable regarding methods of improving the quality of domestic animals and poultry and regarding the causes and the methods of preventing controlling and eradicating diseases thereof

Section 7 In the performance of the duties herein required by law the officers agents and employees of the State Livestock Sanitary Board may at any time enter any premises If permission so to enter shall be refused or delayed by any person any such officer or agent or employee may on oath or affirmation declare before any alderman magistrate or justice of the peace that he has reason to believe that diseased animals or poultry are or have been confined or kept in or on such premises and shall further declare that permission to enter and to investigate has been refused or delayed to an officer agent or employee of the Board whereupon such alderman magistrate or justice of the peace shall upon payment of a fee of one dollar issue a search warrant for such premises directed to the proper officer agent or employee Such search warrant shall describe as nearly as may be the premises which it is desired to search or investigate but need not describe the animal or animals or poultry which are alleged to be or have been diseased which are or have been confined or kept on such premises and such officer agent or employee armed with such search warrant shall have all the authority of a constable or other peace officer in the execution of such warrant It shall be unlawful for any person to refuse or delay admission to any premises to any officer agent or employee of the State Livestock Sanitary Board provided with a search warrant as herein authorized

Section 8 It shall be unlawful for any person to import or to bring into this Commonwealth any domestic animal or poultry affected with or that has been exposed to any transmissible disease of any kind in violation of the provisions of this act or to import or bring any domestic animal or poultry into this Commonwealth in violation of any of the provisions of this act

Section 9 It shall be the duty of every practitioner of veterinary medicine in Pennsylvania immediately upon receiving information thereof to report to the Secretary of the State Livestock Sanitary Board each case of any of the following diseases namely glanders anthrax blackleg or black quarter contagious pleuro-pneumonia or lung plague of cattle rinderpest or cattle plague hemorrhagic septicemita foot and mouth disease or alphthous fever of cattle southern cattle fever or Texas fever sheep scab mange of cattle or horses hog cholera or swine plague fowl cholera rabies or hydrophobias maladie du coit or dourine of horses advanced or generalized tuberculosis or tuberculosis of the udder or any other disease now or hereafter proclaimed by the State Livestock Sanitary Board to be a transmissible character or any domestic animal reacting to tuberculin or mallein test This report shall be in writing and shall include a description of each animal affected with the name and exact address of the owner or person in charge of the animal if known and the exact locality of the animal and the number of susceptible domestic animals that have been exposed to the disease

Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulations There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been trasported or moved The original of the certificate and of the chart shall be attached to the waybill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified at least one week before such animal shall be brought in The original certificate and the chart shall be in the possesion of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the Board on demand The duplicates thereof shall be sent to the Board as aforesaid Such notice to the Board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to steers spayed heifers and bovine animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper

Section 11 If the State Veterinarian shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals or shall question the competency of the person of the State of export who shall have issued such chart or certificate he may on behalf of the State Livestock Sanitary Board decline to accept the same and refuse to permit the importation of the animals concerned unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States or unless the said Board shall otherwise determine

Section 12 Each bull and heifer under six months of age except a young and apparently healthy calf accompanying a fresh cow that has passed a physical examination and the tuberculin test shall when brought into this Commonwealth be held in quarantine at the expense of the owner until it is six months old whereupon it shall be subjected to an examination and tuberculin test by an agent of the State Livestock Sanitary Board The expense of such examination test and quarantine may be recovered by the State Livestock Sanitary Board from the owner by an action at law in like manner as other debts are now recoverable

Section 13 Any bovine animal not accompanied by the health certificate and tuberculin test chart required by Sec-

tion ten of this act may be brought into this Commonwealth under the direct supervision of a member officer or agent of the State Livestock Sanitary Board and subject to the following regulations

Each such animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the State Veterinarian and during the period of such quarantine shall be submitted to a physical examination and a tuberculin test by an agent of the Board The examinination and test shall be at the expense of the owner The fee for such examination and test shall be ten dollars for ten animals or less and fifty cents for each additional animal examined and tested at the same time During the continuance of such quarantine the animal shall be provided with proper quarters food and water by the owner or at his expense It shall be unlawful to remove any such animal from quarantine unless it shall have passed a satisfactory examination and test and unless the fee for examining and testing has been paid to the Board and unless the charges for the quarters feed water and attendance has been paid to the person entitled thereto Any animal that fails to pass such an examination and shall at the option of the owner be killed without compensation to the owner or continued in quarantine at the expense of the owner This section shall not apply to any animals brought into the State for immediate slaughter or to an animal for which an exhibition permit shall have been obtained as provided in Section ten of this act The fees for making such an examination and test and all expenses incurred in providing such animal or animals with proper quarters food and water may be recovered by the Board from the owner by an action at law as other debts are by law collectible It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animal brought into the State for immediate slaughter or to use or permit to be used any such animal for dairy or breeding purposes

Section 14 When notified by an officer or agent of the State Livestock Sanitary Board not to do so it shall be unlawful for any person to receive or keep or have in his keeping or possession any domestic animal imported or brought into this Commonwealth in violation of any of the provisions of this act or to allow any such domestic animal to come into contact with any other domestic animal

Section 15 Whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist anywhere in the State a quarantine of any locality or premises or of any infected or exposed animals or poultry may be established Quarantines shall be of two kinds special and general

A special quarantine shall mean a quarantine of a single animal or a quarantine of a single building structure pen coop car vessel vehicle field or enclosure or a quarantine of any number of animals or poultry when confined or contained in the same building structure pen coop car vessel vehicle field or enclosure

A general quarantine shall include all quarantines not included under the term special quarantine as herein defined

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in Section nine of the act or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or there shall be any animal or poultry which it is deemed necessary by the State Veterinarian or any other officer or agent of the State Livestock Sanitary Board to have examined or tested The State Veterinarian or any officer or agent of the State Livestock Sanitary Board shall have the power to establish and maintain any special quarantine It shall be the duty of the State Veterinarian or any officer or agent of the State Livestock Sanitary Board establishing a special quarantine to post on the building structure pen coop car vessel vehicle field or enclosure wherein the animal or animals or poultry quarantined are confined or contained a notice declaring the quarantine a description of the animal or animals or poultry quarantined and of the premises where quarantined and of the duration of such quarantine Such quarantine may continue for such time as the State Veterinarian or the officer or agent of the State Livestock Sanitary Board establishing the same may deem advisable to accomplish the purpose of quarantine

A general quarantine may be established and maintained whenever any of the diseases enumerated in Section nine of this act or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall exist in any locality in the State larger in extent then that which may be included in a special quarantine A general quarantine shall be established and maintained by the State Livestock Sanitary Board only Such quarantine shall include such premises locality or territorial district and such animals and shall continue for such time as may be deemed necessary or advisable by the said Board In establishing and maintaining such quarantine the said Board may act through and by any member officer agent or employee of said Board to whom such power is delegated and the establishment and maintenance of such quarantine by any member officer agent or employee of said Board shall be prima facie the establishment and maintenance of quarantine by said Board Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said Board it shall be the duty of the member officer agent or employee of said Board by whom the order of said Board as to quarantine is executed to post notices within the premises locality or territorial district quarantined declaring the extent and limits of premises locality or territorial district so quarantined and the animals subject to such quarantine At least ten such notices shall be posted in the most public places within said quarantined area A copy of such notice shall be published in one newspaper published within such quarantined area or if there be no such newspaper then in one newspaper circulating generally within such area If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs so as to effectually prevent biting

Section 16 After the establishment of any quarantine authorized by this act and the posting of notices required by law it shall be unlawful for any person without a special permit in writing from the State Veterinarian or the State Livestock Sanitary Board as the case may be to remove from or to any premises within the limits of the quarantine any domestic animal or poultry or to remove from any quarantined area or premises any hay straw grain fodder or other food or animals or poultry or to remove any car or wagon or vessel so quarantined or to sell or exchange or give away or lease or lend or remove or allow to be removed any quarantined domestic animal or animals or poultry It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality unless such dog shall be muzzled so as to effectually prevent biting or for any person to remove or permit to be removed any dog from such quarantined area Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area not being muzzled as aforesaid may be secured and confined or may be shot or otherwise destroyed by any person without liability therefor

Section 17 It shall be unlawful for any person to tear down or deface or to destroy any notice of quarantine posted by any member officer agent or employee of the State Livestock Sanitary Board or to remove or destroy wholly or partially any portion of a building or tree or fence whereon the same shall have been posted

Section 18 When any quarantine shall be established under this act it shall be unlawful for the owner of any domestic animal within the limits of the quarantined area to allow such domestic animal to run at large during the continuance of the quarantine Any animal so found running at large shall be taken up by the proper constable and kept at the expense of the owner until the lifting of the quarantine For such service he shall be entitled to one dollar for each animal Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid If not paid within two weeks from the lifting of the quarantine the animal may be sold and after the deduction of all fees costs and expenses the residue shall be paid to the owner if known and if not known shall be paid into the State Treasury This section shall not apply to dogs or affect the special provisions of this act in reference to dogs

Section 19 Animals that shall be placed in quarantine by the authority of the State Livestock Sanitary Board or any member officer agent or employee of the same shall be provided with suitable quarters and fed and watered by or at the expense of the owner In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within ten days after the lifting of said quarantine the State Livestock Sanitary Board may sell any such animal at public sale to collect such expense Any surplus received at said sale over the expense aforesaid shall be paid to such owner No animal shall be removed from a quarantined area until such sale except upon payment of such expense

Section 20 Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods

First Complete cremation of the entire carcass with all its parts and products

Second Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water continuously during at least two hours

Third Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams and which shall be distant not less than one hundred feet from any water course well or spring public highway house or stable In burying such carcass it shall be covered with quick lime to a depth of not less than three inches and the top of such carcass shall not be within two feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface Such grave shall be so protected that the carcass may not be accessible to dogs or other animals

Section 21 Whenever to prevent the spread of disease it shall be deemed necessary by any member officer or agent of the State Livestock Sanitary Board to cause any domestic animal to be killed the State Veterinarian may cause to be paid to the owner of such animal two-thirds of the fair market value thereof taking into consideration the condition of the animal as to disease and the nature and extent of the disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal The amount paid by the State shall in no case exceed for a horse jack or mule the sum of sixty dollars for a non registered bovine animal the sum of forty dollars for a registered bovine animal the sum of seventy dollars for a sheep or pig the sum of ten dollars The amount paid by the State together with the estimated value of the carcass hide and offal shall not exceed ninety per cen-

tum of the fair market value of the animal When any animal is so killed the owner subject to such regulations as may be prescribed by the State Livestock Sanitary Board may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may tend to spread disease or affect the health of the public

Section 22 Whenever to prevent the spread of disease it shall be deemed necessary by the State Livestock Sanitary Board or any member officer or agent of the Board to cause any domestic animal to be killed and the proper member officer or agent of the Board cannot agree with the owner as to the value of such animal three appraisers shall be appointed one by the State Veterinarian or other member officer or agent of the Board one by the owner and the third by the two so selected If the owner shall refuse to appoint an appraiser the alderman magistrate or justice of the peace of the proper township borough or ward shall appoint such appraiser for the owner Each appraiser shall be sworn to perform faithfully his duties as appraiser The appraisers shall estimate the fair market value of each such animal taking into consideration the condition of the animal as to disease and the nature and extent of such disease and its present and probable effect on the animal and having regard to the probable sums to be derived from the sale of the carcass hide and offal When such appraisement shall be made such animals shall be killed and two-thirds of the appraised value paid to the owner subject to the limitations imposed in Section twenty-two Each appraiser shall be entitled to one dollar for such appraisement irrespective of the number of animals appraised One-half of the expense of the appraisement shall be paid by the owner the other half by the State Livestock Sanitary Board

Section 23 The State Veterinarian and any member officer or agent of the State Livestock Sanitary Board are authorized to administer oaths and affirmations to appraisers appointed under this act

Section 24 Whenever any animal affected with any of the diseases enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this act It shall be unlawful to sell such carcass or any part thereof or any hide or offal therefrom

Section 25 Whenever any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged or proclaimed by the State Livestock Sanitary Board to be of a transmissible character shall die or be killed and the owner thereof shall not within twenty-four hours dispose of the carcass and products as required by law it shall be the duty of the State Livestock Sanitary Board or any member officer or agent of the Board to cause the same to be destroyed or disposed of according to law at the cost of such owner The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible

Section 26 It shall be unlawful for any person to drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character except upon express permission in writing from the State Livestock Sanitary Board or any member officer or agent of the Board

Section 27 Without express permission in writing from the State Livestock Sanitary Board or a member officer or agent of the Board it shall be unlawful for any person to sell or offer for sale or to give away or allow to stray any animal affected with any disease enumerated in Section nine of this act or with any disease now or hereafter adjudged and proclaimed by the State Livestock Sanitary Board to be of a transmissible character or any animal that has reacted to any tuberculin or mallein test or with such permission to sell or offer for sale or to give away any such animal without notifying the purchaser or prospective purchaser or the person to whom the animal shall be given that the animal is affected or has reacted as aforesaid

Section 28 The State Veterinarian may prescribe methods of making tests with tuberculin mallein or other recognized tests for the diagnosis of diseases of animals

Section 29 Each sale in this Commonwealth of tuberculin for use in testing cattle or of mallein for use in testing horses jacks or mules and each test made with tuberculin or mallein shall be reported in writing to the State Veterinarian within one week after such sale or test Each such report shall be signed by the person who shall have made the sale or test shall give the name of the purchaser of the tuberculin or mallein with the amount sold the date of sale the name and address of the owner of the cattle or horses or mules or jacks tested the locality where such test has been made a description of the animal or animals tested and a complete statement of the actual result of such test It shall be unlawful for any person whose duty it is hereby made to make such report to fail or refuse to do so

Section 30 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animals any virus or any pathogenic germs dangerous to such animal unless the express permission in writing of the State Veterinarian

Section 31 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal tuberculin mallein or other biological product used for diagnostic purposes unless such tuberculin mallein or other biological product is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 32 It shall be unlawful for any person to inject or cause or permit to be injected into any domestic animal any anthrax vaccine blackleg vaccine hog cholera serum or any other biological product used for prophylactic purposes in treating or preventing diseases unless the same is prepared by the State Livestock Sanitary Board or under its direction or is endorsed by United States Bureau of Animal Industry

Section 33 Any domestic animal affected with advanced or generalized tuberculosis or with tuberculosis of the udder or any animal which has reacted to the tuberculin test may be plainly branded by any member officer agent or employee of the State Livestock Sanitary Board upon the forehead or upon the right side of the neck from six to ten inches back from the jaw bone with a capital "T" not less than two inches high one and one-half inches wide with mark one-fourth of an inch wide Such branding shall not be construed as cruelty to animals within the meaning of the penal laws of the Commonwealth

Section 34 Milk produced by a cow which has reacted to a tuberculin test or is affected with a dangerous transmissible disease shall not be used as food for animals unless it has been previously heated to at least one hundred and seventy-eight degrees Fahrenheit except a special examination has been made under the direction of the State Veterinarian and written permission to use such milk has been given by him

Section 35 Every owner operator or manager of a creamery cheese factory receiving station or skimming station shall before returning to delivering to any person or persons any skimmed milk or separator slop to be used for food or feeding purposes for calves or swine cause such skimmed milk to be thoroughly pasteurized by heating it to at least one hundred and seventy-eight degrees Fahrenheit

Section 36 To extend the efficiency of the State Livestock Sanitary Board said Board is authorized to co-operate with the proper authorities of the National Government in all matters relating to the diseases of domestic animals and poultry

Section 37 All fees and costs and mileage received by any member officer agent or employee of the State Livestock Sanitary Board in the performance of his duties shall be paid as soon as practicable to the State Veterinarian and by the State Veterinarian paid into the Treasury of this Commonwealth

Section 38 The Secretary of the State Livestock Sanitary Board shall render a report annually to the Governor of the Commonwealth concerning the work of the State Livestock Sanitary Board Such report shall be rendered oftener if so directed by the Governor Such report shall also contain such additional information and suggestions as may be requested by the Governor

Section 39 The Board of Commissioners of Public Grounds and Buildings shall provide adequate quarters for the State Livestock Sanitary Board and shall on requisition of the State Veterinarian furnish such stationery paper furniture and supplies as may be necessary in the performance of the work of the Board

Section 40 The Superintendent of Public Printing and Binding shall on requisition of the State Veterinarian furnish the State Livestock Sanitary Board with such printing and binding as may be necessary in the performance of the work of the Board

Section 41 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars For each subsequent offense such person shall be sentenced to pay a fine of not less than two hundred dollars nor more than five hundred dollars and in addition thereto such person or each of the members of the firm or each of the directors of the corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo an imprisonment in the jail of the proper county for a period of not less than ten nor more than ninety days or either or both at the discretion of the court

Section 42 The State Livestock Sanitary Board shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof

Section 43 All acts and parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Dickinson,	Keeport,	Roney,
Allen,	Down,	Kennedy,	Schuck,
Ambler,	Ehrhardt,	Kern,	Scott, S. B.,
Aron,	Eichenberger,	Kuhn, H. P.,	Shaffer, C. A.,
Arthur,	Ely,	Leslie,	Shaffer, I. E.,
Baldwin, R. J.,	Fahey,	Letzkus,	Sherwood,
Bass,	Forster, I. G.,	Lohr,	Smith, L.,
Bayle,	Foster, J. D.,	Lowers,	Spangler,
Becker,	Frey,	Malie,	Speiser,
Bergey,	Gans,	Mather,	Steedle,
Bigger,	Geary,	McAleer,	Steele,
Bittles,	Gibson,	McAllister,	Stein,
Blair, W. A.,	Good,	McArdle,	Stone,
Blair, W. F.,	Gramley,	Miller,	Swartz,
Bieloch,	Gray, Frank,	Mitchell,	Swift,
Brown,	Gray, Joseph,		Thomas,

Brownlee,	Hackett,	Moore,	Ulerich,
Caldwell,	Haggerty,	Moses,	Ulman,
Campbell, C.M.,	Heidinger,	Neel,	Walnut,
Carter,	Hemminger,	O'Neill,	Walsh,
Cheeseman,	Hess,	Peachey,	Watson,
Cleary,	Heyburn,	Perry, S. J.,	Wildman,
Conniff,	Hibshman,	Piper,	Williams,
Conrade,	Irwin, G. C.,	Ramsey,	Wilson, W. H.,
Cox,	Jackson,	Reese,	Wiltbank,
Currier,	Jones, E. E.,	Reeser,	Zimmerman,
Curry,	Jones, J. R.,	Rex,	Alter,
Davis,	Kaufman,	Rhoads,	Speaker.
DeFrees,		Richards,	

NAYS—50.

Benninger,	Keegan,	Moulthrop,	Sassaman,
Benson,	Klepper,	Musser,	Semmens,
Body,	Kuhns, E.G.M.,	Newbaker,	Smith, J. W.,
Brosius,	Lanius,	Newton,	Snavely,
Campbell, J. J.,	Latshaw,	Pennegar,	Snyder,
Carson,	Lenker,	Pennock,	Strauss,
Claycomb,	Martin,	Peters,	Trach,
Cochran,	Matt,	Post,	Walton,
Donnally,	McDermott,	Price,	Wettach,
Hobbs,	Mellott,	Redfield,	Whitaker,
Howard, R.,	Metzenbacher,	Rothenberger,	Wilson, J. H.,
Humes,	Missimer,	Runk,	Young, J. H.,
Kaiser,	Morrow,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. ADAMS. Mr. Speaker, I desire to call up House Bill No. 648, file folio 407, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

on page 52 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 648, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ADAMS. Mr. Speaker, as the sponsor of this bill and servant of the people, I first want to impress on the minds of the members of the House the fact that this bill is merely an enabling act whereby the people of a rapidly increasing community can enjoy the privileges of conservation. Onward and onward is the language of creation, the stars whispered in their courses, a state without the means of some change is without the means of its conservation.

Courts and counties are created for the convenience of citizens in this twentieth century we find sixty-seven counties embraced by the boundary line of the great Commonwealth of Pennsylvania and of the sixty-seven Luzerne stands third in area and population, and gentlemen of the House, we find in this great county 20,000 people under the shadow of the Court House dictating to 50,000 thirty or forty miles from where the justice of the county and of the Commonwealth is administered that they shall not go out and farm and establish a county for themselves, or in conjunction with others.

Does not this savor of selfishness? why should the sixty-seven counties of this State have been created if it were not to answer the necessities as they arise.

Following along this line in order to subserve the convenience of citizens, the territory now comprised within three townships of Schuylkill county, Union, North Union and East Union, were annexed to Schuylkill County in 1868, and part of this territory was severed from Luzerne County, nevertheless the dismemberment did not impair the integrity of that "Commonwealth within a Commonwealth."

At the county seat of Luzerne, on criminal court and license days the Court House corridors are packed with such a mass of people, that one is almost unable to get in or out of the court. The whole thing looking more like a riot than the orderly administration of the law. This fact being materially substantiated by the introduction in the House by my friend, the gentleman from Luzerne, Mr. Thomas on the seventeenth instant a bill providing for an additional law judge.

Now, Mr. Speaker, and Members of the House, the creation of this new county is not solely for the purpose of economy and convenience to the 84,000 people who will be included within the confines of its boundary but as a guaranty of the better administration of the law, no one would be harmed, but thousands materially benefited.

Luzerne county has an area of 926 square miles, with a population of 343,168. Schuylkill county's area is 840 square miles, with a population of 207,894. The Constitution of Pennsylvania provides for new counties having but four hundred square miles and 20,000 in habitants. Now, gentlemen of the House, would either Luzerne or Schuylkill county be seriously impaired in sovereignty?

I want to read you some of the inconveniences that the inhabitants of this district which will be included within the confines of the boundaries of the proposed new county are suffering.

Hazleton is the commercial center of forty thousand people located within a radius of one mile. It is thirty-four miles distant from its county seat by the nearest route and forty-nine miles by railroad. The time consumed en route by electric line to and from the county seat is two hours and forty minutes and by railroad four hours and twenty minutes

The Borough of Freeland is the commercial center of nearly fifteen thousand people located by the only available route forty-four miles from the county seat. The time consumed in travel to and from Wilkes-Barre is four hours and twenty minutes. Freeland is located but nine miles from Hazleton.

This great distance from the county seat inevitably means to the people of both communities:

1. Excessive mileage for every grand juror, petit juror, traverse juror, witness, election officer, road viewer, bridge viewer, subpoena server, assessor, and for every person concerned in any legal process.

2. Loss of time to any party interested in the prosecution and defense of any pending case, whether it be his own, or of the Commonwealth, or whether he be unfortunate enough to be a witness.

3. The incurring of other expense incident to travel, including hotel expense.

4. The impossibility of procuring medical witnesses to attend cases arising from violation of the law, or negligence cases (unless in cases of corporations who can afford to pay), with the prospect of loss of time and inconvenience of attending court.

5. Evasion by jurors and witnesses of attendance at court, thus defeating the ends of justice.

6. Abandonment of many civil suite involving amounts less than $150 and the absolute forfeiture of the rights of the parties, of which cases there are hundreds upon the dockets of the county.

7. The discouragement of prosecuting criminal suits and the punishment of offenders, thus placing a premimum upon the commission of crime.

8. Frequent continuance of cases, after parties and witnesses are in attendance, as for instance A. vs. B. No. 16, Feb. Term, 1900, Court of Common Pleas of Luzerne County, wherein the costs of witnesses and mileage upon one side only, aggregated over five hundred dollars, and wherein several continuances were suffered. This is but an illustration of the general rule.

9. The sacrifice of small estates to legal expense and fees and especially unnecessary costs and fees in matters pertaining to estates of minors.

10. Every case wherein the Sheriff receives process arising from the vicinity of Hazleton or Freeland necessitates the payments of sums ranging from $10.80 to $12.80 to be borne either by the party or by the county. This also necessarily multiplies the costs paid to officers mentioned in paragraph 1.

11. The denial of justice in cases wherein immediate relief is imperative.

12. Insecurity incident to the conveyance of titles because conveyances made may be preceded by liens of record filed after search made and before the record of the deed. This is due to the great distance from the county seat.

INCONVENIENCE TO UPPER SCHUYLKILL.

All of the foregoing inconveniences are common to both sections.

The principal town of North Union Township Nuremberg, is located by rail 41 miles from the county seat, Pottsville, and is only 12 miles from Hazleton.

The principal towns of East Union Township, Sheppton and Oneida, are located 40 miles from the county seat and only ten miles from Hazleton.

The people of these towns in reaching their county seat necessarily pass through Hazleton and travel thence beyond thirty miles to Pottsville, their county seat, thus traversing part of Luzerne, Carbon and Schuylkill counties.

None of these people having legal business as jurors, litigants or witnesses can attend court during one entire day unless they devote another in going to and returning from the county seat. These conditions affect four thousand people of Upper Schuylkill, nearly one-third of the entire population desired from Schuylkill county.

The borough of McAdoo and the township of Kline, embracing a population of 7,000 travel twenty-four miles to the county seat, with fare for return trip of $1,20 and are

but six miles from Hazleton with trolley fare but twenty cents for the round trip. This embraces nearly one-third of the population desired from Schuylkill county.

None of the citizens within the most distant parts of the townships of Kline, Delano or Rush, other townships or Schuylkill county., is located nearer their present county seat than to Hazleton.

RELATIVE POSITION OF THE COUNTY.

The proposed new county would be larger than many other counties of the State and would be 23rd in population according to the last census. The population, 84,410 people (in 1910) would be greater than that of 45 other counties of the State of Pennsylvania. This can be accomplished without disturbing the relative position of Luzerne or Schuylkill counties in the point of population or wealth.

Experts of the coal companies have estimated that the coal measures in and around the City of Hazleton will not be exhausted for many generations.

Agricultural sections proposed to be embraced in the limits of the proposed new county, are especially rich and fertile and with the extension of transportation facilities within the past five years have taken on a permanent growth.

The introduction of electricity as a motive power has resulted in the establishment of an electrical power plant at the mouth of the mines at Harwood, two miles removed from Hazleton, with capacity sufficient to convey power a distance of one hundred and fifty miles, to and beyond the City of Philadelphia. It is estimated that the primary investment here will exceed $10,000,000.

The amount of money deposited in the banks of Hazleton is nearly ten million dollars, a larger per capita than in most communities of the State.

The following excerpts from an interview with the largest independent Anthracite coal operator in the United States are offered as proof of the permanency of Lower Luzerne.

"Bright, very bright. We are entering upon an era of unheard of prosperity. I have read your article in the "Plain Speaker" in regard to bright prospects ahead at No. 4 colliery on account of our opening up and operating the Mammoth seam in that slope. Your article was correct as far as it went, but you only told a partial truth. To-day operations are in such condition that we can employ four hundred extra men. For same years back we have been operating in the small seams and hold the Mammoth and thicker seams in reserve. We will now open up the Mammoth and it will give employment for years to a large number of men. We are going to erect additional breakers on our properties. My plans are not yet complete and I do not care to go into details at this time. Suffice to say that I intend to keep pace with all the modern improvements in the mining and preparation of coal and materially increase the present output of this property." "Electricity is the power of the future and its development here opens up great possibilities for this region. I mean Hazleton, Freeland, in fact this whole mountain top. Electricity makes it possible to develop the smaller coal veins throughout the region that have been unworked for years, because to develop them would prove a losing venture. I canot help but feel that both Hazleton and Freeland have a very bright future. There is no sign of diminuation of the coal mining output for many years to come."—John Markle in published interview Hazleton Plain Speaker, February, 1907.

The above facts are given to demonstrate the permanency of the community because it has been assailed by opponents of the bill; and because the latter have attempted to discredit the capacity of the people for self government.

It is respectfully submitted to the Legislature of Pennsylvania that the people affected, who have been carrying on this struggle for a period of 25 years, during which time the bill passed the House in the session of 1893 and the House and Senate in 1895, but unfortunately failed of Executive approval, should be relieved from the intolerable burdens and inconveniences from which they suffer.

LUZERNE COURTS THREE YEARS BEHIND.

An examination of the current Common Pleas trial list of Luzerne County demonstrates that three years are required to reach the ordinary civil suit. As a consequence a widespread agitation is had for a fifth Common Pleas Judge. If a new county be created, none will be necessary.

The following excerpt from the Wilkes-Barre Record of February 14, 1913, shows that the people of this community suffer for lack of court facilities:

Considerable discussion has been engaged in as to the probable indebtedness of the proposed new county. I would say that the indebtedness would be determined by a commission provided for in the bill. Furthermore, we have no extraordinary situations to incur extraordinary expenses as confront Luzerne and Schuylkill counties such as for example the building of bridges across rivers.

CONSTITUTIONAL PROVISIONS.

The Constitutional Convention of 1873, after extensive and exhaustive debate, adopted the following provision governing the erection and construction of new counties:

New Counties.

(Constitution Article 13, Sec. 1).

No new county shall be established which shall reduce any county to less than four hundred square miles, or to less than twenty thousand inhabitants; nor shall any county be formed of less area, or containing a less population; nor shall any line thereof pass within ten miles of the county seat of any county proposed to be divided.

If we apply all of the above tests we find that at present there are no other two counties in the Commonwealth that can be affected by the Act at the present time; nor at the rate of present development and growth of the larger counties is such contingency liable to occur within the next half century.

For example: The counties of Westmoreland and Fayette could combine the necessary population, but the ten mile limit from the county seat is an insurpèrable bar because the necessary territory could not thus be acquired, to wit, four hundred square miles.

As another example: The counties of Berks and Lancaster could probably combine sufficient population. But again the ten mile limit is an effectual bar because of the proximity of the City of Reading, the county seat of Berks County, to the county line of Lancaster County, the distance being less than ten miles.

In this manner illustrations could be multiplied and infinitum.

The above provision is conclusive of the fact that the Constitutional Convention contemplated that circumstances would arise that would make the creation of new counties necessary and desirable.

A perusal of the debates (too exhaustive for extensive quotation) shows that it was desired to recede from the position taken in the former provisions which were practically prohibitory of the creation of new counties.

In the course of the debates the several delegates to the Constiutional Convention whose views ultimately prevailed expressed themselves in the following language as it is reported from "Debates of the Constitutional Convention:"

"As the world moves new counties must be formed. For the speedy administration of justice it is necessary that it should be so."

Now, Mr. Speaker and Members of the House, as the servant of 84,000 appealing inhabitants of the proposed new county, I am knocking at the door of Justice, appealing to your enlightened judgment, to cast aside party affiliation, reciprocity, and friendly consideration for the opposition to this bill, by confirming my argument in behalf of my people and thereby eliminating the burden they have suffered to bear for nearly half a century.

This is not a drastic measure, "as the world moves new counties must be formed for the speedy administration of justice." This bill, gentlemen of the House, was favorably reported out of Committee on Counties and Townships, February twelfth, was recommitted and again favorably reported, does not this alone prove the merits of the bill.

In conclusion I again wish to impress on your minds gentlemen that this is merely an enabling act whereby the people can express their choice. Mr. Speaker and Members of the House we want a new county.

Where spades grow bright
And idle swords grow dull
Where jails are empty and where
Bards are full
Where church paths are
With frequent feet outworn
Law court yards empty silent and folorn
Where the lawyers feet's it and the farmers ride
Where age abounds and youth is multiplied
Where these signs are they clearly indicate
A happy people and well governed State.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would like to interrogate the gentleman from Luzerne?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ADAMS. I will.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would ask the gentleman to what counties this bill refers.

Mr. ADAMS. To Luzerne and Schuylkill Counties.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would ask the gentleman whether under the terms of this bill this can refer to any other than Schuylkill or Luzerne counties.

Mr. ADAMS. Mr. Speaker, not at the present time.

POINT OF ORDER.

Mr. JOHN ROBERT JONES. Mr. Speaker, then I raise the point of order that this bill is unconstitutional, that it is special and local legislation prohibited by Article Three, Section Seven of the Constitution, which reads: "The General Assembly shall not pass any local or special law regulating the affairs of counties, cities, townships, wards, boroughs, or school districts, and locating or changing county seats, erecting new counties, or changing county lines," for the reason that under the admission of the gentleman that it cannot apply to any other counties, it therefore excludes from its operation sixty-five counties of the State, and further, if that is not true, the terms of the bill exclude all counties having an area of less than eight hundred square miles.

The SPEAKER. The point of order is not debateable. It looks to the Chair like special legislation, but the Chair

would like to hear the question debated, and it is a question which ought to be debated by the lawyers of the House. The only way in which the Chair can put the question in a way in which it can be debated is to submit the point of order to the House, which the Chair does.

On the question,

Shall the point of order be sustained?

Mr. JOHN ROBERT JONES. I want to call the attention of the House to the title and section one of this act. The act provides that whenever two adjoining counties of this Commonwealth shall each contain eight hundred square miles or more and attain a population of one hundred and fifty thousand or more or that have already reached the same they may be divided and a new county erected from contiguous territory taken from each of such counties upon consent of the majority of the qualified electors of the proposed new county district voting at an election to be called for such purpose.

It excludes from its operation as is apparent from its term all counties having a territory of less than 800 square miles. There are sixty-seven counties in the State of Pennsylvania, and but twenty-four of those counties have an area of eight hundred square miles or more. There are ten groups of counties of two each which could meet the requirements of this bill, and the bill, therefore, excludes, from its operations four out of the twenty-four counties. It would therefore exclude forty-seven counties. An examination of the areas and population of the counties would show but twenty-four counties having an area of eight hundred square miles, and in support of my contention, I cite to the members of the House the case of the Commonwealth vs. Patten, 88 Pennsylvania, 258. This was a case that applied to Crawford County, in which the Supreme Court made the decision quoted in the before mentioned case. I shall read such portions of the decisions as in my judgment are best for the advisement of the House.

Mr. ADAMS. Mr. Speaker, I would like to make a statement, with the permission of the gentleman from Schuylkill.

The SPEAKER. Will the gentleman from Schuylkill yield the floor to the gentleman from Luzerne?

Mr. JOHN ROBERT JONES. Mr. Speaker, I will.

The SPEAKER. The gentleman from Luzerne will proceed.

Mr. ADAMS. This bill being an enabling act gives to the people the right to vote on the measure, and it would necessarily have to be decided upon by the courts as to the Constitutionality of the bill before the people would be permitted to vote on the matter. It is a question of putting the bill to the vote of the people.

Mr. JOHN ROBERT JONES. Mr. Speaker, I submit that this is not pertinent to the question at issue here.

The SPEAKER. The gentleman from Schuylkill will proceed.

Mr. JOHN ROBERT JONES. Mr. Speaker, I shall read in the first part of the syllabus of the case, and will later refer to the decision of the Court.

The case referred to Crawford county, and the Court said:

"The Act of 1874 classifies cities by their population. The Act of 18th of April 1878, can hardly be said to be a classification of counties. It is true it speaks of all counties of more than sixty thousand inhabitants. But it goes on to say: 'And in which there shall be any city incorporated at the time of the passage of this act with a population exceeding eight thousand inhabitants situate at the distance from the county seat of more than twenty seven miles by the usually traveled road.' This is classification run mad. Why not say all counties named Crawford, with a population not exceeding sixty thousand, that a certain city called Titusville, with a population of over eight thousand, and situate twenty-seven miles from the county seat? Or all counties with a population of over sixty thousand watered by a certain river or bounded by a certain mountain. There can be no proper classification of cities except by population. The moment we respect to geographical distinctions, we enter the domain of special legislation, for the reason that such classification operates upon certain cities or counties to the perputual exclusion of all others."

But to show to the House that the Court regards it so, I quote in 212 Pennsylvania, the case of Sample vs. Pittsburgh, a case with which no doubt the members from Allegheny County, and particularly attorneys, are familiar. The terms of the act are as follows:

"An Act providing that where two cities are contiguous, and in the same county, the smaller may be annexed to the larger; prescribing the method of proceeding and the effect of annexation; providing for the division of such enlarged cities into wards, for the apportionment of common council, and for the indebtedness of such cities," approved April 20, 1905, P. L. 221.

You will notice in the title of this act that the word "contiguous" is used.

I call attention to the fact in the title of this bill and in section one where it refers to "two adjoining counties and prescribing the manner in which the same may be done." They must be adjoining counties; they must be contiguous. On page 537 of the Pennsylvania Laws of that decision, the Supreme Court ruled on this section of the Constitution referring to section 7, article 3, in plain terms as follows:

"This section of the constitution has frequently been the subject of interpretation by this court. Commonwealth vs. Patton, 88 Pa. 258, involved the constitutionality of an act of Assembly entitled: 'An Act to provide for the holding of courts in certain cities of this Commonwealth.' The act required that in all counties containing a certain population and having a city with a certain population, situate at a certain distance from the county seat, the judge of the courts of the county should hold a session of court in such city after every regular term of court for the county. This court held the act to be special legislation and in conflict with article III, sec. 7 of the Constitution. The trial judge in that case found that Crawford county was the only county to which the act could apply at that time. Mr. Justice Paxson delivering the opinion says (p. 260): "This is classification run mad. Why not say all counties name Crawford, with a population exceeding sixty thousand, that contain a city called Titusville, with a population of over eight thousand, and situated twenty-seven miles from the county seat? Or all counties with a population of over sixty thousand, watered by a certain river or bounded by a certain mountain There can be no proper classification of cities or counties except by population. The moment we resort to geographical distinctions we enter the domain of special legislation, for the reason that such classification operates on certain cities or counties to the perpetual exclusion of all others.....That is not classification which merely designates one county in the Commonwealth, and contains no provision by which any other county may, by reason of its increase of population in the future, come within the class."

I shall not go into that any further but I wish to cite another case on page 540, Pennsylvania Laws where you have an absolute confirmation of the decision I have just quoted, as follows:

"It was not then a general act, applicable to every part of the Commonwealth. It did apply to a great number of counties; but there is no dividing line between a local and a general statute. It must be either the one or the other. If it apply to the whole State it is general. If to a part only, it is local. As a legal principle it is as effectually local when it applies to sixty-five counties out of the sixty-seven, as if it applied to the one county only. The exclusion of a single county from the operation of the act make it local."

I shall not go over the whole list of cases. I might go on in support of what I have already submitted with other cases, but I wish to state to this House that it has been decided absolutely by the Supreme Court of this State, on an act of Assembly that any act which excludes from its operation other counties is unconstitutional. It states when that point is raised they will declare it to be unconstitutional.

I will read the following:

"The court will look at the substance and not the form of legislation in determining the question, and a local or special act, repugnant to the fundamental law, will be declared void though it may be disguished as a general act. Classification of cities may be used as a basis for legislation which relates to municipal affairs, but if the legislation concern subjects of general as distinguished from a municipal character it passes into the realm of local or special legislation forbidden by the Constitution. However disguished, classification can never be successfully invoked for the purpose of evading the Constitutional inhibition against local or special legislation."

I will also add:

"The act under consideration here not only affects the people of the two cities but concerns the two cities in their governmental and corporate capacities. It enlarges the territory and population of one, and deprives the other of its charter and government as a city It is apparent, we think, that the act is a "law regulating the affairs of" the cities within its operation."

Judge Paxson issued the following warning in the case of Morrison vs. Bachart in 112, Pa. 328 as follows:

"Prior to the adoption of the present Constitution there was hardly an approach to uniformity in the fees of public officers throughout the State. Local acts had been procured for many of the counties, in some instances through the influence of the officers themselves, fixing the fees more in harmony with their own greed than the interests of the people, who may fairly be presumed to have known nothing of it until they came to pay the fees. It was to cut this system up, root and branch, with other evils of like nature that the clause in question was inserted in the Constitution. It was a wise provision and will be sternly enforced. It is our purpose to adhere rigidly to that instru-

ment, that the people may not be deprived of its benefits. It ought to be unnecessary for this court to make this judicial declaration, but it is proper to do so, in vew of the amount of legislation which is periodically placed upon the statute book in entire disregard of the fundamental law. Much of this legislation may remain unchallenged for years, only to be over-turned when it reaches this court. In the meantime, parties may have acted upon it, rights may have grown up, and the inconveniences and losses entailed thereby may not be inconsiderable. As we view it, this note of warning at this time is needed.

That the act in question is in direct conflict with the Constitution is too plain for argument. It is only necessary to read the title to this act to see this. It excludes perpetually from its operation all counties having a population of over one hundred and fifty thousand inhabitants. This makes it a local law. If it can exclude Philadelphia and Pittsburgh, it may exclude every other county in the State but the one county seeking such special or local legislation.

I know very well that the members of the House are in the habit of saying "Let the Courts decide this." Mr. Speaker, I don't wish to take up your time further in discussion of this local proposition. It has been admitted by the sponsers of the bill and the language of it is plain, that this act cannot apply to any except those counties which have at least an area of eight hundred square miles. It excludes all but two counties, Schuylkill and Luzerne; that is sixty-five out of sixty-seven counties. The question is this, whether or not you are going to pass a law which you know is purely special and local and then take it to a higher court to determine whether it is constitutional or not. I submit to you, gentlemen of the House, that I have established that it is in direct contradiction of article 3, section 7 of the Constitution of this State.

Mr. ADAMS. Mr. Speaker, This bill was framed by eminent attorneys in Luzerne and all that the gentleman has said in opposition to it was brought forward and considered. This bill passed the House and Senate and was vetoed by Governor Hastings in the nineties. All the points were considered, and argued and debated at that time before the vote was taken on the bill. There was nothing stated as to the unconstitutionality of the bill. It then passed the House and Senate. Furthermore, I wish to say that there is nothing in the arguments as regards the population of the proposed new counties. That matter can be very well amended as to the territory in the event of the bill passing the House.

Mr. ROCKWELL. Mr. Speaker, having been a member of the Bar for some twenty-two years and during all this time, I like any other attorney, knew and do know that these constitutional questions are almost every day arising in practice. This certainly is an interesting question raised for us to decide tonight. It seems to me that the point of order that the gentleman from Schuylkill raises is very well taken. From a local and constitutional point of view, I can see no escaping from it. If you will examine line four, five and six, under file folio 407, it specifically says that this can only apply whenever two—he uses the word two—adjoining counties are involved and now I want to call your attention in addition to the constitutional requirements, cited to you by the gentleman from Schuylkill as to any special or local legislation that the rules of this House, which are the parliamentary law of this body, cover. On page four of the Rules, under the title of "Bills" article three of section seven, of the Constitution, is quoted, and made a part of the rules of this House, in which it is distinctly stated that we are absolutely prohibited from passing any special or local legislation and in it it quotes the same wording cited by the gentleman who has just spoken about counties or changing county lines and when you have a bill which generally and specifically limits itself to two counties, can their be any other conclusion and whether you are of the legal fraternity or of the laity you can see that is special legislation for special purposes and intended for a special case and only one case. There is not other view or conclusion arises in my mind when I read that bill. Go on down to line five, in which the qualification is that each of these counties shall contain eight hundred square miles or more, thus making another classification which I will state as I understand the judicial construction of the Constitution and absolutely prohibits unless you classify these counties according to the population. You cannot classify them by anything but population; you cannot classify them according to the decisions of this Commonwealth and this bill seeks to undertake to classify them not only by limiting to but two but by limiting it to counties containing eight hundred square miles and then it does go on and specify that it shall classify them according to population. Then, I say the feasible objection are these two points. It seems to me that either one of these two objections—limiting the bill to any two counties or classifying it by eight hundred square miles are absolutely vital to the bill and that we, as members of this House, having in mind the Constitution and the absolute rules of this House should vote to sustain the point of order raised by the gentleman from Schuylkill.

Mr. ADAMS. Mr. Speaker, I wish to say that the present area of Luzerne County is 926 square miles and the present area of Schuylkill is 840 square miles. The proposed new county, the area taken from Luzerne County for the purpose of forming the new county, would be 258 square miles, leaving 668 square miles in Luzerne and 689 square miles in Schuylkill county.

Mr. MILLER. Mr. Speaker, it seems to me that the objections that have been raised by the gentleman from Schuylkill and the gentleman from Tioga overlook the fact that from the very requirement of the Constitution, an enabling act of creation of a new county cannot be general in its character. The Constitution requires that a new county shall not reduce an old county below 400 square miles, nor below 20,000 in population, and likewise that the new county shall not have less than 400 square miles or below 20,000 population. From that requirement alone, it is quite apparent that there can be no act here which will apply equally to all counties; that is, that not every county in Pennsylvania can fulfill the requirements. I mean to say that the classification as to population, to my mind is that ultimately the counties may by population reach a certain class, but I want to point out also the classifications that have been made in other respects in the Constitution by classification of cities that are contiguous with counties, in the matter of territory, is a classification of population. As I read this act, it can apply to other counties in Pennsylvania. There are a number of counties,—just hastily glancing over the population of the counties, I find that Tioga and Potter, which have over 8,000 population and are contiguous, and Lycoming, Bradford, Bedford and Somerset, each of them posisbly might be included within this act. It is an enabling act, which the gentleman from Luzerne has said at present might apply to only one particular section of Pennsylvania, yet there is a possibility and a likelihood that it may affect other territory and other counties lying contiguous. I say therefore, in the very nature of things, you cannot have an enabling act or an act creating new counties which will apply equally to every county in the State of Pennsylvania, and to my mind this bill is not unconstitutional.

Mr. JOSEPH GRAY.. Mr. Speaker, I want to confine myself to the point of order that is before the House, and not make any speech upon matters not applicable to the act. We have general legislation under Articlae 3 of the Constitution, quoted by the gentleman from Schuylkill, in which it is provided that "the General Assembly shall not pass any local or special law erecting new counties or changing county lines." Now, we all know that when there is a special provision in a bill or any legislation different from a general provision, that it is special legislation or a special act which controls. Now, under the Constitution—as all State Constitutions are simply limitations of power—there is a separate article for the erection of counties, a separate article, and it says "New Counties—Restrictions in Forming." Now, if this act providing for the erection of this new county does not violate the provisions of Article 13, which is a special article, if it does not violate the restrictions of that article, then I do not see how it can be called unconstitutional, because it provides the very restrictions which shall be observed in the forming of counties. It is specific and of course, being specific, it will control any general enactment or general provision of the Constitution. Further than that, I think probably there is a great deal of doubt as to the constitutionality of this act. I don't think this act ought to pass on the constitutionality of it.

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask the forbearance of the House to answer some of the very interesting arguments I have heard in regard to the constitutionality of this act. It is because it is an important question, and it is because it affects my county that I am more deeply interested than some about it. I do not want to discuss the merits of this bill, or rather the demerits, now. I have heard some very queer law this evening from certain members of this House. I would like to interrogate the gentleman from Lehigh, Mr. Miller.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. MILLER. Yes, sir, Mr. Speaker.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would like to ask the gentleman whether, under the terms of this bill, it could possibly apply to Lehigh County.

Mr. MILLER. Mr. Speaker, no, sir.

Mr. JOHN ROBERT JONES. It could not? I would ask the gentleman, Mr. Speaker, whether or not he is willing to take a declaration of the law of this State from Chief Justice Mercur, as declared in Davis versus Clark, 106 Pennsylvania, page 384.

Mr. MILLER. If you will give me the facts, I will tell you whether I am willing.

Mr. JOHN ROBERT JONES. Mr. Speaker, the facts are these: The gentleman has just admitted that it could not, under any circumstances, affect Lehigh County. Justice Mercur, in Davis versus Clark, 106 Pennsylvania, 384, declared:

"It was not, then, a general Act, applicable to every part of the Commonwealth. It did apply to a great number of counties; but there is no dividing line between a local, and a general, statute. It must be either the one or the other. If it apply to the whole state it is general. If to a part, it is local. As a legal principle it is as effectually local when it aplies to sixty-five counties out of the sixty-seven, as if it applied to one county only. The exclusion of a single county from the operation of the Act makes it local."

The gentleman from Lehigh has stated, for the information of the House that, in the making of counties, it must necessarily be local. That is absolutely not true. Lackawanna County as established under the act of 1878, which was repealed in 1895, and which the very interesting pamphlet spread about this House by the gentleman from Luzerne declares was not fair to Luzerne County. When a county contains 150,000 population or more, then a division should take place, and that is absolutely constitutional. The Court has declared that the moment you leave the domain of population and go to a restriction of geography, it becomes local, because geographical conditions cannot be changed except by legislation subsequent to the act under discusssion. Thus, the creating of all counties having a population of 150,000 or more is constitutional and general, on the theory that it permits all over to come in under its terms. Now, it seems to me, Mr. Speaker, that is absolutely unanswerable. Here you have the decision of the court. There is no question about it. Not a single person here has disputed it. I have not heard of anyone having the temerity to say that the Supreme Court does not know what it is talking about.

Mr. MILLER. I still repeat the point that I raised before and that is this: Under the very terms of the Constitution an act creating new counties cannot apply to every county in Pennsylvania. The Constitution is plain upon that point. In order to put that section of the Constitution in it, you must have an enabling act. This enabling act says that the counties must have 800 square miles and be contiguous. I say that there are more counties than Schuylkill and Lackawanna which lie continguous and which have 400 square miles. It is a general act applying to all counties which comply with that condition, and for that reason I again repeat, this act to my mind is not unconstitutional. If we are going to say that an act must be general and apply to every county, you can never have an enabling act which will divide counties or create counties as the Constitution contemplates.

Mr. ADAMS. Mr. Speaker, I would like to state the necessity for the enabling act. While the Constitution contemplates that such occasions would arise there is no enabling Act upon the Statute Books. The people of Hazleton and vicinity affected could have availed themselves of the Act of 1878 by taking 400 square miles from the county of Luzerne. This act was in force and effect until 1895; yet, the people knowing the burdens and inconveniences from which they suffered rather continued to bear them than to impose like burdens on people in remote sections of Luzerne County from the city of Hazleton. This observation should be sufficient answer to the charge of selfish interests.

On the question recurring,

Shall the point of order be sustained?

A division was called for, 71 voting in the affirmative and 65 in the negative.

And the point of order was sustained.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 156 (House Bill No. 1840).

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 187 (House Bill No. 1841).

An Act relating to the administrating of oaths or affirmations of administrators executors committees or guardians to qualify them for the performance of their respective duties

Referred to Committee on Judiciary General.

Also Senate Bill No. 359 (House Bill No. 1842).

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the benefiscal certificate of the deceased member

Referred to the Committee on Insurance.

Also Senate Bill No. 390 (House Bill No. 1843).

An Act amending section one of an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act' aproved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine requiring the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of November of each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and requiring councils of cities of the first class to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing

Which was referred to the Committee on Municipal Corporations.

Also Senate Bill No. 417 (House Bill No. 1844).

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut trees commonly called the chestnut tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred and eleven Pamphlet Laws nine hundred and twenty-two extending the provisions thereof in certain cases to other species of trees

Referred to the Committee on Forestry.

Also Senate Bill No. 436 (House Bill No. 1845).

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

Referred to the Committee on Judiciary General.

Also Senate Bill No. 523 (House Bill No. 1846).

A supplement to an act entitled "An Act in relation to the laving out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Comonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 524 (House Bill No. 1847).

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limit-

ing the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

Referred to the Committee on Judiciary General.

Also Senate Bill No. 551 (House Bill No. 1848).

An Act to repeal an act entitled "An Act for the erection of a poor house in Mercer county" aproved the twenty-second day of March one thousand eight hundred and fifty

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 567 (House Bill No. 1849).

An Act to amend an act aproved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 630 (House Bill No. 1850).

An Act fixing the salary of the second assistant State librarian

Referred to the Committee on Libraries.

Also Senate Bill No. 633 (House Bill No. 1851).

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an aditional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for service in said regiment providing for said regiment a regimental band

Referred to Committee on Military Affairs.

Also Senate Bill No. 694 (House Bill No. 1852).

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 717 (House Bill No. 1853).

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Referred to the Committee on Corporations.

Also Senate Bill No. 221 (House Bill No. 1854).

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of General Asembly of the Comonwealth of Pennsylvania aproved the twenty-third day of May Anno Domini one thousand nine hundred and one

Referred to Committee on Judiciary Special.

Also Senate Bill No. 504 (House Bill No. 1855).

An Act providing that a bronze medal be given to each honorably discharged soldier sailor or marine of the Civil War who enlited in a Pensylvania organization and who resides in said State and making an appropriation therefor

Referred to Committee on Appropriations.

Also Senate Bill No. 571 (House Bill No. 1856).

An Act requiring a certain affidavit to be filed with alderman and justice of the peace before writs of attachment execution shall issue

Referred to the Committee on Judiciary General.

Also Senate Bill No. 583 (House Bill No. 1857).

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 637 (House Bill No. 1858).

An Act validating the incurring of debt or increase of indebtedness of townships of the second class by its supervisors for the purpose of macadamizing or paving with brick any of the roads and highways building constructing repairing and maintaining permanent roads culverts and bridges purchasing machinery or lifting orders or payment of any contracts made therefor to an assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and all coupon bonds or other securities issued therefor and also assessments of annual tax for the payment of the principal and interest of such indebtedness represented by such bonds or other securities since the twentieth day of April Anno Domini one thousand eight hundred and seventy-four

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 642 (House Bill No. 1859).

An Act providing for the expenses of county commissioners and county poor directors

Referred to Committee on Counties and Townships.

Also Senate Bill No. 644 (House Bill No. 1860).

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commisioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 646 (House Bill No. 1861).

A joint resolution proposing an amendment to section eight of article nine of the Constitution of Pennsylvania

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 647 (House Bill No. 1862).

An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishment of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 651 (House Bill No. 1863).

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne county

Referred to Committee on Appropriations.

Also Senate Bill No. 700 (House Bill No. 1867).

An Act requiring and regulating instructions in the public schools in ways and means of preventing accidents

Referred to Committee on Education.

Also Senate Bill No. 465 (House Bill No. 1868).

A joint resolution providing for a commission to arrange for and supervise the transfer from the library and museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

Referred to Committee on Appropriations.

Also Senate Bill No. 201 (House Bill No. 1869).

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth

Referred to Committee on Judiciary Special.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 85:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled "An Act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

House Bill No. 168:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

House Bill No. 245:

An Act making an appropriation to the State Board of Censors of moving pictures

House Bill No. 270:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

House Bill No. 271:

An Act to amend an act entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand' approved the thirtieth day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of population of such counties

House Bill No. 438:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water closet regulating same and providing a penalty for violation thereof"

House Bill No. 470:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

House Bill No. 682:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

House Bill No. 723:

An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred nineteen entitled increasing the winter yield of eggs issued by the Department of Agriculture and making an appropriation therefor

House Bill No. 735:

An Act to amend an act entitled "An amendment to an act to authorize incorporated or unincorporated church cemetery or burial association to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five "so as to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial grounds to purchase other grounds and to sell and convey such portions of their land not used or conveyend by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them' providing for and authorizing the several courts of quarters sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

House Bill No. 845:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

House Bill No. 850 :

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

House Bill No. 1166:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

House Bill No. 11:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district

House Bill No. 189:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the county of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

House Bill No. 883:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

Mr. BERGEY. Mr. Speaker. I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by H. W. Bergey that the vote by which House Bill No. 1010, file folio 4249, passed finally, be reconsidered.

Mr. GLENN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BERGEY. Mr. Speaker, my reason for asking reconsideration of this vote is because I believe a large number of men voted on that bill not knowing its contents. The bill provides that the Secretary of the State Livestock Board shall be raised in his salary one hundred per cent. It also provides that his assistant shall be raised one hundred per cent. Having voted in the affirmative, I therefore ask that this bill be reconsidered and that the members of this House may vote upon it intelligently.

Mr. STONE. Mr. Speaker, I desire to interrogate the gentleman from Montgomery (Mr. Bergey).

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BERGEY. Mr. Speaker, yes, sir.

Mr. STONE. Mr. Speaker, I would like to ask the gentleman how he voted on this bill.

Mr. BERGEY. Mr. Speaker, I voted aye.

Mr. STONE. Mr. Speaker, it seems to me that when we come to reconsider a vote that has been fairly taken, over and over again to take up the time of the House, it ought to be set down on by the members of the House, otherwise we never will finish the legislation which we have at hand, and that is my only reason for asking the members of the House to vote down this motion at this time to reconsider.

Mr. HUMES. Mr. Speaker, I think the sponsor of this bill ought not to insist on his opposition to this motion at this time, in fairness to the members of this House and especially in fairness to all the members who desire to be heard on the bill, and who did not realize that the bill was being called up until the roll was being called. There are a number of the members who feel that in fairness to the House that we should have the matter again considered and the vote retaken and the members have a full opportunity to understand the subject matter of the bill and the subject confronting the House and I think the sponsor of the bill ought to withdraw all opposition to the consideration of the bill under the circumstances, and I would ask him if he will not do that.

Mr. STONE. Mr. Speaker, this bill was called up in regular order and it had been voted upon at the call of the roll and I insist that it would be unfair and improper for this House to reconsider after the bill had been voted upon in regular order. Not only that, but there are a number of members who voted on this bill when the vote was taken, who are not here. It would be an unfair proposition to bring up the bill now.

Mr. KUHN. Mr. Speaker.

The SPEAKER. The gentleman from Lehigh, Mr. Kuhn.

Mr. FAHEY. Mr. Speaker, I move that the House do now adjourn.

Mr. SPEISER. Mr. Speaker, I second the motion.

The SPEAKER. The gentleman from Lehigh has been recognized and was given the floor before the motion to adjourn was made and the motion will have to wait until he concludes.

Mr. KUHN. Mr. Speaker and Gentlemen of the House, this bill has been called up in regular order, that is true, and you gentlemen saw me standing on the floor of this House and I was just waiting for the Speaker to conclude his remarks, when I addressed him and on it went.

Now, Mr. Speaker and Gentlemen of the House, the concensus of opinion of this House is not to pass this bill, I am satisfied, and I ask you to support this motion and let us have a fair chance at this bill.

ADJOURNMENT.

Mr. FAHEY. Mr. Speaker. I move that the House do now adjourn.

Mr. SPEISER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the yeas seemed to have it.

Whereupon a division was called for, 89 voting in the affirmative and 64 in the negative.

And the question was determined in the affirmative.

Whereupon (at 11.55 P. M.) the House adjourned until to-morrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, APRIL 1, 1913. No. 41.

SENATE

TUESDAY, April, 1, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lientenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. JARRETT presented eleven petitions of citizens of Mercer County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

AGAINST CLUB LICENSES.

Mr. JARRETT presented petition of Farrell Lodge No. 55, Loyal Order of Moose, against the passage of the bill requiring chartered clubs or social organizations to be licensed to sell intoxicating liquors.

Which was referred to the Committee on Law and Order.

LEAVE OF ABSENCE.

Mr. SALUS asked and obtained leave of absence for the Senator from Armstrong, Mr. Graff, for the balance of the week, on account of illness in his family.

REPORTS FROM COMMITTEES.

Mr. HUNTER, from the Committee on Mines and Mining, reported, as amended, Senate Bill No. 656, entitled:

An Act to provide for the health and safety of persons employed in and about the Anthracite Coal Mines in the Commonwealth of Pennsylvania, and for the protection and preservation of property connected therewith.

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 764, entitled:

An Act permitting counties, cities and boroughs, singly or jointly, of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State Highway or State Aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State Aid Highway.

Mr. SENSENICH, from the Committe on Mines and Mining, re-reported as committed, Senate Bill No. 343 (House Bill No. 69), entitled:

An Act to amend an act approved the 1st day of May, 1909, entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said miners may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof," by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers and enforcing of this act.

Also, from the Committee on Mines and Mining, re-reported as committed, Senate Bill No. 344 (House Bill No. 68), entitled:

An Act to amend an act approved the 29th day of April, 1909, entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed, their hours of employment their protection against injury and to prescribe rules for obtaining of employment certificates and providing penalties for violation of the provisions thereof." by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act.

Mr. KNAPP, from the Committee on Education, reported as amended, Senate Bill No. 663, entitled:

A bill entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first, second and third classes, within this Commonwealth.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 815, entitled:

An Act providing for the making valid of the charters of certin corporations heretofore incorporated for the purpose of supplying heat, light and power by means of electricity to the public, upon the filing of certain certificates with the Secretary of the Commonwealth.

Mr. POWELL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 392, entitled:

An Act amending section one of an act approved the 17th day of April, 1905, entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to reasonableness of the amount of license fees between the municipal corporations and telegraph, telephone or light or power companies.

Mr. CLARK, from the Committee on Judiciary General, reported as committed, Senate Bill No. 593 (House Bill No. 657), entitled:

An Act to repeal an act, entitled "A supplement to the act ,entitled "An Act for preventing clandestine marriages'" approved the 14th day of February, A. D. 1730.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 594 (House Bill No. 658), entitled:

An Act to repeal an act, entitled "An Act for the preventing of clandestine marriages," passed at the session of the General Assembly ending October 28th, 1701.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 806 (House Bill No. 711), entitled:

An Act relating to the management of penitentiaries, jails, prisons, houses or corrections, work houses of refuge and reformatories.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 763, entitled:

An Act to amend the act approved the 23d day of May, 1907, entitled 'An Act relating to husband and wife, and to enlarge the rights and remedies of married women in case of desertion or non-support by husband," as amended by an act approved the 27th day of April, 1909, entitled "An Act to amend an act, entitled 'An Act relating to husband and wife, and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands,' approved the 23d day of May, A. D. 1907; permitting husband and wife to testify and providing for the method of services of process."

Also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 550, entitled:

An Act regulating the use of motor boats and providing a penalty.

Mr. HUFFMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 300, entitled:

An Act to compel the use of blowers upon metal polishing machinery.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 762, entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated, altered or disputed handwriting, declaring and defining some of the existing rules of law upon these subjects, and also extending some of the provisions of the same.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations for notaries public made by His Excellency, the Governor of the Commonwealth, at last evening's session, and the following nominations which were laid upon the table:

INSPECTORS OF THE STATE PENITENTIARY FOR THE WESTERN DISTRICT OF PENNSYLVANIA AT PITTSBURGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be Inspectors of the State Penitentiary for the Western District of Pennsylvania, at Pittsburgh, for the term of two years, to compute from the dates set opposite their names respectively:

Charles A. Rook, Pittsburgh, June 1, 1911.
William E. Sankey, Carrick, June 1, 1911.
William Price, Pittsburgh, June 1, 1911.
George E. McCague, Sewickley, November 29, 1911.
Thomas B. Foley, Pittsburgh, January 18, 1912.

JOHN K. TENER.

INSURANCE COMMISSIONER OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Johnson, of Norristown, to be Insurance Commissioner of Pennsylvania, to serve until the first Monday of May, 1915.

JOHN K. TENER.

INSPECTORS OF ILLUMINATING GAS AND GAS METERS IN AND FOR THE COUNTY OF ALLEGHENY, PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William M. Ramsey, of Pittsburgh, to be Inspector of Illuminating Gas and Gas Meters in and for the County of Allegheny, for the term of three years, to compute from April 15, 1912.

JOHN K. TENER.

COMMISSIONERS TO EXAMINE APPLICANTS FOR INSPECTOR OF STEAM ENGINES AND STEAM BOILERS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners to Examine Applicants for Inspector of Steam Engines and Steam Boilers, for the County of Allegheny, Commonwealth of Pennsylvania, to serve until lawfully determined or annulled, to compute from December 13, 1911:

W. C. Fownes, Pittsburgh.
Joseph Fawall, Pittsburgh.
Edward Kneeland, Pittsburgh.
Thomas M. Rees, Pittsburgh.
George M. Bole, Pittsburgh.

JOHN K. TENER.

INSPECTOR OF STEAM ENGINES AND STEAM BOILERS FOR THE COUNTY OF ALLEGHENY.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles H. Garlick, of Bellevue, to be Inspector of Steam Engines and Steam Boilers for the County of Allegheny, Commonwealth of Pennnsylvania, for the term of two years, to compute from February 2, 1912.

JOHN K. TENER.

MEMBER OF THE STATE QUARANTINE BOARD FOR THE PORT OF PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. L. Forward, of Chester, to be a Member of the State Quarantine Board for the Port of Philadelphia, for the term of two years, to compute from February 3, 1912.

JOHN K. TENER.

COMMISSIONERS OF THE STATE BOARD OF PUBLIC CHARITIES.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of the State Board of Public Charities, for the term of five years, to compute from the dates set opposite their names respectively:

P. C. Boyle, Oil City, June 19, 1911.
Edward K. Rowland, Philadelphia, August 7, 1911.
George W. Ryan, Shamokin, November 6, 1911.
Cyrus B. King, Pittsburgh, March 31, 1912.
William T. Bell, Mount Union, March 31, 1912.
Ralph Blum, Philadelphia, October 25, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Board of Trustees of the Pennsylvania State College, for the term of three years, to compute from July 1, 1912:

Marlin E. Olmsted, Harrisburg.
E. S. Bayard, Pittsburgh.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Trustees of the Pennsylvania State College to serve until July 1, 1914, to compute from the dates set opposite their names respectively:

J. D. Callery, Pittsburgh, January 21, 1912.
Charles S. Price, Johnstown, January 21, 1912.

JOHN K. TENER.

MEMBER OF THE STATE PHARMACEUTICAL EXAMINING BOARD.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Louis Emanuel, of Pittsburgh, to be a member of the State Pharmaceutical Examining Board, for the term of five years, to compute from February 4, 1913.

JOHN K. TENER.

MEMBERS OF THE STATE PHARMACEUTICAL EXAMINING BOARD.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Pharmaceutical Examining Board, to serve for the term of five years, to compute from the dates set opposite their names respectively:

Lucius L. Walton, Williamsport, December 1, 1911.
George D. Stroh, West Pittston, July 22, 1912.

JOHN K. TENER.

COMMISSIONER OF FISHERIES FOR PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nathan R. Buller, of Pleasant Mount, Wayne County, to be Commissioner of Fisheries for Pennsylvania, for the term of four years, to compute from September 1, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE FISHERIES COMMISSION OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Fisheries Commission, for the term of four years, to compute from the dates set opposite their names respectively:

William A. Leisenring, Mauch Chunk, May 26, 1911.
John Hamberger, Erie, June 2, 1911.
Henry C. Cox, Wellsboro, June 2, 1911.
John C. Ogden, Johnstown, August 5, 1911.

JOHN K. TENER.

DIRECTOR OF THE NAUTICAL SCHOOL AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lodge Colton, of Philadelphia, to be a Director of the Nautical School, at Philadelphia, for the term of six years, to compute from May 3, 1911.

JOHN K. TENER.

INSPECTORS OF THE STATE PENITENTIARY FOR THE EASTERN DISTRICT OF PENNSYLVANIA AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be inspectors of the State Penitentiary for the Eastern District of Pennsylvania at Philadelphia, for the term of two years, to compute from May 26, 1911:

Charles Carver, Philadelphia.
Charles D. Hart, Philadelphia.
Murrell Dobbins, Philadelphia.
John E. Hanifen, Philadelphia.
Robert A. Balfour, Philadelphia.

JOHN K. TENER.

MANAGER OF THE STATE INDUSTRIAL REFORMATORY AT HUNTINGDON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, H. H. Canan, of Altoona, to be a Manager of the State Industrial Reformatory, at Huntingdon, to serve until May 15, 1912, to compute from October 24, 1912.

JOHN K. TENER.

SUPERINTENDENT OF CONSTRUCTION OF THE WESTERN PENITENTIARY.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Francies, of Pittsburgh, to be Superintendent of Construction of the Western Penitentiary, to serve until lawfully determined or annualled, to compute from June 3, 1911.

JOHN K. TENER.

TRUSTEES OF THE PENNSYLVANIA STATE LUNATIC HOSPITAL AT HARRISBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, for the term of three years, to compute from June 16, 1911.

Edward Bailey, Harrisburg.
David McM. Gregg, Reading.

JOHN K. TENER.

TRUSTEES OF THE PENNSYLVANIA STATE LUNATIC HOSPITAL AT HARRISBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, to serve for the terms set opposite their names respectively:

William M. Donaldson, Harrisburg, until October 25, 1914.
Lewis S. Sadler, Carlisle, until March 19, 1915.
Samuel Small, York, until March 19, 1915.
Henry M. Stine, Harrisburg, until April 6, 1914.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE AT DANVILLE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane, at Danville, for the term of three years, to compute from the dates set opposite their names respectively:

Robert J. Pegg, Danville, June 9, 1911.
W. F. Lowry, Berwick, October 17, 1911.
Newton H. Culver, Williamsport, October 17, 1911.
Isaac X. Grier, Danville, May 10, 1912.
Herbert T. Hecht, Danville, June 4, 1912.
Olin F. Harvey, Wilkes-Barre, October 22, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE OF THE SOUTHEASTERN DISTRICT OF PENNSYLVANIA AT NORRISTOWN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane of the southeastern district of Pennsylvania, at Norristown, for the term of three years, to compute from the dates set opposite their names respectively:

Thomas W. Marshall, West Chester, February 15, 1911.
Jonas S. Harley, Quakertown, April 27, 1911.
Samuel S. Thompson, Philadelphia, July 21, 1911.
James B. Holland, Conshohocken, February 26, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for the Insane, at Warren, for the term of three years, to compute from the dates set opposite their names respectively:

A. Lincoln Bell, Ridgway, May 26, 1911.
R. B. Stone, Bradford, May 26, 1911.
S. R. Mason, Mercer, June 10, 1911.
W. R. Hunter, Erie, August 5, 1911.

JOHN K. TENER.

TRUSTEE OF THP STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank K. Brown, of Clarion, to be a Trustee of the State Hospital for the Insane, at Warren, to serve until June 26, 1914, to compute from May 27, 1912.

JOHN K. TENER.

TRUSTEE OF THE STATE HOSPITAL FOR THE INSANE AT WARREN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Schimmelfeng, of Warren, to be a Trustee of the State Hospital for the Insane, at Warren, to serve until June 10, 1914, to compute from October 28, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR INJURED PERSONS OF THE ANTHRACITE COAL REGION, AT ASHLAND.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the State Hospital for Injured Persons of the Anthracite Coal

Region, at Ashland, to serve until lawfully determined or annulled, to compute from the dates set opposite their names respectively:
Daniel Duffy, Pottsville, June 29, 1911.
Robert Heaton, Ashland, June 29, 1911.
Christian Schmidt, Shenandoah, June 29, 1911.
John H. Davis, St. Clair, December 9, 1912.
Theo. W. Riley, Centralia, December 9, 1912.
Benj. I. Evans, Mt. Carmel, December 9, 1912.

JOHN K. TENER.

TRUSTEE OF THE PENNSYLVANIA STATE HOSPITAL OF THE MIDDLE COAL FIELD, AT HAZLETON.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Shigo, of Freeland, to be a Trustee of the Pennsylvania State Hospital of the Middle Coal Field, at Hazleton, to serve until lawfully determined or annulled, to compute from January 10, 1912.

JOHN K. TENER.

TRUSTEES OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT CONNELLSVILLE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Connellsville, to serve until lawfully determined or annulled, to compute from the dates set opposite their names respectively:
R. C. Bierbower, Connellsvillle, August 25, 1911.
Harry M. McDonald, Dawson, March 28, 1912.

JOHN K. TENER.

TRUSTEE OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT PHILIPSBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel H. Wigton, of Philipsburg, to be a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Philipsburg, to serve until lawfully determined or annualled, to compute from October 7, 1911.

JOHN K. TENER.

TRUSTEE OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS, AT MERCER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas A. Sampson, of Mercer, to be a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous Coal and Semi-Bituminous Coal Regions, at Mercer, to serve until lawfully determined or annualled, to compute from January 11, 1912.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO PROTECT MONUMENT ERECTED BY THE SURVIVORS OF THE FORTY-EIGHTH REGIMENT, PENNSYLVANIA VOLUNTEERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Commission to Protect Monument Erected by Survivors of the Forty-Eighth Regiment, Pennsylvania Volunteers, near Petersburg, Virginia, to serve until lawfully determined or annulled, to compute from November 14, 1911.
Frank R. Leib, Harrisburg.
Daniel Nagle, Pottsvillle.
Daniel Donne, Pottsvillle.

JOHN K. TENER.

MEMBERS OF THE CAPITOL PARK EXTENSION COMMISSION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Members of the Capital Park Extension Commission, to serve until June 1, 1917, to compute from September 9, 1911:
Samuel Kunkel, Harrisburg.
Samuel C. Todd, Charleroi.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named ladies to be Members of the State Board of Examiners for Registration of Nurses, for the term of five years, to compute from the dates set opposite their names respectively:
Miss Ida F. Giles, Washington, June 30, 1911.
Alice M. Seabrook, M. D. Philadelphia, June 30, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CHRONIC INSANE OF PENNSYLVANIA AT WERNERSVILLE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Chronic Insane of Pennsylvania, at Wernersville, for the term of three years, to compute from the dates set opposite their names, respectively:
Henry M. Dechert, Philadelphia, April 20, 1911.
Savery Bradley, Philadelphia, April 20, 1911.
S. P. Light, Lebanon, April 20, 1911.
Jacob M. Shenk, Lebanon, June 12, 1911.
Thomas C. Zimmerman, Reading, June 12, 1911.
Walter T. Bradley, Philadelphia, June 12, 1911.
Jos. L. Lemberger, Lebanon, June 12, 1912.
Thomas Polk Merritt, Reading, June 12, 1912.
E. E. Beidleman, Harrisburg, June 12, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOME FOR TRAINING IN SPEECH OF DEAF CHILDREN BEFORE THEY ARE OF SCHOOL AGE, AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the Home for the Training in Speech of Deaf Children Before They Are of School Age, at Philadelphia, for the term of five years, to compute from the dates set opposite their names, respectively:
S. Edwin Megargee, Philadelphia, July 14, 1911.
Charles S. Turnbull, Philadelphia, September 3, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INSTITUTION FOR FEEBLE MINDED, AT POLK.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Trustees of the State Institution for Feeble-Minded, at Polk, for the term of three years, to compute from May 1, 1912:
Marshall Phipps, Franklin.
Frederick H. Coursin, McKeesport.

JOHN K. TENER.

ASSISTANT ECONOMIC ZOOLOGIST OF THE DEPARTMENT OF AGRICULTURE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John K. Musgrave, of Pittsburgh, to be Assistant Economic Zoologist of the Department of Agriculture, for the term of four years, to compute from July 1, 1912.

JOHN K. TENER.

COMMISSIONER OF VALLEY FORGE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel W. Pennypacker, of Schwenkville, to be a Commissioner of Valley Forge, for the term of five years, to compute from June 8, 1913.

JOHN K. TENER.

COMMISSIONER OF VALLEY FORGE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Theodore E. Weidersheim, of Philadelphia, to be a Commissioner of Valley Forge, to serve until April 20, 1914, to compute from January 15, 1912.

JOHN K. TENER.

MEMBERS OF THE BOARD OF OSTEOPATHIC EXAMINERS OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Board of Osteopathic Examiners of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:

H. M. Goehring, Pittsburgh, August 1, 1911.
Virgil A. Hook, Wilkes-Barre, April 1, 1911.
O. J. Snyder, Philadelphia, August 1, 1912.

JOHN K. TENER.

MEMBERS OF THE COMMISSION FOR THE IMPROVEMENT OF THE STATE CANAL BASINS, AT THE PORT OF ERIE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Commission for the Improvement of the State Canal Basins, at the Port of Erie, to serve until lawfully determined or annulled, to compute from January 17, 1912.

Clarence L. Thompson, Erie.
Frank W. Grant, Erie.
Frank Connell, Erie.
G. Irving Blake, Erie.
I. Ph. McCreary, Erie.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO CELEBRATE AND COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION AT PHILADELPHIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Commission to Celebrate and Commemorate the Fiftieth Anniversary of the Emancipation Proclamation, at Philadelphia, to serve until lawfully determined or annulled, to compute from the dates set opposite their names, respectively:

W. E. Crow, Uniontown, October 30, 1911.
Clarence Wolf, Philadelphia, October 30, 1911.
W. W. Ulerich, Latrobe, October 30, 1911.
George E. Alter, Springdale, October 30, 1911.
Henry W. Bass, Philadelphia, October 30, 1911.
Milton W. Shreve, Erie, November 21, 1911.
Henry A. Clark, Erie, February 21, 1912.

JOHN K. TENER.

MEMBERS OF THE GEORGE GORDON MEADE STATUE COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the General George Gordon Meade Statute Commission, to serve until lawfully determined or annulled, to compute from November 27, 1911:

N. P. Kinsley, Franklin.
William C. Sproul, Chester.
James A. Dale, York.
John W. Frazler, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE ROBERT MORRIS MONUMENT COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Robert Morris Monument Commission, to serve until lawfully determin or anulled, to compute from December 1, 1911:

B. S. Phillips, Scranton.
H. M. Edwards, Scranton.
John W. Ford, Philadelphia.
W. J. Jones, Pittsburgh.
George Morris, McKeesport.

JOHN K. TENER.

SUPERINTENDENT OF PUBLIC GROUNDS AND BUILDINGS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel B. Rambo, of Harrisburg, to be Superintendent of Public Grounds and Buildings, for the term of four years, to compute from June 1, 1911.

JOHN K. TENER.

STATE FIRE MARSHAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph L. Baldwin, of Philadelphia, to be State Fire Marshal, for the term of four years, to compute from May 29, 1912.

JOHN K. TENER.

MEMBERS OF THE COLLEGE AND UNIVERSITY COUNCIL OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the College and University Council of Pensylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

Dr. J. M. Harris, Lewisburg, March 29, 1912.
Samuel B. McCormick, Pittsburgh, January 14, 1913.
James D. Moffat, Washington, October 1, 1911.
Edwin E. Sparks, State College, January 21, 1912.
Edward Morrell, Philadelphia, January 21, 1912.

JOHN K. TENER.

MEMBERS OF THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION, SAN FRANCISCO, CALIFORNIA, 1915.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Panama-Pacific International Exposition Commission, San Francsicso, California, 1915, to serve until lawfully determined or annulled, to compute from June 21, 1912:

Ernest I. Tustin, Philadelphia.
James W. King, Philadelphia.
Chester P. Ray, Philadelphia.
John C. Bell, Philadelphia.
Charles W. Ashley, Pittsburgh.
Charles F. Thompson, Charleroi.
G. W. Nitrauer, Lebanon.
H. J. Heinz, Pittsburgh.
Charles D. Armstrong, Pittsburgh.
M. S. Hershey, Hershey.
E. H. Porter, Beaver Falls.
Frank B. McClain, Lancaster.
Morgan E. Gable, Pittsburgh.
George F. Creighton, Altoona.
James L. Adams, Pittsburgh.
W. E. Crow, Uniontown.
Charles W. Sones, Williamsport.
C. A. Bentley, Monongahela.
C. Victor Johnson, Meadville..
Charles A. Shaffer, Berwick.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF GAME COMMISSIONERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Board of Game Commissioners, for the term of three years, to compute from the dates set oposite their names, respectively:

Charles B. Penrose, Philadelphia, November 17, 1912.
Coleman K. Sober, Lewisburg, November, 17, 1911.
J. M. Phillips, Pittsburgh, November, 17, 1911.
Arthur Chapman, Doylestown, November 17, 1912.

JOHN K. TENER.

CHIEF OF THE DEPARTMENT OF MINES IN PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James E. Roderick, of Hazleton, to be Chief of the Department of Mines in Pennsylvania for the term of four years, to be computed rom April 16, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD TO EXAMINE EXPERT ACCOUNTANTS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board to Examine Expert Accountants, for the term of three years, to compute from the dates set opposite their names, respectively:

J. E. Sterrtt, Philadelphia, August 11, 1911.
Adam A. Ross Philadelphia, May 26, 1911.
James Whitaker, Fernley, Philadelphia, November 16, 1911.

JOHN K. TENER.

MEMBERS OF THE BOARD OF DENTAL EXAMINERS OF THE STATE OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Dental Examiners of the State of Pennsylvania, to serve until the dates set opposite their names, respectively:

John J. Moffit, Harrisburg, September 1, 1913.
H. W. Arthur, Pittsburgh, September 1, 1913.
W. D. DeLong, Reading, September 1, 1914.
J. D. Whitman, Mercer, September 1, 1914.
A. H. Reynolds, Philadelphia, September 1, 1915.
Walter H. Fundenberg, Pittsburgh, September 1, 1915.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD TO EXAMINE EXPERT ACCOUNTANTS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the folowing named gentlemen to be members of the State Board to Examine Expert Accountants, for the term of two years, to compute from the dates set opposite their names, respectively:

H. B. Gill, Philadelphia, May 26, 1913.
Willis, A. Boothe, Pittsburgh, May 26, 1913.

JOHN K. TENER.

MEMBERS OF THE COMMISSION FOR THE INVESTIGATION AND CONTROL OF THE CHESTNUT-TREE BLIGHT DISEASE IN PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the folowing named gentlemen, to be members of the Commisison for the Investigation and Control of the Chestnut Tree Blight Disease in Pennsylvania, for the term of three years, to compute from June 14, 1911:

Samuel T. Bodine, Villa Nova.
George F. Craig, Rosemont.
Theodore N. Ely, Bryn Mawr.
Harold Peirce, Haverford.
Winthrop Sargent, Haverford.

JOHN K. TENER.

MEMBERS OF THE STATE FREE LIBRARY COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Free Library Commission, to serve until January 3, 1915, to compute from the dates set opposite their names, respectively:

Henry Belin, Jr., Scranton, May 26, 1911.
Harrison W. Carver, Pittsburgh, May 26, 1911.
Horace E. Hayden, Wilkes-Barre, May 26, 1911.

JOHN K. TENER.

COMMISSIONER OF FORESTRY FOR PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert S. Conklin, of Columbia, to be Commissioner of Forestry for Pensylvania, for the term of four years, to compute from June 1, 1912.

JOHN K. TENER.

MEMBERS OF THE STATE FORESTRY RESERVATION COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Forestry Reservation Commission, for the term of four years to compute from the dates set opposite their names, respectively:

J. Linn Harris, Bellefonte, July 31, 1911.
J. T. Rothrock, West Chester, June 1, 1912.
S. B. Elliott, Reynoldsville, July 2, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOMEOPATHIC STATE HOSPITAL FOR THE INSANE AT ALLENTOWN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the folowing named gentlemen to be members of the Homeopathic State Hospital for the Insane, at Allentown, for the term of three years, to compute from the dates set opposite their names, respectively:

Harry C. Trexler Allentown, January 27, 1913.
E. M. Young, Allentown, January 27, 1913.
Archibald Johnson, Bethlehem, January 27, 1913.
John J. Tuller, Philadelphia, January 27, 1912.
William A. Seibert, Easton, January 27, 1912.
George R. Bedford, Wilkes-Barre, January 27, 1912.

JOHN K. TENER.

TRUSTEES OF THE HOMEOPATHIC STATE HOSPITAL FOR THE INSANE AT ALLENTOWN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Homeopathic State Hospital for the Insane, at Allentown, for the term of two years, to compute from January 27, 1912:

Russel C. Stewart, Easton.
Leonard Peckitt, Catasauqua.
F. J. Slough, Allentown.

JOHN K. TENER.

MEMBERS OF THE COMMISSION TO PROVIDE FOR THE CELEBRATION OF THE CENTENNIAL ANNIVERSARY OF THE BATTLE OF LAKE ERIE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Commission to Provide for the Celebration of the Centennial Anniversary of the Battle of Lake Erie, to serve until lawfully determined or annulled, to compute from May 26, 1911:

A. E. Sisson, Erie.
Edwin H. Vare, Philadelphia.
M. W. Shreve, Erie.
T. C. Jones, McKeesport.
George W. Neff, Masontown.

JOHN K. TENER.

TRUSTEES OF THE THADDEUS STEVENS INDUSTRIAL SCHOOL OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Thaddeus Stevens Industrial School of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:

John H. Landis, Millersville, June 12, 1911.
P. E. Slaymaker, Lancaster, June 12, 1911.
Charles I. Landis, Lancaster, June 12, 1912.
H. L. Trout, Lancaster, June 12, 1912.
Frank B. McClain, Lancaster, June 12, 1912.

JOHN K. TENER.

TRUSTEES OF THE THADDEUS STEVENS INDUSTRIAL SCHOOL OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George Gesell, of Lancaster, to be a trustee of the Thaddeus Stevens Industrial School of Pennsylvania, to serve until June 12, 1914, to compute from July 24, 1911.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CRIMINAL INSANE AT FAIRVIEW.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Criminal Insane, at Fairview, for the term of three years, to compute from the dates set opposite their names, respectively:

Henry F. Walton, Philadelphia, June 1, 1913.
William C. Sproul, Chester, June 1, 1913.
Sterling R. Catlin, Wilkes-Barre, June 1, 1913.
C. H. Dorflinger, White Mills, June 1, 1912.
John B. Fassett, Tunkhannock, June 1, 1912.
Walter McNichols, Scranton, June 1, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL FOR THE CRIMINAL INSANE AT FAIRVIEW.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital for the Criminal Insane, at Fairview, to serve until June 1, 1914, to compute from the dates set opposite their names, respectively:

James L. Marsteller, Allentown, May 17, 1912.
Edward A. Jones, Scranton, May 17, 1912.
H. A. Denney, Montrose, September 26, 1912.

JOHN K. TENER.

TRUSTEES OF THE STATE HOSPITAL OF THE TREVORTON, SHAMOKIN AND MOUNT CARMEL COAL FIELDS OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be trustees of the State Hospital of the Trevorton, Shamokin and Mount Carmel Coal Fields, of Pennsylvania, to serve until lawfully determined or annulled, to compute from the dates set opposite their names, respectively:

William P. Kemble, Mt. Carmel, December 13, 1911.
Ralph W. Montelius, Mt. Carmel, December 13, 1911.
Herbert W. Cummings, Sunbury, December 13, 1911.
P. Frank Brennan, Shamokin, December 21, 1911.
John I. Welsh Shamokin, December 21, 1911.
George W. Schultz, Shamokin, December 21, 1911.
Allan J. Weir, Matalie, December, 21, 1911.
John F. Bevan, Shamokin, January 3, 1913.
John H. Glass, Shamokin, January 3, 1913.

JOHN K. TENER.

MEMBER OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. L. Johnstonbaugh, of West Bethlehem, to be a member of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania, for the term of two years, to compute from September 1, 1911.

JOHN K. TENER.

MEMBER OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wm. Alvah Stewart, of Pittsburgh, to be a member of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania to serve until September 1, 1913, to compute from September 1, 1912.

JOHN K. TENER.

MEMBERS OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Bureau of Medical Education and Licensure of the Department of Public Instruction of the Commonwealth of Pennsylvania, for the term of three years, to compute from the dates set opposite their names, respectively:

Adolph Koenig, Pittsburgh, September 1, 1911.
John M. Baldy, Philadelphia, September 1, 1912.
D. P. Maddux, Chester, September 1, 1912.

JOHN K. TENER.

FIRST DEPUTY STATE HIGHWAY COMMISSIONER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph W. Hunter, of Jenkintown, to be First Deputy State Highway Commissioner, to serve until lawfully determined or annulled, to compute from June 1, 1911.

JOHN K. TENER.

SECOND DEPUTY STATE HIGHWAY COMMISSIONER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, E. A. Jones, of Scranton, to be Second Deputy State Highway Commissioner, to serve until lawfully determined or annulled, to compute from August 1, 1911.

JOHN K. TENER.

AUDITORS OF THE STATE HIGHWAY DEPARTMENT OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William R. Main, of Pittsburgh, to be Auditor of the State Highway Department of Pennsylvania, to serve until lawfully determined or annulled, to compute from May 1, 1912.

JOHN K. TENER.

CHIEF ENGINEER OF THE STATE HIGHWAY DEPARTMENT OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel D. Foster, of Pittsburgh, to be Chief Engineer of the State Highway Department of Pennsylvania, to serve until lawfully determined or annulled to compute from June 19, 1911.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the folowing named gentlemen, to be members of the State Board of Veterinary Medical Examiners, for the term of three years, to compute from the first Monday in September, 1912:

W. H. Ridge, Trevose.
A. J. McCloskey, Philadelphia.

JOHN K. TENER.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the State Board of Veterinary Medical Examiners, to serve until the dates set opposite their names, respectively:

J. W. Sallade, Auburn, 1st Monday, September, 1914.
Jacob Helmer, Scranton, 1st Monday, September, 1913.
Arthur W. Weir, Greenville, 1st Monday, September, 1913.

JOHN K. TENER.

BILLS INTRODUCED.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 854, entitled:

An Act supplementary to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thou-

sand eight hundred and eighty-five creating a Department of Assessment of Taxes under the charge of a Director and two others constituting a Board of Revision of Taxes providing for the appointment of such Boards of Revision of Taxes defining their powers and duties giving the councils of such cities power to direct them in certain respects terminating the present boards of Revision of Taxes in counties co-terminus with cities of the first class and repealing inconsistent acts

Which was committed to the Committee on Judiciary General.

Mr. KLINE (by request) read in his place and presented to the Chair Senate Bill No. 855, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors reports

Which was committed to the Committee on Judiciary Special.

Also (by request) read in his place and presented to the Chair Senate Bill No. 856, entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two two thousand six hundred and twenty-four two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof and also conferring upon taxpayers similar rights in regard to reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

Which was committed to the Committee on Education.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 857, entitled:

An Act requiring foreign insurance companies doing business in the various counties of the Commonwealth to designate an agent to said counties upon whom legal proceses may be served and providing penalties for the failure so to do

Which was committed to the Committee on Insurance.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 858, entitled:

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens

Which was committed to the Committee on Education.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 859, entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 860, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

Which was committed to the Committee on Judiciary Special.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 861, entitled:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish

Which was committed to the Committee on Public Health and Sanitation.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SALUS. Mr. President, I rise at this time on a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Salus, will state his question of personal privilege.

Mr. SALUS. Mr. President, last evening I was interrogated by the Senator from Washington County, Mr. Judson, as to the manner in which certain bills were reported from the Committee on Law and Order, and in answer to the interrogation of the Senator at that time, I stated how these bills were reported from this committee. At that time I stated that the Senator from Westmoreland, Mr. Sensenich, had agreed that these bill be reported out, and in fairness to Senator Sensenich and in order that he may not be misunderstood at home among his constituents, I want to say that when he agreed that these bills should be reported out, he said at that time that he did it on the theory that he thought all bills should be reported out of all committees at all times. I make this statement in fairness to the Senator from Westmoreland County, Mr. Sensenich.

BILL ON FINAL PASSAGE.

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 636, as follows:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws six hundred and thirty-nine) by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws six hundred and thirty-nine) which reads

Section 1 "That banks chartered under the provisions of the laws of the Commonwealth of Pennsylvania be and they are hereby authorized to loan money on the security of bonds and mortgages on unincumbered real estate situated in this State not in excess of their time deposits and to invest their funds not exceeding twenty-five per centum of their capital stock surplus and undivided profits in the purchase of such mortgages and may also purchase for investment any interest bearing bonds or other obligations of any corporation or individual" be and the same is hereby amended so as to read as follows

Section 1 That banks chartered under the provisions of the laws of the Commonwealth of Pennsylvania be and they are hereby authorized to loan money on the security of bonds and mortgages on unincumbered real estate situated in this State not in excess of their time deposits plus twenty-five per centum of their capital stock surplus and undivided profits and to invest their funds not exceeding their time deposits plus twenty-five per centum of their capital stock surplus and undivided profits in the purchase of such mortgages and may also purchase for investment any interest hearing bonds or other obligations of any corporation or individual

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HOKE. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE PENNSYLVANIA MEN'S LEAGUE FOR WOMEN SUFFRAGE.

The Chair cleared his table and laid before the Senate a communication, which was read as follows and referred to the Committee on Judiciary General:

Philadelphia, Pa., March 31, 1913.

Lieutenant Governor Reynolds,
Senate Chamber, Harrisburg, Pa.

The Pennsylvania Men's League for Women Suffrage assembled in annual meeting earnestly asks the Senate to redeem

the pledges made by all political parties in their platforms during the last election by submitting to the voters of the State the question of equal suffrage for women.

DIMNER BEEBER, President.
HENRY JUSTICE, Secretary.

RESOLUTION ADOPTED AT THE CONFERENCE AND EXHIBIT ON MENTAL HYGIENE HELD IN PHILADELPHIA, MARCH 15 TO 22, 1913.

He also laid before the Senate communication, which was read as follows, and referred to the Committee on Public Health and Sanitation:

Conference and Exhibit on Mental Hygiene
At City Hall, Philadelphia, between March 15th and 22nd, 1913
Under the Auspices of
The Civil Club of Philadelphia
The Public Charities Association of Pennsylvania
and Other Co-Operating Organizations.

March 28, 1913.

Honorable John M. Reynolds,
President of the Senate, Harrisburg, Pa.

Dear Sir:—Permit me to hand you herewith a series of resolutions adopted at the Conference and Exhibit on Mental Hygiene, which was recently held in this city.

These resolutions emphasize the possibilities of preventive and curative measures for checking the present marked increase in the numbers of the insane and feeble-minded requiring State care. Any reduction in this rate of increase means a corresponding saving to the taxpayers of the Commonwealth.

It was the hope of the members of the Conference that the members of the Legislature would make careful inquiry into the possibilities of preventive work for the insane and feeble-minded as shown by experience in this and other countries and that a reasonable fraction of the States appropriations for charitable work might be devoted to prevention.

Very truly yours,
JOS. SNEFF,
Chairman.

Resolutions adopted at the Conference and Exhibit on Mental Hygiene held in Philadelphia March 15 to 22, 1913.

I.

Whereas, The facts brought out at the Conference and Exhibit on Mental Hygiene show that the State is in need of more diversified and more adequate care for the insane and the mentally defective, and

Whereas, The State is spending large sums of money to support privately managed charities of local scope whose work is not generally accepted as a State function or responsibility, and

Whereas, This money is greatly needed to support the charities owned and managed by the State, more especially those for the feeble-minded and insane; therefore,

Be It Resolved, That the members of the Conference on Mental Hygiene here assembled heartily endorse the recommendation of the Board of Public Charities urging that State institutions should receive first consideration from the Legislature and we hereby urge the State of Pennsylvania through its representatives in the Legislature to assume the responsibility for the full and adequate care of the insane and feeble-minded before extending aid to local charities under private control.

II.

Whereas, There are a large number of feeble-minded women, conservatively estimated at eight thousand, at large in Pennsylvania, and

Whereas, There is practically no provision for this class of unfortunates in Pennsylvania, and

Whereas, The feeble-minded women is a menace to the community and liable to be the prey of immoral men, and

Whereas, It has been shown that feeble-minded women have an average of five feeble-minded children for whom the State will be called upon to care; therefore

Be It Resolved, That the members of the Conference on Mental Hygiene here assembled urge upon the Legislature the passage of the Ambler bill providing for the creation of a Colony for Feeble-Minded Women.

III.

Whereas, There is serious overcrowding in the insane department of the Philadelphia General Hospital and at the Norristown Hospital, and

Whereas, The problem of care and treatment of the insane should rightly belong to the State; therefore,

Be It Resolved, That the members of the Conference on Mental Hygiene here assembled urge upon the members of the Legislature the creation of a new State Hospital for the Insane in the Southeastern district of Pennsylvania.

IV.

Whereas, The data submitted at the Conference and Exhibit on Mental Hygiene has shown clearly the need of social service for persons suffering from insanity, and

Whereas, "After-care" for discharged patients has proved beneficial in making permanent the results of hospital care, and

Whereas, The care of those dependent upon persons suffering from mental disease is a definite part of the problem of care and treatment of the insane; therefore,

Be It Resolved, That the members of the Conference on Mental Hygiene here assembled urge upon the Legislature the appropriation of sufficient funds to permit the employment of a social service agent in connection with each of the State Hospitals for the insane

V.

Whereas, There is need for further knowledge on the subjects of the causes, onset, effects and treatment of insanity and feeble-mindedness, and

Whereas, Some of our sister States are studying these subjects by means of research departments attached to the State Hospitals; therefore.

Be It Resolved, That the members of the Conference on Mental Hygiene favor the creation of a department of research attached to one or more State Hospitals and Homes, so that further knowledge of insanity and feeble-mindedness may be collected and placed at the service of the Legislature and the public.

Be It Further Resolved, That copies of these resolutions be transmitted to his Excellency, the Governor, of the Commonwealth of Pennsylvania, and to the State Board of Public Charities.

Be It Also Resolved, That copies of these resolutions be transmitted to the President of the Senate and to the Speaker of the House of Representatives of the General Assembly and that they be asked to transmit these resolutions to the members of the respective bodies of the General Assembly.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 231 (House No. 185), entitled:

A joint resolution proposing an amendment to Section one Article eight of the Constitution of Pennsylvania

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. POWELL. Mr. President, I move that the question, together with the further consideration of the bill be postponed for the present, and in regard to that motion I would say that an identical bill is my bill, Senate No. 88, and I therefore feel that I am entitled to the courtesy of the Senate to have this bill postponed, being the sponsor for the bill in the Senate and having the identical resolution in my charge.

Mr. JARRETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HERBST. Mr. President, if this is the identical bill of the Senator, and the Senator is here present, I do not see why senatorial courtesy should be extended to him to postpone this bill. This, in the famous language used by a famous man in this country, is an irrepressible conflict. We are up against it. We either have to show our colors or not show them, and I do not believe in postponing the inevitable. I believe we have as full a Senate here as we will ever get here during the remainder of the session, and I see no reason whatever why we should not be able to face this question and take a vote upon it.

Mr. BEIDLEMAN. Mr. President, it seems to me that the Senator from Allegheny is not consistent in his views in moving to postpone further action on this bill. Last night he stood upon the floor of this Senate and urged that the postponed calendar was getting so large and thought that in the absence of one of the members of the Senate we should act on a bill that was introduced by the Senator from Schuylkill, Mr. Snyder, and if he wants to be consistent in his proposition of last night, then, Mr. Speaker, he should not ask for the postponement of this bill on the ground of senatorial courtesy.

Mr. POWELL. Mr. President, if the Senator from Dauphin will remember, last night on an appeal to me on the ground of senatorial courtesy I withdrew my motion, and therefore I feel I am entitled to it now, and am absolutely consistent in offering this motion. In support of it, I want to say that the President Pro Tem. of this Senate came to me and asked me to have this bill postponed at the request of some Senators who were absent, particularly at the request of his colleague, Senator Homsher of Lancaster. There are also absent from this Senate chamber a number of other Senators who want and feel that they have a right to be recorded on this measure. Now, there is not any question at all and it has always been the rule in this Senate that a Senator shall have control of his own legislation so long as he does not desire to prevent a vote upon it, and I am not desiring to prevent a vote upon this question, but only to place this bill on the postponed calendar. Senator Hoke, just a minute ago, was extended the courtesy of this Senate and his bill was placed upon the postponed calendar, and last night on an appeal on the ground of courtesy I withdrew my amendment and allowed the bill of Senator Snyder to be put upon the postponed calendar.

When this bill came out of the Committee of Judiciary General, the understanding in that Comimttee was that I should be allowed the privilege of postponing the bill if there were any considerable number of the Senators absent, and members of that Committee will bear me out in that statement. Now, of course, if there is not going to be any senatorial courtesy on Tuesdays and there is to be courtesy on Mondays, then we want to know it. If Tuesday is to be an open day and hereafter senatorial courtesy does not apply on Tuesdays, then I will go along on that assumption. My understanding was that senatorial courtesy worked on Monday, Tuesday and Wednesday, and that it works both from the Senator from Dauphin county to me and from me to the Senator from Dauphin county.

If it does not, why then we will know after the vote is taken upon this question.

Mr. BEIDLEMAN. Mr. President, the Senator from Allegheny forgets that last night when he withdrew his motion to postpone action upon the bill introduced by the Senator from Schuylkill, that he did not make the suggestion that it was on the ground of senatorial courtesy which was due himself, but that he would ask it to-day on the ground of the absence of the Senator from Cambria, Mr. Stineman. He has evidently thought over it over night and this morning he comes in and suggests continuance and postponement on the ground of the senatorial courtesy due himself. I desire to call attention of the Senate to the fact that this is not Senator Powell's bill. This is a House bill, passed the House and introduced in that body by Mr. Rockwell. This is not a matter of whether or not the Senate is extending senatorial courtesy to the gentleman from Allegheny, but it is action of the Senate on a House bill and we have never established the precedent of senatorial courtesy on the passage of a House bill, especially when the Senator who may be interested in the subject is present in the Senate at the time that the bill come up in its regular order, and if the Senator from Allegheny will be consistent with his statement made on the floor of the Senate last night, he will not ask in good faith that this Senate postponed action on this bill this morning.

Mr. NULTY. Mr. President, I want to add my word of approval here for the purpose of postponing this bill for the present. It is simply asked for and is due the absent members of this Senate, and I trust the absent members of this Senate will be considered and the bill postponed for the present.

Mr. POWELL. Mr. President, I want to say one word. If the Senator will look at the pink calendar, at Senate Bill 88, they will find introduced on January 28, by Mr. Powell, a joint resolution proposing an amendment to Section 1, Article 8, of the Constitution, which was referred to the Committee on Judiciary General, which is this identical bill.

Mr. BEIDLEMAN. Mr. President, will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated.

Mr. POWELL. Mr. President, with pleasure.

Mr. BEIDLEMAN. Mr. President, I want to ask if the Senator from Allegheny was interested in the bill when it was in the committee, why he did not ask for a favorable recommendation, in order that his resolution might have come into the Senate and gone through as his measure.

Mr. POWELL. Mr. President, the only reason I did not was because I did not want to have two bills crossing themselves and wanted to save the Senators the time.

Mr. McILHENNY. Mr. President, I would like to state that any vote I may cast on this motion shall not be construed in any way to be on the merits of the question neither by implication or otherwise.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. POWELL and Mr. NULTY and were as follows, viz:

YEAS—21.

Alexander,	Hilton,	Martin,	Morgan,
DeWitt,	Hoke,	McIlhenny,	Nulty,
Endsley,	Jarrett,	McNichols,	Powell,
Gyger,	Judson,	Mills,	Sensenich,
Heacock,	Knapp,	Moore,	Sheatz,
			Vare,

NAYS—21.

Beidleman,	Crow,	Huffman,	McNichol,
Buckman,	Fisher,	Hunter,	Miller,
Catlin,	Gerberich,	Jones,	Salus,
Clark,	Hall,	Kline,	Sones,
Cooper,	Herbst,	Kurtz,	Thompson,
			Wasbers,

Pending the announcement of the vote.

Mr. HUFFMAN. Mr. President, at a time like this I do not feel that a question as important as this should be squeezed out and not give these people an opportunity to poll their vote, and I would like to have the privilege of changing my vote to the affirmative.

The PRESIDENT. Is there objection?

Mr. BEIDLEMAN. Mr. President, I object.

Mr. POWELL. Mr. President, will the gentleman from Dauphin permit himself to be interrogated?

The PRESIDENT. There is nothing in order during the calling of the roll.

Mr. HERBST. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state his point of order.

Mr. HERBST. Mr. President, my point of order is that there is nothing in order but the announcement of the vote.

The PRESIDENT. The Chair decides the point of order well taken.

The PRESIDENT. On this motion the ayes are 21 and the nays are 21. The Senate being equally divided, under the provisions of Article four, Section four, of the Constitution the President is entitled to a vote. The Clerk will record the President as voting "aye", and the question, together with the further consideration of the bill, will be postponed for the present.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan County of Wayne being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Hall,	Kline,	Powell,
Catlin,	Heacock,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
DeWitt,	Huffman,	McNichol,	Vare,
Endsley,	Hunter,	McNichols,	Wasbers,
Farley,	Jarrett,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 351, (House Bill No. 181), entitled:

An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husband and fathers within this Commonwealth" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trust or otherwise

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Jones,	Nulty,
Beidleman,	Gerberich,	Judson,	Powell,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Kurtz,	Sensenich,
Clark,	Heacock,	Martin,	Sheatz,
Cooper,	Herbst,	McIlhenny,	Sones,
Crow,	Hilton,	McNichol,	Thompson,
DeWitt,	Huffman,	Mills,	Vare,
Endsley,	Hunter,	Moore,	Wasbers,
Farley,	Jarrett,	Morgan,	

NAYS—1.

Hoke,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 416, entitled:

An Act granting the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Hunter,	Nulty,
Beidleman,	Fisher,	Jarrett,	Powell,
Buckman,	Gyger,	Jones,	Sensenich,
Catlin,	Hall,	Judson,	Sheatz,
Clark,	Heacock,	Martin,	Sones,
Cooper,	Herbst,	McIlhenny,	Thompson,
Crow,	Hilton,	McNichol,	Vare,
DeWitt,	Hoke,	Miller,	Wasbers,
Endsley,	Huffman,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 433, entitled:

An Act establishing a commission of water works in boroughs of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JARRETT. Mr. President, I find that there is considerable opposition to this bill. I am opposed to it myself and I would like it to be postponed until the Senator from Schuylkill, Mr. Snyder, is here. I therefore move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. ALEXANDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 464, as follows:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred and eleven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be received by the several prothonotaries of the courts of common pleas to this Commonwealth in counties having a population of over two hundred thousand and under one million shall be a sfollows

"Issuing every writ of summons or capias docketing same and entering return of service but not more than three names one dollar and fifty cents

"Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment index not more than three parties or more than one description three dollars

"Entering and docketing amicable ejectment including entering judgment thereon and indexing in ejectment docket not more than three names or more than one description four dollars

"Issuing writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description three dollars

"Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents

"Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars

"Alias summons or capias one dollar and fifty cents

"Alias summons in ejectment two dollars

"Issuing and docketing attachment execution or mandamus execution or alias atachment execution or alias mandamus execution not more than three names two dollars

"Entering amicable action filing papers and docket entries not more than three names three dollars

"Issuing every writ of certiorari docketing same services at court and entering judgment thereon not more than three names three dollars

"Issuing writ of replevin docketing entering return of service filing bond and declaration three dollars

"Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents

"Each additional name twenty-five cents

"Each additional description fifty cents

"Stationery fifty cents

"Filing and docketing appearance statement declaration affidavit of defense demurer pleas or any other paper in an action pending twenty-five cents

"Placing case upon issue list to be paid by the county each twenty-five cents

"Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents

"Suggesting death of a party diminution record or amending record fifty cents

"Framing an issue in any action one dollar

"Entering motions twenty-five cents

"Entering order of court in any action pending twenty-five cents

"Filing praecipe for jury trial list twenty-five cents

"Placing case upon the argument list twenty-five cents

"All services during the trial of a cause including swearing of jury and witnesses two dollars

"Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents

"Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents

"Each additional name twenty-five cents

"Entering rule of reference appointment of arbitrators and service incident thereto two dollars

"Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar

"Each additional name twenty-five cents

"Filing and docketing appeal from award of arbitrators one dollar

"Entering discontinuance of suit one dollar

"Every suit ended before issue joined or before jury trial two dollars

"Entering judgment on bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar

"Each additional name twenty-five cents

"Entering satisfaction of judgment thirty cents

"Entry of assignment or release of lien or judgment each property fifty cents

"Attestation twenty-five cents

"Reporting list of judgments assignments and satisfactions entered to be paid by the county each twenty-five cents

"Filing and entering appointments made by the court to be paid by the county two dollars and fifty cents

"Certificates of appointment to be paid by the county each fifty cents

"Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents

"Adoption including decree certificate thereof and all docket entries two dollars and fifty cents

"Filing and entering appeal from report of auditors two dollars and fifty cents

"Filing and entering county controller's report to be paid by the county two dolars and fifty cents

"Bail-piece one dollar and fifty cents

"Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger co-partnership or dissolution of partnership two dollars and fifty cents

"Certificate under seal fifty cents

"Entering docketing and making return of certiorari to supreme or superior court filing bond and filing and docketing remittitur therefrom five dollars

"Commission to take testimony entering return and notifying each party of return of commission one dollar and fifty cents

"Citation and seal and motion therefor one dollars and fifty cents

"Writ of habeas corpus and all proceedings to be paid by the county two dollars

"Filing and docketing orders of the court to be paid by the county each two dollars and fifty cents

"Petition for divorce order thereon and subpoena in divorce including docketing same four dollars

"Receiving disbursing and accounting for deposit in divorce one dollars

"Alias subpoena in divorce one dollar

"Application for maintenance or alimony one dollar

"Filing and docketing rule for final decree one dollar

"Filing and docketing motions and rules and other pleadings in divorce each fifty cents

"Entering decree in minute book docket and indexing in index docket one dollar

"Certificate of divorce under seal two dollars

"Filing and docketing municipal or tax lien each two dollars

"Filing election returns and all proceedings thereon to be paid by the county each district three dollars

"Entering indexing and docketing judgments against tax collectors to be paid by the county each one dollar and fifty cents

"Entering and docketing exemplication of record not more than three names one dollar and fifty cents

"Each additional name twenty-five cents

"Exemplified record per hundred words twenty-five cents minimum fee two dollars

"Entering and filing mechanics lien one description and not more than three names two dollars and fifty cents

"Entering and filing stipulation against liens two dollars

"Entering and filing building agreement one description not more than three names two dollars and fifty cents

"Each additional name twenty-five cents

"Each additional description fifty cents

"Transcribing same in full per one hundred words twenty-five cents

"Drawing special jury striking same and copies for parties seventy-five cents

"Certificate for pay for jurors each juror to be paid by the county fifty cents

"Rule for interrogatories and entering return of service each garnishee one dollar

"Reporting election of justices of the peace to the Secretary of the Commonwealth to be paid by the county each fifty cents

"Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents

"Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in re habitual drunkard for the appontment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon each two dollars and fifty cents

"Issuing commission in lunacy and entering return one dollar

"Writ to sheriff in lunacy one dollar

"Entering confirmation of inquisition and appointment of committee in lunacy one dollar

"All services on sale of lunatic's habitual drunkard's estate including filing account of committee two dollars and fifty cents

"Filing each subsequent account one dollar

"Filing and docketing other documents in said proceedings each twenty-five cents

"Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents

"Issuing attachment for contempt and motion therefore to be paid by the county each one dollar

"Certificate of notary public twenty-five cents

"Administering oath other than on the trial of a case twenty-five cents

"Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars

"Each additional description fifty cents

"Each additional name twenty-five cents

"Filing power of attorney twenty-five cents

"Reporting to Secretary of Commonwealth copies of election returns for each person or party returned to be paid by by the county fifty cents

"Issuing every writ alias or pluries writ of fieri facias one dollars

"Issuing every writ alias or pluries writ of venditioni exponas levari facias habere facias capias ad satisfaciendum one description one dollar

"Each additional description fifty cents

"Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars

"Entering revival of judgment by agreement two dollars

"Entering testatum fi fa ca sa or vend ex one dollars

"Issuing testatum fi fa ca sa or vend ex one dollar

"Filing and docketing petition for a sheriff's interpleader including orders of court thereon two dollars and fifty cents

"Entering transcript of judgment or appeal from justice of the peace magistrate including docket entries one dollar and twenty-five cents

"Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

"Entering appointments of guardian ad litem fifty cents

"Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents

"Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars

"Proclamation one dollar and fifty cents

"Registration of student-at-law physician veterinarian or dentist one dollar

"Taxing bill of costs twenty-five cents

"Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents

"Re-taxing bill of costs each hour one dollar

"Taking testimony thereon per one hundred words twenty-five cents

"Taking a recognizance twenty-five cents

"Entering a rule to take depositions fifty cents

"Issuing a subpoena under seal thirty cents

"Registration of stallion one dollar

"Statement twenty-five cents

"Making search for liens in judgment docket index for five years last past one dollar

"Making search in any other docket for five years last past each twenty-five cents

"Each reference found ten cents

"Each reference cited twenty cents

"Acknowledgment of sheriffs or treasurer's deed including all docket entries incident thereto two dollars and fifty cents

"Filing and docketing suggestions sur municipal lien one dollar

"Service of each minute or court clerk during sessions of court to be paid by the county each day four dollars

"Receiving and distributing money paid into court for each dollar under five hundred dollars two cents

"For each dollar exceeding five hundred dollars one cent

"Recording any document required by law to be recorded per one hundred words twenty-five cents

"Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-cents

"Filing and docketing account or report of assignee auditors trustees committee sequestrator master or examiner two dollars and fifty cents

"Transcribing report per one hundred words twenty-five cents

Filing docketing and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety five dollars

"Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents

"Issuing and docketing order of sale in partition one dollar and fifty cents

"Filing and docketing exemplification of judgment from another county one dollar and fifty cents

"Indexing suit against a decedent's estate twenty-five cents

"Filing and indexing sheriff's certificate of attachment upon real estate one dollar

"Certificate to exemplification of record under act of Congress one dollar

"Entering transcript from the Orphans' court of amount due by executors administrators or guardians each entry two dollars

"Entry of precept from the orphans' court two dollars and fifty cents

"Each entry upon locality index twenty-five cents

"Filing and docketing any petition not herein provided for two dollars and fifty cents

"Filing and docketing bill in equity rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents

"Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three plaintiffs three dollars and fifty cents

"Each additional defendant fifty cents

"Entering appearance filing answer demurrer replication twenty-five cents

"Entering any order of court minimum fifty cents

"Entering judgment one dollar

"Entering serving and returning decree nisi three dollars

"Filing any paper not above specified twenty-five cents

"The fee for service not herein specifically provided for shall be the same as for similar services and provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of over one hundred and fifty thousand and under one million shall be as follows

Issuing every writ of summons or capias docketing same and entering return of service but not more than three names one dollar and fifty cents

Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment

index not more than three parties or more than one description three dollars
Entering and docketing amicable ejectment including entering judgment thereon and indexing in ejectment docket not more than three names or more than one description four dollars
Issuing writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description three dollars
Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents
Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars
Alias summons or capias one dollar and fifty cents
Alias summons in ejectment two dollars
Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names two dollars
Entering amicable action filing papers and docket entries not more than three names three dollars
Issuing every writ of certiorari docketing same services at court and entering judgment thereon not more than three names three dollars
Issuing writ of replevin docketing entering return of service filing bond and declaration three dollars
Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents
Each additional name twenty-five cents
Each additional description fifty cents
Stationary fifty cents
Filing and docketing appearance statement declaration affidavit of defense demurrer pleas or any other paper in an action pending twenty-five cents
Placing case upon issue list to be paid by the county each twenty-five cents
Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents
Suggesting death of a party diminution record or amending record fifty cents
Framing an issue in any action one dollar
Entering motions twenty-five cents
Entering order of court in any action pending twenty-five cents
Filing pracipe for jury trial list twenty-five cents
Placing case upon the argument list twenty-five cents
All services during the trial of a cause including swearing of jury and witnesses two dollars
Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents
Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents
Each additional name twenty-five cents
Entering rule of reference appointment of arbitrators and service incident thereto two dollars
Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar
Each additional name twenty-five cents
Filing and docketing appeal from award of arbitrators one dollar
Entering discontinuance of suit one dollar
Every suit ended before issue joined or before jury trial two dollars
Entering judgment on bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar
Each additional name twenty-five cents
Entering satisfaction of judgment thirty cents
Entry of assignment or release of lien or judgment each property fifty cents
Attestation twenty-five cents
Reporting list of judgments assignments and satisfactions entered to be paid by the county each twenty-five cents
Filing and entering appointments made by the court to be paid by the county two dollars and fifty cents
Certificates of appointment to be paid by the county each fifty cents
Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents
Adoption including decree certificate thereof and all docket entries two dollars and fifty cents
Filing and entering appeal from report of auditors two dollars and fifty cents
Filing and entering county controller's report to be paid by the county two dollars and fifty cents
Bail-piece one dollar and fifty cents
Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger co-partnership or dissolution of partnership two dollars and fifty cents
Certificate under seal fifty cents
Entering docketing and making return or certiorari to Supreme or Superior Court filing bond and filing and docketing remittitur therefrom five dollars
Commission to take testimony entering return and notifying each party of return of commission one dollar and fifty cents
Citation and seal and motion therefor one dollar and fifty cents
Writ of habeas corpus and all proceedings to be paid by the county two dollars
Filing and docketing orders of the court to be paid by the county each two dollars and fifty cents
Petition for divorce order thereon and subpoena in divorce including docketing same four dollars
Receiving disbursing and accounting for deposit in divorce one dollar
Alias subpoena in divorce one dollar
Application for maintenance or alimony one dollar
Filing and docketing rule for final decree one dollar
Filing and docketing motions and rules and other pleadings in divorce each fifty cents
Entering decree in minute book docket and indexing in index docket one dollar
Certificate of divorce under seal two dollars
Filing and docketing municipal or tax liens each two dollars
Filing election returns and all proceedings thereon to be paid by the county each district three dollars
Entering indexing and docketing judgments against tax collection to be paid by the county each one dollar and fifty cents
Entering and docketing exemplification of record not more than three names one dollar and fifty cents
Each additional name twenty-five cents
Exemplified record per hundred words twenty-five cents minimum fee two dollars
Entering and filing mechanic's lien one description and not more than three names two dollars and fifty cents
Entering and filing stipulation against liens two dollars
Entering and filing building agreement one description not more than three names two dollars and fifty cents
Each additional name twenty-five cents
Each additional description fifty cents
Transcribing same in full per one hundred words twenty-five cents
Drawing special jury striking same and copies for parties seventy-five cents
Certificate for pay for jurors each juror to be paid by the county fifty cents
Rule for interrogatories and entering return of service each garnishee one dollar
Reporting election of justices of the peace to the Secretary of the Commonwealth to be paid by the county each fifty cents
Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents
Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in rehibitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon each two dollars and fifty cents
Issuing commission in lunacy and entering return one dollar
Writ to sheriff in lunacy one dollar
Entering confirmation of inquisition and appointment of committee in lunacy one dollar
All services on sale of lunatic's habitual drunkard's estate including filing account of committee two dollars and fifty cents
Filing each subsequent account one dollar
Filing and docketing other documents in said proceedings each twenty-five cents
Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents
Issuing attachment for contempt and motion therefor to be paid by the county each one dollar
Certificate of notary public twenty-five cents
Administering oath other than on the trial of a case twenty-five cents
Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars
Each additional description fifty cents
Each additional name twenty-five cents
Filing power of attorney twenty-five cents
Reporting to Secretary of Commonwealth copies of election returns for each person or party returned to be paid by the county fifty cents
Issuing every writ alias or pluries writ of fieri facias one dollar
Issuing every writ alias or pluries writ of venditioni exponas livari facias habere facias capias ad satisfaciendum one description one dollar
Each additional description fifty cents
Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars
Entering revival of judgment by agreement two dollars
Entering testatum fi fa ca sa or vend ex one dollar
Issuing testatum fi fa ca sa or vend ex one dollar
Filing and docketing petition for a sheriff's interpleader including orders of court thereon two dollars and fifty cents
Entering transcript of judgment or appeal from justice of the peace or magistrate including docket entries one dollar and twenty-five cents
Entering satisfaction upon judgment and locality indexes each entry twenty-five cents
Entering appointments of guardian ad litem fifty cents
Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents
Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars
Proclamation one dollar and fifty cents
Registration of student-at-law physician veterinarien or dentist one dollar
Taxing bill of costs twenty-five cents
Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents
Re-taxing bill of costs each hour one dollar

Taking testimony thereon per one hundred words twenty-five cents
Taking a recognizance twenty-five cents
Entering a rule to take depositions fifty cents
Issuing a subpoena under seal thirty cents
Registration of stallion one dollar
Statement twenty-five cents
Making search for liens in judgment docket index for five years last past one dollar
Making search in any other docket for five years last past each twenty-five cents
Each reference found ten cents
Each reference cited twenty cents
Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto two dollars and fifty cents
Filing and docketing suggestions sur municipal lien one dollar
Services of each minute or court clerk during sessions of court to be paid by the county each day four dollars
Receiving and distributing money paid into court for each dollar under five hundred dollars two cents
For each dollar exceeding five hundred dollars one cent
Recording any document required by law to be recorded per one hundred words twenty-five cents
Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-five cents
Filing and docketing account or report of assignee auditors trustee committee sequestrator master or examiner two dollars and fifty cents
Transcribing report per one hundred words twenty-five cents
Filing docketing and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety five dollars
Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents
Issuing and docketing order of sale in partition one dollar and fifty cents
Filing and docketing exemplification of judgment from another county one dollar and fifty cents
Indexing suit against a decedent's estate twenty-five cents
Filing and indexing sheriff's certificate of attachment upon real estate one dollar
Certificate to exemplification of record under act of Congress one dollar
Entering transcript from the orphans' court of amount due by executors administrators or guardians each entry two dollars
Entry of precept from the orphans' court two dollars and fifty cents
Each entry upon locality index twenty-five cents
Filing and docketing any petition not herein provided for two dollars and fifty cents
Filing and docketing bill in equity and rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents
Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three plaintiffs three dollars and fifty cents
Each additional defendant fifty cents
Entering appearance filing answer demurrer replication twenty-five cents
Entering any order of court minimum fifty cents
Entering judgment one dollar
Entering serving and returning decree nisi three dollars
Filing any paper not above specified twenty-five cents
The fee for services not herein specially provided for shall be the same as for similar services And provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YYEAS—37.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Knapp,	Powell,
Cooper,	Heacock,	Kurtz,	Salus,
Crow,	Herbst,	Martin,	Sensenich,
DeWitt,	Hilton,	McIlhenny,	Sheatz,
Endsley,	Huffman,	Miller,	Sones,
Farley,	Jarrett,	Mills,	Thompson,
Fisher,	Jones,	Moore,	Vare,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 512, entitled:

An Act to prohibit coroners acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms of office and providing a penalty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Heacock,	Kline,	Mills,
Beidleman,	Hilton,	Knapp,	Morgan,
Clark,	Hoke,	Kurtz,	Nulty,
Cooper,	Hunter,	Martin,	Powell,
Crow,	Jarrett,	McIlhenny,	Sensenich,
Farley,	Jones,	McNichol,	Sheatz,
Fisher,	Judson,	Miller,	Thompson,
			Wasbers,

NAYS—7.

Buckman,	DeWitt,	Hall,	Vare,
Catlin,	Endsley,	Herbst,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Knapp,	Nulty,
Beidleman,	Heacock,	Kurtz,	Powell,
Buckman,	Herbst,	Magee,	Salus,
Catlin,	Hoke,	Martin,	Sensenich,
Clark,	Huffman,	McNichol,	Sheatz,
Cooper,	Hunter,	McNichols,	Sones,
Crow,	Jarrett,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Gerberich,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 650, entitled:

An Act requiring an inquiry and report on the criminal insane patients committed to the institution of the Commonwealth as to their personal history mental and financial condition and circumstances connected with the crime for which they are committed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Morgan,
Buckman,	Hall,	Knapp,	Nulty,
Catlin,	Heacock,	Kurtz,	Powell,
Clark,	Herbst,	Magee,	Salus,
Cooper,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
Fisher,	Jones,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 655, entitled:

An Act relating to the classification of school districts and the time for levying school tax in school districts of the second class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HUNTER. Mr. President, I regret that I find it necessary to oppose a bill relating to our school system, and the bill, if passed, will utterly destroy the school system, the splendid system we now have, in the City of Pittsburgh, as it throws us from one district into another. In other words from a first to a second class district. Now the impression has been given out here by those who are advocating this bill, and from Pittsburgh I find that there are about two people, that the whole purpose of this bill was to provide an elective instead of an appointive board. As we are aware, some six years ago there was a commission appointed composed of the most able and expert educators in the State of Pennsylvania. They made a report, and a bill was introduced in the session of 1909 which failed of passage, and in 1911, after continuing their work, they reported a measure which was in response to the demand representing the best thought of the people, not only of Pittsburgh but of Pennsylvania, and the Pennsylvania Legislature enacted that code, providing a system of school government adapted to existing needs and providing for the different classes of school districts, modes of school administration conformable to their extent and their requirements. The necessity for the enactment of this code was undisputable inasmuch as previously the schools of the Commonwealth had been administered under patchwork legislation, enacted at various times, lacking homogeneity, and, for the most part, failing to meet the requirements of the present generation.

Nowhere was the need of the reform thus afforded more keenly felt than in Pittsburgh, where the control of the schools in many instances led to abuses of the grossest kind. The magnitude of those abuses has been amply demonstrated since the new Board of Education has had to perform the duty of uncovering them and making atonement. The investigations and audits made by that body have revealed mismanagement so vicious as to leave no alternative but the prosecution in the Courts of those responsible for it.

Is it any wonder that under such government the schools of Pittsburgh should have been pillaged and otherwise victimized? Is it any wonder that to get away from such infamies the good citizens of Pittsburgh should have approached the Legislature two years ago and begged that body to relieve their schools from the curse of political domination and to provide instead a system of school government conducted by men and women of known honesty and fitness? It was a godsend to the City of Pittsburgh that this prayer was granted.

The State Legislature conferred upon the judges of the Allegheny County courts the right of choosing the Board of Education for the city of Pittsburgh.

Has its confidence in the wisdom of those judges been justified?

I answer Yes.

I answer—and the testimony of nearly every man and woman in Pittsburgh who is capable of bearing honest witness in this matter will confirm my words—that in making up our Board of Education, our judges have given to us an administrative body which, in character, in capacity and in fidelity to the trust committed to it, stands upon the very highest plane and compels the respect and the admiration of the community to which it renders service.

The work of that Board speaks for itself. In a very short time it has brought order out of chaos. It has repaired the mischief wrought by generations of disorderlies and incompetents. It has established a system of school management that is logical, finances of the school are not involved because of negligence and dishonestly. It has weeded out the unfit element among the teachers; and broadened the opportunities of the fit. It has made provision for school buildings well-equipped, adequate to their purpose and convenient of location. It has brought in up-to-date methods. It has, in short, replaced a rotten system with a sound one and placed the new structure on a foundation so substantial that no power can shake it unless it be the power of hostile legislation.

That such legislation should be sought seems, under the circumstances, anomalous and unthinkable. Yet here we have a proposed enactment, the purpose of which is not only to undo the good which has been accomplished for our schools under the new code, but actually to punish us for accomplishing it by reducing the Pittsburgh school district to a lower grade and depriving it of the means of carrying on the work of progress in conformity with the needs of our half-million of people and our 78,000 school children.

This, sir, is distinctly a penal enactment and it is doubly penal inasmuch as it is designed at once to punish Pittsburgh for the offense of establishing a decent school system and to make the Legislature of this Commonwealth try, convict and sentence itself on the charge of having enacted reform legislation that is a failure.

If this legislation should go through; if Pittsburgh is to be penalized and the Legislature is to stultify itself, the misfortune will be felt alike by city and Commonwealth, and the reproach formerly cast on the Pennsylvania school system, ruined by rotten politics and incompetency, will be renewed and intensified.

The advocates of this bill endeavor to make one believe that the purpose of this bill is merely to substitute an elective for an appointive Board of Education. Were this true then the matter would be easy of adjustment, and I am of the opinion that many members of the Senate are of the opinion that only the question of election or appointment are involved, and in order that the minds of the Senators may be clear concerning this question, I desire to call their attention to a few points, making comparison between the first and second class school districts.

Some reasons why this bill should not pass:

The following is a brief discussion of the school code, especially as to the distinctions between school management in first and second class districts. The sections discussed are given by numbers so that they can be referred to in connection with this statement.

Section 103. Second class districts include cities with the population between 30,000 and 500,000. This would give Pittsburgh a school management fitted especially for small cities instead of a large metropolitan district.

Section 203. In school districts of the second class the board is composed of nine members elected at large instead of fifteen directors appointed by the judges of the Common Pleas court.

Sections 214-15. In second calss districts the board of directors fill vacancies. In first class districts such vacancies are filled by the court.

Section 301. The school year of first class districts begins January first, while for all second class districts it begins the first Monday of July. This difference will be discussed at length later.

Section 303. In first class districts the city treasurer is made the treasurer of the school board. In second class districts the directors select annually by election any treasurer they desire, so long as he is not a member of the board.

Section 312. In first class districts the board may delegate any other member or officer beside the president to approve school orders or warrants. In second class districts this duty must be preformed by the president himself, no matter how much work or time it might require in a large city.

Section 324. In first class districts no school orders can be paid unless approved by the school controller. Now, mark you, that controller in one instance is an official elected by the people, and no orders are paid unless approved by him. In second class districts this safeguard is removed as there is no school controller.

Section 325. In districts of the first class the treasurer is required to submit a finacial report monthly to the controller. This additional check is lost in second class districts for there is no controller.

Section 329. In districts of the second class a maximum compensation for the treasurer is fixed, not to exceed two per centum of the amuont of funds paid out on school orders. The fact that such compensation is suggested in the act would likely influence the board to fix the treasurer's compensation on a fee basis. In Pittsburgh, with annual expenditures amounting to upwards of $5,000,000, the commission could be as high as $100,000.

Section 510. Banks, acting as depositories are required in first class districts to make a financial report monthly to the controller as well as to the treasurer and directors. In second class districts, there being no controller, this additional safeguard is lost.

Article 5. Read carefully Sections 523 to 535 for first class districts and Sections 536 to 566 for second class districts to get comparisons of financial and tax methods. A number of changes are radical.

Section 523. The school year for the first class districts begins in January, while in section 536, the school year of second class districts begins in July. Section 524. The tax levy for first class districts is made not later than the first Monday of December and in section 537, for the second class districts, taxes are levied and assessed in April or May. This would bring about endless confusion and expense in the levy and collection of taxes. It would likely mean a second levy and collection of taxes for school purposes. In Pittsburgh both city and school taxes fall due the first of March but are payable during the months of March, April and May, after which time there is imposed a penalty of three per cent. with one-half per cent. for each additional month. In third class cities for which second class school distrits are adapted city taxes do not fall due until June and school taxes until July. As the school code with reference to second class school districts, section 537, states plainly that taxes are to be levied and assessed in April or May, it is evident that a special assessment would have to be made and a separate time set apart later for the collection of these revenues. If the school tax were assessed in April, as is possible under the act, a notice sent out immediately then would permit the taxpayer to pay his city and school taxes at the same time during the month of May. However, it would be an incentive for every large taxpayer to delay payment of his city taxes until his statement of school taxes had been received. As a result if the notice of school assessment were received late there would be a large percentage of delinquents in city taxes. In addition, it would undoubtedly cause a tremendous rush at the office of the collector during the month of May, so that the work could scarcely be handled. This, of course, is based on the supposition that school taxes would be levied in April, the first month permissible in second class districts. However, if the levy were delayed until May it would then be impossible for the taxpayer to settle his obligations with the city and the school district at the same time. This, as can readily be seen, would be a severe hardship upon the taxpayers of Pittsburgh. The fact that the school year at present begins in January and under the other system begins in July would likely leave the city of Pittsburgh for six months without any moneys or appropriations to maintain the schools. Under the code, it is my guess, that it would be impossible for the board to borrow enough money to carry it over the six months. The code permits a board to make temporary loans in addition to bonds of two-tenths of one per cent. Under present valuations this would amount to about $1,536,000 in Pittsburgh. For six months school operation practically twice that amount is required. It is evident therefore that it would be necessary to run the schools either on half time for six months or to close them entirely three months. You can take your choice.

Section 529. In first class districts the treasurer or collector of taxes must report such collection each month to the controller. In second class districts this safeguard is lost.

Section 537. Second class districts are permitted to levy a tax not exceeding 20 mills which would permit a total levy in Pittsburgh, based on the present valuation, of nearly $15,000,000. Now, we do not pretend to say that any school board would levy such an amount but it is possible for them to do so under this second class district act.

Section 538. In second class districts "the school taxes shall be levied and assessed on the real estate and personal property therein," while in first class districts (Section 525), "school taxes shall be levied and assessed upon the same property as that upon which the municipal taxes of the municipality comprising such school district of the first class are levied and assessed." I find that in McKeesport, a city of the third class operating under second class school district provisions, that the board has been advised that it is required to collect and assess a tax under section 538 on personal property. While the city, as in Pittsburgh, does not assess personal property, an effort has been made to do so for school purposes in McKeesport. A few mules and horses were assessed, but it was found that they had died when the time came to collect the tax. The board, however, was advised that it must at least collect, under section 542, not less than one dollar as an occupation tax, Such an attempt has been made with little success as will be shown later.

Section 539. For second class districts the city clerk or other official is required to furnish each school district the certified duplicate of the last adjusted valuation on all real estate, personal property and occupations. In Pittsburgh neither the personal property nor occupation valuations are available or could be gotten except by special investigation for the purpose.

Section 542. "Each male resident or inhabitant over twenty-one years of age" in second class districts is required to pay an occupation tax of at least one dollar, which under section 537 must be collected. It is ridiculous to imagine that this tax could be levied or collected in Pittsburgh. It would mean that this tax instead of being paid by non-property holders, as is contemplated under the act, would be collected only from the property holders who are to-day paying all the taxes they can bear. In McKeesport, a city with not more than 15,000 taxables, an effort has been made to collect this occupation tax. It was found almost impossible to reach a majority of the non-property holders and especially the foreign residents. Many of them rather than pay a tax changed their names and sometimes got new jobs in order to hide their identity. I am told by the school authorities in McKeesport that this occupation tax, just as I supposed, is collected chiefly from the citizens now paying directly the entire cost of government through a property tax. It has added the additional load of one dollar to his tax burdens.

Section 531. In second class districts notice of the tax levied must be sent by mail to every taxable, which expense is paid by the district. This expense and effort would be considerable with probably 200,000 taxables.

Section 543 requires each male resident or inhabitant in second class districts to be assessed with an occupation tax. Under Sections 547 to 552 the board could create an office of school tax collector or district collectors with a large staff of assistants at an enormous expense to the district.

Section 553. The collectors in districts of the second class are required to turn over to the treasurer money collected only monthly, which gives them personal use of large sums.

Section 557. In second class districts in case of resident's neglect to pay occupation tax, this can be collected from the employer. Such procedure in Pittsburgh would mean endless confusion and trouble for our large manufacturing concerns.

Section 615. No buildings can be constructed or reconstructed by the local board in second class districts without the consent of the State Board of Education.

Section 622. First class districts are safeguarded by fire proof construction of buildings two stories high, while in second class districts the building to require fire proof construction must be more than two stories high.

Section 702. Districts of the second class are not permitted to change any text books oftener than once in five years.

Section 1153. There seems to be no provision in districts of second class to continue in office to the end of the term former superintendents. Section 1307. In the school districts of the second class the district superintendent has the power by endorsing to make valid a professional certificate of a teacher which has been issued by another school district. This gives the superintendent too much authority and might tend to again lower the standard of the teachers in Pittsburgh as under the old system.

Section 1707. For first class districts physical training shall be carried on as part of the regular course of study. In other districts the requirements are not so rigid.

Section 2201 to 2233. Districts of the first class have broad powers placed in the board of education which are not given to districts of the second class. There is also established a school controller necessary for a city the size of Pittsburgh, but not found in second class districts.

Section 2203. Provides school visitors for cities of the first class. Districts of the second class have no school visitors.

Section 2209. The school controller is established and his duties outlined. In second class districts there being no school controller, two auditors are appointed by the courts (section 2603) to audit accounts beginning in the month of July. This means simply an annual audit at the end of the school year. It would be impossible under the act to have any careful or thorogh audit made because by section 2623 the auditor's compensation is limited to $5.00 a day. Any discussion as to the type of auditors who could be hired at this rate is unnecessary.

Section 2223. Districts of the first class are given a superintendent of buildings and a superintendent of supplies, which districts of the second class do not have. All the superintendents of buildings in the districts of the first class under section 2230, must be an engineer or architect and under section 2231 he is given broad duties.

Section 2224. Cities of the first class are given associate and district superintendents. I am not certain that cities of the second class have the same officers with the same powers and duties.

Section 2225. In districts of the first class the board of public education is given power to fix absolutely the qualifications of all principals and teachers. In cities of the second class such qualifications are fixed rigidly by the code and cannot be changed by the local board. Such districts are forced to accept certain teacher's certificates issued by schools in other districts. This is not required in Pittsburgh where the standard has been placed very high.

Section 2819. It is here provided that union prices of labor must be paid on all contracts in first class districts. I do not find that it applies to second class districts.

These statements will, I believe, convince you that in this bill the election of the Board of Education is a subterfuge, used only for the purpose of hoodwinking this body, and should the bill be enacted into a law then our splendid educational system will have been destroyed.

Mr. POWELL. Mr. President, I will try to be a little briefer than the Senator from Allegheny, Mr. Hunter. The Senator is quite right when he says that the meat of this proposition is whether or not the school board of the City of Pittsburgh shall be elected by the people. That is the intent and purpose of this bill. He says that the result of this bill will be that we will have nine school directors elected by the people instead of fifteen appointed by the court of common pleas. That is true. I am for the bill for that reason and for the very reason stated by the Senator in his speech, all of which are proper reasons for the support of this bill by every Senator on this floor. We are running the City of Pittsburgh by nine councilmen elected by the people. That act of Assembly was passed by the Legislature two years ago. I am for the bill for the reason that if nine councilmen can run all the various departments of the city government, certainly nine men elected by the people can run the school system of the City of Pittsburgh. I am for the bill for the reason that the courts of common pleas have no business in the school business. Judges are the last people that ought to be asked to pass upon the appointment of school directors or to have anything to do with the schools, with the exception possibly of a law school. Judges may be all right in having something to do with the faculty of a law school, but they know no more about the common schools, no, not half so much, as to the common schools, as the man who is on the street, and whose children go to the schools and whose daughter possibly is teaching in the schools. There is only one question before the Senate, and that is whether the City of Pittsburgh shall under this bill have the right to elect its own school directors. The board of school directors of the City of Pittsburgh at present assess about four million dollars' worth of taxes each year and provides for its expenditure, and if this Senate in this year of 1913, and in this progressive age, is going to say that the people of the City of Pittsburgh shall be taxed four millions of dollars per year by an appointive board then I misinterpret the meaning of this Senate and the intention of the Senators here upon this floor. The people have the right to elect the men who tax them and have had it since the foundation of this government. Our whole country is founded upon the principle that taxation without representation is a vicious principle, and this is a vicious principle. It is vicious to have the court appoint fifteen men to assess four million of dollars upon the citizens of Pittsburgh and spend it as they see fit thereafter. I will admit that the present board of directors of the City of Pittsburgh are opposed to this bill. I will admit that many political influences are opposed to this bill. The brother of one of the United States Senators is the president of this board. The people of the City of Pittsburgh are for this bill. The people of the City of Pittsburgh believe that they have a right to elect their school directors, and they believe that this Senate is a progressive enough body, and is a fair enough body, to give them that right, that they shall have the right to say at the ballot box who shall assess their taxes and that they have the right to call these men to account if that assessment is illegal.

That is the principle upon which this bill is founded, and we can give only one answer to the City of Pittsburgh to the question which they put before us, "Shall we have the right to elect our school directors? Shall we have the right to say at the ballot box who shall assess four millions of dollars of taxes upon us each year, and who shall spend that money?" The Senator from Allegheny, if he has been listening to the views of his own constituents, well knows that the people of his district, the plain people who cast the votes and pay the taxes, when everything else is said or done, are for this bill. I claim the time of the Senate for just a minute.

"We, Messrs. Buechler, Haering, Dorsch, Melvin, Schondelmeyer, Crossman, Davis, Stewart, Ross, Fritsch, Schoenerger and Rea wired you Forty-second Senatorial District is for elective board. Second class citizenship better than first class disfranchisement."

Could anybody put this whole question in better words than that? "Second class citizenship is better than first class disfranchisement." I am not for government by the courts. I am a member of the bar of Allegheny County and nobody has a higher respect for the judiciary than I have, but I fear when you bring the judges into politics and ask them to appoint the school directors of the City of Pittsburgh and ask them to appoint a board that has the right to assess and levy the taxes you are besmirching the courts of Allegheny County, and for two main reasons I am heartily in favor of this bill. Keep the courts out of politics and let the courts decide what is their duty to decide. Do not make them an appointive board. You might as well provide that the court of Dauphin County shall have the right to appoint the Senator from the district. What is the difference? You might as well provide that the common pleas court of Dauphin County should appoint the assessors of taxes and the collectors of taxes and the controller and all the rest of the officers. Are we to come down to government purely by courts, or are we to have a government by the people who pay the taxes?

Mr. JARRETT. Mr. President, I do not come from the City of Pittsburgh and I have no interest at all in this bill; I come from one of the rural counties, but as we recall the judges of the Supreme Court of the State of Pennsylvania, of the Superior Court of the State of Pennsylvania, the Governor, members of the legislature, county commissioners and all these officers are elected by the people, and being an advocate of popular government, I do not see how I can vote against this bill. I claim that by depriving the people of the City of Pittsburgh of the right to decide who shall be their school directors at a popular election, is depriving them, you might say, of the right of liberty, and therefore, Mr. President, I will cast my vote in favor of this measure.

Mr. HUNTER. Mr. President, I believe that the members of this body will now agree with me that my remarks are absolutely correct. You have not heard a single word except that concerning what I claim to be a subterfuge in this case and that is the electice or appointive principle, and as I said before, I am not objecting to that feature. Let the men who are so anxious to have the board elected by the people, sit and await the coming of the Stein bill, which is now on third reading in the House and which will no doubt pass that body and be messaged over to the Senate. That bill affects the very thing desired or as indicated by the Senator from Allegheny and the Senator from Mercer, namely, the election of these boards of education, and does not in any other particular destroy the school system of the City of Pittsburgh. So that I contend that inasmuch as they do not combat any other feature, possibly two dozen of which I referred to, all they are after is to strike down this school code, and I sincerely trust they will fail in their efforts

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21.

Buckman,	Hilton,	McNichol,	Nulty,
Clark,	Hoke,	McNichols,	Powell,
Crow,	Jarrett,	Mills,	Salus,
Farley,	Kline,	Moore,	Sheatz,
Gyger,	Magee,	Morgan,	Vare,
			Washers,

NAYS—16.

Beidleman,	Endsley,	Hunter,	McIlhenny,
Catlin,	Hall,	Judson,	Miller,
Cooper,	Heacock,	Knapp,	Sensenich,
DeWitt,	Herbst,	Martin,	Sones,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Morgan,
Buckman,	Hall,	Knapp,	Nulty,
Catlin,	Heacock,	Kurtz,	Powell,
Clark,	Herbst,	Magee,	Salus,
Cooper,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
Fisher,	Jones,	Mills,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758 (House Bill No. 794), entitled:

An Act making it unlawful for any person firm or corporation to use the word consul or consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gyger,	Kline	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Magee,	Sheatz,
Crow,	Hilton,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Vare,
Farley,	Jarrett,	Moore,	Washers,
Gerberich,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 11, entitled:

An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district

House Bill No. 85, entitled:

An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled "An Act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

House Bill No. 168, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

House Bill No. 245, entitled:

An Act making an appropriation to the State Board of Censors of moving pictures

House Bill No. 189, entitled:

An Act to repeal section ten of an act passed the fifth day of April Anno Domini one thousand eight hundred and forty-nine entitled "An Act to vacate Long Lane in the County of Philadelphia in relation to promissory notes and counterfeit endorsements and for other purposes"

House Bill No. 270, entitled:

An Act to authorize and empower the courts of common pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process

House Bill No. 271, entitled:

An Act to amend an act entitled "An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand' approved the thirteith day of May Anno Domini one thousand eight hundred and ninety-five by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries" approved the first day of June Anno Domini one thousand nine hundred and eleven by further changing the limit of popualtion of such counties

House Bill No. 438, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven entitled "An Act requiring foundries to be provided with toilet room and water closet regulating same and providing a penalty for violation thereof"

House Bill No. 470, entitled:

An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution

House Bill No. 682, entitled:

An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims

House Bill No. 723, entitled:

An Act to authorize the printing of twenty-five thousand copies bulletin number two hundred and nineteen entitled "Increasing the Winter Yield of Eggs" issued by the Department of Agriculture and making an appropriation therefor

House Bill No. 735, entitled:

An Act to amend an act entitled "An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simply such portions of their lands not used or conveyed by them for burial purposes or which may have been reconveyed to them" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of quarter sessions of the several counties of this Comonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground

House Bill No. 845, entitled:

An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre county and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District

House Bill No. 850, entitled:

An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof

House Bill No. 883, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employees

House Bill No. 1166, entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

HOUSE BILL NO. 170 RECALLED FROM THE GOVERNOR FOR THE PURPOSE OF AMENDMENT.

The Chair cleared his table and laid before the Senate extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 31, 1913.

Resolved, (if the Senate concur), That House Bill No. 170, file folio 269, entitled, An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish natchery at Spruce Creek, Huntingdon County, is located and providing for the disposition of the fund, be recalled from the Governor for the purpose of amendment.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 218 (Senate Bill No. 862), entitled:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

Which was committed to the Committee on Game and Fisheries.

House Bill No. 387 (Senate Bill No. 863), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Which was committed to the Committee on Game and Fisheries.

House Bill No. 569 (Senate Bill No. 864), entitled.

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

Which was committed to the Committee on Judiciary Special.

House Bill No. 803 (Senate Bill No. 865), entitled:

"An Act further amending section two of an act approved the seventh day of June one thousand nine hundred one entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors"

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1054 (Senate Bill No. 866), entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claim filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

Which was committed to the Committee on Judiciary Special.

House Bill No. 1017 (Senate Bill No. 867), entitled:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than one breast chamber or other working-place in any anthracite coal mine and providing a penalty for the violation thereof

Which was committed to the Committee on Mines and Mining.

House Bill No. 1051 (Senate Bill No. 868), entitled:

An Act making it a misdemeanor for any officer or employe of any of the departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government and providing penalties for the violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1176 (Senate Bill No. 869), entitled:

An Act to amend an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington to each elect a poor director of the Lake View district

Which was committed to the Committee on Judiciary Special.

House Bill No. 210 (Senate Bill No. 870), entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1010 (Senate Bill No. 871), entitled:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act

Which was committed to the Committee on Agriculture.

BILLS RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 5, on second reading, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious food and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commission in reference thereto and providing penalties for the violation thereof

be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

Mr. JONES. Mr. President, I move that Senate Bill No. 7, on second reading, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale or exposing for sale or having in possesion with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

Mr. JONES. Mr. President, I move that Senate Bill No. 11, on second reading, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation thereof

be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 184 (House Bill No. 13), entitled:

A joint resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 408 (House Bill No. 39), as follows:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person selling or delivering milk or cream in bottles or other analogous utensils to use or permit to be used any such bottle or utensil unless the same shall have been sterilized or thoroughly washed in boiling water before it is again employed to contain milk or cream

Section 2 Every person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than fifty dollars ($50) for the first offense and for each subsequent offense a fine of not less than one hundred ($100) nor more than five hundred dollars ($500)

Section 3 The Dairy and Food Commissioner shall be charged with the enforcement of all the provisions of this act

Section 4 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner to be paid into the State Treasury for the use of the Commonwealth

Section 5 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, as follows:

An Act authorizing the commissioners of water works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities with the county and regulating the supply of water

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all commissioners of water works in any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works shall have the right and are hereby authorized and empowered to extend the water pipes and improvements of any such water works beyond the bounds of the cities wherein they are located into the county and municipalities of the county in the vicinity of said cities and to furnish water to any and all corporations persons and municipalities in the counties in which such water works are located under and in pursuance of the laws rules and regulations now extising or to be hereafter enacted governing and commissioners of water works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 474 (House Bill No. 356), as follows:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county of this Commonwealth it shall be the duty of the officers or directors who are charged by law with the relief and maintenance of the poor and indigent of the county or of any the lesser poor districts therein embraced to provide with approved medical care and proper attendance (including the so called Pasteur treatment where prescribed) all indigent persons domiciled within said districts who may be assumed to be in danger of suffering from hydrophobia or rabies by reason of having been bitten by any animal believed to have been suffering from said disease and to order payment of the expenses so incurred out of the fund provided by law for the support and relief of the needy and indigent of such county or lesser poor districts if still prevailing therein

Section 2 All earlier acts providing out of the public funds for the care of persons assumed to be in danger from hydrophobia or rabies are hereby repealed provided that in all cases where induced by earlier acts the officers or directors charged as aforesaid have already incurred the expenses of such care or attendance or both on account of indigent persons domiciled within their respective districts and bitten by any animal then believed to have been suffering as aforesaid their orders for payment of such expenses out of the funds provided as aforesaid if incurred in good faith shall be approved and paid by the public officers upon whom these duties are imposed by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 496, (House Bill No. 547), as follows:

A Joint Resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

Whereas The McCall's Ferry Power Company now know as Pennsylvania Water Power Company has heretofore erected a dam across the River Susquehanna at McCall's Ferry and

Whereas In the decree of court authorizing the construction of said dam the construction and maintenance thereof was subject to the making and maintaining by said company of adequate provision for the passage of fish and

Whereas The said company in wanton and flagrant violation and disregard of said decree has hitherto refused and neglected to comply therewith and has willfully refused and neglected to make adequate provision for the passage of fish as aforesaid and

Whereas Inasmuch as said company has acted in flagrant contempt of the laws of this Commonwealth and of said decree the powers and privileges vested in said company should be revoked and the company made to realize that it cannot with impunity act in willful disregard of the rights of the citizens of Pennsylvania therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fish Commissioner is hereby authorized to examine the dam erected across the Susquehanna River at McCall's Ferry by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company and to ascertain whether said Company has complied with the decree of the court of common pleas of Dauphin County made on to wit the fourteenth day of January one thousand nine hundred and seven as of record at number four hundred sixty-two Commonwealth docket one thousand nine hundred six and to ascertain whether adequate provision has been made for the passage of fish If the fish Commissioner shall ascertain that adequate provision for the passage of fish has not been made he shall in writing notify the said company to begin not later

than June first one thousand nine hundred and thirteen and complete not later than November first one thousand nine hundred and thirteen the construction of a fish way that will hereafter secure adequate provision for the passage of fish up and down said river If said company shall not after the expiration of one week from service of said notice on any official of the company begin such work and prosecute it continuously to completion within the said limit of time and in accordance with plans heretofore or hereafter prepared by the Fish Commissioner then said Fish Commissioner is hereby authorized to cause said work to be done in accordance with said plans and at the cost of the said company If the work be done by the Fish Commissioner he is hereby authorized to collect in the name of this Commonwealth the cost thereof with a penalty of fifty per centum additional to be collected as debts of like amount are now by law collected The surplus after payment for said work shall be paid into the treasury of this Commonwealth Furthemore if the said company shall not begin said work as aforesaid the Fish Commissioner shall lay the matter before the Attorney General who shall forthwith by quo warranto proceed to have the powers and privileges heretofore vested in said company revoked

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, as follows:

An Act to amend sections three and seven of an act entitled "A supplment to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the City Treasurer the Board of Water Assesors and Collector of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for approved May twelfth one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twelfth day of May Anno Domini one thousand nine hundred eleven entitled "A supplement to an act entitled 'An Act for the goverment of cities of the second class approved the seventh day of March Anno Domini one thousand nine hundred one providing for the levy collections and disbursement of taxes and water rents or rates and confering certain powers and duties in reference thereto upon the City Treasurer the Board of Water Assessors and Collector of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for" the first paragraph of the third section of which now reads as follows

"Section 3 All taxes and water rents or rates levied for city and water purposes shall be payable in advance during the months of March April and May of each year except water rents for water supplied to consumers through a meter Where water is supplied to consumers through a meter the Board of Water Assessors shall read such meters not less than four times per year and shall read all such meters during the months of December or January of each year and ascertain the amount of water used in each year for the preceding twelve months or as near thereto as may be convenient and shall assess the water rents for the water consumed at the rates fixed by councils and the same shall be payable annually during the months of March April and May of each succeeding year" is hereby amended to read as follows

Section 3 All taxes and water rents or rates levied for city and water purposes shall be payable in advance during the months of March April and May of each year except water rents for water supplied to consumers through a meter Where water is supplied to consumers through a meter the council of the city may by ordinance prescribe the time or times at which such meters shall be read and the terms and conditions as to meter service and the time or times at which payments for water supplied through a meter service shall be made and they may also provide for a minimum rate or rates for meter service of both domestic or commercial users of water In the absence of such provision by ordinance the Board of Water Assessors shall read such meters not less than four times per year and shall read all such meters during the months of December and January of each year and ascertain the amount of water used in each year for the proceeding twelve months or as near thereto as may be convenient and shall assess the water rents for the water consumed at the rates fixed by councils and the same shall be payable annually during the months of March April and May of each succeeding year

Section 7 Paragraph two thereof which now reads as follows "If said delinquent taxes or water rents or rates are not paid it shall be the duty of the collector of delinquent taxes to file liens against the property subject to the payment of such taxes or water rents or rates and to collect the same in the manner provided by law" is hereby amended to read as follows

"If said delinquent taxes or water rents or rates are not paid it shall be the duty of the Collector of Delinquent taxes to file liens against the property for the amount of such taxes or water rents or rates together with all penalties herein provided and advertising costs and to collect the same in the manner provided by law"

Section All act or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, (House Bill No. 258), entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the Army Navy or Marine Corps of the United States

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 549 (House Bill No. 813), entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the second time, and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 552, as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right to eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships provided such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein and provided further that such right shall not be exercised within the limits of any public park or parks without the consent and approval of the authorities vested with the power to regulate the use of said park or parks

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for

both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine provided no such lease license or operating agreement shall be for any period longer than fifty (50) years

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks Such cities their assigns lessees and licenses may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company and any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use of said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however That the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agreement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a written notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bond to the proper court of Common Pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of Common Pleas of the proper county or any law judge thereof in vacation upon petition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found entitled to the damages for said taking and appropriation the condition whereof shall be the same as is hereinabove provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by this section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint three discreet and disinterested freeholders as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interests or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the lands rights or interests therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee such notice shall be served upon said guardian or committee and in all cases where the owner or owners are incapciated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of Common Pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report Or within said thirty days from the filing of any such report in court the respective city or any party whose lands rights or interests therein property or franchises have been taken may appeal to the proper court of Common Pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell any of the lands rights and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes

Section 12 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 553, as follows:

A Supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be in the cities of the first class of this Comonwealth a Department of City Transit which shall have charge control and management of the transit facilities of said cities and which shall be under the charge of a Director of City Transit

Section 2 The mayor shall nominate and by and with the advice and consent of select council shall appoint a Director of the Department of City Transit who will be hereinafter referred to as the Director

Section 3 The Director shal hold office for a term of four years from the date of his appointment provided he shall so long behave himself well and he shall be eligible for reappointment

Section 4 The Director shall have the power to appoint an assistant director who in the absence or incapacity of the Director to act shall possess all the powers and perform all the duties of the said Director until the incapacity or inabil-

ity of the Director is removed or until a new Director is appointed as hereinbefore provided The Director shall also appoint a secretary and such other officers clerks employees engineers and experts as may be necessary for carrying out the provisions of this Act and shall prescribe the duties of all persons appointed by him He shall also prescribe the compensation of such persons to such extent as shall not otherwise be prescribed by councils

Section 5 The Director shall give bond in the sum of twenty-five thousand dollars for the faithful discharge of his duties to be approved in the same manner as bonds are approved in said cities

Section 6 The Director shall have the charge supervision and direction of any and all transit facilities purchased leased located constructed or otherwise acquired equipped owned maintained used or operated by said cities Such transit facilities shall include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches station and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them It shall be the duty of the Director to take the necessary action to enforce and carry into effect the laws of the Commonwealth and ordinances of said cities pertaining to transit facilities as defined by this Act and any of them The Director shall from time to time make such recommendations to the councils of said cities as to him shall seem proper for the improvement and development of the facilities for transportation of persons and property within said cities

Section 7 The councils of said cities shall appropriate annually the funds necesary for the maintenance and operation of said Department of City Transit and from time to time such funds as may be necessary to carry out the purposes of this Act

Section 8 The Director shall have access to all records books maps surveys and papers in all Departments of said cities in any way pertaining to transit facilities as defined by this act or any of them All records books maps surveys and papers which have been kept in any other Department or Departments of said cities and which relate exclusively to transit facilities as defined by this act or any one or more of them shall be transferred to the Department of City Transit

Section 9 All Acts or parts of Acts inconsistent herewith are hereby repealed

Section 10 This Act shall be in effect on and after the first day of July Anno Domini one thousand nine hundred and thirteen (1913)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, as follows:

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for Municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons co-partnerships unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company joint-stock company or association limited partnerships bank or corporation is hereby made taxable annually for county purposes and in cities co-extensive with counties for municipal purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans isseud by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used for transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That none of the classes of property made taxable by this section for county purposes and in cities co-extensive with counties for municipal purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonweath

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person co-partnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person co-partnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person co-partnership unincorporated association company limited partnership joint-stock association or corporation either in his or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and sworn or affirmed to by such taxable person and in the case of co-partnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonweath is situated

Section 3 That the affidavit required to be made by the last preceeding section shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of willful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

Section 4 That the several assessors are hereby authorized to administer the oath or affirmation to any person or officer making the return perscribed by the preceding sections for the taking of which oath or affirmation no charge shall be made by the assessor any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or officer as herein provided or who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon

conviction thereof shall be sentenced to a fine not exceeding five hundred dollars

Section 5 That upon the refusal or failure of any taxable person co-partnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person co-partnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person co-partnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision shall have power and it shall be their duty to revise and correct according to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be perscribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or co-partnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred

Section 6 That if any assessor and any taxable person or member of any co-partnership unincorporated association or company officer or stockholder or member of any limited partnership joint-stock association or corporation shall agree or enter into any arrangement or understanding that upon the failure of such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation to make the return required by the second section of this act to be made such assessor shall return a less amount of property made taxable by the first section of this act than should have been returned by such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation the persons entering into such agreement arrangement or understanding shall be guilty of conspiracy and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and undergo an imprisonment either at labor by seperate or solitary confinement or to simple imprisonment not exceeding three years at the discretion of the court

Section 7 That from and after the passage of this act it shall be the duty of the recorder of deeds mortgages and other instruments of writing in each and every county in this Commonwealth to keep a daily record seperate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which said record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record and for the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the said mortgage assignment or agreement has attached thereto and made part of said mortgage assignment or agreement a certificate signed by said mortgagee assignee or person entitled to interest or his her or their duly authorized attorney or agent setting forth the precise residence of such mortgage assignee or person entitled to interest said certificate to be recorded with said mortgage assignment or agreement and it shall be the further duty of the recorder on the first Monday of each month to file the aforesaid daily record in the commissioners' office or with the board of revision of taxes of the proper county or city and one certificate appended thereto shall be all that shall be required

Section 8 That it shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county on this Commonwealth forthwith upon the passage of this act to keep a daily record seperate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office which daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied and it shall be the further duty of the prothonotary or clerk of the court of common pleas to file the aforesaid daily record of bills and so forth in the commissioners' office or with the board of revision of taxes of the proper county or city on the first Monday of each month and one certificate appended thereto shall be all that shall be required

Section 9 That it shall be the further duty of the county commissioners or board of revision of taxes upon obtaining record of the existence within any county or city co-extensive with a county of said mortgages and other obligations that shall be owned by a person co-partnership association limited partnership joint-stock association or corporation resident or doing business within this Commonwealth and not a resident of said county or city or in the case of a corporation limited partnership or company not having its principal office within said county or city to transmit a certified statement of said record to the county commissioners or board of revision of taxes of the proper county or city wherein said person is domiciled or wherein said co-partnership association limited partnership joint-stock association or corporation does business or maintains its principal office and also to further transmit to said commissioners or board of revision of taxes a certified statement whenever it shall appear from the record that said mortgages and other obligations are satisfied which upon its receipt shall be filed of record by the county commissioners or board of revision of taxes

Section 10 That it shall be the further duty of the county commissioners or the board of revision of taxes of the proper county or city upon the receipt of the daily records from the offices of the recorder or prothonotary or clerk to file the same in their office and on or before the time of making the annual or triennial assessment in any year to prepare from the said records a statement or statements showing as far as practicable the number and amount of said mortgages and all other obligations and names of the parties thereto in each borough township district or ward in such county or city which said statement shall be delivered to the assessor or assessors of each borough township district or ward respectively before said officers shall enter upon the discharge of their proper duties

Section 11 That it shall be the duty of the assessor of assessors in making up their valuations of money at interest in their respective boroughs townships districts or wards to compare the return made by each person co-partnership association limited partnership joint-stock association or corporation with the statement furnished them by the county commissioners or board or revision of taxes and if the amount of said mortgages or other abligations as contained in said statement shall exceed the amount set forth in the return of any person co-partnership association limited partnership joint--stock association or corporation to note the fact and make return of the same to the commissioners or board of revision of taxes of the proper county or city

Section 12 That it shall be the further duty of the county commissioners or board of revision of taxes upon the returns made to them by the assessors of the several boroughs townships districts and wards in all cases where it shall appear on proving the record that any person co-partnership association limited partnership joint-stock association or corporation has returned a less amount of money at interest then appears from the records in possession of the commissioners or board of revision of taxes thereupon to raise the valuation of the property of said person co-partnership association or limited partnership joint-stock association or corporation to the amount set forth in said records and forthwith to notify the persons co-partnerships associations limited partnerships joint-stock associations or corporations interested of the said increase of valuation and that the same is subject to be appealed from at the same time and the same manner as the original assessment

Section 13 That any willful failure on the part of the county commissioners board of revision of taxes borough township district and ward assessors recorders of deeds prothonotaries and clerks of courts to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars and imprisonment not exceeding one year

Section 14 That recorders of deeds and prothonotaries shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the county commissioners or board of revision of taxes as required by law which fees shall be paid by the respective county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders and prothonotaries Provided however That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such report And provided further That the amount allowed any prothonotary or recorder of deeds under this act shall not exceed the sum of six hundred dollars per annum

Section 15 That it shall be unlawful for any person or persons co-partnership unincorporated association limited

partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgage or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by the first section of this act and in all cases where such tax shall have been paid by the borrower or borrowers the same shall be deemed and considered usury and be subject to the laws governing the same

Section 16 That the tax upon personal property imposed by the first section of this act shall be collected in like manner as other taxes for county purposes or in cities coextensive with counties for municipal purposes are collected under the laws of this Commonwealth Provided however that no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation

Section 17 That all scrip bonds or certificates of indebtedness issued by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds or certificates of indebtednes issued by any county city borough township school district or incorporated district or this Commonwealth are hereby made taxable in the year one thousand nine hundred and fourteen and annually thereafter for State purposes at the rate of four mills on each dollars of the nominal value thereof Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidence of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief association secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or union And Provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county or other local purposes

Section 18 That the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the collection of the State tax upon such obligations shall remain unaffected by the present act

Section 19 That (1) the act entitled "An Act fixing the compensation of prothonotaries and recorders for duties imposed upon them by law in certifying to the county commissioners and board of revision of taxes judgments mortgages et cetera and assignments and satisfactions thereof and providing for the payment of the same "approved May twenty-four one thousand eight hundred and eighty-seven (2) sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen and eighteen of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June one one thousand eight hundred and eighty-nine (3) sections one two and three of an act entitled "An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-six sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value" approved June eighth one thousand eight hundred and ninety-one (4) the act entitled "An Act amending the fifth seventh and eighth sections of a further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine which further supplement was approved on the first day of June one thousand eight hundred and eighty-nine authorizing and requiring the Auditor General of the Commonwealth to make a return for personal property taxes for defaulting persons co-partnerships unincorporated associations limited partnerships joint-stock associations or corporations wherein there has been a failure or refusal of the aforesaid to make returns properly verified and upon the failure or refusal of the assessors and board of revision of taxes or county commissioners to make a proper return for said personal property taxes also authorizing and requiring the Auditor General of the Commonwealth to collect the taxes in accordance with the returns made by him and requiring the recorder of deeds and prothonotaries of the various counties to file daily records in the Auditor General's office as they are required to file in the commissioners' office or with the board of revision of taxes also requiring the county commissioners or board of revision of taxes to file with the Auditor General copies of all returns made for personal property taxes and requiring the record of the county commissioners or board of revision of taxes to be opened to the inspection and use of the Auditor General" approved April seventeenth. Anno Domini nineteen hundred and five (5) the act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value by relieving and exempting from the provisions thereof savings institutions having no capital stock" approved the first day of May Anno Domini one thousand nine hundred and nine (6) the act entitled "An Act amending and supplementing section one of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine as the same was amended by the enactment of 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved the first day of June Anno Domini one thousand eight hundred and eighty-nine as further amended and supplemented by 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hunred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven and all other sections and parts of the said acts which are inconsistent herewith or which are hereby substantially re-enacted and all other acts or parts of acts inconsistent herewith or which are hereby substantially re-enacted be and the same are hereby repealed saving reserving and excepting unto the Commonwealth the right to collect any tax taxes interest penalty or penalties due or owing or accrued under the said acts or parts of acts or any of them prior to the date when this act goes into effect and further saving reserving and exempting unto the Commonwealth the right to assess and collect all taxes in and for the year one thousand nine hundred and thirteen under existing legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 678, (House Bill No. 510), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 695, as follows:

An Act to amend section one of an act entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" Approved the twenty-ninth day of March Anno Domini one thousand eight hundred and ninety-nine authorizing the use of the title of certificated public accountants by certain co-partnerships and corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that any citizen of the United States residing or having an office for the regular transaction of business in the State of Pennsylvania being over the age of twenty-one years and of good moral character and who shall have received from the Government of the State of Pennsylvania a certificate or his qualification to practice as a public expert accountant as hereinafter provided shall be designated and known as a certified public accountant and no other person shall assume such title or use the abbraviation C P A or any other words letters or figures to indicate that the person using the same is such certified public acountant Every person holding such certificate and every co-partnership of accountants every member of which shall hold such certificates may assume and use the title of certified public accountants or the abbreviation thereof C P A Provided That no other person or co-partnership shall use such title or abbreviation of other words letters or figures to indicate that the person or co-partnership using the same is such certified public accountant" shall be so amended as to read and be as follows

"That any citizen of the United States residing or having an office for the regular transaction of business in the State of Pennsylvania being over the age of twenty-one years and of good moral character and who shall have received from the Government of the State of Pennsylvania a certificate of his qualification to practice as a public expert accountant as hereinafter provided or shall be a duly certified public accountant by virtue of the laws of any other State shall be designated and known as a certified public accountant and no other person shall asume such title or use the abbreviation C P A or any other words letters or figures to indicate that the person using the same is such certified public accountant Every person holding such certificate and every co-partnership of accountants employing three or more certified public accountants and every corporation organized under the laws of this State for the purpose of conducting the business of public acountants having actually employed in its business three or more certified public accountants and every limited partnership association two or more members whereof shall be certified public accountants may assume and use the title of certified public acountants or the abbreviation thereof C P A Provided That no other person or co-partnership shall use such title or abbreviation or other words letters or figures to indicate that the person or co-partnership using the same is such certified public accountant"

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 738, as follows:

An Act authorizing certain corporations to issue one or more classes of stock with preferences and with prohibitions and restrictions as to its voting powers and to increase and to decrease the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any corporation now or hereafter organized or existing under the provisions of any General or special act of assembly to issue one or more classes of stock with such designations and preferences and with such prohibitions restrictions or qualifications as to its voting powers as shall be stated and expressed in its charter or certificate of incorporation or in any amendment thereof and any such class of stock may if desired be made subject to redemption at a price not less than par and the charter of an intended corporation to be hereafter organized under any act of Assembly may contain any or all such provisions and such corporations shall have power to increase or decrease any such class of stock Any such corporation desiring to so issue increase or decrease any such class of stock shall comply with the requirements of all acts of assembly which are now or which may be hereafter in force providing for issuing increasing or decreasing the capital stock of corporations generally

Section 2 The following acts of assembly and parts of acts viz

"An Act to authorize corporations to issue preferred stock" approved the third day of April Anno Domini one thousand eight hundred and seventy-two (Pamphlet Laws thirty-seven)

A Supplement to an act entitled 'An Act to authorize corporations to issue preferred stock' approved the third day of April Anno Domini one thousand eight hundred and seventy-two which supplement was approved the twenty-eighth day of April Anno Domini one thousand eight hundred seventy-three (Pamphlet Laws seventy-nine)

Section sixteen of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred seventy-four (Pamphlet Laws seventy-three)

And all other acts and parts of acts general or special inconsistent hereto be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 748, as follows:

An Act regulating the sale and delivery of malt and brewed liquors at Wholesale and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act licensed brewers wholesale dealers and bottlers may sell at wholesale and deliver within this Commonwealth malt and brewed liquors in the quantities now or hereafter established by law under the stipulations and provisions hereinafter set forth and contained

Section 2 Sales of such malt and brewed liquors may lawfully be made at the licensed premises or elsewhere but only upon oral or telephonic order given at the licensed premises or upon written order signed by or on behalf of the purchaser or by an agent representative or employe of the licensee authorized to solicit such orders

Section 3 No delivery of malt or brewed liquors shall be made until after such oral order shall have been given at said premises or to the agent representative or employe as aforesaid or until after a written order signed as above provided shall have been received therefor

Section 4 Deliveries of malt and brewed liquors under sales made as aforesaid must be made either (1) through the agency of a common carrier or public or private drayman or messenger or (2) by wagons or vehicles owned or operated or controlled by said licensed brewers wholesale dealers and bottlers there being inscribed in letters at least four inches in height upon said wagons or vehicles the name of the licensed brewer wholesale dealer or bottler and the number of the license and if the license be granted by the State Treasurer the words "State License" and the number of the said license or (3) through the agency of one or more of said methods

Section 5 If acceptance of any malt or brewed liquors sold under orders given in the manner herein specified shall be refused by the consignee when delivery is attempted in any of the methods aforesaid such malt or brewed liquors so refused to be received shall be returned in the original package to the licensed premises of the licensed brewer wholesale dealer or bottler who made the sale

Section 6 Nothing herein contained shall authorize the sale of malt or brewed liquors at time or to persons now prohibited

Section 7 The term "brewer" as used in this act shall be taken to mean and to designate any corporation of this Commonwealth individual or firm engaged in brewing malt or brewed liquors

Section 8 Any person firm or corporation having license such as herein provided making sales or deliveries other than as herein authorized shall upon conviction thereof be subject to a fine of not less than one hundred dollars nor more than five hundred dollars and for any second offence upon conviction thereof of not less than three hundred dollars not more than one thousand dollars and for any third and subsequent offence upon conviction thereof of not less than five hundred dollars nor more than five thousand dollars which penalties shall be in lieu and substitution and in exclusion of all other penalties or provisions now existing or authorized by law relating to the violation of the license laws of this Comonwealth

Section 9 All acts and parts of acts conflicting or inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 752, as follows:

A Supplement to an act entitled "An Act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or their successors to sell and convey in fee simple certain lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the trustees of the Warren Academy and their successors shall have full power to grant bargain sell and convey in fee simple the whole or any part of any land heretofore granted to the said academy by the Commonwealth of Pennsylvania in addition to the other methods by which they are now permitted by law to dispose of the same

Section 2 All acts or parts of acts inconsitent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 771, as follows:

An Act further regulating transfers of licenses to sell liquors at wholesale or retail

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions shall not transfer from person to person a license to sell liquor at retail or wholesale until there shall have been furnished to the court and verified by affidavit a list of all creditors of the licensee with the amount owing to each together with proof satisfactory to the court that due notice of the application for a transfer has been served on each such creditor No transfer from place to place shall be authorized where it shall be urged as a reason for such transfer that the premises are not in proper condition unless it be shown affirmatively that the premises are not in the same condition as when the license was granted excepting reasonable deterioration from use No transfer from place to place shall be authorized unless it be proved satisfactorily to the court that notice of the application for such transfer has been served on the immediate landlord of the license at least ninety days prior to such application such landlord may at his option waive in writing such notice

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 772, as follows:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act to amend the third section of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven which section reads as follows to wit

"Section 3 Such licenses may be granted only by the court of quarter sessions of the proper county and shall be for one year from a date fixed by rule or standing order of said court The said court shall fix by rule or by standing order a time at which application for said licenses shall be heard at which time all persons applying or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel Provided That licenses under previous laws shall not be granted later than June thirtieth of this year" be and the same is hereby amended so as to read as follows to wit

Section 3 Such licenses may be granted only by the court of quarter sessions of the proper county and shall be for one year from a date fixed by rule or standing order of said court The said court shall fix by rule or by standing order a time at which application for said licenses shall be heard at which time all persons apply or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel Provided That the said court shall find the facts upon which a refusal of an applicant who has been granted license for the two years immediately preceding the third or subsequent application of such applicant and file the same of record and specially find whether or not such applicant has willfully and intentionally sold vinous spirituous malt or brewed liquors to minors Intentional sale to minors by such applicant shall be legal ground for refusing said third or subsequent application of said applicant Such applicant shall have the right of appeal to the superior court from an order refusing such third or subsequent application and on such appeal the testimony and evidence for and against such application shall be part of the record

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, as follows:

A Supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a Board for the Assessment and Revision of Taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties governed by the provisions of an act to which this act is a supplement the county taxes shall be collected in each city of such counties by a tax collector who shall be appointed by the Board for the assessment and revision of taxes annually on or before the fifteenth day of April and who shall serve until his successor is appointed and has qualified He shall furnish such bond as may be fixed and approved by the Board He shall be the collector of all county taxes assessed and levied in the respective city and shall perform the duties and be subject to the existing laws now in force or hereafter enacted for the collection of county taxes in this Commonwealtoh

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 831, as follows:

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" which reads as follows

"Section 4 The Commissioner of Fisheries shall receive a salary of three thousand dollars ($3,000) per annum payable quarterly by warrant drawn by the Auditor General on the State Treasurer and in addition thereto shall be reimbused for all necessary expenses of travel which may be incurred in the discharge of the duties of his office and the other members of the Commission shall serve without salary but shall ve reimbursed for all necessary expenses incurred by them in the performance of the duties of their office" is hereby amended to read as follows

Section 4 The Commissioner of Fisheries shall receive a salary of forty-five hundred dollars ($4,500) per annum payable quarterly by warrant drawn by the Auditor General on the State Treasurer and in addition thereto shall be reimbursed for all necessary expenses of travel which may be incurred in the discharge of the duties of his office and the other members of the Commission shall serve without salary but shall be reimbursed for all necessary expenses incurred by them in the performance of the duties of their office

Section 2 Section six of said act which reads as follows

"Section 6 The Commissioner of Fisheries shall have the power to employ one clerk at a salary of twelve hundred dollars ($1,200) per annum one stenographer at a salary of six hundred dollars ($600) per annum said salaries to be paid monthly by warrants drawn by the Auditor General on the State Treasurer" is hereby amended to read as follows

Section 6 The Commisioner of Fisheries shall have the power to employ one clerk at a salary of fifteen hundred dollars ($1,500) per annum two stenographers at a salary of twelve hundred dollars ($1,200) per annum said salaries to be paid monthly by warrants drawn by the Auditor General on the State Treasurer

Section 3 The following acts are repealed

An Act approved the twenty-second day of April one thousand nine hundred five entitled "An Act fixing the salary of the stenographer in the Department of Fisheries"

An Act approved the twenty-eighth day of May one thousand nine hundred seven entitled "An Act authorizing the appointment of an additional stenographer in the Department of Fisheries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE.

Mr. GYGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GYGER, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 862, (House Bill No. 218), entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions of the manner of proceeding to enforce compliance therewith and providing for the diposition of the license fees fines and penalties received

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 592, (House Bill No. 655), entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 808, (House Bill No. 810), entitled:

An Act providing for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all nominations reported at today's session, and also for the following nominations reported from Committee on Elections on March 26, 1913.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF SCRANTON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be members of the Board of Registration Commissioners in and for the City of Scranton, for the term of four years, to compute from June 15, 1912:

B. T. Jayne, Scranton.
Alex. T. Connell, Scranton.
Thos. J. Jennings, Scranton.
P. A. Ryan, Scranton.

JOHN K. TENER.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Jarrett,	Miller,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Gyger,	Judson,	Morgan,
Catlin,	Hall,	Kline,	Nulty,
Clark,	Heacock,	Knapp,	Sensenich,
Cooper,	Herbst,	Kurtz,	Sheatz,
Crow,	Hilton,	Martin,	Sones,
DeWitt,	Hoke,	McIlhenny,	Thompson,
Endsley,	Huffman,	McNichol,	Vare,
Farley,	Hunter,	McNichols,	Wasbers,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, that the Governor be informed accordingly.

BILL INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 872, entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry Reservations by the Department of Forestry"

Which was committed to the Committee on Forestry.

COMMUNICATION FROM THE SENATOR FROM DELAWARE, MR. SPROUL, FAVORING WOMAN'S SUFFRAGE.

The Chair cleared his table, and laid before the Senate communication, which was read by the Clerk as follows:

Senate of Pennsylvania.
Chester, Pennsylvania, March 28, 1913.

Mr. W. Harry Baker,
Senate Chamber, Harrsburg, Pa.

Dear Harry:—Can you arrange a pair for me on the Woman's Suffrage Bill? I am favorable to the bill proposing that the matter be put up to the people of the State for decision, and if you could arrange a pair with some one who is opposed to it, I will be gratified.

I do not expect to be able to get out of here for some little time yet, but I trust to be with you all in time to help with the big bills.

With kind regards, I am, very truly yours,

WM. C. SPROUL,
W. L. H.

ADJOURNMENT.

Mr. KLINE. Mr. President, I move that the Senate do now adjourn unntil tomorrow morning at 10 o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:54 o'clock P. M., until Wednesday morning, April 2, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 1, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, Thou who are the Preserver and the Governor of all Thy creatures and of all our actions, we commend ourselves to Thee at this morning hour, asking that Thou wouldst guard us and guide us throughout this day. Wilt Thou keep us in health of body and in soundness of mind, in purity of heart and in cheerfulness of spirit, in charity with our fellows and in contentment with our lot. Wilt Thou further with Thy blessing every lawful undertaking; in our labors, strengthen us; in our pleasures, enrich and purify us; in our difficulties, direct us; in our perils and besetments, defend and deliver us; and wilt Thou supply every need that may arise out of that unwasting fullness upon which we are privileged to draw at any time, according to our needs and Thy name shall have the praise of it through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Ulman, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. MILLER. House Bill No. 1871.

An Act to repeal an act approved the tenth day of April, one thousand eight hundred sixty-nine entitled "An Act relating to hawking and peddling in the county of Lehigh."

Referred to Committee on Judiciary General.

By Mr. HORACE B. DUNN. House Bill No. 1872.

An Act to repeal an act approved the eighth day of April, one thousand eight hundred and sixty-seven, entitled "An Act for the protection of wild turkeys and squirrels and for other purposes, in the county of Huntingdon."

Referred to Committee on Counties and Townships.

PETITIONS.

PROTESTING AGAINST THE CLUB LICENSE BILL.

Mr. BURNETT presented the petition of citizens of Cumberland County, protesting against the passage of the Club License Bill.

Which was referred to the Committee on Law and Order.

FAVORING THE ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. MATT presented the petition of citizens of Bedford County, praying for the passage of a bill providing for a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF A MONUMENT TO THE PUBLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. A. C. Schaffer presented the petition of citizens of Schuylkill County, praying for the passage of a bill to erect a memorial to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. MATT presented the petition of citizens of Bedford County, praying for the passage of a bill to erect a memorial to the founders of the Public Schools.

Which was referred to the Committee on Education.

FAVORING THE ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. ADAM C. SCHAFFER presented the petition of citizens of Schuylkill County, praying for the passage of a bill providing for the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. GANS, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1774, entitled:

An Act to provide for the collection and compilation of certain vital statistics throughout the Commonwealth.

Mr. GANS, from the Committee on Law and Order, reported as committed, House Bill No. 1573, entitled:

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the townships of Ohio in the county of Beaver," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-six, in so far as the same applies to the borough of Midland.

Mr. SWIFT, from the Committee on Banks and Banking, reported as committed, House Bill No. 1023, entitled:

An Act enlarging the powers of mutual Savings Fund or Building and Loan Associations; to set aside from the net profits each year a reserve fund to pay contingent losses and providing how it may be invested and validating such funds heretofore accumlated; to permit members to secure repayment of their loans by giving a straight bond and mortgage for a fixed period not to exceed one-half of the loan; authorizing them to loan money to other like associations under certain conditions; and repealing all other laws inconsistent with this act.

Mr. LETZKUS, from the Committtee on Law and Order, reported as committed, House Bill No. 1216, entitled:

An Act to amend section 29 of an act approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to regulate the sale of intoxicating liquors" by increasing the penalty.

LEAVES OF ABSENCE.

Mr. SNAVELY asked and obtained leave of absence for himself for this afternoon.

Mr. BASS asked and obtained leave of absence for himself until tomorrow.

Mr. RHOADS asked and obtained leave of absence for Mr. Hess for today.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 387, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—105.

Adams,	Down,	Leslie,	Redfield,
Alworth,	Dunn, H. B.,	Lohr,	Reese,
Arthur,	Eichenberger,	Lowers,	Reeser,
Baldwin, G. A.,	Ewing,	Malie,	Richards,
Barner,	Fahey,	Mannion,	Runk,
Becker,	Foster, J. D.,	Mather,	Sassaman,
Benson,	Good,	McAllister,	Savacool,
Bergey,	Goss,	McDermott,	Schuck,
Bigger,	Gramley,	McKay,	Shaffer, C. A.,
Body,	Gray, Frank,	Mechling,	Shaffer, I. E.,
Brosius,	Hackett,	Metzenbacher,	Smith, J. W.,
Brownlee,	Haggerty,	Missimer,	Snyder,
Burnett,	Hemminger,	Morrow,	Spillinger,
Caldwell,	Herman,	Moses,	Steedle,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Steele,
Carson,	Howard, R.,	Murphy,	Stein,
Carter,	Humes,	Musser,	Stone,
Cheeseman,	Isler,	Neel,	Strauss,
Claycomb,	Irwin, H. H.,	Newbaker,	Swift,
Cleary,	Kaiser,	Newton,	Thomas,
Conniff,	Keeport,	Pennegar,	Wettach,
Conrade,	Kern,	Pennock,	Whitaker,
Cox,	Klepper,	Perry, H. L.,	Wilson, J. R.,
Currier,	Kuhns, E.G.M.,	Perry, S. J.,	Wiltbank,
DeFrees,	Lanius,	Post,	Zimmerman,
Donahoe,	Latshaw,	Price,	Alter,
Donnally,			Speaker.

NAYS—18.

Baldwin, R. J.,	Jones, J. R.,	Rhoads,	Ulerich,
Bass,	Letzkus,	Rockwell,	Ulman,
Blair, W. A.,	McAleer,	Snavely,	Walton.
Dickinson,	O'Neill,	Swartz,	Wildman,
Heyburn,	Ramsey,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to call up from page one of yesterday's Calendar, used this morning, for the purpose of amending the title, House Bill No. 619, file folio 3551, as follows:

An Act to amend the fourth paragraph of section seven of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine authorizing townships of first class to make regulations respecting pig pens slaughter houses bone boiling establishments manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That the fourth paragraph of section seven of an act of Assembly of this Commonwealth entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Fourth To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals" shall be amended to read as follows

Fourth To make regulations respecting pig pens slaughter house bone boiling establishments manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive to abate nuisances prejudicial to public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals To prevent the spread of fires and to secure structural and sanitary safety of the buildings within its limits every township of the first class of this Commonwealth shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins the plans and specifications therefor shall be approved by the township commissioners and to provide for inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provision of any such ordinance is declared to be a public nuisance and abatable as such

RECONSIDERATION OF VOTE.

Mr. HEYBURN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

Mr. R. J. BALDWIN. Mr. Speaker, I ask unanimous consent to insert an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Title line 7. After "nine" strike out remainder of title. Insert "conferring additonal powers upon townships of the first class."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

Ordered ,That the bill be prepared for final passage.

MOTION TO RECONSIDER VOTE.

Mr. KAUFMAN. Mr. Speaker, I desire to offer a motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was then read as follows:

Moved that the vote by which Resolution No. 30, file folio 3179, as follows:

Whereas It has been the practice and is still the practice for each member of this House to be furnished with a so-called "prizepackage" containing pocket knives combs hair brushes clothes brushes hat brushes fountain pens pocket books card cases silver match boxes scissors and other articles of like nature and

Whereas The said "prize package" cause an unwarranted waste of the people's money at every session of the Legislature amounting to thousands of dollars therefore be it

Resolved That this purile practice and great unwarranted waste of the people's money shall be stopped as a form of so-called "graft" that the majority of the members of this House are pledged to abate

was defeated on March 26th, be reconsidered and a roll call on this motion is asked."

(Signed) F. S. KAUFMAN.
SAMUEL L. CHEESMAN.

The SPEAKER. This being a motion to reconsider a resolution it is only in order when the House has under consideration the order of business of resolutions; that order of business has been passed.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1176, as follows:

An Act to amend an act approved the fourth day of April one thousand eight hundred sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" by enabling the boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington in the county of Lackawanna each to elect a poor director of the Lake View poor district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of an act approved the fourth day of April one thousand eight hundred and sixty-eight entitled "An Act authorizing the erection of a poor house by the townships of North Abington South Abington and Newton in the county of Luzerne" which reads as follows

"Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said township and borough or either of them to join said corporation it shall be lawful for either of said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint some suitable person citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the usual spring election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for three years and the same shall be done every three years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estate erecting the building and filling up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provisions hereinbefore contained in this act" as amended to read as follows

Section 22 That the townships of Scott Benton Greenfield and Ransom and the borough of Waverly in said Luzerne county or either of them may at any time elect to become a part of this corporation and be entitled to all the benefits and privileges resulting therefrom and be subject to all the provisions in this act contained and for the purpose of enabling said townships and borough or either of them to join said corporation it shall be lawful for either of said townships by their supervisors poor masters and township auditors or a majority of them upon the petition of twenty or more of the electors of such township asking to become a part of said corporation to pass a resolution declaring that said township shall become a part of said corporation whereupon the senior auditor shall forthwith cause a copy of said resolution to be lodged with the directors named in this act or their successors and said township auditors supervisors and overseers of the poor shall forthwith appoint some suitable person citizen of said township to be a director for said township for one year or until his successor shall be elected and qualified and at the municipal election next succeeding said appointment the qualified electors of said township shall elect one suitable and competent person to serve as director for four years and the same shall be done every four years thereafter Provided That said townships respectively shall on becoming a part of this corporation pay a full proportion of the expense incurred in the purchase of said real estate erecting the building and filling up and stocking property and to this end a rate or assessment shall be levied upon the said townships or either of them in the same manner and with like force and effect as assessments are levied by virtue of the provision hereinbefore contained in this act The boroughs of Clark Summit Dalton Glenburn and La Plume and the township of West Abington in the county of Lackawanna are hereby made parts of said corporation At the municipal election in the year one thousand nine hundred and thirteen and quadrenially thereafter said boroughs and townships shall each elect one suitable and competent citizen thereof to act as director for four years from the first Monday of January next succeeding his election

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Alworth,	Ehrhardt,	Mannion,	Sassaman,
Aron,	Eichenberger,	Martin,	Savacool,
Arthur,	Fahey,	Mather,	Semmens,
Baldwin, G. A.,	Flynn,	Matt,	Shaffer, C. A.,
Baldwin, R. J.,	Foster, J. D.,	McAleer,	Shaffer, I. E.,
Barner,	Geary,	McAlister,	Sherwood,
Becker,	Good,	McArdle,	Showalter,
Benninger,	Gramley,	McDermott,	Smith, J. W.,
Benson,	Gray, Frank,	McKay,	Smith, L.,
Bergey,	Gray, Joseph,	Mechling,	Snavely,
Bigger,	Hackett,	Mellott,	Snyder,
Brosius,	Haggerty,	Metzenbacher,	Speiser,
Brown,	Hemminger,	Miller,	Spillinger,
Brownlee,	Herman,	Mitchell,	Steele,
Burnett,	Heyburn,	Morrow,	Stein,
Caldwell,	Humes,	Moses,	Stone,
Campbell, C.M.,	Irwin, H. H.,	Moulthrop,	Strauss,
Campbell, J.J.	Jones, E. E.,	Murphy,	Swartz,

Carson,	Jones, J. R.,	Musser,	Swift,
Cheeseman,	Kaiser,	Neel,	Thomas,
Claycomb,	Kaufman,	Neely,	Ulman,
Cleary,	Keeport,	Newbaker,	Walnut,
Collins,	Kern,	Newton,	Walton,
Conniff,	Klepper,	O'Neill,	Wettach,
Conrade,	Kuhns, E.G.M.,	Pennock,	Whitaker,
Cox,	Lanius,	Perry, H. L.,	Wildman,
Currier,	Lenker,	Peters,	Wilson, J. H.,
DeFrees,	Leslie,	Piper,	Wiltbank,
Dickinson,	Letzkus,	Ramsey,	Zimmerman,
Donahoe,	Lohr,	Reeser,	Alter,
Donnally,	Lowers,	Richards,	Speaker.
Down,	Malie,	Runk,	
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1051, as follows:

An Act making it a misdemeanor for any officer or employe of any of the executive or administrative bureaus or departments of the State Government to practice as an attorney-at-law directly or indirectly and either gratuitously or for pay before the department in which he is such officer or in which he is employed of before any other department of the State Government and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any salaried officer or employe of any of the executive or administrative bureaus or departments or on or under any of the boards or commissions of the State Government to practice as an attorney-at-law directly or indirectly either gratuitously or for pay before the department in which he is such officer or in which he is employed or before any other department of the State Government

Section 2 That any such officer or employe violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) which shall be turned into the State Treasury and to imprisonment in the county jail not exceeding one year

Section 3 That all acts or parts of acts inconsistent with this act be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Mr. WILLIAM F. BLAIR. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Humes, on this bill.

The SPEAKER. Will the gentleman from Crawford, Mr. Humes, permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I desire to know if this bill should become a law, whether it would not work a hardship to any one going to the State Department to get information?

Mr. HUMES. Mr. Speaker, in reply to the inquiry of the gentleman, I would say that this bill is patterned after the Federal Statute, covering the same question. There is a practice in this State to-day by which attorneys, employed in various departments of the State Government, under the pay of the State, go into the Auditor General's office as attorney for corporations of this State and render service in an effort to keep down the corporation taxes that the State is undertaking to collect. I believe that no man can serve two masters and that when a man is in the employ of the Commonwealth of Pennsylvania, his time and efforts belong to the Commonwealth. I believe that he has no right to go into the Auditor General's office for the purpose of assisting a corporation to escape its share of taxation. That is the abuse that this bill is aimed at and it will accomplish that and without imposing a hardship on any man. I would urge every member of the House who is opposed to this iniquity and this abuse that has been going on in the State for years, to vote for this bill.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I desire to further interrogate the gentleman.

The SPEAKER. The gentleman will proceed.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I want to know if it would not be a disadvantage when a man comes here not learned in the law for information at the Auditors' Generals office, or in order to get what he wants, if he would not have to hire an attorney to come here in his behalf.

Mr. HUMES. Mr. Speaker, positively no. The getting of information and the getting of facts in the offices of the different departments does not involve the practice of law and this bill simply prohibits men from appearing as professional men for private clients while receiving salary from the Commonwealth of Pennsylvania for services. He has no right to keep information from any one appearing at the department for himself or any one else and he has no right to practice law or to get information for a friend or neighbor or a corporation and what is in involved is not practice of the law in any sense of the word in the getting of information at the office of the State Department.

Mr. MITCHELL. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. MITCHELL. Mr. Speaker, I notice that the bill refers to "on or under any of the boards or commissions of the State Government". Does that extend, for instance, to members of the many commissions which have been appointed by the House, for instance, members of the commission for the revision of the corporation and revenue laws, the Chestnut Tree Blight Commission or the many other commissions appointed by the House? I merely wish this for the information of the House.

Mr. HUMES. Mr. Speaker, it applies to the member of no commission unless he is a salaried employee of the commission, or ordinarily any salaried position. It applies simply to salaried officers of the State Government, and not to the honorary commissioners, of which we have so many.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Adams,	Flynn,	Lanius,	Rockwell,
Alworth,	Foster, J. D.,	Latshaw,	Roney,
Baldwin, G. A.,	Geary,	Lenker,	Rothenberger,
Barner,	Gibson,	Leslie,	Sassaman,
Bass,	Glenn,	Lohr,	Savacool,
Becker,	Goss,	Lowers,	Schaeffer, A. C
Benninger,	Grabe,	Mannion,	Scott, S. B.,
Benson,	Gray, Frank,	Martin,	Shaffer, I. E.,
Bergey,	Gray, Joseph,	Mather,	Showalter,
Bigger,	Haggerty	Matt,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McAleer,	Smith, L.,
Blair, W. F.,	Hemminger,	McDermott,	Snavely,
Bleloch,	Herman,	McKay,	Snyder,
Brosius,	Heyburn,	Mechling,	Spillinger,
Brown,	Hobbs,	Mellott,	Steedle,
Brownlee,	Howard, J.,	Metzenbacher,	Stein,
Burnett,	Howard, R.,	Moses,	Strauss,
Caldwell,	Humes,	Moulthrop,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	Ney,	Swift,
Campbell, J. J.,	Jackson,	Musser,	Trach,
Cochran,	Jones, E. E.,	Newbaker,	Ulman,
Conrade,	Jones, J. P.,	Newton,	Walnut,
DeFrees,	Kaiser,	Pennegar,	Wettach,
Donahoe,	Kaufman,	Pennock,	Whitaker,
Donnally,	Keeport,	Perry, H. L.,	Whitman,
Down,	Kennedy,	Post,	Young, J. H.,
Dunn, H. B.,	Kern,	Redfield,	Zimmerman,
Dunn, J. A.,	Klepper,	Richards,	Alter,
Ehrhardt,	Kuhns, E.G.M.,		Speaker.
Fahey,			

NAYS—34.

Aron,	Gramley,	Miller,	Peachey,
Arthur,	Hackett,	Missimer,	Perry, S. J.,
Baldwin, R. J.,	Hibshman,	Mitchell,	Ramsey,
Bittles,	Kuhn, H. P.,	Morrow,	Reese,
Body,	Letzkus,	Neel,	Reeser,
Cheeseman,	Malie,	Neely,	Thomas,
Dickinson,	McAllister,	North,	Walton,
Eichenberger,	McArdle,	O'Neill,	Wildman,
Good,			Wiltbank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. GANS. Mr. Speaker, I desire to call up House Bill No. 210, file folio 2005, on page 52 of the calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed third reading and consideration of House Bill No. 210, as follows:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. S. B. SCOTT. Mr. Speaker, I would like to have an explanation of this bill.

Mr. GANS. Mr. Speaker, I would refer you to Mr. Newbaker.

Mr. NEWBAKER. Mr. Speaker, this bill is an amendment to an act establishing a bureau of Medical Education and Licensure, and for the following reasons should pass: First, The Medical Schools of Pennsylvania have all adopted higher educational qualifications, both for entrance into the Medical School and to terminate medical course. The amendment for this advance is in order that the State may protect its own schools from loss of students by their being enticed into other States by low grade schools and then come back into Pennsylvania through the State examination. Second, At present written examinations only are given. The Bureau of Education wishes in justice to the applicant to be able to give pracitcal examination at the bedside. Third, At present the time of examination is inconvenient to all the schools. The Bureau wishes therefore to use its discretion as to time. Fourth, At present if another State declares any given school in its own State is of the first grade, Pennsylvania must accept this dictum. The Bureau wishes to amend the bill so that Pennsylvania shall pass on this point for herself. Fifth, All medical schools in Pennsylvania have been consulted in regard to these amendments and are without exception in favor of them. Sixth, All State Societies have been consulted through their Legislative Committees. Seventh, The Bureau of Medical Education, composed of members of all schools, are unanimously in favor of them.

And, further, this furnishes its own revenue and costs the State nothing. All unused balance goes into the State Treasury. The increase asked for is for the purpose of establishing practical examinations instead of written. They consist of examinations at the bedside and in laboratories. It means the renting of laboratories and employing of assistants, and demonstrates in a practical way the knowledge of the applicant. Between 500 and 600 applicants present themselves annually and are examined over a course lasting two to three days. This is in the interest of furthering the standing of the medical profession in Pennsylvania and is asked for practically by all the schools in the State.

Mr. HUMES. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Gans, permit himself to be interrogated?

Mr. GANS. I introduced this bill by request.

Mr. HUMES. Mr. Speaker, it is my understanding that the effect of this bill is to increase in effect the course of one studying to become a doctor from four years to five years. It is also my understanding that this bill is a companion piece to the bill that we had up for consideration a few weeks ago, with reference to the practice of midwifery. My attention was called at that time, by the father of that bill, or rather by the author of it, that the purpose in mind in securing the passage of that bill was to make it possible to extend the course of one studying to become a doctor from four years to five, and you will notice that, under the amendment to the fourth section of this bill, an additional year is required before a young man can enter upon the practice of medicine. I think, in light of the fact that the other schools of medicine are putting men into the field in a year or two years in medicine, perhaps osteopathy or the other allied professions, that it is not fair to the medical profession, nor to the people who believe in the old schools of medicine, to discourage students from entering into that particular line of the practice. I think that the requirements at present are plenty stringent. I have talked with a dozen doctors about this bill since it has been up, and they are all of the opinion that the present requirements are sufficient, and it is not fair to the young man who wants to enter upon the practice of medicine to pass this bill and to extend the time of study for another year.

Mr. NEWBAKER. Mr. Speaker, this bill does not increase the requirements at all. The requirements are already established under the law as it exists, and as far as the examinations of all these subsidiary so-called schools of medicine are concerned, they are placed under the operation of this law under the examination given by this Board and can all appear before it and all schools are subject to the same examination and the same requirements. This additional year merely extends the period required which the student must pass as an interne in a hospital before coming up for examination, thereby better qualifying him before beginning practice on the public. This bill is in the interest of the public and makes no discrimination. The bill referred to by the gentleman from Crawford is not germane to this question at all. It is a very small matter. I hope that this bill will pass because it will protect the legislation enacted at the last session, 1911. The additional year, of course, costs nothing except it makes the student enter upon his practice better qualified by having one year's experience as an interne in a hospital, and all old practitioners know something of that matter, because when I entered practice it was only necessary to read medicine with an old practitioner two years and attend sessions for two winters, when a man became a full fledged doctor. This has been greatly changed as to requirements until at the present time when a young man enters the practice of medicine the public knows that he is qualified to undertake the profession which he proposes to practice.

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Montour.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. NEWBAKER. Mr. Speaker, yes, sir.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman, is it not a fact that under this bill the medical students who are now undergoing their course would be delayed one additional year before they could become practicing physicians if this bill should become a law?

Mr. NEWBAKER. Mr. Speaker, that additional year is a great advantage to that student and does not cost him anything under the provisions of this bill, as he becomes an interne in the hospital, and his expenses are paid and he acquires a great deal of information which will be of greater value to him than the previous four years course in the medical school. He will then get practical knowledge and will be able to diagnose cases as he sees them. He does not have to practice on the public a while before he knows what he meets in general practice. He will not be in the position of that eminent oculist in Paris who was complimented on his great skill as an oculist. He acknowledged that he acquired a great deal of knowledge in the course of his practice, but he said he had spoiled a whole hatful of eyes before he learned how to operate. We want to obviate that in the case of the young man who enters the practice of medicine. This bill is designed for that purpose and I hope the bill will pass.

Mr. W. A. BLAIR. Mr. Speaker, the gentleman from Crawford does not apparently understand the purpose of this bill. The colleges of Pennsylvania have already accepted certain standards of education—all of them. This bill has absolutely nothing to do with that. It merely provides for the enforcement of that provision. Every college in the State of Pennsylvania has it today, outside of the University of Pennsylvania which has still a higher standard than what the other colleges have provided for. This bill merely protects the colleges from having people of lesser knowledge coming from other states and coming in here and taking out State Board examination. As I have said, the colleges already have accepted or have fixed this standard of education. This bill has nothing to do with that; it merely protects our colleges from inferior classes of schools in other States.

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Cambria.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. W. A. BLAIR. Mr. Speaker, I will.

Mr. HUMES. Mr. Speaker, in as much as the purpose of the bill, as the gentleman says, may be meritorious, I would like to inquire as to whether or not the effect of the bill will not be that the students in the medical colleges of Pennsylvania who could become practicing physicians after four years, would not under this bill have to wait for five years before they could become practicing physicians.

Mr. W. A. BLAIR. They will have to take one year as an interne in a medical college or hospital of practical work.

Mr. HUMES. That is in addition to the four years?

Mr. W. A. BLAIR. That is absolutely essential for graduates of medical schools.

Mr. STEEDLE. Mr. Speaker there seems to be some misunderstanding on this bill, especially with reference to the gentleman from Crawford, who is trying to mislead this House. There is no question at all about the merit of this bill. It is a high standard that has been accepted now by the various medical schools of our State and as the genleman from Cambria has informed you, this is a permission to make that qualification a standard by this body. Now any man who has ever gone to a medical school or visited one, and especially to-day, understands that medical research has become such a great question in the study that the boy going to school is deprived of practical knowledge which he in prior years has ascertained in his study. Now this extra year is not a hardship on the boy. He only goes to school four years, but after his four years are completed and he has taken his examination before the State Board, he applies then to the Hospital and they provide a hospital for him one year's practical work, and gentlemen, I believe that you will agree with me that a man who is deprived in the school of that practical knowledge must surely get it some way and this is the only way in which the Medical Board has provided for his practical education. Therefore, gentlemen, I ask you to kindly give this bill favorable consideration and vote for its passage.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Allen,	Ely,	Lenker,	Scott, S. B.,
Alworth,	Ewing,	Leslie,	Semmens,
Ambler,	Fahey,	Letzkus,	Shaffer, I. E.,
Aron,	Flynn,	Lowers,	Sherwood,
Arthur,	Forster, I. G.,	Malie,	Smith, J. W.,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Smith, L.,
Baldwin, R. J.,	Gans,	McAleer,	Snyder,
Barner,	Gibson,	McAllister,	Speiser,
Bass,	Glenn,	McArdle,	Spillinger,
Bayle,	Good,	McKay,	Steedle,
Becker,	Gransback,	Mechling,	Steele,
Bigger,	Gray, Frank,	Moses,	Stein,
Blair, W. A.,	Gray, Joseph,	Moulthrop,	Stone,
Body,	Hackett,	Murphy,	Swartz,
Brown,	Haggerty,	Neely,	Swift,
Caldwell,	Heidinger,	Newbaker,	Thomas,
Campbell, C.M.,	Hemminger,	North,	Trach,
Carter,	Hibshman,	O'Neill,	Ulerich,
Cleary,	Howard, J.,	Peachey,	Ulman,
Conner,	Isler,	Perry, S. J.,	Walsh,
Conniff,	Jackson,	Piper,	Walton,
Conrade,	Jones, E. E.,	Price,	Watson,
Cox,	Jones, J. R.,	Reese,	Wettach,
Currier,	Kaufman,	Reeser,	Whitaker,
Curry,	Keeport,	Richards,	Wildman,
Davis,	Kennedy,	Roney,	Wilson, W. H.,
DeFrees,	Kern,	Rothenberger,	Wiltbank,
Dickinson,	Kitts,	Sassaman,	Young, G. K.,
Donahoe,	Klepper,	Savacool,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Schaeffer, A. C.	Zimmerman,
Dunn, J. A.,	Kuhns, E.G.M.,	Schuck,	Alter,
Ehrhardt,	Lanius,	Scott, J. R. K.,	Speaker.
Eichenberger,			

NAYS—47.

Benninger,	Gramley,	Matt,	Ramsey,
Benson,	Herman,	McDermott,	Rex,
Bergey,	Heyburn,	Mellott,	Rhoads,
Brosius,	Hobbs,	Metzenbacher,	Rockwell,
Brownlee,	Howard, R.,	Miller,	Runk,
Burnett,	Humes,	Mitchell,	Shaffer, C. A.,
Carson,	Irwin, H. H.,	Morrow,	Showalter,
Cheeseman,	Keegan,	Musser,	Snavely,
Claycomb,	Latshaw,	Pennegar,	Walnut,
Cochran,	Lohr,	Pennock,	Whitman,
Goss,	Mannion,	Perry, H. L.,	Williams,
Grabe,	Martin,	Post,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER.

The SPEAKER. The hour of 11 o'clock A. M. having arrived, the Chair lays before the House as the special order fixed for this hour, House Bill No. 709, file folio 2599, bill on second reading, known as the "Club License Bill."

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 709, entitled:

An Act regulating the sale or distribution of vinous spirituous malt or brewed liquors by any club society or organization formed for certain purposes and imposing penalties for violation of this act

Sections one, two, three, four, five, six, seven, eight and nine were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "club" as used in this act shall mean any club society or organization incorporated or unincorporated formed for social charitable benevolent fraternal religious or athletic purposes

The words "responsible member" as used in this act shall mean the member designated by the club which shall be a citizen of the United States a man of good moral character and of temperate habits and who shall act as the responsible agent of the club in the sale or distribution of liquors for use to and among the members of the club and who shall be responsible criminally for the observance by such club of the laws of this Commonwealth relating to the sale of liquors

The word "liquors" as used in this act shall mean vinous spirituous malt or brewed liquors of any admixture thereof

Section 2 It shall be unlawful for any club to sell or distribute liquors to and among the members of such club or for any person firm or corporation to sell liquors to such club unless such club shall have obtained under this act a license to sell or distribute liquors for use to and among its members

Section 3 Licenses as aforesaid may be granted by the court of quarter sessions of the proper county for a period of one year in the same manner at the same time and under the same conditions as licenses to sell liquors at retail shall be granted The clerk of such court shall perform the same duties and receive the same fees for each application as he shall perform and receive in case of an application for a license to sell liquors at retail

Section 4 A license to sell and distribute liquors shall be granted to the club and to a responsible member of such club The responsible member shall at all times have complete control and supervision of the distribution and sale of liquors by the club for use to and among its members

Section 5 Each application of a club for a license under this act shall set forth

1 Name of club and the place of record of its charter if it be incorporated

2 The location of the building or part of a building occupied by it

The time when and the purpose for which it was organized

4 The names and residences with street and number when possible of all of its officers and members

5 A description of the property real and personal owned by it and how the club is maintained

6 If the realty occupied by it be leased a verified copy of the lease shall be furnished together with the written consent of the lessor that the premises may be used for the purpose covered by the license applied for

7 The name age occupation and address of the responsible member who is to be licensed with the club and who is to be responsible for the enforcement in the club of the laws relating to the sale of liquors Such responsible member shall sign the application for license and shall agree to be personally liable criminally and civilly for all violations of the laws relating to the sale of liquor

8 An agreement by the club that the responsible member shall at all times have complete control and supervision of the sale and distribution of liquors in such club

Section 6 Each application for license shall be signed by all the officers of the club and by the responsible member The statements contained in the application and the genuiness of the signatures attached thereto shall be verified by the affidavits of at least two of the officers of the club

Section 7 At the hearing of each application the court may hear witnesses and petitions for and against the granting of the license subject to such rules as it may adopt

Section 8 After hearing and upon due consideration the court shall refuse the license applied for if it shall be of the opinion that the premises to be used by the club if licensed would be a menace to the good order and welfare of the community in which it shall be located or that the responsible member is not a fit person or that the members of the club are not all reputable male persons of full age and of temperate habits in the use of liquors or that the club is not a

bona fide social club but is solely a device to establish a drinking place otherwise the court shall grant the license applied for

Section 9 It shall be unlawful for any club licensed under this act or for any of its officers members employes or agents to sell or furnish any liquors to any person not a bona fide member of the club or on Sunday or on election day or during the hours of primary elections or to any visibly intoxicated member or to sell or furnish liquors intended to be drunk elsewhere than on the premises

The tenth section was read as follows:

Section 10 The license shall not be issued until such club shall have paid into the treasury of the proper county a fee of one hundred ($100) dollars of said club have a membership of two hundred (200) or less and fifty ($50) dollars additional for each one hundred (100) members or major portions thereof Said fee not to exceed five hundred ($500) dollars and until the club shall have executed a bond to the Commonwealth with a warrant of attorney to confess judgment in the sum of two thousand dollars ($2,000) Such bond shall have as sureties one surety company authorized to act as surety in Pennsylvania or at least two sureties approved by the court The bond shall be conditioned for the faithful observance by the club and its officers and members and agents and employes of all the laws of this Commonwealth relating to the sale of liquors and that the club will pay all damages which may be recovered in any action which may be instituted against it under the provisions of any act of assembly and all fines costs and penalties which may be imposed upon it or upon its agents servants employes or responsible member under any indictment for violating any of the provisions of this act or any other act of assembly relating to the selling or furnishing of liquors This bond shall be filed in the office of said clerk for the use and benefit of all persons interested therein

On the question,

Will the House agree to the section?

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Amend Section 10, line 5. Strike out first "of" and insert "if."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh, twelfth, thirteenth and fourteenth sections were read and agreed to as follows:

Section 11 Said court in its discretion may after notice and hearing revoke or suspend such license for cause Upon the application of the person responsible for such club who shall desire to be relieved from such responsibility the court shall suspend such license until another qualified person approved by the court shal have been substituted Upon the death or removal from the county or mental incapacity of the responsible member the license of such club shall forthwith become inoperative and it shall be unlawful to sell or distribute liquors in such club until a substitute license shall have been granted to the club and another responsible member Such substitute license shall be subject to all the regulations herein provided for the original license It shall be for the unexpired portion of the year for which the original license was granted No fee other than the filing fee aforesaid shall be charged for such substitute license

Section 12 It shall be the duty of each club licensed under this act to keep a register of the new members who shall have been admitted since the filing of the application for a license and during the continuance of such license

Section 13 Each person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) and to undergo an imprisonment in the county jail for not less than three months nor more than twelve months

Section 14 All acts and parts of acts inconsistent with this act are repealed

The title was read and agreed to as follows:

An Act regulating the sale or distribution of vinous spirituous malt or brewed liquors by any club society or organization formed for certain purposes and imposing penalties for violation of this act

On the question,

Will the House agree to the bill on second reading as amended?

Mr. S. B. SCOTT. Mr. Speaker, there seems to be a strong disposition to defeat this bill on second reading. We might as well meet the issue now. It gives me great pleasure for once in this session to find myself in entire harmony with our Governor. This is the bill which was recommended in his message. This is the bill which was drafted under his direction and was introduced by me instead of the bill which had been drawn up by other officers in order that it might be understood that there was no desire to get any individual credit and that there was no desire to quibble or haggle about details but a sincere desire to have this thing done and to have it done right. There have been certain amendments placed in this bill by the committee, the general intent of which was to reduce the license fee oriignally proposed to a fee which is merely nominal. being on the average of about fifty cents per member per year, because there is no proposition in this bill to make it impossible for clubs to get a license. Neither is it the desire of this bill to raise revenue, but it is simply to put the whole dispensing of liquor of this Commonwealth under one single set of regulations, so there may be no discrimination. It has always been a subject of complaint against the Brooks High License Law that the poor man's saloon was taxed heavily, while the rich man could go to his club and get liquor on Sunday or on election day or on any other day and pay no license for it whatsoever. Now there is no doubt about it but that in the past there has been unfair discrimination against the man who did not join a club or who was not able to support one. That is one of the reasons why this discrimination should be removed and why the clubs should be placed under restrictions similar to the saloons. There is a great reason why this measure should become a law. That is the primary purpose of the bill to bring the dispensation of liquor by clubs under court regulation. As it is now, the club license is a great gap in the system of statutory regulation of liquor sales, and that is one of the reasons why clubs even more than saloons, should be under regulations because there are of a private nature and not public, and are not subjected to the same kind of police supervision and observation as is the ordinary saloon. The keeper of an ordinary saloon has a considerable sum of money invested in his business, and it is necessary for him to live up strictly to all rules and regulations in order that he may preserve his license, and thereby becomes a very definite measure of protection to the body politic in the licensing of saloons which does not now exist in the dispensation of liquor in clubs. It is possible for a man addicted to the use of liquor to enter his club on Saturday night and all Saturday night, and all day Sunday and all Sunday night he may be constantly supplied with liquor, at least he has the opportunity to do so, and he is not subject to police regulation which would be the case in a saloon. Now, it is peculiarly difficult to prevent a large number of clubs—remember I do not say all of them, but it is peculiarly difficult to prevent a great many clubs from degenerating into merely liquor dispensing organizations. It matters not with what bona fide intentions the clubs may have been originally organized or chartered, there is a constant temptation since liquor can be dispensed under this charter, if people desire to get liquor on Sundays. election days, or other times, to turn that club into a liquor dispensing organization, even if the club was organized for entirely bona fide reasons in the first place. There are regions in this State where it has been judicially determined by the Court that no licenses were necessary for the accommodation of the public, and in these regions there is a tremendous opportunity and a tremendous temptation to organize clubs in those districts for the mere purpose of evading the order of the Court in refusing to grant licenses. In other words, just as far as the sentiment of the community becomes available for the restriction of the sale of liquor, just so far then the temptation increases to organize clubs, which if it is not their sole purpose, it is at least a large purpose for the dispensation of liquor.

Our laws on the sbject on the control of the liquor bills never will become complete until the method of dispensing liquor for money shall be under State regulation and we ought not to allow chartered clubs to set themselves up as special organizations and not subject to all methods for the selling of liquor. They all ought to be alike under the rules of the Quarter Sessions Court, and be treated alike. For this reason, I think we ought to have here the same measure of regulation. It is not a prohibition measure; it is not a local option measure; it is simply a slight enlargement of our present Brook's License Law intended to make the subject uniform and to stop up the holes of evasion. It is a measure which ought not be opposed by and bona fide club. They can afford to pay a nominal license fee. They can afford to do that. They can afford to pay this license. I can see no reason why any club should object to this measure. I received no protests from the large Social Clubs.

I have received pleading letters from people whose husbands and brothers have been lured into speakeasies under the disguise of clubs, to push this measure and to help this bill so there may be a protection against people being lured into clubs and other places where liquor is sold under the disguise of clubs.

Mr. KITTS. Mr. Speaker, I am extremely sorry that the House is harangued with oratory of this kind and I trust that in this little Legislative Club of ours, you will enjoy your cigars while we are debating this subject on the question of its merits. It becomes necessary in questions of this great importance that both friends and enemies of a bill of this kind should debate the mbatter fully so that the members of this House who have not had time to study the merits or demerits may know at this time just what is the purpose and intention of the proposed measure and the passage of this bill. That is the object of the debate. It comes about, Mr. Speaker, that in politics and in religion and in social organizations, that clubs and societies must be formed. From the earliest days of American Politics, we have had political clubs, from the days of the Church, we have had Epworth League and those orders that are formulating and promulgating those principles for which the several societies stand. So, also, there are other orders like the social clubs, which are also formed for their special purpose. It seems to me that it would be laughed to scorn to submit the idea of a political club having for its object the furtherance of religion. We also would laugh to scorn, the religious club having any other object in view, except that for which they are organized, yet, we are called upon to-day in this bill to call it a social side of the problem in Pennsylvania in a most peculiar manner. If the history of the formations of nearly all of the clubs is thoroughly gone into, you will readily see that they are the corner-stones of Society, founded entirely upon authority and a good many of the large clubs such as the Elks and those other big orders like the German-American Alliance and lots of the other orders. Take for instance the Masonic order; they have no direct club but they have clubs to which they belong. They go quietly about their work and desires. It has been argued with some energy that the purpose will be or is to regulate the rich man's club and that that poor man has his club in a saloon. I take issue with that phase of this arguement. I say this bill should be defeated for the very reason that the rich man of the Commonwealth is entitled to his social privilege. I would like to sepak about the number of thousands and millions of dollars tied up in clubs or saloons of this Commonwealth. Let me call your attention to the fact that to-day there is invested several hundred million dollars in clubs that don't mean that all of these are of the rich man's clubs. The amount of money which is invested covers association and societies like those known as Elks, including the German-American Alliance and such orders as these which run down through the history of social society in this State. The good the clubs accomplish among their members in extending the soothing hand of sympathy to the widow in her time of sickness and carrying on this work of benevolence among the members far outstrips, in my mind, any evils, if there are any evils, that are brought about by a sideboard, if such evils exist. Think of an order in a town of the size of Harrisburg, for instance, or York getting up one single parade resulting in an amount of two thousand dollars, turning the same over quietly to charity at Chirstmas time. Where can you find any other institution that will do that? Clubs have done this and assisted in charitable institutions for the last twenty years more than any other one institution. They are back of every charitable movement and everything that helps for chairty and the whole argument comes down to the point that it is the rich man and the man given over to habitual drunkenness who come into these wealthy clubs and stays there to be taken away from police power. What are you going to do with the poor man who has his little club? I fail to see where this argument comes in. I have visited many clubs and I belong to a good many and have never seen any drunkenness in any club. It seems to me that everybody in the club is sober and as a rule drunkenness is the exception. It is argued and perhaps will be by the friends of this law that the Governor in his wisdom saw fit to recommend to the General Assembly of this Commonwealth the passage of a Club License Bill. I cannot in my mind's eye, contemplate a Governor of the Commonwealth of Pennsylvania in his wisdom, recommending out to the floor of this House a bill so drastic in its purpose and so narrow in its principle. If the sponsor of this bill had in mind the utter extermination of the club instead of its regulation he most admirably suceeded in drawing the bill. The bill does not tend to regulate. We are simply coming out on a financial license basis. There is not a club in the Commonwealth of Pennsylvania, if you will take the trouble to interview them or their club officers or their members, who would refuse to pay into the Treasury the license demanded, if they want this to come. That is not the argument against this bill. Allow me to explain to you for you information some of the glaring defects in the drawing of this measure. In the first place, they move the argument on the license proposition and we come down to this proposition; who is back of the bill and what assurance do the clubs have of the judicial power and what does it amount to? The matter is too far in the hands of the Judiciary to take advantage of. We maintain that the longer we keep out of the hands of the Judiciary of this Commonwealth with the liquor question in any way, the better it will be. The corrupt political machines will use this as a club for selfish purposes and I maintain that the longer we keep it out of the hands of the Judiciary of this Commonwealth, the liquor question need not either suffer or be abused. The sooner we make a house-cleaning of the political corruption in this State, the better it will be. I believe also that a club which purports in advance to make a contract with a court or with any one who is designated to take out a license will have to fall short. I believe the bill in its inception is unconstitutional

Imagine a club or any man to apply for a license, designate John Smith to go to court and apply for a license and filing, for violation of any kind, an indemnity bond and be responsible for all the ills under his direction or control or under the application which is made and the violation of any of the conditions under any judiciary grounds whatever or the license violated by a servant or a steward or anybody in the Club or any one not even in the jurisdiction. He must go into court and shoulder this penalty. For that reason, I say that if this bill is passed, and becomes a law, it will entirely legislate out of our society the clubs of Pennsylvania. It seems to me it is a delicate position perhaps to call up a bill which was recommended in the Governor's Message but I have no knowledge, Mr. Speaker, other than the word of my friend, Mr. S. B. Scott, whom I have respected in all matters, that his bill emanated in its original form from His Excellency, Governor Tener, Yet, if I were convinced that Governor Tener recommended this bill out as it now stands on the calendar or as it stands in his message, notwithstanding the fact that I have as much respect as any citizen of Pennsylvania for the wisdom of our Executive Officer, yet I must take issue at this time against this bill; notwithstanding the fact, that it was given out from the Executive Chamber. I question that this bill in its present form came from that department. There have been other bills introduced in this House and there are other bills resting in the file folios of Committees and this happens to be the first one that has been called up. There might be a law passed perhaps to put clubs under legal license. That would be a good thing for the clubs and good for the State. If this bill is introduced merely to regulate the clubs and the purpose is foreign to any other object, then they can vote on the matter of exterminating them. We don't need any more revenue on this matter. They are not asking for additional revenue. Don't miunderstand the opponents of this bill that the clubs simply are taking a stand to avoid the payment of revenue. That is not a one hundredth part of the argument on the bill. I think that speaking on the subject or discussing it will not change one vote; probably be like the old country squire when he heard one side of a law suit and the defendant had his witnesses on the stand and the old justice said, "Now, you shut up. You're getting me all mixed up." I suppose you didn't come here with your minds entirely made up. There are some of the opponents that would like to call the attention of the House to some of the glaring possibilities for an act of legislation of this kind.

Mr. STEIN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Letzkus, Moulthrop, John H. Young, Currier, Ulman, Caldwell, Kitts, Kern, Charles A. Shaffer, Donahue, Mannion, Eichenberger, Arthur, Aron, McArdle, Wiltbank, Ulerich, Neel, Heyburn, Ramsey, Rhodes, Rockwell and others.

On the question,
Shall the motion now be put?
It was agreed to.
On the question,
Will the House agree to the bill on second reading?
The yeas and nays were required by Mr. STEIN and Mr. S. B. SCOTT.

The SPEAKER. The roll will be verified.

The roll was verified and was as follows:

YEAS—77.

Alworth,	Gramley,	Martin,	Runk,
Baldwin, G. A.,	Gray, Frank,	Mather,	Scott, S. B.,
Barner,	Haggerty,	Matt,	Semmens,
Benson,	Heidinger.	McKay,	Shaffer, C. A.,
Bittles.	Hemminger,	Mechling,	Shaffer, I. E.,
Blair, W. F.,	Herman,	Mellott,	Showalter,
Body,	Hibshman,	Metzenbacher,	Smith, L.,
Brownlee,	Hobbs,	Moses,	Snavely,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Snyder,
Carson,	Howard, R.,	Musser,	Steele,
Cheeseman,	Jackson,	Neel,	Strauss,
Claycomb,	Jones, E. E.,	Peachey,	Swartz,
Currier,	Jones, J. R.,	Pennegar,	Swift,
DeFrees,	Kern,	Pennock,	Ulerich,
Donnally,	Klepper,	Perry, H. L.,	Walnut,
Down,	Kuhn, H. P.,	Post,	Whitman,
Dunn, H. B.,	Lanius,	Reeser,	Williams,
Gibson,	Latshaw,	Rhoads,	Alter,
Glenn,	Lohr,	Rockwell,	Speaker.
Grabe,		Rothenberger,	

NAYS—111.

Adams,	Ehrhardt,	Lowers,	Richards,
Allen,	Eichenberger,	Malie,	Roney,
Ambler,	Ely,	Mannion,	Sassaman,
Aron,	Ewing,	McAleer,	Savacool,
Arthur,	Fahey,	McAllister,	Schaeffer, A. C
Baldwin, R. J.,	Flynn,	McArdle,	Schuck,
Bass,	Forster, I. G.,	McClintock,	Sherwood,
Bayle,	Foster, J. D.,	McDermott,	Smith, J. W.,
Becker,	Gans,	Miller,	Speiser.
Benninger,	Geary,	Missimer,	Spillinger,
Bergey,	Good,	Mitchell,	Steedle,
Bigger,	Goss,	Moore,	Stein,
Blair, W. A.,	Gransback,	Morrow,	Thomas,
Brosius,	Gray, Joseph,	Murphy,	Trach,
Burnett,	Hackett,	Neely,	Ulman,
Caldwell,	Heyburn,	Newbaker,	Walsh,
Campbell, J. J.,	Humes,	Newton,	Walton,
Carter,	Isler,	North,	Watson,
Cochran,	Irwin, H. H.,	O'Neill,	Wettach,
Collins,	Kaiser,	Perry, S. J.,	Whitaker,
Conner,	Kaufman,	Peters,	Wildman,
Conniff,	Keegan,	Piper,	Wilson, J. H.,
Conrade,	Keeport,	Price,	Wilson, W. H.,
Cox,	Kitts,	Ramsey,	Wiltbank,
Curry,	Kuhns, E.G.M.,	Redfield,	Young, G. K.
Davis,	Lenker,	Reese,	Young, J. H.,
Dickinson,	Leslie,	Rex,	Zimmerman,
Donahoe,	Letzkus,		
Dunn, J. A.,			

So the question was determined in the negative.

REASONS FOR VOTE

Mr. MILLER. Mr. Speaker, I desire to offer the following reasons for vote on Bill No. 709, file folio 2599:

I believe in club regulation. The measure before us, however, goes farther. There has been introduced into this House another bill which in its provisions does regulate; and in it there are abundant means provided for the extermination of the so-called "one-man clubs," the speakeasy and the glaring evils attached to club life. I believe that this bill, which was investigated by the Committee of Law and Order, would be far fairer and would meet the evils complained of.

Mr. HUMES. Mr. Speaker, I desire to file the following reasons for vote on House Bill No. 709:

In recording my vote against this bill (H. R. 709) I desire to declare myself in favor of a reasonable club license bill. I favor an act prohibiting clubs from dispensing liquor on Sundays, election days and all other prohibited days, and believe that many of our national holidays should be made prohibited days by law. I believe, however, that the Brooks license law has done more to bring the judiciary of this State into disrepute than any other law that was ever enacted. This bill would give further extra judicial power to our courts and would have an even more disastrous effect upon the reputation and integrity of the judiciary than the Brooks license law. By it unscrupulous judges could build up political machines more dangerous than any existing political machines.

To maintain the integrity of our courts, their duties must be judicial in their nature and by extending their extra judicial duties as this bill would do, we would sacrifice the standing and reputation of the one branch of our government that needs, more than any other, the respect and confidence of the people.

MOTION TO RECONSIDER VOTE.

Mr. BERGEY. Mr. Speaker, I renew my motion to complete action on House Bill No. 1010, entitled:

An Act relating to domestic animals and poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the sale of tuberculin mallein and other biological products for use in testing domestic animals and providing penalties for the violation of this act

made last night.

The SPEAKER. Bill No. 1010 was under consideration last night when the House adjourned.

The question being,

Will the House reconsider the vote on which the bill passed finally?

Mr. BERGEY. Mr. Speaker, a number of the gentlemen of the House voted for this bill yesterday who were not familiar with the contents thereof. I invite your attention to section five, which provides that the State Veterinarian has the power to appoint such agents as he sees necessary. Under the present laws the agents receive a salary of $1800.00 a year and it provides for ten such agents. If you pass this bill you will give the State Veterinarian the right to appoint as many agents as he sees fit, one hundred, five hundred or one thousand. It also provides that he shall have the power to fix their compensation, which has never been done in any bill that has passed this House, and I am sure that the members of this House were not familiar with the contents of this bill. It also provides that the salary of the State Veterinary Secretary shall be raised from twenty-five hundred dollars to five thousand dollars. It provides for his assistant's salary, which is today one thousand dollars, to be raised to four thousand dollars a year; and as a member of this House I object to this gum-shoe method of attempting to raise the salaries of any Departments of this State. I, thertfore, ask that the members of this House will vote to reconsider the vote by which this bill passed third reading.

Mr. STONE. Mr. Speaker, I desire to put myself squarely with the members of the House and make no statement on false pretense under which this bill will be passed. The bill does raise the salary of the State Veterinary Surgeon and likewise of his assistant, but not until the expiration of the term of office of the Governor. It therefore does not apply to any of those who are holding offices and will not be effective for a period of two years or thereabouts. The bill was not drawn in the interest of the present State Sanitary Board excepting as to those matters which it was believed were for the best interests of the people who would be interested in having a good Board of Supervision over the livestock of the Commonwealth. The present salary of the Secretary is $2500.00 a year and has existed for two years and this bill raises the salary to $5000.00 a year. Now the State Veterinarian was receiving before he entered upon the duties of this office to which he was appointed, from his private office, his private employment in Philadelphia, a little more than forty-eight hundred dollars per year. He entered upon this service because of the love he had for the livestock, because of a moving desire which he had to better the conditions of affairs in the Commonwealth and has worked through the years that he has been employed in this Department at a great sacrifice to himself. In this bill he asks nothing now for himself, but for the future interests of the Board. Along in January of last year there was a resolution offered in this House requiring the Department to furnish to the House a detailed statement of the business. That was furnished and you all remember well the smile upon the House when the books were presented—two large volumes. They covered in detail in a most particular manner, the best record that I ever saw, of all the business of this Department since the present State Veterinarian has been in its employ. Since that time, Mr. Speaker, not one word has been raised, not a word of criticism has been raised against that Department.

Now the statement of the gentleman who made the motion that this raises the salary of the employees is not true. Under the present law the salaries range from seventy-five dollars a month to eighteen hundred dollars a year. Many of them are under the rule of the Department and are so fixed that they need not employ under the present bill any more than is necessary to carry out the provisions of the State Sanitary bill which is now before you.

I might in just a word state something in regard to what this work has been. If you will look over the reports, and I have no doubt you have, you will find that the State Veterinarian in his special reports states that during his administration he has examined 42,723 head of cattle, which have been tested for tuberculosis. 4,724 have been condemned and killed. Of these, 3,973 were grades which were appraised at an average of $30.74. The pure breds were appraised at an average of $57.54. Thus the owners realized from the State and from the counties an average of $47.47 for grade and $75.77 for pure breds.

Now, Mr. Speaker, I desire to call the House's attention to two other bills presented and which will in a few days come before this House. The bill as presented is fathered by one of my good friends upon the other side of the House from Lehigh county and that provides for an increase of the pay for the cattle which are condemned of about $20.00 a head, making the average for pure breds almost $100.00 per head and of the others, the grades, about $70.00. Well now, it is not the business of this Department to make money for the farmers by condemning their cattle. It is the business of this Department that they shall see that they are condemned if they are affected with tuberculosis or any other disease which is dangerous to the community and to pay the farmers,—although the State is not bound to pay one dollar,—to pay them such reasonable sum as will be for the interests of the farmer. Now, Mr. Speaker, this bill was regularly upon the calendar. On last Wednesday night I, in perfect kindness to the House, stated that I desired to have it taken up and put upon the postponed calendar for the purpose of introducing an amendment. At my first opportunity I did make my word good by placing that amendment before the House, which was adopted.

Now every member in the House when be voted on this bill yesterday knew exactly what was in it. He knew, if he consulted his own conscience and his own indulgence, that it was a proper bill, that it was for the best interests of the Sanitary Board, not only, but for the best interests of every farmer who is interested in his horses and his cattle that they may be taken care of. Somethings have been added, a week ago, as I stated, to the bill, which are material for your consideration. They found in this appraisal under the old law that if the party whose cattle were condemned refused to submit to an appraisel there was no provision by which he could be compelled to have his cattle appraised at a fair valuation. This bill provides that if he does refuse, all it requires is for an affidavit before a magistrate to that effect and of his refusal and the magistrate will appoint some disinterested party as the third appraiser and that takes care of the deal.

There is another new provision and that is in regard to skim milk. Every farmer knows the importance of feeding skim milk to the calves and hogs absolutely pure from infection. Everybody knows who has looked into the question scientifically, and when their calves have died as well as when their hogs have died, they have found that the infection has come from tuberculosis of the milk or some infection of the milk. This bill provides that the skim milk shall be heated to 175 degrees Fahrenheit and that only costs $100.00 to do that. I have talked to the creamery men in my county and they told me it is a proper provision. It will only cost them $100.00 and the farmer will only have to wait a period of ten minutes longer for the purpose of getting the milk and then when he takes the heated milk to the calves and hogs he is absolutely sure they are immune from any disease by reason of infection of the milk. Now, Gentlemen of the House, you have had fair notice—

Mr. BERGEY. Mr. Speaker, I raise a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BERGEY. Mr. Speaker, the point of order is that the gentleman is not stating the points at issue.

The SPEAKER. The point of order is not sustained.

Mr. STONE. It has been a fair proposition before this House. Everybody had fair notice at the time of the amendment. Every man was wide awake and alive as to what it would be and they read over the bill and I challenge every member of this House if this is not one of the best sanitary bills that any Department ever had, and I challenge any member of the House to say that the salary of the man who now is compelled in this bill to give his whole time, where heretofore he had only given part of his time, that five thousand dollars is not an inadequate salary for that service and I ask the Gentlemen of the House to vote down this motion.

Mr. REESE. Mr. Speaker, and Gentlemen, I am in favor of this bill for two reasons: First, coming from a thickly settled population where a large number of the inhabitants are foreigners keeping cattle, they do not take care of their sanitary condition. It has been necessary in some parts of our county to take drastic measures and I know the people of this department have been doing that at their own expense. I know of one case in what we call the Schuylkill Haven Valley where there were no less than eight cases of glanders, and through the heroic efforts of this Department they stopped the spread of that disease.

We are also shipping into that section milk from the different counties—Berks, and I guess some down as far as Lancaster County. We have no milk inspector or anything of that character and this Department has helped us out in that particular.

Now, I have traveled around this State and in other States and have seen the number of cases we have in these hospitals brought about largely I judge by impure milk and impure food and so it has come to my mind, wouldn't it be better for the State to pay a certain per centage of the money that they appropriate to taking care of these inmates to the prevention of the disease and the spread of the disease. As I stated before, I could state three cases at this time where they put some of the dairies out of business because of the impure milk. When it was traced back, one physician, who had eight cases of the one kind of disease, attributed it to that milk and I do not think that this House should hestitate to vote for something that is going to benefit the condition of the infant and let us save them from going to these hospitals. I am heartily in favor of doing anything that is going to promote the welfare of the people and save the infant.

Mr. BERGEY. Mr. Speaker, and Gentlemen of the House, I do not think that any member of this House is against the sanitary features of this bill, but we have at the present time a law which covers every provisions in this bill which now pertains to the inspection etc. of cattle, dogs, cats, etc. This bill is not for the purpose of increasing the powers of the Sanitary Board but to increase their salaries. The objection I have to this bill is giving to the State Veterinary the power of naming as many agents as he may see fit and determining their wages. This bill is beyond comprehension for this reason. It simply places in the hands of the State Veterinary the power to build up around him one of the greatest political organizations in the State. Are you going to give one man that power? I do not believe that the members of this House will stand for any measure of that kind.

Mr. E. G. M. KUHNS. Mr. Speaker, I do not wish to repeat what I said a few days ago in reference to a few articles in this bill but I wish to call your attention to page twenty of the bill, section thirty-four, the new amendment spoken of, where it says: "Milk produced by a cow which has reached to a tuberculin test." It has been proven and proves itself to the general public that the test is not yet quite perfect. I am not going to blame anybody for making mistakes as long as the people do not have any one test that always proves exactly true, but I do not wish to stand for the mistakes that the test here very often make. The reports show and tell us that there is no question of a doubt that a large majority of the cows put to this test show reaction, and a great many of them are killed and the beef therefrom passed for food. Certainly there was no tuberculosis there, or else they would not have passed for beef. Here under this bill any cow that has reacted to this test, the milk therefrom is to be heated to a temperature of 170 degrees at least. Take the stockman's standpoint on that question? How is he going to heat the milk to that temperature? How is he provided for that. What are the effects of milk heated to that degree Fahrenheit so far as food is concerned. How does it affect it? Is it not a fact that the calf that those men are talking about in getting this dangerous milk, if it is dangerous, is it not a fact that the calf wants that milk from the cow, not after

it has been heated to a temperature of 170 degrees Fahrenheit or over, but that that calf wants that milk just as it comes from the cow. Now when you go further down, you find in section thirty-five, "every owner, operator and manager of a creamery." How about our creameries throughout the Commonwealth? Are they all fixed up with pasteurizing machines, or are they all in shape? Or, are we when we are passing this bill, particularly sections thirty-four and thirty-five, are we simply creating an act on the statutes that is advertising some manufactured article that is to be sold and used. Now, gentlemen and Mr. Speaker, are we here on the floor of the House to advertise some certain manufactured article, or are we here to take care of the interests of the general public. I appeal to you, gentlemen, on this question. You are not keeping stock. I appeal to you city brothers for your vote to protect us who are in the business. I want to call your attention to section thirty-three where it says: "any domestic animal affected with advanced or generalized tuberculosis." That would be all right, but if you read on further, you read in line three, "any animal which has reacted to the tuberculin test," and the test has proven that the cow in many times during the year shows reaction although she has no tuberculosis at all. It has been proven many times that she has no tuberculosis although she has reacted, and the stamp on the head and neck the letter "T" as defined in that section. Suppose you owned a herd of cattle, and they are inspected. Some show some little reaction, which has been proven in many cases that the cow is not sick, but still reacts. You get a letter "T" stamped on them by the Sanitary Board. What are your chances to sell that animal. Would you, or would I, or would any one want to buy it. Why not leave the law as it is at the present time until some accurate and thorough test is presented. When the cow is sick, we are willing to have it killed and willing to have it put out of the way. The test is not accurate and I would ask you gentlemen to vote aye on this matter.

Mr. R. J. BALDWIN. Mr. Speaker, I not only think that it would be a mistake, but it would be a blunder for this House to pass this bill. In other words it would be a blunder to reconsider this vote. Independent of the fact that we appear here—I don't know how we appear to the public—but one day we defeat a bill and the argument is that the House did not know what it was voting on. Now one day we pass a bill, and the argument is that the House did not know what it was and we called it up again to reconsider it. But independent of that, certainly the members of this House appreciate what this department means to the State. It means to the animal side what the Department of Health means to the human side. One is as essential as the other. The veterinary side of this proposition means the prevention of disease and the regulation of all of those things which lead up to the disease, while the other is the curing and also the prevention of disease. To undertake to discuss in this House the technique of this bill, to my mind, on the part of those not educated in medicine or the veterinary profession, would be almost foolish, but I think the question is covered in this way. Here is a bill from a department which my friend in the rear of the House says contains nothing but an offer to increase the salary. So far as the salaries are concerned, the only mistake that I can see in it is that it does not immediately go into operation, and the gentleman who heads that Department would be relieved of his duties at the University of Pennsylvania. He receives part of his salary from the University and spends part of his time there, and the other part of his salary he gets from the State, and devotes the other part of his time to State work. It is almost silly and foolish to think that a professional man, such as is required by this department of the State, should work for $2,500.00 per year. There is not intelligent member of this House who would vote against a proposition to make that five thousand dollars. My friend stated that it contained no good, nor no new features. My gracious alive. This bill contains the best thought of the men and the experience of that department for the necessary legislation of putting into operation for the benfit of the people the very thing for which this department was created for. This bill contains a provision that instead of the State being mulcted out of the money paid for condemned cattle that are brought into the State from foreign States, that door is now closed under this bill. It contains the feature that my friend Mr. Stone stated to you. That one feature of sterilizing the milk that goes to the animal as food is one of the greatest provisions for the prevention of that dangerous disease, tuberculosis, that could be placed upon our statute books. No person who has gone into this subject, and there are others here who know much better than I do, that it was demonstrated by the German Government that the feeding of the milk of the tubercular cows to any of the human kind meant the contagion of that human with tuberculosis. It was tested by the Germans in this way beyond a question of contradiction. That experiment consisted of this proposition: They took the milk from a contaminated animal and gave to it immediately the milk from the contaminated animal, and there was not a single instance of tuberculosis. They took the offspring of a perfectly healthy animal and feed it with the milk of a diseased animal, and a large percentage in the next five or six weeks showed contamination. Now this bill simply provides a method for the State Veterinary Department to control all animal diseases. The present laws are piecemeal laws, and came as the result of suggestions of persons not well versed in the proposition with which they were dealing. Our statute books are filled with contradictory propositions and powers. This bill eliminates all of them, and makes it all come under one act. I think that this House ought to take this proposition coming from a man of experience and education and versed in the science rather than from those who are likely to be mistaken on the proposition, like my friends who oppose this bill. Let the bill go to the Senate. If there are some weaknesses in the bill that should be eliminated, I think they will be able to convince the Senate committee that such weaknesses exist and have them modified in this particular, after careful consideration. I would, therefore, ask you to send it over to the Senate.

Mr. BERGEY. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The Speaker. Will the gentleman permit himself to be interrogated?

Mr. R. J. BALDWIN. I will.

Mr. BERGEY. Mr. Speaker, does the gentleman from Delaware desire the House to understand that he favors a measure that places in the hands of the State Veterinary the power to employ as many men as he sees fit and to fix their wages?

Mr. R. J. BALDWIN. As a general proposition, of course, the Legislature should as far as is practicaly regulate the various departments of this State in so far as the employes are concerned, the number of them, and their wages, and there is no member of this House, who stops to think for one moment, who does not know that so far as the health and agricultural and veterinary departments of the State are concerned that a statute of that character would probably defeat the very intent of the bill. We have no way of telling when any epidemic among the animals of our State may break out. Under ordinary conditions this Department would know definitely how many employees it should have to deal with a proposition and make it practical to do so. Who knows when a certain disease may break out among the cattle of this State, and who can tell how many will be necessary to ascertain and trace where this disease came from. Why, you would be but wasting the money of the State and defeating the very purpose of the act. Certainly, I will stand for it because I know no other law would be practical, and it gives the proper power to an institution that you have created.

The question recurring,

Will the House reconsider the vote by which the bill passed finally?

The yeas and nays were required by Mr. BERGEY and Mr. JOSEPH GRAY.

The SPEAKER. The vote will be verified, which was done as follows:

YEAS—68.

Baldwin, G. A.,	Gray, Joseph,	Martin,	Sassaman,
Barner,	Herman,	Matt,	Savacool,
Becker,	Hobbs,	McDermott,	Scott, J. R. K.,
Benninger,	Howard, R.,	Mellott,	Scott, S. B.,
Benson,	Humes,	Metzenbacher,	Semmens,
Bergey,	Jones, J. R.,	Morrow,	Shaffer, I. E.,
Bigger,	Kaufman,	Moulthrop,	Smith, J. W.,
Body,	Keegan,	Musser,	Smith, L.,
Burnett,	Keeport,	Newbaker,	Snavely,
Carson,	Kern,	Newton,	Snyder,
Claycomb,	Kitts,	Pennegar,	Stein,
Cochran,	[illegible]ner,	Pennock,	Strauss,
Donahoe,	Kuhns, E.G.M.,	Post,	Thomas,
Donnally,			Trach,

Glenn,	Lanius,	Price,	Ulman,
Good,	Latshaw,	Rex,	Walnut,
Grabe,	Lenker,	Richards,	Zimmerman,
Gramley,	Malie,	Rothenberger,	

NAYS—98.

Allen,	Dunn, J. A.,	Mannion,	Shaffer, C. A.,
Alworth,	Ehrhardt,	Mather,	Sherwood,
Ambler,	Eichenberger,	McAleer,	Showalter,
Aron,	Ely,	McAllister,	Speiser,
Arthur,	Ewing,	McArdle,	Spillinger,
Baldwin, R. J.,	Fahey,	McClintock,	Steedle,
Bittles,	Forster, I. G.,	McKay,	Steele,
Blair, W. A.,	Foster, J. D.,	Mechling,	Stone,
Blair, W. F.,	Gans,	Missimer,	Swartz,
Brosius,	Gransback,	Mitchell,	Swift,
Brownlee,	Gray, Frank,	Moore,	Ulerich,
Caldwell,	Hackett,	Neel,	Walsh,
Campbell, C.M.,	Haggerty,	North,	Walton,
Carter,	Heidinger,	O'Neill,	Watson,
Cheeseman,	Hemminger,	Peachey,	Whitaker,
Cleary,	Heyburn,	Perry S. J.,	Whitman,
Conner,	Hibshman,	Peters,	Wildman,
Conniff,	Howard, J.,	Ramsey,	Williams,
Conrade,	Irwin, G. C.,	Redfield,	Wilson, J. H.,
Cox,	Jackson,	Reese,	Wilson, W. H.,
Currier,	Jones, E. E.,	Reeser,	Wiltbank,
Curry,	Kaiser,	Rhoads,	Young, G. K.
Davis,	Kuhn, H. P.,	Roney,	Young, J. H.,
DeFrees,	Leslie,	Schaeffer, A. C	Alter,
Dickinson,		Schuck,	Speaker.

So the question was determined in the negative.

Ordered, that the bill be now presented to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. STEIN. Mr. Speaker, I desire to call up House Bill No. 553 (Senate Bill No. 12), file folio of the Senate 15, on page 50 of the Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 553, (Senate Bill No. 12), entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosine of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Allen,	Eichenberger,	Leslie,	Rockwell,
Alworth,	Ely,	Lohr,	Roney,
Ambler,	Ewing,	Lowers,	Rothenberger,
Arthur,	Flynn,	Malie,	Runk,
Baldwin, G. A.,	Forster, I. G.,	Munnion,	Sassaman,
Barner,	Foster, J. D.,	Martin,	Savacool,
Becker,	Gans,	Mather,	Schaeffer, A. C
Benson,	Gibson,	Matt,	Scott, J. R. K.,
Bergey,	Good,	McAleer,	Scott, S. B.,
Bigger,	Grabe,	McAllister,	Semmens,
Bittles,	Gramley,	McArdle,	Shaffer, C. A.,
Blair, W. A.,	Gransback,	McClintock,	Shaffer I. E.,
Blair, W. F.,	Gray, Frank,	McDermott,	Sherwood,
Body,	Gray, Joseph,	McNichol,	Showalter.
Brosius,	Hackett,	Mechling,	Smith, J. W.,
Brown,	Haggerty,	Mellott,	Snyder,
Brownlee,	Heidinger,	Metzenbacher,	Speiser,
Burnett,	Hemminger,	Missimer,	Spillinger,
Caldwell,	Herman,	Mitchell,	Steedle,
Campbell, C.M.,	Hibshman,	Moore,	Steele,
Campbell, J. J.,	Hobbs,	Morrow,	Stein,
Carson,	Howard, J.,	Moses,	Strauss,
Carter,	Howard, R.,	Moulthrop,	Swartz,
Cheeseman,	Humes,	Musser,	Swift,
Claycomb,	Isler,	Neel,	Thomas,
Cleary,	Irwin, G. C.,	Neely,	Trach,
Cochran,	Jackson,	Newbaker,	Ulerich,
Conner,	Jones, E. E.,	North,	Ulman,
Conniff,	Jones, J. R.,	O'Neill,	Walnut,
Conrade,	Kaiser,	Peachey,	Walton,
Cox,	Kaufman,	Pennegar,	Watson,
Currier,	Keegan,	Pennock.	Whitaker,
Curry,	Keeport,	Perry, S. J.,	Whitman,
Davis,	Kern,	Piper,	Wildman,
DeFrees,	Kitts,	Post,	Williams,
Dickinson,		Price,	Wilson, J. H.,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Redfield,	Young, J. H.,
Dunn, H. B.,	Lanius,	Reeser,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rex,	Alter,
Ehrhardt,	Lenker,	Richards,	Speaker.

NAYS—2.

Baldwin, R. J., Heyburn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. RONEY. Mr. Speaker, I desire to call up House Bill No. 897, file folio 1003, on page 50 of the Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 897, entitled:

An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the supreme court of the Eastern District also the appointment of a deputy by the supreme court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Allen,	Ewing,	Letzkus,	Scott, J. R. K.,
Alworth,	Fahey,	Lohr,	Semmens,
Ambler,	Flynn,	Lowers,	Shaffer, C. A.,
Arthur,	Forster, I. G.,	Malie,	Shaffer, I. E.,
Baldwin, R. J.,	Foster, J. D.,	Mannion,	Sherwood,
Barner,	Gans,	Martin,	Showalter,
Bass,	Gibson,	Mather,	Smith, J. W.,
Becker,	Good,	McAleer,	Smith, L.,
Benninger,	Gramley,	McAllister,	Snyder,
Bigger,	Gransback,	McArdle,	Speiser,
Blair, W. A.,	Gray, Frank,	McClintock,	Steedle,
Blair, W. F.,	Gray, Joseph,	McNichol,	Steele,
Bleloch,	Hackett,	Mechling,	Stein,
Body,	Haggerty,	Missimer,	Stone,
Brosius,	Heidinger,	Mitchell,	Strauss,
Brown,	Hemminger,	Moore,	Swartz,
Burnett,	Heyburn,	Morrow,	Swift,
Campbell, C.M.,	Hibshman,	Moses,	Thomas,
Claycomb,	Howard, J.,	Neel,	Ulerich,
Cleary,	Howard, R.,	Neely,	Ulman,
Cochran,	Isler,	Newton,	Walnut,
Collins,	Irwin, G. C.,	North,	Walsh,
Conner,	Irwin, H. H.,	O'Neill,	Walton,
Conniff,	Jackson,	Peachey,	Watson,
Conrade,	Jones, E. E.,	Perry, H. L.,	Wettach,
Cox,	Jones, J. R.,	Perry, S. J.,	Whitaker,
Currier,	Kaiser,	Piper,	Whitman,
Curry,	Kaufman,	Ramsey,	Wildman,
Davis,	Keeport,	Reeser,	Wilson, J. H.,
DeFrees,	Klepper,	Richards,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Rockwell,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Roney,	Young, J. H.,
Donnally,	Lanius,	Runk,	Zimmerman,
Dunn, J. A.,	Lenker,	Sassaman,	Alter,
Ehrhardt,	Leslie,	Savacool,	Speaker.
Eichenberger,		Schaeffer, A. C	
Ely,			

NAYS—11.

Benson,	Grabe,	Latshaw,	Rothenberger,
Campbell, J. J.,	Humes,	Murphy,	Trach,
Cheeseman,	Kern,	Musser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. LOWERS. Mr. Speaker, I ask unanimous consent to call up at this time House Bill No. 542, file folio 3175, for the purpose of amendment, on page 45 of the Calendar, bills on third reading.

The SPEAKER. Is there objection? The Chair hears none and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 542, entitled:

An Act supplementary to an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and neglected children under the age of sixteen years and providing for the means in which such power may be exercised" approved April twenty-third Anno Domini one thousand nine hundred and three conferring power upon the judge or judges of the courts of quarter sessions of the peace who are from time to time assigned to the sessions of said court known as the juvenile court to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court defining the purpose method and extent of such examinations and the character and use of the reports of examining physicians designating the time examinations and providing for the installation of said and place of authorizing the necessary equipment of such equipment and payment therefor and for the appointment and compensation of examining physicians and assistants for the said work

On the question,

Will the House agree to the bill on third reading?

Mr. LOWERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Title, line 4, atfer "and," strike out "neglected" and insert "delinquent"

Section 6, line 7, strike out "setting" and insert "sitting"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered. That the bill as amended lie over for printing.

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to call up at this time for the purpose of amendment House Bill No. 225, file folio 4041, entitled:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

on page 47 of yesterday's Calendar, bills on third reading.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 225, as follows:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each motor boat shall carry one life preserver of the standard prescribed by the Board of United States Supervising Inspectors for every person carried on such boat Each boat shall be equipped with adequate whistle or bell

Section 2 Each motor boat over twenty feet in length shall show in all weathers from sunset to sunrise the following lights when under way

First A white light in the bow visible from straight ahead to ten points on either side thus showing an arc of twenty points of the compass

Second A green light on the starboard or right side visible from straight ahead to two points abaft the beam showing an arc of ten points of the compass

Third A red light on the port or left side visible from straight ahead to two points abaft of the beam The starboard light must not be seen from the port side of the bow nor the port light from the starboard side of the bow

Fourth An after white light which will be visible around the horizon and be placed directly above the keel and higher than the bow light so that it will show distinctly from the bow light and be in a straight line with it when the vessel is seen coming bow on

Section 3 Each motor boat less than twenty feet in length may carry in lieu of the above running lights a combination bow light showing white in the centre red on the port side and green on the starboard side

Section 4 When at anchor each such boat irrespective of its length shall carry from sunset to sunrise a white light showing clear around the horizon and elevated well above the dock

Section 5 The word motor boat wherever used in this act shall mean and include all boats propelled in whole or in part by machinery

Section 6 Each row boat and each canoe used or operated or being at anchor shall show from sunset to sunrise a white light in the bow

Section 7 Any person who shall keep or use or operate any motor boat or row boat or canoe in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace shall be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than thirty days or both such fine and imprisonment

Section 8 This act shall not apply to such water craft as are regulated by the laws of the United States

Section 9 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 2, line 9, strike out the word "act" and insert the word "arc"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. LOHR. Mr. Speaker, I desire to call up at this time House bill No. 414, file folio 3003, entitled:

An Act to regulate the sale for agricultural purposes of crushed lime-stone lime gypsum and related products defining sand products and requiring that they be sold under official tags bearing the manufacture's or dealer's guarantee providing for its enforcement and prescribing penalties for its violation

page 39, of yesterday's calendar, Bills on Third Reading, for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent for consideration of the bill at this time? The Chair hears no objections and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 414, as follows:

An Act to regulate the sale for agricultural purposes of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every bag barrel or other package or quantity of any pulverized limestone ground oyster shells artificial carbonate of lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime marl gypsum or land plaster sold offered or exposed for sale within this Commonwealth for use as a soil amendment or as an ingredient or reagent in the preparation of any fungicide or insecticde shall have attached to it or be accompanied in the manner provided in section three hereof by a plainly printed statement giving the name and address of the manufacturer or importer and his place of business the brand or trade-name of said material the net weight of the contents of the package when sold in package and a statement declaring with respect to pulverized limestone ground oyster shells and artificial carbonate of lime (a) the degree of fineness of the material in terms of the minimum sieve mesh expressed in fractions of an inch through which the coarsest particles of said material can pass and (b) the minimum percentages contained of available oxids of calcium and magnesium respectively combined as carbonates with respects to lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime and marl the minimum percentages contained of the available oxids of calcium and magnesium respectfully and with respect to gypsum or land plaster the minimum percentages contained of available calcium oxid and sulphur tri-oxid or sulphuric acid (SO3) respectively which statement shall be held to be the guaranty of the manufacturer or importer that the lot of materials is good to which said statement refers are of the kind and quality or composition and fineness so set forth The provisions of this act shall not however apply to air slacked lime kiln slacks gas house lime or tanners' lime when sold as such

Section 2 For the purposes of this act the materials named in the foregoing section are defined as follows

(1) Limestone is the rock commonly known by that name and consisting chiefly of calcium carbonate or of said carbonate with a smaller molecular proportion of magnesium carbonate

(2) Pulverized limestone is limestone reduced by mechanical means to a fine powder

(3) Artificial carbonate of lime is carbonate of lime artificially produced by any method other than the exposure of lime ground lime slaked lime hydrated lime or spraying lime to the action of the atmosphere

(4) Lime is the product obtained by the complete burning of limestone in a kiln and capable of being reduced by slaking to a fine powder

(5) Ground lime is lime reduced to a fine powder by grinding

(6) Spraying lime is lime of high purity containing not less than ninety-three (93) per centum of calcium oxid

and not more than five (5) per centum of magnesium oxid not more than five (5) per centum of carbon dioxide nor more than five (5) per centum of acid insoluble matters iron and aluminum oxids collectively

(7) Slaked lime is the dry finely divided product obtained by the addition of water to lime

(8) Hydrated lime is slaked lime prepared by the aid of stirring or of stirring grinding and screening machinery and is free from hard lumps

(9) Hydrated spraying lime is dry finely divided hydrated lime of purity not less after taking the water of hydration into account than that herein required in the case of spraying lime and of such fineness that all shall pass a standard sieve of one hundred (100) meshes to the inch

(10) Air slaked lime is the more or less finely divided product obtained when lime slaked lime hydrated lime or spraying lime is exposed for a considerable time to the action of the air

(11) Marl is clay highly charged with carbonate of lime-Shell marl is marl in which the carbonate of lime is present chiefly in the form of molluscan shells

(12) Gypsum or land plaster is the finely divided mineral commonly known by that name and consisting chiefly or calcium sulphate

(13) Kiln slaks is refuse lime mixed with ashes and 'core' or imperfectly burned limestone

(14) Gas-house lime is spent lime that has been used as a purifier in the manufacture of illuminating gas

(15) Tanner's lime is spent lime that has been used in the curing of hides

The statement required by section one of this act shall in the case of goods sold in package be plainly printed upon the package or upon a tag or label fastened thereto of such quality and in such manner that it shall not be detached in handling and in the case of goods sold in bulk the said statement shall be delivered to the purchaser either with the invoice therefor or with the goods

Section 4 Every manufacturer or importer of one or more of the materials named in Section one of this act for either or both of the purposes therein stated shall on or before the first day of January of each year or before offering them for sale in this Commonwealth for either of said purposes file annually with the Secretary of Agriculture a statement of the names and number of brands of such materials having distinct trade names that he shall offer for sale for either or both of said purposes during the next ensuing Calendar year or remainder thereof together with a copy of the statement declaring the composition of these several brands of said materials as required by Section one of this act

Section 5 In addition to the statement required by sections four of this act every manufacturer or importer of any of the materials named in section one of this act shall on or before the first day of January of each year or before offering them for sale within this Commonwealth file annually with the Secretary of Agriculture an affidavit showing as nearly as practicable the weight of each brand of said materials sold by him or if the producer or vendor be a firm or corporation by its managers officers and agents within the Commonwealth for either or both of the purposes named in section one of this act during the last preceding year and for each brand so sold he shall pay to the Secretary of Agriculture a license fee according to the weight sold as follows For an amount of one hundred tons or less five dollars for an amount exceeding one hundred tons but not exceeding one thousand tons ten dollars for an amount exceeding one thousand tons but not exceeding five thousand tons fifteen dollars and for an amount exceeding five thousand tons twenty dollars and when said fees shall have been paid and the statements required by section four of this act have been filed with the Secretary of Agriculture the party or parties who have made such payment and otherwise complied with the provisions of this act shall be entitled to sell within the Commonwealth the goods specified in said statement and covered by said fees during the year or fraction of a year immediately following said statement If the manufacturer or importer shall not have made during the preceding year any sales within the Commonwealth for the aforesaid purposes of any brand to be offered for sale during the year for which the fee is to be paid he shall pay for each such brand a fee of five dollars Provided that all monies so received shall be immediately paid by the Secretary of Agriculture into State Treasury for the use of the Commonwealth

Section 6 Any person or persons selling offering or exposing for sale for either of the purposes stated in section one of this act any of the materials named therein or brand of the same unless accompanied by the statement required by section one of this act or when so accompanied if the said statement shall be false in any particular or without having complied with all the foregoing provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars for the first offense and not less than two hundred dollars for each subsequent offense it shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and all penalties costs and fines recovered shall be paid to him or his duly authorized agent and by him shall be immediately paid into the State Treasury for the use of the Commonwealth

Section 7 The Secretary of Agriculture is hereby empowered to collect samples of the materials named in Section one of this act either in person or by his duly qualified agent or representative to have them analyzed and to publish the results for the information of the public and for this purpose the said Secretary of Agriculture such assistants agents experts chemists detectives and counsel as he shall duly authorize shall have full access ingress and egress to and from all places of business quarries kilns factories barns buildings carriages cars and vessels used in the manufacture storage transportation or sale of any of the said materials They shall also have power to open any package or vessel containing or supposed to contain any of the said materials and to take therefrom samples for anailysis upon tendering the value of said samples Provided That any manufacturer or producer of any of the materials named in section one of this act located in the Commonwealth shall be entitled to have a single sample of any distinct brand for the sale of which he has paid the fee required by section five of this act analyzed by the Department of Agriculture with respect to the points of composition specified in said section one upon sending sample properly sealed and carriage prepaid together with a fee of one dollar for each such analysis but not more than two brands shall be analyzed under the privilege conferred by this proviso for one manufacturer or producer in a single year

Section 8 This act shall go into effect on the first day of January Anno Domini one thousand nine hundred and fourteen

On the question,

Will the House agree to the bill on third reading?

Mr. LOHR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Title, line 3, strike out 'that they be sold under official tags bearing" insert "certain statements to be filed, license fees to be paid and other statements to be made which shall be"

Section 1, line 30, after "to" insert "be"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

AUTHORIZING ADDITIONAL PRINTING.

Mr. ROCKWELL. Mr. Speaker, in the reprint of House Bill No. 183, known as the Public Utliities Bill, the printer has failed to carry out the rule of the House in noting the amendments. The amendments should have been inserted or printed in italics. It is practically impossible to follow and ascertain what the amendments are and I offer the following motion. Another thing, the copies are likely to be exhausted and there is a great demand for them and that is the reason for offering this motion.

The SPEAKER. The Chair will state that the amendments were passed over the section and from that it was inferred by the Clerk that the Committee desired the bill printed in the manner in which it was presented.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that the Chief Clerk be authorized to have 500 additional copies of House Bill No. 183 printed, and that the printer be instructed to print the amendments that have been made in italics.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. SPEISER. Mr. Speaker, I ask unanimous consent at this time to call up House Bill No. 1025, file folio 2485, entitled:

An Act to amend section one of an act approved tne eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate the time of opening and closing the tax duplicates to regulate the apropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of October in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

on page 35 of yesterday's calendar, Bills on Third Reading, for the purpose of amendment.

Mr. S. B. SCOTT. Mr. Speaker, I have no objection to the bill at all. I simply want to make at this time a protest against the general practice of calling up bills for amendment on third reading, out of their order. The result is to pass the bill on third reading and have it prepared for final passage in such a way that they take precedence over all bills previously reported. I make no objection now, but I will make objections the next time this is done.

The SPEAKER. Will the House give unanimous consent to consideration of the Bill at this time. The Chair hears no objection and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1025, entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of October in each year as the time on or before the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

On the question,

Will the House agree to the bill on third reading?

Mr. SPEISER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 1, line 58, by striking out the word "October" and substituting therefor the word "November"

Amend title, line 7 by striking out the word "October" and substitute therefor the word "November"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

The SPEAKER. Notice has been given that unanimous consent will not be granted for any other amendments at this time. The gentlemen will save the time of the House by not requesting unanimous consent to call up bills out of order.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate, which were laid upon the table.

REPORT.

Mr. EHRHARDT. Mr. Speaker, I offer a report from the Committee on Rules.

The SPEAKER. The report will be read by the Clerk.

The report was read by the Clerk as follows:

REPORT FROM THE COMMITTEE ON RULES.

That when the Calendar for Wednesday contains more than 35 pages on Third Reading and Final Passage, (exclusive of postponed bills,) the same shall be taken up as the business of that day in advance of bills on Second Reading.

Signed EHRHARDT,
SASSAMAN,
ALLEN,
COCHRAN,
GANS,
GEORGE A. BALDWIN
Committee on Rules.

The report was again read.

Mr. R. J. BALDWIN. Mr. Speaker, do I understand the postponed bills are to be taken up.

The SPEAKER. That portion is in parenthesis.

On the question,

Will the House adopt the report?

It was agreed to.

SUPPLEMENTARY REPORT FROM COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker, I present a supplementary report of the Committee on Committees to provide Committee Assignments for our new member.

The SPEAKER. The report will be read by the Clerk.

The report was read by the Clerk as follows:

The Committee on Committees submits the following supplemental report and asks for its adoption:

Max Aron to Committee on Constitution Reform, resigned, W. H. Wilson.

To Committee on Federal Relations, resigned Thomas F. McNichol.

To Committee on Judicial Apportionment, resigned J. A. Dunn.

To Committee on Public Buildings, resigned H. B. Dunn.

To Committee on Judiciary Special, said Committee to consist of 26 members for the remainder of the present session.

George W. Allen to the Committee on Congressional Apportionment to fill the vacancy caused by the resignation of Charles A. Ambler.

Respectfully submitted,

Signed S. B. SCOTT,
JOHN ROBERT JONES,
F. H. ROCKWELL,
CHARLES A. AMBLER,
A. F. MOULTHROP,
JOHN M. FLYNN,
W. H. WILSON,
JOHN T. MATT,
GEORGE W. ALLEN,
EDWARD R. BENSON,

Mr. S. B. SCOTT. I move the adoption of the report.

Mr. SPEISER. I second the motion.

The motion was agreed to.

SENATE MESSAGE.

The SPEAKER. The Chair will partly clear the desk. Extracts from the Journal of the Senate which the Clerk will read.

The Clerk read as follows:

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced informed the House that the Senate has concurred in the Resolution of the House of Representatives, as follows:

In the House of Representatives, March 31, 1913.

Resolved (if the Senate concur), That House Bill No. 170 file folio 269, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund

be recalled from the Governor for the purpose of amendment.

Also the following:

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives, numbered and entitled as follows:

House Bill 236, entitled:

An Act regulating the manufacture sale and offering for sale of mattresses and fixing penalties for violation hereof

with information that the Senate has passed same with amendments in which the concurrence of the House is requested.

The amendments were read by the Clerk as follows:

Section 2, line 2, strike out the figure "2" and insert the figure "4."

The SPEAKER. This bill requires some attention which can only be given in the Committee of Conference.

Mr. ULMAN. Mr. Speaker, I move that the House nonconcur in the amendments of the Senate.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ULMAN. Mr. Speaker, my purpose in doing that is on account of typographical errors in the bill which must be corrected.

Also the following:

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 574 (House Bill No. 1873)

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely February sixteen one thousand eight hundred seventy-four May twenty-fourth one thousand eight hundred eighty-one May twenty-nine one thousand eight hundred eighty-five June eleven one thousand eight hundred eighty-five June twenty-five one thousand eight hundred eighty-five May nine one thousand eight hundred eighty-nine May twenty-nine one thousand eight hundred ninety-five June twenty-six one thousand eight hundred ninety-five June twenty-seven one thousand eight hundred ninety-five May two one thousand nine hundred one June four one thousand nine hundred one April twenty-one

one thousand nine hundred three April seventeen one thousand nine hundred five interalia providing for the establishment and regulation of trust companies approved the eighth day of May one thousand nine hundred seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or off certificates of deposit issued by a trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

Referred to the Committee on Banks and Banking.

Also Senate Bill No. 658 (House Bill No. 1874)

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

Referred to the Committee on Banks and Banking.

Also Senate Bill No. 659 (House Bill No. 1875)

An Act enabling the board consisting of State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteen one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof

Referred to the Committee on Banks and Banking.

Senate Bill No. 713 (House Bill No. 1876)

An Act providing for the appointment of district attorneys when vacancies occur

Referred to the Committee on Judiciary Special.

RECESS.

Mr. SPEAKER. The hour of one o'clock having arrived this House will take a recess until 3:00 o'clock.

AFTER RECESS.

The House reconvened at 3 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

REPORT FROM THE COMMITTEE ON RULES.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to offer a report at this time from the Committee on Rules.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

Resolved, That the following be a rule of this House:
"No bill negatived by a committee shall be placed upon the calendar of this House unless a motion to place such bill on the calendar be made within five days after such bill is reported from committee, provided that a motion to place any bill on the calendar of the House reported negatively from committee prior to date of the adoption of this resolution must be made within five days from the adoption of this resolution by the House

Messrs. ALLEN,
GANS,
SASSAMAN,
COCHRAN,
ALTER,
Committee on Rules.

On the question,
Will the House agree to the adoption of the report?
It was agreed to.

REPORTS FROM COMMITTEES.

Mr. W. H. WILSON, from the Committee on Judiciary General reported as committed House Bill No. 1510, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

Mr. RONEY, from the Committee on Judiciary General, reported as committed House Bill No. 1211, entitled:

An Act extending the jurisdiction of the courts in actions wherein a corporation is or shall be a party

Mr. ARON, from the Committee on Judiciary Special, reported as amended House Bill No. 1625, entitled:

An Act relating to damages providing for full compensation in case of taking of property for use as a public wharf pier or bulkhead

Mr. ARON, from the Committee on Judiciary Special, reported as committed House Bill No. 1576, entitled:

An Act to amend an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" approved July second one thousand nine hundred and one

Mr. WHITAKER, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1265, entitled:

An Act to amend an act entitled "An Act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" approved March twenty-second one thousand nine hundred and seven (Pamphlet Laws thirty-one) by providing for the assignment of counsel not only in murder cases but in any criminal case in which the maximum sentence of imprisonment may be five years and by providing that the compensation of counsel in such cases shall not exceed the total sum of five hundred dollars

Mr. WHITAKER, from the Committee on Ways and Means, reported as committed House Bill No. 591, entitled:

An Act relative to Mercantile Appraisers' Lists

Mr. BROSIUS, from the Committee on Judiciary Special reported as committed House Bill No. 1283, entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

Mr. BROSIUS, from the Committee on Judiciary Special reported with a negative recommendation House Bill No. 972, entitled:

An Act authorizing the allowance of permanent alimony in divorce cases and providing for the enforcement of the payment and collection thereof

Mr. GRAMLEY, from the Committee on Game, reported with a negative recommendation House Bill No. 1425, entitled:

An Act for the better protection of deer in this Commonwealth prescribing a method through which deer may be hunted and a penalty for violation of its provisions

Mr. SHOWALTER, from the Committee on Judiciary Special, reported as committed House Bill No. 1282, entitled:

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture in use as such to the value of three hundred dollars and providing a method for the appraisal of such household goods and furniture

Mr. POST, from the Committee on Education reported as committed House Bill No. 1182, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general and special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

Mr. DAVIS, from the Committee on Mines and Mining reported as committed, House Bill No. 1685, entitled:

An Act to amend section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the Anthracite Coal Mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring wash houses to be erected within eight weeks after notice has been served on the owner operator or superintendent

Mr. BIGGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1693, entitled:

An Act prohibiting corporations co-partnerships or companies conducting a cemetery from excluding persons duly authorized by lot holders in said cemeteries to enter said cemeteries to do gardening work and decorations on lots therein and providing a penalty for violation of said act by officers managers agents or employees of said corporations co-partnerships or companies

Mr. GLENN, from the Committee on Judiciary General, reported as committed, House Bill No. 1439, entitled:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began De-

cember first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 939, entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons

Mr. LANIUS, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1791, entitled:

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as committed, House Bill No. 1324, entitled:

An Act defining public utilities owned by cities boroughs towns and townships and providing for the submission of the question of the sale or lease thereof too the electors or such cities boroughs towns or townships

Mr. BLELOCH, from the Committee on Judiciary Special reported as committed House Bill No. 1732, entitled:

An Act regulating the change of location of the place of business of corporations of the first class

Mr. CONNIFF, from the Committee on Judiciary Special, reported as committed House Bill No. 1497, entitled:

An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a Board for the Assessment and Revision of Taxes for State and County and City purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of city ward borough and township assessors in so far as respects the assessment of State and County and City taxes

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed House Bill No. 1820, Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case

Mr. BLELOCH, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 952, entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as amended House Bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriation for payments for succesive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned to the House bill numbered and entitled as follows:

House Bill No. 794:

An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat or arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

with information that the Senate had passed the same with amendment, in which the concurrence of the House is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend in Section one, line 15, by striking out the word "county" and inserting in lieu thereof the word "country."

On the question,

Will the House concur in the amendment of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Adams,	Ely,	Mannion,	Rothenberger,
Allen,	Ewing,	Martin,	Runk,
Alworth,	Forster, I. G.,	Mather,	Sassaman,
Aron,	Forster, J. D.,	Matt,	Savacool,
Baldwin, G. A.,	Gans,	McAleer,	Schaeffer, A. C.
Baldwin, R. J.,	Good,	McAllister,	Semmens,
Barner,	Gramley,	McArdle,	Shaffer, C. A.,
Bass.	Gransback,	McClintock,	Shaffer, I. E.,
Becker,	Gray, Frank,	McKay,	Showalter,
Benson,	Hackett,	McNichol,	Smith, L.,
Bergey,	Haggerty,	Mechling,	Speiser,
Bigger,	Heidinger,	Metzenbacher,	Spillinger,
Blair, W. A.,	Hemminger,	Missimer,	Steedle,
Blair, W. F.,	Heyburn,	Mitchell,	Steele,
Bleloch,	Hobbs,	Moore,	Stein,
Brosius,	Howard, J.,	Morrow,	Stone,
Burnett,	Humes,	Moses,	Strauss,
Caldwell,	Irwin, G. C.,	Murphy,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	Neely,	Swift,
Carter,	Jackson,	Newbaker,	Thomas,
Cheeseman,	Kaiser,	Newton,	Trach,
Claycomb,	Keeport,	North,	Ulerich,
Cleary,	Kennedy,	O'Neill,	Ulman,
Collins,	Kern,	Peachey,	Watson,
Conner,	Kitts,	Pennegar,	Wettach,
Conniff,	Klepper,	Pennock,	Whitaker,
Conrade,	Kuhn, H. P.,	Perry, H. L.,	Wildman,
Cox,	Lanius,	Perry, S. J.,	Williams,
Currier,	Latshaw,	Post,	Wilson, J. H.,
Curry,	Lenker,	Redfield,	Wilson, W. H.,
Davis,	Leslie,	Reese,	Wiltbank,
DeFrees,	Letzkus,	Rhoads,	Young, G. K.
Dickinson,	Lohr,	Richards,	Young, J. H.,
Donahoe,	Lowers,	Rockwell,	Zimmerman,
Down,	Malie,	Roney,	Alter,
Ehrhardt,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and coneideration of House bill No. 1027, entitled:

An Act to amend section one of an act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" requiring the erection of medical rooms in the mines and on the surface

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Allen,	Gans,	McAleer,	Sassaman,
Alworth,	Geary,	McAllister,	Savacool,
Ambler,	Good,	McArdle,	Schaeffer, A. C.
Aron,	Grabe,	McClintock,	Semmens,
Baldwin, G. A.,	Gramley,	McDermott,	Shaffer, C. A.,
Baldwin, R. J.,	Gransback,	McKay,	Shaffer, I. E.,
Barner,	Gray, Frank,	McNichol,	Sherwood,
Becker,	Gray, Joseph,	Mechling,	Showalter,
Benninger,	Hackett,	Mellott,	Smith, J. W.,
Benson,	Haggerty,	Metzenbacher,	Smith, L.,
Bergey,	Hemminger,	Miller,	Snyder,
Bigger,	Herman,	Mitchell,	Speiser,
Blair, W. A.,	Heyburn,	Moore,	Spillinger,
Blair, W. F.,	Hobbs,	Morrow,	Steedle,
Brosius,	Howard, J.,	Moses,	Steele,
Brown,	Howard, R.,	Moulthrop,	Stein,
Brownlee,	Humes,	Murphy,	Stone,
Burnett,	Isler,	Musser,	Strauss,
Caldwell,	Jackson,	Neely,	Swartz,
Carson,	Jones, J. R.,	Newbaker,	Swift,
Cheeseman,	Kaiser,	Newton,	Thomas,
Claycomb,	Kaufman,	North,	Trach,
Cleary,	Keeport,	O'Neill,	Ulerich,
Cochran,	Kennedy,	Peachey,	Ulman,
Collins,	Kern,	Pennegar,	Walnut,
Conner,	Kitts,	Pennock,	Walton,
Conniff,	Klepper,	Perry, H. L.,	Watson,
Cox,	Kuhn, H. P.,	Perry, S. J.,	Wettach,
Currier,	Kuhns, E.G.M.,	Peters,	Whitaker,
Curry,	Lanius,	Price,	Whitman,
Davis,	Latshaw,	Ramsey,	Wildman,
DeFrees,	Lenker,	Redfield,	Williams,
Dickinson,	Leslie,	Reese,	Wilson, J. H.,
Donahoe,	Letzkus,	Reeser,	Wilson, W. H.,
Down,			

Dunn, H. B.,	Lohr,	Rhoads,	Wiltbank,
Dunn, J. A.,	Lowers,	Richards,	Young, G. K.
Ehrhardt,	Malie,	Rockwell,	Young, J. H.,
Ely,	Mannion,	Roney,	Zimmerman,
Ewing,	Martin,	Rothenberger,	Alter,
Flynn,	Mather,	Runk,	Speaker.
[illegible] J. D.,	Matt,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 822 (Senate bill No. 103) as follows:

An Act to provide that certain teachers of long experience in the Comcmnwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter certain contracts and providing penalties for the neglect or refusal to perform such duty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of September Anno Domini one thousand nine hundred and thirteen whenever any teacher holding a certificate which confers a permanent right to teach shall have taught for ten years in any one school district of this Comonwealth it shall be the duty of the president and secretary of the board of school directors to execute a contract of permanent employment with such teacher in the school work of such district and thereafter he or she may not be dismissed from the employ of such district except for causes specified in the laws of this Commonwealth

Section 2 That the salary of any teach permanently employed acording to the provisions of this act shall not be reduced nor his or her position changed without his or her consent in writing or upon the recommendation of the two-thirds vote of the schcol directors of the district

Section 3 That any president or secretary of a school board who neglects or refuses to perform his duty as specified in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars

On the question,

Will the House agree to the bill on third reading?

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question,

Shall the bill pass?

Mr. ULERICH. Mr. Speaker.

The SPEAKER. The Gentleman from Westmoreland, Mr. Ulerich.

Mr. ULERICH. Mr. Speaker, this bill comes over from the Senate and on the face of it I suspect we ought to think it a good bill but it is not absolute evidence that it is a good measure because it came from that body. They have a great deal of Senatorial courtesy and it is possible that they will send a bill over here just as we sometimes send a bill over there. In the Committee on Education I have voted to place this bill on the calendar, not because I thought it was a meritorious measure, but because of the more than ordinary interest that is being taken in it by a goodly number of the teachers of this Commonwealth. I thought that a measure which involved as important and as worthy a body of individuals as the teachers of this Commonwealth deserves to be considered by all the members of this House, rather than only by its Committee. There is no doubt in the world and I think we all believe that the teachers of this State are not getting all they deserve. They deserve more in money, they deserve more in kindness, they deserve more in helpfulness, and they desere more in co-operation than they are getting. They are the character builders, in a large measure, of the citizenship of this State. Upon them depends more than any other source or as much as any other source the future greatness of this State. I think each one of us is in sympathy with the school teacher. I am sure we are and I think we are willing to vote for any reasonable measure that would benefit the condition of the teacher. I am sure if it were up to me, that I would be willing to vote for a measure that would make the salary of the teacher, who serves the children in the Commonwealth at least seventy dollars per month and then they should be held in the same high regard as the lawyers, ministers and bankers and other highly respected citizens. They deserve all you give them, but Mr. Speaker, I don't think that this measure is going to help the school teacher. I feel it is going to injure the child. Mr. Speaker, school legislation can always be enacted in the interests of the children. No matter how much you love the school teacher, however, we ought to love the child more. After this measure had passed the Senate, I wrote to twenty of the leading educators of the county, which I have the honor to represent. I enclosed a copy of the bill and I asked them to write to me and tell me what they thought of the measure and if they liked it, they should say so and if they disliked it, they should tell me why they disliked it.

They are as anxious as anybody for the success of the teaching force under their direction, because success for the individual teacher and success for the body means success for the principal and the superintendent, and if, for no other reason that the selfish reason, they are anxious that that body be as efficient as possible. Here is a summary of what these men wrote me. I would like to have the attention of the House in regard to these seven reasons why the bill should not pass. In many cases the necessity of holding the job is a stimulus to fair teaching; remove this incentive and many average teachers would be a decided handicap to the school. There is no question about that. There are average teachers, teachers that are teaching good or fair, simply because they feel that if they do not, and if they go below that standard, they will not get the job the next term, and hence they are doing everything they can to keep up to the mark. If you would elect that teacher permanently, without the power to put them out except under the provisions in the school code, which you would have to go into court to prove, these teachers would not be average teachers. This bill, if enacted into law, would encourage unprogressiveness, self-satisfaction, inactivity and incompetency. It would counteract, in a large measure, the beneficient results of supervision. I want to call the attention of the House to that point. In the school code, we made provision for a large amount of supervision. Now, if you elect the teachers permanently, you will take some of those teachers out of the reach of the supervisors. There is no question about that, and the result is that the children will suffer. Such a law is not needed, for good teachers at present are not only permitted to remain, but are urged to remain. This measure is a purely selfish one; with such a law in force many school boards would, at the end of nine years, refuse to elect a teacher, solely because they would be going into a permanent contract with the teachers. This bill, if enacted into law, would protect the poor teacher and would not in any way benefit the competent one. I want to give you a little concrete example. I know a township that has five teachers in it at the present time who are rather farmers than teachers. They make teaching a sort of side line. These men have all taught for ten years. They are not up to the standard, but teachers in our section are scarce, and they are a little bit better than the sixteen or seventeen year old girl without experience. If this bill were to become a law, these teachers would become permanent teachers—farmer teachers, not very much interested in the school, but teaching as a side line. If you want to do anything for the teachers of this Commonwealth, when the amendment comes up to vote—I think it is—$225,000 to make the minimum salariese $45 and $55 a month, vote for that measure; and then, when the General Appropriation Bill comes up, if you want to do something worth while for the teachers, when $15,000,000 is provided for in the appropriation, vote it $16,000,000, and make a provision to give the teachers one-half of the extra million. In that way you will do something for the teachers of this Commonwealth.

Mr. FLYNN in the Chair.

Mr. GRAMLEY. Mr. Speaker, the bill that is before us, in my opinion, is not a good one. If there is a man on this floor today that has a warm heart for the school teacher, the speaker is that man. If there is one here in this House that has a kind word to say for the good, affectionate teacher, I claim the vanity to be that man. I honor the teacher. Why should I not? It has been my lifework. I respect the woman or the man who makes annual monthly, yes daily sacrifice for the boy and for the girl. I furthermore respect the school board, when the school board to a man stands by its teachers, when they aid this

good work. A good school board can do nothing else. It is the duty of a school board to do that. If it does not, it is delinquent to its duty and should be removed from its office. But, Gentlemen of this House, I regard this bill a dangerous one—no, I will not use that word. I say it is not a good bill, because of the fact that it is human to err. The best of us may fall, the best of us may become derelict to duty; the best one of us may forget himself in the performance of duty, if there is not some spur or whip back of us to keep us at our work. Now, that is true in the school room. My observation and experience in school life has shown me that to be a fact, but while I have said that we must care for the scshool-marms, for the teachers, but after all, gentlemen, back of it all is the boy for whom we must legislate. Now, when I say "boy" I mean the girl, too. If it were not for the boy, we would not need our education department at Harrisburg; we would not need our county and city superintendents; we would not need our school boards; we would not need our teachers; so after all, whatever we do in this lien of work is done for the man of tomorrow and for the woman of tomorrow.

I have a little clipping that I cut from the Philadelphia Ledger a few days ago, and with your permission I will read it.

"Ventnor City, N. J. March 19. A new way of evading the teachers tenure of office act has just been discovered by the Board of Education, which will dispense with the services of the entire staff of teachers at the close of the school year and engage a new staff.

Under the teachers' act teachers continuously employed for three years and engaged for a fourth come under the protection of the statute and cannot be dismissed without formality of hearing and trial. Unless its policy is changed the Ventnor board will employ an entirely new force of the youngest and brightest teachers obtainable for each school term."

Now, gentlemen, I have not read that little article because I am in sympathy with it; absolutely not. I will certainly not support a school board that takes that course. But, gentlemen, are we not enacting this bill into a law and permitting school boards in Pennsylvania to become unscrupulous and injudicious? Will they not do the very same thing? If that is the case, you are defeating the very thing that you want to do. I don't believe, gentlemen, that one efficient teacher will be thrown out of office out of a hundred, because school boards are prompted by politics or by creeds or by something else which would influence them. I know teachers in Centre County who are holding positions under school boards of different political faiths for twenty-five years, and they are sure of their positions today, just as sure as though this bill were a law. But those teachers are doing their duty, and that is what will be the case if they are faithful to their duty, if they do their work they will not be likely to be disturbed. If they are, your remedy is to disturd the school board; the power after all lies in the hands of the people. I am not to sure, gentlemen, whether this bill does not reflect upon school boards. A good efficient school board may well think it is aimed at them. "That legislature is of the opinion that we don't take care of our teachers; it will dictate to us." Isn't that true? Can you and I legislate for them better than the school boards can? And, furthermore, is that our right and privilege? Is that our right and prerogative. At the same time, with the County Superintendents; would you think of doing that? Would you think of hiring and electing your school boards under the same provisions? Would you think that your Educational Department here at Harrisburg should come under this rule, and Dr. Schaeffer, our present superintendent, who held the fort for twenty years plus. I believe, gentlemen, we would better. for the good of our school boards and our school teachers defeat this bill. One word more: I incidentally came in contact with a few educational people in our state since this bill has been on the calendar, and I find no one favors it. Just an hour ago, I read a letter written by a superintendent residing in Centre County, in which he takes strong grounds against this bill. He says it will spoil the teachers. Have you ascertained or have you found a general demand for a bill of this character, outside of the teachers themselves, and not all of them. I am glad to say that I have come in contact with teachers in my county who say, "Don't pass the bill." Teachers that would come under the provisions of this bill. I have not found any general demand for it, but have found objection and opposition to it, and barring the teachers, your teachers' association, I don't believe you have found much of a sentiment in favor of the bill. I believe for the good of our schools it is better for us to vote it down.

Mr. CONNIFF. Mr. Speaker, I desire to interrogate the gentleman from Centre.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. GRAMLEY. Yes, sir, Mr. Speaker.

Mr. CONNIFF. Mr. Speaker, I desire to ask the gentleman from Centre whether or not he was formerly a superintendent of schools.

Mr. GRAMLEY. Yes, sir.

Mr. CONNIFF. Mr. Speaker, I desire to ask the gentleman further whether or not it is true that opposition to this bill comes from Superintendents of schools.

Mr. GRAMLEY. I do not know how to answer that question. No concerted opposition. I know of none. The opposition that I know of came to me incidentally.

Mr. CONNIFF. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ULERICH. Willingly, Mr. Speaker.

Mr. CONNIFF. Mr. Speaker, I would like to know from the gentleman from Westmoreland, whether or not he was formerly a superintendent of schools.

Mr. ULERICH. Mr. Speaker, I was a teacher in the public schools for fifteen years, and a superintendent for twelve.

Mr. CONNIFF. .Mr. Speaker, I deisre to ask the gentleman whether or not opposition to this bill comes from superintendents of schools?

Mr. ULERICH. Not more than from the teachers in the section in which I live. I have letters from two superintendents to the ones that I sent out, and from seventeen that are teachers or supervising principals.

Mr. CONNIFF. Mr. Speaker, this bill in its language is very plain and simple. It is not legislation in favor of superintendents of schools, neither is it legislation in favor of school directors or school controllers. It is simply a bill to relieve school teachers from the actions of school directors who are petty politicians, and it is to take them away from the distress that is laid upon them by certain school directors in different parts of this State. The first section of this bill merely says that when a school teacher has a permanent certificate, a certificate giving her or him a permanent right to teach, that the school directors, through their president and secretary, shall enter into a permanent contract with that teacher.

Now the school directors might get over that first section by not relieving the teacher from his or her school, but by reducing his or her salary or removing her or him to a place undesirable, therefore humiliating the teacher and embarrassing the teacher to such an extent that he or she would have to resign. Now in the argument of the gentleman from Westmoreland and from Centre, I fail to see any argument or any point against this bill. The gentleman from Centre mentioned the fact during his remarks that school superintendents do not favor this bill. The gentleman from Westmoreland, in answer to my interrogation, stated that he had communications from County Superintendents against this bill. We all know that. We know that the Superintendents and the Directors of Schools are opposed to this measure. Nevertheless we are here legislating for the School Teachers as well as for the School Directors and School Superintendents and it is high time in this State that we should legislate in favor of those teachers. I am going to display, or try to display before you at this time, the good that the school teacher does. We all know it. In fact, the gentlemen who have spoken before me admitted that legislation should be made in favor of school teachers; but, as I said before, we believe it is high time in this State that we should legislate for them and even legislate as against School Directors and School Superintendents. Take the teacher away from these petty political strifes and fix her in her school so that she will not depend upon the political complexion of the School Board.

Mr. ULERICH. Mr. Speaker, I desire to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, I will.

Mr. ULERICH. Mr. Speaker, will the gentleman from Luzerne tell me why he thinks that Superintendents could be against this measure?

Mr. CONNIFF. Mr. Speaker, for this reason: The bill as originally presented to the Senate had in there a clause to the effect that the school teacher might be removed or might be reduced in her salary upon the recommendation of the School Superintendent. The Senate Committee struck out the clause. And as a further reason, I would answer the gentleman that I know of school superintendents in my district or direction who are opposed to this bill from the standpoint of the School Superintendent and because of the fact also that the School Directors have coerced the School Superintendents to come here to this lobby and lobby against this bill. And furthermore, the School Directors in my locality, school directors who are friends of mine in my district, have told the school teachers in that district that they should not send a telegram and should not come here to lobby in favor of this bill.

Mr. ULERICH. Mr. Speaker, I would like to ask the gentleman from Luzerne whether he can tell me if he has seen a county superintendent that is now in office, in this room within the last two weeks.

Mr. CONNIFF. Mr. Speaker, I have seen at my desk here Superintendent Hoffman, Superintendent of the Schools of the City of Wilkes-Barre.

Mr. ULERICH. Any more.

Mr. CONNIFF. Not that I recall within the last two weeks.

Mr. ULERICH. Mr. Speaker, I would like to ask the gentleman this further question. Why would a school director who has been sworn to do the best he knows how for the children of the Commonwealth or his district, if he thinks that this measure would be beneficial to his school why should he be against it?

Mr. CONNIFF. Mr. Speaker, I do not refer to all superintendents but I say that some would be against it for political reasons.

Mr. ULERICH. Mr. Speaker, and gentlemen of the House, just one word. We have received a great many letters on this subject from one territory, largely from the central part of the State. From all western Pennsylvania, so far as my knowledge goes, outside of Connemaugh, in Cambria County, and one other place, I have not received or do I know a member that has received from western Pennsylvania a letter relative to this measure, but we have received letters asking to oppose it. I have no doubt that up in the gentleman's district, up in Luzerne County, that there must be some politics in the school matters up there; but why should a measure, a local matter of that kind require a bill like this that will, in my judgment, be against the best interests of the teacher and the best interests of the pupil?

Now I want to tell you of a statement made by a school director. He said we have eight teachers and if we hire them in June, they will commence to teach in September. Then just as soon as they have commenced teaching in September we will have to make a permanent contract with those eight teachers. He says that "we wouldn't do it, that we would not elect those teachers at all." That is a sample of what will happen all over the State, that teachers that are good on account of this measure and on account of the unwillingness of the school board to make permanent contracts, that there will be no contract made at all. You are doing the teachers an injury instead of doing them a benefit and there is no question about it.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to interrogate the Chairman of the Committee on Education in relation to this matter.

The SPEAKER. Will the Chairman of the Committee on Education (C. M. C. Campbell), permit himself to be interrogated?

Mr. C. M. C. CAMPBELL. Mr. Speaker, I will.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to ask the Chairman, did you have a meeting of the teachers before your committee some two weeks ago?

Mr. C. M. C. CAMPBELL. Yes, sir.

Mr. CHARLES A. SHAFFER. Were there any superintendents with this Committee of teachers?

Mr. C. M. C. CAMPBELL. Not to my knowledge.

Mr. CHARLES A. SHAFFER. Do you know whether they took a vote as to the stand upon this bill, the teachers themselves?

Mr. C. M. C. CAMPBELL. Mr. Speaker, I do not.

Mr. CHARLES A. SHAFFER. All right. Mr. Speaker, I believe that most of you have received telegrams and letters, the same as I have myself, in the interest of this bill. I want to say further than that, after receiving a number of messages pertaining to this bill I have taken it upon myself and my time to consult with a number of business men in my county and public school teachers in my county pertaining to this bill. I have asked one gentleman the other day that sent me one telegram, "what was the object of this telegram for this bill?" He says: "One of the school teachers came in and told me it was a bill pertaining to salary, from forty to forty-five dollars and from fifty to fifty-five dollars, Senate Bill 103." I showed him the bill and he seen where he was mistaken and he said he was now against the bill. A number of business men in the town where I live and Bloomsburg and other parts of the county who I have consulted have taken the same view. One of the teachers that was down here the other week says this to me. That in the petition sent to me her name is on; but a number of teachers did not see the bill, never saw the bill and did not know the contents of the bill, but listened to others who had told them. She said: "Now I am against this bill and the teachers are not in favor of it." Of the forty-six teachers present before the Educational Committee a vote was taken and the vote stood 22 to 24 in favor of the bill. The same person tells me that if the entire number could have been there the teachers present would have been against this bill. Therefore, Gentlemen of the House it is my opinion at this time that the passage of this bill is a disadvantage to the school teacher for different reasons, and I think that we should not at this time pass this Senate Bill No. 103 and I hope that your vote will be so recorded.

Mr. CHEESEMAN. Mr. Speaker, if there is any question coming before this House that would interest me, it is the question affecting the public schools. I want to mention a few things that appeal to me in this matter, not desiring to take much of your time, knowing that much time is spent here when members are impatient to vote, and I have no doubt that the members of this House have their minds pretty well made up how they are going to vote on this question. But if I should fail to express my sentiments on this question I would feel that I had been derelict in my duty. I have extreme sympathy for school teachers and interest in their work, and in, as I have said, the schools. I have been a teacher myself and I have sons who are teaching and I regard the interests of schools as of paramount interest in our social and governmental strength.

Now as to the merits of this bill coming before us, a remark was made by my friend from Westmoreland County concerning it being brought from the Senate, I was speaking to a Senator in this room last evening after we had adjourned. I asked him what was the interest in this bill, what he thought of it. "Well", he says "out of respect for the sponsor of this bill I voted for it, but I do not think much of it." Perhaps the majority of the Senate voted for it on that strength and it has come to us to determine what to do. I do not know but that perhaps is the case. We sometimes send bills over there for them to kill.

The provisions of this bill have been stated, that after a teacher has taught ten years in a school district continuously he or she cannot be removed except by cause, which is almost impossible. A teacher could be inefficient and an unworthy teacher and yet there is no possibility to remove him or her except by a cause such as specified in the school code. The only thing that should retain a teacher in a public school is efficiency. Mr. Speaker, a teacher who does not give satisfaction in a school should not stay there for any reason. If a condition was such that a teacher is not at fault, if there is any dissatisfaction even though the teacher is wholly blameless and yet the teacher is unable to do good work there, she should go somewhere else and find work. Efficiency is the one important thing. One of the essential things that would make a teacher efficient is the co-operation and good will of the school and the pupils and the parents at home. If you tie a teacher to one school, you make the conditions such that she cannot be removed, and it is going to cause a certain amount of antagonism to those people when they learn that under such conditions they cannot remove her. If they are efficient and she cannot do the work in that school she should go somewhere else. She should go to some other place to get work, and

if she cannot get a school were she can do good work, she had better not teach. I have all sympathy for the teacher, but I also have sympathy for the school and for the children, and under such circumstances I would say that we should not tie a teacher to one school were it will be impossible to remove.

Mr. MARTIN. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Ulerich.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. ULERICH. I will.

Mr. MARTIN. I would like to ask the gentleman if this bill is enacted into a law whether it would not help largely to eliminate the very poor teachers.

Mr. ULERICH. Mr. Speaker, if there were enough good teachers to go around, it would, but there are not enough by one-half.

Mr. MARTIN. Mr. Speaker, I would like to ask the gentleman whether if this does not become a law we will still have the poor teachers?

Mr. ULERICH. Just until the time until we have a sufficient number of good teachers.

Mr. MARTIN. Mr. Speaker, I would like to ask the gentleman further this? Do not a great majority of teachers in the State of Pennsylvania favor this bill?

Mr. ULERICH. I do not think so.

Mr. MARTIN. Mr. Speaker, I have letters and telegrams to that effect from all portions of the State, from Philadelphia to the western end of the State. I want to ask one more question. Is it not a fact that in sections of our State some of the best teachers have lost their positions on account of politics?

Mr. ULERICH. Mr. Speaker, I want to answer that question. In all my experience of twenty-seven years, I can count on the fingers of one hand all the teachers that I know of who have lost their positions through politics.

Mr. MARTIN. In Pennsylvania?

Mr. ULERICH. Yes, sir.

Mr. MARTIN. Mr. Speaker, I have a very brief paper here that I would like to read, if you will permit me. It is from the Teachers' League of Pennsylvania, and it sums the whole matter up briefly.

"The teachers of Pensylvania ask you to vote for their Tenure of Office Bill. This measure, if it becomes a law, will be of untold benefit to the teachers and pupils in the townships and rural districts. In the cities and larger towns, the advantage of retaining successful and experienced teachers has long been recognized. These teachers keep their positions while their work is satisfactory. But in the other districts, the teachers are never sure of their positions, no matter how succesful they have been. This continual anxiety must affect the happiness of the teacher and pupils in her charge. It is an additional disadvantage to these children to have a succession of young and inexperienced teachers. As soon as a teacher is worth more than the minimum salary, the thrifty school board dismisses her and installs a beginner in her place.

The teacher who has taught ten years in one district has proved her fitness and deserves to be relieved from any further uneasiness of mind. A tenure of office bill will help to lift the schools out of politics, and will place teachers on the same economic level as other government employes"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. MARTIN. Mr .Speaker, I call for a verification of the roll.

The roll was verified as follows:

YEAS—118.

Adams,	Geary,	Mather,	Showalter,
Ambler,	Gibson,	McAleer,	Smith, J. W.,
Aron,	Good,	McArdle,	Smith, L.,
Arthur,	Goss,	McClintock,	Speiser,
Benninger,	Gransback,	McDermott,	Spillinger,
Bigger,	Gray, Joseph,	McKay,	Steedle,
Bleloch,	Hackett,	McNichol,	Stein,
Brown,	Haggerty,	Miller,	Stone,
Caldwell,	Heidinger,	Missimer,	Strauss,
Campbell, C.M.,	Hobbs,	Moore,	Swartz,
Claycomb,	Howard, R.,	Morrow,	Thomas,
Cleary,	Humes,	Murphy,	Trach,
Collins,	Isler,	Neely,	Ulman,
Conner,	Irwin, H. H.,	Newbaker,	Walnut,
Conniff,	Jackson,	Newton,	Walsh,
Conrade,	Jones, J. R.,	North,	Walton,
Cox,	Kaiser,	O'Neill,	Watson,
Curry,	Kaufman,	Peachey,	Wettach,
Davis,	Keegan,	Perry, S. J.,	Whitaker,
DeFrees,	Keeport,	Peters,	Wildman,
Dickinson,	Kern,	Piper,	Williams,
Donahoe,	Kitts,	Price,	Wilson, J. H.,
Donnally,	Klepper,	Reese,	Wilson, W. H.,
Dunn, J. A.,	Kuhn, H. P.,	Rex,	Wiltbank,
Ehrhardt,	Kuhns, E.G.M.,	Richards,	Young, G. K.
Eichenberger,	Latshaw,	Roney,	Zimmerman,
Ewing,	Lenker,	Rothenberger,	Alter,
Fahey,	Malle,	Runk,	Speaker.
Forster, L. G.,	Mannion,	Schaeffer, A. C	
Foster, J. D.,	Martin,	Shaffer, I. E.,	
Gans,			

NAYS—65.

Allen,	Down,	Lowers,	Reeser,
Alworth,	Dunn, H. B.,	Matt,	Rhoads,
Baldwin, G. A.,	Ely,	McAllister,	Sassaman,
Baldwin, R. J.,	Flynn,	Mellott,	Savacool,
Barner,	Glenn,	Metzenbacher,	Schuck,
Becker,	Grabe,	Mitchell,	Scott, J. R. K.,
Benson,	Gramley,	Moses,	Scott, S. B.,
Bergey,	Gray, Frank,	Moulthrop,	Semmens,
Bittles,	Hemminger,	Musser,	Shaffer, C. A.,
Blair, W. A.,	Herman,	Neel,	Snyder,
Blair, W. F.,	Heyburn,	Pennegar,	Spangler,
Brosius,	Howard, J.,	Pennock,	Steele,
Brownlee,	Irwin, G. C.,	Perry, H. L.,	Swift,
Burnett,	Jones, E. E.,	Post,	Ulerich,
Carson,	Kennedy,	Ramsey,	Whitman,
Cheeseman,	Leslie,	Redfield,	Young, J. H.,
Currier,	Lohr,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REASONS FOR VOTE.

Mr. MITCHELL. Mr. Speaker, I oppose this legislation because I am a friend of the teacher. If enacted into law, it may and very likely will prove a boomerang. Boards may resent the legislation as a trespass upon their prerogatives and rather than to enter into a permanent contract with the teacher after ten years' of teaching in one district, the board may lead the teacher through nine years of service and right up to the point, then dismiss her. You will notice that the teaching period is not cumulative but must be in one district, so after nine years the teacher may have to start all over in a foreign district.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 696, as follows:

An Act providing and requiring standard provision in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen no policy of insurance against loss from sickness or damage from bodily injury or death of the insured by accident shall be issued or delivered to any person in this Commonwealth until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with the Insurance Commissioner nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed unless the said Commissioner shall sooner give his written approval thereto If the said Commissioner shall notify in writing the company corporation association society or other insurer which has filed such form that it does not comply with the requirements of law specifying the reasons for his opinion it shall be unlawful thereafter for any such insurer to issue any policy in such form The action of the said Commoissioner in this regard shall be subject to review by the court of Common Pleas of Dauphin county

Section 2 No such policy shall be issued or delivered except subject to the following conditions (1) unless the entire money and other consideration therefore are expressed in the policy nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the insurer nor (3) if the policy purports to insure more than one person nor (4) unless every printed portion thereof and of any indorsements or attached papers shall be plainly printed in type of which the face shall be not smaller than ten point or (5) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall be not smaller than fourteen point nor (6) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply Provided however That any portion of such policy which

purports by reason of the circumstances under which a loss is incurred to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold face type and with greater prominence than any other portion of the text of the policy

Section 3 Every such policy so issued shall contain certain standard provisions which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "Standard Provisions" In each such standard provisions wherever the word "Insurer" is used there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate to the insurer Said standard provision shall be

(1) A standard provision relative to the contract which may be in either of the following two forms Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation and Form (B) to be used in policies which do so provide If Form (B is used and the policy provides indemnity against loss from sickness the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured"

(a) 1 This policy includes the endorsements and attached papers if any and contains the entire contract of insurance No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation

(b) 1 This policy includes the endorsement and attached papers if any and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy or while he is doing any act or thing pertaining to any occupation so classified except ordinary duties about his residence or while engaged in recreation in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation

If the law of the state in which the insured resides at the time this policy is issued required that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the state official having supervision of insurance in such state then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law but if such filing is not required by such law then they shall mean the insurer's premium rates and classification of risks last made effective by it in such state prior to the occurrence of the loss for which the insurer is liable ..

(2) A standard provision relative to changes in the contract which shall be in the following form

2 No statement made by the applicant for insurance not included herein shall be avoid the policy or be used in any legal proceeding hereunder No agent has authority to change this policy or to waive any of its provisions No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon

(3) A standard provisions relative to reinstatement of policy after lapse which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness

(A) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover loss resulting from accidental injury thereafter sustained

(B) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premimum by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten days after the date of such acceptance

(C) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance

(4) A standard provision relative to time of notice of claim which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness If Form (A) or Form (C) is used the insurer may at its option add thereto the following sentence "In event of accidental death immediate notice thereof must be given to the insurer"

(A)—4 Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury

(B)—4 Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness

(C)—4 Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness

(5) A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the blank space such office and its location as it may desire to designate for such purpose of notice

5 Such notice given by or in behalf of the insured or beneficiary as the case may be to the insurer at..... or to any authorized agent of the insurer with particulars sufficient to indentify the insured shall be deemed to be notice to the insurer Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible

(6) A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows

6 The insurer upon receipt of such notice will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not so furnished within fifteen days after the receipt of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurrence character and extent of the loss for whch claim is made

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided

(A)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made

(B)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable

(C)—7 Affirmatve proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss

(8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following form

8 The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law

(9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability The insurer shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time not more than sixty days as it may desire Form (A) to be used in policies which do not provide indemnity for loss of time on account of disability and Form (B) to be used in policies which do so provide

(A) 9 All indemnities provided in this policy will be paid .....after receipt of due proof

(B) 9 All indemnities provided in this policy for loss other than that of time on account of disability will be paid ..... after receipt of due proof

(10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability which provision shall be in the following form and which may be omitted from any policy not providing for such indemnity The insurer shall insert in the first blank space of the form appropriate language to designate the proportion of accrued indemnity it may desire to pay which proportion may be all or any part not less than one-half and in the second blank space shall insert any period of time not exceeding sixty days

10 Upon request of the insured and subject to due proof of loss ..... accrued indemnity for loss of time on account of disability will be paid at the expiration of each ..... during the continuance of the period for which the insurer is liable and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof

(11) A standard provision relative to indemnity payments which may be in either of the two following forms Form (A) to be used in policies which designate a beneficiary and Form (B) to be used in policies which do not designate any beneficiary other than the insured

(A) 11 Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured and otherwise to the estate of the insured All other indemnities of this policy are payable to the insured

(B) 11 All the indemnities of this policy are payable to the insured

(12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form

12 If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy the insurer upon written request of the insured and surrender of the policy will cancel the same and will return to the insured the unearned premium

(13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary

13 Consent of the beneficiary shall not be requisite to surrender or assignment of this policy or to change of beneficiary or to any other changes in the policy

(14) A standard provision limiting the time within which suit may be brought upon the policy as follows

14 No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of the loss has been filed in accordance with the requirements of this policy nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy

(15) A standard provision relative to time limitations of the policy as follows

15 If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued such limitation is hereby extended to agree with the minimum period permitted by such law

Section 4 No such policy shall be so issued or delivered which contains any provisions (1) relative to cancellation at the instance of the insurer or (2) limiting the amount of indemnity to a sum less than the amount stated in the policy and for which the premium has been paid or (3) providing for the deduction of any premium from the amount paid in settlement of claim or (4) relative to other insurance by the same insurer or (5) relative to the age limits of the policy unless such provisions which are hereby designated as optional standard provisions shall be in the words and in the order in which they are hereinafter set forth but the insurer may at its option omit from the policy any such optional standard provision Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in section three of this act

(1) An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows

16 The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured and such cancellation shall be without prejudice to any claim originating prior thereto

(2) An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows

17 If the insured shall carry with another company corporation association or society other insurance covering the same loss without giving written notice to the insurer then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loan and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined

(3) An optional standard provision relative to deduction of premium upon settlement of claim as follows

18 Upon the payment of claims hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom

(4) An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification or risks filed as required by this act

(A) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity in excess of $..... the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(B) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(C)—19 If a like policy or policies previously issued by the insurrer to the insured be in force concurrently herewith making the aggreate indemnity for loss other than that of time on account of disability in excess of $..... or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured

(5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect

20 The insurance under this policy shall not cover any person under the age of.....years nor over the age of.... years Any premium paid to the insurer for any period not covered by this policy will be returned upon request

Section 5 No such policy shall be issued or delivered if it contains any provision contradictory in whole or part of any of the provisions hereinbefore in this act designated as "Standard Provisions" or as "Optional Standard Provisions" nor shall any endorsements or attached papers vary alter extend be used as a substitute for or in any way conflict with any of the said "Standard Provisions" or the said "Optional Standard Provisions" nor shall such policy be so issued or delivered if it contains any provision purporting to make any portion of the charter constitution or by-laws of the insurer a part of the policy unless such portion of the charter constitution or by-laws shall be set forth in full in the policy but this prohibition shall not be deemed to apply to any statement of rates of classification of risks filed with the Insurance Commissioner in accordance with the provisions of this act

Section 6 The falsity of any statement in the application for any policy covered by this act shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer

Section 7 The acknowledgment by any insurer of the receipt of notice given under any policy covered by this act or the furnishing of forms for filing proofs of loss or the acceptance of such proofs or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy

Section 8 No alteration of any written application for insurance by erasure insertion or otherwise shall be made by any person other than the applicant without his written consent and the making of any such alteration without the consent of the applicant shall be a misdemeanor If such alteration shall be made by any officer of the insurer or by any employee of the insurer with the insurer's knowledge or consent then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application The commissioner may revoke the license of the insurer for any violation of this section

Section 9 A policy issued in violation of this act shall be held valid but shall be construed as provided in this act and when any provision in such a policy is in conflict with any provision of this act such provision shall be invalid and the policy shall be deemed to contain all of the standard provisions

Section 10 The policies of insurance against accidental bodily injury or sickness issued by an insurer not organized under the laws of this Commonwealth may contain when issued in this Commonwealth any provision which the law of the State territory or district of the United States under which the insurer is organized prescribes for insertion in such policies and the policies of insurance against accidental bodily injury or sickness issued by an insurer organized under the laws of this Commonwealth may contain when issued or delivered in any other State territory district of country any provision required by the laws of the State territory district or country in which the same are issued anything in this act to the contrary notwithstanding

Section 11 Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this act or in the benefits payable thereon or in any of the terms of conditions of such policy or in any other manner whatsover is prohibited

Section 12 (1) Nothing in this act however shall apply to or affect any policy or liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof or to any corporation co-partnership association or individual employer police or fire department underwriters' corps salvage bureau or like associations or organizations where the officers members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy

(2) Nothing in this act shall apply to or in any way effect contracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness provided that no such supplemenetal contract shall be issued or delivered to any person in this Commonwealth unless and until a copy of the form thereof has been submitted to and approved by the Insurance Commissioner under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him

(3) Nothing in this act shall apply or in any way affect fraternal benefit societies

(4) The provisions of this act contained in clause (five) of section two and clauses two three eight and twelve of section three may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employees

Section 13 Every company corporation association society or other insurer or any officer or agent thereof which or who issues or delivers to any person in this Commonwealth any policy in willful violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars for each offense The Insurance Commissioner may revoke the license of any company corporation association society or other insurer of another State or country or of the agent thereof which or who willfully violates any provision of this act

Section 14 This act shall take effect on the first day of October one thousand nine hundred and thirteen Any policy covered by this act the form of which has received the approval of the Insurance Commissioner may be issued or delivered in this Commonwealth on and after the said date

Section 15 Section twenty-six twenty-seven twenty-eight twenty-nine thirty and thirty-one of the act approved June first one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of causalty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" are repealed

All other acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Allen,	Eichenberger,	Lohr,	Richards,
Alworth,	Ely,	Lowers,	Rockwell,
Ambler,	Ewing,	Malie,	Roney,
Aron,	Flynn,	Mannion,	Rothenberger,
Arthur,	Gans,	Martin,	Sassaman,
Baldwin, G. A.,	Geary,	Mather,	Savacool,

Baldwin, R. J.,	Gibson,	McAleer,	Schaeffer, A. C
Barner,	Good,	McAllister,	Semmens,
Becker,	Goss,	McArdle,	Shaffer, C. A.,
Benninger,	Gramley,	McClintock,	Shaffer, I. E.,
Benson,	Gransback,	McDermott,	Sherwood,
Bigger,	Gray, Frank,	McNichol,	Showalter,
Bittles,	Gray, Joseph,	Mechling,	Smith, J. W.,
Blair, W. A.,	Hackett,	Metzenbacher,	Smith, L.,
Bleloch,	Haggerty,	Missimer,	Speiser,
Brosius,	Hemminger,	Mitchell,	Spillinger,
Brownlee,	Heyburn,	Moore,	Steedle,
Burnett,	Hibshman,	Morrow,	Stein,
Caldwell,	Hobbs,	Moses,	Stone,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Strauss,
Carson,	Irwin, G. C.,	Murphy,	Swartz,
Carter,	Irwin, H. H.,	Musser,	Swift,
Cheeseman,	Jackson,	Neel,	Thomas,
Claycomb,	Jones, E. E.,	Neely,	Trach,
Cleary,	Jones. J. R.,	Newbaker,	Ulerich,
Cochran,	Kaiser,	Newton,	Ulman,
Collins,	Kaufman,	North,	Walnut,
Conner,	Keeport,	O'Neill,	Walsh,
Conrade,	Kennedy,	Peachey,	Walton,
Cox,	Kern,	Pennegar,	Whitaker,
Currier,	Kitts,	Pennock,	Whitman,
Curry,	Klepper,	Perry, H. L.,	Wildman,
Davis,	Kuhn, H. P.,	Perry, S. J.,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Peters,	Wilson, W. H.,
Donahoe,	Lanius,	Piper,	Wiltbank,
Donnally,	Lenker,	Price,	Young, G. K.
Down,	Leslie,	Ramsey,	Zimmerman,
Irwin. H. H.,	Letzkus,	Redfield.	Alter,
Dunn, J. A.,		Reeser,	Speaker.
Ehrhardt,			

NAYS—1.

Latshaw,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JACKSON. Mr. Speaker.

The SPEAKER. The gentleman from Wayne, Mr. Jackson.

Mr. JACKSON. Mr. Speaker, I wish to call up at this time, from page 30 of to-day's Calendar, bills on third reading postponed for the present, House Bill No. 157, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 157, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Allen,	Ewing,	Letzkus,	Rhoads,
Aron,	Flynn,	Lohr,	Richards,
Arthur,	Gans,	Malie,	Rockwell,
Baldwin, G. A.,	Gibson,	Mannion,	Sassaman,
Baldwin, R. J.,	Glenn,	Martin,	Schaeffer, A. C
Becker,	Good,	McAleer,	Semmens,
Bigger,	Goss,	McArdle,	Showalter,
Brosius,	Gramley,	McClintock,	Smith, J. W.,
Brown,	Gransback,	McKay,	Smith. L.,
Brownlee,	Gray, Joseph,	McNichol,	Snyder,
Caldwell,	Hackett,	Miller,	Spangler,
Campbell, C.M.,	Haggerty,	Missimer,	Spillinger,
Campbell, J. J.,	Heyburn,	Mitchell,	Steedle,
Carter,	Hibshman,	Moore,	Steele,
Cheeseman,	Hobbs,	Moses,	Stone,
Claycomb,	Isler,	Moulthrop,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Conner,	Irwin, H. H.,	Newbaker,	Thomas,
Conrade,	Jackson,	North,	Ulerich,
Cox,	Jones, E. E.,	O'Neill,	Walnut,
Currier,	Jones, J. R.,	Peachey,	Walsh,
Curry,	Keeport,	Pennegar,	Walton,
Davis,	Kennedy,	Pennock,	Watson,
DeFrees,	Kitts,	Perry, S. J.,	Wettach,
Dickinson,	Kuhns, E.G.M.,	Peters,	Whitman,
Donahoe,	Lanius,	Piper,	Wildman,
Dunn, J. A.,	Latshaw,	Ramsey,	Wiltbank,
Ehrhardt.	Lenker,	Redfield	Young, G. K.
Eichenberger,	Leslie,	Rex,	Zimmerman,
Ely,			

NAYS—34.

Barner,	Down,	Kern,	Speiser,
Benson,	Forster, I. G.,	McDermott,	Trach,
Bergey,	Foster, J. D.,	Metzenbacher,	Ulman,
Bittles,	Grabe,	Morrow,	Whitaker,
Blair, W. F.,	Gray, Frank,	Musser,	Wilson, J. H.,
Bleloch,	Heidinger,	Perry, H. L.,	Wilson, W. H.,
Body,	Hemminger,	Post.	Alter,
Burnett,	Howard, R.,	Roney,	Speaker.
Donnally,	Humes,	Rothenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to call up House Bill No. 442, file folio 2029, on page 31 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 442, entitled :

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Comonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker, I would like to have the author explain the purpose of this amendment.

Mr. JAMES A. DUNN. Mr. Speaker, this bill is for the purpose of correcting what I might term an oversight of the framers of the school code. That is, in not permitting orphans of our orphan institutions to attend public schools in this great Commonwealth. They have to pay tuition and text-books. That is the whole purpose of this bill. I think that the bill as it is framed, and I believe almost every member of this House considering the seriousness of this question, that we as legislators should first legislate in the interest of the orphans and unfortunates. In these homes, some of them which are fraternal institutions, they support and try to raise these children as good citizens of this Commonwealth. These homes are for the purpose of raising those children. In these homes most of the children to which I refer are native-born Pennsylvanians, and the fraternal organizations to which I am referring are not sectarian organizations, are not partisan organizations, and take in every class of children who are willing to be good citizens of these United States. They support these homes by contributions and assessments, but they don't think it is right, as citizens of this Commonwealth, that they should be compelled to pay for their tuition and text-books. Gentlemen, in my county, I judge we support at the present time 30,000 children, aliens, who pay no tax, who are responsible to nobody. In this great Commonwealth of ours, we are compelled to educate these children under the Compulsory Education Act, 30,000 of them or more. This bill provides for these orphans to be educated in the public schools, native-born Pennsylvanians. I think we are doing an injustice to that body of unfortunates when we compel them to pay tuition and text-books and be educated in the public schools of this great Commonwealth. I only ask you, my friends and members of this House, to support this bill and to consider this question, 150,000 citizens of this Commonwealth are back of this bill. In every hamlet, in every town, in every township, in every city of this great Commonwealth, you will find them going around doing the work of the Good Samaritan. That is the only purpose. In the name of Charity they are doing the good work. I think that the Comomnwealth of Pennsylvania ought to be able to educate the orphans, especially those who are native-born in this State of ours, and that is all I ask.

Mr. ROCKWELL. Mr. Speaker, I would like to ask the gentleman a question for information.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JAMES A. DUNN. Yes, sir, Mr. Speaker.

Mr. ROCKWELL. Mr. Speaker, can the gentleman tell us how many such schools there are that would be affected by this act?

Mr. JAMES A. DUNN. How many schools?

Mr. ROCKWELL. How many there are.

Mr. JAMES A. DUNN. No, I cannot tell him exactly how many there would be; a great number probably throughout the State, but I cannot just say exactly how many there would be.

Mr. ROCKWELL. Mr. Speaker, the result of this bill would be to cause in townships that had such schools to educate such children at the local township's expense.

Mr. JAMES A. DUNN. Well, probably it would; that would be perfectly right.

Mr. ROCKWELL. Mr. Speaker, that was the only thing I had in mind. I do not care to oppose this bill. The bill is perfectly proper, but if there is a local township, say a small township, that has one of these schools in it, it would compel that small township to bear the whole expense of educating those children and it would not be distributed around as it is now.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Adams,	Fahey,	Matt,	Schaeffer, A. C
Ambler,	Flynn,	McAleer,	Scott, S. B.,
Aron,	Forster, I. G.,	McAllister,	Semmens,
Arthur,	Foster, J. D.,	McArdle,	Sherwood,
Barner,	Gans,	McClintock,	Showalter,
Becker,	Gibson,	McDermott,	Smith, J. W.,
Benninger,	Good,	McNichol,	Smith, L.,
Benson,	Goss,	Mechling,	Snyder,
Bigger,	Grabe,	Metzenbacher,	Spangler,
Blair, W. F.,	Gramley,	Miller,	Speiser,
Bleloch,	Cransback,	Missimer,	Spillinger,
Body,	Gray, Frank,	Moore,	Steedle,
Brown,	Gray, Joseph,	Morrow,	Steele,
Brownlee,	Hackett,	Murphy,	Stein,
Burnett,	Haggerty,	Musser,	Strauss,
Campbell, C.M.,	Heidinger,	Neely,	Swartz,
Carson,	Hobbs,	Newbaker,	Swift,
Carter,	Howard, R.,	North,	Thomas,
Claycomb,	Humes,	O'Neill,	Trach,
Cleary,	Isler,	Perry, H. L.,	Ulerich,
Collins,	Irwin, G. C.,	Perry, S. J.,	Ulman,
Conner,	Irwin, H. H.,	Piper,	Walnut,
Conniff,	Jackson,	Post,	Walsh,
Conrade,	Jones, E. E.,	Price,	Walton,
Cox,	Jones, J. R.,	Redfield,	Watson,
Curry,	Kaiser,	Reese,	Whitaker,
Davis,	Kaufman,	Rex,	Wildman,
Dickinson,	Keegan,	Rhoads,	Williams,
Donahoe,	Keeport,	Richards,	Wilson, J. H.,
Donnally,	Kitts,	Rockwell,	Wilson, W. H.,
Dunn, H. B.,	Latshaw,	Roney,	Wiltbank,
Dunn, J. A.,	Leslie,	Rothenberger,	Young, C. K.,
Ehrhardt,	Letzkus,	Runk,	Zimmerman,
Eichenberger,	Mannion,	Sassaman,	Alter,
Ely,	Martin,	Savacool,	Speaker.
Ewing,			

NAYS—14.

Allen,	Cheeseman,	Kennedy,	Peachey,
Baldwin, G. A.,	DeFrees,	Neel,	Pennegar,
Bergey,	Down,	Newton,	Pennock,
Blair, W. F.,	Heyburn,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF THE COMMITTEE TO INVESTIGATE THE SERVICE AND EFFICIENCY OF THE SENATE AND HOUSE EMPLOYES.

Mr. HUMES. Mr. Speaker, I ask unanimous consent to make a report of a Committee at this time.

The SPEAKER. Will the House give unanimous consent for the presentation of the report at this time? The Chair hears no objection and consent is granted.

Mr. HUMES. Mr. Speaker, I present the report of your Committee to investigate as to the necessity for, efficiency, number and salaries of the officers of the Senate and House of Representatives.

The SPEAKER. The report will be read by the Clerk.

The report was read by the Clerk as follows:

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Your Committee created under authority of a resolution adopted March 13, 1913, and directed "to investigate as to the necessity for, efficiency, number and salaries of the officiers and employes of the Senate and House of Representatives" begs leave to submit the following report:

Pursuant to their appointment, your Committee organized by the election of a Chairman and a Secretary, and proceeded to hold public hearings, and to summon before it the various officers and employes of the Senate and House of Representatives, for the purpose of determining the nature of the duties performed or intended to be performed by each, the efficiency of the individual officers and employes, and the efficiency of the system in vogue at this time.

The testimony taken by your Committee is submitted herewith.

As a result of the investigation your Committee makes the folowing findings:

1. That the present system is cumbersome and unsatisfactory, and that efficiency and economy are not conserved by it.

2. That the money expended by the Commonwealth in maintaining the present system is entirely out of proportion with the efficiency of the service secured.

3. That the number of employes is greatly in excess of the legitimate requirements of either the Senate or House of Representatives.

4. That in many instances a practice of substituting another to do the work of the regular employe is carried on, although in some instances the employes themselves have recognized the impropriety of the practice, and claim that the substitution is merely the hiring by them of assistants.

5. That the present practice of electing officers and employes to particular positions results in an unequitable division of the work, and, as a result your Committee has discovered that while some of your officers and employes have frequently been compelled to work from twelve to fifteen hours in a given day, other employes, who are receiving equal, if not larger compensation, have done absolutely nothing, and several of the employes of the House have not done a single stroke of work since the date of their election, while at various times, the force in some other particular department has been compelled to work overtime in order to complete its labors.

Your Committee therefor recommends a change in the present system and believes that the efficiency and economy of the service requires that there should be as little division of authority over the employes as may be compatible with the performance of the necessary service.

Having this end in view, your Commission is of the opinion that the service required by the Senate and House of Representatives should be of two kinds:

First. The expert and purely clerical service for which the Chief Clerk should be held responsible, and which should be performed directly under his supervision.

Second. The manual service, the proper supervision of which should be in the hands of the Chief Sergeant-at-Arms.

The only modification necesary in this general division is, that the employes who perform manual service during the interim between sessions should be responsible to the Chief Clerk, as he is the active representative of the Senate and House of Representatives between sessions of these bodies.

In addition to this general classification, there is a class of menial labor required in the washrooms and coat-rooms that should not be farmed out at a profit by the regularly elected employes of the Senate and House of Representatives, but should be provided with a view to the work actually required, and the compensation, while being commensurate with the service, should go to the laborer who earns it, and not pass through the hands of a middle man, whose commission is largely in excess of the actual cost of labor. It is our opinion that no man should be permitted to receive a profit from the labor of another employe in the public service.

Having in view, therefore, an efficient and economical service, we believe that the positions of Door-keeper and Assistant Door-keepers should be abolished, and that a sufficient number of Assistant Sergeant-at-Arms should be employed to perform the duties now performed by the Door-keepers, in addition to the work at present coming under the control and supervision of the Chief Sergeant-at-Arms.

We should also recomend that the position of Overseer of Heat and Ventilation, Custodian of Committee Rooms, Custodian and Assistant Custodian of Basement, in both the Senate and House of Representatives, be abolished and that in the Senate one Custodian of Wash and Coat-rooms be employed, and that in the House of Representatives a sufficient number of Asistant Sergeants-at-Arms be employed to permit one to be assigned to the duties now performed by the four custodians employed for the Coat and Wash-rooms, and that the Chief Clerk of the Senate and House of Representatives each be authorized to employ two men to act as porters during the legislative sessions, whose duties shall be to perform, under the direction of the Assistant Sergeant-at-Arms, or custodian assigned for that purpose, the menial labors required in the Wash and Coat-rooms. In the Senate one of the Assistant Sergeants-at-Arms should be assigned to the duties now performed by the custodian of the newspapermen's room.

We would also recommend that the pages perform their duties under the direction and supervision of the Chief Sergeant-at-Arms, and that they be responsible to him.

In the clerical departments we believe that the only officers or employes that should be elected to a particular position are the Chief Clerk, Assistant Clerk, Resident Clerk, Journal Clerk, Assistant Journal Clerk, and Reading Clerk.

In addition to these there should be a sufficient number of clerks and stenographers elected to perform the duties now performed by the Desk Clerks, Message Clerk, Bill Book Clerk, Bills-in-Place Book Clerk, Petition Book Clerk, the Transcribing Clerks, and the Clerks to the Committees.

These clerks and stenographers should be under the direct supervision and control of the Chief Clerk, who could assign them to the duty to which they were best adapted, and from time to time transfer them from one class of employment to another as the service might require, and, in this way, the work to be performed by the various employes could be equalized so that no unfair share of the burden would fall upon any particular class and the stenographers employed would, from time to time, be available to the various Committees, and their members, in the carrying on of public business.

We would also recommend that a book typewriter be installed in the transcribing room.

The Post Offices are properly department by themselves, as are the Pasting and Folding rooms.

We would therefore recommend the following schedule of officers and employes, believing the same to be sufficient to adequately care for all of the needs of the two legislative branches:

HOUSE OF REPRESENTATIVES.

1 Chief Clerk to be paid $3000 for session, and $150 per month during interim.
1 Ass't. Clerk to be paid $1500 for the session.
1 Resident Clerk to be paid $2500 per annum.
1 Asst. Resident Clerk to be paid $1500 for session, and $125 per month during interim.
1 Journal Clerk to be paid $1500 for session.
1 Ass't. Journal Clerk to be paid $1500 for session.
1 Reading Clerk to be paid $2100 for session.
10 Clerks to be paid $6.00 per diem.
1 Typewriter to be paid $6.00 per diem.
9 Stenographers to be paid $10.00 per diem.
1 Chief Sergeant-at-Arms to be paid $8.00 per diem.
1 Chief Ass't. Sergeant-at-Arms to be paid $7,00 per diem.
20 Ass't. Sergeants-at-Arms to be paid $6.00 per diem.
2 Porters to be paid $3.00 per diem.
1 Postmaster to be paid $7.00 per diem.
1 Ass't. Postmaster to be paid $6.00 per diem.
3 Messengers to be paid $6.00 per diem.
1 Paster and Folder to be paid $6.00 per diem.
6 Asst. Pasters and Folders to be paid $6.00 per diem.
1 Speaker's Clerk to be paid $7.00 per diem.
1 Stenograph to Speaker to be paid $6.00 per diem.
1 Stenographer to Chief Clerk to be paid $6.00 per diem.
1 Chaplain to be paid $6.00 per diem.
1 Day Watchman to be paid $5.00 per diem during session, and $3.00 per diem for interim.
1 Night Watchman to be paid $5.00 per diem during session, and $3.00 per diem for interim.
1 Elevator Operator to be paid $5.00 per diem during session, and $3.00 per diem for interim.
1 Ass't. Elevator Operator to be paid $5.00 per diem during session, and $3.00 per diem for interim.
1 Speaker's Page to be paid $3.00 per diem.
1 Chief Page to be paid $3.00 per diem.
20 Pages to be paid $2.00 per diem.

SENATE

1 Chief Clerk $3,000 session $150. mo. interim
1 Secretry $5,000 per year
1 Librarian $2,500 per year
1 Assistant Librarian $1,500 per year
1 Journal Clerk $1,800 per session
1 Reading Clerk $1,800 per session
8 Clerks @ $6.00 per diem
7 Stenographers @ $10.00 per diem.
1 Chief Sergeant-at-Arms $8.00 per diem
1 Chief Ass't. Sergeant-at-Arms $7.00 per diem
12 Assistant Sergeant at Arms $6.00
1 Custodian of Wash and Coat Rooms @ $6.00 per diem for session and $3.00 per diem during interim
1 Paster and Folder @ $6.00 per diem
3 Ass't. Pasters and Folders @ $6.00 per diem
1 Postmaster @ $7.00 per diem
1 Messenger @ $6.00
1 Assistant Messenger, @ $6.00 per diem
1 Clerk to Lieutenant Governor $1500. per annum
1 Stenographer to Lieutenant Gov. $1000. per annum.
1 Clerk to President Pro Tempore $7.00 per diem
1 Stenographer to Pres. Pro Tem. $6.00 per diem
1 Stenographer to Chief Clerk $6.00 per diem.
1 Chaplain $6.00 per diem.
1 Day Watchman $5 during session $3. for interim
1 Night Watchman $5 during session $3. for interim
1 Elevator Operator $5 during session $3 for interim
1 Ass't. Operator $5 during sesion $3. for interim
1 Page to Lieutenant Governor $3 per diem
1 Page to President Pro Tempore $3.00
1 Chief Page $3.00 per diem
14 Pages $2.00 Per diem

We also find that for the first fourteen days of this session, two sets of employes were paid, the employes of the last General Assembly as returning officers having been paid approximately $11,500.00 for the period from January 7th to 21st, while the present employes who were not elected until January 21st and qualified either on or subsequent to that date have been paid from January 7th for 14 or more days prior to the time that they entered into the employment of the State. While this practice of duplication has been carried on under color of law by reason of the Construction placed upon the act of 1905 by the Attorney General, yet this makes the existence of such a law no less reprehensible, and we recommend that in revising the system that this practice that costs the State in the neighborhood of $12,000.00 each session, without any return, be prohibited in such clear terms as to permit of no misunderstanding.

Signed E. LOWRY HUMES
J. GORDON FORSTER
W. W. ULERICH
D. S. KENNEDY
L. E. DONNALLY
Committee.

Mr. HUMES. Mr. Speaker, I move the adoption of the report and move that it be referred to the Judiciary General Committee for its consideration on bills that are now pending before that Committee.

Mr. I. GORDON FORSTER. I second the motion.

On the question,

Will the House agree to the motion.

Mr. R. J. BALDWIN. Mr. Speaker, I don't know what the gentleman's motion means. Do I understand the motion to mean the adoption of the report?

Mr. HUMES. Yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I wish to say that on a report so voluminous as this that we can get very little from it by the reading of it at the desk. I think the House will stand to have this report lie over and to be printed for the members and to be taken up next Monday evening under the order of resolution.

Mr. HUMES. Mr. Speaker, if it will please the gentleman from Delaware, I will change my motion to read that the report be received and referred to the Committee on Judiciary General for its consideration in the considering of bills now pending in that Committee.

The SPEAKER. Does the gentleman from Philadelphia who seconded the motion accept the amendment.

Mr. I. GORDON FORSTER. Mr. Speaker, I do.

Mr. R. J. BALDWIN. Mr. Speaker, before amendment is considered by the House I think that it should be printed in order that the members might have an opportunity for examining it. If it is the desire of the House to send it to the Judiciary General Committee, I am satisfied to send it to that Committee, but I do not think that it would be proper to pass upon it with such a meager knowledge of it as we have at the present time.

Mr. HUMES. Mr. Speaker, So far as the objection of the gentleman from Delaware is concerned relative to acting upon this report, it must be done in the shape of proper legislation, and there are bills now in the Judiciary General Committee on this subject, and when these bills come out of the committee, it will be of course have to be considered by the House, and there is no idea that the adoption of this report could absolutely bind this House in regard to a bill covering exactly what this report covers.

Mr. R. J. BALDWIN. Would it be in order to suggest that if it goes to the Judiciary General Committee that the report be printed for the benefit of the members of the House as soon as possible.

Mr. HUMES. It strike me, Mr. Speaker, that it will be printed in the Legislative Journal which having been done, I think will make it sufficiently available to all of the members for their consideration.

The question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895, entitled:

An Act amending article two of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven by eliminating the Department of Collector of Delinquent Taxes and by providing for the duties of the Department of Collector of Delinquent Taxes to be transferred to the Department of City Treasurer

On the question,

Will the House agree to the bill on third reading?

Mr. LESLIE. Mr. Speaker, When this bill passed the Municipal Corporations Committee with an affirmative recommendation, the fact that it was known all over the State that this was the notorious Delinquent Tax Bill of Pittsburgh, I did not think there would be any trouble in its passing this House, and I did not expect to speak on the measure, but I understand there is some opposition in

Allegheny County, and that opposition is being used on the members to get them to defeat this bill. I do not know how the members will vote from Allegheny County. I do not see that they can vote but one way and go back home and say that they were in a progressive legislature. This bill will do away with the delinquent tax collector which furnished him with ninety thousand dollars in the last three years. We are seeking to do away with it and place it in the hands of the City Treasurer. The previous mayors of Pittsburgh have tried to do away with the delinquent tax office. Mayor Guthrie made an agreement with a man to take the relinquent tax collectorship at $5,000 a year, which he agreed to. There was some misunderstanding and they went into Court and the Court gave him $56,000 for the collection of about two million five hundred thousand dollars worth of taxes. The City Treasurer collects about nine million dollars worth of taxes a year and gets five thousand dollars a year in the City of Pittsburgh. This notorious delinquent tax bill is not aimed at the man who now holds the position. He is very popular and well liked, but the Legislature is the only place where they can get relief, and I want to go back to the people of my city and county and tell them that we have been progressive and tried to do the fair and right thing, and I want you gentlemen not to listen to some of the members that have spoken to you, because they are using it for political purposes, and I beg that you will vote for this measure.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken

Mr. LESLIE. Mr. Speaker, I ask that the roll be verified.

The SPEAKER. The roll will be verified, which was done as follows:

YEAS—74.

Alworth,	Gramley,	McAleer,	Semmens,
Baldwin, G. A.,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Barner,	Heidinger,	McKay,	Shaffer, I. E.,
Benson,	Hemminger,	Mechling,	Smith, L.,
Blair, W. A.,	Hibshman,	Metzenbacher,	Snyder,
Bleloch,	Hobbs,	Miller,	Spillinger,
Brownlee,	Humes,	Mitchell,	Steele,
Burnett,	Irwin, H. H.,	Morrow,	Stone,
Campbell, C.M.,	Jackson,	Moses,	Swift,
Carson,	Jones, J. R.,	Moulthrop,	Ulerich,
Cheeseman,	Keeport,	Peachey,	Walnut,
Cleary,	Kuhn, H. P.,	Post,	Walton,
Currier,	Latshaw,	Ramsey,	Whitaker,
Davis,	Leslie,	Redfield,	Whitman,
DeFrees,	Lohr,	Reese,	Williams,
Down,	Lowers,	Rex,	Young, G. K.,
Dunn, H. B.,	Martin,	Rockwell,	Alter,
Ehrhardt,	Mather,	Scott, S. B.,	Speaker.
Gibson,	Matt,		
Glenn,			

NAYS—93.

Allen,	Donnally,	Kuhns, E.G.M.,	Richards,
Aron,	Eichenberger,	Lanius,	Roney,
Arthur,	Ely,	Latshaw,	Rothenberger,
Baldwin, R. J.,	Ewing,	Malie,	Runk,
Becker,	Fahey,	Mannion,	Sassaman,
Bergey,	Forster, I. G.,	McAllister,	Schaeffer, A. C
Bigger,	Foster, J. D.,	McArdle,	Sherwood,
Bittles,	Gans,	McDermott,	Showalter,
C. W. F.,	Geary,	McNichol,	Spangler,
Body,	Goss,	Missimer,	Speiser,
Brosius,	Grabe,	Moore,	Steedle,
Caldwell,	Gransback,	Murphy,	Stein,
Campbell, C.M.,	Gray, Joseph,	Musser,	Strauss,
Carter,	Hackett,	Neely,	Thomas,
Claycomb,	Haggerty,	Newbaker,	Trach,
Cochran,	Herman,	Newton,	Ulman,
Collins,	Heyburn,	O'Neill,	Watson,
Conner,	Howard, R.,	Pennock,	Wettach,
Conniff,	Isler,	Perry, H. L.,	Wildman,
Conrade,	Kaiser,	Perry, S. J.,	Wilson, J. H.,
Cox,	Kaufman,	Piper,	Wilson, W. H.,
Currier,	Keegan,	Price,	Wiltbank,
Dickinson,	Kern,	Rhoads,	Zimmerman,
Donahoe,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 452, entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsitent therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. LOHR. Mr. Speaker, I think it is my duty to offer an explanation in regard to the purpose of this bill. I believe that the school code as it has been enacted by the sessions of 1911 is a good law, for the government of the schools of our Commonwealth, but no law has ever been enacted that is so perfect that it will not bear some improvement, and if I can convince you in a brief statement this afternoon that what I have to submit will be an improvement, then I will ask you for your support; but if I am not able to convince you of that fact, I won't ask you for your vote on this bill. This bill effects Section 2806 of the School Code, which was enacted to take care of the independent school districts. Under the old school laws independent districts could be created. That is to say that the school districts need not be coterminous with the municipal lines. Under the present school laws that is abolished and under the present law, under the school code, enacted in 1911, (the lines of the municipal districts) the school districts must be coterminous and must be the same. Under the former law any class of citizens upon certain conditions, could be annexed to a borough for school purposes only, and taxes could be paid to that borogh and for all intents and purposes so far as the school is concerned and became a part of that district. Under the new school act this is impossible. The question was how do they take care of that independent district and for that purpose, Section 2806, which I will now read for your consideration, has been enacted into a law. It reads as follows:

"Section two thousand eight hundred and six. All pupils residing in any territory belonging to any school district established by this act which territory at the time of the approval of this act was attached to another school district for school purposes may if they so desire attend during the entire school term of each year the public schools in the district to which the territory in which they reside was formerly attached and the district in which they reside shall pay to the district in which they attend the cost of tuition text-books and school supplies only not to exceed that of other pupils pursuing like courses of study in said schools Provided That if the school districts in which such pupils now reside shall hereafter by the establishment of new schools or otherwise provide within reasonable distance proper school facilities of like grades to those in the district to which they were formerly attached then in any such case such pupils shall attend the schools in the district in which they reside In case of dispute the decision of the Superintendent of Public Instruction as to the sufficiency and reasonableness of the school facilities provided by the school district in which such pupils reside shall be final"

Now, Mr. Speaker, there will be no more, independent school districts created under the new school code. That will be an impossibility. That leaves this fact that if any district that was so fortunate as to be an independent district in 1911, can not be assessed for school purposes, and they can attend the schools in the districts in which they formerly belonged and they attend these schools and the district in which they now belong but are only compelled to pay the cost of tuition and the cost of books and not the cost of the erection of buildings and the cost of heating and lighting these buildings. In our county, this has worked a great hardship in that respect. I will try to explain this as best I can. In one town we have a borough which extends one and one-half mile on either side of the diamond, making a borough of one square mile. For school purposes under the old law, there had been annexed to that purposes under the old law, there had been annexed to that school district a section extending one half mile on either side of the borough limit and making the borough two miles square, or containing four square miles. Under the old law, these pupils then were in a hollow square attended the schools of the borough and were taken care of there. Under the new school code,it became necessary for the township in which they now belong to take care of them and to provide for them schools similar to which they had been provided under the old law. They should have created schools with nine months terms whereas the schools in the remainder of the township have seven months terms in ungraded schools. You will answer that they will still have the right to go to borough schools. Borough schools at that time had been created, but for the reason that they would not only have

to create new buildings in the district but they would not have to pay a single penny towards the erection of those buildings it became a hardship. They are not tax-payers to that extent and the tax-payers object; the citizens of the township object and nobody is in favor of it, excepting a part of those who live in that independent district. The township tried to take care of the matter in this way; By erecting schools on either side of the borough. They could not do that because they had to furnish the same grade of schools as they had in the other case. They proposed the erection of eight-room buildings which would have compelled the children the entire length of the borough to cross railroads tracks to go to that school, a distance of one and one-half miles. Therefore, there is no objection to this act except from those who live on one side of this hollow square in which the school house is to be located, and this section as I said before, was placed in the school code to take care of the independent districts. Now, as I explained, there will be no more independent districts created, and all that this bill would do would be to allow the school directors of the townships to take care of those children and school them the same as they school the others in the district. Do not understand for one single minute that I think that where a four-roomed building is necessary and can be established, it would not be better than establishing four one-room buildings. I do not mean that but I do mean that wherever it is practicable it would be better to take care of all the children under the same conditions and in the same measure and the same length of term. It is surely unfair of any set of men to create a nine-months term for children paying the same amount of tax in a certain district, and creating a seven-months term for the other children in the same district. I have in my possession a resolution presented to me by one Board of School Directors of the township of which I speak, and the County Superintendent of the county of which I am a member has offered to come to this House and explain this matter to the Committee, if necessary. This bill has been passed favorably by the Committee. I want to say, gentlemen, that I have not a single particle of personal interest in this matter. I live seventeen miles from the district of which I speak, but I feel it my duty as a representative of the people to present this matter for your consideration. If those people, living in districts close to the boroughs want better facilities, then leave them become annexed to the boroughs, and help to pay the cost of building the schools, also the cost of tuition, and then they can have better facilities. I don't believe in the idea of one class of citizens trying to escape certain taxation, to get the costs off their shoulders, and expect to received benefits to be derived from the incorporation of boroughs. If I have convinced you now that this is a reasonable matter, I ask you to vote for this bill.

Mr. C. M. C. CAMPBELL. Mr. Speaker, this bill repeals Section 2806, and in the repeal of that section it doesn't affect the school code in any way, only beneficially, if I understand it right. That Section, 2806, was placed in the school code by request of the gentleman that represented Somerset County, but when the independent school districts were annulled, I find that the lines did not compare or did not agree with the municipal lines of Somerset; that the independent districts had extended beyond the lines of Somerset, and in the annulment of that it left a certain portion of those children outside the Somerset municipal line. The school board requires that those children shall be educated the same as the children in Somerset, the town of Somerset. which makes an inequality that should not stand. I wish to state to this House that Section 1404 was placed in the code before this section was put in, which provided all the schools necessary for those pupils, and I advise the House to repeal this section and save the litigation that is going on over this State.

Mr. MATT. Mr. Speaker, I would like to interrogate the gentleman from Somerset.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOHR. Yes, sir, Mr. Speaker.

Mr. MATT. Mr. Speaker, I desire to ask the gentleman from Somerset this: Whether or not this bill will not abolish the independent school districts of the State.

Mr. LOHR. Yes, sir.

Mr. MATT. Mr. Speaker, does this not prevent the establishment of an independent school district?

Mr. LOHR. Well, under the school code, independent school districts cannot be established. That has already been prohibited by the school code, and the section in the bill is only to take care of those independent school districts that have been created by this Section 2806.

Mr. MATT. And this abolishes it entirely?

Mr. LOHR. No, it had been abolished before. This only puts independent school districts on an equality with all other school districts of the State; that is, school districts that had been established in the year 1911.

Mr. MATT. Mr. Speaker, if you will look over the school code, you will find that the school code provides that all our independent school districts are to be abolished in a certain time.

Mr. LOHR. I don't understand the question.

Mr. MATT. I say the school code provides that they had a certain time, I think ninety days, whereby to avail themselves of the provisions of the act. That being the case, does this apply to those that had been established prior?

Mr. LOHR. I don't understand that.

Mr. MATT. Whether or not it abolishes independent school districts that are now established?

Mr. LOHR. No, I don't think so.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Allen,	Dunn, H. B.,	Kuhns, E.G.M.,	Rockwell,
Arthur,	Ehrhardt,	Latshaw,	Roney,
Baldwin, G. A.,	Eichenberger,	Lenker,	Rothenberger,
Barner,	Ely,	Letzkus,	Runk,
Bass,	Ewing,	Lohr,	Sassaman,
Bayle,	Fahey,	Malie,	Savacool,
Becker,	Flynn,	Mannion,	Schaeffer, A. C
Benninger,	Forster, I. G.,	Martin,	Scott, S. B.,
Benson,	Foster, J. D.,	Mather,	Shaffer, C. A.,
Bergey,	Gans,	McAleer,	Shaffer, I. E.,
Bigger,	Geary,	McArdle,	Sherwood,
Bittles,	Gibson,	McClintock,	Showalter,
Blair, W. A.,	Good,	McDermott,	Smith, J. W.,
Blair, W. F.,	Goss,	McKay,	Smith, L.,
Bleloch,	Gramley,	Mechling,	Snyder,
Body,	Gransback,	Metzenbacher,	Spangler,
Brosius,	Gray, Frank,	Mitchell,	Steedle,
Brown,	Haggerty,	Moore,	Steele,
Brownlee,	Heidinger,	Moses,	Stone,
Burnett,	Herman,	Moulthrop,	Strauss,
Caldwell,		Murphy,	Swartz,
Campbell, C.M.,	Hoffman,	Musser,	Swift,
Carter,	Howard, J.,	Neel,	Trach,
Cheeseman,	Howard, R.,	Newbaker,	Ulerich,
Claycomb,	Humes,	Newton,	Walsh,
Cleary,	Isler,	O'Neill,	Walton,
Collins,	Irwin, G. C.,	Peachey,	Watson,
Conner,	Irwin, H. H.,	Pennegar,	Wettach,
Conniff,	Jackson,	Pennock,	Whitaker,
Conrade,	Jones, E. E.,	Perry, H. L.,	Wildman,
Cox,	Jones, J. R.,	Perry, S. J.,	Williams,
Currier,	Kaiser,	Piper,	Wilson, J. H.,
Curry,	Kaufman,	Post.	Wiltbank,
Davis,	Kennedy,	Price,	Young, G. K.,
DeFrees,	Kern,	Ramsey,	Young, J. H.,
Dickinson,	Kitts,	Redfield,	Zimmerman,
Donahoe,	Klepper,	Reese,	Alter,
Donnally,	Kuhn, H. P.,	Reeser,	Speaker.
Down,			

NAYS—2.

[redacted] Matt, Mellott.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, (Senate Bill No. 57), entitled:

An Act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assastants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the im-

provement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of aplication for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

On the question

Will the House agree to the bill on third reading?

Mr. E. E. JONES. Mr. Speaker I wish to take two or three minutes in explanation of this bill. It has such a formidable title that I have been asked by quite a number of the members of the House what the purport of the bill is. While I am not personally interested in any way. I think for the information of the House I can state briefly what the bill provides for.

It merely facilitates and makes a more practical method whereby the Highway Department can condemn and take over a toll road. At the present time when the Highway Department and the owner of the toll road cannot come to an agreement it has got to go through the usual process of court and it may take a number of years before the Highway Department can really get possession of the toll road. In this bill it merely provides for the Highway Department to condemn the road and at once take it over and proceed to care for it and make it a part of the State Highway system, while the Court procedure is still pending. In other words, it gives the Highway Department the right to eminent domain, the same as railway companies have now to go on and condemn the property and afterwards settle for it through court.

Mr. ALLEN. Mr. Speaker, I have tried to find this bill. It is on the calendar—

The SPEAKER. One forty-five is the correct page of the Senate File, Senate Bill 47, file folio 145.

Mr. ALLEN. Mr. Speaker, I tried to find the bill so as to acquaint myself with the provisions of it. It had rather a formidable title here and something that might mean something and it might yet, so far as I know. I feel that a bill of this kind—I see it actually convers some eight or ten pages—ought not to be passed without some investigation as to what it means. Had the bill been on the calendar with the proper paging so that one could find it, perhaps such action would not be necessary. I do not like to vote against a measure of this kind, which no doubt may be a Department measure, but I do not like to vote for a measure of this kind not have had the opportunity to know what it is.

BILL POSTPONED.

I therefore move that further action on this bill be postponed for the present.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 857, entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the court of common pleas courts of oyer and terminer and general jail delivery and the courts of quarter sessions of the peace

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Allen,	Ewing,	Lowers,	Rothenberger,
Ambler,	Fahey,	Mannion,	Runk,
Arthur,	Forster, I. G.,	Martin,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Savacool,
Baldwin, R. J.,	Gans,	Matt,	Schaeffer, A. C
Barner,	Gibson,	McAleer,	Schuck,
Becker,	Glenn,	McAllister,	Scott, J. R. K.,
Benninger,	Good,	McClintock,	Scott, S. B.,
Benson,	Goss,	McDermott,	Semmens,
Bergey,	Gramley,	McKay,	Shaffer, C. A.,
Bigger,	Gransback,	Mechling,	Shaffer, I. E.,
Bittles,	Gray, Frank,	Mellott,	Sherwood,
Blair, W. A.,	Gray, Joseph,	Metzenbacher,	Showalter,
Blair, W. F.,	Haggerty,	Miller,	Smith, J. W.,
Body,	Heidinger,	Missimer,	Smith, L.,
Brosius,	Hemminger,	Mitchell,	Snyder,
Brown,	Heyburn,	Moore,	Spangler,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Howard, J.,	Moses,	Steedle,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Steele,
Campbell, J. J.,	Isler,	Murphy,	Stone,
Carson,	Irwin, G. C.,	Musser,	Strauss,
Carter,	Irwin, H. H.,	Neel,	Swartz,
Cheeseman,	Jackson,	Newbaker,	Swift,
Claycomb,	Jones, J. R.,	Newton,	Thomas,
Cleary,	Kaiser,	O'Neill,	Trach,
Cochran,	Kaufman,	Peachey,	Ulerich,
Conner,	Keegan,	Pennegar,	Ulman,
Conniff,	Keeport,	Pennock,	Walnut,
Conrade,	Kennedy,	Perry, H. L.,	Walsh,
Cox,	Kern,	Perry, S. J.,	Walton,
Currier,	Klepper,	Piper,	Watson,
Curry,	Kuhn, H. P.,	Post,	Whitaker,
Davis,	Kuhns, E.G.M.,	Price,	Whitman,
DeFrees,	Lanius,	Ramsey,	Wildman,
Dickinson,	Latshaw,	Redfield,	Williams,
Donahoe,	Lenker,	Reese,	Wilson, J. H.,
Donnally,	Leslie,	Reeser,	Wilson, W. H.,
Down,	Letzkus,	Rex,	Wiltbank,
Dunn, H. B.,	Light,	Richards,	Young, G. K.,
Ehrhardt,	Lohr,	Rockwell,	Zimmerman,
Eichenberger,		Roney,	Becker,
Ely,			

NAYS—1.

Alter,

Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOSEPH GRAY. Mr. Speaker, I desire to call up from the postponed calendar House Bill No. 945, file folio 2231, entitled:

An Act to amend the first and second sections of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 945, as follows:

An Act to amend the first and second sections of article twenty-eight of an act entitled 'An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pensylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of

property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Should a mine or a portion of a mine that has at any time generated explosive gas in quantities sufficient to be detected by an approved safety lamp after the passage of this act not so generte explosive gas during any one period of one year then such mine or portion of a mine shall not be governed or controlled by the provisions of this act for mines or portions of mines generating explosive gas" be and the same is hereby amended to read as follows

Section 1 Should a mine or portion of a mine that has at any time or may hereafter generate explosive gas in quantities sufficient to be detected by an approved safety lamp such mine or portion of said mine shall at all times thereafter be considered a gaseous mine and be governed and controlled by this act so that the health and safety of those employed therein may be properly protected

Section two of article twenty-eight of said act which reads as follows

"Section 2 The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall not apply to any mine wherein explosive gas is being generated only in live entries" be and the same is hereby amended to read as follows

Section 2 The provisions of this act as to mines or portions of a mine generating explosive gas in quantities sufficient to be detected by an approved safety lamp shall after the date of approval of this act apply to all bituminous mines wherein explosive gas has been is being or may in future generated in any part of said mine Provided however that the act shall not apply to any mine employing less than ten persons inside the mine in any one period of twenty-four hours

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Allen,	Ely,	Lowers,	Roney,
Arthur,	Ewing,	Malie,	Rothenberger,
Baldwin, G. A.,	Forster, I. G.,	Mannion,	Runk,
Baldwin, R. J.,	Foster, J. D.,	Martin,	Sassaman,
Barner,	Geary,	Mather,	Savacool,
Becker,	Gibson,	Matt	Schaeffer, A. C
Benson,	Glenn,	McAleer,	Schuck,
Bergey,	Goon,	McCaig,	Semmens,
Bigger,	Goss,	McClintock,	Shaffer, C. A.,
Bittles,	Gramley,	McDermott,	Shaffer, I. E.,
Blair, W. A.,	Lohr,	Rockwell,	Blair, W. F.,
Bleloch,	Gray, Joseph,	Mechling,	Smith, J. W.,
Body,	Hackett,	Mellott,	Smith, L.,
Brosius,	Haggerty,	Metzenbacher,	Snyder,
Brown,	Herman,	Miller,	Spangler,
Brownlee,	Heyburn,	Missimer,	Spillinger,
Burnett,	Hobbs,	Mitchell,	Steedle,
Campbell, J. J.,	Howard, J.,	Moore,	Steele,
Carson,	Howard, R.,	Moses,	Stone,
Carter,	Isler,	Moulthrop,	Strauss,
Cheeseman,	Irwin, G. C.,	Murphy,	Swartz,
Claycomb,	Jackson,	Musser,	Swift,
Cleary	Jones, J. R.,	Neel,	Thomas,
Cochran,	Kaiser,	Newbaker,	Trach,
Collins,	Kaufman,	O'Neill,	Ulerich,
Conner,	Keegan,	Peachey,	Walnut,
Conniff,	Keeport,	Pennegar,	Walsh,
Conrade,	Kennedy,	Pennock,	Whitaker,
Cox,	Kern,	Perry, H. L.,	Whitman,
Currier,	Kitts,	Perry, S. J.,	Williams,
Curry,	Klepper,	Piper,	Wildman,
Davis,	Kuhn, H. P.,	Price,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Dickinson,	Lanius,	Redfield,	Wiltbank,
Donahoe,	Latshaw,	Reese,	Young, G. K.
Donnally,	Lenker,	Rex,	Young, J. H.,
Down,	Letzkus,	Rhoads,	Zimmerman,
Dunn, J. A.,	McKay,	Richards,	Alter,
Eichenberger,		Showalter,	Speaker.
Gransback,			

NAYS—1.

Hemminger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL INTRODUCED.

Mr. JAMES J. CAMPBELL, asked and obtained unanimous consent to introduce an appropriation bill the title of which was first read for information of the House.

ORDERS OF THE DAY.

Mr. WLITBANK. Mr. Speaker, I call for the order of the day.

ADJOURNMENT

The SPEAKER. The hour of six o'clock having arrived and the orders of the day having been called for, this House now stands adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, APRIL 2, 1913. No. 42.

SENATE

WEDNESDAY, April 2, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HERBST presented petition of citizens of Berks County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HEACOCK presented petition of citizens of Montgomery County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. FARLEY presented petition of citizens of Philadelphia County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. THOMPSON presented petition of citizens of Beaver County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented petition of citizens of Monroe County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. COOPER presented two petitions of citizens of Allegheny County, and petitions of Council No. 613, Jr. O. U. A. M. and Council No. 28, Jr. O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MARTIN presented sixteen petitions of citizens of Cumberland County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. HERBST presented petition of citizens of Berks County, favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HEACOCK presented petition of citizens of Montgomery County, and petition of Washington Camp, No. 128, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to Committee on Appropriations.

Mr. HUFFMAN presented petition of citizens of Monroe County, favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. MARTIN presented petition of citizens of Cumberland County, and petitions of Washington Camp, No. 587, P. O. S. of A., Washington Camp, No. 442, P. O. S. of A., Washington Camp No. 717, P. O. S. of A., and Washington Camp, No. 218, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. HERBST presented petition of citizens of Berks County, favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

Mr. HEACOCK presented petition of citizens of Montgomery County and petition of Washington Camp, No. 128, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to Committee on Appropriations.

Mr. MARTIN presented petition of citizens of Cumberland County, two petitions of Washington Camp, No. 587, P. O. S. of A., and petitions of Washington Camp, No. 442, P. O. S. of A., Washington Camp, No. 717, P. O. S. of A., and Washington Camp, No. 218, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to Committee on Appropriations.

LEAVE OF ABSENCE.

Mr. MILLS asked and obtained leave of absence for himself for next Monday evening.

REPORTS FROM COMMITTEES.

Mr. CLARK, from the Committee on Municipal Affairs, re-reported as amended, Senate Bill No. 13, entitled:

An Act providing for the incorporation, regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto.

Mr. CATLIN, from the Committee on Elections, reported as committed, Senate Bill No. 441, entitled:

An Act to amend section seventy-four of an act, entitled "An Act relating to the elections of this Commonwealth," approved the 2d day of July, 1839, by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election.

Also, from the Committee on Elections, reported as amended, Senate Bill No. 444, entitled:

An Act to amend an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the 10th day of June, A. D. 1893, by changing the form of the ballot, the method of distributing the ballots to the electors, the method of voting, and the method of counting the votes

Also, from the Committee on Elections, reported as committed, Senate Bill No. 445, entitled:

An Act defining the method of determining the vote cast by any political party and prescribing the method of making the return of such vote.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 447, entitled:

An Act amending an act approved May 16, 1895, entitled, "An Act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth,' approved the 29th day of May, 1891, changing the time and manner of making the registry of voters and the duties of registry assessors."

Also, from the Committee on Elections, reported as committed, Senate Bill No. 448, entitled:

An Act to amend an act approved May 29, 1891, amending an act approved January 30, 1874, the former being entitled "An Act to amend sections one, two and three of an act, entitled 'A further supplement to the act regulating elections in this Commonwealth,' approved the 13th day of January, A. D. 1874, changing the time and manner of making the registry of voters and the duties of registry assessors," by abolishing the December registry.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 450, entitled:

An Act to amend the title and sections one and two of an act approved June 25, A. D. 1895, entitled "An Act requiring tax collectors of townsips and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub, and requiring a sheet setting forth name, amount of tax paid and number of receipt to be sent, twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act."

Also, from the Committee on Elections, reported as committed, Senate Bill No. 455, entitled:

An Act providing for the appointment of deputy tax collectors to sit at the polling places in cities of the first, second and third class upon the days provided for the personal registration of electors in said cities, and for the appointment of registrars as such deputy tax collectors.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the 16th day of June, A. D. 1891, entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides," by enlarging the term of assistant assessors, providing for their election every four years, and changing the power of filling vacancies from the court of quarter sessions to the county commissioners.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 457, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior courts when such office is to be filled at a municipal election.

Also, from the Committee on Elections, reported as amended, Senate Bill No. 458 ,entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences, and to prescribe penalties for false registration, and for voters voting, or attempting to vote, and for election officers permitting or conspiring to permit them to vote at a primary by or any other than their own proper party ticket.

Also, from the Committee on Elections, reported as amended, Senate Bill No. 459, entitled:

An Act to amend an act entitled "An Act providing a uniform method of electing certain party officers, delegates to State and National conventions, and of making nominations for certain public offices, providing for the payment of expenses of the same, making certain violations thereof misdemeanors and prescribing for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing that the signed consent of the candidate, delegate or alternate delegate to State and National conventions, and public offices shall accompany every petition to place his name upon a primary ballot providing that no candidate, delegate or alternate delegate to State and National conventions or public offices shall be printed upon the ballot of more than one party providing who shall be entitled to sign petitions for nominations at a primary and who shall be a candidate delegate or alternate delegate to State or National convention or public offices and further to provide for the withdrawal of candidates, delegates or alternate delegates to State and National conventions and public offices and for the amendment of the uniform primaries act approved the seventeenth day of February Anno Domini one thousand nine hundred and six as amended by section 2 of the act approved the sixth day of April Anno Domini one thousand nine hundred and eleven by changing the date of the holding of the primary election each year

Mr. JUDSON, from the Committee on Insurance, reported as committed, Senate Bill No. 582, entitled:

A supplement to an act approved the 1st day of June, 1911 entitled "An Act to provide for the incorporation of fire and marine insurance companies; and for the regulation of home and foreign fire and marine insurance companies."

Mr. ALEXANDER, from the Committee on Forestry, reported as committed, Senate Bill No. 872, entitled:

A supplement to an act approved the 25th day of February 1901 entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservation by the Department of Forestry.

BILLS INTRODUCED.

Mr. HERBST (by request of Mr. Hall) read in his place and presented to the Chair Senate Bill No. 873, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of their term of office and to extend the time for the collection of the same for a period of two years from the passage of this act.

Which was committed to the Committee on Judiciary General.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 874, entitled:

An Act providing for compensation of the members of the Commission to revise and codify the present anthracite mining laws for their services in attendance upon the meetings of the Commission which Commission was appointed under the provisions of an act entitled "An Act authorizing the appointment of a Commission to revise and codify the present anthracite mining laws; defining its powers and duties and making an appropriation to defray the expenses of said Commission" approved the 14th day of June A. D. 1911 fixing their compensation at ten dollars per day and making an appropriation to defray the expenses thereof.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. KLINE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), when the Senate adjourns today it shall reconvene on Monday evening, April seventh, at nine o'clock

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. KLINE (by request of Mr. McNichol) read in his place and presented to the Chair Senate Bill No. 875, entitled:

An Act to amend an act approved the 23d day of April, 1829, entitled "A further supplement to an act, entitled "An Act to reform the penal laws of this Commonwealth,'" as amended.

Which was committed to the Committee on Judiciary General.

Also (by request of Mr. McNichol) read in his place and presented to the Chair Senate Bill No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such office whenever the Constitution of the United States shall be amended so as to provide for the election of United States Senator by a vote of the electors of several States.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 877, entitled:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities, and providing the maximum amount thereof.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 878, entitled:

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts; requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations and records and to make reports in the form prescribed from the State or any sub-division thereof, to keep accounts by said Department; providing for the inspection by said Department of the accounts of all such officers or offices, defining offenses in relation thereto, and providing punishments for violations of the provisions thereof.

Which was committed to the Committee on Municipal Affairs.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 879, entitled:

An Act to provide for the filing, docketing and indexing of judgments and decrees of the District and Circuit Courts of the United States.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 880, entitled:

An Act to amend paragraph III of section 5 of "An Act regulating boroughs," approved April 3, 1851, enlarging the jurisdiction of the chief burgess by conferring upon him the powers of a committing magistrate.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 881, entitled:

An Act to permit viewers to award damages for the vacation of streets, roads or highways to abutting owners where no land is actually taken.

Which was committed to the Committee on Judiciary General.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 882, entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits.

Which was committed to the Committee on Military Affairs.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote at elections in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities, to provide penalties for violations of its provisions and to repeal acts inconsistent herewith.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith.

Which was committed to the Committee on Elections.

RECONSIDERATION OF SENATE BILL NO. 256.

Mr. SHEATZ. Mr. President, I move to reconsider the vote by which Senate Bill No. 256, entitled:

An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standards to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same

was defeated on final passage on March 31st.

The PRESIDENT. How did the Senator vote?

Mr. SHEATZ. Mr. President, I voted "no."

Mr. CLARK. Mr. President, there are certain objectionable features in it, which I understand are to be eliminated, and with that understanding I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CLARK. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SHEATZ. Mr. President, I move to reconsider the vote by which this bill passed third reading.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the House agree to the bill on third reading?

Mr. SHEATZ. Mr. President, I move that the bill be recommitted to the Committee on Public Health and Sanitation.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. CATLIN. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 860, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 855, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom, giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

Also, from the Committee on Elections, reported as committed, Senate Bill No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senators and the filling of vacancies in the terms of such office whenever the Constitution of the United States shall be amended, so as to provide for the election of United States Senator by a vote of the electors of several States.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote at elections in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities to provide penalties for violations of its provisions and to repeal acts inconsistent herewith.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts, inconsistent therewith.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

A. J. Gresky, Pittsburgh.

LUZERNE COUNTY.

Henry A. Gordon, Wilkes-Barre.

PHILADELPHIA COUNTY.

John J. Conroy, Philadelphia.
John M. Flynn, Philadelphia.
Walter G. Gibson, Philadelphia.
Gustav Hemm, Philadelphia.

Charles C. W. Idler, Philadelphia.
James I. Jellett, Philadelphia.
Charles H. Miller, Philadelphia.
E. E. Miller, Philadelphia.
Chas. J. Schaefer, Philadelphia.

JOHN K. TENER.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Justices of the Peace, to serve until the first Monday in January, 1913:

William Hilty, Carroll Township, Washington County.

John Maxey, Forest City Borough, Susquehanna County, vice P. F. Morrison, Resigned.

L. L. Daniel, Locust Township, Columbia County, vice W. P. Snyder, deceased.

William D. Culton, Shamokin Borough, Northumberland County, vice Francis M. Rowe, deceased.

JOHN K. TENER.

SUPERINTENDENT OF PUBLIC INSTRUCTION FOR THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nathan C. Schaeffer, of Lancaster, to be Superintendent of Public Instruction for the Commonwealth of Pennsylvania, for the term of four years, to compute from April 1, 1913.

JOHN K. TENER.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

MOTION TO RECONSIDER SENATE BILL NO. 655.

Mr. BEIDLEMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 655, file folio 1191, entitled:

An Act relating to the classification of school districts and the time for levying school tax in school districts of the second class

was defeated yesterday on final passage.

The PRESIDENT. How did the Senator vote?

Mr. BEIDLEMAN. Mr. President, I voted "no."

Mr. CATLIN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CATLIN. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

Mr. HUNTER. Mr. President, I regret very much the necessity of voting against the motion to reconsider a vote. As a general proposition I do vote for such reconsideration in a spirit of fairness and owing to the fact that sometimes the bill is not properly understood, but in this case the passage or enactment of this bill into law would bring about such a calamity to the City of Pittsburgh, as I explained to this body yesterday, showing how it would bring about utter confusion not only to the City of Pittsburgh but also to the State of Pennsylvania and would in all probability destroy the existing school code, and the Senate Committee on Education was so advised by Mr. Rilling at the hearing on this bill, and due to the fact that the passage of this bill would bring about such a calamity, at least to the City of Pittsburgh, I sincerely trust that this motion to recommit will not pass. The bill has been properly heard before this body and properly defeated, and I sincerely trust will remain so.

Mr. BEIDLEMAN. Mr. President, the Senate seems to have been unfortunately stricken by the illness of a number of its members. On last Monday night, when Senator Magee, the author of this bill, came to Harrisburg, he was in perfect health. Before this Senate convened he was stricken with an illness that almost carried him away. Yesterday morning when this bill was under consideration the Senator, by reason of that continued illness, was too sick to be in the Senate and properly defend his bill. I simply make this request out of fairness to the Senator who was ill. I take it that the Senate should not act upon any bill when the author of it is unable by reason of illness to be present for the purpose of defending it, and I am simply making this request on behalf of the Senator from Allegheny, Mr. Magee, in the hope that this Senate will reconsider the vote by which this bill was defeated and put it back on the Calendar until such time as he has been restored to his health and he can come in here and properly defend his position with respect to it. I am simply asking, Mr. President, as a matter of fairness to one of our own, that this bill should be reconsidered and given a place on the Calendar so that further action on it can be postponed until the author of the bill is here in the Senate to look after the bill in which he is so much interested.

Mr. HUNTER. Mr. President, I believe that my experience in this body and in the House will lead you to believe that I have always acted in a spirit of fairness. If I have erred in any direction it is in the direction of fairness, and I have been more than fair many times. Yesterday morning I called upon the Senator from Allegheny, Mr. Magee, knowing that he was ill, and advised him that I was going to oppose this bill whenever I might meet it, and suggested to him that owing to his illness action on this bill be postponed or that it go over in its order, let it be placed on the postponed Calendar or any where he might choose to have it or any disposition he might care to make of it, and I would agree to it until such time as he became well and was able to take the matter up. He considered my remarks for a few moments and then decided that he would let the bill go on. I regret just as much as any member of this body that the Senator from Allegheny, Mr. Magee, was ill. I gave him the opportunity that was due him, and ordinarily would be willing and if this were a bill of ordinary character, I would say, let it go over, let it go back on the Calendar, but believing that I have treated Senator Magee fairly, and knowing I must treat the people of Pittsburgh with fairness, I must insist upon opposing the passage of this motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HUNTER and Mr. WASBERS, and were as follows, viz:

YEAS—12.

Beidleman,	Hoke,	Judson,	Mills,
Farley,	Homsher,	Kline	Moore,
Hilton,	Jarrett.	McNichol,	Nulty,

NAYS—18.

Catlin,	Endsley	Hunter,	Morgan,
Clark,	Hall,	Knapp,	Sheatz,
Cooper,	Heacock,	Kurtz,	Sones,
DeWitt,	Herbst,	Martin,	Thompson,
		Miller,	Wasbers,

So the question was determined in the negative.

SENATE BILL 103 RETURNED WITH AMENDMENT.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the bill be laid over one day under the rules.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 794

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 794, entitled:

An Act making it unlawful for any person firm or corporation to use the word consul or consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

HOUSE CONCURS IN SENATE BILL NO. 12.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 12, entitled:

An Act supplementary to an act entitled 'An Act for the protection of the public health by prohibiting the sale of-

fering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined the prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

with the information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 236.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 236, entitled:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

RECONSIDERATION OF HOUSE BILL NO. 236.

Mr. KLINE. Mr. President, I move to reconsider the vote by which Senate Bill No. 334, (House Bill No. 236), entitled:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. KLINE. Mr. President, I voted "aye."

Mr. CATLIN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CATLIN. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. KLINE. Mr. President, I move to reconsider the vote by which this bill passed third reading.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KLINE: Mr. President, I ask unanimous consent to amend section 5, line 2, by striking out the words "any way;" also in line 4, by striking out the words "or term." This is merely to correct typographical errors.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEE.

Mr. KNAPP. Mr. President, I ask unanimous consent to make rports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KNAPP, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 668 (House Bill No. 72), entitled:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act.

Also, from the Committee on Banks and Building and Loan Associations, Senate Bill No. 859, entitled:

An Act to amend an act approved the 10th day of June, 1897, entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits," by authorizing interest on time deposits.

TIME OF NEXT MEETING.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in resolution of the Senate as follows:

In the Senate, April 2, 1913.

Resolved (if the House of Representatives concur) That when the Senate adjourns to-day it shall reconvene on Monday evening, April 7th, at 9 o'clock.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. KLINE. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 819, on third reading, entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 819, entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gerberich,	Knapp,	Morgan,
Beidleman,	Graff.	Kurtz,	Nulty,
Buckman,	Gyger,	Martin,	Sensenich,
Catlin,	Herbst,	McIlhenny,	Sheatz,
Clark,	Hoke,	McNichol,	Sones,
Cooper,	Homsher,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Mills,	Wasbers,
Farley,	Kline,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. McNICHOL. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 552, on third reading, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercises to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 552, entitled:

An Act empowering ctities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercises to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroads or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Alexander,	Gerberich,	Judson,	Mills,
Beidleman,	Graff,	Kline,	Moore,
Buckman,	Gyger,	Knapp,	Morgan,
Catlin,	Hall,	Kurtz,	Nulty,
Clark,	Heacock,	Martin,	Sensenich,
Cooper,	Herbst,	McIlhenny,	Sheatz,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller.	Vare,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. HERBST. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 184 (House Bill No. 13), on third reading, entitled:

A joint resolution ratifying the proposed amendment to Section three of Article one of the Constitution of the United States of America which provides that Senators be elected by the people.

Mr. HEACOCK. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 184 (House No. 13), entitled:

A joint resolution ratifying the proposed amendment to Section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Hunter,	Mills,
Beidleman,	Gerberich,	Jarrett,	Moore,
Buckman,	Graff,	Jones,	Morgan,
Catlin,	Gyger,	Judson,	Nulty,
Clark,	Heacock,	Kline	Sensenich,
Cooper,	Herbst,	Knapp,	Sheatz,
Crow,	Hilton,	Kurtz,	Sones,
DeWitt,	Hoke,	Martin,	Thompson,
Endsley,	Homsher,	McIlhenny,	Vare,
Farley,	Huffman,	Miller,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF VOTE BY WHICH MOTION TO PLACE BILL ON CALENDAR WAS DEFEATED.

Mr. VARE. Mr. President, I move to reconsider the vote by which the motion to place on the Calendar Senate Bill No. 620 (House Bill No. 107), entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

was defeated on March 26th.

The PRESIDENT. How did the Senator vote?

Mr. VARE. Mr. President, I voted "no."

Mr. McILHENNY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McILHENNY. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

Mr. VARE. Mr. President, I make this motion at the request of the Philadelphia business men. I would like the members of the Senate to put this bill on the Calendar notwithstanding the negative recommendation of the committee.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the motion to place the bill on the Calendar notwithstanding the negative recommendation of the committee?

It was agreed to.

BILL RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 620 (House Bill No. 107), entitled:

An Ast establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs processes or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

be recommitted to the Committee on Judiciary Special for further consideration.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. CLARK. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 422, on third reading, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 422, entitled:

An Act authorizing the Commissioners of Water Works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Gerberich,	Hunter,	McNichol,
Buckman,	Graff,	Jarrett,	Miller,
Catlin,	Gyger,	Judson,	Morgan,
Clark,	Heacock,	Kline,	Nulty,
Cooper,	Herbst,	Knapp,	Sensenich,
DeWitt,	Hoke,	Kurtz,	Sheatz,
Endsley,	Homsher,	Martin,	Sones,
Farley,	Huffman,	McIlhenny,	Thompson,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. McNICHOL. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 553, on third reading, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 553, entitled:

A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Beidleman,	Fisher,	Jarrett,	Mills,
Buckman,	Gerberich,	Judson,	Moore,
Catlin,	Graff,	Kline	Morgan,
Clark,	Heacock,	Knapp,	Nulty,
Cooper,	Herbst,	Kurtz,	Sheatz,
DeWitt,	Hoke,	Martin,	Thompson,
Endsley,	Homsher,	McIlhenny,	Vare,
Farley,	Hunter,	McNichol,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. McNICHOL. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 554, on third reading, entitled:

An Act to provide for State and county purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 554, entitled:

An Act to provide for State and county purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Hunter,	Miller,
Beidleman,	Fisher,	Jarrett,	Mills,
Buckman,	Graff,	Judson,	Moore,
Catlin,	Heacock,	Kline	Morgan,
Clark,	Herbst,	Knapp,	Sensenich,
Cooper,	Hoke,	Kurtz,	Sheatz,
DeWitt,	Homsher,	Martin,	Thompson
Endsley,	Huffman,	McIlhenny,	Vare,
		McNichol,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. CATLIN. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 735, on final passage, entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 735, entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Graff,	Kline,	Morgan,
Catlin,	Heacock,	Knapp,	Nulty,
Clark,	Herbst,	Kurtz,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
DeWitt,	Homsher,	McNichol,	Thompson,
Endsley,	Huffman,	McNichols,	Vare,
Farley,	Hunter,	Miller,	Washers,

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 833, entitled:

An Act to consolidate the five courts of common pleas of Philadelphia County

BILLS INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 885, entitled:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 886, entitled:

An Act to provide for the burial of indigent persons who shall die in public institutions and for the allowance for the burial of the same

Which was committed to the Committee on Judiciary Special.

RECESS.

Mr. McNICHOLS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL RECOMMITTED.

Mr. HEACOCK. Mr. President, I move that Senate Bill No. 592 (House Bill No. 655), on second reading, entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

be recommitted to the Committee on Education for amendment.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 157 (Senate Bill No. 887), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford County is located and distribute the money received from such sale

Which was committed to the Committee on Game and Fisheries.

House Bill No. 442 (Senate Bill No. 888), entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Which was committed to the Committee on Education.

House Bill No. 452 (Senate Bill No. 889), entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the vioaltion thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Which was committed to the Committee on Education.

House Bill No. 696 (Senate Bill No. 890), entitled:

An Act providing and requiring standard provisions in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixng penalties for violation of this act

Which was committed to the Committee on Insurance.

House Bill No. 857 (Senate Bill No. 891), entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the court of common pleas courts of oyer and terminer and general jail delivery and the courts of quarter sessions of the peace

Which was committed to the Committee on Judiciary General.

House Bill No. 945 (Senate Bill No. 892), entitled:

An Act to amend the first and second sections of article twenty-eight of an act entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" approved the ninth day of June Anno Domini one thousand nine hundred and eleven

Which was committed to the Committee on Mines and Mining.

House Bill No. 897 (Senate Bill No. 893), entitled:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the supreme court of the Eastern District also the appointment of a deputy by the supreme court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

Which was committed to the Committee on Judiciary Special.

House Bill No. 1027 (Senate Bill No. 894), entitled:

An Act to amend section one of an act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" requiring the erection of medical rooms in the mines and on the surface

Which was committed to the Committee on Mines and Mining.

House Bill No. 195 (Senate Bill No. 895), entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 598 (Senate Bill No. 896), entitled:

An Act to prohibit the employment at any work or labor or any minor child under the age of twenty-one years and over the age of sixteen years in or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may ascertain such age and providing a penalty for non-compliance with the provisions of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 835 (Senate Bill No. 897), entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

Which was committed to the Committee on Judiciary Special.

House Bill No. 847 (Senate Bill No. 898), entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purposes and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1090 (Senate Bill No. 899), entitled:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecesary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven (Pamphlet Laws two hundred and forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1114 (Senate Bill No. 900), entitled:

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 1116 (Senate Bill No. 901), entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

Which was committed to the Committee on Judiciary Special.

House Bill No. 1143 (Senate Bill No. 902), entitled:

An Act to authorize townships of the first class to provide for fire protection

Which was committed to the Committee on Judiciary Special.

HOUSE CONCURS IN SENATE BILL 57.

He also laid before the Senate communication from the House of Representatives, returning to the Senate, Senate Bill No. 57, entitled:

An Act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensations of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

with the information that the House has passed the same without amendment.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 773, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing the cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fire works and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for appeals from and reviews of certain of its orders for the method of recovering money expended by the cities and remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 791, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 521, entitled:

An Act to amend the second and fifth sections of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to report of the City Planning Commission on certain ordinances and bills and relating to dedications plans and plots submitted to said Planning Commission for approval

ANNOUNCEMENT OF DEATH OF HONORABLE JACOB C. STINEMAN.

The PRESIDENT. It is with deep sorrow that the President is about to announce to the Senate the death of one of your members, this morning at nine o'clock, at his home in Cambria County. Senator Jacob C. Stineman, a man who was beloved and respected by us all. I have known Senator Stineman personally for many years; have met him in business and social affairs. His life was the exemplification of what is found in the highest type of manhood. It will be proper for the Senate on this occasion to take such action as is customary.

COMMITTEE TO MAKE ARRANGEMENTS FOR FUNERAL.

Mr. VARE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of nine of which the President pro tem. shall be chairman, be appointed to make suitable arrangements on the part of the Senate for its attendance at the funeral of our late fellow Senator, Honorable Jacob C. Stineman, deceased.

The PRESIDENT. The President Pro Tempore announces the following Senators as members of such committee: Messrs. Crow, Jones, Sensenich, Homsher, McNichol, Hunter, Heacock, Judson and Gerberich.

DRAPING OF DESK.

Mr. HUFFMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the Chief Clerk of the Senate be directed to have draped in mourning for a period of thirty days the desk of our deceased colleague, Honorable Jacob C. Stineman, in respect to his memory.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to.

Resolved, That in respect to the memory of our esteemed fellow Senator, the late Honorable Jacob C. Stineman, the Senate do now adjourn.

The Senate adjourned at 12 o'clock M. until Monday evening, April 7, 1913, at 9 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 2, 1913.

The House met at 10:00 o'clock A. M.
The Speaker (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, Lord, our Lord, how excellent is Thy name in all the earth; who hast set Thy glory above the heavens. We worship and adore Thee as the Father of our spirits and the Lord of our lives. We rejoice to believe that Thou art profoundly concerned in all that concerns us and that if we look to Thee for the help which we need and take Thee into our councils, Thou wilt make a plain path before our feet. We shall see and know clearly what we should do and how we shall do it. In recognition of this fact, and profoundly impressed with the sense of our own ignorance and weakness we do look to Thee, asking that Thou wouldst not leave us to ourselves this day, but graciously enrich us with all needful supplies of patience endurance, and wisdom and strength, and courage and resolution, and energy; and whatever comes to us in Thy wise Providence, may it minister in ways unknown to us, to the innermost needs of our beings and our lives, and Thy name shall have the praise of it now and forever, Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Frank Gray, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE ERECTION OF A MOUNMENT TO MOLLIE PITCHER.

Mr. GOOD presented the petition of Washington Camp, No. 393, P. O. S. of A. Luzerne County praying for the passage of bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. SPANGLER presented the petition of Citizens of York County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. BARNER presented the petition of Citizens of Cumberland County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. COX presented the petition of Citizens of Philadelphia praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. CLAYBAUGH presented the petition of Citizens of Blair County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. GEORGE C. IRVIN presented the petition of Washington Camp, No. 311, P. O. S. of A. Blair County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. McNICHOL presented the petition of Citizens of Philadelphia praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. FRANK GRAY presented the petition of Washington Camp, No. 546, P. O. S. of A. of Philadelphia praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING ERECTION OF A MONUMENT TO PUPLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. CLAYCOMB presented the petition of Citizens of Blair County praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. BARNER presented the petition of Washington Camp, No. 171, P. O. S of A. of Cumberland County praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

The SPEAKER presented the petition of Washington Camp, No. 60, P. O. S of A. of Blair County praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. GEORGE C. IRVIN presented the petition of Washington Camp, No. 635, P. O. S of A. of Blair County praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. COX presented the petition of Washington Camp, No. 83, P. O. S. of A. of Philadelphia praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. FRANK GRAY presented the petition of Washington Camp No. 546, P. O. S. of A. of Philadelphia praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof

Which was referred to the Committee on Education.

FAVORING SUPPRESSION OF PROSTITUTION BY INJUNCTION.

Mr. EHRHARDT presented the petition of Citizens of Lackawanna County praying for the passage of a bill to suppress prostitutions by injunction.

Which was referred to the Committee on Law and Order.

FAVORING BOND ISSUE.

Mr. NORTH presented the petition of Citizens of Jefferson County favoring a fifty million dollar bond issue.

Which was referred to the Committee on Public Roads.

PROTESTING AGAINST THE CLUB LICENSE BILL.

Mr. WALTON presented the petition of Citizens of Lawrence County protesting against the club license bill.

Which was referred to the Committee on Law and Order.

Mr. SAMUEL J. PERRY presented the petition of Citizens of Philadelphia protesting against the club license bill.

Which was referred to the Committee on Law and Order.

Mr. GANS presented the petition of Citizens of Philadelphia protesting against the club license bill.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST LAW INTERFERING WITH LEGAL RIGHTS OF CLUBS.

Mr. BARNES presented the petition of Citizens of Cumberland County protesting against the passage of any laws interfering with the legal rights of clubs.

Which was referred to the Committee on Law and Order.

Mr. PIPER presented the petition of Citizens of Philadelphia protesting against the passage of any laws interfering with the legal rights of clubs.

Which was referred to the Committee on Law and Order.

Mr. JAMES A. DUNN presented the petition of Citizens of Philadelphia protesting against the passage of any bill interfering with the legal rights of clubs.

Which was referred to the Committee on Law and Order.

Mr. ULERICH presented the petition of Citizens of West-

moreland County protesting against the passage of any laws interfering with the legal rights of clubs.

Which was referred to the Committee on Law and Order.

REPORTS FROM COMMITTEES.

Mr. RAMSEY, from the Committee on Counties and Townships, reported as committed House Bill No. 1546, entitled

An Act to amend section 5, of an act entitled an act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair, build or rebuild any county bridges, without due advertisement for sealed proposals, excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1901), by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars.

Mr. O'NEILL, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1291, entitled:

An Act defining milk and milk food products and regulating the production, storage, transportation and sale thereof; providing for a milk hygiene service under the direction of the State Livestock Sanitary Board; providing for the examination of milk and milk food products, and premises and equipment where and whereby milk and milk food products are produced, prepared, stored, transported or sold; authorizing boards of health in cities, boroughs, towns and townships of the first class to appoint local milk hygiene agents; and providing penalty for violation of this act.

Mr. ALWORTH, from the Committee on Counties and Townships, reported as committed House Bill No. 1534, entitled

An Act providing for notification of taxables by township treasurers in townships of the first class; prescribing the contents of such notices, and providing for the payment of the expenses thereof, and further providing a penalty for non-compliance therewith.

Mr. FRANK GRAY from the Committee on Printing reported as amended House Bill No. 1458, entitled:

An Act regulating the printing, binding and distribution of the public documents of this Commonwealth; and providing penalties for the violation of this act.

Mr. MOSES from the Committee on Appropriations reported as committed, House Bill No. 1868 (Senate Bill No. 465), entitled:

A Joint Resolution providing for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto.

Mr. SNYDER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1214, entitled:

An Act prescribing the number of directors of the poor in counties which have provided for the erection of a home for the destitute and insane, and fixing the term of services of such directors at six years.

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1119, entitled:

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases.

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1318, entitled:

An Act to amend section four of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth, and fixing the time and manner of the organization of the town councils therein."

Mr. WETTACH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1113, entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease, purchase, condemnation or otherwise and to maintain and operate underground street passenger railways or subways, whether the same be wholly within, or partly within and partly without the limits of the municipality, and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway, and to lease the underground street railway, and any surface or elevated street railway connecting therewith, to corporation or individuals with the right in the municipalities to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations, under the act of June seventh, one thousand nine hundred and one, Pamphlet Laws five hundred and twenty-three, and supplements and amendments thereto

Mr. PENNOCK, from the Committee on Public Roads, reported as amended, House Bill No. 1080, (Senate bill No. 116), entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty.

Mr. DONALLY, from the Committee on Counties and Townships, reported as amended, House Bill No. 1132, entitled:

A supplement to an act approved the twenty-third day of April, one thousand nine hundred three, entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments, and the reassessment between the periods of the triennial assessment, of property, and fixing the time for the return thereof," as amended.

Mr. BROWN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1112, entitled:

An Act authorizing and empowering municipalities to construct, and for this purpose to procure locations therefor, by purchase or condemnation proceedings, as herein provided, or to acquire by condemnation, by lease, by purchase, by stock ownership, or otherwise, and to maintain and operate, street railways, electric light plants, gas works, and all other public utilities, whether the same be wholly within or partly within or partly without the limits of the municipality; and to lease the same to corporations or individuals.

Mr. McALEER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1118, entitled:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes, by the construction and operation of water works, or systems of water works, or if the said municipality or a portion thereof, or its inhabitants, be supplied by a private water company, by the purchase of the water works, of such company, or parts thereof, within the limits of said municipalities, upon the basis herein provided, or in the event of the refusal of said water company to sell the same, as herein provided by the construction and operation of water works or systems of water works.

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1278, entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys, smoke stacks, or other source.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1217, entitled:

An Act authorizing municipal corporations to acquire by purchase, lease, stock ownership condemnation or otherwise, street railways, or portions thereof, whether the same be wholly within or partly within and partly without, the limits of the municipal corporation; providing the method for ascertaining and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations, empowering municipal corporations to maintain, operate or lease street railways acquired by them and defining the terms and other incidents of said lease.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1100, entitled:

An Act extending the police power of municipalities respecting billboards signs and other outdoor advertising, and concerning the licensing, regulation or suppression of the same.

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1236, entitled:

An Act to amend sections three, ten, twelve, fourteen, seventeen, twenty, twenty-two, twenty-four, twenty-six, twenty-eight, thirty-three, thirty-four, forty-three, forty-five, forty-six, forty-seven, fifty-three, fifty-four, and fifty-nine of an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examiation, licensur and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing, house drainage and cess pools in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" and to further amend sections two, eight, twenty-one, twenty-five, twenty-nine, thirty-five and sixty of said act of June seventh, one thousand nine hundred and one as the same were amended by the act of May fourteenth, one thousand nine hundred and nine; by further providing for the examination, licensure and registration

of persons, firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules, regulations and requirements for the constructions or reconstructions of plumbing, house drainage and cess pools, and making changes in said rules, regulations and requirements as heretofore existing.

Mr. PETERS, from the Committee on Counties and Townships, reported as committed, House Bill No. 1163, entitled:

An Act authorizing and empowering counties to construct, and for this purpose procure, locations therefore by purchase or condemnation proceedings as herein provided, or to acquire by condemnation, by lease, by purchase or otherwise ,and to maintain and operate, street railways, electric light plants, gas works and all other public utilities, and to lease the same to corporations or individuals.

Mr. W. H. WILSON, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1110, entitled:

An Act to amend sections two three and four of an act entitled, "An Act authorizing cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for the purpose of making, enlarging, extending and maintaining public parks, parkways, and playgrounds, authorizing the said cities to purchase, acquire, take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks, parkways, and playgrounds in order to protect the same by resale with restrictions; authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks, parkways and playgrounds; providing for the manner of ascertaining, determining awarding and paying compensation and damages in all cases where property is taken, used and appropriated for the said purposes," approved the eighth day of June, one thousand nine hundred and seven; authorizing cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for the purpose of making, enlarging, extending and maintaining public parks parkways, and playgrounds; authorizing the said cities to purchase, acquire, take, use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks, parkways, and playgrounds in order to protect the same; authorizing the imposing of such restriction in regard to the use thereof as will protect such public parks, parkways, and playgrounds.

Mr. GIBSON, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1384, entitled:

An Act authorizing county commissioners to require constables to kill dogs not wearing a tax tag required by law, and imposing a penalty on constables for refusal to comply therewith.

Mr. ULMAN, from the Committee on Railroads, reported with a negative recommendation, House Bill No. 1380, entitled:

An Act to promote the safety of travelers and employees upon railroads by prohibiting common carriers by railroad to require certain duties of conductors, baggage masters, brakemen and flagmen.

REQUESTING INFORMATION FROM THE SUPERINTENDENT OF PUBLIC PRINTING AND BINDING RELATIVE TO RE-PRINTING BILLS.

Mr. HUMES. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Whereas a great number of the bills coming before this House require amendment for the mere purpose of correcting typographical errors which should be discovered by the printer in the proof and be corrected before the bills are printed, and whereas such amendments necessitate the re-printing of the bills by the printer, therefore be it resolved, "That the Superintendent of Public Printing and Binding, be and is, hereby requested to advise this House as to whether or not the re-printing of bills necessitated by amendments, which merely correct typographical errors, is done at the expense of the State or whether he holds the printing contractor responsible therefor."

On the question,

Will the House agree to the adoption of the resolution?

Mr. SCHUCK. Mr. Speaker, I am of the opinion that this resolution is not in order, as the State reads its own proof.

The SPEAKER. The resolution is one of inquiry addressed to one of the State departments, and therefore is in order, and does not have to lie over for printing. Doubtless the inquiry will bring forth the fact as suggested by the gentleman from Westmoreland.

The question recurring,

Will the House agree to the adoption of the motion?

It was agreed to.

The SPEAKER. The first bill on the Calendar is House Bill No. 619, bill on final passage recalled from the Senate. As this bill is not yet on the files of the members, it will be passed for the present.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1090, entitled:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein makng such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven (Pamphlet Laws two hundred and forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Allen,	Dunn, H. B.,	Leslie,	Rockwell,
Alworth,	Dunn, J. A.,	Light,	Rothenberger.
Ambler,	Eichenberger,	Lohr,	Savacool,
Aron,	Ely,	Lowers,	Schuck,
Arthur,	Frey,	Malie,	Shaffer, C. A.,
Baldwin, G. A.,	Gans,	Mannion,	Shaffer, I. E.,
Baldwin, R. J.,	Geary,	Martin,	Shern,
Bayle,	Gibson,	Mather,	Sherwood,
Becker,	Good,	Matt,	Showalter,
Benninger,	Gransback,	McAleer,	Smith, J. W.,
Benson,	Gray, Frank,	McAllister,	Smith, L.,
Bergey,	Gray, Joseph,	McArdle,	Snavely,
Berntheizel,	Hackett,	McClintock,	Snyder,
Bigger,	Haggerty,	McDermott,	Speiser,
Bittles,	Heidinger,	Metzenbacher,	Spilinger,
Blair, W. A.,	Hemminger,	Missimer,	Steedle,
Blair, W. F.,	Heyburn,	Mitchell,	Steele,
Body,	Hibshman,	Moore,	Stein,
Brosius,	Hobbs,	Morrow,	Stone,
Brown,	Howard, J.,	Moses,	Strauss,
Burnett,	Howard, R.,	Moulthrop,	Swartz,
Carson,	Humes,	Murphy,	Swift,
Carter,	Isler,	Neel,	Thomas,
Cleary,	Jackson,	Newbaker,	Trach,
Collins,		Newton,	Ulman,
Conner,	Jones, J. R.,	North,	Walton,
Conniff,	Keeport,	Peachey,	Wettach,
Conrade,	Kennedy,	Pennegar,	Whitaker,
Cox,	Kern,	Pennock,	Williams,
Currier,	Kitts,	Perry, H. L.,	Young, J. H.,
Curry,	Klepper.	Post,	Wiltbank,
Davis,	Kuhn, H. P.,	Price,	Young, G. K.,
DeFrees.	Kuhns, E.G.M.,	Ramsey,	Young, J. H.,
Dickinson,	Lanius,	Redfield,	Zimmerman,
Donahoe,	Latshaw,	Reeser,	Alter,
Donnally,	Lenker,	Rex,	Speaker.
Down,		Rhoads,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1114, as follows:

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth by making it unlawful for an engineer to have charge of more

than one engine and requiring the engineer to remain in the engine room continuously while men or boys are in the mine and fixing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act no person engaged as hoisting engineer in or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal or rock from the said mines shall have charge of more than one engine and such engineer shall remain continuously in the engine room while men or boys are in the mines

Section 2 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars and not more than one hundred dollars or imprisonment in the county jail not exceeding three months or either or both at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Allen,	Frey,	Martin,	Schaeffer, A. C
Alworth,	Gans,	Mather,	Schuck,
Ambler,	Gibson,	Matt,	Scott, S. B.,
Arthur,	Good,	McAleer,	Semmens,
Baldwin, G. A.,	Gramley,	McAllister,	Shaffer, C. A.,
Baldwin, R. J.,	Gransback,	McArdle,	Shaffer, I. E.,
Bayle,	Gray, Frank,	McClintock,	Shern,
Becker,	Hackett,	McDermott,	Sherwood,
Benninger,	Haggerty,	Mechling,	Showalter,
Benson,	Heidinger,	Metzenbacher,	Smith, J. W.,
Berntheizel,	Hemminger,	Miller,	Smith, L.,
Bigger,	Herman,	Missimer,	Snavely,
Bittles,	Heyburn,	Mitchell,	Snyder,
Blair, W. A.,	Hibshman,	Moore,	Speiser,
Blair, W. F.,	Hobbs,	Morrow,	Spillinger,
Body,	Howard, J.,	Moses,	Steedle,
Brosius,	Howard, R.,	Moulthrop,	Steele,
Brown,	Isler,	Murphy,	Stein,
Burnett,	Irwin, H. H.,	Neel,	Stone,
Campbell, C.M.,	Jackson,	Newbaker,	Strauss,
Carson,	Jones, E. E.,	Newton,	Swartz,
Carter,	Jones, J. R.,	North,	Swift,
Cheeseman,	Kaiser,	O'Neill,	Thomas,
Cleary,	Kaufman,	Peachey,	Trach,
Collins,	Keeport,	Pennegar,	Ulerich,
Conner,	Kennedy,	Pennock,	Ulman,
Conniff,	Kern,	Peters,	Walnut,
Conrade,	Kitts,	Piper,	Walsh,
Cox,	Klepper,	Post,	Walton,
Currier,	Kuhn, H. P.,	Price,	Wettach,
Curry,	Kuhns, E.G.M.,	Ramsey,	Whitaker,
Davis,	Lanius,	Redfield,	Whitman,
DeFrees,	Latshaw,	Reese,	Wildman,
Dickinson,	Lenker,	Reeser,	Williams,
Donahoe,	Leslie,	Rhoads,	Wilson, J. H.,
Donnally,	Letzkus,	Richards,	Wilson, W. H.,
Down,	Light,	Rockwell,	Wiltbank,
Dunn, J. A.,	Lohr,	Roney,	Young, G. K.,
Ehrhardt,	Lowers,	Rothenberger,	Zimmerman,
Eichenberger,	Malie,	Runk,	Alter,
Ely,	Mannion,	Savacool,	Speaker.
Flynn,			
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 847, entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Allen,	Flynn,	Lohr,	Runk,
Alworth,	Foster, J. D.,	Lowers,	Sassaman,
Ambler,	Frey,	Malie,	Savacool,
Aron,	Gans,	Mannion,	Schaeffer, A. C
Arthur,	Geary,	Martin,	Schuck,
Baldwin, G. A.,	Gibson,	Mather,	Scott, J. R. K.,
Baldwin, R. J.,	Good,	Matt,	Scott, S. B.,
Bayle,	Grabe,	McAleer,	Semmens,
Becker,	Gramley,	McAllister,	Shaffer, C. A.,
Benninger,	Gransback,	McArdle,	Shaffer, I. E.,
Benson,	Gray, Frank,	McClintock,	Shern,
Bergey,	Gray, Joseph,	McDermott,	Sherwood,
Berntheizel,	Hackett,	McKay,	Showalter,
Bigger,	Haggerty,	Mechling,	Smith, J. W.,
Bittles,	Heidinger,	Mellott,	Smith, L.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Snavely,
Blair, W. F.,	Herman,	Miller,	Snyder,
Body,	Hess,	Missimer,	Speiser,
Brosius,	Heyburn,	Mitchell,	Spillinger,
Brown,	Hibshman,	Moore,	Steedle,
Burnett,	Hobbs,	Morrow,	Steele,
Caldwell,	Howard, J.,	Moulthrop,	Stein,
Campbell, C.M.,	Howard, R.,	Murphy,	Stone,
Campbell, J. J.,	Humes,	Musser,	Strauss,
Carson,	Isler,	Neel,	Swartz,
Carter,	Irwin, H. H.,	Neely,	Swift,
Cheeseman,	Jackson,	Newbaker,	Thomas,
Claycomb,	Jones, E. E.,	Newton,	Trach,
Cleary,	Jones, J. R.,	North,	Ulerich,
Collins,	Kaiser,	O'Neill,	Ulman,
Conner,	Kaufman,	Pennegar,	Walton,
Conniff,	Keeport,	Pennock,	Watson,
Conrade,	Kennedy,	Perry, H. L.,	Wettach,
Cox,	Kern,	Peters,	Whitaker,
Currier,	Kitts,	Piper,	Whitman,
Curry,	Klepper,	Post,	Wildman,
Davis,	Kuhn, H. P.,	Price,	Williams,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Dickinson,	Lanius,	Redfield,	Wilson, W. H.,
Donahoe,	Latshaw,	Reese,	Wiltbank,
Donnally,	Lenker,	Rhoads,	Young, G. K.,
Down,	Leslie,	Richards,	Zimmerman,
Dunn, H. B.,	Letzkus,	Rockwell,	Alter,
Dunn, J. A.,	Light,	Roney,	Speaker.
Eichenberger,		Rothenberger,	
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill 1116, entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Gans,	Mannion,	Schaeffer, A. C
Alworth,	Geary,	Martin,	Schuck,
Ambler,	Gibson,	Mather,	Scott, J. R. K.,
Aron,	Glenn,	Matt,	Scott, S. B.,
Arthur,	Good,	McAleer,	Semmens,
Baldwin, R. J.,	Goss,	McAllister,	Shaffer, C. A.,
Bayle,	Gramley,	McArdle,	Shaffer, I. E.,
Becker,	Gransback,	McClintock,	Shern,
Benson,	Gray, Frank,	McDermott,	Sherwood,
Bergey,	Gray, Joseph,	McKay,	Showalter,
Bigger,	Lohr,	Mellott,	Smith, J. W.,
Bittles,	Lowers,	Savacool,	Smith, L.,
Frey,	Malie,		

Blair, W. F.,	Hackett,	Metzenbacher,	Snavely,
Body,	Hay,	Miller,	Snyder,
Brosius,	Heidinger,	Missimer,	Spangler,
Brown,	Hemminger,	Mitchell,	Speiser,
Brownlee,	Herman,	Moore,	Spillinger,
Burnett,	Hess,	Morrow,	Steedle,
Campbell, C.M.,	Heyburn,	Moses,	Steele,
Campbell, J. J.,	Hibshman,	Moulthrop,	Stein,
Carson,	Hobbs,	Murphy,	Stone,
Carter,	Howard, J.,	Neel,	Strauss,
Claycomb,	Howard, R.,	Neely,	Swartz,
Cleary,	Humes,	Newbaker,	Swift,
Collins,	Isler,	Newton,	Thomas,
Conner,	Irwin, H. H.,	North,	Trach,
Conniff,	Jackson,	O'Neill,	Ulerich,
Conrade,	Jones, E. E.,	Pennegar,	Ulman,
Cox,	Jones, J. R.,	Pennock,	Walton,
Currier,	Kaiser,	Peters,	Watson,
Curry,	Keeport,	Piper,	Wettach,
Davis,	Kennedy,	Post,	Whitaker,
DeFrees,	Kern,	Price,	Whitman,
Dickinson,	Kitts,	Ramsey,	Wildman,
Donahoe,	Klepper,	Redfield,	Williams,
Donnally,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Rex,	Wiltbank,
Dunn, J. A.,	Latshaw,	Rhoads,	Young, G. K.,
Ehrhardt,	Lenker,	Richards,	Young, J. H.,
Eichenberger,	Leslie,	Rockwell,	Zimmerman,
Ely,	Letzkus,	Roney,	Alter,
Flynn,	Light,	Sassaman,	Speaker.
Forster, I. G.,			
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1143, entitled:

An Act to authorize townships of the first class to provide for fire protection

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Allen,	Foster, J. D.,	Lohr,	Rockwell,
Alworth,	Frey,	Lowers,	Roney,
Ambler,	Gans,	Malie,	Rothenberger,
Aron,	Geary,	Mannion,	Runk,
Arthur,	Gibson,	Martin,	Sassaman,
Baldwin, G. A.,	Glenn,	Mather,	Savacool,
Baldwin, R. J.,	Good,	Matt,	Schaeffer, A. C.
Bass,	Grabe,	McAleer,	Schuck,
Bayle,	Gramley,	McAllister,	Semmens,
Becker,	Cransback,	McArdle,	Shaffer, C. A.,
Benninger,	Gray, Frank,	McCaig,	Shaner, I. E.,
Benson,	Gray, Joseph,	McClintock,	Shern,
Bergey,	Hackett,	McDermott,	Sherwood,
Berntheizel,	Haggerty,	McKay,	Showalter,
Bigger,	Heidinger,	McNichol,	Smith, J. W.,
Bittles,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Herman,	Miller,	Snavely,
Body,	Hess,	Missimer,	Snyder,
Brosius,	Heyburn,	Mitchell,	Spangler,
Brown,	Hibshman,	Moore,	Speiser,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Howard, J.,	Moses,	Steedle,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Steele,
Campbell, J. J.,	Humes,	Murphy,	Stein,
Carter,	Isler,	Musser,	Stone,
Cheeseman,	Irwin, H. H.,	Neel,	Strauss,
Claycomb,	Jackson,	Neely,	Swartz,
Cleary,	Jones, E. E.,	Newbaker,	Swift,
Collins,	Jones, J. R.,	Newton,	Thomas,
Conner,	Kaiser,	North,	Trach,
Conrade,	Kaufman,	O'Neill,	Ulerich,
Cox,	Keegan,	Peachey,	Ulman,
Currier,	Keeport,	Pennegar,	Walsh,
Curry,	Kennedy,	Pennock,	Walton,
Davis,	Kern,	Perry, H. L.,	Watson,
DeFrees,	Kitts,	Peters,	Wettach,
Dickinson,	Klepper,	Piper,	Whitaker,
Donahoe,	Kuhn, H. P.,	Post,	Wildman,
Donnally,	Kuhns, E.G.M.,	Price,	Williams,
Down,	Lanius,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Reese,	Wiltbank,
Ehrhardt,	Leslie,	Rex,	Young, G. K.,
Eichenberger,	Letzkus,	Rhoads,	Young, J. H.,
Ely,	Light,	Richards,	Zimmerman,
Fahey,			Alter,
Forster, I. G.,			Speaker.

NAYS—1.

Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 921, entitled:

An Act authorizing cities boroughs and townships to enact ordinances regulating pipes or tubes used to convey gas

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MATT. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 1, in line 4, after the word "borough," by adding "incorporated town."

Amend title, in first line, after the word "boroughs," by adding "incorporated towns."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill has amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 357, entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence"

On the question,

Will the House agree to the bill on third reading?

Mr. GOSS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Title, last line, after "offence" insert "and imposing duties on conductors."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 835, as follows:

An Act relating to the service of notices and summons in landlord and tenant cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in all actions before magistrates aldermen or justices of the peace by landlords for the recovery of the premises because of the expiration of the lease for which the premises were rented or for non-payment of rent if no one be found on the premises or within the jurisdiction of the officer issuing the writ on whom the notice or summons may be served or in case access to the premises cannot be gained to serve the same then the same may be served by posting a copy thereof on the building on the premises in a conspicuous place

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Flynn,	Malie,	Runk,
Alworth,	Forster, I. G.,	Mannion,	Sassaman,
Ambler,	Foster, J. D.,	Martin,	Savacool,
Aron,	Frey,	Mather,	Schaeffer, A. C.
Arthur,	Gans,	Matt,	Schuck,
Frey,	Geary,	McAleer,	Semmens,
Baldwin, R. J.,	Gibson,	McAllister,	Shaffer, C. A.,
Bass,	Glenn,	McArdle,	Shaffer, I. E.,
Bayle,	Good,	McClintock,	Shern,
Becker,	Goss,	McDermott,	Sherwood,
Benninger,	Grabe,	McKay,	Showalter,
Bergey,	Gramley,	Mechling,	Smith, J. W.,
Berntheizel,	Gransback,	Mellott,	Smith, L.,
Bigger,	Gray, Frank,	Metzenbacher,	Snavely,
Bittles,	Gray, Joseph,	Miller,	Snyder,
Blair, W. A.,	Hackett,	Missimer,	Spangler,
Blair, W. F.,	Haggerty,	Mitchell,	Speiser,
Bleloch,	Heidinger,	Moore,	Spillinger,
Body,	Hemminger,	Morrow,	Steedle,
Brosius,	Herman,	Moses,	Steele,
Brown,	Hibshman,	Murphy,	Stein,
Brownlee,	Hobbs,	Musser,	Stone,
Burnett,	Howard, J.,	Neel,	Strauss,
Campbell, C.M.,	Howard, R.,	Neely,	Swartz,
Campbell, J. J.,	Isler,	Newbaker,	Swift,
Carson,	Jackson,	Newton,	Thomas,
Carter,	Jones, J. R.,	North,	Trach,
Cheeseman,	Kaiser,	O'Neill,	Ulerich,
Claycomb,	Kaufman,	Peachey,	Ulman,
Cleary,	Keeport,	Pennegar,	Walnut,
Conner,	Kennedy,	Pennock,	Walton,
Conniff,	Kern,	Peters,	Watson,
Conrade,	Kitts,	Piper,	Wettach,
Cox,	Klepper,	Post,	Whitaker,
Currier,	Kuhn, H. P.,	Price,	Whitman,
Curry,	Kuhns, E.G.M.,	Ramsey,	Wildman,
Davis,	Lanius,	Redfield,	Williams,
DeFrees,	Latshaw,	Reese,	Wilson, J. H.,
Dickinson,	Lenker,	Reeser,	Wilson, W. H.,
Donahoe,	Leslie,	Rhoads,	Wiltbank,
Down,	Letzkus,	Richards,	Young, G. K.,
Dunn, H. B.,	Light,	Rockwell,	Young, J. H.,
Dunn, J. A.,	Lohr,	Roney,	Zimmerman,
Ehrhardt,	Lowers,	Rothenberger,	Alter,
Eichenberger,			Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 598, entitled:

An Act to prohibit the employment at any work or labor of any minor child under the age of twenty-one years and over the age of sixteen years in or around any anthracite coal mine or colliery for more than eight hours a day providing a method whereby the employers of labor may acertain such age and providing a penalty for non-compliance with the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the fourth day of July Anno Domini one thousand nine hundred and thirteen it shall be unlawful for any person partnership or corporation or the agent of any such person partnership or corporation to employ at any work or labor in or around any anthracite coal mine or colliery any minor child between the ages of sixteen years and twenty-one years for more than eight hours per day

Section 2 Any employer of labor in and around any such anthracite coal mine or colliery may demand from the person applying for work an affidavit duly taken before some one authorized to administer an oath that the person so applying for work is above the age of twenty-one years and if a legal affidavit is so furnished to said employer of labor in and around any anthracite coal mine or colliery the said affidavit when produced in court shall be a full answer to any suit or demand for the penalty imposed by this act Said affidavit shall be placed on file in the office of said company open to public inspection and shall be returned to the person furnishing said affidavit when he leaves the employ of that employer

Section 3 Any person partnership or corporation violating the provisions of this act shall be subject to a penalty of five hundred dollars for each and every offense which penalty shall be collected by suit entered in the court of common pleas in the county in which said offense was committed said suit to be instituted by the Chief of the Department of Mines in the name of the Commonwealth of Pennsylvania and the penalty so collected to be paid into the treasury of the Commonwealth

Section 4 If thirty or more citizens of this Commonwealth shall bring to the notice of the said Chief of the Department of Mines by affidavit that any person partnership or corporation is violating the provisions of this act and if the said Chief of the Department of Mines shall within thirty days from that date fail to institute suit against the party so offending as provided for by this act then in that case it shall be the right of any citizen of this Commonwealth to institute said suit in the name of and to the use of the Commonwealth of Pennsylvania Provided however That if any citizen or citizens shall institute suit as provided for in this section the citizen or citizens so instituting said suit shall be liable for the costs of said suit in case said suit is decided against them

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—177.

Allen,	Eichenberger,	Leslie,	Rothenberger,
Alworth,	Ely,	Letzkus,	Runk,
Ambler,	Flynn,	Light,	Sassaman,
Aron,	Forster, I. G.,	Lohr,	Savacool,
Arthur,	Foster, J. D.,	Lowers,	Schaeffer, A. C.
Baldwin, G. A.,	Frey,	Malie,	Schuck,
Baldwin, R. J.,	Gans,	Mannion,	Semmens,
Bass,	Geary,	Martin,	Shaffer, C. A.,
Bayle,	Gibson,	Mather,	Shaffer, I. E.,
Becker,	Glenn,	Matt,	Shern,
Benninger,	Good,	McAleer,	Sherwood,
Benson,	Grabe,	McAllister,	Showalter,
Berntheizel,	Gramley,	McClintock,	Smith, J. W.,
Bigger,	Gransback,	McDermott,	Smith, L.,
Bittles,	Gray, Frank,	McKay,	Snavely,
Blair, W. A.,	Hackett,	Mechling,	Snyder,
Blair, W. F.,	Haggerty,	Mellott,	Speiser,
Bleloch,	Heidinger,	Metzenbacher,	Spillinger,
Body,	Hemminger,	Miller,	Steedle,
Brosius,	Herman,	Missimer,	Steele,
Brown,	Hess,	Mitchell,	Stein,
Brownlee,	Heyburn,	Moore,	Stone,
Burnett,	Hobbs,	Morrow,	Strauss,
Campbell, C.M.,	Howard, J.,	Moses,	Swartz,
Campbell, J. J.,	Howard, R.,	Moulthrop,	Swift,
Carson,	Isler,	Murphy,	Thomas,
Carter,	Irwin, H. H.,	Musser,	Trach,
Cheeseman,	Jackson,	Neel,	Ulerich,
Claycomb,	Jones, E. E.,	Neely,	Ulman,
Cleary,	Jones, J. R.,	Newbaker,	Walnut,
Collins,	Kaiser,	Newton,	Walsh,
Conner,	Kaufman,	North,	Walton,
Conniff,	Keegan,	O'Neill,	Watson,
Conrade,	Keeport,	Peachey,	Wettach,
Cox,	Kenna,	Pennegar,	Whitaker,
Currier,	Kennedy,	Pennock,	Wildman,
Curry,	Kern,	Price,	Williams,
Davis,	Kitts,	Ramsey,	Wilson, J. H.,
DeFrees,	Klepper,	Redfield,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Reese,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Donnally,	Lanius,	Rhoads,	Young, J. H.,
Down,	Latshaw,	Richards,	Zimmerman,
Dunn, H. B.,	Lenker,	Rockwell,	Alter,
Dunn, J. A.,		Roney,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. E. E. JONES. Mr. Speaker, I would like to call up at this time House Bill No. 865 (Senate Bill No. 57), on page 26 of to-day's calendar, which was postponed yesterday because of improper file folio.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 865 (Senate Bill No. 57), entitled:

An Act to amend secton ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof confer-

ring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvements or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, in relation to this bill passed over yesterday, I want to say that I have made inquiry of the gentlemen interested in it and they inform me that the sole purpose of this bill is to give the County Commissioners the right of eminent domain over such toll roads as they desire to acquire at the county's exepnse for the purpose of connecting up with other free turnpikes, and under such circumstances I think it is a very good bill.

Mr. E. E. JONES. Mr. Speaker, I beg to correct the gentleman in that it does not give the Conty Commissioners the right of eminent domain. It is the State Highway Department.

Mr. ALLEN. Mr. Speaker, in relation to this bill passed Department.

Mr. E. E. JONES. It is merely to permit the taking over of toll roads without waiting for the termination of the proceedings in Court.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—182.

Allen,	Ely,	Lenker,	Runk,
Alworth,	Flynn,	Leslie,	Sassaman,
Ambler,	Forster, I. G.,	Letzkus,	Savacool,
Aron,	Foster, J. D.,	Light,	Schaeffer, A. C
Arthur,	Frey,	Lohr,	Schuck,
Baldwin, G. A.,	Gans,	Lowers,	Scott, S. B.,
Baldwin, R. J.,	Geary,	Malle,	Semmens,
Bayle,	Gibson,	Mannion,	Shaffer, C. A.,
Becker,	Glenn,	Martin,	Shaffer, I. E.,
Benninger,	Good,	Mather,	Shern,
Benson,	Goss,	Matt,	Sherwood,
Bergey,	Grabe,	McAllister,	Showalter,
Bigger,	Gramley,	McArdle,	Smith, J. W.,
Bittles,	Gransback,	McClintock,	Smith, L.,
Blair, W. A.,	Gray, Frank,	McDermott,	Snavely,
Blair, W. F.,	Gray, Joseph,	Mechling,	Snyder,
Bleloch,	Hackett,	Mellott,	Speiser,
Body,	Haggerty,	Missimer,	Spillinger,
Brosius,	Heidinger,	Mitchell,	Steedle,
Brown,	Hemminger,	Moore,	Steele,
Brownlee,	Herman,	Morrow,	Stein,
Campbell, C.M.,	Hess,	Moses,	Stone,
Campbell, J. J.,		Moulthrop,	
Carson,	Hibshman,	Musser,	Strauss,
Carter,	Hobbs,	Neel,	Swartz,
Cheeseman,	Howard, J.,	Neely,	Swift,
Claycomb,	Howard, R.,	Newbaker,	Thomas,
Cleary,	Humes,	Newton,	Trach,
Cochran,	Isler,	North,	Ulerich,
Collins,	Irwin, H. H.,	O'Neill,	Ulman,
Conner,	Jackson,	Peachey,	Walnut,
Conniff,	Jones, E. E.,	Pennegar,	Walsh,
Conrade,	Jones, J. R.,	Pennock,	Walton,
Cox,		Peters,	Watson,
Currier,	Kaiser,	Piper,	Wettach,
Curry,	Kaufman,	Post,	Whitaker,
Davis,	Kegan,	Price,	Whitman,
DeFrees,	Keeport,	Ramsey,	Wildman,
Dickinson,	Kennedy,	Redfield,	Williams,
Donahoe,	Kern,	Reese,	Wilson, J. H.,
Donnally,	Kitts,	Reeser,	Wilson, W. H.,
Down,	Klepper,	Rhoads	Wiltbank,
Dunn, H. B.,	Kuhn, H. P.,	Richards,	Young, G. K.,
Dunn, J. A.,	Kuhns, E.G.M.,	Rockwell,	Young, J. H.,
Ehrhardt,	Lanius,	Roney,	Alter,
Eichenberger,	Latshaw,	Rothenberger,	Speaker.

NAYS—1.

McAleer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. SWIFT. Mr. Speaker, I desire to call up from the postponed calendar, page 25, House Bill 195, file folio 2695.

Agreeably to order.

The House resumed the third reading and consideration of House Bill No. 195. as follows:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building or part of a building used for purpose of fornication lewdness assignation or prostitution shall be a nuisance

Section 2 Any person knowing or having reason to believe that any building or part of a building is so used may in writing notify the owner and agent of the owner that such building or part of a building is so used A copy of said notice shall be served on the person using said building or part thereof as aforesaid Such notification may be served personally or by registered mail Any such agent shall be guilty of a misdemeanor who shall receive such notification and who shall not within twenty-four hours either deliver the same to the owner personally or mail the same to the owner by registered mail Testimony showing that such notice was served on the owner or agent as aforesaid shall in any proceeding under this act be prima facie evidence that such owner or agent has knowledge of the nuisance If such nuisance be not abated within one week after service of such notice as aforesaid the court of common pleas of the county on the petition of the district attorney or of any citizen of the county shall grant a preliminary injunction directed to the owner of such building and to the person so using the same restraining such owner and such person from using or permitting such building to be used as aforesaid Such petition shall recite the said nuisance and the service of notice on the owner and such person as aforesaid and the failure of the owner and such person to abate the nuisance and shall be vertified by affidavit of the petitioner or of one of the petitioners

Section 3 Service of such injunction shall be made personally upon the owner and on such person if they can be found in the county If they cannot be so found a copy thereof shall be delivered to any adult residing in said building and upon the agent if any of the owner If no such adult be found and service be had upon such agent if any then a copy shall be posted upon any outer door of such building and a copy shall be published in one or more newspapers of general circulation in the county as the court may direct If any person other than such owner shall be served with any such notice of injunction and shall not within twety-four hours thereafter deliver the same to said owner or mail it to said owner by registered mail such person shall be guilty of a misdemeanor

Section 4 The hearing on such injunction shall not be more than four days after the service of the notice or after the last day of publication of such notice as aforesaid If after consideration the court shall find that the building or part thereof was used as aforesaid the injunction shall be made a perpetual injunction restraining the owner his heirs and assigns or successors forever from using such building or any part thereof as aforesaid or permitting the same to be done and restraining said person from using said building or any part thereof in the manner aforesaid A copy of the petition injunction and decree shall be recorded in the office of the recorder of deeds of the county in the same manner as a mortgage would be recorded if given by said owner Such record shall thereafter forever be public notice to all owners of said property of the continuance of such injunction If any owner shall violate such owners shall in addition to attachment for contempt be guilty of a misdemeanor and be punishable as hereinafter provided

Section 5 If the preliminary injunction be dissolved the costs shall be imposed as directed by the court If the injunction be not dissolved the owner shall pay all costs which shall include an attorney's fee for petitioner of seventy-five dollars

Section 6 Any owner of such building or any agent of such owner who after such injunction be made permanent shall use such building or any part thereof as aforesaid or knowingly permit the same to be used shall be guilty of a misdemeanor

Section 7 Any person using said building or part thereof as aforesaid and enjoined with such owner as aforesaid who shall use said building or part thereof or any other building or part thereof in violation of such injunction shall be guilty of a misdemeanor

Section 8 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred nor more than one thousand dollars and to undergo an imprisonment in the jail of the county for a period of not less than six months nor more than two years without suspension of sentence

Section 9 This act is not intended to repeal any of the provisions of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" or any amendments thereof or supplements thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Alworth,	Glenn,	Mather,	Rockwell,
Ambler,	Good,	Matt,	Runk,
Baldwin, G. A.,	Goss,	McAleer,	Savacool,
Bayle,	Grabe,	McAllister,	Scott, J. R. K.,
Becker,	Gramley,	McClintock,	Scott, S. B.,
Bergey,	Haggerty,	McDermott,	Semmens,
Bigger,	Heidinger,	McKay,	Shaffer, C. A.,
Bittles,	Hemminger,	Mechling,	Shaffer, I. E.,
Blair, W. A.,	Herman,	Mellott,	Showalter,
Blair, W. F.,	Hess,	Metzenbacher,	Smith, J. W.,
Body,	Hibshman,	Miller,	Smith, L.,
Brosius,	Hobbs,	Mitchell,	Snavely,
Brown,	Howard, J.,	Moore,	Snyder,
Brownlee,	Howard, R.,	Morrow,	Steedle,
Burnett,	Humes,	Moses,	Steele,
Campbell, C.M.,	Irwin, G. C.,	Moulthrop,	Stone,
Carson,	Irwin, H. H.,	Neel,	Swartz,
Cheeseman,	Jackson,	Newbaker,	Swift,
Claycomb,	Jones, E. E.,	Newton,	Thomas,
Cleary,	Jones, J. R.,	North,	Ulerich,
Cox,	Kennedy,	Peachey,	Walnut,
Currier,	Kern,	Pennegar,	Watson,
Davis,	Kitts,	Pennock,	Whitaker,
DeFrees,	Klepper,	Peters,	Wildman,
Dickinson,	Landis,	Post,	Williams,
Donnally,	Latshaw,	Ramsey,	Wilson, J. H.,
Down,	Lenker,	Redfield,	Young, G. K.,
Dunn, H. B.,	Leslie,	Reeser,	Young, J. H.,
Dunn, J. A.,	Lohr,	Rex,	Zimmerman,
Ely,	Lowers,	Rhoads,	Alter,
Flynn,	Mannion.	Richards,	Speaker.
Foster, J. D.,			

NAYS—9.

Allen,	Eichenberger,	Letzkus,	Missimer,
Conrade,	Keegan,	Malie,	Rothenberger,
			Sassaman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate as follows:

Resolved (if the House of Reprensentatives concur) That when the Senate adjourns to-day, it shall meet on Monday evening, April 7th, at nine o'clock.

The resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 697, as follows:

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowering corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That individuals partnerships and corporations of this Commonwealth hereby designated subscribers are hereby authorized to exchange reciprocal or inter-insurance contracts with each other or with individuals partnerships and corporations of other States and countries providing indemnity among themselves from any loss which may be insured against under other provisions of the insurance laws excepting life insurance

Section 2 Such contracts may be executed by an attorney agent or other representative herein designated attorney duly authorizel and acting for such subscribers

Section 3 Such subscribers so contracting among themselves shall through their attorney file with the Insurance Commissioner of this Commonwealth a declaration verified by the oath of such attorney setting forth

(a) The name or title of the office at which such subscribers propose to exchange such indemnity contracts Said name or title shall not be so similar to any other name or title previously adopted by a similar organzaton or by any insurance corporation or association as in the opinion of the Insurance Commissioner is calculated to result in confusion or deception

(b) The kind or kinds of insurance to be effected or exchanged

(c) A copy of the form of policy contract or agreement under or by which such insurance is to be effected or exchanged

(d) A copy of the form of power of attorney or other authority of such attorney under which such insurance is to be effected or exchanged

(e) The location of the office or offices from which such contracts or agreements are to be issued

(f) That applications have been made for indemnity upon at least one hundred separate risks aggregating not less than one and one-half million ($1,500,000.00) dollars as represented by executed contracts or bona fide applications to become concurrently effective or in case of liability or compensation insurance covering a total pay roll of not less than one and one-half million ($1,500,000) dollars.

(g) That there is on deposit with such attorney and available for the payment of losses a sum of not less than twenty-five thousand ($25,000.00) dollars

Section 4 Concurrently with the filing of the declaration provided for by the terms of section three hereof the attorney shall by a duly executed instrument filed in his office constitute and appoint the Insurance Commissioner or his successor the true and lawful attorney upon whom all lawful processes in any action rule order or legal proceeding against such subscribers may be served and therein shall agree that any lawful process against such subscribers which may be served upon him as the said attorney shall be of the same force and validity as if served on the said attorney and that the authority thereof shall continue in force irrevocable so long as any liability remains outstanding in this Commonwealth The service of process shall be made by leaving the same in duplicate in the hands or office of the commissioner one copy certified by the commissioner as having been served upon him shall be deemed sufficient evidence thereof and service upon the commissioner shall be deemed valid service upon all subscribers exchanging at any time reciprocal or inter-insurance contracts through such attorney When legal process is served upon the commissioner as attorney he shall forthwith forward one of the duplicate copies of the process served on him to the attorney for the subscribers As a condition of valid and effective service and of the duty of the Insurance Commissioner in the premises the plaintiff in each such process shall pay to the Insurance Commissioner at the time of the service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs in the case if he prevails in the suit The Insurance Commissioner shall keep a record of all such process which shall show the day and hour of service

Section 5 There shall be filed with the Insurance Commissioner of this Commonwealth by such attorney a statement under the oath of such attorney showing the maximum amount of indemnity upon any single risk and such attorney shall whenever and as often as the same shall be required file with the Insurance Commissioner a statement verified by his oath to the effect that he has examined the commercial rating of such subscribers as shown by the reference book of a commercial agency having at least one hundred thousand subscribers and that from such examination or from other information in his possession it appears that no subscriber has assumed on any single risk an amount greater than ten per centum of the net worth of such subscriber

Section 6 There shall at all times be maintained as a reserve a sum in cash or in securities of the character permitted by the laws of the State under which the exchange is organized for the investment of the capital and funds of an insurance company equal to fifty per centum of the aggregate net annual deposits collected and credited to the account of the subscribers on policies having one year or less to run and pro rata on those for longer periods Net annual deposits shall be construed to mean the advance payments of subscriber after deducting therefrom the amounts specifically provided in the subscribers' agreements for expenses Said sum shall at no time be less than twenty-five thousand ($25,000.00) dollars and if at any time fifty per centum of the aggregate deposits so collected and credited not equal that amount then the subscribers or their attorney for them shall make up any deficiency under penalty of a revocation of the license

Section 7 Such attorney shall make a report to the Insurance Commissioner for each calendar year on or before the first day of March showing the financial condition of affairs at

the office where such contracts are issued and shall furnish such additional information and reports as he may require

Provided however that such attorney shall not be required to furnish the names and addresses of any subscribers nor the loss ratio

The business affairs and assets of such organization shall be subject to examination by the Insurance Commissioner

Section 8 Any corporation now or hereafter organized under the laws of this Commonwealth shall in addition to the rights powers and franchises specified in its articles of incorporation have full power and authority to exchange insurance contracts of the kind and character herein mentioned The right to exchange such contracts is hereby declared to be incidental to the purposes for which such corporations are organized and as much granted as the rights and powers expressly conferred

Section 9 Any attorney who shall except for the purpose of applying for certificate of authority as herein provided exchange any contracts of indemnity of the kind and character specified in this act or directly or indirectly solicit or negotiate any applications for same without first complying with the foregoing provisions shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1,000.00) dollars

Section 10 Each attorney by or through whom are issued any policies of or contracts for indemnity of the character referred to in this act shall procure from the Insurance Commissioner annually a certificate of authority stating that all the requirements of this act have been complied with and the payment of the fees required by this act the Insurance Commissioner shall issue such certificates The Insurance Commissioner may revoke any certificate of authority issued hereunder

Section 11 Such attorney shall pay to the Commonwealth the same fees as are now required by law to be paid by foreign insurance companies transacting business in this Commonwealth and the same taxes as are collected by other States from inter-insurance or reciprocal exchanges organized in Pennsylvania and exchanging indemnity in such States Provided that in the payment of taxes he may deduct from the gross premiums or deposits received during the calendar year all amounts returned to subscribers or credited to their accounts other than for losses

Section 12 Except as herein provided no insurance law of this Commonwealth shall apply to the exchange of such indemnity contracts unles they are specially mentioned

Section 13 The act approved February fourth one thousand eight hundred and seventy entitled "An Act to prevent the issue of unauthorized policies of insurance" and section thirty-two of the act approved June first one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" in so far as they apply to reciprocal or inter-insurance contracts and also all other acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I have been asked by several members to give an explanation of this bill. I would like to say to the members of the House that the word inter-insurance, as used in this bill relates to that class of insurance companies which is nation-wide and known under different names, for instance, The Lumbermans Insurance Association, The Druggists Insurance Association, and various other insurance associations of that character. We have no legislation on our statute books bring these various insurance organizations under any control, or giving them any recognition by the State Insurance Department. The State Insurance Department feels that it is just as important that they should have the power to investigate and know whether these companies or associations or solvent concerns, or not, before they go out and take the people's money. It is simply an act of this assembly which reaches out to fit into the changes of the times. You all know that in early years there was only one kind of insurance, fire, insurance, and after that came life insurance, and then the various other kinds. This proposition is one that the Insurance Department feels should be looked into, and should be under certain control. The provisions of the bill I think are absolutely in the right spirit. It is progressive legislation, the kind of legislation that the gentleman from Delaware always stands for.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Allen,	Eichenberger,	Letzkus,	Rothenberger,
Alworth,	Ely,	Light,	Runk,
Ambler,	Flynn,	Lohr,	Sassaman,
Aron,	Forster, I. G.,	Lowers,	Savacool,
Arthur,	Gans,	Malie,	Schaeffer, A. C
Baldwin, G. A.,	Gibson,	Mannion,	Schuck,
Baldwin, R. J.,	Good,	Martin,	Scott, S. B.,
Bass,	Goss,	Mather,	Semmens,
Bayle,	Grabe,	Matt,	Shaffer, C. A.,
Becker,	Gramley,	McAleer,	Shaffer, I. E.,
Benninger,	Gransback,	McAllister,	Shern,
Benson,	Gray, Frank,	McArdle,	Sherwood,
Bergey,	Gray, Joseph,	McClintock,	Showalter,
Berntheizel,	Hackett,	McDermott,	Smith, J. W.,
Bigger,	Haggerty,	McKay,	Smith, L.,
Bittles,	Heidinger,	Mechling,	Snavely,
Blair, W. A.,	Hemminger,	Mellott,	Snyder,
Blair, W. F.,	Herman,	Metzenbacher,	Spangler,
Bleloch,	Hess,	Miller,	Speiser,
Body,	Heyburn,	Missimer,	Spillinger,
Brosius,	Hibshman,	Mitchell,	Steedle,
Brown,	Hobbs,	Moore,	Steele,
Brownlee,	Howard, J.,	Morrow,	Stein,
Burnett,	Howard, R.,	Moses,	Stone,
Campbell, C.M.,	Isler,	Neel,	Strauss,
Campbell, J. J.,	Irwin, G. C.,	Neely,	Swartz,
Carson,	Irwin, H. H.,	Newbaker,	Swift,
Carter,	Jackson,	Newton,	Thomas,
Cheeseman,	Jones, E. E.,	North,	Trach,
Claycomb,	Jones, J. R.,	O'Neill,	Ulerich,
Cleary,	Kaiser,	Peachey,	Ulman,
Collins,	Kaufman,	Pennegar,	Walton,
Conner,	Keegan,	Pennock,	Watson,
Conniff,	Keeport,	Perry, H. L.,	Whitaker,
Conrade,	Kennedy,	Peters,	Whitman,
Cox,	Kern,	Piper,	Wildman,
Caldwell,	Kitts,	Price,	Williams,
Curry,	Klepper,	Ramsey,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dickinson,	Lanius,	Reeser,	Young, G. K.,
Donahoe,	Latshaw,	Rhoads,	Young, J. H.,
Donnally,	Lenker,	Richards,	Zimmerman,
Down,	Leslie,	Rockwell,	Alter,
Dunn, H. B.,		Roney,	Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 479, entitled:

An Act to amend section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

On the question,

Will the House agree to the bill on third reading?

Mr. JOSIAH HOWARD. Mr. Speaker, this is a radical change in the School Code. For four years the School Code was discussed in this House during sessions.

The SPEAKER. The Chair will call the members attention to the fact that the sponsor of this bill is not in his chair to-day.

BILL POSTPONED.

Mr. JOSIAH HOWARD. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. LOHR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1013, entitled:

An Act to amend further the tenth section of an act entitled "An Act providing when how upon what property an to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one as heretofore amended by changing the procedure for reviving and continuing the liens of municipal and tax claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one which as heretofore amended read as follows:

"Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after confirmation of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where an appeal is taken from the assessment for the recovery of which such municipal claim is fixed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no account is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said porperties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment o nthe scrie facias and in cases of other than tax claims ater judgment on the scire acias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scrie facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests or record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The protonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index of it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scrie facias thereon or of any judgment thereon or of the filing or any prior suggestion the averment of default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment or revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost" shall be and the same is hereby amended to read as follows

Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where no appeal is taken from the assessment for the recovery of which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If the final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facie or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests of record that the above claim is still due and owning to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index in upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim of the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment or default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SPEISER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. PATRICK CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "A Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILDMAN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1082 (Senate Bill No. 157), as follows:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" which reads a follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" is hereby amended to read as follows

Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over five hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated provided that this section shall not apply to road contracts of any township of the first class owning at the time of the passage of this act its own tools implements and machinery necessary for repairing public highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Allen,	Gibson,	Lowers,	Runk,
Alworth,	Glenn,	Malie,	Sassaman,
Ambler,	Good,	Martin,	Savacool,
Aron,	Goss,	Mather,	Schaeffer, A. C
Arthur,	Grabe,	Matt,	Schuck,
Baldwin, G. A.,	Gramley,	McAleer,	Semmens,
Baldwin, R. J.,	Gransback,	McAllister,	Shaffer, C. A.,
Bayle,	Gray, Frank,	McArdle,	Shaffer, I. E.,
Becker,	Gray, Joseph,	McCaig,	Sherwood,
Benninger,	Hackett,	McClintock,	Showalter,
Benson,	Haggerty,	McKay,	Smith, J. .,
Bergey,	Heidinger,	Mechling,	Smith, L.,
Berntheizel,	Hemminger,	Mellott,	Snavely,
Bigger,	Herman,	Metzenbacher,	Snyder,
Bittles,	Hess,	Miller,	Spangler,
Blair, W. A.,	Heyburn,	Missimer,	Speiser,
Body,	Hibshman,	Mitchell,	Spillinger,
Brosius,	Hobbs,	Moore,	Steedle,
Brown,	Hoffman,	Morrow,	Steele,
Carson,	Howard, J.,	Moses,	Stein,
Carter,	Isler,	Moulthrop,	Stone,
Cheeseman,	Irwin, G. C.,	Murphy,	Strauss,
Claycomb,	Irwin, H. H.,	Neel,	Swartz,
Cleary,	Jackson,	Neely,	Swift,
Collins,	Jones, E. E.,	Newbaker,	Thomas,
Conner,	Jones, J. R.,	Newton,	Trach,
Conniff,	Kaiser,	North,	Ulerich,
Conrade,	Kaufman,	O'Neill,	Ulman,
Cox,	Keegan,	Peachey,	Walnut,
Currier,	Keeport,	Pennegar,	Walsh,
Curry,	Kennedy,	Pennock,	Watson.
Davis,	Kern,	Piper,	Wettach,
DeFrees,	Kitts,	Post,	Whitaker,
Dickinson,	Klepper.	Price,	Whitman,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wildman,
Donnally,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Down,	Lanius,	Reese,	Wilson, W. H.,
Dunn. H. B.,	Latshaw,	Reeser,	Wiltbank,
Dunn. J. A.,	Lenker,	Rex,	Young, G. K.,
Ehrhardt,	Letzkus,	Rhoads,	Young, J. H.,
Forster. I. G.,	Light,	Richards,	Zimmerman,
Foster, J. D.,	Lohr,	Roney,	Alter,
Gans,		Rothenberger,	Speaker.
Geary,			

NAYS—5.

Cochran,	McDermott,	Rockwell,	Walton,
Howard, R.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1137, entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand inhabitants and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Alworth,	Good,	Mannion,	Roney,
Ambler,	Goss,	Martin,	Rothenberger,
Arthur,	Grabe,	Mather,	Runk,
Becker,	Gramley,	Matt,	Sassaman,
Benninger,	Gransback,	McAleer,	Schaeffer, A. C
Benson,	Gray, Frank,	McAllister,	Schuck,
Bergey,	Gray, Joseph,	McArdle,	Semmens,
Bigger,	Hackett,	McCaig,	Shaffer, C. A.,
Bittles,	Haggerty,	McClintock,	Shaffer, I. E.,
Blair, W. A.,	Heidinger,	McKay,	Shern,
Blair, W. F.,	Hemminger,	McNichol,	Sherwood,
Body,	Herman,	Mechling,	Showalter,
Brosius,	Hess,	Mellott,	Smith, J. W.,
Brown,	Heyburn,	Metzenbacher,	Smith, L.,
Brownlee,	Hibshman,	Miller,	Snyder,
Campbell, C.M.,	Hobbs,	Missimer,	Spangler,
Campbell, J.J.	Howard, J.,	Mitchell,	Speiser,
Carson,	Howard, R.,	Moore,	Spillinger,
Carter,	Humes,	Morrow,	Steedle,
Claycomb,	Isler,	Moses,	Stein,
Cleary,	Irwin, G. C.,	Moulthrop,	Stone,
Cochran,	Irwin, H. H.,	Murphy,	Strauss,
Collins,	Jackson,	Musser,	Swartz,
Conner,	Jones, E. E.,	Neel,	Swift,
Conniff,	Jones, J. R.,	Neely,	Thomas,
Conrade,	Kaiser,	Newbaker,	Trach,
Cox,	Kaufman,	Newton	Ulerich,
Currier,	Keeport,	North,	Ulman,
Curry,	Kennedy,	O'Neill,	Walnut,
Davis,	Kern,	Peachey,	Walsh,
DeFrees,	Kitts,	Pennegar,	Walton,
Dickinson,	Klepper,	Pennock,	Whitaker,
Donahoe,	Kuhn, H. P.,	Peters,	Whitman,
Donnally,	Kuhns, E.G.M.,	Piper,	Wildman,
Down,	Lanius,	Post,	Williams,
Dunn, J. A.,	Latshaw,	Price,	Wilson, J. H
Ehrhardt,	Lenker,	Ramsey,	Wilson, W. H.,
Eichenberger,	Leslie,	Redfield,	Wiltbank,
Ely,	Letzkus,	Reese,	Young, G. K.,
Forster, I. G.,	Light,	Reeser,	Young, J. H.,
Foster, J. D.,	Lohr,	Rex,	Zimmerman,
Gans,	Lowers,	Richards,	Alter,
Gibson,		Rockwell,	Speaker.
Glenn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland County Pennsylvania the sum of eight hundred and ninety-five and fifty-one-hundredths dollars inadvertently and erroniously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Alworth,	Ely,	Mather,	Sassaman,
Ambler,	Ewing,	Matt,	Savacool,
Arthur,	Forster, I. G.,	McAleer,	Schaeffer, A. C
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Schuck,
Bayle,	Frey,	McArdle,	Scott, S. B.,
Becker,	Gans,	McCaig,	Semmens,
Benninger,	Geary,	McClintock,	Shaffer, C. A.,
Benson,	Gibson,	McDermott,	Shaffer, I. E.,
Bergey,	Glenn,	McKay,	Shern,
Berntheizel,	Good,	Mechling,	Sherwood,
Bigger,	Goss,	Mellott,	Showalter,
Bittles,	Grabe,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Gramley,	Miller,	Smith, L.,
Bleloch,	Gransback,	Missimer,	Snavely,
Bass,	Gray, Frank,	Mitchell,	Snyder,
Brosius,	Hackett,	Moore,	Spangler,
Brown,	Haggerty,	Morrow,	Speiser,
Brownlee,	Heidinger,	Moses,	Spillinger,
Campbell, C.M.,	Hemminger,	Moulthrop,	Steedle,
Campbell, J. J.,	Herman,	Murphy,	Steele,
Carson,	Hess,	Musser,	Stein,
Carter,		Neel,	Stone,
Cheeseman,	Hibshman,	Neely,	Strauss,
Claycomb,	Hobbs,	Newbaker,	Swartz,
Cleary,	Howard, J.,	Newton,	Swift,
Cochran,	Howard, R.,	North,	Thomas,
Collins,	Isler,	O'Neill,	Trach,
Conner,	Irwin, G. C.,	Peachey,	Ulerich,
Conniff,	Irwin, H. H.,	Pennegar,	Ulman,
Conrade,	Jackson,	Pennock,	Walnut,
Cox,	Jones, E. E.,	Perry, H. L.,	Walsh,
Currier,	Jones, J. R.,	Peters	Walton,
Curry,	Kaufman,	Piper,	Watson,
Davis,	Keegan,	Post,	Wettach,
DeFrees,	Keeport,	Ramsey,	Whitaker,
Dickinson,	Kennedy,	Redfield,	Whitman,
Donahoe,	Kern,	Reese,	Wildman,
Donnally,	Latshaw,	Reeser,	Williams,
Down,	Lenker,	Rex,	Wilson, J. H.,
Dunn, J. A.,	Leslie,	Rhoads,	Wilson, W. H.,
Ehrhardt,	Letzkus,	Richards,	Wiltbank,
Eichenberger,	Lohr,	Robinson,	Young, G. K.,
Kitts,	Lowers,	Rockwell,	Young, J. H.,
Kuhn, H. P.,	Malie,	Roney,	Zimmerman,
Kuhns, E.G.M.,	Martin,	Rothenberger,	Alter,
Lanius,		Runk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 223, entitled:

An Act to amend an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" as amended by an act approved the sixteenth day of April one thousand nine hundred and three entitled "An Act amending an act entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Alworth,	Ehrhardt,	Light,	Savacool,
Ambler,	Ely,	Lohr,	Schaeffer, A. C
Aron,	Ewing,	Malie,	Schuck,
Arthur,	Flynn,	Mannion,	Scott, J. R. K.,
Baldwin, G. A.,	Foster J. D.,	Martin,	Semmens,
Baldwin, R. J.,	Frey,	McAleer,	Shaffer, C. A.,
Bayle,	Gans,	McAllister,	Shaffer, I. E.,
Becker,	Geary,	McArdle,	Sherwood,
Benson,	Gibson,	McCaig,	Showalter,
Bergey,	Glenn,	McClintock,	Smith, J. W.,
Benninger,	Good,	McDermott,	Smith, L.,
Berntheizel,	Goss,	McKay,	Snyder,
Bigger,	Gransback,	Miller,	Spangler,
Bittles,	Gray, Frank,	Missimer,	Speiser,
Blair, W. A.,	Gray, Joseph,	Mitchell,	Spillinger,
Blair, W. F.,	Hackett,	Moore,	Steedle,
Body,	Haggerty,	Morrow,	Steele,
Brosius,	Heidinger,	Moses,	Stein,
Brown,	Hemminger,	Musser,	Stone,
Brownlee,	Hess,	Neel,	Strauss,
Burnett,	Hibshman,	Neely,	Swartz,
Campbell, C.M.,	Hobbs,	Newbaker,	Swift,
Campbell, J. J.,	Howard, J.,	Newton,	Thomas,
Carson,	Howard, R.,	North,	Trach,
Carter,	Isler,	O'Neill,	Ulerich,
Cheeseman,	Irwin, G. C.,	Peachey,	Ulman,
Claycomb,	Jackson,	Pennegar,	Walnut,
Cleary,	Jones, J. R.,	Pennock,	Walton,
Collins,	Kaiser,	Perry, S. J.,	Watson,
Conner,	Kaufman,	Peters,	Wettach,
Conniff,	Keegan,	Piper,	Whitaker,
Conrade,	Keeport,	Ramsey,	Whitman,
Cox,	Kennedy,	Redfield,	Wildman,
		Reese,	Williams,

Currier,	Kern,	Reeser,	Wilson, J. H.,
Curry,	Klepper,	Rex,	Wilson, W. H.,
Davis,	Kuhn, H. P.,	Richards,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Rockwell,	Young, G. K.,
Dickinson,	Lanius,	Roney,	Young, J. H.,
Donahoe,	Latshaw,	Rothenberger,	Zimmerman,
Donnally,	Lenker,	Runk,	Alter,
Down,	Leslie,	Sassaman,	Speaker.
Dunn, J. A.,	Letzkus,		

NAYS—10.

Grabe,	Jones, E. E.,	Metzenbacher,	Post,
Gramley,	Matt,	Newton,	Snavely,
Herman,	Mellott.		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 684, entitled:

An Act to repeal section two of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Alworth,	Frey,	Lowers,	Runk,
Ambler,	Gans.	Malie,	Sassaman,
Arthur,	Geary,	Martin,	Savacool,
Baldwin, G. A.,	Gibson,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Glenn,	Matt,	Schuck,
Bayle,	Good,	McAleer,	Scott, J. R. K.,
Benninger,	Goss,	McAllister,	Scott, S B.,
Benson,	Gramley,	McArdle,	Semmens,
Bergey,	Gransback,	McClintock,	Shaffer, C. A.,
Berntheizel,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Bigger,	Hackett,	McKay,	Shern,
Bittles,	Haggerty,	McNichol,	Sherwood,
Blair, W. A.,	Heidinger,	Mechling,	Showalter,
Blair, W. F.,	Hemminger,	Mellott,	Smith, J. W.,
Bleloch,	Herman,	Metzenbacher,	Smith, L.,
Body,	Hess,	Miller,	Snyder,
Brosius,	Heyburn,	Missimer,	Spangler,
Brown,	Hibshman,	Mitchell,	Speiser,
Brownlee,	Hobbs.	Moore,	Spillinger,
Burnett,	Howard, J.,	Morrow,	Steedle,
Campbell, C.M.,	Howard, R.,	Moses,	Steele,
Campbell, J. J.,	Isler,	Moulthrop,	Stein,
Carson,	Irwin, G. C.,	Murphy,	Stone,
Carter,	Irwin, H. H.,	Musser,	Strauss,
Cheeseman,	Jackson,	Neely,	Swartz,
Claycomb,	Jones, E. E.,	Newbaker,	Swift,
Cleary,	Jones, J. R.,	Newton,	Thomas,
Cochran,	Kaiser,	North,	Trach,
Collins,	Kaufman,	O'Neill,	Ulerich,
Conner,	Keegan,	Peachey,	Ulman,
Conniff,	Keeport,	Pennegar,	Walnut,
Conrade,	Kenna,	Pennock,	Walsh,
Cox,	Kennedy,	Perry, S. J.,	Walton,
Currier,	Kern,	Peters,	Watson,
Curry,	Kitts,	Piper,	Wettach,
Davis,	Klepper,	Post,	Whitaker,
DeFrees,	Kuhn, H. P.,	Price,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Williams,
Donahoe,	Lanius,	Redfield,	Wilson, J. H.,
Donnally,	Latshaw,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Reeser,	Wiltbank,
Dunn, J. A.,	Leslie,	Rex,	Young, G. K.,
Eichenberger,	Letzkus,	Richards,	Young, J. H.,
Ely,	Light.	Rockwell,	Zimmerman,
Ewing,	Lohr,	Roney,	Alter,
Fahey,		Rothenberger,	Speaker.
Flynn,			
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1167, as follows:

An Act authorizing the appointment by the county commissioners in counties having not less than two hundred fifty thousand (250,000) nor more than three hundred and twenty-five thousand (325,00) inhabitants of assessors and assistant assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having not less than two hundred and fifty thousand (250,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants the county commissioners of such counties shall appoint for a period of four (4) years or until their successors are duly qualified a board of assessors consisting of not more than seven (7) sober judicious and intelligent citizens who shall be residents of the county for which they are appointed for at least four (4) years before such appointment as a Board of Assessors and Assessors of Voters all of whom shall not be of the same political party Provided that at least one (1) of said assessors shall be appointed from each Legislative District in said counties where such counties are divided into Legislative Districts For the purpose of making the triennial assessment the county commissioners may in their discretion appoint for a period not exceeding one year assistant assessors not to exceed five in number whose compensation shall be the same as that of the assessors

Section 2 The Board of Assessors appointed pursuant to the provisions of this act shall perform all the duties of assessors under the laws of this Commonwealth as to the valuation of property for county purposes and Assessor of Voters

Section 3 That said Board of Assessors shall during the first year of their term of service make or cause to be made a full just and equal assessment of all property within the wards boroughs and townships and their several sub-divisions comprised within the county for which they are appointed subject by law to taxation for county purposes which assessment shall stand until the next triennial assessment for county purposes at which time and every third year thereafter an assessment shall be made and shall in all cases value such property at such sums as the same will in their judgment bring at a fair public sale thereof It shall be their duty to revise alter and equalize the said assessments in respect to properties in the ward borough or township and the several divisions thereof and to so far modify the assessment during the years succeeding the year of the triennial assessment as the changes of ownership or the conditions of the improvements thereon shall require and they shall complete their annual assessments on or before the first day of February in each year For the purpose of their duties they shall have the custody of all books relating to the assessment of county taxes upon the completion of the assessment as hereinbefore required The said Board shall sit annually on or before the first day of March to hear complaints for the several wards boroughs and townships and their sub-divisions They shall be provided with an office at the County seat

Section 4 It shall be the duty of such boards to give at least five days' written or printed notice to very taxable inhabitant of the county for which they are appointed of the amount or sums for which he stands rated in any triennial assessment and also of any change in his assessment in any intervening year together with the time and place of hearing complaints For the purpose of such hearing said board shall have the authority to administer oaths and affirmations touching any matter relating thereto and any willful false statement under oath as to any materials fact of any complainant or his agent or attorney shall be deemed perjury and punishable as such Any person aggrieved by the final action of any Board of Assessors may appeal therefrom to the County Commissioners whose powers and duties relating to assessment shall remain as heretofore

Section 5 The office of assessors for county purposes in the several wards boroughs and townships in such counties coming under the provisions of this act is hereby abolished in so far as respects the assessment and valuation of property and occupations taxable for state and county purposes and assessor of voters

Section 6 All such assessors shall assemble in convention together with the County Commissioners at least once in each year upon the call of the County Commisioners of the county by whom they are appointed for the purpose of comparing adjusting revising et cetera the value of properties and to furnish the County Commissioners with such other information as shall enable them to properly perform their duties in cases of appeal

Section 7 Each of said assessors shall before entering upon his duties take and subscribe the following oath "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity That I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law" and file the same with the clerk of the court of quarter sessions

Section 8 The compensation of such assessors shall be not less than eighteen hundred dollars ($1,800.00) nor more than twenty-four hundred dollars ($2,400.00) per annum for each assessor the said compensation to be fixed by the County Commissioners and necesary traveling expenses subject to the approval of the County Commissioners and County Controller Any vacancy happening in said board shall be filled by appointment by the County Commissioners for the unexpired term

Section 9 Said Board of Assessors shall have the power to appoint a chief clerk at a salary of fifteen hundred dollars ($1,500.00) per annum

Section 10 That all acts or parts of acts inconsistent with this act or any part thereof be hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOBBS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. EHRHARDT. Certainly, Mr. Speaker.

Mr. HOBBS. To how many counties does this bill apply at the present time?

Mr. EHRHARDT. To all counties that come within the prescribed population stated in the bill.

Mr. HOBBS. What counties does that include?

Mr. EHRHARDT. The gentleman is sent here by the people from his district and certainly must have a knowledge of the geographical and political divisions of this State.

POINT OF ORDER.

Mr. HOBBS. Mr. Speaker, if the gentleman does not desire to answer my question, I will volunteer to give the information as I understand it.

This bill applies to counties containing a population over 250,000 and less than 325,000. The only county within that limit is Lackawanna County. Upon that basis, I raise the question of the constitutionality of the bill. "The Legislature shall not pass any special or local law regulating the affairs of counties, cities, townships, wards, boroughs, or school districts." The bill is special and local because it excludes from its operations counties of more than 325,000 inhabitants and counties of less than 250,000, and involves an improper classification. The exclusion of certain counties from the operation of a general act relating to counties makes the act unconstutional, unless there is an inherent distinction which makes the exclusion proper. There are several other requisites which it is not necessary to refer to. I raise that point as to its constitutionality.

The SPEAKER. Does the gentleman mean that he raises it as a point of order.

Mr. HOBBS. Yes, sir.

The SPEAKER. The point of order is not sustained.

Mr. JOHN ROBERT JONES. I request that this question be referred to the House and ask that the members support me in this request.

The SPEAKER. Five gentlemen having requested that the point of order be submitted to the House, the point of order is submitted accordingly.

The question is: Shall the point of order be sustained.

Mr. EHRHARDT. Mr. Speaker, I call for the yeas and nays.

Mr. R. J. BALDWIN. Mr. Speaker, what is the point of order.

The SPEAKER. The point of order is that Bill No. 1167, file folio 2771, is unconstutitonal, because of its being local and special legislation. The bill providing for classification by population of counties for the purposes provided in this bill.

Mr. R. J. BALDWIN. The question now is, shall we sustain the Chair?

The SPEAKER. No. The Chair has ruled that the point of order is not well taken, but the rules provide that any constitutional question, upon the request of five members, shall be submitted to the House. The request was made by five members and the point is being submitted accordingly.

Mr. R. J. BALDWIN. Do I understand by that that the Speaker withdraws his decision on the question? We will vote either to sustain the Chair or not to sustain the Chair's decision. That is an appeal from the Chair.

The SPEAKER. The suggestion of the gentleman from Delaware seems to the Chair to be well taken, for this reason: The Chair has ruled on the point of order. The gentleman desiring to question that ruling should have appealed from the decision of the Chair. A request that the question be submitted to the House should have preceded the ruling of the Chair.

The Chair withdraws its decision on the question.

POINT OF ORDER.

Mr. R. J. BALDWIN. I raise the point of order that the appeal is out of order.

The SPEAKER. The Chair having decided, the Chair withdraws its decision on submitting the question to the House upon the request of five members, on the ground that the request came too late. The Chair has ruled that the point of order is not well taken. That ruling is now open for appeal, is desired.

Mr. R. J. BALDWIN. If we vote on the appeal, we vote on the direct question of sustaining the Chair.

The SPEAKER. If an appeal be taken, that would be the only way in which it would come before the House.

Mr. R. J. BALDWIN. A vote "aye" means to sustain the Chair; a vote "no" means the contrary.

The SPEAKER. If an appeal be taken from the Chair, then the Speaker will vacate the Chair and it will proceed as it should proceed, the question being properly submitted, when the time comes.

As the matter now stands before the House, the Chair does not sustain the point of order.

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask in fairness that the Chair withdraw its decision on that question and allow this question to go before the House under Rule three on the request of five members. I ask it for this reason, that the matter may be open to discussion and decided upon its merits, as a proposition of law, and not carry with it the burden of attempting to overrule the decision of the Chair. This is a fair proposition to be discussed, and should not be encumbered by any such proposition as to whether or not a member is voting to sustain or not to sustain the Chair. Now, I ask that, and request of the Speaker, upon a question of fairness. I have followed out the rule by five members and myself asking it to be referred to the House, and don't, in the spirit of fairness, throw into this discussion and debate the question to be decided whether or not we will sustain the Chair, because the moment you do that, you are throwing into it an element that should not enter into the discussion. I, therefore, ask the Chair, in all fairness, to withdraw its decision and allow this to be submitted according the request of five members under Rule three.

The SPEAKER. Inasmuch as the five gentlemen who requested that the question be submitted to the House probably neglected to make their request at the proper time, inadvertently, the Chair withdraws the decision and upon the request of the five gentlemen, submits the question of the constitutionality of this act to the House.

The question before the House is

Shall the point of order be sustained.

Mr. JOHN ROBERT JONES. Mr. Speaker, I want the House to clearly understand that while I spoke in support of the point of order as raised by the gentleman from Lackawanna, I do not wish them to understand that I am attempting in any way to thrust upon them any particular knowledge that I may have of the point in question nor any other point such as that. I want you to understand that when this bill was introduced originally it referred to all counties having a population of not less than 200,000 or more than 325,000. I was opposed to that bill and am opposed to it because I think it legislation while good in purpose and intent, prescribing the machinery—

Mr. JOHN R. K. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. JOHN R. K. SCOTT. My point of order is that the only question before the House is the discussion of the constitutionality of the bill.

The SPEAKER. The point of order is well taken.

Mr. JOHN ROBERT JONES. Mr. Speaker, I will agree with you and I realize I must confine my discussion to the bill in question.

The SPEAKER. The gentleman will confine his discussion to the constitutionality of the act.

Mr. JOHN ROBERT JONES. Mr. Speaker, I understand the bill provides as follows: "To authorize the appointment by the County Commisioners in Counties having not less than 250,000 nor more than 325,000 inhabitants."

This is special and local legislation in controvention of Article three section seven, for the reason that regulating the affairs of counties it excludes from its operation all counties having a population of more than 325,000 in-

habitants and in support of that contention I cite to the House the case of McCarthy vs. Commonwealth, 110 Pennsylvania, as Judge Gordon's opinion reads on pages 246 and 247:

"We have no doubt that the act under consideration, the act of June 22d, 1883, falls within the inhibition of the seventh section, of the third article, of our present Constitution. "The General Assembly shall not pass any local or special law,.....regulating the affairs of counties, cities, townships, wards, boroughs or school districts." In the act cited the attempt has been made to regulate, in certain and very important particulars, the affairs of counties, the population of which exceeds one hundred thousand, and is less than one hundred and fifty thousand, Fees which heretofore belonged to county officers, are turned over to the county treasuries; these officers, are compensated by salaries; some of them are made county collectors, and new duties and new oaths are imposed upon them. In it are contained novel prescriptions with reference to commissioners, auditors, directors of the poor, etc"

That was the question in this case, just as here, where the limitation is counties of not less than 250,000 and not more than 325,000. There it was counties of not less than 100,000 nor more than 150,000. Now mark what the Court says. It was also contended that this was also unconstitutional for the same reason:

"But by what process of reasoning is this legislation, which has selected for its operation three or four counties from all those composing the Commonwealth, to be justified? Is the justification to be found in the well-recognized legislative power of classification? We think not. It is admitted that classification, even where not specially recognized by nature, custom, the laws of trade, or the Constitution, must, in certain cases, be adopted ex necessitate, as in the case of cities, under the act of the 23rd of May, 1874: Wheeler vs. Philadelphia, 27, P. F. S., 338, and Kilgore vs. Magee, 4 Nor. 401. General legislation for all the cities of the Commonwealth as a single class having been regarded as impossible, the legislature first divided these municipalities into several distinct classes, and then provided laws and regulations adapted to each class. This, as we have seen, was recognized as legitimate and proper.

There is here, however, a new and complete classification, and not a mere cutting out of one or more cities, designated by population, from the general class, and in this the act of 1874 is distinguishable from that of 1883, in which no general classification is attempted, but a special legislation adopted for certain counties selected from all others, and to be ascertained by their populations rather than by their names. Under the rulings in Davis vs. Clark, 10 Out., 377, Commonwealth vs. Patton, 7 Norris, 260, and Scowden's Ap., 15 Id., 425, this is not allowable.

If, indeed, such legislation were to be recognized as legitimate, vain would the Constitutional prohibition of local or special laws. But little ingenuity in the way of so called classification would be necessary in order to isolate every single county, borough, ward, township and school district in the State, and provide for each its own local code.

Now we have the same effect here of this decision. There can be no question upon this that if you exclude from the operation a single county, you make it special and local legislation. In Morrison vs. Bachert, 112 Pa., pages 328-329-330 the same point was decided. It says there:

"The record presents a single question, but it is an important one. It involves the Constitutionality of the act of June 12th, 1878, P. L. 137, entitled, 'An Act to ascertain and appoint the fees to be received by the sheriffs, coroners, prothonotaries, clerks of the several courts, registers of wills and recorders of deeds of this Commonwealth, except in counties containing more than one hundred and fifty thousand, or less than ten thousand inhabitants."

Prior to the adoption of the present Constitution there was hardly an approach to uniformity in the fees of public officers throughout the State. Local acts had been procured for many of the counties, in some instance through the influence of the officers themselves, fixing the fees more in harmony with their own greed than the interests of the people, who may fairly be presumed to have known nothing of it until they came to pay the fees. It was to cut this system up, root and branch, with other evils of like nature, that the clause in question was inserted in the Constitution. It was a wise provision and will be sternly enforced. It is our purpose to adhere rigidly to that instrument, that the people may not be deprived of its benefits. It ought to be unnecessary for this court to make this judicial declaration, but it is proper to do so, in view of the amount of legislation which is periodically placed upon the statute book in entire disregard of the fundamental law. Much of this legislation may remain unchallenged for years, only to be overturned when it reaches this court. In the meantime, parties may have acted upon it, rights may have grown up and the inconveniences and losses entailed thereby may not be inconsiderable. As we view it, this note of warning at this time is needed.

That the act in question is in direct conflict with the Constitution is too plain for argument. It is only necessary to read the title of this act to see this. It excludes perpetually from its operation all counties having a population of over one hundred and fifty thousand inhabitants. This makes it a local law. If it can exclude Philadelphia and Pittsburgh it may exclude every other county in the State but the one county seeking such special or local legislation.

Nor can this legislation be sustained upon any rational theory of classification. In point of fact, there is no attempt at classification; it was a mere exclusion of certain counties. In Com. vs. Patton, supra, it was said, referring to the Act of April 18th, 1878, to provide for the holding of courts in certain cities of this Commonwealth: "Said act makes no provision for the future in which respect it differs from the act of 1874, which in express terms provides for future cities and the expanding growth of those now in existence. This is not classification which merely designates one county in the Commonwealth and contains no provision by which any other county may, by reason of its increase of population in the future come within the class."

This is the exact act in question. There seems to be no question but what this is special legislation because, regulating the affairs of counties, it excludes from its operation all counties having a population of over 325,000.

Mr. ROCKWELL. Mr. Speaker, in going back and referring to this act in the file folio 2771, it shows that the bill was originally drafted so as to cover 200,000 people and then it was so amended as the evidence before this House shows, to bring it down so that it applies only to one county. Now there is no question, Mr. Speaker, but what the Legislature has the right to classify counties as to population but the Constitution says that there can only be two classes, those of less than 150,000 and those above, and in support of this position I wish to read you something from Morrison v. Bachert, 112 Pennsylvania. 322. It says:

The extent to which counties may be classified with respect to the payment of fees to their public officers is declared by the 5th section of art. X of the Constitution: In all counties containing over 150,000 inhabitants, all county officers shall be paid by salary, &c." In the case just cited the court says: "It is further to be observed that, so far as the compensation to county officers is concerned, the Constition has classified the State," and it was decided that the legislative attempt to make a further classification was abortive. The act of June 22 1883, P. L. 139, provided that in all counties with population between 100,000 and 150,000, the public officers who had theretofore been receiving fees should turn their fees into the county treasury and should receive salaries. This act was, in McCarthy v. Com., 110 Pa. 243, held to be void because within the inhibition of the 7th section of art. III of the present Constitution, forbidding the legislature to pass any local or special law regulating the affairs of counties, &c.

Now here this bill seems to seek out and classify counties further than the constitution provides as the gentleman from Schuylkill County has so plainly showed, and that is legislating for special purpose, so that you have every county standing in a class by itself, which the Constitution naturally prohibits.

It says further,

"If, indeed, such legislation were to be recognized as legitimate, vain would be the Constitutional prohibition of local or special laws. But little ingenuity in the way of so called classification, would be necessary in order to isolate every single county, borough, ward, township and school district in the State and provide for each its own local code."

In this case, relative to the constitutional classification of counties, the court say: "Moreover, as, by the constitution itself, the counties with reference to the fees of their officers, have been classified, we think a further attempt in that direction not permissable."

By the constitution, as respects the compensation of county officers, a single division of the counties is ordained, those above 150,000 in population constituting one class and the balance constituting the other class. The Act of June 20, 1911, P. L. 1072, under consideration, seeks to sub-divide this latter class and thus make three classes. This, as the authorities cited show, the Legislature is powerless to do,"

This decision was in relation to the Act of 1911, relative to Sheriff's fees and the Court goes on to say the Act of June 20th, 1911, under the classification on seeks to make a subdivision of these two constitutional original divisions and wherever the Legislature undertakes to make another subdivision, the Supreme Court holds it unconstitutional. I think there is no question but what the Legislature can classify counties, but if you undertake to make another subdivision between 150,000 and those above you strike the prohibitive section and you come into a class that makes them unconstitutional. I have no interest in this case, Mr. Speaker, in any respect at all, but I do hate to sit here and see the Legislature pass bills which I believe perfectly in my mind are unconstitutional and will lumber up the stautute books with something that the Supreme Court will knock out.

Mr. EHRHARDT. Mr. Speaker, I desire to interrogate the gentleman from Tioga, (Mr. Rockwell).

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, certainly.

Mr. EHRHARDT. Mr. Speaker, on pages 2 and 4 of to-day's calendar are House Bills No. 1116 and 1137, along the same lines as some of the gentlemen claim to be unconstitutional legislation. Did the gentleman vote for it?

Mr. ROCKWELL. Mr. Speaker, I didn't catch the number of pages you refer to.

Mr. EHRHARDT. Mr. Speaker, I refer to Bill 1116 on page 2 of to-day's calendar, and Bill 1137, on page 4.

Mr. ROCKWELL. Mr. Speaker, I don't recollect whether I voted on them or not. I rather think I did.

Mr. EHRHARDT. Mr Speaker, I desire to interrogate the gentleman from Schuylkill, (Mr. Jones).

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JOHN ROBERT JONES. Mr. Speaker, I will.

Mr. EHRHARDT. Mr. Speaker, I desire to ask him whether he voted on Bill No. 1116, on page two of to-day's calendar, and on Bill 1137, page 4, of to-day's calendar?

Mr. JOHN ROBERT JONES. Mr. Speaker, I did, yes.

Mr. EHRHARDT. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Hobbs.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HOBBS. I will, Mr. Speaker.

Mr. EHRHARDT. Mr. Speaker, I desire to ask him whether he voted on House Bill 1116 and 1137, favored these?

Mr. HOBBS. Mr. Speaker, I think I did.

Mr. EHRHARDT. Now, Mr. Speaker, I desire to call the attention of the House that these bills are on the same line that they call special legislation and unconstitutional. Within the past few days we have passed several similar bills providing for county controllers in counties with a prescribed population. If those bills are all right, we are not getting special legislation with this one. Then there was another act providing for auditors in counties of certain sizes and uniform population and I think this same act comes under the same classification, and I ask the gentlemen to pass this bill.

Mr. ROCKWELL. Mr. Speaker, with reference to the bills that the gentleman called my attention to, Nos. 1116 and 1137, as I recall those bills, I have not looked at the file folio since I have voted for them, they don't relate to fixing salaries or fees. The constitutional prohibition is in relation to fixing fees and salaries.

Mr. JOHN ROBERT JONES. Mr. Speaker, the gentleman misses one of the points in reference to the question of the constitutionality here. This bill regulates the affairs of counties which come within the prohibition of Article 3, Section 7. These bills must necessarily fall all of themselves. It is impossible to watch all these points unless you are particularly interested in the measure. The point raised here is that it regulates the affairs of counties which come particularly under the prohibition of the Section of the Article. Bill 1116 relates to the question of the education of children and the maintenance of schools, and 1137 relates to the establishment of schools. The gentleman well knows that on that proposition it is impossible to solve all questions of that kind unless you make a particular study of the bill.

Mr. HOBBS. Mr. Speaker, relative to those bills referred to, there was no question raised as to their constitutionality and not being particularly learned in the law and not having time to go into these matters in detail, we gentlemen vote on these questions on general principals if there are no particular objections and there are good motives behind these bills. Therefore my position was to vote aye on those questions. Where there is a question raised on the constitutionalty I will be more particular in casting my vote.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I feel that the rule that was originally laid down by the chair is the rule that ought to guide this bill. This bill to my mind seems to be constitutional. If it is not constitutional, then much of the legislation that is upon or statue books to-day is unconstitutional. Last session I remember there was a bill of a similar nature to this bill applying to Allegheny County, giving, I believe, the County Commissioners, the power to appoint read estate assessors. At that time the gentleman from Philadelphia (Mr. Shern), stood upon the floor of the House and stated that the delegation from Philadelphia would vote upon that bill for Allegheny because Allegheny desired it, but so far as Philadelphia County was concerned, the delegation was opposed to it. When it came to the position of fixing the salaries of the various judicial districts, the salaries were regulated upon the question of population. When there was a distinction as to the School Code, the distinction as to population was fixed.

I take it that in the argument of the gentlemen from Schuylkill the other evening, which attacked the bill introduced by the member from Luzerne, Mr. Adams, as to the constitutionality of the bill, if my memory serves me right, he told the House distinctly that there could be no geographical lines fixed in a bill, that that would make it unconstutitional, but that it had to be based on the population, for the reason that the population was not held to be local and special legislation here, because the population could vary and move, while the geographical lines could not, and that seems to have been the thought in this bill, and calls to my mind the very case which was read, the McCarthy case. I will read from the syllabus:

"The power of the Legislature to classify counties by population for the purposes of legisaltion, has, in special instances, been recognized by the Courts, upon the assumption that counties having a small population may have a larger one in the future."

That seems to be the distinction between local and special legislation and other legislation, because to-day the legislation which to-day applies to Lackawnna and other counties, may in the future apply to Wayne and other smaller counties. That seems to be the distinction largely in this thing, and if the point of order that has been raised by the gentleman from Lackawanna, Mr. Hobbs, is well taken, then this Legislature for years has been passing unconstitutional legislation.

Mr. EHRHARDT. Mr. Speaker, I withdraw my request for the yeas and nays.

The question recurring,

Shall the point of order be sustained?

It was not agreed to and the point of order was not sustained.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Clerk will call the roll.

Mr. HOBBS. Mr. Speaker, is a member entitled to the privilege of debating this bill?

The SPEAKER. Undoubtedly he has. The Chair assumed that no one desired to speak on the question, and therefore directed a roll call.. The Chair will recognize the gentleman from Lackawanna.

Mr. HOBBS. Now gentlemen, I appreciate your position. I hear the gentleman stating that this bill has been debated, but it hasn't the merits and demerits of the bill have not been debated, only the constitutionality of the bill. I wish to call the attention of the members to the fact that this bill is similar to one which was considered in this House two years ago, and for your information I will give you the career of that House bill which was very much similar to this bill and is in fact almost identical with this present bill. Mr. Speaker, the career of House Bill 479 which was practically the same as the bill now being considered, namely, "The Assessors' Bill." March 28, 1911, introduced by Mr. Ehrhardt, April 13, 1911, amended by Mr. Ehrhardt, that not more than six of the nine assessors be of the same political party, is this:

Amendments offered by Hobbs and carried, reducing salary for each assessor from $2,500 to $1,500 and expenses for clerk hire from $2,700 to $1,500 also to make the assessors elective instead of appointive.

April 26, 1911, The amended bill passed the House by a vote of 115 to 15. May 1, 1911, Presented to the Senate for concurrence and sent to Committee on Judiciary Special.

May 9, 1911, Reported from committee, amended to its original form with slight variations.

May 17. Amended to have assessors appointed at large instead of from each Legislative District.

May 18. 1911, Passed finally by Senate by vote of 27 to 1.

May 23, 1911, House non-concurred in Senate amendments by vote of 85 to 73.

May 24, 1911, Passed Senate by vote of 49 to 1.

Passed House finally by adopting conference report by vote of 105 to 58.

June 12, 1911, Vetoed by Governor Tener.

Now, gentlemen, I do not exactly know the reasons for which Governor Tener vetoed this bill, except that he stated that he didn't see no good reason why the system should be changed, for these few counties at that time included but three counties, he doubted very much if nine assessors could do the work. This bill as amended is about the same, and their salaries are higher and we believe that the work could be done with much less expense than the bill calls for. Now, gentlemen, with all due regard to my colleague from Lackawanna County, I have good opinions. but some of the members are inclined to think that we should have a great amount of legislative courtesy, which I believe I possess equal to any other member of this House. but when we come to speak of legislative courtesy, our legislative duty is first to our constituents and when our constituents appeal to us for activity for or against any proposition, it is our duty to stand up and fight for their interests.

I have received many letters and petitions opposing this bill from all parts of the County of Lackawanna, and I will read very briefly from a letter from one of the members of the Pomona Grange of Lackawanna County, which represents the farmers of our county and which represents in thought and in notice the entire farming comunity of the State of Pennsylvania: "I am instructed by the Pomona Grange Legislative Committee as well as the members of Covington Grange No. 1029 to ask you to use your constant endeavors to defeat the proposed measure known as the Assessor's Bill. I can also assure you the people are up in arms locally against any such law being foisted upon them. We think it a decided step backwards and contrary to the best interests of our people." And another from the same Grange: "At our meeting at Fleetville, on Wednesday, the Pomona Grange endorsed the action of the Legislative Committee and asks you to do your utmost to defeat the Allen Bill. We wish to be recorded as in favor of the present system of assessing in preference to any such legislation." Signed by the Chairman of the Legislative Committee of the Grange. This bill is known as the Allen Bill by the people of my county. Here is another from the Madison Grange, written by the Secretary: "I am writing you by a special and unanimous vote of the Grange in regard to the Allen Assessor Bill which is being piloted through the Legislature. We believe this bill to be far from advantageous to the country people to which it will concern. Therefore, we ask your protection and influence in the matter." Here is a letter from a gentleman who is one of the lecturers of the State Agricultural Asociation of this State: "In regard to the Assessor's Bill. I would like to say don't. But I don't like to dictate. The people here are generally opposed to it. It takes one blessed privilege from them and gives excessive power to the County Commissioners, and however good it may be two years will roll around before we grasp the goodness, and only curses will follow those members in this county who favor it." Here is one from the Secretary of the Fleetville Grange No. 1199: We, the members of the Fleetville Grange No. 1199, P. of H. of Lackawanna County, have voted unanimously to ask you to do all in your power to oppose the so-called Assessor's Bill now before the Legislature. Gentlemen, I want to explain to you the position of the people behind these letters in Lackawanna County. There was a hearing before the Judiciary Local Committee and two members of the Board of County Commissioners. the County Solicitor and the Chief Clerk and others came here to argue for this bill. There were here members of an executive office whose business it is to attend to the business affairs of our county. They returned to Lackawanna County and presented a bill to Lackawanna County for their expenses to Harrisburg and return in the amount of $107.00. Our County Controller was determined that that bill should be allowed and therefore held it up. Now, gentlemen, of whatever county you may belong, do you desire that your county commissioners and road supervisors and school controllers or any other officials should come down to Harrisburg lobbying for a measure and go back and present the bill to the county that you taxpayers must pay for their expenses here. What do you think of that kind of work? Is it right? Gentlemen, I say it is not right. This bill is not desired by the people of Lackawanna County, and if it is a good bill, why does it not apply to all counties? I would like to interrogate the gentleman from Westmoreland County.

Mr. HOBBS. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Ulerich, permit himself to be interrogated?

Mr. ULERICH. Mr. Speaker, I will.

Mr. HOBBS. Mr. Speaker, I would like to ask the gentleman and have him tell me why he offered an amendment which was passed, excluding Westmoreland County from this bill?

Mr. ULERICH. Mr. Speaker, I offered the amendment to the bill under discussion for this reason: That the bill, as it was in its original form, included Westmoreland County. I made an effort to find out the attitude of our people towards this measure and as far as I could find out at the time they were absolutely unanimously against the bill and in order to exclude our county I offered the amendment to the bill to exclude Westmoreland county.

Mr. HOBBS. Mr. Speaker, I believe that this bill is unfair and unjust and will not be beneficial to the county to which it applies. I ask you, therefore, as gentlemen believing in the progressive principles that the people of the State should have their rights protected to select their own officials and help to defeat this abnoxious bill.

Mr. ALWORTH. Mr. Speaker, I desire to make a concise statement as to the provisions of this bill. It is that their is certain sentiment in Lackawanna that is antagonistic to this bill and it is true that that sentiment during the last few weeks is considerably modified by the reason of certain amendments that have been put into it. In Lackawanna County our assessment is made by about ninety to ninety-five individuals who are selected from the different election districts of the county.

Lackawanna County has learned to its sorrow that these individuals were without any particular or individual qualifications for making assessments, having made an assessments that were unwise and not uniform or practical. This matter has been under consideration for a long time and this bill has been presented to this House under modified conditions and we believe that it is absolutely practical and that under this amendment Lackawanna County will have a uniform assessment that is so much desired. And in regard to the opposition I wish to say two years ago, one of our Democratic Newspapers advocated a similar provision of the bill that was passed in the Legislature in 1911, but by reason of the change in the political complications in that office, they are now opposed to this bill and they developed more or less political hysteria against the bill. But, gentlemen, just as soon as the people of Lackawanna County realized the beneficent benefits to be derived from this bill, I believe the sentiment will be unanimous in favor of this provision. appeal to the gentlemen of the House at this time to support this measure.

Mr. DAVIS. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Hobbs.

The SPEAKER. Will the gentleman from Lackawanna, Mr. Hobbs, permit himself to be interrogated?

Mr. HOBBS. Mr. Speaker, certainly.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman if he knows what the population of Lackawanna County is?

Mr. HOBBS. Mr. Speaker, very nearly. About two hundred and fifty-nine thousand.

Mr. DAVIS. What is the population of the city of Scranton?

Mr. HOBBS. Mr. Speaker, I think between one hundred and thirty and one hundred and forty thousand.

Mr. DAVIS. What per cent of the county taxes does the city pay?

Mr. HOBBS. Mr. Speaker, I am not prepared to answer that question.

Mr. DAVIS. Mr. Speaker, the city of Scranton is paying about ninety per cent of the county taxes, the boroughs and townships pay the other ten percent. I find upon investigating that one of these ninety assessors referred to is blind. We have one blind man who is an assessor; we have another one who can not read or write. We find five properties not assessed at all, three of them saloons, on the main street. We find in another borough, a building worth fifteen thousand dollars that was assessed at two hundred dollars. The property owners in the city of Scranton, Mr. Speaker, are paying their full valuations

on their property. I can see why the gentlemen from the suburbs come in and oppose a bill of this kind; it is because it will compel them to pay their amount of taxes the same as is paid by the people who live in the city of Scranton.

The SPEAKER. The question is now shall the bill pass?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Mr. HOBBS. Mr. Speaker, I ask for the verification of the roll.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—78.

Allen,	Davis,	McAleer,	Shern,
Alworth,	Dickinson,	McArdle,	Sherwood,
Ambler,	Down,	Mechling,	Snyder,
Aron,	Dunn, J. A.,	Miller,	Spangler,
Arthur,	Ehrhardt,	Missimer,	Spillinger,
Baldwin, R. J.,	Eichenberger,	Morrow,	Steedle,
Bayle,	Ewing,	Moses,	Stone,
Becker,	Fahey,	Murphy,	Swartz,
Bigger,	Forster, I. G.,	North,	Thomas,
Blair, W. F.,	Gans,	O'Neill,	Trach,
Brosius,	Gransback,	Pennegar,	Ulman,
Brown,	Hackett,	Perry, S. J.,	Walton,
Campbell, C.M.,	Haggerty,	Piper,	Watson,
Carter,	Heyburn,	Price,	Whitaker.
Geary,	Howard, J.,	Ramsey,	Wildman,
Conner,	Irwin, G. C.,	Reeser,	Wilson, W. H.,
Conniff,	Jackson,	Rhoads,	Wiltbank,
Conrade,	Kennedy,	Richards,	Young, J. H.,
Cox,	Mather,	Roney,	Alter,
Curry,		Schaeffer, A. C.	Speaker.

NAYS—82.

Baldwin, G. A.,	Gray, Frank,	Letzkus,	Rockwell,
Benninger,	Hemminger,	Lohr,	Rothenberger,
Benson,	Herman,	Mannion,	Runk,
Bergey,	Hess,	Martin,	Savacool,
Bittles,	Hobbs,	Matt,	Schuck.
Bleloch,	Howard, R.,	McAllister,	Scott, S. B.,
Body,	Humes,	McDermott,	Semmens,
Brownlee,	Irwin, H. H.,	McKay,	Shaffer, C. A.,
Burnett,	Jones, E. E.,	Mellott,	Shaffer, I. E.,
Carson,	Jones, J. R.,	Metzenbacher,	Smith, J. W.,
Cheeseman,	Kaufman,	Mitchell,	Smith L.,
Claycomb,	Keegan,	Moulthrop,	Snavely,
Donnally,	Kern,	Musser,	Steele,
Ely,	Kitts,	Neel,	Strauss,
Foster, J. D.,	Klepper,	Newbaker,	Swift,
Geary,	Kuhn, H. P.,	Peachey,	Ulerich,
Glenn,	Kuhns, E.G.M.,	Pennock,	Walnut,
Goss,	Lanius,	Perry, H. L.,	Wettach.
Grabe,	Latshaw,	Post.	Whitman,
Gramley,	Lenker,	Redfield,	Wilson, J. H.,
		Rex,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. MANNION. Mr. Speaker, Whereas this bill, if enacted into a law, would radically change the present government and control of the assessment of property in Lackawanna; and whereas, I am unable to determine that this bill would make the assessment more equitable, at this time, in order that my constituents may not later deplore my action should I vote "Aye" on the bill, I feel in duty bound to vote "No" on the bill at present.

SENATE MESSAGES.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate, which were laid upon the table.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1234, as follows:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any neglected or dependent child is or shall be committed to the care and custody of any association society person or family by any court and an order for the payment of the maintenance of the child and the expense of such committment is made upon the proper county in pursuance of the laws of this Commonwealth the county from which such child has been committed to the said association society person or family shall be liable to the said association society person or family for the maintenance of the said child and the expenses connected therewith Provided That the county shall in all cases have full recourse to recover all expenses incurred in behalf of said child so committed from the parties or persons or poor district properly charged therewith under the laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Allen,	Ewing,	Lohr,	Rockwell,
Alworth,	Flynn,	Lowers,	Roney,
Ambler.	Foster, J. D.,	Mannion,	Rothenberger,
Aron,	Frey,	Martin,	Runk,
Arthur,	Gans,	Mather,	Sassaman,
Baldwin, G. A.,	Gibson,	Matt,	Savacool,
Baldwin, R. J.,	Glenn,	McAleer,	Schaeffer, A. C
Bayle,	Good,	McAllister,	Schuck,
Becker,	Goss,	McArdle,	Scott, S. B.,
Benninger,	Grabe,	McClintock,	Semmens,
Benson,	Gramley,	McDermott,	Shaffer, C. A.,
Bergey,	Gransback,	Mechling,	Shaffer, I. E.,
Bigger,	Gray, Frank,	Mellott,	Shern,
Bittles,	Gray, Joseph,	Metzenbacher,	Sherwood,
Blair, W. A.,	Hackett,	Miller,	Showalter,
Bleloch,	Haggerty,	Missimer,	Smith, J. W.,
Body,	Heidinger,	Mitchell,	Smith, L.,
Brosius,	Hemminger,	Moore.	Snavely,
Brown,	Herman,	Morrow,	Spangler,
Brownlee,	Hess,	Moses,	Spillinger,
Burnett,	Heyburn,	Moulthrop,	Steedle,
Campbell, C.M.,	Hobbs.	Murphy,	Steele,
Carson,	Howard, J.,	Musser,	Stein,
Carter,	Howard, R.,	Neel,	Stone,
Cheeseman,	Humes,	Neely,	Strauss,
Claycomb,	Irwin, G. C.,	Newbaker,	Swartz,
Cleary,	Irwin, H. H.,	Newton,	Swift,
Conner,	Jackson,	North,	Thomas,
Conniff,	Jones, E. E.,	O'Neill,	Trach,
Conrade,	Jones, J. R.,	Pennegar,	Ulerich,
Cox,	Kaiser,	Pennock,	Ulman,
Currier,	Kaufman,	Perry, H. L.,	Walsh,
Curry,	Kennedy,	Perry, S. J.,	Walton,
Davis,	Klepper,	Peters,	Watson,
DeFrees,	Kuhn, H. P.,	Piper,	Whitaker,
Dickinson,	Kuhns, E.G.M.,	Post,	Wildman,
Donnally,	Lanius,	Price,	Wilson, J. H.,
Down,	Lenker,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Leslie,	Redfield,	Wiltbank,
Dunn, J. A.,	Letzkus,	Reese,	Young, G. K.,
Ehrhardt,		Reeser,	Young, J. H.,
Eichenberger,		Rhoads,	Zimmerman,
Ely,		Richards,	Alter,
			Speaker.

NAYS—1.

Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1105, entitled:

An Act to amend the first section and the second section of an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of sad depositories

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a certain act of Assembly entitled "An Act constituting the County Commissioners County Controller and County Treasurer in any county now or hereafter containing not less than seven hundred fifty

thousand nor more than one million two hundred thousand inhabitants a board having power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine (Pamphlet Laws ninety-three) which reads as follows

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any county now or hereafter containing according to the last preceding United States census not less than seven hundred and fifty thousand nor more than one million two hundred thousand inhabitants the Commissioners Controller and Treasurer of such county shall be and are hereby declared to be a board for the following purposes and with the following powers namely

"a They shall meet at the office of the County Controller not later than noon of the third Wednesday following the first Monday of January following the election of the County Treasurer and there decide upon the number of banks or banking institutions to be not less than three in number as depositories of county funds for the term for which the treasurer shall have been elected" is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemly met and it is hereby enacted by the authority of the same that in any county now or hereafter containing according to the last preceding United States census not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants the Comissioners Controller and Treasurer of such county shall be and are hereby declared to be a board for the following purposes and with the following powers namely

"a They shall meet at the office of the County Controller not later than noon of the third Wednesday following the first Monday of January following the election of the County Treasurer and there decide upon the number of banks banking institutions or trust companies to be not less than three in number as depositories of County funds for the term for which the Treasurer shall have been elected

That section two of said Act of Assembly which reads as follows

"That at said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county for the term which said rate of interest shall be not less than two per centum per annum calculated on daily balances and deposits shall be made with them as soon as satisfactory bonds approved by the County Commissioners shall be filed with the Controller Provided however That said banks or banking institutions shall have a paid-in capital and surplus of not less than five hundred thousand dollars" be and the same is hereby amended to read as follows

Section 2 That at said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county for the term which said rate of interest shall be not less than two per centum per annum calculated on daily balances and deposits shall be made with them as soon as satisfactory bonds approved by the County Commissioners shall be filed with the Controller or as soon as bonds or stocks of such depository or depositories approved by the County Commissioners shall be delivered to the Controller as collateral security for the safe-keeping of such deposit or deposits Provided however that said banks banking institutions or trust companies shall bave a paid-in capital and surplus of not less than five hundred thousand dollars And provided further in case of any vacancies occurring in the number of said depositories arising from cessation of business termination of agreement or in any manner whatsoever the said board shall have the power and authority upon a meeting called with due notice to designate additional banks banking institutions or trust companies for the balance of the term subject to the same terms and conditions regulating the original designation of such depositories

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Allen,	Flynn,	Leslie,	Rockwell,
Alworth,	Forster, I. G.,	Letzkus,	Rothenberger,
Ambler,	Foster, J. D.,	Lohr,	Runk,
Aron,	Frey,	Lowers,	Sassaman,
Arthur,	Gans,	Malie,	Savacool,
Baldwin, G. A.,	Geary,	Mannion,	Schaeffer. A. C
Baldwin, R. J.,	Gibson,	Martin,	Schuck,
Bayle,	Glenn,	Mather,	Scott, S. B.,
Becker,	Good,	Matt,	Semmens,
Benninger.	Goss,	McAleer,	Shaffer, C. A.,
Benson,	Grabe,	McAllister.	Shaffer, I. E.,
Bergey,	Gramley,	McArdle.	Shern,
Berntheizel,	Gransback,	McClintock,	Sherwood,
Bigger,	Gray, Frank,	McDermott,	Showalter,
Bittles,	Hackett,	McKay.	Smith, J. W.,
Blair, W. F.,	Haggerty,	Mechling,	Snavely,
Bleloch,	Heidinger,	Metzenbacher,	Snyder,
Brosius,	Hemminger,	Miller.	Spangler,
Brownlee,	Herman,	Missimer,	Speiser,
Campbell, C.M.,	Hess,	Mitchell,	Spillinger,
Campbell, J. J.,	Heyburn,	Moore,	Steedle,
Carter,	Hibshman,	Morrow,	Steele,
Claycomb,	Hobbs.	Moses,	Stein,
Cleary,	Howard, J.,	Moulthrop,	Stone,
Cochran,	Howard, R.,	Musser,	Strauss,
Collins,	Humes,	Neely,	Swartz,
Conner,	Isler,	Newbaker,	Thomas,
Conniff,	Irwin, G. C.,	Newton,	Trach,
Conrade,	Irwin, H. H.,	North,	Ulerich,
Cox,	Jackson,	O'Neill,	Ulman,
Currier,	Jones, E. E.,	Peachey,	Walsh,
Curry,	Kaiser,	Pennegar,	Walton,
Davis,		Pennock,	Watson,
DeFrees,	Kaufman,	Perry, H. L.,	Whitaker,
Dickinson,	Keegan,	Perry, S. J.,	Whitman,
Donnally,	Kennedy,	Peters,	Wildman,
Down,	Kern,	Piper,	Williams,
Dunn, H. B.,	Kitts,	Price,	Wilson, J. H.,
Dunn, J. A.,	Klepper,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Kuhn, H. P.,	Reufield,	Wiltbank,
Eichenberger,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Ely,	Lanius,	Reeser,	Zimmerman,
Ewing,	Latshaw,	Richards,	Alter,
Fahey,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The House proceeded to the third reading and consideration of House Bill No. 620, entitled:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored to inmitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dinig-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure" which now reads as follows "Section one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substance or compound thereof not produced from pre unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like yellow butter nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or

their agent servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleoginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fats or foreign to the said milk or cream unless such firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act

No such substance shall hereafter be sold offered for sale or exposed for sale unless it be put up by manufacturers in bricks prints or rolls of one-half of one pound one two three or five pounds and in no other larger or smaller subdivision Such bricks prints or rolls shall be wrapped and sealed and upon such seal shall be painly printed the name and address of the manufacturer of said oleomargarine and the said package shall be plainly and conspicuously labelled with the word "Oleomargarine" in Gothic or equally conspicuous letters at least three-eigths of an inch high Said seals shall be so affixed to the one-half of one pound one two three and five pound bricks prints or rolls as to seal the wrappers thereof so that such wrappers or covering may not be opened without destroying the seal affixed thereto Said bricks prints or rolls may be packed by the manufacturer thereof in wooden or other packages or containers each containing not less than ten pounds All sales made by manufacturers of oleomargarine and wholesale dealers in oleomargarine shall be in the original manufacturer's packages or containers in quantities of ten pounds or more at one time Retail dealers in oleomargarine shall sell only from the manufacturer's original packages of the sealed manufacturer's one-half of one pound one two three or five pound bricks prints or rolls and in quantities of ten pounds or less at one time

Section 2 That the second section of said act which now reads as follows

"Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance not made or colored in imitation of yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner and the said name and style shall not in the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble or be in imitation of yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel restaurant or dinig-room the annual sum of fifty dollars and if a proprietor of a boarding-house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissione or his agent shall be by him immediately covered into the State Treasury Such licenses shall not authorize the manufacture or sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell any oleomargarine butterine or any similar substance made or colored so as to resemble or be in imitation of yellow butter

All licenses under this act shall expire on the thirty-first day of December of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such license may be transferred by the Dairy and Food Commissioner upon the application in writing of the person or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons firm and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons firms and corporations who shall sell in quantities less than ten pounds" is hereby amended so as to read

Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance for which said license the applicant or applicants shall first pay if a manufacturer the aanual sum of one thousand dollars if a wholesalerthe annual sum of five hundred dollars and if aretailer the annual sum of eighteen dollars if the proprietor of a hotel restaurant or dining-room the annual sum of ten dollars and if aproprietor of a boarding-house the annual sum of six dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately covered into the State Treasury Such license shall not authorize the manufacture or sale exposing for sale or having in possesion with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in application and license or in any other form or style of package than that prescribed in Section one of this act All licenses under this act shall expire on the thirtieth day of June of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such licenses may be transferred by the Dairy and Food Commissioner upon the application in writing of the person firm or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 3 That the fifth section of said act which now reads as follows

"Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product not in imitation of yellow butter and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine butterine or other similar substance not in imitation of yellow butter giving the date of sale and shipment the quantity the person to whom sold and shipped the place to which shipped and the name of the transportation line which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives Every licensed retail dealer in oleomargarine butterine or similar substance not in imitation of yellow butter shall keep an accurate account in a book open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or any similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such forms as the Dairy and Food Commissioner shall direct" is hereby amended so as to read

Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine and other simlar substance giving the date of sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agent attorneys and representatives and the said books so to be kept by manufacturers and wholesale dealers shall be in such form as the Dairy and Food Commissioner shall direct

Section 4 That the fourth section of said act and all other acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RICHARDS. Mr. Speaker, I move further consideration of this bill be postponed for the present.

Mr. LETZKUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 962, as follows:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecuted in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That the second section of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five which reads as follows

"Section 2 The said board shall be entitled to demand and receive for each annual registration and for the certificate hereinafter porvided a fee not to exceed one dollar which sum shall accompany the application for such registration and the amount derived from this source shall be applied to the proper expenses incurred by the said board as provided by the provisions of the act of May sixteen one thousand eight hundred and ninety-five upon receiving a proper application for such registration accompanied by the fee above provided the and board shall issue its certificate of registration to the applicant for registration upon which shall be noted the number of the book and the page therein containing the record of such registration said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act The said books of registration shall constitute a part of the records of the said State Board of Veterinary Medical Examiners" is hereby amended to read as follows

Section 2 The State Board of Veterinary Medical Examiners shall be entitled to demand and receive for each annual registration and for the certificate hereinafter provided for a fee not to exceed five ($5.00) dollars which sum of five ($5.00) dollars shall be the annual fee but which may be reduced to any sum between one ($1.00) and five ($5.00) dollars if in the judgment of the State Board of Veterinary Medical Examiners the amount to be derived from said source will be sufficient to meet the proper expenses incurred by the said board as provided by the provisions of the act of May sixteenth one thousand eight hundred and ninety-five Upon receiving a proper application for such registration accompanied by the fee above provided the said board shall issue its certificate of registration to the applicant for registration upon which shall be noted the number of the book and the page therein containing the record of such registration said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act The said books of registration shall constitute a part of the records of the said State Board of Veterinary Medical Examiners

Section 2 The fourth section of said act which reads as follows

"Section 4 Any person who shall practice veterinary medicine or surgery without having been registered in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offence shall have been committed shall pay a fine of not more than one hundred dollars for each offense Said State Board of Veterinary Medical Examiners shall be the prosecutor in all such cases" is hereby amended so as to read as follows

Section 4 Any person who shall practice veterinary medicine surgery or dentistry which is one of the branches of veterinary medicine and surgery without having been registered in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offense shall have been committed shall be sentenced to pay a fine of not more than one hundred ($100,00) dollars for each offense Said State Board of Veterinary Medical Examiners or its duly authorized agent shall be prosecutor in all such cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Allen,	Pennock,	Lohr,	Rockwell,
Alworth,	Ely,	Lowers,	Roney,
Ambler,	Ewing,	Malie,	Runk,
Aron,	Fahey,	Mannion,	Sassaman,
Arthur,	Foster, J. D.,	Martin,	Savacool,
Baldwin, G. A.,	Frey,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	Matt,	Schuck,
Bass,	Geary,	McAleer,	Semmens,
Bayle,	Gibson,	McAllister,	Shaffer, C. A.,
Becker,	Good,	McArdle,	Shaffer, I. E.,
Benninger,	Gramley,	McClintock,	Shern,
Benson,	Gransback,	McDermott,	Sherwood,
Berntheizel,	Hackett,	McKay,	Showalter,
Bigger,	Haggerty,	Mechling,	Smith, J. W.,
Bittles,	Heidinger,	Mellott,	Smith, L.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Snavely,
Blair, W. F.,	Herman,	Miller,	Snyder,
Bleloch,	Hess,	Missimer,	Spangler,
Brosius,	Heyburn,	Mitchell,	Speiser,
Brown,	Hibshman,	Moore,	Spillinger,
Brownlee,	Hobbs,	Morrow,	Steedle,
Burnett,	Howard, J.,	Moses,	Steele,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Stein,
Campbell, J. J.,	Isler,	Murphy,	Stone,
Carson,	Irwin, G. C.,	Musser,	Swartz,
Carter,	Irwin, H. H.,	Neel,	Swift,
Cheeseman,	Jackson,	Newbaker,	Thomas,
Claycomb,	Jones, E. E.,	Newton,	Trach,
Collins,	Jones, J. R.,	North,	Ulerich,
Conner,	Kaiser,	O'Neill,	Ulman,
Conniff,	Kaufman,	Peachey,	Walsh,
Conrade,	Kennedy,	Pennegar,	Walton,
Cox,	Kern,	Richards,	Watson,
Currier,	Kitts,	Perry, H. L.,	Wettach,
Davis,	Klepper,	Perry, S. J.,	Whitaker,
DeFrees,	Kuhn, H. P.,	Peters,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Piper,	Williams,
Donahoe,	Lanius,	Price,	Wilson, J. H.,
Donnally,	Latshaw,	Ramsey,	Wilson, W. H.,
Down,	Lenker,	Reese,	Wiltbank,
Dunn, H. B.,	Leslie,	Reeser,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rex,	Zimmerman,
Ehrhardt,	Light,	Rhoads,	Alter,
Eichenberger,			Speaker.

NAYS—2.

Rothenberger, Strauss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. ELY. Mr. Speaker, I ask unanimous consent to call up at this time House Bill No. 174, page fifty of today's Calendar, bills on second reading.

The SPEAKER. This is one of the Gettysburg Battlefield Anniversary Commissions appropriation bills which the Commission is in great haste to have considered.

Will the House give unanimous consent? The Chair hears no objection and consent is granted.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 174, entitled:

An Act providing for the transportation to Gettysburg of State officials guest of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for volaton thereof and makng an appropriation

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg the commission known as the Fiftieth Anniversary of the Battle of Gettysburg Commission is authorized to transport to and from Gettysburg Pennsylvania and to enter into contracts for such transportation such State officials and guests as the Governor may designate such honorably discharged soldiers who enlisted from this Commonwealth and served in a Pennsylvania regiment or any unit of Pennsylvania Volunteers at any period during the Civil War including commands of the Pennsylvania volunteer militia and such honorably discharged soldiers of the regular army of the United States now residents of Pennsylvania who participated in said battle Such transportation shall be by railroad from the station in Pennsylvania nearest to the place of residence of the person transported and by the most direct route to and from Gettysburg The Commission is authorized to pay for such transportation at a rate not exceeding two cents (2c) per mile The Commission shall give the proper publicity to this act and to make such regulations regarding the furnishing of such transportation as by them shall be deemed necessary

On the question,

Will the House agree to the section?

Mr. ELY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 1, line 16: Insert after the word "battle" the following: "And if in the judgment of the said Commission it is feasable because of the limited time yet remaining in which to first verify the war record of the applicant and then issue transportation, the said Commission may also issue such transportation to all honorably discharged Union Soldiers, Sailors and Marines of the Civil War who are now living in Pennsylvania as citizens of this Commonwealth, and also to such Soldiers who served in the Confederate Army and are now living in Pennsylvania as citizens of this Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections preamble and title were then separately read and agreed to as follows:

Section 2 Any person who shall personate or attempt to personate or aid any person in personating or in attempting to personate any soldier entitled to transportation under this act or who not being entitled to such transportation shall secure or attempt to secure such transportation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced

to pay a fine of not less than fifty nor more than one hundred dollars and to undergo an imprisonment in the jail of the proper county for a period of not less than ten days nor more than sixty days

Section 3 To carry out the purpose of this act the sum of one hundred and sixty-five thousand dollars ($165,000) or so much thereof as may be necessary is especially appropriated to the said Commission Payment of money appropriated by this act shall be made only on warrant of the Auditor General drawn on the State Treasurer on requisition of the Commission and for which specifically itemized vouchers shall be filed

Whereas, Pursuant to the provisions of an act approved the thirteenth day of May one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Getysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" a commission has been appointed whose duty it will be to arrange for a fitting observance at Gettysbrg of the fiftieth anniversary of the Battle of Gettysburg, and

Whereas, It is eminently proper that such anniversary should be celebrated in a manner befitting this Commonwealth, and

Whereas, The occasion would be greatly lacking in historic interest if the heroic soldiers who enlisted in this Commonwealth should not attend this celebration, and

Whereas, It has ever been Pennsylvania's boast that she has never lacked in gratitude to those who went from her soil to uphold the Union; therefore,

An Act providing for the transportation to Gettysburg of State officials guest of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. WATSON. Mr. Speaker, I ask unanimous consent to call up House Bill No. 1639, page thirty-nine of today's Calendar, bills on second reading, for the purpose of amendment.

The SPEAKER. This is another of the Gettysburg Commission's appropriation bills.

Will the House give unanimous consent? The Chair hears no objection and consent is granted.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1639, entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine and June fourteenth Anno Domini one thousand nine hundred and eleven respectively creating said Commission and defining the duty thereof and making preliminary appropriations therefor

The first section of the bill and preamble were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to enable the commission to further carry out the provisions of the above recited acts of the General Assembly of Pennsylvania and to meet the obligation imposed upon the Commonwealth of Pennsylvania by the above recited act of Congress the sum of one hundred and ninety-five thousand dollars ($195,000.00) or so much thereof as may be necessary is hereby specifically appropriated said appropriation to be paid by warrant of the Auditor General drawn upon the State Treasurer upon specifically itemized vouchers duly approved by the officers of said commission

Whereas The act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine Pamphlet Laws one thousand nine hundred and nine page seven hundred and nine page seven hundred and seventy-seven created a commission "to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission whose duty shall be to consider and arrange for a proper and fitting observance at Gettysburg of the fiftieth anniversary of the battle of Gettysburg with authority to invite the co-operation of the Congress of the United States and of the other States and Commonwealths the commission to make report of its action with recommendations to the next session of the General Assembly of Pennsylvania" and make a preliminary appropriation for the purpose of carrying out the provisions of said act and

Whereas The act of Assembly approved June fourteenth Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand nine hundred and eleven page two hundred and eighty-six made a further preliminary appropriation for the same purpose and therein expressed a promise on the part of the Commonwealth of Pennnsylvania that funds sufficient for the proper reception and care of all our guests during their stay at Gettysburg on said occasion would be granted in due time and

Whereas The Congress of the United States by enactment approved August twenty-sixth Anno Domini one thousand nine hundred and twelve authorized and directed the War Department to create and maintain at Gettysburg during the above celebration a great camp around the battlefield with all necessary camp garrison and hospital equipment rations supplies et cetera for visiting veterans of the Civil war conditioned upon the Commonwealth of Pennsylvania bearing one-half the expense thereof and

Whereas Said Department has so leased adequate grounds therefor and is proceeding so to create thereon such great camp and will so equip and maintain same therefore

The title of the bill was read as follows:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and ine and June fourteenth Anno Domini one thousand nine hundred and eleven respectively creating said Commission and defining the duty thereof and making preliminary appropriations therefor

On the question,

Will the House agree to the title?

Mr. WATSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend by striking out the title and inserting in lieu thereof the following:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundrd and nine, entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission; authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein; the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg; to invite the co-operation of the Congress of the United States, and of other States; and report to next session of General Assembly; and making an appropriation for the payment of expenses of said commission," and June fourteenth Anno Domini one thousand nine hundred and eleven, entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg, to further carry out the provisions of the act of Assembly, approved May thirteenth, Anno Domini one thousand nine hundred and nine, creating said Commission and defining the duty thereof," respectively creating said Commission and defining the duty thereof and making preliminary appropriation therefor.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL PLACED ON THE CALENDAR.

Mr. JAMES A. DUNN. Mr. Speaker, I move that House Bill No. 938, entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

be placed on the Calendar notwithstanding the negative recommendation of the Committee.

Mr. GANS. Mr. Speaker, I second the motion.

On the question,

Shall the bill be placed upon the Calendar notwithstanding the negative recommendation of the committee.

Mr. S. B. SCOTT. Mr. Speaker, I desire an explanation from the sponsor of this bill as to why it should be placed upon the Calendar notwithstanding the negative recommendation of the Committee.

Mr. JAMES A. DUNN. Mr. Speaker, I think this bill was sent to the wrong Committee. It is a bill that affects the police pension fund of the City of Philadelphia, and does not affect any other part of the State. I believe that most of the members from Philadelphia are in favor of the bill and I only ask it to be placed upon the Calendar because I thought it was sent to the wrong committee.

The question recurring,

Shall the bill be placed upon the Calendar notwithstanding the negative recommendation of the Committee?

Eighty-nine members, or more than the number required by the rule, having voted in the affirmative, the bill was placed on the Calendar notwithstanding the negative recommendation.

LEAVES OF ABSENCE.

Mr. NEWBAKER asked and obtained leave of absence for Mr. Caldwell for the balance of the week.

Mr. BECKER asked and obtained leave of absence for Mr. Donahue for the balance of the week.

ORDERS OF THE DAY.

Mr. WILTBANK. Mr. Speaker, the hour of one o'clock has arrived, and I call for the orders of the day.

The SPEAKER The hour of one o'clock having arrived, this House will now take a recess until three o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCES.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows

Senate Bill No. 284 (House Bill No. 1877).

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purpose a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State Hospital for the Criminal Insane

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 416 (House Bill No. 1878).

An Act granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 464, House Bill No. 1879.

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a popualtion of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 512, House Bill No. 1880.

An Act to prohibit coroner acting coroners or deputy coroners within the Commonwealth of Pennsylvania from doing business as undertakers or being interested in such business during their terms of office and providing a penalty

Referred to the Committee on Judiciary General.

Also Senate Bill No. 643, House Bill No. 1881.

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

Referred to the Committee on Corporations.

Also Senate Bill No. 650, House Bill No. 1882.

An Act requiring an inquiry and report on the criminal insane patients committed to the institutions of the Commonwealth as to their personal history mental and financial condition and circumstances connected with the crime for which they are committed

Referred to the Committee on Judiciary General.

Also Senate Bill No. 661, House Bill No. 1883.

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

Referred to the Committee on Appropriations.

Also Senate Bill No. 422, House Bill No. 1885.

An Act authorizing the commissioners of water works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 552, House Bill No. 1886.

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships and to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or less transit facilities to grant license for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 553, House Bill No. 1887.

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 554, House Bill No. 1888.

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for Municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Referred to Committee on Ways and Means.

Also Senate Bill No. 735. House Bill No. 1889.

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

Referred to the Committee on Mines and Mining.

Also Senate Bill No. 819, House Bill No. 1890.

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a Board for the Assessment and Revision of Taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

Referred to Committee on Ways and Means.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned to the House Bill numbered and entitled as follows: House Bill No. 13:

A joint resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America which provides that Senators shall be elected by the people

with information that the Senate had passed the same without amendment.

BILL INTRODUCED AND REFERRED.

By Mr. JAMES J. CAMPBELL (by request). House Bill No. 1884.

An Act making an appropriation to the Volunteers of America Tuberculosis Sanitarium located at Aquashicola near Palmerton Carbon County Pennsylvania

Referred to Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. ARTHUR, from the Committee on Judiciary Local, reported as committed, House Bill No. 1044, entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

Mr. WALNUT, from the Committee on Judiciary General, reported as committed, House Bill No. 1712, entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure thereon

Mr. SEMMENS, from the Committee on Manufacturing, reported as committed, House Bill No. 1749, entitled:

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini nineteen hundred and nine

Mr. O'NEILL, from the Committee on Public Buildings, reported as committed, House Bill No. 1382, entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

Mr. G. A. BALDWIN, from the Committee on Judiciary General, reported as amended, House Bill No. 869, entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained.

Mr. HAGGERTY, from the Committee on Counties and Townships, reported as committed, House Bill No. 1860, Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

Mr. HERMAN, from the Committee on Education, reported as committed, House Bill No. 1822, Senate Bill No. 50, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the education of certain blind children under eight years of age

Mr. BROWNLEE, from the Committee on Judiciary Special, reported as committed, House Bill No. 1238, entitled:

A supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of Ancillary Letters of Administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country and who have left personal estate within this Commonwealth

Mr. DAVIS, from the Committee on Judiciary Local, reported as committed, House Bill No. 1666, entitled:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regualtion of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

Mr. BIGGER, from the Committee on Constitutional Reform, reported as committed, House Bill No. 1348, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

Mr. LESLIE, from the Committee on Judiciary Local, reported as committed, House Bill No. 1857 (Senate Bill No. 583), entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1186, entitled:

An Act to make the real estate of any pauper liable for the expense of his support maintenance and burial and providing a method for the collection of such claims

Mr. BITTLES, from the Committee on Counties and Townships, reported as committed, House Bill No. 1547, entitled:

An Act to amend section two of an act entitled an act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their counties painted and the bolts of the same tightened as often as may be necessary approved the twenty-first day of April Anno Domini one thousand nine hundred and three

Mr. STEIN, from the Committee on Judiciary General, reported as amended, House Bill No. 1313, entitled:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

Mr. BERGEY, from the Committee on Municipal Corporations reported as amended, House Bill No. 1194, entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth having a population of fifteen thousand or over and prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1681, entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty

Mr. BERGEY, from the Committee on Constitutional Reform, reported as committed, House Bill No. 1491, entitled:

A joint resolution proposing a constitutional amendment to the Constituion of Pennsylvania granting to the people the right of recall of public officers

Mr. TRACH, from the Committee on Education, reported as committed, House Bill No. 1695, entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

Mr. KITTS, from the Committee on Judiciary General, reported as committed, House Bill No. 1448, entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

Mr. KITTS, from the Committee on Judiciary General, reported as committed, House Bill No. 347, entitled:

An Act providing for the return of statistics realting to marriages requiring the clerks of the orphans' courts to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

Mr. STRAUSS, from the Committee on Judiciary General, reported as amended, House Bill No. 1314, entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings.

Mr. JOHN J. CAMBELL, from the Committee on Municipal Corporations, reported as amended, House Bill No. 900, entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

Mr. RONEY, from the Committee on Judiciary General, reported as committed, House Bill No. 1580, entitled:

An Act repealing the act of June fifteenth one thousand eight hundred and seventy-one (Pamphlet Laws three ninety-one) entitled "An Act relating to the assessment of damages for the appropriation of land for public use

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained billboards signs or other advertising devices the increased value of such lands resulting from the use of such premises for advertising

Mr. H. B. DUNN, from the Committee on Counties and Townships, reported as committed, House Bill No. 536, entitled:

An Act authorizing the Commissioners of any Township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefitted and requiring maps or plots of streets or alleys in townships of the first calss to be approved by the commissioners of said townships before recording the same

Mr. MILLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1714, entitled:

An Act regulating the practice before justices of the peace aldermen and magistrates in cases where children under sixteen years are charged with any offense against the criminal law of this Commonwealth

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed, House Bill No. 1729, entitled:

An Act to amend an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one"

Mr. RAMSEY, from the Committee on Public Buildings, re-reported as amended, House Bill No. 1397, (Senate Bill No. 274), entitled:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1433, entitled:

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes

Mr. MUSSER, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1064, entitled:

An Act repealing certain sections and parts of sections of an act approved the twenty-first day of May one thousand eight hundred and ninety-three entitled "An Act for the taxation of dogs and the protection of sheep" as the same has been variously amended

Mr. SHERWOOD, from the Committee on Insurance, re-reported as committed, House Bill No. 825, entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication from the Governor, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION.

Executive Chamber, Harrisburg, Pa., April 2, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment House Bill No. 170, entitled "An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County, is located and providing for the disposition of the fund."

(Signed,) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. JACKSON. Mr. Speaker, I move the vote by which his bill passed finally be re-considered.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. JACKSON. Mr. Speaker, I move that the vote by which this bill passed third reading be re-considered.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

The question recurring,

Will the House agree to the bill on third reading?

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the same by adding section 2, as follows:

Section 2 "In the event of a sale the Commissioner of Fisheries is hereby authorized and directed to execute for and on behalf of the Commonwealth any deed or deeds to convey the title which the Commonwealth of Pennsylvania now has to said property in such form as the same may be prepared by the Attorney General."

Section 2 as now contained to be re-numbered as section 3.

The SPEAKER. Will the House give unanimous consent o the insertion of the amendment at this time? Is there ny objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 181.

An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise

with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title in line one by striking out the word "thirteenth" and inserting "fifth"

Also in line nine, strike out the word "and" after the word "thereof"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nay were taken and were as follows viz:

YEAS—169.

Light,	Ely,	Mannion,	Robinson,
Lowers,	Ewing,	Martin,	Rockwell,
Allen,	Flynn,	Mather,	Roney
Alworth,	Forster, I. G.,	Matt,	Rothenberger,
Ambler,	Foster, J. D.,	McAleer,	Runk,
Aron,	Frey,	McAllister,	Sassaman,
Arthur,	Geary,	McArdle,	Savacool,
Baldwin, G. A.,	Gibson,	McClintock,	Semmens,
Baldwin, R. J.,	Good,	McDermott,	Shaffer, C. A.,
Bayle,	Grabe,	McKay,	Shaffer, I. E.,
Becker,	Gramley,	McNichol,	Shern,
Benninger,	Gransback,	Mechling,	Sherwood,
Benson,	Gray, Frank,	Metzenbacher,	Showalter,
Bergey,	Hackett,	Miller,	Smith, J. W.,
Bigger,	Haggerty,	Mitchell,	Smith, L.,
Bittles,	Heidinger,	Moore,	Snavely,
Blair, W. A.,	Hemminger,	Morrow,	Snyder,
Blair, W. F.,	Herman,	Moses,	Spangler,
Bleloch,	Hess,	Moulthrop,	Speiser,
Body,	Heyburn,	Murphy,	Spillinger,
Brosius,	Hibshman,	Neel,	Steedle,
Brown,	Hobbs	Neely,	Steele,
Brownlee,	Howard, J.,	Newbaker,	Stein,
Burnett,	Irwin, G. C.,	Newton,	Stone,
Campbell, C.M.,	Irwin, H. H.,	North,	Strauss,
Campbell, J. J.,	Jackson,	O'Neill,	Swartz,
Carson,	Jones, J. R.,	Peachey,	Thomas,
Carter,	Kaiser,	Pennegar,	Trach,
Claycomb,	Kaufman,	Pennock,	Ulerich,
Cleary,	Keegan,	Perry, H. L.,	Ulman,
Collins,	Keeport,	Perry, S. J.,	Walsh,
Conner,	Kennedy,	Piper,	Watson,
Conniff,	Kern,	Post,	Whitaker,
Conrade,	Kitts,	Price,	Whitman,
Currier,	Klepper,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Williams,
Davis,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
DeFrees,	Lanius,	Reeser,	Wilson, W. H.,
Dickinson,	Lenker,	Rex,	Wiltbank,
Donnally,	Leslie,	Rhoads,	Young, G. K.,
Down,	Letzkus,	Richards,	Young, J. H.,
Dunn, J. A.,			Zimmerman,
Ehrhardt,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1201, as follows:

An Act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" which as heretofore amended reads as follows

"The clerk of the court shall inquire of the parties applying either separately or together for marriage license as aforesaid on oath or affirmation relative to the legality of the contemplated marriage the age of the parties the consent of parents or guardians of such as are under the full age of twenty-one years and any prior marriages or marriages and its or their dissolution and if there be no legal objection thereto he shall grant such marriage license or the parties intending marriage may either separately or together appear before any magistrate alderman notary public or justice of the peace of the township ward or county wherein either of the contracting parties resides and in the county where the license is desired who may and is hereby authorized to inquire of them touching the legality of their contemplated marriage the age of the parties the consent of the parents or guardians when required and such prior marriage and dissolution thereof and such inquiries and the answers thereto having been subscribed and sworn to by the parties before such officer may be forwarded to the clerk of the court who if satisfied after an examination thereof that the same is genuine and that no legal objection to the contemplated marriage exists shall grant a license therefor and if any of the persons intending to marry by virtue of such license shall be under twenty-one years of age the consent of their parents or guardians shall be personally given before such clerk or certified under the hand of such parent or guardian attested by two adult witnesses and the signature of such parent or guardian shall be properly acknowledged before a notary public or other officer competent under the laws to receive acknowledgments which said certificate and oath shall be filed of record in said office and entry of the same shall be made by the said clerk on the marriage license docket as a part of the records of the issuing of said license and for which he shall receive as his fee the sum of fifty cents in addition to the marriage license fee and the said magistrate alderman notary public or justice of the peace for services rendered by him under the provisions of this act shall be entitled to fifty cents The clerk of the courts shall furnish magistrates aldermen or justice of the peace at the cost of the proper county all necessary blanks for acknowledgments and affidavit herein required And if any clerk of any of said courts shall in any other manner issue or sign any marriage license or if any magistrate alderman or justice of the peace shall willfully make any false return to the clerk of the court he shall forfeit and pay any sum not exceeding one thousand dollars to and for the use of the party aggrieved" is hereby further amended to read as follows

Section 3 The clerk of the court shall inquire of the parties applying either separately or together for marriage license as aforesaid on oath or affirmation relative to the legality of the contemplated marriage the age of the parties the consent of parents or guardians of such as are under the full age of twenty-one years and any prior marriage or marriages and its or their dissolution and whether the parties are of Caucasian or Ethiopian descent or a mixture thereof and if there be no legal objection thereto then he shall grant such marriage license or the parties intending marriage may either separately or together appear before any magistrate alderman notary public or justice of the peace of the township ward or county wherein either of the contracting parties resides and in the county where the license is desired who may and is hereby authorized to inquire of them touching the legality of their contemplated marriage the age of the parties the consent of parents or guardians when required and such prior marriage and dissolution thereof and whether the parties are of Caucasian or Ethiopian decent or a mixture and such inquiries and the answers thereto having been subscribed and sworn to by the parties before such officer may be forwarded to the clerk of the court who if satisfied after and examination thereof that the same is genuine and that no legal objection to the contemplated marriage exists shall grant a license therefor and if any of the persons intending to marry by virtue of such license shall be under twenty-one years of age the consent of their parents or guardians shall be personally given before such clerk or certified under the hand of such parent or guardian attested by two adult witnesses and the signature of such parent or guardian shall be properly acknowledged before a notary public or other officer competent under the laws to receive acknowledgments which said certificate and oath shall be filed of record in said office and entry of the same shall be made by the said clerk on the marriage license docket as a part of the records of the issuing of said license and for which he shall receive as his fee the sum of fifty cents in addition to the marriage license fee and the said magistrate alderman notary public or justice of the peace for services rendered by him under the provisions of this act shall be entitled to fifty cents The clerk of the courts shall furnish magistrates aldermen or justices of the peace at the cost of the proper county all necessary blanks for acknowledgments and affidavit herein required And if any clerk of any of said courts shall in any other manner issue or sign any marriage license or if magistrate alderman notary public or justice of the peace shall willfully make any false return to the clerk of the court he shall forfeit and pay any sum not exceeding one thousand dollars to and for the use of the party aggrieved

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Allen,	Dunn, J. A.,	Leslie,	Roney,
Alworth,	Eichenberger,	Letzkus,	Rothenberger,
Ambler,	Ely,	Light,	Runk,
Aron,	Ewing,	Lohr,	Sassaman,
Arthur,	Fahey,	Mannion,	Savacool,
Baldwin, G. A.,	Flynn,	Mather,	Schaeffer, A. O.
Baldwin, R. J.,	Forster, I. G.,	Matt,	Schuck,
Bayle,	Foster, J. D.,	McAllister,	Semmens,
Becker,	Gans,	McArdle,	Shaffer, C. A.,
Benninger,	Gibson,	McClintock,	Shaffer, I. E.,
Benson,	Glenn,	McDermott,	Shern,
Bergey,	Good,	McKay,	Sherwood,
Bigger,	Grabe,	McNichol,	Showalter,
Bittles,	Gramley,	Mechling,	Smith, J. W.,
Blair, W. A.,	Gransback,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Gray, Frank,	Miller,	Snyder,
Bleloch,	Hackett,	Mitchell,	Spangler,
Body,	Haggerty,	Moore,	Speiser,
Brosius,	Heidinger,	Morrow,	Spillinger,
Brown,	Hemminger,	Moses,	Steele,
Campbell, C.M.,	Herman,	Moulthrop,	Stone,
Campbell, J. J.,	Hess,	Murphy,	Strauss,
Carson,	Heyburn,	Neel,	Swartz,
Carter,	Hibshman,	Neely,	Swift,
Cheeseman,	Hobbs,	Newton,	Thomas,
Claycomb,	Howard, J.,	North,	Trach,
Cleary,	Isler,	Peachey,	Ulerich,
Cochran,	Irwin, G. C.,	Pennegar,	Walnut,
Collins,	Irwin, H. H.,	Pennock,	Walsh,
Conner,	Jackson,	Perry, S. J.,	Wettach,
Connift,	Jones, E. E.,	Peters,	Whitaker,
Conrade,	Kaiser,		Wildman,

Cox,	Kaufman,	Post,	Williams,
Currier,	Keegan,	Price,	Wilson, J. H.,
Curry,	Kennedy,	Ramsey,	Wilson, W. H.,
Davis,	Kitts,	Redfield,	Wiltbank,
DeFrees,	Klepper,	Reese,	Young, G. K.,
Dickinson,	Kuhn, H. P.,	Rhoads,	Young, J. H.,
Donnally,	Kuhns, E.G.M.,	Richards,	Zimmerman,
Down,	Lanius,	Robinson,	Alter,
Dunn, H. B.,		Rockwell,	Speaker.

NAYS—15.

Brownlee,	Kern,	Newbaker,	Steedle,
Geary,	Malie,	O'Neill,	Stein,
Jones, J. R.,	Martin,	Piper,	Ulman,
Keeport,	Mellott,	Snavely,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1153, as follows:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflamation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

Whereas statistics show fully thirty (30) per cent of cases of blindness to be due to inflamation of the eyes appearing a few days after birth and whereas experience has proved that this inflamation can be cured and the eye-sight saved in the majority of cases if the proper treatment be instituted at an early stage of the disease

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflamation of the eyes of infants) shall if the said case be located in a township of the first class a borough or a city forthwith make a report in writing to the Health Authorities of said township city or borough and if said case shall be located in a township of the second class or a city borough or township of the first class not having a board of health or body acting as such to the State Department of Health upon blanks supplied for that purpose in which report he shall under his or her own signature state the name of the disease and the name age sex color and nativity of the infant suffering therefrom together with the street and house number of the premises in which said infant may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the householder in whose family the disease may have occurred together with such information relating to said case as may be required by said health authorities and the State Department of Health

Section 2 That any mid-wife or nurse or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth shall report the same in writing to the health authorities of the city borough or township of the first class in which the case may be located or if it be located in a township of the second class or a city borough or township of the first class not having a Board of Health or body acting as such the State Department of Health within six hours after the discovery thereof giving the name of the infant the names of the parents or guardians and the street and number of their residence or otherwise sufficiently designate the same together with the fact that such inflamation or swollen or redness exists and shall make a simlar report in writing to some regularly qualified practicing physician of the district

Section 3 That it shall be the duty of the health authority of the State Department of Health immediately upon receipt of a written report from a mid-wife or a nurse or person other than a practicing physician to notify the parents or guardian or other person having charge of the infant of the ranger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same

Section 4 No mid-wife nurse or other person not a physician shall treat or attempt to treat any case of inflamed or swollen or reddened eyes of an infant except the case be in charge of a regularly qualified physician and the treatment be given at his directions

Section 5 Every health officer shall furnish a copy of this act to every person who is known to him to act as a mid-wife or nurse in the city borough or township for which he is health officer and the Commission of Health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers

Section 6 Any physician mid-wife nurse or other person who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any Justice of the Peace of Alderman of the county wherein such offense was committed be sentenced to pay a fine of not less than twenty or more than one hundred ($100) dollars to be paid to the use of the said county and the costs of prosecution or to be imprisoned in the county jail for a period of not less than ten (10) or more than thirty (30) days or both at the discretion of the court

Section 7 An "Act for the prevention of blindness imposing a duty upon all mid-wives nurses or other persons having the care of infants and also upon the health officers and fixing penalties for neglect thereof" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five be and the same is hereby repealed.

On the question,

Will the House agree to the bill on third reading

Mr. KAUFMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 3, line 1, by inserting before the word "health" the word "said"; and by striking out in line two the words "authority of" and inserting in lieu thereof the words "authorities of."

Amend Section 4 by striking out the entire section and inserting in lieu thereof the following:

"Section 4 Every physician in this Commonwealth who shall treat any infant's eyes for ophthalmia neonaterum (inflammation of the eyes of an infant) shall, within forty-eight hours after said physician ceases treatment of, or attendance upon, such case of ophthalmia neonatorum, report to the Commissioner of Health of the Commonwealth of Pennsylvania that said physician has treated a certain case of ophthalmia neonaterum giving full information as required in Section one of this act, stating that he has ceased treatment of or attendance upon said case, and what was condition of infant's eyes when physician ceased treatment of or attendance upon said case of ophthalmia neonaterum.

Amend the title by striking out the words "prohibiting mid-wives and persons other than physicians from treating such cases" and insert in lieu thereof the words "and requiring the reporting of results of treatment of each case of said disease."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1199, entitled:

An Act to prohibit the clerk of orphans' court from issuing a marriage license to persons of Caucasian and Ethiopian descent who desire to intermarry

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the author of this bill.

The SPEAKER. Will the gentleman from Mercer permit himself to be interrogated?

Mr. DOWN. Mr. Speaker, yes, sir.

Mr. S. B. SCOTT. Mr. Speaker, I desire to ask the gentleman what is an Ethiopian?

Mr. DUNN. Mr. Speaker, an Ethiopian is a person with negro blood in him.

Mr. S. B. SCOTT. Mr. Speaker, I further desire to interrogate the gentleman; that is, whether this would include a Senegambian?

Mr. DOWN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. S. B. SCOTT. Yes, sir, Mr. Speaker.

Mr. DOWN. Mr. Speaker, I would like to ask what his interpretation of the word "Senegambian" is.

Mr. S. B. SCOTT. Mr. Speaker, a Senegambian is an inhabitant of Senegambia.

Mr. DOWN. Mr. Speaker, his explanation is satisfactory; I understand it perfectly.

Mr. S. B. SCOTT. I desire to further interrogate the gentleman, as to whether this bill would include an inhabitant of Carthaginia, a Carthaginian, or, Mr. Speaker, a Zulu, or an inhabitant of the central parts of Africa or of the Zanzibar Coast?

Mr. DOWN. Mr. Speaker, a Zulu, as I understand it, is one of the negro family, and I would say it would include him.

Mr. S . B. SCOTT. Mr. Speaker, I desire merely to show the utter absurdity of putting in the law the word "Ethiopian." It has no legal meaning. It is a word of no legal import, and this act allows the orphans' court clerk, merely by his inspection, to refuse somebody a license to get married. In other words, if a man appears before him with the slightest swarthiness of countenance or the slightest curl of his hair, or anything which in itself indicates that

in some far back period of his history, perhaps eight or ten or twenty generations back, there might have been some blood in him that might have been called Ethiopian; if that means anything, which I hold it does not, then that marriage license could be refused. Now, there is another absurdity in this bill. I presume that the intention of the author of this bill is to prevent the evil and the disgrace of intermarriage, but there is nothing in the bill which says so. A license to get married is not at all necessary to a valid marriage. It is true that it is a misdemeanor for anybody to officiate at a marriage where there is no license, but the common law marriage, with consent, is still in force in Pennsylvania, and if the people mentioned in this bill desire to get married, there is nothing in this bill which would prevent them for a minute. Not only that, but I desire to oppose this bill on the very broadest possible grounds. The very first words after the preamble in our State Constitution are these: "All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness." Any such discrimination as this is totally opposed to the whole spirit of the Constitution, and should be frowned upon as such.

Mr. DOWN. Mr. Speaker, I wish to make my position clear as regards this bill. I introduced this measure at the request of a considerable number of my constituents, whom I know to be men of intelligence and of advanced thought. At first I looked askance at the proposition, for I realized it was a delicate one to handle, without appearing to give offense to a large class of our citizens. But, after talking the matter over with quite a number of the members of this House, and having this assurance, that the proposed legislation would not be construed to reflect on any person or race, and having looked more carefully into the history of the races, I concluded that the proposed legislation was for the betterment of both and the advancement of mankind.

First of all, I want to say that I believe in the future of the negro race, and have only feelings of friendship towards them. Such men as those great educators, Paul Lawrence Dunbar and Booker T. Washington, have shown us the possibilities of the race. Give them as many generations of civilization and culture, as the Caucasian race has had, and who can say they will not make a place for themselves as high, as honored and as useful, as that occupied by any race in the history of the world? We are proud of the history of the Anglo-Saxon race, proud of the achievements of our race and proud of our race, why should not the Ethiopian be proud of his race? I fully believe the true negro will have that pride in his race and agree with me that the inter-marrying of the races is not for the best of either. But that the future of the colored race can best be worked out by them, distinct from the white, without amalgamation. Instead of marriage between the two races drawing them closer together and doing away with race prejudice it only adds to it. It is a fact that people as a rule have more respect for the negro of pure blood than the one of mixed blood. We need to do everything we can to minimize this prejudice against the negro race, which is the cause of much persecution against them, leading up, sometimes, to a threatened race war. If this legislation will help to abate this prejudice and persecution then I say it is for the benefit of all races, and the betterment of humanity.

It has been claimed that inter-marriage between the two races, has been the cause of a great deal of immorality. As to this I have no definite information, but if the writings of some of the editors or our magazines are true, the prevalence of certain conditions and certain diseases, are almost beyond belief where the two races are accustomed to mingle socially, marry and cohabitate.

Inter-marrying of the races has never proved beneficial. It was against the laws of the ancients, and seems to be against the laws of nature, for whenever we find the amalgamation of the two races, we also find that the results have not been for the betterment of either. Take for instance the Hollanders with the negro of South Africa, the French with the Indian of Louisiana and in Quebec. Who will say that it has bettered the condition of our noble red man to make a half breed of him?

I am not impelled by any prejudice against the Ethiopian race, in defending this bill, but firmly believe it is for the best interests of that race, as well as the Caucasian race, that marital relations should not be permitted. It is only in friendship that I propose this legislation, seeking to do that which is right and for the best interests of mankind in general. It may be said that this is a matter for educational and moral training. Well, so it is, but for two thousand years and more we have had moral and educational training, and yet have had to use prohibitory laws, to enforce those moral and educational trainings which we all agree are for our betterment and our eternal welfare.

Let us approach this matter with our mind and heart free from all prejudice and vote for this measure as our conscience and our best judgment direct.

Mr. ALLEN. Mr. Speaker, so that my vote, if this roll be called, be not misunderstood, I desire to say a word in relation to this bill. It seems to me that the purpose intended to be reached is not reached in the bill that is before us and on consideration at this time. The bill is very brief and simply provides that where two parties appear before the clerk of the orphans' court, desiring to be married, if one is of pure Caucasin descent and the other party is of Ethiopian descent, whether pure or mixed, that if the clerk issue a license then the penalty of this bill comes into play. Then, it does not reach anybody but the clerk of the court. This bill provides, in section 2 of this act, that any person violating the provisions of section 1 of this act by the issuance of a license shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding $1,000. Now, to show you that my conclusion is not worng as to whom this penalty affects I simply desire to call the attention of the House to the first section of the bill: "That it shall be unlawful for the clerk of the orphans' court of any county to issue a marriage license to any person or persons, when it shall appear from his observation, or from the affidavits taken before him, or any other duly authorized officer, that one of the parties desiring to be joined in marriage is of pure Caucasian descent and the other party is of Ethiopian descent, whether pure or mixed." There is no penalty, whatever, attached to the people who have intermarried, the races which have been intermarried; nothing of that kind, if he be a pure black and the woman a pure white, nothing to the man if he be a pure white and Caucasian and the woman be Ethiopian; nothing whatever; but the entire penalty attaches to the clerk of the court. It seems to me that this is no way to strike at the root of the evil that is aimed at, and I shall certainly oppose this bill.

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, it strikes me that the entire membership of this House is probably in accord with the purpose that is aimed at in this bill and there seems to be some question as to whether or not the purpose aimed at is to be accomplished by the bill, and under its circumstances it strikes me that it is only fair that the sponsor of the bill and others have the opportunity to look this bill over with a view to amending the bill if it becomes necessary, and for that reason I move that we postpone this bill for the present.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

The House proceeded to the second reading and consideration of House Bill No. 937, as follows:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties.

Whereas, A very large proportion of our population occupy overcrowded and insanitary tenement boarding and lodging houses and

Whereas, It is from these conditions that we derive much personal and industrial inefficiency inebriety dependence tuberculosis and disease in many forms an appalling infant mortality and preventable deaths at all ages a debased citizenship vice and crime all of which lead to physical and moral degeneracy and an ultimate burden upon society and upon the State and

Whereas, We believe that a clean and healthful habitation for the parents work untold influence on a babe yet unborn and that such babe should be received in a home prepared to welcome such a divine blessing that in infancy and youth it should never know the misery and menace of the "slum" but that its environment should promote the highest type of physical and moral development therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That a Bureau of Housing be established in the State Department of Health with such executive and clerical staff as may be necessary to carry into effect the provisions of this act And the Commissioner of Health with the consent of the Governor is hereby authorized to designate such persons prescribe their titles and respective duties and fix their compensation

Section 2 It shall be the duty of said Bureau to investigate the sanitary conditions of tenement lodging and boarding houses and when the same are found in the opinion of said bureau to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same and to notify the owners or agents thereof in writing setting forth the insanitary or overcrowded conditions thereof and specifying in writing the changes or alterations which shall be made thereto for the purpose of relieving such conditions and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved

A duplicate copy of such notification and service thereof attested by the officer or agent making the same on behalf of the bureau shall immediately after the service thereof be filed in the court of Common Pleas of the county in which such condemned dwelling premises or other building is located and if no appeal be filed within ten days by the owner or agent after service of such notice then an appeal shall be allowed only upon direct order of the court

Section 3 Any appeal from the notification of said bureau through its authorized agents shall set forth the specific facts upon which the appeal is based and upon filing said appeal the court of Common Pleas shall designate three disinterested persons to examine the buildings dwellings and premises and report their conclusions whether the appeal should be dismissed or the order of the bureau enforced or in any way modified Any such finding upon review and hearing by the court shall become final The court shall have the right to fix the compensation of the persons so appointed and such amount shall be paid by the appellant when the findings sustain in whole or in part the notification of said bureau

Upon the expiration of the time designated in the reports to the said court where no appeal is taken or from the final order after appeal the names of those who have failed to comply either with the notice of said bureau or the court's order based upon appeal shall be certified by the officer or agent of said bureau to the district attorney who upon receipt of the same shall cause a prosecution to be at once instituted against such person or persons

Section 4 The officers or agents of this bureau shall have at all times the right of ingress into all premises as aforementioned

Section 5 Any owner or agent of any premises condemned as insanitary or overcrowded who shall neglect to comply with the order of said bureau or with the order of court after appeal and who may continue to rent or use such premises in violation thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined twenty dollars ($20) per day for each day which the premises shall have been used and in default of payment of the same shall be committed to the county jail for such period as the court may direct And there penalties shall apply to the officers of corporations or members of firms either as owners or agents

Section 6 And any owner agent or occupant who interferes with or prevents ingress to any officer or agent of this bureau or to the persons designated by the court for the purposes aforesaid shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for each and every such offense or suffer an imprisonment of not more than sixty days either or both at the discretion of the court

Section 7 The necessary expenses for the salaries of officers and employes and for the operation of this bureau shall be paid from the general appropriation to the Department of Health in the form and manner prescribed for other disbursements

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,
Will the House agree to the bill on third reading.

BILL POSTPONED.

Mr. WATSON. Mr. Speaker, I ask that this bill be postponed for the present.

Mr. McCLINTOCK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1147, entitled:

An Act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MATT. Mr. Speaker, I move that the consideration of this bill be postponed for the present.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1145, as follows:

An Act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the overseers of the poor of any two or more conveniently located poor districts in any county not having a county poor house are hereby authorized with the approval of the court of quarter sessions to jointly lease or purchase real estate and improve and erect buildings and to provide tools machinery and stock as they may deem necessary and proper to provide a home or farm for the keeping maintaining and employing of such poor persons adjudged proper objects for relief in their respective districts as may be assigned to such home or farm by the overseer of the poor of such district and there to keep maintain and employ such poor persons and receive the benefit of the labor of such as are able to work for and toward their maintenance and support and no poor person so assigned who shall refuse to be kept and employed at such home or farm be entitled to relief during such refusal. The title for such real estate shall be taken in the joint name and for the joint use of the districts so uniting. No such joint action as aforesaid shall be had until it shall be separately ratified and entered upon the records of the respective districts so uniting

Section 2 The overseers of the poor of any two or more poor districts uniting as provided in section one of this act shall before they purchase or lease any real estate meet as a board on a day certain and annually thereafter and organize by electing a president secretary and treasurer The secretary and treasurer may be allowed such compensation as the board may determine The treasurer shall give bond in an amount to be fixed by the board conditioned for the faithful performance of the duties of his office which bond shall be deposited with the president of said board

Section 3 The board shall ascertain the amount required for the purchase or leasing of real estate and the improvement and construction of buildings together with the cost of equipment and shall apportion such amount among the districts so uniting according to their population or according to such other method or basis as may be agreed upon before such joint action starts and the overseers of such districts are hereby authorized to pay from the poor funds of their respective districts into the treasury of the board the amounts thus apportioned to their respective districts

Section 4 At any time after the organization of the board the overseers of the separate districts so uniting are authorized to borrow money and issue bonds therefor and negotiate the same for the purpose of raising money to carry out the provisions of section three of this act Such bonds shall be payable by the separate districts issuing them and shall not bear interest at a greater rate than six per centum nor be sold below par They may be renewed from time to time should the overseers deem it advisable to do so For the purpose of paying each district's share of the cost of such joint purchase or lease of real state and the permanent improving and equipping of the same or for the purpose of paying debts incurred or bonds issued according to the provisions of this section the overseers of the poor of the respective districts are hereby authorized to levy a building or bond tax in addition to the poor tax for current expenses to be collected in the same manner

Section 5 The board shall have control management and direction of the property leased or purchased as aforesaid and shall provide those things necessary for the maintenance and employment of the inmates make necessary repairs and improvement of building and lands cause the land to be cultivated and use the proceeds of such land and of the labor of the inmates for and toward the support and maintenance of the home or farm The board shall elect each year and fix their compensation a superintendent and such assistants and employees as they shall deem necessary and they may appoint a physician and surgeon all of whom shall be subject to removal by the board at any time

Section 6 A majority of the overseers of the districts so uniting shall be a quorum for the transaction of business they shall meet at such regular times and places as they may agree upon visit and inspect the home and farm and examine into its management see that the inmates are properly treated and cause any just grievances to be corrected or redressed and shall keep a record of their proceedings which shall be evidence of their actions in any subsequent judicial proceedings The board may appoint an executive committee consisting of such number of members of the board as may be agreed upon and may delegate to such committee such powers and duties as the board may deem proper The expenses of the board and of the executive committee shall be paid out of the joint fund No contract shall be approved nor any expenditure authorized of over two hundred dollars except upon the vote of two-thirds of the board

Section 7 The board shall at its annual meeting for organization or as soon thereafter as possible make a careful written estimate of the amount of money they deem necessary for the proper maintenance operation and support of said poor home or farm for the ensuing year The amount or amounts so determined upon shall be apportioned among the several districts so uniting according to such method or

basis as may have been agreed upon before such joint action started and the overseers of the poor of the several districts are authorized and required to pay or to make provision to pay as needed out of their poor fund to the treasurer of the board the amount so apportioned to their respective districts Any income arising from the operation of said home or farm may be used to lessen the current expense to the several districts for improvements stock and equipment or may be distributed among the several districts according to such method or basis as may have been agreed upon whichever the board may decide

Section 8 The board shall keep accurate accounts of all moneys received and paid by them in the performance of their duties All accounts shall be audited by a board of auditors consisting of one of the auditors from each such district chosen by the auditors thereof or in the event of disagreement or no choice then by the president judge of the Court of Common Pleas of the county

Section 9 Whenever such districts so uniting shall agree to discontinue such joint action and ownership or where one or more districts shall desire to discontinue such joint action and ownership the joint assets and indebtedness or the share thereof of such district or districts shall be apportioned or adjusted as may be agreed upon

Section 10 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Allen,	Eichenberger,	Mannion,	Roney,
Alworth,	Ely,	Martin,	Rothenberger,
Ambler,	Ewing,	Matt,	Runk,
Aron,	Fahey,	McAleer,	Sassaman,
Arthur,	Forster, I. G.,	McAllister,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	McArdle,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	McCaig,	Schuck,
Bayle,	Gans,	McClintock,	Scott, S. B.,
Becker,	Geary,	McDermott,	Semmens,
Benninger,	Gibson,	McKay,	Shaffer, C. A.,
Benson,	Glenn,	McNichol,	Shaffer, I. E.,
Bergey,	Good,	Mechling,	Shern,
Bigger,	Goss,	Mellott,	Sherwood,
Bittles,	Grabe,	Metzenbacher,	Showalter,
Blair, W. A.,	Gramley,	Missimer,	Smith, J. W.,
Blair, W. F.,	Gransback,	Mitchell,	Smith, L.,
Bleloch,	Gray, Frank,	Moore,	Snavely,
Body,	Haggerty,	Morrow,	Snyder,
Brosius,	Herman,	Moses,	Spangler,
Brown,	Hess,	Moulthrop,	Steedle,
Brownlee,	Heyburn,	Murphy,	Steele,
Burnett,	Hibshman,	Musser,	Stein,
Campbell, C.M.,	Hobbs,	Neel,	Stone,
Campbell, J. J.,	Humes,	Neely,	Strauss,
Carson,	Isler,	Newbaker,	Swartz,
Carter,	Irwin, G. C.,	Newton,	Swift,
Cheeseman,	Irwin, H. H.,	North,	Thomas,
Claycomb,	Jackson,	O'Neill,	Trach,
Cleary,	Jones, J. R.,	Peachey,	Ulerich,
Cochran,	Kaufman,	Pennegar,	Ulman,
Collins,	Keegan,	Pennock	Walnut,
Conner,	Kennedy,	Perry, H. L.,	Walsh,
Conniff,	Kern,	Peters,	Walton,
Conrade,	Kitts,	Piper,	Watson,
Cox,	Klepper,	Price,	Wettach,
Currier,	Kuhns, E.G.M.,	Ramsey,	Whitman,
Curry,	Lanius,	Redfield,	Wildman,
Davis,	Latshaw,	Reese,	Williams,
DeFrees,	Lenker,	Reeser,	Wilson, J. H.,
Dickinson,	Leslie,	Rex,	Wilson, W. H.,
Donnally,	Letzkus,	Rhoads,	Wiltbank,
Down,	Light,	Richards,	Young, G. K.,
Dunn, H. B.,	Lohr,	Robinson,	Young, J. H.,
Dunn, J. A.,	Lowers,	Rockwell,	Zimmerman,
Ehrhardt,	Malie,		Alter,
			Speaker.

NAYS—1.

Keeport,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WILLIAMS. Mr. Speaker, I desire to call up at this time House Bill 557, file folio 2679, on page 25 of to-day's Calendar, bills on third reading postponed for the present.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 557, as follows:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for merchantable forest products whether such be of natural reproduction or from seed sown or trees planted out or all combined surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

Section 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the "State Forestry Reservation Commission" of his desire in the manner and form to be prescribed by said Commission Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the Commission may require If upon receipt and consideration of this notice the Commission shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the commissioners of the county in which said land is located

Section 3 Upon receipt by the county commissioners of such certificate of the Commission it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the Commission become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the Comission shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the Commission to care for the trees growing thereon according to the instructive and directions of the Commission up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land as agreed with the Commission and due proof thereof is made the Commission may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care tor the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the Commission proceed to recover from said owner for the of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the Commission shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the Commission that he desires such removal

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the Commission shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut if in the judgment of the Commission there be any and the cutting and removal of said trees so designated shall be in accordance with the instructions of the Commission

Section 5 If the owner of said surface land faithfully carried out the instructions of the Commission with regard to the removal and marketing of such mature or other trees as may be designated in the instructions of the said Commission and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the approval of the Commission then such surface land shall remain in the said class established by section one of this act otherwise the Commission shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Commission in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of said surface land by the Commission shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove therefrom trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Commission be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privileged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary under any statutory or judicial proceeding whatsoever whether of any state or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

On the question,

It was agreed to.

Shall the bill pass?

Mr. WILLIAMS. Mr. Speaker, bills 558 and 559 are companion measures to bill 557 now under consideration, and must stand or fall together. They suggest legislation along new lines and justify I feel taking the time of the House necessary for some explanantion of them. These bills were prepared by Dr. Henry S. Drinker, President of Lehigh University and President of the American Forestry Association, Hon. S. B. Elliott and Dr. J. H. Rothrock, members of the State Forestry Reservation Commission, after a thorough study of the relations of forestry to taxation, and represent their best thought on the subject, which fact alone should inspire the confidence of every member of this House as it did the members of the Senate in passing these same measures on March 12th by a unanimous vote. It would be well for our Commonwealth if we had more students of the conservation of our natural resources willing to give as freely of their time as these men are doing in their effort to help not only the present but future generations. I desire at this time to publicly express my personal appreciation to these students of conservation, for the unselfish work they are doing to the end that our natural resources may be conserved.

There are 8,000,000 acres of stripped lands in Pennsylvania and not under cultivation, of which the State owns practically 1,000,000 acres. These lands are better adapted to the growth of timber than to agricultural products. The bill under consideration is one fo the three proferred to and are known as the auxiliary forest reserve bills, their purpose being to hold out inducements to the owners of these barren or sprout lands to place them, under certain conditions, in charge of our Forestry Commission in a way to encourage the growing of timber. Governor Tener in his messarge to this Legislature strongly recommended legislation of this chaacter, and for which the press of the State commended him.

Bill 557 creates the Auxiliary Forest Reserve and fully sets forth the conditions under which land can be placed therein. The owner of wild land wishing to have the same placed in the reserve will make application to the Commission giving a description of the property when the same will be examined by an expert forester, and if his report is favorable a written agreement will then be entered into between the Commission and the land owner in accordance with the provisions in these bills. If the land has a mineral value that will be assessed separate from the surface. Bill 558 provides for the assessment and taxation of the lands placed in the reserve, the land to be taxed on a valuation of $1.00 per acre, the growing timber to pay no tax until cut when ten per cent. of its market value will be paid to the County Treasurer and by him distributed to the county, township and school district in which the land is located. Bill 559 obligates the State to pay to each township and school district two cents per acre on all lands placed in the reserve, being the same the State pays on the lands it owns. New York and other states have similar laws and are pleased with them.

Fifty years ago, yes less time than that, dense forests of timber were to be found all through the central and northern parts of our State; to-day you can travel through this same country and with but few exceptions you will find no virgin timber. Ten years hence you will be unable to find any trees fit for saw timber in this territory, and unless something is done to encourage the reforesting of these barren lands the time is not far distant when a piece of lumber will be prized as much in Pennsylvania as it is to-day in the timberless foreign countries.

Laws on our statute books embodying the features of these bills can do no harm and may be of ultimate good to the people of Pennsylvania. They are neither mandatory nor confiscatory so far as an individual's rights are concerned; they force no man to place his lands in the proposed auxiliary reserve and appropriate no individual's rights to the State. On the contrary the provisions of the bills are so fairly drawn as to be mutually advantageous to the State and the individual. The farmer who owns a few acres of land better adapted to the growth of timber than agricultural products, or the owner of 1,000 acres of what are known as wild lands. In my opinion there will be no great rush on the part of the owners of the lands such as these bills expect to reach to avail themselves of their provisions, but with such laws a campaign of education will be carried on with a result I believe of many thousands acres of timberless lands being placed in reserve.

These stripped lands since the saw timber was removed, have been cut over for chemical and pulp wood, leaving many of them absolutely barren of timber. There is no market for such lands other than the State which is limited by the appropriations from session to session in its purchases to not exceed 25,000 to 50,000 acres a year, so that for the State to acquire title to all the lands of this character will be slow work, and unless some inducements along the lines of these bills are held out to their owners they will be sold for taxes to the respective counties and will then cease to be carried on the tax books and become non revenue producers to the various townships, a very strong argument for such laws, that their owners will retain them and continue to pay taxes for local purposes.

To assist in the passage of these measures you will, I firmly believe be laying the foundation for the comfort and health of future generations in insuring a supply of timber as well as perpetual supply of water for domestic and commercial purposes and for which action your children, their children and posterity, will point to with pride and satisfaction.

Mr. HERMAN. Mr. Speaker, I would like to interrogate the gentleman from Tioga County.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. WILLIAMS. I will.

Mr. HERMAN. Do I understand the gentleman to say that when this timber was cut down after being taken over by the State that ten per cent of the value of this timber would go back in taxes.

Mr. WILLIAMS. Mr. Speaker, It would be paid to the county treasurer. Before the timber is taken, an estimate is made of the value, and the owner is to give a bond to the county treasurer of twenty per cent of the value of the timber, the same to be approved by the Court and ten per cent is returned to the county treasurer for distribution to the county, school and township.

Mr. JOSIAH HOWARD. Mr. Speaker, this bill and the other two bills, dovetail into each other. This bill provides that certain lands can be set aside and held and controlled under the advisement and supervision of the Forestry Department. In view of that they shall not be taxed except for a nominal sum, and in lieu of the county or township losing their taxes, the State will pay into the township funds four cents an acre. Now, Mr. Speaker, in the general appropriation bill it calls for a million and a quarter dollars for the Forestry Department for the next two years. The State asked for a dollar an acre or rather the Forestry Department asks it, and the Forestry Department asks for one and a quarter million dollars to take care of less than a million acres of land which it now owns and controls. It asks for $175,000 for Forest Rangers, men who simply supervise and watch for fires in the lands. It asks for $175,000 more for day laborers, and the expense of fighting fires, and for other cases of supervision. It also asks for an appropriation of $200,000 for the purchase of new land. Now, Mr. Speaker, if the State Forestry Department to-day is spending practically a dollar per acre in supervising its own lands, what is the difference between the four cents they are going to pay into the school district and township and the one dollar which it gets for itself. Is there any inducement for any person to put their land under the supervision of the Forestry Department and spend one dollar an acre for looking after them to save four cents an acre. If the land to-day in the townships are taxed only four cents an acre for looking after them, then there must be a large discrepancy between the four cents and the one dollar per acre to look after the land. Somebody must lose somewhere. If they can take care of

this land for four cents an acre then somebody must lose it. Who will? Why the country district where the land is located. It is absolutely unfair to ask the country district to lose the taxes and to wait fifty or seventy-five or a hundred years until these lands can become mature timber, and the districts get this tax. You and I and our children will be dead long before this tax comes back to us if it ever does. This bill was drawn up by an expert theorist, who thinks he knows how to grow timber better than All Might God Himself. He says he can draw a bill, and when this bill came here, they didn't want any suggestions whatever. Finally I appeared before the Committee and asked why they didn't require some bond, so they did put that in. But, Mr. Speaker, there is one loop hole in this bill as it is now. The owner of this land can thin it out or the owner can cut down all that is or what he thinks is dead timber. There is no provision in this bill to tax him upon that or to return any of the tax whatsoever. In this thinning out of the land I do not know who would be benefited by this bill except the corporations, certainly not the farmer or anybody else. If it was intended that this tax should be returned when you cut off a railroad tie or a telegraph pole, or cut down the fence post or it was intended when you cut out any pulp wood, or chemical wood, then it would be all right, but the bill says: "matured timber products." Now, Mr. Speaker, you all know that timber in the eyes of the law is saw-log or merchantable timber. Chemical wood and pulp wood and fence posts are not such timber and there would be no return. This land would be cut off little by little and we would never get return from it. One great claim against the hunters' license bill was that men all over the State are going to dam up a little run and fence it off and build their lodges there, and now, under the provisions of this bill, here would not be any tax on it and the poor men would have no place to go except on the boundary lines of the State. The State has been offered four or five million acres of land at from two to three dollars per acre. If the State can buy that land at that price, it certainly ought to do it.

Mr. WILLIAMS. Mr. Speaker, I have the greatest respect for the intelligence of the gentleman from Cameron, and of his knowledge of the lumber business. If he will turn to section four and tell the house what the term merchantable forest products means, he will find he is mistaken in his interpratation of this part of the section. That does not mean saw-logs alone, it means ties, and chemical wood, and anything that has a marketable value, and Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. JOSIAH HOWARD. Mr. Speaker, I will.

Mr. WILLIAMS. Will the gentleman from Cameron kindly inform the House whether he is not the owner of many thousand acres of land or interested in the ownership of stripped land that could come into auxiliary reserve, in Cameron County?

Mr. JOSIAH HOWARD. Mr. Speaker, I have stock in two companies, each of which owns about ten thousand acres of land.

Mr. WILLIAMS. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit further interrogation?

Mr. JOSIAH HOWARD. Mr. Speaker, I will.

Mr. WILLIAMS. Mr. Speaker, with his knowledge of the provisions of this bill, interested as he is in the ownership of land of this character, I would like to ask the gentleman if the provisions of this bill are sufficiently attractive to him as a land owner to interest him in having that land put into the auxiliary reserve.

Mr. JOSIAH HOWARD. The taxes in our county to-day are based on a valuation of three dollars per acre. Our company would be gald to sell the land at that. The assessed valuation is three dollars per acre and the taxes about twenty mills, or six cents an acre. To-day these lands are paying a tax of six cents per acre. Personally I would not want to go to the Forestry Commission and say if you will relieve me of the six cents an acre tax, I will take care of the land, when the provisions of the bill call for about one dollar per acre for that purpose. It will be no benefit for me to get rid of six cents and have stand one dollar an acre.

Mr. WILLIAMS. How much land does the State own in Cameron County to-day.

Mr. JOSIAH HOWARD. Mr. Speaker, I really don't know but I judge about sixty thousand acres.

Mr. WILLIAMS. For the benefit of the gentleman I would state that it is about one hundred thousand acres, and I further desire to ask him if it is not a fact that the lands placed in the proposed reserve based on the assessment of one dollar per acre and the State paying four cents would not pay more taxes to the county, school district and township than the State pays to-day on the land which it now owns in his county?

Mr. JOSIAH HOWARD. Mr. Speaker, I do not understand it.

Mr. WILLIAMS. Mr. Speaker, I would like to ask the gentleman what the State pays on the land in his county to-day?

Mr. JOSIAH HOWARD. Mr. Speaker, it is four cents an acre.

Mr. WILLIAMS. Yes, that is true, and this bill proposes to pay on the same land, not only the four cents, but to assess such lands, at one dollar an acre, so the land in his county going into this auxiliary reserve would pay more under the private ownership, suggested by this bill then the State now pays on its land.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to answer that question further, if the gentleman will permit me. Under the provisions of your four cents an acre law, the counties do not get any more than four cents an acre, but under the provisions of the law governing this State land whenever the Senate has any income from that land, either from timber, or minerals, or water power, eighty per cent. goes as an endowment fund to the educational boards of the State and to the benefit of the schools. Twenty per cent. is paid to the township direct, and there is no question whatever about that township getting the money back. The State is custodian of that money, and twenty per cent. is paid into the school fund, and that township certainly will get the benefit of the school fund. The other twenty per cent is paid by the State Treasurer direct to the township and there is no question that they will get their money. In the meantime, they get four cents an acre from the State Treasurer right along. There is some question whether they will get any money back at all under this bill.

The SPEAKER. The question now is, shall the bill pass?

Mr. FLYNN. Mr. Speaker, We have had these bills before this House for a number of years and I have not only listened to the arguments for and against these bills but have participated at various times therein. The objection to this proposition, as I see it, is that it places in the hands of the Forestry Commission the power to say what land shall be exempt from taxation and what land shall not. Now it simply comes down to this: If the proper amount of influence is exerted, some man might be placed in a position where he could secure the advantage of this act and not only that but perhaps secure advantage under the pretense of placing so-called forestry lands in this class. I claim that the definition as to what lands shall go into this is indefinite and, after all, the matter is in the hands of the Forestry Commission for their decision. If the sponsors of this bill were anxious to do what the bill purports to do, it seems to me that if we were to grant this power, the wisdom of which is questionable, that it should be placed at least in the hands of the local authorities, the County Commissioners for instance. They are the only body under the present laws and under the Constitution as I understand it, which is authorized to fix taxation on lands, but under the provisions of this bill the local authorities would have absolutely nothing to say about the matter. It is entirely in the hands of this department here in this Capitol to say what lands shall and what shall not be exempt from taxation for the purpose of creating a forestry reserve. It seems to me that the large corporations—the lumber trust for instance—which owns thousands and thousands of acres of land in this State might be favored under the terms of this bill as against the small land owner who would seem to take advantage of the provisions of this act. I believe that the whole principle is wrong. I believe further, and it seems to me, that the bill must be unconstitutional for the reason that you cannot change the classifications of the lands for the purpose of taxation. All lands must be taxed equally and in the same manner. I don't see how you can escape that

and for these and other reasons, all of which seem to me equally good, I believe that these bills should be defeated as they have been in the past.

Mr. SEMMENS. Mr. Speaker, the question before the House, I think, without any question of doubt whatever is what is the cause of water floods? It has been the deforestation of our lands. I think that the State would be well paid to recover our forests if for no other reason than the prevention of the flood?

Mr. RUNK. Mr. Speaker, I think there is one fact that the House has overlooked. I have been living in a forestry community for a long time and I have been working for forestry since 1890. Where the forests have been cleared away the springs have dried up. Our people are getting pure water from the mountains and if the forest did nothing but to furnish pure water the State would be well paid.

Mr. FLYNN. Mr. Speaker, I ask that the roll be verified

The SPEAKER. The roll will be verified. Which was done as follows:

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—95.

Ambler,	Ely,	McClintock,	Scott, S. B.,
Baldwin, G. A.,	Forster, I. G.,	McKay,	Semmens,
Baldwin, R. J.,	Gibson,	Mechling,	Shaffer, I. E.,
Bayle,	Gramley,	Miller,	Sherwood,
Benson,	Gray, Frank,	Morrow,	Showalter,
Bigger,	Haggerty,	Moulthrop,	Smith, J. W.,
Blair, W. A.,	Hemminger,	Neel,	Smith, L.,
Bleloch,	Hess,	Neely,	Spangler,
Body,	Heyburn,	Newbaker,	Steele,
Brosius,	Hobbs,	Newton,	Stone,
Brownlee,	Humes,	North,	Swartz,
Burnett,	Jones, E. E.,	Peachey,	Swift,
Campbell, C.M.,	Jones, J. R.,	Pennegar,	Thomas,
Carter,	Kuhn, H. P.,	Pennock,	Ulerich,
Cheeseman,	Kuhns, E.G.M.,	Perry, H. L.,	Walnut,
Claycomb,	Latshaw,	Peters,	Walsh,
Cleary,	Lenker,	Post,	Walton,
Cox,	Leslie,	Price,	Watson,
Currier,	Light,	Redfield,	Whitman,
DeFrees,	Lohr,	Rhoads,	Wildman,
Dickinson,	Martin,	Rockwell,	Williams,
Down,	Mather,	Roney,	Young, G. K.,
Ehrhardt,	McAllister,	Rothenberger.	Zimmerman,
Eichenberger,		Runk,	Alter,
			Speaker.

NAYS—72.

Aron,	Dunn, J. A.,	Keegan,	Moses,
Arthur,	Ewing,	Keeport,	Murphy,
Becker,	Fahey,	Kennedy,	Musser,
Benninger,	Flynn,	Kern,	O'Neill,
Bergey,	Foster, J. D.,	Kitts,	Piper,
Bittles,	Frey,	Klepper,	Reeser,
Blair, W. F.,	Gans,	Letzkus,	Savacool,
Brown,	Geary,	Lowers,	Shaffer, C. A.,
Campbell, J. J.,	Good,	Malie,	Shern,
Carson,	Goss,	Matt,	Snavely,
Cochran,	Grabe,	McArdle,	Snyder,
Collins,	Gransback,	McDermott,	Steedle,
Conniff,	Hackett,	McNichol,	Strauss,
Conrade,	Herman,	Mellott,	Trach,
Curry,	Howard, J.,	Metzenbacher,	Ulman,
Davis,	Irwin, G. C.,	Missimer,	Wettach,
Donnally,	Jackson,	Mitchell,	Wilson, J. H.,
Dunn, H. B.,	Kaiser,	Moore,	Wiltbank,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negotive and the bill falls.

Mr. HIBSHMAN. Mr. Speaker, I wish to be recorded as voting "aye" on this bill.

The SPEAKER. On what grounds?

Mr. HIBSHMAN. Mr. Speaker. I was not in the room at the time.

Mr. FLYNN. Mr. Speaker, I object.

The SPEAKER. What are the gentleman's grounds for objection?

Mr. FLYNN. Mr. Speaker, I object on the grounds that the gentleman did not answer to his name when his name was called.

Mr. HIBSHMAN. Mr. Speaker, I was not in the room at the time.

Mr. FLYNN. Mr. Speaker, I heard his name called and I know it was called.

Mr. LETZKUS. Mr. Speaker, the gentleman states that he was not in the room when his name was called.

The SPEAKER. Was the gentleman in the room when his name was called?

Mr. HIBSHMAN. Mr. Speaker, No, sir. I was not in the room.

The SPEAKER. The gentleman's vote will be recorded.

Mr. STEIN. Mr. Speaker, I desire to have my vote recorded "aye".

Mr. FLYNN. Mr. Speaker, I object. I challenge that vote.

The SPEAKER. On what grounds does the gentleman challenge the vote?

Mr. FLYNN. Mr. Speaker, I challenge the gentleman's vote because he did not vote when his name was called.

The SPEAKER. Did the gentleman neglect to vote when his name was called?

Mr. STEIN. Mr. Speaker, the gentleman's objection is sustained.

The SPEAKER. The Chair is relieved from deciding the question.

Mr. E. E. JONES. Mr. Speaker, I desire to have my vote recorded as voting "aye."

Mr. FLYNN. Mr. Speaker. I object. I challenge that vote.

The SPEAKER. What are the grounds ror challenging that vote?

Mr. FLYNN. Mr. Speaker, the gentleman did not answer when his name was called.

The SPEAKER. Does the gentleman state that he neglected to vote when his name was called?

Mr. E. E. JONES. Mr. Speaker, no, sir; I didn't hear my name called. I was in the hall but I didn't hear my name called.

The SPEAKER. The gentleman's vote will be recorded as voting "aye."

Mr. FLYNN. Mr. Speaker, in view of the action that has just been taken on bill 557, I move that the following bill No. 558 be indefinitely postponed.

Mr. WILLIAMS. Mr. Speaker, I object.

The SPEAKER. The motion has not been seconded.

Mr. FLYNN. Mr. Speaker, I would just explain my purpose. The following bill being a companion bill, and having positively no effect with this bill defeated, it seems to me that it would be the proper action to take at this time.

The SPEAKER. The bill is not before the House.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 554 (Senate Bill No. 14), entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Aron,	Flynn,	Lowers,	Roney,
Arthur,	Forster, I. G.,	Malie,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Mannion,	Runk,
Baldwin, R. J.,	Frey,	Martin,	Savacool,
Bayle,	Gans,	Mather,	Schaeffer, A. C
Becker,	Geary,	Matt,	Schuck,
Benninger,	Gibson,	McAleer,	Scott, S. B.,
Benson,	Glenn,	McAllister,	Semmens,
Bergey,	Good,	McClintock,	Shaffer, C. A.,
Bigger,	Goss,	McDermott,	Shaffer, I. E.,
Bittles,	Gramley,	McKay,	Shern,
Blair, W. A.,	Gransback,	McNichol,	Sherwood,
Blair, W. F.,	Gray, Frank,	Mechling,	Showalter,
Body,	Hackett,	Mellott,	Smith, L.,

Brosius,	Haggerty,	Metzenbacher,	Snavely,
Brown,	Heidinger,	Miller,	Snyder,
Brownlee,	Hemminger,	Missimer,	Spangler.
Burnett,	Herman,	Mitchell,	Spillinger,
Campbell, C.M.,	Hess,	Moore,	Steedle,
Campbell, J.J.	Heyburn,	Morrow,	Steele,
Carter,	Hibshman,	Moses,	Stein,
Cheeseman,	Hobbs,	Moulthrop,	Stone,
Claycomb,	Howard, J.,	Murphy,	Strauss,
Cleary,	Howard, R.,	Musser,	Swartz,
Cochran,	Humes,	Neel,	Swift,
Collins,	Irwin, G. C.,	Neely,	Thomas,
Conner,	Jackson,	Newbaker,	Trach,
Conniff,	Jones, J. R.,	Newton,	Ulerich,
Conrade,	Kaiser,	North,	Ulman,
Cox,	Keegan,	O'Neill,	Walnut,
Currier,	Keeport,	Peachey,	Walsh,
Curry,	Kenna,	Pennegar,	Watson,
Davis,	Kennedy,	Pennock,	Wettach,
DeFrees,	Kern,	Perry, H. L.,	Whitman,
Dickinson,	Kitts,	Peters,	Wildman,
Donnally,	Klepper,	Post,	Williams,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Wilson, J. H.,
Dunn, J. A.,	Lanius,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Latshaw,	Redfield,	Wiltbank,
Eichenberger,	Leslie,	Reese,	Young, G. K.,
Ely,	Letzkus,	Reeser,	Young, J. H.,
Ewing,	Light,	Rex,	Zimmerman,
Fahey,	Lohr,	Rhoads,	Alter,
			Speaker.

NAYS—3.

Carson,	Kuhns, E.G.M.,	Lenker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1083, (Senate Bill No. 160), entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BLELOCH. Mr. Speaker, this bill apparently is a repealer of the entire action of the Service Act of 1901, relating to the service of mechanics' liens, or scire facias on mechanics' liens. I have not had an opportunity to thoroughly investigate the effect it would have on the other legislation on the subject, but it would appear to me that if this bill would pass it would absolutely eliminate the method by which scire facias on mechanics' liens are served.

I therefore move that the further consideration of this bill be postponed.

Mr. BROWNLEE. Mr. Speaker, I second the motion.

A division was called for, 95 voting in the affirmative and 10 in the negative.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 562, entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the County Treasurer of any county of this Commonwealth having a population of one million or over

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Allen,	Ewing,	Leslie,	Richards,
Alworth,	Fahey,	Letzkus,	Rockwell,
Ambler,	Flynn,	Lohr,	Roney,
Aron,	Forster, I. G.,	Lowers,	Rothenberger,
Arthur,	Foster, J. D.,	Malie,	Savacool,
Baldwin, G. A.,	Frey,	Mannion,	Schaeffer, A. C.
Baldwin, R. J.,	Gibson,	Mather,	Schuck,
Bayle,	Glenn,	Matt,	Semmens,
Becker,	Good,	McAleer,	Shaffer, C. A.,
Bigger,	Goss,	McAllister,	Shaffer, I. E.,
Bittles,	Grabe,	McCaig,	Sherwood,
Blair, W. A.,	Gramley,	McDermott,	Showalter,
Blair, W. F.,	Gransback,	McKay,	Smith, J. W.,
Body,	Gray, Frank,	McNichol,	Smith, L.,
Brosius,	Hackett,	Miller,	Snavely,
Brown,	Haggerty,	Missimer,	Snyder,
Brownlee,	Heidinger,	Mitchell,	Spangler,
Burnett,	Hemminger,	Moore,	Steele,
Campbell, C.M.,	Hess,	Morrow,	Stein,
Carter,	Heyburn,	Moses,	Stone,
Claycomb,	Hibshman,	Moulthrop,	Strauss,
Cleary,	Hobbs,	Murphy,	Swartz,
Cochran,	Howard, J.,	Musser,	Swift,
Collins,	Howard, R.,	Neely,	Thomas,
Conner,	Humes,	Newbaker,	Trach,
Conniff,	Irwin, G. C.,	North,	Ulerich,
Conrade,	Irwin, H. H.,	O'Neill,	Walsh,
Cox,	Jackson,	Peachey,	Walton,
Currier,	Kaiser,	Pennegar,	Watson,
Curry,	Keegan,	Pennock,	Wettach,
Davis,	Keeport,	Perry, H. L.,	Whitaker,
DeFrees,	Kennedy,	Peters,	Wildman,
Dickinson,	Kern,	Piper,	Williams,
Donnally,	Kitts,	Price,	Wilson, J. H.,
Dunn, J. A.,	Klepper,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Kuhn, H. P.,	Reese,	Young, J. H.,
Eichenberger,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Ely,		Rhoads,	Alter,
			Speaker.

NAYS—8.

Carson,	Jones, J. R.,	Lenker,	Scott, S. B.,
Cheeseman,	Latshaw,	Newton,	Walnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1066, as follows:

An Act providing for the creation of a commission to make a survey for a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio and such appurtenances exclusive of a harbor on Lake Erie as may be deemed necessary or convenient for the purpose and to prepare estimates of the cost of constructing completing and installing the same defining the powers and duties of such commission and making an appropriation to defray its expenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth be and he is hereby authorized and directed to appoint by and with the advice and consent of the Senate a commission of three persons for the purposes hereinafter mentioned any or all of whom may be non-residents of the Commonwealth of Pennsylvania

The chairman of said commission shall be appointed by the Governor

Section 2 The chairman of the commission shall receive an annual salary of five thousand dollars and each of the other members of the commission shall receive an annual salary of four thousand dollars in addition to such salaries each member of the commission shall be paid all traveling expenses necessarily and actually incurred by him in the performanee of his duties

The commission shall have power to employ such legal counsel officers engineers draughtsmen clerks and employes as it may deem necessary to properly perform its duties all of whom shall receive such compensation and perform such duties as may be prescribed by the commission

Section 3 The commission shall make a survey for a canal or water way having a navigable depth of not less than twelve feet from the junction of the Ohio and Beaver rivers in Pennsylvania thence by way of the Beaver and Mahoning rivers in the State of Pensylvania and the Mahoning river in the State of Ohio to a point at or near Niles Ohio thence northwardly through the State of Ohio to a terminal on Lake Erie at or near the mouth of Indiana Creek in the State of Ohio and all such locks dams tunnels aqueducts feeders reservoirs for the supply of water for the canal or its feeders docks basins piers bridges and all other structures appliances or devices of any and all kinds exclusive of a harbor on Lake Erie which may be necessary or convenient for the proper construction maintenance and operation of said canal or waterway

The said commission shall also prepare estimates of the cost of constructing completing and installing the said canal or waterway and the above mentioned appurtenances exclusive of the cost of constructing a harbor on Lake Erie and shall make a full report in writing to the General Assembly which shall convene in January one thousand nine hundred and fifteen giving the results of such survey and submitting the esti-

mates prepared and such additional information and recommendations as the commission may deem proper

Section 4 The sum of one hundred and fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses of the said commission Said expenses shall be paid on warrants of the Auditor General upon presentation of vouchers duly signed by the chairman of the commission

BILL RECOMMITTED.

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, inasmuch as there is an appropriation carried with this bill and the further reason that one word needs amending in the bill, I move that the bill be recommitted to the Committee on Appropriations.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 610 (Senate Bill No. 47), entitled:

An Act to amend the first section of an act approved the twenty-eighth day of March one thousand eight hundred and twenty entitled "An Act relative to mortgages" by requiring purchase money mortgages to be recorded within fifteen days in order to have priority of lien

BILL RECOMMITTED.

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, in looking at this bill I see the title and the body of the bill do not correspond in relation to the number of days. I think perhaps the bill ought to be recommitted to amend it as the easiest way.

I therefore move that this bill be recommitted to the Committee on Judiciary General.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, entitled:

An Act to confer upon the school board in each public school district of this Commonwealth authority to establish and maintain an auxiliary teachers' board defining the duties of auxiliary teachers and providing for their compensation

BILL POSTPONED.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question shall the bill pass?

Mr. MARTIN. Mr. Speaker, I make a motion to have this bill postponed for the present.

Mr. ULERICH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 203, as follows:

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of unimproved State Highways therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the State Highway Commissioners immediately after any sum of money is appropriated to the State Highway Department for the purpose of repairing improving or constructing the State Highways of the Commonwealth to apportion the same to each county of the Commonwealth in the proportion which the unimproved State Highways of each county bears to the total mileage of the State Highways of the Commonwealth and the State Highway Commissioner shall forthwith furnish to the Board of County Commissioners of each county a statement showing the amount apportioned to each county

Section 2 The State Highway Commissioner shall expend in each county in improving the State Highways therein the full proportionate share of said appropriation to which such county is entitled as ascertained in accordance with the first section of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. SEMMENS. Mr. Speaker, I think this is a very unjust bill. As I understand the bill in reference to the appropriation from the State to the various counties, it is based on the proportion which the unimproved State Highways of each county bears to the total mileage of the State Highways of the Commonwealth. Allegheny county has almost 500 miles of improved roads that we have paid for without any help from the State and as I understand this bill we would only get an appropriation in the proportion that our unimproved highways bear to the total unimproved highways in the State. I may be misinformed, but that is the way I understand it.

Mr. HUMES. Mr. Speaker, I think that no member of the House who undertakes to study the effect of this bill will charge that it is unfair in any particular. We know that the State Highway Department has become one of the big institutions of the State. We know that there is a very strong desire on the part of a considerable number of people to make it a much larger and much sronger institution than it is, and while the people of the State do not want to be deprived of any of the advantages that is to accrue to them by reason of this institution, yet they feel that they are justified in seeing that they are protected in their rights and that the advantages to be accrued shall be equitably distributed over the State in the various counties of the State. At this time we have for consideration the question of a bond issue of fifty million dollars, and I want to say to the gentlemen of this House that while a great many of us may feel that there may be some advantage in a bond issue such as this, yet we feel that the people of the State will never approve of that bond issue unless in some way you safeguard through them an equitable distribution of the money. And I want to warn the gentlemen of the House that if this bill or some bill which has for its purpose the purpose back of this bill, is not passed, that I am afraid that that bond issue to which you aspire will never become a reality and that the people of the State will never second your efforts to secure the bond issue. This bill is really a companion piece to that bond issue, which I believe is absolutely essential for securing for it the popular vote of the people of the State. It is an easy thing for you gentlemen to say that this bill is unjust and unfair. For my part, I spent several weeks working over this question trying to figure out an equitable system and I have tried every system that could be suggested in order to find that fair system and when you start with your figures and work out mathematically the effect of this Act you will find that it is absolutely fair in its application, and if it goes into effect every county of the State will have completed its last mile of the State Highway in the same year. Is it possible that any gentleman in this House will contend that a bill that completes the State Highways in every county of the State in the same year is not a fair and just bill? I ask the members of this House to join in support of this bill, first, because it is meritorious in itself; second, in order that you can commend to the people of this State the bond issue which so many of you want to go to them with some hope that they will ratify your proposition.

Mr. ALLEN. Mr. Speaker, my attention was called to this bill but a few moments ago by my colleague from Allegheny and as I read the bill which is very brief, I quite agree with his interpretation of the measure. It clearly states, at least it is clear to my mind that the distribution of the money which enters into the Highway Department from any source is distributed back to the counties according to the percentage that the unimproved roads, bear to the unimproved roads in the State. Now that being the condition, as imposed by this bill, and I think that is the condition, because the bill reads as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the State Highway Commissioners immediately after any sum of money is appropriated to the State Highway Department for the purpose of repairing improving or constructing the State Highways of the Commonwealth to apportion the same to each county of the Commonwealth in the proportion which the unimproved State Highways of each county bears to the total mileage of the State Highways of the Commonwealth and the State Highway Commissioner shall forthwith fur-

nish to the Board of County Commissioners of each county a statement showing the amount apportioned to each county

The second section reads as follows:

Section 2 The State Highway Commissioner shall expend in each county in improving the State Highways therein the full proportionate share of said appropriation to which such county is entitled as ascertained in accordance with the first section of this act

Now I take it that this is a basis. In this first place this unimproved roads law is the basis on which the distribution is made, that such of those unimproved roads as the State Highway Department may be working on is to receive the full benefit of that proportion of that percentage. Then we are practically face to face as I stated a moment ago with this condition, and that is in the more prosperous and thickly settled counties of this State which may be smaller in area and where at the county's expense by the distribution of taxes imposed for that purpose the roads have been greatly improved and where practically no unimproved roads remain, that great bulk of money of taxes raised in that community on account of the enterprise and energy which they have expended in years gone by in improving their condition, all that money may be shifted over and plastered over a county that stood still or that has gone back and the roads unimproved to remain such even to this time. Is that fair? Is it just? Is that a fair proposition for one to ask who lives in such a community that at the expense of those who have improved their own front yards and the public highways passing along their property with the taxes coming from them to be passed into the Highway Department to be set forth, if you please, for the purpose of improving the highway which passes in front of his own door. I believe that every member in this House is fair. I believe he is just. I cannot be accused, Mr. Speaker, of speaking for that great Commonwealth of Allegheny. I cannot be accused of that because of the fact that I do not live in the City of Pittsburgh where perhaps ninety per cent. of the taxes are paid that have made the roads in Allegheny County, seventy per cent. I am told. I can state it as anywhere between seventy per cent. and ninety per cent., but will say seventy per cent. But not only the taxes raised in the city, but the taxes raised in the county, and the people have been burdened with those taxes for that very reason, have been used to improve the roads in Allegheny County, but the same percentage of taxes is still set aside into the Highway Department of this great Commonwealth from that County as was set aside originally. Now the money that we pay in we get no returns from because of the fact that we have improved our own conditions locally and at our own expense. The same thing applies in our case because it is home. The same thing applies in all counties which show a progressive spirit to improve conditions and to improve their highways and get it up to or in advance of the time. If we go into the interior counties, perhaps along the northern border of this State, we find counties, broad, extensive counties, very sparcely settled in which there are many many unimproved highways, miles and miles of them. Why you take certain counties in the northern tier of the State, and you find an area two, three and four times the area of two or three or more counties in the southern section of the State where the population made be much greater and the conditions much better. Every mile of that unimproved highway becomes a factor in the amount of taxes which shall be distributed by the Highway Department into those unimproved conditions and those unimproved counties. Where does the money come from? From those sections which have improved their conditions and made them such as they are to-day. It isn't right. It isn't fair, and there can be no one, I think, deny that statement. It would not be fair on the other hand and I would be so grouchy, Mr. Speaker, so narrow as to say that this division or distribution of the funds which pass into the Highway Department should be in proportion with amount of taxes paid. I think because of the fact that in many sections of this State, notably in the northern sections of the State, that property has depreciated in value, especially those lands which were originally timber lands, and which have been robbed or stripped of their source of revenue, the timber. They have depreciated in their taxable value, and in their actual value, and in their worth, but the roads laid out there years and years ago, and left in an unimproved condition and would come under the head of unimproved highways, stand there to this day. It is hardly fair, each section of this Commonwealth has an interest in every other section, it would be hardly fair to ask the people so widely separated as they are to make these improvements out of the little mite of taxes that they pay, in fact, it could not be done. Every section of the State is interested in the advancement of every other section of the State to a certain degree, but to a certain degree only, and when, Mr. Speaker, that degree is set so high as it is in this bill, I think and believe that the principle is absolutely wrong, and much as I regret to do so, shall have to vote in opposition to this bill at this time in this manner.

Mr. E. G. M. KUHNS. Mr. Speaker, I am somewhat scared to get into opposition with the gentleman from Allegheny, especially when I consider the kind of a student that he is, but reading the bill, it seems to me that I learned enough of the English language that I cannot help but disagree because the bill is plain in its title and plain enough in its first section that this money is to be distributed according to the miles of unimproved State highway. Now, how many miles of State highway do they have in the County of Allegheny? I appreciate the fact that their roads are improved, and if these roads are as good as they tell us, and this bill does not become a law, what are their chances of getting some of the fifty million dollar loan if it passes? these roads that they have improved are not improved State highways, but are improved county roads, and they are having their roads established there just the same as in all other counties, and I cannot see or understand for a moment why they are opposed to a bill like this which will give them their proportionate share of the loan if it comes to pass.

Mr. McDERMOTT. I am sorry to see the gentleman from Allegheny take sides against us people who live in the rural districts. Now I look to the City of Pittsburgh, as I look to the great City of Philadelphia, and their great wealth, to be fair in this case, as we do in most every case in the State where it is a question of finance; we look to those two great centers to help the people of the rural districts. I have no fault to find with the honorable gentleman from Allegheny or any other gentleman who differs with me, but to be fair on the question, we want to appeal to you. It is like the Good Man. Don't we expect him to help those who are not good, and don't we expect the rich man to help the poor man? This is a parallel case that we have here and we expect the people of Allegheny and Philadelphia to help us people in the rural districts. If you don't, I say, God help us.

Mr. E. E. JONES. Mr. Speaker, I think there is some misunderstanding about this bill, and especially, I think the gentleman from Allegheny, Mr. Allen, does not quite get the meaning, if I understood him right in his remarks. He tells us that the money is to be divided in proportion to all of the roads of this Commonwealth. That is not the meaning or the wording of this act. It says: "repairing, improving or constructing the State highways of the Commonwealth, to apportion the same to each county of the Commonwealth, in the proportion which the unimproved State highways of each county bears to the total mileage of the State highways of the Commonwealth." Now those State highways in the various counties were laid down under the Sproul Act of 1911, and they are distributed all over the State. Allegheny County has already improved very many miles of its own road, and I frankly admit that in the construction of new State highways that Allegheny County wont get so much of a proportion of the funds as other counties, still those improved State highways in Allegheny County have been taken over by the State to a great extent and will be maintained by the State, but the construction work in Allegheny County wont be so large as it will be in counties where these improvements have not been made. It was supposed that in the original Sproul Bill that this provision was incorporated, and that under the provisions of the original Sproul Bill that the work should be done by the Highway Department in all of the counties of the State, that the money should be expended at one the same time, and that the work would be going on in all of the counties of the State. We found that the wording of that section is not such as to strictly define that and the Highway Department has nothing to prevent it, if they saw fit, from building a boulevard from Pittsburgh to Philadelphia and expending all of this money for that purpose. I do not say that there is that intention and I do not believe there is any on the part of the Highway Department to do that

act, but the purpose of this act is to prevent absolutely any such proposition as that and to make certain the distribution of the money, so that every county shall have some work going on in that county in proportion to the miles of Sproul road already laid down in that county, or to be laid down hereafter. I am not sure, Mr. Speaker, that the distribution as provided for in this bill is absolutely equitable. It is a very large proposition, and it is possible that some other scheme of distribution may be worked out which will be more equitable than the one in this bill, but I feel very certain that for the benefit of the road legislation of State wide importance that some such provision as is contained in this act, or something similar should be put on the statute books to guarantee to the people of the State that their counties shall be fairly dealt with by the Highway Department, and that work shall be in the course of construction in all of these counties. and that I think was the feeling of the public roads committee when it reported out this bill.

Mr. R. J. BALDWIN. Mr. Speaker, If I understand this bill correctly its requirements are that the Highway Department shall spend the same amount of money in each and every county considering the ratio in the number of miles in that county. I would like to ask the gentleman from Susquehanna if that is correct? I repeat, if I understand this bill correctly it provides that the State Highway Department shall apportion it to each and every county alike, the amount of money based on the mileage of the County. Is that correct?

Mr. E. E. JONES. Mr. Speaker, on the mileage of the county, Yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, in my judgment if the object of the framers of this bill had that proposition in mind, it seems to me that they have drafted the bill in a very imperfect way and it will be very impractical when it comes to be worked out. Looking at it from a practical standpoint, I realize that some roads when they approach large business centers, necessarily require construction of a different character from those that are in more sparsely settled communities. In other words, the construction of a road approaching a city like Philadelphia, Reading or Harrisburg or Pittsburgh would mean that the approach would have to be wider and deeper owing to the heavy travel that would necessarily come upon it. When that falls on a county that could not construct in that proportion and would not carry out the principle of your highway construction. Let us deal with the question as it comes in the sparsely constructed portions of your State. Some roads requiring no grading whatever for construction while in other sections of the State the greatest expense will be in the grading of the road. When you put this proposition on the statute books, to my mind, you will shackle the highway department and defeat the very object you try to remedy.

We should try to protect the Highway Department and get them to expend this money wisely and according to their best judgment. Here you place upon the statute books an act that would prevent the discretion and prevent the practical building of the roads in the distribution of this money. I think we can sefely leave it to the wisdom of that department. I think it would be the greatest kind of a mistake to pass a bill of this character. I am just as much in favor of a proper division of this road money as any one else. I am just as much in favor that the county should have this money as early as possible and receive their share of the money for this construction and if the bill could be constructed along a line that would not, to use our country expression, "ham-string" the proposition, I would vote for it, but it appears to me in its present condition, speaking in the farmer's parlance, that it would "ham-string the administration." I don't think that the parties or the Committee which presented this measure to the House, reported it out carefully or considered the practical side of the proposition, as it is presented in this bill. I think it would be a mistake to pass this bill.

Mr. SEMMENS. Mr. Speaker, I don't want to advocate anything against any legislation in favor of good roads. No man in this House is any more favorable to good roads than I am. It does seem to me, though, that this appropriation is worthy of some consideration. It should be considered [illegible] that it does not require fifty million dollars to expend in a certain period of years, that they should say how much each year. That is my understanding of the matter. If that is the fact, that each of the sixty-seven counties of this State shall get a proportion in one year will there not be a possibility that they will have partly completed roads in some of the counties of this State. I would like to interrogate the gentleman from Crawford, Mr. Humes.

The SPEAKER. Will the gentleman from Crawford, Mr. HUMES, permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. SEMMENS. Mr. Speaker, I would like to ask the gentleman if the State Highway Department, having the privilege at the present time of using this money wherever they thought it of the most advantage, how much money would be used in that way and when would the other roads, if not complete, get their money to complete those roads.

Mr. HUMES. Mr. Speaker, that is just the thing that we are trying to get away from.

Mr. SEMMENS. Mr. Speaker, I don't believe that the bill is a good bill in its present shape. If it be in order, I move it be postponed for the present.

(The motion was not seconded).

Mr. FREY. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Humes.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. FREY. Mr. Speaker, I desire to ask the gentleman from Crawford, Mr. Humes, what he means by an unimproved highway?

Mr. HUMES. Mr. Speaker, there are know what is called the State Highways and these State highways are improved in accordance with the provisions of the Sproul Act. They are unimproved.

Mr. FREY. Mr. Speaker, I further ask the gentleman whether he would consider a well kept turnpike, which is included in the Sproul Act as an improved State Highway?

Mr. HUMES. Mr. Speaker, I wish to say that in any of the State Highways provided for by the Sproul Bill, which had been permanently improved by the Highway Department or taken over by them under the Sproul Bill after its permanent improvement, would be improved highway. Were it not permanently improved, it would be an unimproved highway.

Mr. FREY. Mr. Speaker, there is no member in this House more in favor of an equitable distribution of the money that is being paid to the State Highways among the various counties and I wish to say that under the Sproul Act in many counties, almost a hundred, or more than a hundred of the roads under the Sproul Act, are turnpikes in good condition. If they are now construed as improved State highways, I wish to state that our county would certainly include a large portion of the share coming to us. I think the act is very crudely drawn and very poorly expressed and in order to give everybody who chooses to do so an opportunity to amend the bill, I move that it be postponed for the present.

Mr. SEMMENS. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. SEMMENS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. FREY. Mr. Speaker, I second the motion.

The motion was not agreed to.

The SPEAKER. The question is, shall the bill pass?

Mr. GIBSON. Mr. Speaker, I believe the object aimed at in this bill provides some definite method of distribution and that it is a step in the proper direction and will undoubtedly meet some of the objections that are raised. I do believe that the points raised against this bill are absolutely right. The bill in Committee was considered and some of these defects were realized and considered by certain members and in order to get the bill moving, it was reported out and certain members argued that it could be studied out and that it would be a good bill and I have given it some study and I touched on this last night in the Committee on Roads meeting but we didn't agree. I do believe that this bill as it is now drawn will not accomplish what the framers have in mind. Therefore, Mr. Speaker, I make the motion that this bill be recommitted to the Committee on Public Roads.

Mr. CHEESEMAN. Mr. Speaker, I second the motion.

The yeas and nays were required by Mr. HUMES and Mr. METZENBACHER and were as follows:

YEAS—45.

Alworth,	Frey,	Letzkus,	Steedle,
Ambler,	Gibson,	Martin,	Stone,
Cheeseman,	Gramley,	McAllister,	Strauss,
Cleary,	Gray, Frank,	Moore,	Swartz,
Conner,	Hess,	O'Neill,	Ulerich,
Conrade,	Hibshman,	Pennock,	Ulman,
Cox,	Hobbs,	Reeser,	Walton,
Curry,	Howard, J.,	Rockwell,	Watson,
Ely,	Jackson,	Roney,	Whitaker,
Fahey,	Jones, E. E.,	Schuck,	Wilson, W. H.,
Forster, I. G.,	Kuhn, H. P.,	Semmens,	Alter,
		Showalter,	Speaker.

NAYS—123.

Allen,	Dunn, J. A.,	Lenker,	Post.
Aron,	Ehrhardt,	Leslie,	Price,
Arthur,	Eichenberger,	Light,	Ramsey,
Baldwin, G. A.,	Ewing,	Lohr,	Redfield,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Reese,
Becker,	Gans,	Mannion,	Robinson,
Benninger,	Geary,	Mather,	Rothenberger,
Benson,	Glenn,	Matt,	Runk,
Bergey,	Good,	McClintock,	Savacool,
Bigger,	Goss,	McDermott,	Schaeffer, A. C
Bittles,	Grabe,	McKay,	Scott, J. R. K.,
Blair, W. F.,	Gransback,	McNichol,	Scott, S. B.,
Bleloch,	Haggerty,	Mellott,	Shaffer, I. E.,
Brosius,	Heidinger,	Metzenbacher,	Smith, J. W.
Brown,	Hemminger,	Miller,	Smith, L.,
Brownlee,	Herman,	Missimer,	Snavely,
Burnett,	Heyburn,	Mitchell,	Snyder,
Campbell, C.M.,	Humes,	Morrow,	Spangler,
Campbell, J. J.,	Isler,	Moses,	Steele,
Carson,	Irwin, G. C.,	Moulthrop,	Stein,
Carter,	Jones, J. R.,	Murphy,	Swift,
Claycomb,	Kaiser,	Musser,	Thomas,
Cochran,	Keegan,	Neely,	Trach,
Conniff,	Keeport,	Newbaker,	Walnut,
Currier,	Kennedy,	Newton,	Walsh,
Davis,	Kern,	North,	Wattach,
DeFrees,	Kitts,	Peachey,	Wildman,
Dickinson,	Klepper,	Pennegar,	Williams,
Donnally,	Kuhns, E.G.M.,	Perry, H. L.,	Wilson, J. H.,
Down,	Latshaw,	Peters,	Wiltbank,
Dunn, H. B.,			Young, J. H.,
			Zimmerman,

So the question was determined in the negative.

On the question,

Shall the bill pass finally?

Mr. HOBBS. Mr. Speaker, I voted to recommit this bill to the Public Roads Committee, not because I am opposed to the bill, but in hopes that there might be some amendment made to it that might be of some benefit, but to the best of my judgment I believe the bill is a good one. Under the Sproul Highway Bill, or law, the county seats of the entire state are connected by this highway. They are continuous north and south, east and west, throughout the State. The people who travel throughout the State, many of them with automobiles, travel extensively throughout the entire length and breadth of the State. Many people, even by driving, go through several counties, therefore, the principle should not be limited to counties in the sense of the public benefits or the traveling public, and inasmuch as this bill provides that the money appropriated should be distributed throughout the State according to the mileage of each county, there is no other method which would benefit the great matage; therefore, we should pass this bill so as to prevent tage; therefore, we should pass this bill so as to prevent the use of the money of the State for any particular territory of the State, and let it be expended so as to benefit the great majority of the people of the Commonwealth.

Mr. HUMES. Mr. Speaker, I just want to say a word in reply to the gentleman from Delaware. The gentleman infers, or rather alleges, that no very serious consideration was given to this proposition before this bill was drafted. I want to assure him and assure the House that very serious consideration was given to this proposition, and among the objections raised was the objection that the gentleman from Delaware raised, that it might work an injustice by reason of the fact that the cost of improving in different localities would vary. In order to escape that, during the original drafting of the bill we based distribution upon the unimproved State highways, so that the objection of the gentleman from Delaware would avail him nothing. I want to point out the fallacy of that argument. If you have two counties, the mileage of each being just the same, and it only costs $20,000 a mile to build a road in one county, and $30,000 a mile to build a road in the other county, the first year the county where the construction is the cheapest will naturally get more miles of State Highway, but the next year that county will have less miles of unimproved highway, and consequently would not get as large a proportion of the State appropriation, and the county where the cost is more will have a chance to catch up and equalize in the subsequent appropriation.

Now, Gentlemen, there have been criticisms offered to this bill. I think there is not one of the gentlemen who have criticised this bill but that I went to him during the last month or six weeks, asking him for suggestions for improvements. It was the principle that I was contending for, not the wording of this bill. I sought improvements from every source. I went to the members of the Road Committee and said to them, "If you can find a better scheme for the distribution, amend the bill so as to cover the improvements that you suggest," and they all came back and said, that, after studying the matter over and working it out in figures, they could find no better method. I talked with the Chief Engineer of the Highway Department, and he thought that it probably was not an equitable basis of distribution. I told him I was not wedded to this particular method, and that I would welcome any suggestions from him, and that, if he would offer any, I would ask the Road Committee to incorporate it in the bill. He came afterward and said that after going over the matter he could not suggest anything that was any better. So I say that in the effort to pick flaws in this bill, on the theory that a man is for the principle but against the wording of the bill, that it is nothing more than an excuse to escape and keep away from the purpose that lies back of the bill. No better scheme has been suggested. I think that I voice the sentiments of every friend of this bill when I say that when it goes to the Senate, if they can suggest an amendment that will work an improvement, we will be glad to have them incorporate it in the bill. We only want what is right, and if they can improve on it, we will welcome their suggestions for improvement.

Mr. LOWERS. Mr. Speaker, I am not going to have a great deal to say, but as I see the proposition it is just about this: In Allegheny County, as has been said, the County had already improved a major part of its roads. These roads, some of which have been taken over by the State since in an improved condition, leave but a very small portion of the State highways unimproved. Now, in many counties, there are several hundred miles, perhaps, of unimproved State highways. The allowance apportioned by the Road Department each year will be divided, under this act, according to the miles of unimproved roads. Perhaps Allegheny County will have, say, twenty miles of unimproved roads, so they will receive in proportion about one-tenth of what is necessary to improve those twenty miles. In other words, they will simply improve two miles of the twenty miles of unimproved roads in the county. In other larger counties, they will improve, perhaps, two hundred miles. You can readily see that will work an injustice to Allegheny County, inasmuch as they have already paid for the major part of the improvement of the State highways, and we would be compelled to wait from year to year for the improvement, perhaps, of the remaining twenty miles at the rate of about two miles a year, which is an unfair proposition as I see it.

Mr. HERMAN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Gans, Newton, Showalter, Latshaw, Thomas, Becker, Mannion, Zimmerman, Cochran, McDermott, North, Neel, Wildman, Lenker, H. B. Dunn, McKay, Redfield, Ira E. Shaffer, Hemminger, and others.

On the question,

Shall the main question now be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Alworth,	Gibson,	Martin,	Rockwell,
Baldwin, G. A.,	Glenn,	Mather,	Roney,
Becker,	Good,	Matt,	Rothenberger,
Benninger,	Goss,	McClintock,	Runk,
Benson,	Grabe,	McDermott,	Savacool,
Bergey,	Heidinger,	McKay,	Schaeffer, A. C

Bigger,	Hemminger,	Mechling,	Scott, J. R. K.,
Bittles,	Herman,	Mellott,	Scott, S. B.,
Blair, W. F.,	Hibshman,	Metzenbacher,	Shaffer, I. E.,
Bleloch,	Hobbs,	Miller,	Showalter,
Body,	Humes,	Moore,	Smith, J. W.,
Brown,	Isler,	Morrow,	Smith, L.,
Brownlee,	Irwin, H. H.,	Moulthrop,	Snavely,
Burnett,	Jackson,	Murphy,	Steele,
Campbell, C.M.,	Jones, E. E.,	Musser,	Stone,
Campbell, J.J.	Jones, J. R.,	Neely,	Strauss,
Carson,	Keegan,	Newbaker,	Swartz,
Cheeseman,	Kern,	Newton,	Swift,
Claycomb,	Kitts,	Peachey,	Thomas,
Cochran,	Klepper,	Pennock,	Trach,
Collins,	Kuhns, E.G.M.,	Perry, H. L.,	Ulman,
Conniff,	Lanius,	Peters,	Walnut,
Currier,	Latshaw,	Post,	Watson,
DeFrees,	Lenker,	Price,	Whitman,
Donnally,	Leslie,	Redfield,	Wilson, J. H.,
Down,	Light,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Lohr,	Reeser,	Young, G. K.
Flynn,	Mannion,		Zimmerman,
Foster, J. D.,			

NAYS—58.

Allen,	Ehrhardt,	Kaiser,	North,
Ambler,	Eichenberger,	Keeport,	O'Neill,
Aron,	Ely,	Kennedy,	Ramsey,
Arthur,	Ewing,	Kern,	Schuck,
Baldwin, R. J.,	Fahey,	Kuhn, H. P.,	Semmens,
Blair, W. A.,	Forster, I. G.,	Letzkus,	Sherwood,
Brosius,	Frey,	Lowers,	Snyder,
Carter,	Gans,	Malie,	Spangler,
Cleary,	Gransback,	McAllister,	Steedle,
Conner,	Gray, Frank,	McNichol,	Ulerich,
Conrade,	Haggerty,	Missimer,	Walsh,
Curry,	Hess,	Mitchell,	Wettach,
Davis,	Heyburn,	Moses,	Wildman,
Dickinson,	Howard, J.,	Neel,	Wiltbank,
Dunn, J. A.,	Irwin, G. C.,		Alter,
			Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 928, entitled:

An Act authorizing the commissioners of water works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water

And said bill having been read at length the third time. and agree to,

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Flynn,	Light,	Rockwell,
Alworth,	Forster, I. G.,	Lohr,	Roney,
Aron,	Foster, J. D.,	Lowers,	Rothenberger,
Arthur,	Frey,	Malie,	Runk,
Baldwin, G. A.,	Gans,	Mannion,	Sassaman,
Baldwin, R. J.,	Geary,	Martin,	Savacool,
Bayle,	Gibson,	Mather,	Schaeffer, A. C
Becker,	Glenn,	Matt,	Schuck,
Benninger,	Good,	McAllister,	Scott, S. B.,
Benson,	Grabe,	McArdle,	Semmens,
Bergey,	Gramley,	McCaig,	Shaffer, C. A.,
Bigger,	Gransback,	McClintock,	Shaffer, I. E.,
Bittles,	Gray, Frank,	McDermott,	Sherwood,
Blair, W. A.,	Hackett,	McKay,	Showalter,
Blair, W. F.,	Haggerty,	McNichol,	Smith, J. W.,
Body,	Heidinger,	Mechling,	Smith, L.,
Brosius,	Hemminger,	Mellott,	Snyder,
Brown,	Herman,	Metzenbacher,	Spangler,
Brownlee,	Hess,	Miller,	Speiser,
Burnett,	Heyburn,	Missimer,	Steedle,
Campbell, C.M.,	Hibshman,	Mitchell,	Steele,
Campbell, J. J.,	Hobbs,	Moore,	Stein,
Carson,	Howard, J.,	Morrow,	Stone,
Carter,	Howard, R.,	Moses,	Strauss,
Cheeseman,	Humes,	Murphy,	Swartz,
Claycomb,	Isler,	Musser,	Swift,
Cleary,	Irwin, G. C.,	Neel,	Thomas,
Collins,	Irwin, H. H.,	Neely,	Trach,
Conner,	Jackson,	Newbaker,	Ulerich,
Conniff,	Jones, J. R.,	North,	Ulman,
Conrade,	Kaiser,	O'Neill,	Walsh,
Cox,	Kaufman,	Peachey,	Walton,
Currier,	Keegan,	Pennegar,	Watson,
Curry,	Keeport,	Pennock,	Wettach,
Davis,	Kenna,	Perry, H. L.,	Whitaker,
DeFrees,	Kennedy,	Peters,	Whitman,
Dickinson,	Kern,	Piper,	Wildman,
Donnally,	Kitts,	Post,	Williams,
Down,	Klepper,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Reese,	Wiltbank,
Eichenberger,	Lenker,	Reeser,	Young, G. K.,
Ely,	Leslie.	Rhoads,	Young, J. H.,
Ewing,	Letzkus,	Richards,	Zimmerman,
Fahey,		Robinson,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT OUT OF RESPECT TO THE MEMORY OF THE LATE HON. J. C. STINEMAN.

Mr. MOSES, asked and obtained unanimous consent to offer the following resolution which was twice read, considered and agreed to.

In the House of Representative, April 2, 1913

Resolved, That out of respect to the memory of Hon. Jacob C. Stineman, late member of the Senate from Cambria County, this House do now adjourn.

The SPEAKER. This House stands adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, APRIL 3, 1913. No. 43.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 3, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, we thank Thee for the teaching of Thy word, so clear, so explicit, so adapted to every condition of human experience. We thank Thee that this word has received the endorsemnt of such multitudes of earnest and faithful men of preceding generations, who have tested it and tried it and proved it to be true, and especially of the One perfect Man who lived and labored and suffered and died, to give emphasis to it. We thank Thee that there is that within us which responds to this word; that we know it to be true because it searches us and finds us and compels our assent. There is no excuse for us in going astray when we have this word. Deliver us from willful wandering. Let us reverence the word and respond to its teaching. Let us make it our advisor, our counsellor, our infallible guide.

We ask this in the name of Him who has taugh us to say: Our Father, who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors; and lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever, Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Arthur, the further reading was dispensed with and the Journal was approved.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Messrs. Mannion, Gans, Missimer, and Sassaman for the balance of the week.

Mr. GOSS asked and obtained leave of absence for Mr. Cochran for the balance of the week.

Mr. McDERMOTT asked and obtained leave of absence for Mr. Joseph Gray for the balance of the week on account of illness.

Mr. MALIE asked and obtained leave of absence for Mr. Wettach for to-day.

Mr. ISLER asked and obtained leave of absence for Mr. McCaig for to-day.

Mr. KUHN asked and obtained leave of absence for himself for the balance of the week.

Mr. MOORE asked and obtained leave of absence for Mr. Speiser for the balance of the week.

Mr. HEIDINGER asked and obtained leave of absence for himself for all of next week.

Mr. GEORGE A. BALDWIN asked and obtained leave of absence for Mr. Swift after two o'clock this afternoon.

Mr. SWIFT asked and obtained leave of absence for Mr. Geo. A. Baldwin after noon to-day.

Mr. NORTH asked and obtained leave of absence for himself after noon to-day.

Mr. KEEPORT asked and obtained leave of absence for himself until Wednesday of next week.

Mr. NEEL asked and obtained leave of absence for himself for the balance of the week.

Mr. BROSIUS asked and obtained leave of absence for himself after noon to-day for the balance of the week.

Mr. FREY asked and obtained leave of absence for himself after noon to-day or the balance of the week.

Mr. STONE asked and obtained leave of absence for Messrs. Mitchell and Claycomb, and for himself for the balance of the week.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1139, as follows:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the seventh section of the act approved April twenty-sixth eighteen hundred and fifty-five entitled "An Act relating to corporations and to estates held for corporate religious and charitable uses "as amended by the act approved June second eighteen hundred and eighty-seven and further amended by act approved May first nineteen hundred and seven which now reads as follows

"Section 7 That whensoever any property real or personal shall hereafter be bequested, devised or conveyed to any ecclesiastical corporation bishop ecclesiastic or other person for the use of any church congregation or religious society for religious worshop or sepulture or the maintenance of either the same shall not be otherwise taken and held or enure than subject to the control and disposition of the lay members such church congregation or religious society or such constituted officers or representatives thereof as shall be composed of a majority of lay members citizens of Pennsylvania having a controlling power according to the rules regulations usages or corporate requirements thereof so far as consistent herewith Provided it shall be lawful for the majority of the male members of lawful age of any unincorporated church congregation or religious society to choose for their trustee or trustees any other person or persons than a layman and whenever not previously declared to declare the manner in which the title to their trust property shall be held and conveyed subject however to all the terms and conditions upon which the same may have been bequeathed devised or conveyed to such unincorporated church congregation or religious society and upon due proof of such consent any court having jurisdiction over trusts may direct the legal title to be conveyed accordingly but nothing herein contained shall authorize the diversion of any property from the purposes uses and trusts to which it may have been heretofore lawfuly dedicated or to which it may hereafter consistently herewith be lawfully dedicated And provided All charters heretofore granted for any church congregation or religious society without incorporating therein the requirement that the property real and personal of such corporation shall be taken held and enure subject to the control and disposition of the lay members thereof but which are in other respects good and valid and shall be in all respects as good and valid for all purposes as if the said requirement had been inserted therein when the said charters were originally granted and the title to all property real and personal heretofore bequeathed devised or conveyed to such church congregation or religious society or which may have heretofore been granted or conveyed by such corporation shall be firm and stable forever with like effect as though the said requirements had been contained in the charter of such corporation when the same was originally granted Provided That all property real and personal held by such existing corporation shall enure and be held subject to the control and disposition of the lay members thereof or such constituted officers or representatives thereof as shall be composed of a majority of lay members citizens of Pennsylvania having a controlling power according to the rules and regualtions usages or corporate requirements thereof with like effect as though such provision had been inserted in the charter of such corporation when originally granted any other or different provision therein nothwithstand-

ing" be and the same is hereby amended so as to read as follows

Section 7 That whensoever any property real or personal other than funds from plate Christmas and Easter collections and annual voluntary contributions for salaries of clergy teachers organist and sexton shall hereafter be bequeathed devised or conveyed to any ecclesiastical corporation bishop ecclesiastic or other person for the use of any church congregation or religious society for religious worshop or sepulture or the maintenance of either the same shall be taken and held subject to the control and disposition of the lay members of such church congregation or religious society or such constituted officers or representatives thereof as shall be composed of a majority of lay members citizens of Pennsylvania having a controlling power according to the rules regulations usages or corporate requirements thereof so far as consistent herewith which control and disposition shall be exercised in accordance with and subject to the rules and regulations usages canons discipline and requirements of the religious body or organization to which such church congregation or religious society shall belong Provided It shall be lawful for the majority of the male members of lawful age of any unincorporated church congregation or religious society to choose for their trustee or trustees any other person or persons than a layman and whenever not previously declared to declare the manner in which the title to their said trust property shall be held and conveyed subject however to all the terms and conditions upon which the same may have been bequeathed devised or conveyed to such unincorporated church congregation or religious society and upon due proof of such consent any court having jurisdiction over trusts may direct the legal title to be conveyed according but nothing herein contained shall authorize the diversion of any property from the purposes uses and trusts to which it may have been heretofore lawfully dedicated or to which it may hereafter consistently herewith be lawfully dedicated And provided All charters heretofore granted for any church congregation or religious society without incorporating therein the requirement that the property real and personal of such corporation shall be taken held and enure subject to the control and disposition as herein provided but which are in other respects good and valid and shall be in all respects as good and valid for all purposes as if the said requirement had been inserted therein when the said charters were originally granted and the title to all property real and personal other than the funds above excepted heretofore bequeathed devised or conveyed to such church congregation or religious society or which may have heretofore been granted or conveyed by such corporation shall be firm and stable forever with like effect as though the said requirements had been contained in the charter of such corporation when the same was originally granted Provided That all property real and personal other than the funds above excepted now held by such existing corporation shall enure and be taken and held subject to the control and disposition as herein provided with like effect as though such provision had been inserted in the charter of such corporation when originally granted any other or different provision therein notwithstanding

Section 2 And be it further enacted that section six and which reads as follows

"Section 6 That no bishop or other ecclesiastic in ... church shall hereafter hold any real or personal estate in this Commonwealth with a capacity to transmit the title thereof to his successor in office otherwise than as any other individual holding the same in his private or natural capacity might do and any law conferring such capacity to transmit by operation of law property to any successor in any eccesiastical office is hereby repealed Provided That this repeal shall not affect the validity of any titles now held as aforesaid but the same may be aliened or devised as property held by such ecclesiastical officer in his natural capacity but for the like uses and trusts as the same would be subject to if this act were not passed be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1241, as follows:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers steam-engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers steam-engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation" which reads as follows

"Section 14 This act shall not affect any third class city until the councils of said city shall by ordinance provide for the creation of the office of boiler inspector therein" is hereby amended to read as follows

Section 14 Each city of the second and third classes shall by ordinance provide for carrying into effect the provisions of this act

Section 2 This act shall become operative on the first day of July one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 645, as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibitin of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitle "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words 'place of amusement or dramatic or theatrical or operatic or vaudeville performances circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or steropticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any building tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the buildings or building tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have first been had and obtained from the city or county treasurer of the city or county (borough or township) in which said buildings tents enclosure or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irrespective of the number of chairs or seating capacity in such places of amusement building tent or enclosure the sum of five hundred dollars ($500)

In cities of the second class where such place of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such place of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet of floor or ground space as an equivalent

Section 4 The annual license for any place of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such place of amusement tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of

either or all exhibiting in any building tent or enclosure (other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or steropticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) Whereby the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

Section 6 The city or county treasurer of any city or county (borough or township) where such places of amusement buildings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer (of any city borough or township)

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer of the cities (boroughs or townships) for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclosures in which the same are to be held upon the certificate of the director of public safety of the cities of the first class or of the proper municipal officer of the cities of the second and third class boroughs or townships setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contents intended to be given are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordnce with the laws and ordinances regulating the erection construction or alteration of such places at the time of erection construction or alteration thereof either as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre"

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the applicants who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the amount of chairs in such place of amusement building tent or enclosure or the number of cars which transports any circus trained animals menagerie or wild west show Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof

If a false oath shall be made by any person to such application the one so swearing shall be guilty of the crime of perjury and shall be punished as such

Section 9 It shall be the duty of each applicant to fill up the blank as provided as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

In any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess him or it with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assessment when so made shall be final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement building tent or enclosure and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclosure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license money to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right to appeal to the mercantile appraisers and city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser and city or county treasurer or board of mercantile appraisers he they or it shall have the right to appeal to the court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relied upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer of the Mercantile Appraiser or Board of Mercantile Appraisers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shal upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers he shall not thereafter be permitted in a suit for the recovery of said license to set up a defence either that he is not subject to the payment of the license fee so assessed against him or any other ground of defence which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile Appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer to sue for the recovery of all licenses duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July of each and every year within thirty days after that date provided however if said city or county treasurer is satisfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said taxes and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July on each and every year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such person a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county treasurer the correct list of all persons assessed giving the names and business address of the persons liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer of the cities boroughs or townships) after hearing all parties under oath or affirmation which he is hereby empowered to administer it shall be proven that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annual and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer of the cities (boroughs or townships) shall have full power to prevent any exhibition performance entertainment or contest from being held exhibited or performed until the provisions of this act have been fully complied with

Section 16 The Department of Public Safety of the cities of the first class or the proper municipal officers of the cities of the second and third class boroughs or townships shall have full power to inquire into any immortal tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) to be true forbid such exhibitions performances entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement buildings or building tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer of the director of public safety of cities of the first class or proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclosures shall have the right to appeal in writing to the court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear and determine the same as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city borough or township of this Commonwealth

Section 19 The act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed or altered and now in actual use a moving picture place where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a "moving picture place"

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offence a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open any such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the said license year to wit May first of each year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased license or purchaser at any insolvent or bankrupt sale for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or of circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures "of like character" as amended by the act approved May twenty-third one thousand nine hundred and seven and as further amended by the act approved May eleventh one thousand nine hundred and eleven together with any other amendments thereof or thereto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

On the question,

Will the House agree to the bill on second reading?

It was agreed to.

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker, I move that this bill be recommitted to the Committe on Law and Order for the purpose of amendment.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to protect the public health and welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this act prescribing the standard by which such rate shall be determined defining the powers and duties of such commission and regulating the procedure before it imposing certain duties on employes of females over sixteen years of age and children under sixteen years of age compelling newspapers to publish the orders of the commission fixing penalties for violations of this act and providing means of enforcing its provisions

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were read and agreed to as follows:

Article 1 Establishment of a Wage Commission
Section 1 Statement of Policy
Section 2 Establishment of a wage commission
Section 3 Term of commissioners
Section 4 Removal of commissioners
Section 5 Secretary of the commission
Section 6 Counsel
Section 7 Marshal
Section 8 Aditional officers and employes
Section 9 Oath of office
Section 10 Salaries and expenses
Section 11 Meetings quorum
Section 12 Offices supplies
Article 11 Powers and Duties of the Commision
Section 13 Investigations and determinations
Section 14 Investigations by one commissioner
Section 15 Orders issuance publication when effective duration
Section 16 Special licenses to certain females exemption of apprentices
Section 17 Investigation and prosecution of violations of orders
Section 18 Examination of books records and documents hearings witnesses subpoenas
Section 19 Public officers to furnish copies of records and give information
Section 20 Records to be kept
Section 21 Copies of records to be furnished to public officers
Section 22 Report required
Section 23 Fees to be charged for copies of records
Article III Procedure Before the Commission
Section 24 Practice in hearings
Section 25 Subpoenas
Section 26 Witnesses
Section 27 Depositions commissions
Section 28 Testimony tending to incriminate immunity
Section 29 Burden of proof in complaints of violations
Section 30 Injunctions jurisdiction
Article IV Duties of Employers
Section 31 Record of employes
Article V Enforcement
Section 32 Enforcement of process
Section 33 Summary proceedings
Section 34 Penalty for the payment of a lower rate of compensation than that fixed by the commission
Section 35 Penalty for discriminating against witness
Section 36 Penalty for concealment of testimony
Section 37 Penalty for false or misleading testimony
Section 38 Penalty on newspaper for refusing to publish orders
Section 39 Private prosecutions procedure
Section 40 Prosecution procedure appeals
Section 41 Suspension of sentence prohibited for second offenses
Section 42 Fines penalties and fees payable to the secretary of the commission
Section 43 Recovery of wages in civil suit
Article VI Construction
Section 44 Terms women eligible to offices
Section 45 Unconstitutionality of a part of the act
Section 46 Act not to impair powers of Secretary of Internal Affairs

Article I Establishment of a Wage Commission

Statement of Policy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is the belief of the General Assembly that the public health and welfare demand that every female over sixteen years of age employed by or permitted to work for any person within this Commonwealth be compensated at such a rate as will enable her to support and maintain herself in health and reasonable comfort and that every child under sixteen years of age employed by or permitted to work for any person within this Commonwealth receive compensation at a rate at which it can earn the amount necessary to enable its parent or guardian to support and maintain it in health and reasonable comfort

Establishment of a Wage Commission

Section 2 To determine the lowest rate of compensation at which females over sixteen years of age may support and maintain themselves in health and reasonable comfort and the lowest rate of compensation at which children under sixteen years of age can earn the amount necessary to enable their parents or guardians to support them in health and reasonable comfort and to order and enforce the payment of such females and children at not less than such rates a commission is hereby established to be known as "The Wage Commission of the Commonwealth of Pennsylvania"

The commission shall consist of three members who shall be appointed by the Governor and the Governor shall from time to time designate one of the members as chairman of the commission

Term of Commissioners

Section 3 The term of office of commissioners shall be three years except that the term of the first commissioners appointed shall be one two and three years respectively from the

first Monday in February following their appointment so that the term of one commissioner shall expire on the first Monday in February in each year thereafter A commissioner shall unless removed for cause continue in office until his successor shall have appointed even though his term shall have expired

Whenever a vacancy shall occur in the membership of the commission the Governor shall appoint a commissioner for the residue of the term

Removal of Commissioners

Section 4 The Governor may remove from office any commissioner for inefficiency neglect of duty or misconduct in office Whenever he shall contemplate the removal of any commissioner the Governor shall furnish to such commissioner a copy of the charges against him and afford him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days' notice If the commissioner be removed the Governor shall file in the office of the Secretary of of the Commonwealth a complete statement of the charges made against such commissioner and his findings thereon together with a complete record of the proceedings

The determination of the Governor shall in any such case be final

Secretary of the Commission

Section 5 The commission shall appoint a secretary who shall hold office at its pleasure and shall devote his entire time to the duties of his office He shall keep an accurate record of the proceedings of the Commission and of all determination and orders made by it and ordered filed He shall be the custodian of the records of the commission and shall preserve at its principal office all records documents and papers filed with it or entrusted to its care and shall be responsible to the commission for the same

Under the direction of the commission the Secretary shall be its chief executive officer He shall have general charge of its office shall superintend its business give all notices required by this act and perform such other duties as the commission may prescribe He shall be the dispensing officer of the Commission with respect to both requisitions and expenditures

Before entering upon the duties of his office the secretary shall give bond to the use of the Commonwealth in an amount and with sureties approved by the commission conditioned for the faithful performance of his duties

Counsel

Section 6 The Attorney-General shall ex officio be the general counsel of the commission but the commission may procure the services of other attorneys at such times and for such purposes as it shall deem necessary

Marshal

Section 7 The commission shall appoint a marshal to hold office at its pleasure He shall attend the hearings of the commission preserve order thereat superintend the serving of subpoenas notices and such other papers as the Commission may direct and make such reports and perform such other duties as the commission may prescribe

Additional Officers and Employers

Section 8 The commission shall have power to employ during its pleasure such officers experts statisticians accountants inspectors clerks and employes as it may deem necessary to perform its duties exercise its powers and carry out the provisions of this act

Oath of Office

Section 9 Each commissioner the secretary and the marshal of the commission shall before entering upon the duties of his office take and subscribe before the Secretary of the Commonwealth the oath prescribed by article seven of the Constitution of this Commonwealth

Salaries and Expenses

Section 10 Each of the commissioners and any attorney employed as counsel by the commission shall be compensated at the rate of fifteen dollars ($15.00) for each day's actual service in the work of the commission The Secretary of the commission shall receive an annual salary of three thousand dollars ($3,000) and the marshal shall receive an annual salary of fifteen hundred dollars ($1,500) The commission shall fix the compensation of such officers experts statistician accountants inspectors clerks and employes as it may employ

The members of the commission its secretary attorneys marshal and other officers agents employes and appointees shall be paid in addition to their salary or compensation the board lodging railroad fare and other traveling expenses actually incurred in the performance of their official duties

All salaries and compensation shall be payable at such times as the commission shall direct

Salaries compensation and all expenses of the Commission when properly certified upon voucher by the secretary countersigned by the chairman of the commission shall be paid out of the moneps specifically appropriated for the purpose by warrant drawn upon the State Treasurer by the Auditor-General

Meetings Quorum

Section 11 The commission shall meet for the performance of its duties at such times and at such places within the Commonwealth as it may appoint Provided That stated meetings shall be held at least once a month

Two members of the commission shall constitute a quorum for the transaction of business

The twelfth section was read as follows:

Offices Supplies

Section 12 The commission shall maintain its prinicpal office at such place within this Commonwealth as it may appoint and such branch offices may be opened as the Commission shall deem advisable

The Board of Commissioners of Public Grounds and Buildings shall upon the requisition of the secretary of the commission furnish the commission with such books stationery furniture and supplies as may be needed properly to conduct its affairs

The Secretary of the Commonwealth shall prepare and furnish to the commission an official seal

The printing and binding necessary for the proper performance of the duties of the commission and for the preservation of books documents and papers filed with the commission shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding after requisition by the secretary of the commission

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 12, line 9, after "needed" strike out "properly" after "affairs" insert "properly".

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirteenth and fourteenth section were read and agreed to as follows:

ARTICLES II POWERS AND DUTIES OF THE COMMISSION

Investigations and Determinations

Section 13 The commission shall have power upon investigation to determine the lowest rate computed either by time or piece or in any other manner at which a female over sixteen years of age of average ability and skill can earn in the number of hours a female over sixteen years of age may lawfully work in any establishment in any one week compensation sufficient to support and maintain herself in health and reasonable comfort for seven days

(a) The commission may make any such determination for females in any industry or any branch thereof or any occupation upon its own motion

(b) The commision shall determine the rate of compensation above set forth for females over sixteen years of age in any industry or any branch thereof or at any occupation upon the petition of twenty-five persons employing such females or twenty-five such female employes in any such industry or branch thereof or at any such occupation within this Commonwealth

(c) Any person may file with the commission a petition setting forth the conditions in any industry or any branch thereof or at any occupation within this Commonwealth and praying the commission to determine the rate of compensation as above set forth in such industry or branch thereof or at such occupation The commission shall make the determination prayed for unless the petition shall not in the opinion of the commission present facts disclosing the need of such determination

The commission shall have power upon investigation to determine the lowest rate computed either by time or piece or in any other manner at which a child under sixteen years of age of average ability and skill can earn in forty-eight hours compensation equal to the average amount of money necessary to enable the parents or guardians of working children under sixteen years of age to support them in health and reasonable comfort for seven days

The commission may make any such determination for children under sixteen years of age in any industry or branch thereof or at any occupation in or at which it believes that the number of such children employed or permitted to work at an unreasonably low rate of compensation warrants such determination

The commission may determine the rate of compensation for females over sixteen years of age or children under sixteen years of age who work in an establishment at home or in any other place whether they are paid directly or indirectly in money or otherwise by the persons at whose instance directly or indirectly the work is done whether such person shall or shall not own the materials used by such females or children

Upon investigation the commission may divide the Commonwealth into such geographical districts as the facts shall warrant determining the rate of compensation as above set forth in any industry or branch thereof or at any occupation for

Investigations by one Commissioner

Section 14 Any examination investigation or hearing which the commission has power to hold may with the authority and consent of the commission be held by or before any commissioner with like force and effect as if held before the Commission and for such purpose any Commissioner shall have the authority and powers of the Commission

The report of any Commissioner before whom any investigation or hearing shall have been paid together with a complete stenographic record of the testimony upon which the same may be based shall be certified and reported to the Commission and the Commission shall take appropriate action thereon

The fifteenth section was read as follows:

Orders Issuance Publication When Effective Duration

Section 15 After having determined a rate of compensation for females over sixteen years of age or children under sixteen years of age in any industry or branch thereof or for any occupation the Commission shall issue an order requiring the payment of such females or children at not less than such

rate The Commission shall publish such order in so far as it affects the particular locality in at least two newspapers of general circulation in each county twice a week for four weeks

Any order of the Commission fixing a rate of compensation shall become effective at such time as the Commission shall direct but not sooner than ninety days after its date and shall continue in force until it shall have been revoked suspended or modified by the Commission or suspended or annulled by a court of competent jurisdiction

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 15, line 6, after "at" strike out "not."

Section 15, line 12, after "days" strike out "afted" and insert "after."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections were read and agreed to as follows:

Special Licenses to Certain Females Exemption of Apprentices

Section 16 The Commission may issue to any female over sixteen years of age who shall be physically defective and who shall be employed or permitted to work in any industry or any branch thereof or at any occupation for which a time-rate only shall have been determined a special license authorizing her payment at a lower rate than that fixed by the Commission for the payment of females over sixteen years of age in such industry or branch thereof or at such occupation Provided That the Commission shall in any such license specify the minimum rate of compensation at which the female to whom it shall be issued may be employed or permitted to work Any such license shall become effective upon the date of its issuance and shall remain in force at the pleasure of the Commission

The Commission may include in any order fixing a rate of compensation for females in any industry or branch thereof or at any occupation appropriate provision exempting apprentices in such industry or branch thereof or at such occupation from the operation of the order and regulating the payment of such aprentices In making any such exemption the Commission shall state the maximum percentage of females or children in the particular industry or branch thereof or at the particular occupation to whose work the exemption may apply and any person employing or permitting or directly or indirectly inducing females over sixteen years of age or children under sixteen years of age to work as apprentices in excess of such percentage of the total number of such females or children such person shall employ or permit or induce to work shall procure special licenses from the Commission for all such apprentices in excess of such percentage The Commission shall also fix the maximum period of time during which a worker may receive compensation as an apprentice in any industry or branch thereof or at any occupation for which a minimum rate of compensation shall have been determined

Investigation and Prosecution of Viclations of Orders

Section 17 The Commission shall enforce obedience to its orders and compliance with the provisions of this act It may inquire into any neglect or violation of this act by any person employing females over sixteen years of age or children under sixteen years of age or at whose instance directly or indirectly work is done by such females or children or by officers agents formen or employes of any such person It shall investigate all complaints of violations of its orders or of the provisions of this act and it may request the Attorney General or employ counsel to proceed by mandamus injunction or criminal or other appropriate proceedings against any person whom it shall believe guilty of any such violation

Examination of Books Records and Documents Hearings Witnesses Subpoenas

Section 18 The Commission shall have authority

(a) To examine by any of its members or employes the books accounts records contracts agreements memoranda and other documents of any person employing or permitting or inducing any female to work whether kept within or without this Commonwealth and for such purpose to order the production thereof at such times and places as it may specify or at its option vertified copies in lieu thereof but any person required to produce any such matters kept outside the Commonwealth may appear before the Commission and show cause why he should not obey whereupon the Commission shall make such order as it shall deem reasonable

(b) To subpoena witnesses take testimony examine and administer oaths to witnesses in any hearing investigation or examination conducted before it or any of its members in reference to any matter within the supervision of the Commission

(c) For the purpose of inspection to enter or to authorize expert inspectors or other employes to enter any place within this Commonwealth where any female over sixteen years of age or child under sixteen years of age is engaged in work of any sort

(d) To do all things not herein specifically enumerated which shall be requisite to the performance of its functions as defined by this act

Public Officers to Furnish Copies of Records and Give Information

Section 19 All officers boards or commissions of this Commonwealth or any political subdivision therof shall furnish to the Commission upon request and without charge or fee a certified copy of any document or record or part thereof on their files or any data or information in their possession

Records to be Kept

Section 20 The Commission shall keep a complete stenographic record of all proceedings investigations and hearings before it or before any Commissioner

Copies of Records to be Furnished to Public Officers

Section 21 The Commission shall whenever called upon by any officer board or commission of this Commonwealth or any political subdivision thereof furnish to such officer board or commission without charge or fee a certified copy or any document or record on its files or any part thereof or any data or information in its possession

Report Required

Section 22 The Commission shall make an anual report to the Governor on or before the second Monday of January and a duplicate thereof shall be filed with the Secretary of Internal Affairs Its report shall contain

(a) A record of its meetings and an abstract of its proceedings during the preceding year

(b) The result of any investigations and determinations made by it

(c) Such statements facts and explanations as will disclose the working conditions of the females and children engaged in work within this Commonwealth and such suggestions as to the general policy of the Commonwealth or the amendment of its laws with respect to such females and children as may occur to the Commission

(d) Drafts of any bills suggested or recommended by it and the reasons therefor

(e) A statement in detail of the traveling and other expenses and disbursements of the Commissioners and their appointees and employes as well as an estimate of the money necessary for the expense of the Commission for the ensuing year

(f) A statement of the work of the Commission and its employes in enforcing its orders and determinations including the names of all persons found guilty of violations of this act as the result of prosecutions or proceedings instituted by the Commission or its employes

Five thousand copies of the report and as many additional copies as the Comission may deem advisable shall be printed and bound as a public document of the Commonwealth

Fees to be Charged for Copies of Records

Section 23 Except as in this act otherwise provided the Commission shall charge and collect such fees as it shall establish for copies of all official orders documents papers and records Provided that no fee shall be charged for the annual report of the commission

The twenty-fourth section was read as follows:

ARTICLE III PROCEDURE BEFORE THE COMMISSION

Practice in Hearings

Section 24 (a) The commission may make reasonable rules regulating the practice in hearings and investigations before it It shall prescribe the manner of service of notices and shall prepare appropriate forms thereof Provided That in the conduct of hearings and investigations the commission shall not be found by the technical rules of legal evidence

(b) All hearings before the commission or before any commissioner shall be public

(c) Any part may appear before the commission or before any commissioner to be heard in person or by attorney and may examine and cross-examine witnesses and have process to enforce the attendance of witnesses and the production of relevant documents

(d) Except as in this act otherwise provided the costs in proceedings before the commission shall be paid by the Commonwealth

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Section 24, line 7, strike out "found" and insert "bound."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-fifth section was read as follows:

Subpoenas

Section 25 Any subpoena issued by the commission shall be signed by a commissioner or by the secretary of the commission and shall specify at whose instance it is issued It may be served by any adult in any part of the Commonwealth as subpoenas issued out of courts of record shall be served The fees therefor shall be the same as those paid sheriffs for similar services

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 25, line 5, strike out "nay" and insert "any."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-sixth section was read and agreed to as follows:

Witnesses

Section 26 In all proceedings before the commission or any commissioner if the public interest seem to demand it the commission or the commissioners shall have the right to limit the number of witnesses testifying upon any subject matter of inquiry

Each witness subpoenaed to attend before the commission or a commissioner shall receive for each day's attendance the sum of one dollar and fifty cents and mileage at the rate of three cents per mile circular between his home and the place where his presence shall be required to be paid when the witness shall be excused from further attendance except that any witness subpoenaed at the instance of any party other than the commission or a commissioner may before being required to appear demand the fee to which he may be entitled for travel to and from the place at which he may be required to appear and for one day's attendance Provided That no witness who shall have any free transportation shall receive any mileage for the distance he shall have traveled on such free transportation

If the subpoena be issued at the instance of the commission or a commissioner the cost of the service thereof and the fee and mileage of the witness shall be paid by the Commonwealth otherwise fees and mileage shall be paid by the party at whose instance the witness shall be summoned Provided That upon the certification of the commission or commissioner before whom the witness shall have attended that his testimony was material to the matter investigated and that the inquiry was made under just and reasonable circumstances the fees and mileage of such witness shall be paid by the Commonwealth In such case if the fees and mileage or any part thereof have been paid the party who shall have paid them shall be reimbursed

All moneys to be paid by the Commonwealth as provided in this section shall be disbursed by the secretary of the commission upon proper vouchers sworn to by such witnesses and approved by a commissioner out of the funds in his hands for that purpose as provided in this act and shall be included in the expenses of the commission

The twenty-seventh section was read as follows:

Depositions Commissions

Section 27 The testimony of any aged infirm going or nonresident witness may be taken by deposition at any time place before any person authorized to administer oaths in this Commonwealth upon reasonable notice and in like manner the testimony of any witness may be taken by consent of the parties For that purpose the attendance of witnesses and the production of books accounts records and other documents may be enforced in the same manner as in the case of investigations or hearings by the commission or a member thereof In the case of witnesses residing or sojourning outside the Commonwealth the party desiring the testimony of such witnesses or the commission or any commissioner may apply to the court of common pleas of the county where the hearing is to be held to issue a commission to take testimony as in the case of civil actions in such court

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 27, line 3, after "time" insert "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth and thirty-sixth sections were read and agreed to as follows:

Testimony Tending to Incriminate Immunity

Section 28 No person shall be excused from testifying or from producing any books accounts records or other evidence in any investigation or hearing before the commission or any commissioner or in making any deposition or answering interrogatories in any commission hereunder when properly ordered to do so for the reason that the testimony books accounts records documents or other evidence required of him may tend to incriminate him or subject him to penalty but no person shall be prosecuted punished or subjected to any penalty for any act transaction matter or thing concerning which after claiming his privilege he shall have testified or produced evidence documentary or otherwise Provided That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in so testifying and that nothing herein contained shall be construed as in any manner giving to any individual any immunity of any kind from the law except as herein expressly provided or as giving to any corporation immunity of any kind

Burden of Proof in Complaints of Violations

Section 29 Where any complaint is made of any violation of any lawful order of the commission and a hearing or investigation is had upon said complaint the burden of proof shall be upon the person complained against to show compliance with the order of the commission

Injunctions Jurisdiction

Section 30 No injunction shall issue suspending or annuling any order of the comission except upon notice to the commission and after cause shown upon a hearing The court of common pleas of Dauphin County is hereby clothed with exclusive jurisdiction throughout this Commonwealth of all proceedings for such injunctions subject to an appeal to the Supreme Court

ARTICLE IV DUTIES OF EMPLOYERS

Record of Employes

Section 31 Every person employing females over sixteen years of age or children under sixteen years of age or giving them work shall keep a written record of the names and addresses of all such females or children and shall on request permit the commission or any of its members or agents to inspect the same

ARTICLE V ENFORCEMENT

Enforcement of Process

Section 32 If any individual who shall be subpoenaed to attend before the commission or a commissioner shall fail to obey the command of such subpoena or if any individual in attendance before the commission or a commissioner shall refuse to be sworn or to be examined or to answer any relevant question or to produce any relevant book account record or other document when ordered so to do by the commission or a commissioner or to subscribe and swear to his deposition after it shall have been correctly reduced to writing the commission or commissioner shall have the right to apply to any court of common pleas within this Commonwealth or to any judge thereof by petition setting forth the material facts for an order to enforce such attendance or obedience Such court or judge thereof shall thereupon issue an order requiring such individual to appear before said commission or commissioner and produce such books accounts records or other documents as are desired by the commission or commissioner and give testimony touching the matter in question and any failure to obey the said order after service thereof may be punished by the said court or judge as a contempt in the same manner as in the case of disobedience of the requirements of a subpoena issued from such court or refusal to testify therein

Summary Proceedings

Section 33 (a) Whenever the commission shall be of opinion that any person is violating or is about to violate any provision of this act or to permit the same or to disobey any lawful order of the commission the commission may institute in the court of common pleas of the proper county injunction or other appropriate legal proceedings to restrain such violation of the provisions of this act or of the orders of the Commission and to enforce obedience thereto and the said courts of common pleas are hereby clothed with jurisdiction to hear and determine all such actions

(b) The Attorney-General in addition to the exercise of the powers and duties imposed upon him by law shall upon request of the commission or of his own motion proceed in the name of the Commonwealth by injunction or other appro priate remedy to restrain violations of the provisions of this act or of the orders of the commission or to enforce obedience thereto

Penalty for the Payment of a Lower Rate of Compensation Than That fixed by the Commission

Section 34 Any person who whether by himself or for another or through an agent servant or foreman shall directly in money or otherwise pay any female over sixteen years of age or any child under 16 years of age in any industry or any branch thereof or at any occupation for work done in an establishment at home or in any other place at a rate of compensation lower than that fixed by the commission for such female or child shall be guilty of a misdemeanor and upon conviction he shall be punished for each and every female or child in connection with whose employment or work such offense shall have been committed for a first offense by a fine of not less than ten dollars ($10) or more than fifty dollars ($50) for a second or subsequent offense by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or by imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the commission or any agent or employe thereof or by the service of a summons in a prosecution that he is violating any order of the commission he shall be punished by like penalties in addition for each any every day that such violation shall have continued after such notification Provided That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Any person at whose instance any female or child shall directly or indirectly be induced to work shall be deemed to pay such female or child compensation even though such female or child procure by purchase or otherwise the materials upon which or out of which the work is done and shall receive from such person directly or indirectly no compensation other than pay for the product of such materials

Penalty for Discriminating Against Witness

Section 35 Any person who shall discharge or in any other manner discriminate against any employe or worker because such employe or worker shall have testified or is about to testify or because such person shall believe that said employe or worker may testify in any investigation or proceeding authorized by this act shall be guilty of a misdemeanor and upon comviction he shall be punished by a fine of two hundred dollars ($200) or by imprisonment for not more than six months or both at the discretion of the court for each offense

Penalty for Concealment of Testimony

Section 36 If any officer director agent or employe of any person employing females over sixteen years of age or children under sixteen years of age conceal himself for the purpose of avoiding service of a subpoena or remove relevant books accounts records or other documents out of this Commonwealth or destroy any such books accounts records or other documents for the purpose of preventing their examination by the commission or a commissioner or any authorized agent thereof he shall be adjudged guilty of contempt upon presentation of the facts by petition in any court of common pleas of this Commonwealth and the said court may impose a fine of not less than one hundred dollars ($100) for each day during the continuance of such concealment or removal If the said court find that such conduct shall have been by the advice or consent of or in any wise aided or abetted by the person employing such females or children then in default of the payment of the said fine by the person in contempt the sum shall be paid by such person and an action shall lie to collect the same in the said court of common pleas

The thirty-seventh section was read as follows:

Penalty for False or Misleading Testimony

Section 37 Any person who shall willfully make any false return or report to the commission or to any member thereof or to any agent or any employe acting therefor or who shall testify or affirm falsely to any material fact in any matter wherein an oath or affirmation shall be required or authorized or who shall willfully make any false entry or memorandum upon any account book paper record report or statement of any person employing females over sixteen years of age or children under sixteen years of age or who shall willfully destroy mutilate alter or by any other means or device falsify or destroy the record thereof with the intent to mislead or deceive the commission or any member thereof or any agent or employe acting therefor or who shall willfully or fraudulently obstruct or hinder the commission or any of its members agents or employes in making any examinations of the accounts affairs or conditions of any person employing females over sixteen years of age or children under sixteen years of age or any person who with like intent shall aid or abet another in any of the acts hereinbefore set forth shall be guilty of a misdemeanor and upon conviction in any court of quarter sessions of competent jurisdiction he shall be punished by a fine or not more than one thousand dollars ($1,000) or by imprisonment for not more than eighteen months or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 37, line 23, strike out "or" and insert "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirty-eighth, thirty-ninth, fortieth and forty-first sections were read and agreed to as follows:

Penalty on Newspaper for Refusing to Publish Orders

Section 38 Any newspaper refusing or neglecting to publish the findings decree or notices of the commission at the regular rates for space taken shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars ($100) for each offense

Private Prosecutions Procedure

Section 39 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a violation Provided That any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have been reasonable grounds for instituting the prosecution

Prosecutions Procedure Appeals

Section 40 Except as in this act otherwise provided prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall issue a summons commanding the person charged with a violation of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken to the court of proper juirsdiction within twenty days after the imposition of the penalties aforesaid The defendant may take an appeal by depositing with the magistrate alderman or justice of the peace a sum equal in amount to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Suspension of Sentence Prohibited for Second Offenses

Section 41 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense if there be a second prosecution and conviction for a violation of the same provision of this act previously violated the full penalty for the first offense shall be imposed in addition to the penalty imposed for the second offense

The forty-second section was read as follows:

Fines Penalties and Fees Payable to the Secretary of the Commission

Section 42 All fines imposed all penalties recovered and all fees collected under the provisions of this act shall be paid to the secretary of the commission and by him paid into the State Treasury

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 42, line 4, strike out "my" and insert "by."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The forty-third, forty-fourth, forty-fifth and forty-sixth sections were then read and agreed to as follows:

Recovery of Wages in Civil Suits

Section 43 If any employe shall receive less than the compensation provided for in this act he or his guardian representative or if he be dead his legal representative shall be entitled to recover in a civil action the full amount of his compensation as provided for in this act together with costs attorney's fees and exemplary damages notwithstanding any agreement to work at a lower rate of compensation Provided That in any such action the employer shall be credited with any compensation which he shall have paid during the period of work for which the compensation in suit shall have become due

ARTICLE VI CONSTRUCTION

Terms Women Eligible to Offices

Section 44 Except as otherwise expressly provided the term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

Whenever in this act the singular is used the plural shall be included Whenever the masculine gender is used the feminine and neuter shall be included and the Governor or the Commission may name a woman to fill any appointive office created by this act

Unconstitutionality of a Part of the Act

Section 45 Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section subsection sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining pharses clauses sentences subsections and section of this act shall not be affected thereby

Act Not to Impair Powers of Secretary of Internal Affairs

Section 46 Nothing in this act shall be construed to impair the powers and duties of the Secretary of Internal Affairs in the exercise of general supervision over the employment of labor vested in him by the Constitution and laws of this Commonwealth

The title was read and agreed to as follows:

An Act to protect the Public Health and Welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this act prescribing the standard by which such rate shall be determined defining the powers and duties of such commission and regulating the procedure before it imposing certain duties on employers of females over sixteen years of age compelling newspapers to publish the orders of the commission fixing penalties for violations of this act providing means of enforcing its provisions

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1316, as follows:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where payment has been made of all the money or amount due or to become due in any mortgage where the legal holder or holders of such mortgages at the time of payment shall have been a building association corporated or unincorporated or other similar corporation whose existence in law has terminated or become doubtful or whose affairs have been wound up it shall be lawful for any two of its officers as follows President or vice president secretary and treasurer or any one thereof if the others are deceased removed or unable to act or any two members of the board of directors of such building association or corporation or in case there should be no such officers or directors thereof then any three surviving stockholders thereof or for any attorney in fact for such building association or corporation duly appointed before the termination thereof or while such building association or corporation was in existence to appear in the office of the recorder of deeds where such mortgage is recorded and enter satisfaction upon the margin of the record thereof which shall forever thereafter discharge defeat and release the same and shall likewise bar all actions brought or to be brought thereupon Provided that the persons hereby authorized to enter such satisfaction may appoint an attorney in fact to appear for that purpose in their place and stead And provided further that the recorder of deeds shall have power to require an affidavit to be produced of the payment of such mortgage and the right of the persons hereby designated to enter such satisfaction and such affidavit shall be attached to the record of the mortgage to be satisfied

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates for any county city ward borough township school district or election district office or other elective public office regularly filled at the municipal election in any year and also all candidates for the office of judge of any court whether such office be regularly filled at a municipal election or at either a general election or a municipal election and all candidates to be voted for at special elections to fill vacancies in any of the above specified offices shall be nominated in accordance with the provisions of this act and in no other manner

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and conisderation of House Bill No. 796, as follows:

An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of cital statistics throughout the State as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June nno Domini nineteen hundred and eleven "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Comonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaing such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the imediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in Section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform dat for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven entitled "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics through-

out the State as provided in section seven of "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates" which as amended reads as follows

"Section 20 That each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State Registrar as required by this act Provided That in cities of the first and second class in which the city clerk health officer or other official acting as local registrar receives a fixed salary in lieu of fees he shall be entitled to fifteen cents for each birth and each death certificate properly and completely made out registered with him and correctly copied and duly returned by him to the State Registrar as required by this act And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect promptly made in accordance with this act All amounts payable to registrars in cities of the first and second class under provisions of this section shall be paid by the State Treasurer upon certification by the State Registrar And the State Registrar shall certify monthly to the State Treasurer and Auditor General the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein All amounts payable to registrars except in cities of the first and second class under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located upon certification by the State Registrar And the State Registrar shall annually certify to the treasurer of the several counties the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein

"That for the purpose of carrying this act into effect the sum of ten thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to be paid by the State Treasurer upon the warrant drawn by the Auditor General" is further amended so as to read

Section 20 That each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State Registrar as required by this act Provided That in cities of the first and second class in which the city clerk health officer or other official acting as local registrar receives a fixed salary in lieu of fees he shall be entitled to fifteen cents for each birth and each death certificate properly and completely made out registered with him and correctly copied and duly returned by him to the State Registrar as required by this act And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect promptly made in accordance with this act All amounts payable to registrars under provisions of this section shall be paid by the State Treasurer upon certification by the State Registrar and the State Registrar shall certify monthly to the State Treasurer and Auditor General the number of births and deaths registered with the names of the local registrars and the amounts due each at the rates fixed herein

That for the purpose of carrying this act into effect the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to be paid by the State Treasurer upon the warrant drawn by the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1272, as follows:

An Act making an appropriation to pay for the care treatment and maintenance of the indigent insane for the two years ending May thirty-one thousand nine hundred and fifteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four million dollars ($4,000,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to pay for the care treatment and maintenance of the indigent insane of the Commonwealth for and during the two years beginning June one Anno Domini one thousand nine hundred and thirteen and ending May thirty-one Anno Domini one thousand nine hundred and fifteen

The said appropriation shall be paid on the warrant of the Auditor General on the basis of settlements by that officer and the State Treasurer but no warrant shall be drawn or settlement made until the trustees directors or managers of the several hospitals and asylums for the insane shall have made under oath or affirmation to the Auditor General a quarterly report setting forth the actual number of indigent persons received and maintained in said hospitals and asylums, for the insane respectively during the quarter for which the reports is made with the dates of their admission and discharge or death respectively and the actual time during which each of said indigent insane persons was treated maintained and cared for during said quarter

Section 2 The quarterly report required to be made by the first section of this act shall be accompanied by a specifically itemized statement made under oath or affirmation by the trustees directors or managers of said hospitals and asylums respectively of the receipts and income from all sources whatsoever and of the expenditures for all purposes whatsoever during the quarter together with the cash balance on hand at the beginning of or avilable at any time during said quarter and any such cash balance on hand at the beginning of any quarter or that is available during the quarter shall be deducted from the amount chargeable for maintenance to the State for such quarter by the hospitals or asylums making such reports respectively Provided That the words "care treatment and maintenance" used in this act shall be construed to mean medical and surgical treatment nursing food and clothing and absolutely necessary repairs to existing buildings and grounds of such hospitals and asylums and the necessary repair and renewal of their equipments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1819 (Senate Bill No. 588), entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives shall each receive eighteen hundred dollars ($1,800) for each regular biennial session ten dollars ($10) per diem for each special or extraordinary session and five dollars ($5) per diem during the interim between legislative sessions Their mileage and salaries as returning officers shall be as heretofore authorzed by law

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. METZEBACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act providing for the further government and regulation of cities of the second and third class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no ordinance resolution or other measure except emergency measures ordained or enacted by councils of any city of the second or third class in this Commonwealth shall become a law until the expiration of thirty days after its enactment An emergency measure shall be deemed to include only such measures as are immediately necessary for the temporary preservation of peace or health or for the safety of the community and shall not include more than one subject nor shall it grant or sell a franchise or license to a corporation firm or individual for a longer period than six months nor shall it include a provision for the purchase or sale by the municipality of real estate All emergency measures must be expressly stated in the title and body of the measure and the facts creating the necessity shall be stated in one section of the measure and an emergency measure in order to become a law shall receive in its favor a two-thirds vote of all the members of council and shall be presented to and approved in writing by the mayor within ten days after its final passage by councils All emergency measures when passed and approved as above provided shall have full

force and effect according to their provisions until amended or repealed or until disapproved on referendum as hereinafter provided

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 1, Section 1, line 5, by adding after the word "councils," "or council."
Amend Page 1, Section 1, line 15, by inserting after the word "stated," "to be such."
Amend Page 2, Section 1, line 21, by adding after the word "councils," "or council."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The second section was read as follows:

Section 2 That during the period of thirty days following the enactment of any ordinance resolution or other measure ten per centum of the registered voters of the municipality affected calculated upon the total number of votes cast for all candidates for the office of mayor at the last preceding election for that office may by referendum petition filed with the mayor demand that such ordinance measure or resolution or any part thereof shall be submitted by referendum ballot to the voters of the municipality affected for final decision at the polls in the manner provided by section seventeen of this act and such ordinance resolution or other measure so submitted shall become a law or be effective or in case of an emergency measure remain in force and effect only in case it receives in its favor a majority of all the votes cast for and against the said measure Otherwise it shall be null and void and of no effect Provided that the portion of any measure upon which a referendum vote is not demanded shall become a law at the time measures upon which no referendum vote is demanded become laws And provided further that if the measure upon which referendum vote is pending be repealed before the day set for election no election shall be held and all proceedings shall be stayed

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 2, Section 2, line 7, by adding after the word "part," "or parts."
Amend Page 2, Section 2, line 13, by changing the word "amjority" to "majority."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The third section was read as follows:

Section 3 Fifteen per centum of the registered voters of any city of the second or third class calculated upon the total number of votes cast for all candidates for the office of mayor at the last preceding election for that office may propose to the legislative authorities thereof a peoples' measure proposing the enactment of an ordinance resolution or other measure by initiative petition filed with the mayor who shall number the same as provided in section fourteen of this act and shall promptly transmit three certified copies of the same to council omitting however the names and addresses of the petitioners Any peoples' measure thus proposed by initiative petition to the council shall have precedence over all other measures except emergency masures and shall be finally acted upon either by its enactment without change or by the said council proposing a competing measure not later than within a period of one month from the filing of the said initiative petition with the mayor A competing measure competing with a peoples' measure if proposed shall be proposed by passing the same in the manner provided by law for the enactment of other measures But no competing measure shall become a law unless it be approved by the electors at the polls in the manner provided for by this act Each of such competing measures and shall be finally acted upon either by its enactshall otherwise bear the same number and designating words as the corresponding measure proposed by initiative petition
Any peoples' measure so proposed by initiative petition unless the same shall have been enacted without change within a period of one month from the filing of such petition with the mayor shall be submitted by the mayor by initiative ballot to the voters of the municipality effected together with any competing measure relating entirely to the same subject that may be proposed instead by council All such measures shall be submitted in such form that the voters can choose between the peoples' measure proposed by initiative petition and competing measure or reject both by marking a cross (X) in the square to the right of the words indicating their choice

On the question,
Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 3, Section 3, lines 5, 10, 16 and 24 by changing "peoples' " to "people's."
Amend Page 4, Section 3, line 31, by changing "peoples' " to "people's."
Amend Page 4, Section 3, line 32, by inserting after the word "and," "the."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The fourth section was read as follows:

Section 4 If a peoples' measure proposed by initiative petition is enacted without change by council it shall not be submitted to the people for a referendum vote unless demanded by referendum petition as herein provided

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 4, Section 4, line 1, by changing the word "peoples' ", to "people's."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The fifth section was read as follows:

Section 5 When there has been a competing measure proposed by council to compete with a peoples' measure proposed by initiative petition at the polls the measure receiving in its favor a majority of the votes cast for and against both measures shall become a law

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 4, Section 5, line 2, by changing "peoples' ", to "people's."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The sixth, seventh and eighth sections were read and agreed to as follows:

Section 6 Any measure on which a referendum vote of the people is demanded in accordance with section two of this act shall be submitted to the voters of the municipality affected not later than the next succeeding municipal election provided the petition for the referendum vote shall have been filed with the mayor at least thirty days before such election and provided that the legality of the petition if contested shall have been decided finally and in favor of the petitions at least three weeks before election day otherwise such measure shall be submitted by referendum ballot to a vote of the electors at the first general or special municipal election thereafter

Section 7 Any people's measure proposed by initiative petition in accordance with the provisions of this act and not enacted without change within one month after the day of filing the petition with the mayor shall be submitted by initiative ballot together with any competing measure that may have been proposed by council to the voters of the municipality not later than the next succeeding municipal election provided at least sixty days intervene between the day of filing the petition with the mayor and the election day but in case sixty days would not intervene between the day of filing the petition and election day then the people's measure proposed by initiative petition and any competing measure proposed by council shall be submitted by initiative ballot to a vote of the electors at the next succeeding general or special municipal election held thereafter

Section 8 The mayor shall issue a proclamation such as is provided for in section seventeen of this act and shall call a special election for the purpose of voting upon any measure as provided in this act if such special election be demanded either by a two-thirds vote of the legislative body or by the petitioners in the petitions filed otherwise the said vote shall be taken at the next general or special municipal election provided however that if at the time any ordinance resolution or other measure or portion thereof is ready for submission to the voters not more than three months will intervene until the next municipal election no special election shall be held and provided further that no such special election shall be called except by proclamation of the mayor issued and published at least three weeks prior thereto and in accordance with the provision of section seventeen of this act

The ninth section was read as follows:

Section 9 Ordinances resolutions or other measures or parts thereof in all such municipalities except the emergency measures provided for in section one of this act upon which a referendum vote of the voters is not demanded as herein provided shall become and be in full force and effect at the expiration of thirty days after enactment unless the time be extended by the measure

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 6, Section 9, line 7, by changing the word "measure," to "measures."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The tenth section was read as follows:

Section 10 All ordinances resolutions or other measures submitted to a vote of the legal voters and approved by a majority of all the votes cast thereon shall become effective or become laws and be in full force and effect from and after the date of the official announcement of the vote unless otherwise provided in such ordinance resolutions or other measures All ordinances resolutions or other measures or parts thereof which have been submitted to a final vote of the electors and not approved by a majority of all the votes cast thereon shall be null and void and of no effect

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 6, Section 10, line 6, by changing the word "ordinance," to "ordinances."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The eleventh section was read and agreed to as follows:

Section 11 The veto power of the mayor shall not extend to the ordinances resolutions or other measures which have been approved by the people at the polls in accordance with the provisions of this act

The twelfth section was read as follows:

Section 12 The councils of any such city may enact measures expressly conditioned upon the ratification of the same by a majority of the voters thereon Such measures shall be submitted as referendum measures are submitted but without requiring referendum petitions to be filed thereon

Any ordinance resolution or other measure passed by councils and intended to amend or repeal any ordinance resolution or other measure or part or parts thereof approved by the voters at the polls shall be submitted by referendum ballot to the voters for final action as referendum measures are so submitted by the provisions of this act but no referendum petition for the same shall be required and no such measure to amend or repeal such a measure shall be valid unless approved by the voters at the polls in accordance with the provisions of this act

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 6, Section 12, lines 1 and 7, by adding after the word "councils," "or council,"

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The thirteenth section was read as follows:

Section 13 Referendum petitions required under section two of this act in case a vote on the whole measure enacted by ordinance or passed by resolution is desired shall set forth the official number of the measure and the full title and full text of the measure in case only a portion of such ordinance resolution or other measure shall be requested to be submitted to a referendum vote the whole portion of such measure to be submitted shall set forth in such petition together with the official number of the measure and the full title and text of the whole measure

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 7, Section 13, line 7, by inserting after the word "shall," "be."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The fourteenth section was read as follows:

Section 14 Initiative petitions immediately upon being filed with the mayor shall by him be numbered consecutively each municipality beginning with number one and continuing year after year without duplication of numbers Each people's measure proposed by initiative petition shall be designated in the proclamation provided for in section seventeen as "people's measure number (.....)" (giving its number) and by designating words not exceeding one hundred which may be selected by the petitioners and by the full title and text of the measure so proposed and the said people's measure shall be designated upon the official ballots in exactly the same manner as in the proclamation except that the text of the body of the measure need not be printed upon the ballots each competing measure proposed by council shall bear the same number and designating words as the corresponding people's measure both in the proclamation and upon the official ballots except that it shall have a suitable title and be called or names a competing measure instead of a people's measure Each measure or portion thereof upon which a vote of the electors has been requested by referenum petition shall be designated in the said proclamation as a "referendum petition or ordinance (resolution or other measure as the case may be or portion thereof as the case may be) number (.....)" (giving the official number of the measure) together with the official title and the full text of the measure and the portion thereof to be submitted in case only a portion is to be submitted The designating of such measure upon which a referendum vote has been requested shall be exactly the same upon the official ballot as in such proclamation except that the full text of the body of the measure need not be printed upon the official ballots but in case only a portion of such measure is submitted the whole portion thereof shall be printed upon the official ballots

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 8, Section 14, line 15, by changing the word "names," to "named."
Amend Page 8, Section 14, line 23, by changing the word "designating," to "designation," and by adding after the word "such," "a."
Amend Page 8, Section 14, line 25, by changing the word "ballot," to "ballots."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The fifteenth section was read as follows:

Section 15 All petitions filed with the mayor under the provisions of this act shall be public records and shall be open to inspection at all reasonable times As soon as any such petition is filed the mayor shall mark it filed with the date of filing and shall post a notice of that fact at a conspicuous place in the city hall notice to bear the date of its posting For a period of ten days after posting of such notice any registered voter or voters of the city who may wish to question the sufficiency of the said petition in any respect may do so by filing a petition in a Court of Common Pleas of the county in which said city is situated which petition shall set forth specifically by way of exception the defects alleged If exceptions are taken to any of the signatures such exceptions shall state specifically the names and addresses of persons to whose signatures exceptions are taken In no case no such exceptions are filed within the said period of ten days the petition in question shall be deemed valid and sufficient in every respect and shall not be further subject to question providd however that in case exceptions have been filed within the ten days they may be amended and enlarged at any time prior to the final order on the exceptions but not afterwards in the discretion of the court having jurisdiction thereof

Such exceptions should be taken up and decided without delay by said court and shall have precedence over all other business Should the court find from the evidence that such a number of names should be stricken from the petition as would reduce the number of signatures below the number required by this act the court shall by order grant a reasonable time to secure additional signatures Should exceptions be taken to purely formal and technical defects in the said petition not affecting the substance thereof or the manifest intention of the petitioners the court shall direct amendments to be made correcting such defects Should the petition be found fatally defective the court shall by order allow a reasonable time for a new petition to be prepared and filed in accordance with the provisions of this act and in the meantime no ordinance resolution or other measure affected by such petitions shall become a law

until after final order of court under such exceptions and in case a new petition be filed within the time ordered by the court it shall have the same effect as the original petition filed within the original period of thirty days herein provided The decision of the Court of Common Pleas in such exceptions shall be final and not subject to appeal or review

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

"Amend Page 9, Section 15, line 21, by changing the word "should," to "shall."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The sixteenth section was read as follows:

Section 16 Each referendum petition initiative petition and competing measure may be accompanied by argumets prepared by the hundred words for or against the measure to be voted upon Such argument shall be included in the proclamation of the mayor issued under section twenty-fifth of this act and shall appear immediately following the respective measures to which they relate

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 10, Section 16, line 4, by inserting after the word "hundred," "words."
Amend Page 10, Section 16, line 6, by substituting for the word "twenty-fifth," "seventeen."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The seventeenth section was read and agreed to as follows:

Section 17 When any ordinance resolution or other measure or portion thereof is ready for submission to the voters the mayor shall issue and publish a proclamation stating the date of the election and setting forth any and all referendum measures people's measures and competing measures and other measures ready for submission to the voters and which are to be voted upon by the electors designating each in the manner herein provided Said proclamation shall be published once at least three weeks next preceding the election in each daily newspaper in the municipality Said mayor shall file five certified copies of such proclamation with the county commissioners of the county in which the municipality is situate in order that said county commissioners may prepare the official ballots according to the provisions of this act

The eighteenth section was read as follows:

Section 18 The county commissioners of any county upon the receipt from the mayor of any municipility within the county of a certified copy of the proclamation provided in section seventeen of this act shall cause to be printed officials ballots and sample ballots to be used at the polling place within such municipality substantially in the forms required by section twenty-fifth of this act for the purpose of voting upon measures enumerated in this act and in the manner provided in this act The said county commissioners shall designate each measure according to the manner required by section fourteen of this act The county commissioners shall as heretofore provide for the placing of suitable return sheets of all official ballots and sample ballots at the polling places at and before the opening of the polls on the day of election Should such election be held in conjunction with any other election separate official ballots and sample ballots shall be provided and used for the election under this act

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 10, Section 18, line 3, by inserting after the word "provided," "for."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The nineteenth section was read and agreed to as follows:

Section 19 The compensation to be paid to election officers in case of special election shall be the same as provided by law and shall be paid by the county commissioners of the proper county but any additional expense incurred by the county commissioners in executing the provisions of this act shall be charged to and paid by the municipality on account of which the said additional expenses were incurred All other expenses of any and every kind made necessary in executing the provisions of this act shall be paid by the municipality affected

The twentieth section was read as follows:

Section 20 Elections provided for by this act shall be held at the regular polling places by the regular election officers and in case of the absence of the election officers or the absence of any of them their places shall be filled as provided by law The said election shall be conducted during the hours by law provided for and in accordance with the general election laws of the Commonwealth and any qualified voter may vote for or against any single measure and any qualified voter may designate his choice for two measures if one be a people's measure and the other a competing measure or he may express his disapproval of both such measures by a cross mark (X) in a square of sufficient size on the official ballot at the right of the words indicating his choice The returns of election shall be on separate sheets and shall be delivered to the prothonotary of the court or courts of common pleas of the proper county and by him delivered to the judges of the Court or Courts of Common Pleas as provided by law for computation and the result thereof shall be certified by the proper officer of the said Court of Courts of Common Pleas to the mayor who shall cause the same tto be entered on the municipal records and the mayor shall forthwith issue a proclamation in brief form giving the result of such election The municipal officer in charge of the municipal records shall keep a complete record of all measures and petitions filed and a complete record of the proceedings thereon

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk as follows:

Amend Page 11, Section 20, line 8, by substituting for the word "for," "of."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The twenty-first section was read as follows:

Section 21 In case a competing measure is submitted to a vote of the electors and neither it nor the corresponding peoples' measure receives in its favor a majority of all the votes cast for and against both of them the one receiving the larger vote in its favor if they together receive more than one-half of the total vote cast for and against both measures shall be re-submitted by itself at the next election the procedure to be the same as for a new peoples' measure except that no measure competing with it shall be admitted and no additional petition shall be required and it shall be the duty of the mayor to include the said measure in his proclamation to be issutd three weeks before the next election under the provision of this act

On the question,
Will the House agree to the section?
Mr. HUMES. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk as follows:

Amend Page 12, Section 21, lines 2 and 7, by changing the word "peoples' ", to "people's."
Amend Page 12, Section 21, line 11, by changing the word "provision," to "provisions."

On the question,
Will the House agree to the amendments?
It was agreed to.
The section as amended was then agreed to.
The twenty-second section was read and agreed to as follows:

Section 22 Any measure or part or parts of any measure rejected by the people at the polls shall not be nor shall any measure containing substantially the same provisions be enacted by council within two years after such rejection nor shall such a measure be again proposed within one year after such rejection at the polls unless it is proposed by an initiative petition signed by at least twenty-five per centum of the registered voters of the municipality calculated upon the basis herein providedl

The twenty-third section was read as follows:

Section 23 The following shall be substantially the form of referendum petition for a vote of the electors upon any ordinance resolution or other measure or upon any part or parts of any ordinance resolution or other measure enacted by the council of the municipality The form of the referendum petition may be varied from so as clearly to indicate the measure or portion of any measure which a referendum vote is demanded

Referendum petition on Ordinance (or style of other To be numbered with measure as the case may be) official number of the Number ..... measure

(Exact copy of the title and text of the measure)

"To the Honorable ..... Mayor of the municipality)

We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing measure (or part of measure as follows namely ..... as the case may be) shall be referred to the voters of the (name of the municipality) and that a referendum vote be taken thereon in accordance with the provisions of an act of Assembly relating to referendum voting approved (date of the act)

Signatures	Residence Adresses
Give street and house number (if any)	
.....	.....
.....	.....
.....	.....

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Page 13, Section 23, line 6, by inserting before the word "which," "upon."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-fourth section was read as follows:

Section 24 The following shall be substantially the form of an initiative petition for use in proposing any ordinance resolution or other measure or any amendment to or repeal of any ordinance resolution or other measure which the petitioners may propose for enactment by the council of the municipality or else directly by the electors of the municipality The form of the initiative petition may be varied from so as to enable the petitioners conveniently and clearly to express the purpose of the petition

Initiative Petition number (Numbered by mayor consecutively beginning at number one in the order of filing with the mayor)

Designating words not exceeding one hundred selected by the Petitioners

(Full title and text of the proposed measure)

"To the honorable mayor of the (name of municipality)

We the undersigned citizens and legal voters of the (name of the municipality) respectively demand tha the foregoing people's measure shall be referred by you to the councils of the (name of the municipality(for enactment without charge or else that the said foregoing people's measure be referred to the voters of the (name of the municipality) and that an initiative vote of the electors be taken thereon in accordance with the provisions of an act of Assembly relating to initiative voting approved (date of act)

Signatures	Residence Adresses
Give street and house number (if any)	
.....	.....
.....	.....
.....	.....

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Page 14, Section 24, line 18, by inserting after the word "councils," "or council."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-fifth section was read and agreed to as follows:

Section 25 (Forms of ballot) The forms of the referendum initiative official ballots shall be substantially the same as the following sample form The proper designating words and numbers and titles and other features of measures to be voted upon shall be printed in their proper places on the official ballots and sample ballots

Referendum and initiative official ballot

To indicate your choice place a cross mark (X) in the square opposite and to the right of the words expressing your choice

People's measure No (..) (here insert the proper number)

(Here insert the proper "designating words" not exceeding on hundred)

(Here insert the proper title of the people's measure)

Competing measure No (....) (here insert the same number as that of the foregoing people's measure)

(Here insert the proper 'designating words" not exceeding one hundred)

(Here insert the proper title of the competing measure)

Mark below

Make one mark (X) only)

I vote for People's measure No (....)

I vote for Cempeting measure No (....)

I vote against both measures

Referendum Petition:

Here insert the word "Ordinance" or style of other measure as the case may be

Here insert official number of measure

Enacted on .....day of .....

(Here insert the official title of the measure)

Mark below

(Make one mark (X) only)

I vote against:

Here insert th word "Ordinance" or style of other measure as the case may be No (....)

I vote in favor of

Here insert the word "Ordinance" or style of other measure as the case may be No (....)

(In case only a part of an ordinance resolution or other measure is submitted for referendum vote then the forrm shall be substantially as follows)

Referendum petition on part of ordinance No (.....) enacted .....day of .....

(Here insert the part of ordinance resolution or other measure to be voted on)

Mark below

Make one mark (X) only)

I vote against said part of measure

I vote in favor of said part of measure

The twenty-sixth section was read as follows:

Section 26 The signature to any petition filed under the provisions of this act need not be appended to one paper but duplicate or multiple petitions in the same form shall be treated as one petition

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Page 16, Section 26, line 1, by changing the word "signature," to "signatures."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-seventh, twenty-eighth and twenty-ninth sections were read and agreed to as follows:

Section 27 In case of the absence or incapacity of the mayor of his failure or refusal to act as herein provided any judge of the Court of Common Pleas of the county in which such city is situate shall upon petition setting forth the facts direct any other municipal officer to perform the duties of any part of them hereby imposed on the mayor

Section 28 All acts or parts of acts inconsistent herewith are hereby repealed

Section 29 This act shall take effect at once

The title was read as follows:

An Act providing for the further government and regulation of cities of the second and third class

On the question,

Will the House agree to the title?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was then read by the Clerk.

Amend title by adding "by authorizing the inititative and referendum methods of legislation."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 303, as follows:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any railroad company its officers or agents to appoint any person to the position of conductor or flagman in the service of such com-

pany unless such person shall have had actual experience as brakeman or switchman at least eighteen months at least three months of which shall be immediately preceeding such appointment upon the railroad on which he is to be appointed

Section 2 It shall be unlawful for any railroad company its officers or agents to appoint any person to the position of locomotive engineman in the service of such company unless such person shall have had actual experience as fireman or engineman at least eighteen months upon any railroad or as fireman at least three months immediately preceding such appointment as engineman upon the railroad on which he is to be appointed

Section 3 Any railroad company its officers or agents violating any of the provisions of this act shall be guilty of misdemeanor and upon conviction thereof shall pay a fine of not more than one hundred ($100) dollars or less than fifty ($50) dollars For each and every day's retention and employment of any person in violation of this act shall constitute a separate violation of this act

Section 4 It shall be the duty of the State Railroad Commission to enforce the provisions of this act

On the question,

Will the House agree to the bill on second reading?

BILL RECOMMITTED.

Mr. MELLOTT. Mr. Speaker, I move that House Bill No. 303, file folio 3483, be recommitted to the Committee on Railroads for the purpose of general amendment.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. CARTER. Mr. Speaker, I don't see any use in amending this bill. I think this bill as it is, is good enough. I would like the gentleman to intimate in what way he wants the bill amended.

Mr. MELLOTT. Mr. Speaker, I was asked to offer this motion by a friend of mine for the purpose of general amendment. That is all I know about it.

Mr. CARTER. I suppose you want to kill the bill.

Mr. MELLOTT. No, sir, I don't think so.

A division was called for, 82 voting in the affirmative and 26 in the negative.

And the motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1092, entitled:

An Act to amend an act approved the second day of May Anno Domini one thousand nine hundred and one entitled "An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five 'creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parke squares or commons of this Commonwealth or near thereto and fixing penalties for committing such offense by changing and enlarging the penalties for committing such offense

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the second day of May Anno Domini one thousand nine hundred and one entitled "An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five 'creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense' " and which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made any loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any pulbic highway road street lane alley park square or common within this Commonwealth hereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereor before any justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days Provided however that the defendant or defendants within five days after such conviction may appeal to the court of quarter sessions of the county in which said justice of the peace alderman mayor or burgess shall reside without special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of quarter sessions to answer said charge" be amended so as to read as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made any loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any public highway road street lane alley park square or common within this Commonwealth whereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereof before any justice of the peace alderman police magistrate mayor or burgess shall be sentenced to pay the costs of prosecution and for the first offense to forfeit and pay a fine not exceeding ten ($10.00) dollars and in default of the payment thereof shall be committed to imprisonment in the county jail or workhouse of the proper county for a period not exceeding thirty days for the second or subsequent offense shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding one hundred ($100.00)) dollars and in default of the payment thereof shall be committed to imprisonment in the county jail or workhouse of the proper county for a period not exceeding six months Provided however that the defendant or defendants within five days after such conviction may appeal to the court of quarter sessions of the county in which said justice of the peace alderman mayor or burgess shall reside without special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of quarter sessions to answer said charge"

On the question,

Will the House agree to the section?

Mr. MALIE. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, lines 4, 5 and 6. After "approved" in line 4, strike out remainder of line 4, all of line 5 and down to "the" in line 6.

Section 1, line 11. After "which" insert "as amended."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act to amend an act approved the second day of May Anno Domini one thousand nine hundred and one entitled "An Act to amend an act approved the twety-fifth day of June Anno Domini one thousand eight hundred and ninety-five 'creating and defining the offense of disorderl yconduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" by changing and enlarging the penalties for committing such offense

On the question,

Will the House agree to the title?

Mr. MALIE. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Title lines 1, 2 and 3, After "act" in line 1, strike out remainder of line one, all of line two, and down to "approved" in line three.

Title line 4. After "ninety-five" insert "entitled 'An Act.' "

Title line 8. After "offense" insert "as amended."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale between certain designated hours of the day and on certain holidays and prohibiting the use of certain devices intended to increase sales

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall not be lawful for any wholesale liquor dealer bottler rectifier or compounder or storekeeper who shall be licensed by the courts of quarter sessions of any county to

sell vinous spirituous malt or brewed liquors to sell or furnish any such liquors to any person between the hours of six o'clock Post Meridian and the hour of six o'clock Ante Meridian on any day of the year

On the question,
Will the House agree to the section?

BILL RECOMMITTED.

Mr. SWIFT. Mr. Speaker, I move that this bill be recommitteed to the Committee on Law and Order.

Mr. POST. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1697, as follows:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable petition of lands held in common

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when real estate in this Commonwealth is held in common and one or more of the co-tenants is or are minors and all of the parties who are sui juris together with the guardians of the estate if minors interested desire to make amicable partition of said land and have agreed to a proper division of the same it shall be lawful for the orphans' court of the proper county upon the petition of any guardian of the estate of any minor or minors interested to authorize and empower the petitioner to join with the co-tenants of said minors in a proper deed or conveyance to effect such amicable partition Provided that the court shall be of opinion that it is for the interest and advantage of the estate of said minor that such partition should be made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1578, as follows:

An Act requiring the sheriff prothonotary and all other county officers receiving moneys as such officers to be credited to others to give quarterly written notice to such party or parties of the amount standing to his or her or their credit during the preceding quarter

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriff prothonotary and all other county officers of this Commonwealth to whom any money shall be paid as fees costs or for other purposes shall forthwith credit such amount to the party or parties entitled to receive the same and shall at the beginning of each quarter post in his office a notice showing the amount due each person from such source

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1073, as follows:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the municipalities are now or may hereafter be empowered to acquire property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired in the land or property taken shall be the fee simple title thereof anything in the acts granting such powers to the contrary thereof notwithstanding

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to increase the powers of courts in summary proceedings for desertion or non support of wives children whether legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institutions as the court shall name with the wages payable to the wives children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children whether legitimate or illegitimate or in any proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves the court having jurisdiction may commit the defendant to imprisonment for want of a bond with security or otherwise the court shall order the defendant to be imprisoned at hard labor under existing laws or laws that may hereafter be passed in such penal or reformatory institution in this Commonwealth as the court shall direct or the court may discharge a defendant upon his own recognizance in the custody of a disertion probation officer or other person subject to such conditions as the court may in its discretion impose

On the question,
Will the House agree to the section?

Mr. STEIN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 1, line 11, by striking out the word "may" and inserting in its place the word "shall."

Amend Section 1, line 13, by striking out the word "shall," and inserting in its place the word "may."

On the question,
Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to. .

The second, third, fourth and fifth sections of the bill were read and agreed to as follows:

Section 2 Whenever any defendant shall be ordered to be imprisoned at hard labor under the provisions of this act there shall be paid by the official in charge of the penal or reformatory institution in which said defendant is imprisoned to the person designated in the order of court as the proper recipient of such money to be disbursed by said recipient as the order of court may direct the sum of sixty-five cents for each day Sundays and legal holidays only excepted during which he remains imprisoned Such sum shall be paid as one of the general running expenses of such institution and if the labor done in such institution is not sufficient to pay the general running expenses of such institution such sum shall be charged to and paid by the county from which such defendant was committed

Section 3 Whenever the court having jurisdiction of such proceedings may deem it necessary or desirable it may appoint one or more discreet persons of good character to serve as desertion probation officers during the pleasure of the court for the performance of such duties as the court shall direct Said probation officer or officers shall receive a salary to be determined by the court and this together with the necessary expenses incurred while in the actual performance of duty shall be paid monthly by the county as directed by the court It shall be the duty of the probation officer or officers so appointed to make such investigation as may be required by the court to furnish to the court such information and assistance as the court may require to take such charge of any defendant before or after trial as may be directed by the court and when so directed to collect and pay over to the proper persons money ordered to be paid by any defendant and in general to do and perform such service as the court may direct

Section 4 If the defendant in any such proceeding shall violate the terms of the order of court the court may issue an attachment upon the petition of such defendant's parent wife child or children or of any other person or persons having knowledge of the facts

In case of the forfeiture of a bail bond in any such proceeding the court may order that any sum collected thereon by suit or otherwise shall be paid in whole or in part to such parent wife child or children In case of the forfeiture of any bond or recognizance with or without surety given as security under any order of court any sum collected thereon by suit or otherwise shall be paid to such parent wife child or children Such payment shall not bar or in any way affect the power of the court to enforce its orders against the defendant by attachment or otherwise

Section 5 All the laws or parts of laws inconsistent herewith are hereby repealed

The title of the bill was read as follows:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives children whether

legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institution as the court shall name with the wages payable to the wives children or parents and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act

On the question,

Will the House agree to the title?

Mr. STEIN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Title line 6. After "parents" insert "providing for the disbursement of moneys collected on forfeitures of bonds, bail bonds or recognizances."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. W. A. BLAIR. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. W. A. BLAIR. Mr. Speaker, on page 1104, of the Legislative Journal of March 25th, I am recorded as voting "no" against the Workmen's Compensation Act. I voted "aye".

The SPEAKER. The statement will be duly noted in the Journal.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1248, entitled:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commisioners in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred (500,000) inhabitants each

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act in counties having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each the salaries of the deputy clerk of the courts deputy controller deputy recorder of deeds deputy county treasurer chief deputy sheriff and chief clerk to the county commissioners shall be twenty-five hundred dollars ($2,500.00) per annum each payable in monthly instalments by the treasurer of such county according to existing laws

Section 2 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

The title of the bill was read as follows:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each

On the question,

Will the House agree to the title?

Mr. CONNIFF. Mr. Speaker, I desire to offer the following amendment:

The amendments were read by the Clerk as follows:

Title line 5. Strike out "$" before numerals (250,000)

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the seond time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1740, entitled:

An Act to provide for an additonal law judge of the several courts of the Forty-fifth judicial district

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an addition to the judges provided by existing laws for the Forty-fifth judicial district of the Commonwealth of Pennsylvania comprising the county of Lackawanna and additional law judge is hereby authorized and provided for the several courts of the said Forty-fifth judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties and restrictions and penalties and shall receive the same compensation provided by law for judges learned in the law as if the said office had been established at the time of and subject to the provisions of an act entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of Common Pleas and the judges of the orphan's courts" approved the fourteenth day of April Anno Domini one thousand nine hundred and three and its supplement

On the question,

Will the House agree to the section?

Mr. ALWORTH. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 4. Strike out "an" and insert "in"
Section 1, line 6. Strike out "and" and insert "an"
Section 1, line 17, After "provisions of" strike out "and" insert "an"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second, third, and fourth sections and the title of the bill were separately read and agreed to, as follows:

Section 2 Either of the judges of the said Forty-fifth judicial district shall have authority to execute all the powers and perform all the duties now conferred by the Constitution and laws upon the president judge of said district and shall have equal jurisdiction

Section 3 At the next general election after the passage of this act the qualified electors of the said Forty-fifth judicial district shall elect in the manner prescribed by law for the election of the president judge a competent person learned in the law to serve as such additional law judge in said district from the first Monday of January Anno Domini one thousand nine hundred and fourteen for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 4 The Governor is hereby authorized by and with the consent of the Senate to appoint some competent person learned in the law as an additional judge of said Forty-fifth judicial district until the first Monday of January succeeding the next general election

An Act to provide for an additonal law judge of the several courts of the Forty-fifth judicial district

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 285, entitled:

An Act providing for the appointment qualifications and compensations of instructors and demonstrators in agriculture and making an appropriation for the same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is hereby authorized to appoint ten citizens of this Commonwealth who shall be qualified by actual experience for such work as special instructors in the science of agriculture and demonstrators of approved agricultural methods The instruction shall be given and demonstration work done at such times and places and under such condiitons as may be prescribed by the Secretary of Agriculture The sum of forty thousand dollars or so much thereof as may be needed is hereby specifically appropriated for carrying out the provisions of this act for the two years beginning June one one thousand nine hundred and nineteen

On the question,

Will the House agree to the section?

Mr. NORTH. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 1, line 21. Strike out "nineteen" and insert "thirteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to. .

The title was then read as follows:

An Act providing for the appointment qualifications and compensation of instructors and demonstrators in agriculture and making an appropriation for the same

On the question,

Will the House agree to the title?

Mr. NORTH. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Title line 1, after "appointment" insert "and" strike out "and compensation."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 573, entitled:

An Act regulating the sale of anthracite coal fixing standards of size and quality thereof and requiring inspectors of weights and measures in certain cases to make a test thereof and providing penalties for violation of this act

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation engaged in the preparation or sale of anthracite coal shall sell any coal to any person firm or corporation unless at least eighty-two per centum by weight of the quantity of coal so sold shall be of the following size

(a) Coal commonly known and sold as "Broken" shall be of a size that will not pass through a mesh two and three-fourth (2 3-4) inches square and the standard square mesh shall be four (4) inches square or if the mesh is round the coal shall not pass through a mesh of a diameter of three and one-four (3 1-4) inches and the standard round mesh shall be four and one-half (4 1-2) inches in diameter Provided however that no "Broken" coal shall be sold containing more than one per centum of slate and two per centum of "bone"

(b) Coal commonly known and sold as "Egg" shall be of a size that will not pass through a mesh two (2) inches square and the standard mesh shall be two and three-fourth (2 3-4) inches or if the mesh is round the coal shall not pass through a mesh of a diameter of two and one-fourth (2 1-4) inches and the standard round mesh shall be three and one-fourth (3 1-4) inches in diameter Provided however that no "Egg" coal shall be sold containing more than two per centum of slate and two per centum of "bone"

(c) Coal commonly known and sold as "Stove" shall be of a size that will not pass through a mesh one and three-eights (1 3-8) inches square and the standard square mesh shall be two (2) inches square or if mesh is round the coal shall not pass through a mesh of a diameter of one and one-half (1 1-2) inches and the standard round mesh shall be two and one-fourth (2 1-4) inches in diameter Provided however that no "Stove" coal shall be sold containing more than four per centum of slate and three per centum of "bone"

(d) Coal commonly known and sold as "Chestnut" shall be of a size that will not pass through a mesh three-fourths (3-4) of an inch square and the standard square mesh shall be one and three-eighths (1 3-8) inches square or if the mesh is round the coal shall not pass through a mesh of a diameter of seven-eights (7-8) of an inch and the standard round mesh shall be one and one-half (1 1-2) inches in diameter Provided however that no "Chestnut" coal shall be sold containing more than five per centum of slate and five per centum of "bone"

(e) Coal commonly known and sold as "Pea" shall be of a size that will not pass through a mesh one-half (1-2) of an inch square and he standard square mesh shall be three-fourths (3-4) of an inch square or if the mesh is round the coal shall not pass through a mesh of a diameter of nine-sixteenth (9-16) of an inch in diameter Provided however that no "Pea" coal shall be sold containing more than nine per centum of slate and nine per centum of "bone"

(f) Coal commonly known and sold as "Buckwheat" shall be of a size that will not pass through a mesh one-fourth (1-4) of an inch square and the standard square mesh shall be one-half (1-2) of an inch square or if the mesh is round the coal shall not pass through a mesh of a diameter of five-sixteenths (5-16) of an inch and the standard round mesh shall be nine-sixteenths (9-16) of an inch in diameter

The second section of the bill was read as follows:

Section 2 Any person firm or corporation engaged in the preparation or sale of anthracite coal that shall sell any coal containing more than twenty per centum of coal of a smaller size or a larger per centum of slate or "bone" or both as provided in section one of this act shall upon the demand of the purchaser thereof replace said coal so sold with coal of the standard herein required and in the case of the refusal by such person firm or corporation to replace said coal no liability shall attach to the purchaser thereof to pay for said coal and in case the purchaser of any such coal has paid for the same and the seller thereof refuses to replace the same it shall be lawful for such purchaser to sue and recover by an action at law the amount so paid If any dispute shall arise between the seller and the purchaser as to quality of the coal sold it shall be the duty of the inspector of weights and measures within the district where said coal was sold upon application of either the seller or purchaser to make a test of said coal and if the test shows that the coal was sold is not of the standard required by section one of this act the seller shall replace the same and in the case of refusal to do so no liability shall attach to the purchaser thereto to pay for the same or in case the purchaser has paid for the same it shall be lawful for such purchaser to sue and recover by an action at law the amount so paid

On the question,

Will the House agree to the section?

Mr. REESE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 2, line 3 by striking out the word "twenty" and insert in lieu thereof the word "eighteen."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section was then read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act regulating the sale of anthracite coal fixing standards of size and quality thereof and requiring inspectors of weights and measures in certain cases to make a test thereof and providing penalties for violation of this act

On the question,

Will the House agree to the title?

Mr. REESE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Title, line 1, insert before the word "sale" the words preparation, or

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 80, as follows:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

Whereas by the act to which this is a supplement an appropriation was made to purchase and erect a statue in Washington District of Columbia to the memory of General George Gordon Meade and

Whereas at the time said appropriation was made it was expected that Federal aid could be secured sufficient to make up the additional amount necessary to secure a site for said statue and to construct the necessary foundation and pedestal and provide for the expenses of dedication and

Whereas Such Federal aid has not been secured and consequently said appropriation will not be available for the purpose for which it was intended until such site be procured therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the further sum of seventeen thousand five hundred dollars ($17,500) or so much thereof as may be necessary is hereby specifically appropriated for the following purposes namely

For the purpose of securing a site for the location of the proposed statue of General George Gordon Meade provided for in the act to which this is a supplement and for the purpose of constructing the necessary foundation and pedestal and in securing appropriate tablets and designs therefor the sum of ten thousand dollars ($10,000) or so much as may be necessary

For the purpose of defraying the necessary expenses of the commission provided for in said act the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

For the purpose of preparing printing and publishing a fitting report of the dedication ceremonies of said statue the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary

Section 2 The present President of the Philadelphia and Reading Railway Company the present Commander of the Central Pennsylvania Grand Army Association and the Hon. John Wanamaker of Philadelphia are hereby made additional members of said commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 871, as follows:

An Act to amend the second and third sections of an act entitled "An Act to provide for the employment of the insane feeble-minded and epileptic persons confined in institutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeble-minded and epileptic persons" approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven so as to permit of the sale of articles manufactured and produce raised by insane feeble-minded and epileptic inmates of such institutions for the benefit of such persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act entitled "An Act to provide for the employment of the insane feeble-minded and epileptic persons confined in institutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeble-minded and epileptic persons" approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven which reads as follows

"Section 2 All the supplies manufactured and products so made manufactured or produced in institutions or hospitals shall bear the stamp giving the full name or title of the institutions wherein said article was made manufactured or produced" be and the same is hereby amended so as to read as follows

Section 2 All the manufactured goods manufactured in institutions or hospitals shall bear a stamp giving the full name or title of the institutions wherein said goods were manufactured

Section 3 The third section of said act which reads as follows

"Section 3 Supplies manufactured articles goods and products so made manufactured or produced shall not be sold or exchanged to any person firm co-partnership un-incorporated association or corporation but same may be made subject to sale or exchange to any institution within the confines of the Commonwealth which is maintained by the State wholly or in part wherein the insane feeble-minded and epileptic persons are confined" be and the same is hereby amended so as to read as follows

Section 3 Supplies manufactured articles goods and products so made manufactured or produced shall not be sold or exchanged to any person firm co-partnership un-incorporated association or corporation except as otherwise herein provided but the same may be made subject to sale or exchange to any institution within the confines of the Commonwealth which is maintained by the State wholly or in part wherein the insane feeble-minded and epileptic persons are confined and articles the product of the individual skill and labor of the inmates of any such institution or hospital and the produce of such small individual plots of ground as may be assigned to such inmates and cultivated by them may be sold and the proceeds given to such inmates or used for their benefit or paid at their request to their families

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 351, entitled:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdemeanor to sell anthracite coal by short weight

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninty-five which section reads as follows

Any person firm or corporation guilty of violating the provisions of section one of this act whereby it is attempted to sell less than two thousand two hundred and forty pounds to a ton or a proper proportion thereof to quantities less than a ton shall upon conviction thereof before any justice of the peace or alderman after hearing on complaint made shall be liable to a penalty of not exceeding fifty dollars recoverable as like penalties are within this Commonwealth Provided That in all cases forty pounds shall be allowed for variation in scales

Be and the same is hereby amended so that as amended the same shall read as follows

Section 2 Any person firm or corporation who shall sell less than two thousand two hundred and forty pounds of anthracite coal to a ton or a proper proportion thereof to quantities less than a ton shall be guilty of misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars for the first offense and for the second offense one hundred dollars and to undergo an imprisonment not exceeding one year or both or either in the discretion of the court Provided That in all cases thirty pounds shall be allowed for the variation in scales

On the question,

Will the House agree to the section?

Mr. REESE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 1, line 10, Before "any" insert "Section 2."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the tyenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdeemanor to sell anthracite coal by short weight

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1302, as follows:

A Supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two thousand six hundred and twenty-four two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof and also conferring upon taxpayers similar rights in regard to reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditoros filed subsequently hereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand six hundred and twenty-two of the act of Assembly entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that

are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 2622 Any taxpayer in the school district or party interested may appeal from any auditors' report in any school district of the second or third class within thirty days after said report has been filed in the same manner as appeals are now taken from a county auditors' report If an appeal is taken from any report of auditors of any school district of the second or third class such appeals shall be disposed of by the court in like manner as appeals from county auditors' reports are disposed of" be and the same is hereby amended so as to read

Section 2622 Any school district of the second or third class or any taxpayer thereof on behalf of said district or any person or persons against whom any sum has been charged in any report filed by the auditors of any such school district may appeal from any auditors' report within thirty days after said report has been filed to the court of Common Pleas of the proper county Any taxpayer taking an appeal shall file in said court of Common Pleas a bond with one or more sufficient sureties conditioned that the party appealing will prosecute said appeal with effect and that said party will indemnify and save harmless said district from all costs that may accrue upon said appeal When any person or person charged with any sum of money in any such report of auditors shall appeal therefrom such person or persons shall file in said court a bond with one or more sufficient sureties conditioned to prosecute the appeal with effect and to pay all costs accruing thereupon if the final decision obtained shall not be more favorable to him than the report appealed from When any such appeal shall be taken by any such school district or any person charged in such report with any sum of money any taxpayer of said district may come into court and intervene in said appeal and prosecute the appeal to final judgment and if any sum shall be found by the court to be chargeable to any person whose accounts are involved in said appeal the prothonotary shall enter judgment for said sum in favor of said district and against the person charged as aforesaid and the school district or such taxpayer may cause said judgment to be collected from the person charged or his sureties for the benefit of said district by any appropriate method executionary or otherwise or said taxpayer may defend the said district in any appeal taken by any person charged by the report of auditors as fully and effectively in both instances as the officers of said district might do Provided that such taxpayer shall at the time of intervening file in said court a bond with one or more sufficient sureties conditioned to indemnify said district from all costs that may accrue by reason of such intervention subsequently thereto When any taxpayer has intervened in any instance as above provided or when an appeal has been taken by any taxpayer as aforesaid the officers of said school district shall not make settlement with any person or persons charged with any sum or sums or whose accounts shall be involved in any appeal without the consent of such taxpayer When any appeal as aforesaid shall be taken by any of the parties above mentioned the appeal may be placed upon the argument list of the proper Court of Common Pleas by direction of any party interested by intervention or otherwise and depositions of witnesses and other evidence to be used at the argument may be taken on behalf of any of said parties before any person competent to administer an oath upon rule for that purpose served upon the opposite party or such party's counsel After hearing argument the court shall file its findings of fact and law and enter judgment in accordance therewith Provided that if after argument the court shall deem any question or questions of fact so doubtful under the evidence submitted as to render its desirable that an issue should be directed as to such question or questions to be tried by a jury the court may direct such an issue Appeals may be taken by any person interested to the superior or supreme court from any such judgment of the Court of Common Pleas in the same way that appeals are now authorized by law to be taken from rulings or decisions of the Court of Common Pleas made in appeals from settlements or reports of county borough or township auditors

Section 2 That section two thousand six hundred and twenty-four of said act which reads as follows

"Section 2624 If in any report filed by the auditors of any school district of the second or third class there has been any sum charged against any person or persons upon the confirmation of the auditors' report the amount charged against such person or persons shall become a judgment and shall be entered by the prothontary in favor of the school district against the person or persons charged therewith the same to be collected by the school district for its use and benefit" be and the same is hereby amended to read

Section 2624 If in any report filed by the auditors of any school district of the second or third class there has been any sum charged against any person or persons the amount charged against such person or persons shall in the absence of an appeal within thirty days as aforesaid by such person or persons become a judgment and shall be entered by the prothonotary in favor of the school district against the person or persons charged therewith the same to be collected from such person or persons or the sureties thereof by the school district for its use and benefit or any taxpayer of such district may on its behalf proceed to enforce collection of such judgment for said school district by any appropriate proceeding executionary or otherwise upon filing bond with sufficient surety or sureties conditioned to indemnify and save harmless said school district from any costs accruing by reason of such proceeding

Section 3 That section two thousand six hundred and twenty-six of said act which reads as follows

"Section 2626 Any taxpayer in the school district or person interested in any annual report of the auditors may appeal therefrom at any time within thirty days after the filing of the same to the Court of Common Pleas of the county in which such school district of the fourth class is situated or in which the school buildings or any independent school district are located in the same manner as appeals are now taken from the report of the county auditors and any such appeal shall be disposed of by the court in like manner as appeals from county auditors' reports are disposed of" be and the same is hereby amended so as to read

Section 2626 Any school district of the fourth class or any independent school district or any taxpayer thereof on behalf of said district or any person or persons against whom any sum has been charged in any report filed by the auditors of any such school district may appeal from any auditors' report within thirty days after said report has been filed to the Court of Common Pleas of the county in which said school district of the fourth class is situated or in which the school buildings of any such independent school district is situated Any taxpayer taken an appeal shall file in said Court of Common Pleas a bond with one or more sufficient sureties conditioned that the party appealing will prosecute said appeal with effect and that said party will indemnify and save harmless said district from all costs that may accrue upon said appeal When any person or persons charged with any sum of money in any such report of auditors shall appeal therefrom such person or persons shall file in said court a bond with one or more sufficient sureties conditioned to prosecute the appeal with effect and to pay all costs accruing thereupon if the final decision obtained shall not be more favorable to him than the report appealed from When any such appeal shall be taken by any such school district or any person charged in such report with any sum of money any taxpayer of said district may come into court and interview in said appeal and prosecute the appeal to final judgment and if any sum shall be found by the court to be chargeable to any person whose accounts are involved in said appeal the prothonotary shall enter judgment for said sum in favor of said district and against the person charged as aforesaid and the school district or such taxpayer may cause said judgment to be collected from the person charged or his sureties for the benefit of said district by any appropriate method executionary or otherwise or said taxpayer may defend the said district in any appeal taken by any person charged by the report of auditors as fully and effectively in both instances as the officers of said district might do Provided that such taxpayer shall at the time of intervening file in said court a bond with one or more sufficient sureties conditoned to indemnify said district from all costs that may accrue by reason of such intervention subsequently thereto When any taxpayer has intervened in any instance as above provided or when an appeal has been taken by any taxpayer as aforesaid the officers of said school district shall not make settlement with any person or persons charged with any sum or sums or whose accounts shall be involved in any appeal witnout the consent of such taxpayer When any appeal as aforesaid shall be taken by any of the parties above mentioned the appeal may be placed upon the argument list by direction of any party interested by intervention or otherwise and depositions of witnesses and other evidence to be used at the argument may be taken on behalf of any of said parties before any person competent to administer an oath upon rule for that purpose served upon the opposite party or such party's counsel to be used at the argument After hearing argument the court shall file its findings of fact and law and enter judgment in accordance therewith provided that if after argument the court shall deem any question of fact so doubtful under the evidence submitted as to render it desirable that an issue should be directed as to such question or questions to be tried by a jury the court may direct such an issue Appeals may be taken by any person interested to the superior or supreme court from any such judgment of the Court of Common Pleas in the same way that appeals are now authorized by law to be taken from rulings or decisions of the Court of Common Pleas made in appeals from settlements or reports of county borough or township auditors

Section 4 That section two thousand six hundred and twenty-seven of said act which reads as follows

"Section 2627 In any school district of the fourth class if any sum is charged against any person or persons by auditors thereof and their report containing such fact is not appealed from as herein provided said auditors shall promptly within thirty days after the filing of such report make a certificate stating the name of the district and the name of the person or persons charged with any sum or sums and the amount or amounts thereof certifying the same to the prothonotary of the court of common pleas of the county in which the district is situated or in which the school buildings of the independent district are located and the prothonotary of said court shall forthwith enter a judgment thereon in favor of said school district and against the person or persons therein charged with the amount thereof and which so entered the same shall be a valid judgment in favor of the school district against the person or persons charged therein with the same which judgment together with costs shall be collected by said district for its use and benefit" be and the same hereby is amended so as to read

Section 2627 In any school district of the fourth class if any sum is charged against any person or persons by auditors thereof and their report containing such fact is not appealed from as herein provided the clerk of the said court of quarter sessions shall promptly within ten days after the expiration of time for appeal make a certificate stating the name of the district and the name of the person or persons charged with any sum or sums and the amount or amounts thereof certifying the same to the prothonotary of the court of common pleas of the county in which the district is situated or in which the school buildings of the independent district are located and the prothonotary of said court shall forthwith enter a judgment thereon in favor of said school district and against the person or persons therein charged with the amount thereof and when so entered the same shall be valid judgment in

favor of the school district against the person or persons charged therein with the same which judgment together with the costs shall be collected by said district for its use and benefit or any taxpayer of such district may on its behalf proceed to enforce collection of such judgment for said school district by any appropriate proceedings executionary or otherwise upon filing bond with sufficient surety or sureties conditioned to indemnify and save harmless said school district from any costs accuring by reason of such proceeding

Section 5 In the case of any report of auditors of any school district of the second third or fourth class or of any independent school district filed prior to the passage of this act any taxpayer of any such district shall have the same rights of appeal from such report within thirty days from the date of such filing and of intervention for the purpose of prosecuting of any appeal therefrom or collection of any judgment entered upon such report or appeal therefrom as are conferred upon a taxpayer by the foregoing sections of this act in regard to reports of auditors filed subsequently hereto provided that such taxpayer shall furnish similar security to that required by the said foregoing sections The same procedure for the disposition of any appeal provided for by this section shall be pursued as that provided by the first and third sections of this act respectively

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1507, as follows:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May one thousand nine hundred and seven which reads as follows

"Section 3 The members of the jury shall serve without compensation and from their own number shall elect a president and secretary to serve for one year and until their successors are elected The jury shall have power to adopt its own rules of procedure and to prescribe regulations for the submission to it of all matters within its jurisdiction Five members shall constitute a quorum The councils of said city shall by ordinance provide for the necessary expense of the jury including the salaries of such clerk or clerks as may be required and appointed by the mayor of said cities" is hereby amended so that it shall read

Section 3 The members of the jury shall serve without compensation and from their own number shall elect a president and a vice president to serve for one year and until their successors are elected The jury shall have power to adopt its own rules of procedure and to prescribe regulations for the submission to it of all matters within its jurisdiction Five members shall constitute a quoroum The jury shall have power to employ a secretary and such clerks stenographers and other assistants as it may require All employes of the jury shall be exempt from the provisions of the act to regulate and improve the civil service of the cities of the first class approved March fifth one thousand nine hundred and six The councils of said city shall by ordinance provide for the necessary expenses of the jury including the salaries of its employes

Section 2 That said act is hereby further amended by adding the following

Section 7 No construction or erection in a city of the first class of any building bridge or its approaches arch gate fence or other structure or fixture which is to be paid for either wholly or in part by appropriation from the city treasury or other public funds or for which the city or any other public authority is to furnish a site shall be begun until the approval of the jury shall have been given to the design and proposed location thereof The approval of the jury shall also be required in respect to the general plotting of public grounds and parks their approaches and development as well as in respect to all structures or fixtures belonging to any person or corporation which shall be erected upon or extend over any highway stream lake square park or other public place within the city except as provided in section six of this act In deeds for land made by any city of the first class restrictions may be imposed requiring that the design and location of structures to be altered or erected thereon shall be first approved by the art jury of such city Nothing requiring the approval of the jury shall be erected or changed in design or location without its approval If the jury fails to act upon any matter submitted to it within sixty days after such submission its approval of the matter submitted shall be presumed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1560, as follows:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" which reads as follows

"Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policemen may before entering upon the duties of his office file in the office of the Secretary of the Commonwealth a written acceptance of such office and shall record his commission in the office of the recorder of deeds in each county in which it is intended he shall act as such special officer or policeman and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest any person for the commission of any offense against the laws of this Commonwealth upon warrant drawn by the proper officer in any county in which he may be qualified to act under the provisions of this act and the keepers of jails or lock-ups or station-houses in any county in this Commonwealth are required to received all persons so arrested by any such special officer or policeman to be dealt with according to law" shall be and the same is hereby amended to read as follows

Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policeman shall before entering upon the duty of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of the county in which said corporation or association as aforesaid is located which oath after being duly recorded by said recorder shall be filed in the office of the Secretary of the Commonwealth and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest any person for the commission of any offense against the laws of this Commonwealth upon warrant drawn by the proper officer in any county in this Commonwealth and keepers of jails or lock-ups or station-houses or houses of detentions in any county in this Commonwealth are required to receive all persons so arrested by any such special officer or policeman to be dealt with according to law

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 736, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended by an act approved the twenty-fifth day of March one thousand nine hundred and three entitled "An Act to amend the first section of an act approved the eleventh day of May Anno Domini one thousand nine hundred and one entitled 'An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library' so as to extend its provisions to all counties in this Commonwealth not having special or local laws inconsistent therewith" which as amended reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That one-half of all fines and forfeitures to which counties in this Commonwealth are by existing laws entitled is hereby directed to be paid by the county treas-

urer to the committee hereinafter provided for the purchase and support of a law library to be kept in or near the court house of said county for the use of the citizens thereof" is hereby amended to read

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same The county commissioners of each county shall annually appropriate to the committee hereinafter provided such sum or sums as may be directed by the president judge of the Court of Common Pleas of the county for the purchase and support of a law library to be kept in or near the court house of the county for the use of the citizens thereof

The title of the bill was read as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended

On the question,

Will the House agree to the title?

Mr. NORTH. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Title, last line—After "amended" insert "providing such libraries shall be purchased or maintained by appropriations made by the proper counties."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1543, entitled:

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any county commissioners of any county in this Commonwealth to repair build or rebuild any county bridge or bridges without first making a contract in writing after the due advertisement for at least three weeks or in case of emergency one week for sealed bids or proposals to repair erect build or rebuild any county bridge or bridges in at least three newspapers published in the county where said proposals or bids are asked for said advertisement to contain the desquired and fixing the time when the proposals or bids shall be closed and when said bids or proposals shall be opened

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 1, line 6—After "Commonwealth" insert "to make any contract."

Section 1, line 7—Strike out "a contract in writing after the."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second and third sections were then read and agreed to as follows:

Section 2 The proposals or bids must be accompanied with such security as the county commissioners may require which must be filed with the chief clerk or some one in charge of the commissioners office at least one hour before the time fixed for the opening of the said bids or proposals the time of the filing of said bids must be marked on the outside of said bids and the person's name with whom filed

Section 3 The said bid or proposal shall be opened in public and in the presence of not less than two of the county commissioners and the chief clerk and a record made of each and every bid

The fourth section of the bill was read as follows:

Section 4 The commissioners shall immediately or as soon thereafter as possible of the time fixed for the opening of said bids award the contract for the repair building or rebuilding of said bridge or bridges to the lowest responsible bidder upon the condition that said bidder must within ten days after notice of award of said contract sign and execute a contract for the faithful performance of the proposal and furnish a bond in a sum not exceeding the amount of the contract which contract and bond shall first be approved by the court of Quarter Sessions Provided That if the lowest bidder neglects to comply with the conditions of his bid within the time required the county commissioners shall award the same to the next lowest bidder and provided further That in case all bids are too high or unreasonable in the opinion of the county commissioners the county commissioners may reject any and all bids and advertise for new bids

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 4, line 2—After "possible" strike out "of" and insert "after."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth and sixth sections and title were then read and agreed to as follows:

Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than two hundred and fifty dollars

Section 6 Any and all acts or parts of acts inconsistent herewith are hereby repealed

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1482, as follows:

An Act fixing the compensation of the Chief Clerk and the five clerks in the Department of Mines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first Anno Domini one thousand nine hundred and thirteen the compensation of the Chief Clerk in the Department of Mines shall be two thousand dollars per annum and of the five clerks therein shall be one thousand six hundred dollars each per annum which compensation shall be paid in monthly installments upon warrants drawn by the Auditor General upon the State Treasurer

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1806 (Senate No. 151), entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1610, entitled:

An Act to prevent the spread of tree diseases by compelling the treatment of the same under certain conditions

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tree or trees in this Commonwealth shall be suffering from any disease or infection which is communicable to other trees and the existence of which is a menace to other trees in the neightborhood thereof the owner of any other tree or trees endangered by the existence of said disease or infection may give notice in writing to the owner of the said diseased or infected tree or trees requiring said owner to remove the said tree or to so treat the same as to abate the danger of communicating the said disease or infection and at the same time shall transmit a copy of said notice to the Commission of Agriculture with a statement of the reasons for such complaint Upon failure of such owner to comply with such notice to the satisfaction of the complainant within ten days the

Commissioner of Agriculture shall examine into the facts and make such order as may be reasonably required for the prevention of the spread of said disease or infection from said tree or trees Upon such order being served upon such owner he shall have the right within ten days to appeal to the Court of Common Pleas of the proper county by petition to set aside the said order and if the court on hearing taking into consideration the expense of complying with the said order and the danger which will result from a noncompliance therewith shall be satisfied that said order is unreasonable the same shall be set aside If said order shall be sustained then the same shall be complied with by the appellant within a time to be fixed by the court and upon failure to comply therewith the complainant shall have full power and right to carry out the same and to recover the expense thereof from the defaulting owner

On the question,

Will the House agree to the section?

Mr. GIBSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 1, line 5, by striking out the word "infection" and inserting in lieu thereof the word "infestation"

Amend section 1, line 6, by striking out the word "other" and inserting in lieu thereof the word "fruit"

Amend section 1, line 7, by striking out the words "any other tree or" and inserting in lieu thereof the words "such fruit"

Amend section 1, line 8, by striking out the word "infection" and inserting in lieu thereof the word "infestation"

Amend section 1, line 12, by striking out the word "infection" and inserting in lieu thereof the word "infestation"

Amend section 1, line 18, by striking out the word "infection" and inserting in lieu thereof the word "infestation"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section was then read as follows:

Section 2 In any case the owner of any diseased or injured tree shall not be a resident of the county with'n which the same is located notice to the occupant of the property shall be sufficient for all the purposes of this act and where such property is unoccupied and neglected notice shall be given to the owner by registered mail if his address be known otherwise it shall be suffic'ent to post five copies of the notice in conspicuous places upon the premises

On the question,

Will the House agree to the section?

Mr. GIBSON. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend sectiion 2, line 1, by striking out the first word "any."

Amend section 2, line 1, by striking out the word "infected" and inserting in lieu thereof the word "infested."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was then read as follows:

An Act to prevent the spread of trees diseases by compelling the treatment of the same under certain conditions

On the question,

Will the House agree to the title?

Mr. GIBSON. Mr. Speaker I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, line 1, by inserting after the word "diseases" the words "or infestations."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

An said bill having been read at length the second time and agreed to as amended,

Ordered, To be laid aside for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and conisderation of House Bill No. 1086, as follows:

An Act relating to meat and food products and providing for the inspection of such food and products and the animals from which produced and fixing penalties for violation of this act

Section 1 Be it enacted by the Senae and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be established under the direction of the State Live Stock Sanitary Board a service for the examination and inspection of all cattle sheep swine and goats carcasses and parts thereof and meat and food products slaughtered or prepared in any establishment within this Commonwealth for use as human food and for the examination and inspection of any such establishment as to its sanitary condition

Section 2 To carry out the provisions of this act the State Live Stock Sanitary Board is authorized to appoint such inspectors sanitary experts clerks and agents and prescribe such rules and regulations as shall be deemed necessary All inspectors appointed under the provisions of this act shall be duly licensed veterinary physicians The State Live Stock Sanitary Board shall fix the salaries of all such inspectors sanitary experts clerks and agents and in addition thereto they shall be allowed all expenses actually and necessarily incurred in the performance of their duties All such salaries and expenses shall be paid by the State State Treasurer upon warrant of the Auditor General and pursuant to an appropriation made for such purpose

Section 3 The inspectors appointed under the provisions of this act shall make an examination of all cattle sheep swine and goats before the same shall be slaughtered in any establishment for use as human food All cattle sheep swine and goats found on examination to show symptoms of disease shall be slaughtered spearately and the carcasses thereof kept separately for further inspection

Section 4 The said inspectors shall make an examination of all carcasses and parts thereof of all sound and diseased cattle sheep swine and goats whether slaughtered or brought into any establishment where the same are prepared as meat and meat food products for human food The inspectors shall mark all carcasses and parts thereof which are healthful and fit for human food "Inspected and passed" All carcasses and parts thereof which are unhealthful or unfit for human food shall be marked "inspected and condemned" and shall be destroyed for human food purposes in the presence of the inspector Whenever it may be deemed necessary a re-examination of said carcasses or parts thereof may be made and if the same have become unfit for human food shall be marked "inspected and condemned" and be destroyed as hereinbefore provided

Section 5 The said inspectors shall examine all meat and meat food products prepared for human food in an establishment and any such meats or meat products which contain dyes chemicals preservatives or ingredients which render such meat or meat food products unhealthful or unfit for human food shall be marked "inspected and condemned" and shall be destroyed as provided in section four of this act All such meat and meat food products which are healthful and fit for human food shall be marked "inspected and passed"

Section 6 To carry out the provisions of sections three four and five of this act the said inspectors shall have acces sat all times by day or by night whether operated or not to every part of any establishment where cattle sheep swine or goats are slaughtered or meat or meat food products are prepared for human food

Section 7 The sanitary experts appointed under the provisions of section two of this act shall make an examination and inspection of all establishments wherein cattle sheep swine or goats are slaughtered or meat or meat food products are prepared for human food Where the sanitary condition of any establishment is such as to render the carcasses or parts thereof of any cattle sheep swine or goats or any meat or meat food products unhealthful or unfit for human food the sanitary expert making such examination shall notify the inspector of said establishment of such condition and it shall be the duty of the inspector to refuse to mark any carcass or part thereof or any meat or meat food products in said establishment "inspected and passed" until such sanitary condition has been remedied

Section 8 Any person firm or corporation that shall be aggrieved at the action of any inspector or saniary expert may appeal from such action to the Court of Common Pleas of the proper county In any such appeal the State Live Stock Sanitary Board shall be the party defendant and the procedure shall be by petition rule and answer Whenever deemed necessary the court may appoint not exceeding three competent persons to make an examination in the premises and at any such examination the inspector or sanitary expert interested may attend The court shall hear the testimony of all parties interested and shall enter such order or decree in such proceeding as shall seem just The costs of said proceeding including the costs of any examination shall be paid by the party against whom such order or decree is entered

Section 9 The provisions of this act shall not apply to animals slaughtered by any farmer for his own use or to retail dealers in meat and meat food products or to establishments operating under federal inspections unless in the opinion of the State Live Stock Sanitary Board the inspection of such establishments shall be deemed a necessity Provided that any person that shall knowingly sell or offer for sale any meat or meat food products which are unhealthful or unfit for human food shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 10 Any person firm or corporation operating any establishment which is under the inspection provided for in this act that shall sell or offer for sale any carcass or part thereof of any cattle sheep swine or goats or any meat or meat food products which have not been examined and marked 'inspected and passed" or any person firm or corporation or any agent employee or officer of such person firm or corporation that shall forge counterfeit or without proper authority use detach deface or destroy the marking of any inspector upon any carcass or part thereof of any cattle sheep swine or goats or upon any meat or meat

food products shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding ten thousand dollars or to undergo an imprisonment not exceeding two years or both at the discretion of the court

Section 11 Any person firm or corporation or any agent employe or officer of any such person firm or corporation that shall pay or offer directly or indirectly to any inspectory sanitary expert or any officer agent or employe authorized to perform any of the duties prescribed by this act any money or other thing of value with intent thereby to influence such inspector sanitary expert officer agent or employee in the performance of his duty shall be guilty of a felony and upon conviction shall besentenced to pay a fine of not less than one thousand dollars nor more than ten thousand dollars and to undergo imprisonment of not less than one year nor more than three years

Section 12 Any inspector sanitary expert officer agent or employe authorized to perform any of the duties prescribed in this act who shall receive or accept any money or other thing of value from any person firm or corporation or any agent employee or officer of any such person firm or corporation given with intent to influence any such inspector sanitary expert officer agent or employee in the performance of his duty shall be guilty of a felony and upon conviction shall be summarily discharged from his office or position and be sentenced to pay a fine of not less than one thousand dollars nor more than ten thousand dollars and to undergo imprisonment of not less than one year nor more than three years

Section 13 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1431, as follows:

An Act to amend an act entitled "An Act requiring the prothonotary of the several courts of common pleas in this Commonwealth to keep separate dockets in certain cases" approved twenty-second day of May one thousand eight hundred and seventy-eight by authorizing the courts of common pleas to cause to be entered in the separate docket additional subjects and authorizing the common pleas court by its order to direct the prothonotary to enter all the subjects herein provided for in one index which after such order shall be kept in lieu of the separate ejectment and other indexes now provided by law and providing that such indexes shall be notice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act requiring the prothonotary of the several courts of common pleas in this Commonwealth to keep separate dockets in certain cases" approved twenty-second day of May one thousand eight hundred and seventy-eight (Pamphlet Laws ninety-five) which reads as follows

"Section one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the prothonotaries of the several courts of common pleas in this Commonwealth to keep a separate index docket in which shall be entered in alphabetical order the names of all persons who may be found to be lunatics or habitual drunkards and also the names of all persons or parties against whom injunctions have been granted restraining them from selling or in any way encumbering real estate and the names of all parties against whom decrees in divorce have been granted" be and the same is hereby amended so that the same shall read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the prothonotaries of the general courts of common pleas in this Commonwealth to keep a separate index docket in which shall be entered in alphabetical order the names of all persons who may be found to be lunatics or habitual drunkards and also the names of all persons or parties against whom injunctions have granted restraining them from selling or in any way encumbering real estate and the names of all parties against whom decrees of divorce have been granted and the court of common pleas of the proper county is hereby authorized and empowered whenever it shall appear advisable to direct the prothonotary of such county also to enter in the separate index hereinbefore provided for the names of all parties to suits or bills in partition and the names of all parties to any ejectment suit or action to recover real estate or to compel a conveyance thereof and the names of all parties to adoption proceedings and the name of all parties having their names or any part thereof changed such indexing to be done in both the old and new names and the names of all parties to all condemnation cases and proceedings in which viewers are prayed for or appointed and the names of all parties to suits in equity affecting real estate in any wise and the names of all parties to proceedings in any otherwise relating to real estate which the court shall deem advisable to be entered therein and such index shall then be called the Ejectment and Miscellaneous Index and such indexes shall after the preparation of the same be kept in lieu and place of the separate ejectment and other indexes heretofore authorized by law for the indexing of the matters herein enumerated and set forth except such matters proceedings and actions at law in equity or otherwise as shall have been heretofore directed to be entered upon the direct and adsectum indexes and upon the judgment indexes required to be kept by the prothonotary

Section 2 The entries on the indexes hereinbefore provided for shall include a reference to the number term and court wherein the proceeding was instituted a brief description of the nature or character of the proceedings date when the same was commenced date of judgment or decree and in the case of ejectments and other proceedings in which the real estate affected is described a brief description or reference to the location of the property affected thereby sufficient to identify it without reference to the principal record of such proceeding and such index may contain such other information as may be ordered to be entered therein by the court directing the preparation thereof

Section 3 After the adoption preparation and installation of the index dockets provided for in this act the same shall be constructive notice to all persons of the matters contained in the proceedings so as aforesaid indexed and no person shall be affected with notice of the pendency of any ejectment or other proceeding hereinbefore provided to be indexed unless the same shall be indexed as herein provided for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1526, as follows:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the executive judicial and legislature departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennylsvania in General Assembly met and it is hereby enacted by the authority of the same That so much of an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven" which reads as follows

"For the payment of printing binding ruling et cetera two years the sum of four hundred and fifty thousand dollars ($450,000)

"For the payment of paper envelopes and other supplies two years the sum of two hundred and twenty-five thousand dollars ($225,000)" is hereby amended to read as follows

For the payment of printing binding ruling et cetera two years the sum of four hundred and twenty thousand dollars ($420,000)

For the payment of paper envelopes and other supplies two years the sum of two hundred and fifty-five thousand dollars ($255,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 870, entitled:

An Act to amend the first and second sections of an act entitled "An Act to provide for the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three so as to extend the provisions thereof to feebleminded and epileptic persons

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to provide for the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three which reads as follows

"That whenever any indigent female patient is to be removed from the county almshouse to a State hospital or asylum for the insane or from one State hospital or asylum for the insane to another State Hospital or asylum or from the home of such indigent patient to an almshouse hospital to asylum or when returned from such institution to her

home it shall be the duty of the court under whose order such patient is committed or of the commissioners of the county or of the overseers of the poor of the district to which such patient is chargeable (if not committed by the court) to provide a female attendant for every female patient in transit at the expense of the proper county or poor district unless such patient is accompanied by a member of her family" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any indigent female insane feeble-minded or epileptic person is to be removed from her home or from an alms-house jail penitentiary State hospital or asylum for the insane or an institution for feeble-minded and epileptic persons to an almshouse jail penitentiary State hospital or asylum for the insane or institution for feeble-minded and epileptic persons or to her home it shall be the duty of the court under whose order such person is committed or of the commissioners of the county or the overseers of the poor of the district to which such person is chargeable (if not committed by the court) to provide a female attendant for every such female person in transit at the expense of the proper county or poor district unless such person is accompanied by a member of her family

On the question,

Will the House agree to the section?

Mr. HEYBURN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 8, before "That" insert "Section 1."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 That the second section of the act which reads as follows:

"Section 2 Any public officer superintendent steward director of poor or other person transferring as aforesaid any such female insane patient who shall refuse or neglect to observe the provisions of this act as hereby amended shall be subject to a penalty of two hundred and fifty dollars for each such refusal or neglect which penalty may be sued and recovered in the name of the Commonwealth by the district attorney of the county in which such act or refusal or neglect occurred and the sum so recovered shall be paid into the treasury of the State" be and the same is hereby amended so as to read as follows

Section 2 Any public officer superintendent steward director of poor or other person transferring as aforesaid any such female insane feeble-minded or epileptic person who shall refuse or neglect to observe the provisions of this act as hereby amended shall be subject to a penalty of two hundred and fifty dollars for each such refusal or neglect which penalty may be sued and recovered in the name of the Commonwealth by the district attorney of the county in which such act of refusal or neglect occurred and the sum so recovered shall be paid into the treasury of the State

On the question,

Will the House agree to the section?

Mr. HEYBURN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 2, line 1, after "act" insert "as amended."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act to amend the first and second sections of an act entitled "An Act to provide for the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three so as to extend the provisions thereof to feeble-minded and epileptic persons

On the question,

Will the House agree to the title?

Mr. HEYBURN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The Clerk will read the amendment.

The Clerk then read the amendment as follows:

Title, line 1, strike out "the first and second sections of."
Title, line 4, after "ninety-three" insert "as amended."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. PIPER. Mr. Speaker, I desire to call up from page 24, of to-day's calendar, House Bill No. 176, Bills on Second Reading Postponed.

Agreeably to order,

The House resumed the consideration on second reading of House Bill No. 176, entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commisisoners

The question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1434, entitled:

An Act to validate all sales public and private and all mortgages of real estate of decedents heretofore made under authority of orphans' courts upon petition of executors or administrators for payment of debts or for any other lawful purpose

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all sales public and private and all mortgages of real estate of decedents heretofore made under and by virtue of decrees or orphans' courts upon petition of executors or administrators for payment of debts of such decedent or for any other lawful purpose shall and the same are hereby declared to be valid and effectual to vest in the purchasers or mortgages the title or mortgages interest as the case may be of such decedents in the real estate so decreed to be sold or mortgaged Provided That adequate security conditioned for the faithful application of the proceeds of such sale or mortgage shall have been given by such executors or administrators as the case may be in accordance with such decrees Provided further that this act shall not apply to any case heretofore judiciously adjudicated

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 6, before "orphans" strike out "or" and insert "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act to validate all sales public and private and all mortgages of real estate of decedents heretofore made under authority of orphans' courts upon petition of executors or administrators for payment of debts or for any other lawful purpose

On the question,

Will the House agree to the title?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1, strike out "all" in each case, insert "certain" in each case.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board

The first, second and third sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Department of Labor and Industrry the head of which shall be a commissioner of Labor and Industry who shall be appointed by the Governor by and with the consent of the Senate and who shall hold office for the term of four years from the date of his appointment and who shall receive an annual salary of eight thousand dollars ($8,000) and shall appoint and may at pleasure remove all officers clerks and other employes of the Department of Labor and Industry except as herein otherwise provided

Section 2 The Commissioner of Labor and Industry shall forthwith appoint upon entering upon the duty of his office one chief inspector of the Department of Labor and Industry who shall receive a salary of five thousand dollars ($5,000) a year and who shall during the absence or disability of the Commissioner of Labor and Industry possess all the powers and perform all the duties of the said Commissioner except the power to make appointments and who in addition to his duties prescribed by this act shall perform such other duties and possess such other powers as the Commissioner of Labor and Industry shall prescribe

Section 3 The clerical force of the department excluding that of the different bureaus shall be one chief clerk at an annual salary of one thousand eight hundred dollars ($1,800) one stenographer at an annual salary of one thousand dollars ($1,000) one messenger at an annual salary of one thousand two hundred dollars ($1,200)

The fourth section was read as follows:

Section 4 The Department of Labor and Industry shall be divided into two bureaus as follows

1 Bureau of Inspection
2 Bureau of Statistics and Information
3 Bureau of Arbitration

Together with such other bureaus as the Commissioner of Labor and Industry may deem necessary and shall with the consent of the Governor from time to time establish

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section four by striking out the word "two" in line two thereof and substituting therefor the word "three"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth section was read as follows:

Section 5 The Commissioner of Labor and Industry shall establish and maintain branch offices in the cities of Philadelphia and Pittsburgh and in such other cities of the Commonwealth as he may deem advisable Such branch offices shall be subject to the supervision and direction of the Commissioner of Labor and Industry be in immediate charge of such officers or employes as the said Commissioner may designate and the reasonable and necessary expenses of such offices shall be paid as are the other expenses of the said Department of Labor and Industry

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section five by striking out the word "be" in line five thereof.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The sixth section was read and agreed to as follows:

Section 6 The Attorney General shall have authority to employ and may at pleasure remove an attorney of the Commonwealth of Pennsylvania who shall represent the Department of Labor and Industry and shall take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the said Commissioner or of the said Department and who shall act generally as legal adviser to the said Commissioner Such counsel shall receive an annual salary of three thousand dollars ($3,000) to be paid out of the appropriation male to said department The Commissioner of Labor and Industry shall have further power to employ attorneys and counsellors at law to be designated by the Attorney General to assist the counsel in special actions or proceedings or generally in performance of his duties

The said Commissioner of Labor and Industry may purchase such supplies and materials as may be necessary in carrying on the work of his department

The seventh section was read as follows:

Section 7 The Bureau of Inspection subject to the supervision of the Commissioner of Labor and Industry shall have charge of all inspections made pursuant to the provisions of this act and shall perform such other duties as may be assigned to it by the Commissioner of Labor and Industry The said Bureau shall be under the charge of the Chief Inspector hereinabove provided for subject to the supervision and direction of the Commissioner of Labor and Industry

There shall be in the said bureau not less than fifty-eight inspectors divided into four grades as follows

1 Inspectors of the first grade of whom there shall be not less than fifty in number and not less than five of whom shall be women each of whom shall receive an annual salary of one thousand five hundred dollars ($1,500)

2 Inspectors of the second grade of whom there shall be two in number and who shall act as Supervising Inspectors with offices at the cities of Philadelphia and Pittsburgh respectively Each of said inspectors shall receive an annual salary of two thousand five hundred dollars ($2,500)

3 Inspectors of the third grade of whom there shall be not less than two one of whom shall be a woman and both of whom shall be physicians duly licensed to practice medicine in Pennsylvania and who shall act as medical inspectors and each of whom shall receive an annual salary of two thousand five hundred dollars ($2,500)

4 Inspectors of the fourth grade of whom there shall be four one of whom shall be a physician duly licensed to practice medicine in the State of Pennsylvania and who shall be Chief Medical Inspector one of whom shall be a mechanical engineer and expert in ventilation and accident prevention one of whom shall be a chemical engineer and one of whom shall be a civil engineer and expert in fire prevention and building construction Each of the Inspectors of the fourth grade shall receive an annual salary of three thousand dollars ($3,000)

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section seven by striking out the word "ther" in line fifteen thereof and substituting the word "there."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighth section was read as follows:

Section 8 The Commissioner of Labor and Industry shall from time to time divide the State into districts and shall assign to such district such inspectors and supervising inspector as may in his judgment appear expedient and shall from time to time assign and transfer such inspectors from one district to any other district or to special duty in any bureau of the said department and many assign an inspector to inspect any special class of factories or establishments and may assign one or more of them to act as clerks in any office of the department

The Commissioner of Labor and Industry shall visit and inspect or cause to be visited and inspected during reasonable hours and as often as practicable every room building or place where and when any labor is being performed which is being affected by the provisions of any law of this Commonwealth or of this act and shall cause to be enforced therein the provisions of all such existing laws and of this act and the rules and regulations of the industrial board hereinafter provided for

The Commissioner of Labor and Industry and all inspectors may in the discharge of their duties enter any such place building or room whenever they have reason-

able cause to believe that any such labor is being or will be performed therein

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section by striking out the word "district" in line three thereof and substituting the word "districts"

Amend section eight by striking out the word "being" in line fifteen.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The ninth and tenth sections were then read and agreed to as follows:

Section 9 The inspectors of the third grade shall together with the Chief Medical Inspector hereinabove provided for inspect all rooms buildings and other places subject to the provisions of this act throughout the State with respect to the conditions of work affecting the health of persons employed therein and shall perform such other duties and render such other service as the Commissioner of Labor and Industry shall direct

Section 10 The inspectors of the fourth grade shall constitute a division of industrial hygiene which shall be under the immediate charge of the Commissioner of Labor and Industry The members of the division of industrial hygiene shall make special inspections of factories and mercantile establishments and all rooms buildings or other places subject to the provisions of this act and shall conduct special investigations throughout the Commonwealth of Pennsylvania relative to industrial processes and conditions The members of such division shall prepare material for leaflets and bulletins calling attention to dangers in particular industries and the precautions to be observed to avoid them and shall perform such other duties and render such other services as may be required by the Commissioner of Labor and Industry Each member of said division shall make an annual report to the Commissioner of Labor and Industry which shall be transmitted to the Legislature as part of the annual report of said Commissioner

The eleventh section was read as follows:

Bureau of Statistics and Information

Section 11 The bureau of statistics and information shall be under the immediate charge of a chief of the bureau subject to the direction and supervision of the Commissioner of Labor and Industry and shall receive an annual salary of three thousand dollars ($3,000) There shall also be in the office of said bureau an assistant who shall receive a salary of two thousand five hundred dollars ($2,500) and three collectors of statistics who shall receive salaries of two thousand dollars ($2,000) each It shall be the duty of said bureau to keep in touch with labor in the Commonwealth especially in relation to commercial industrial physical educational social moral and sanitary conditions of the wage-earners of the Commonwealth and to the productive industries thereof also to collect assort publish and systematize the details and general information regarding industrial accidents and occupational diseases the causes and effects and the methods of preventing and remedying the same and of providing compensation therefor also to make inquiry and investigation into the condition welfare and industrial opportunities of all aliens arriving and being within the State and to gather information with respect to the supply of labor afforded by such aliens and ascertain the occupations for which such aliens may be best adapted and to bring about communication between the aliens and the several industries requiring labor and to collect assort and publish statistical details and general information relative thereto

The chief or duly authorized deputy shall have power to issue subpoenas administer oaths and take testimony in all matters relating to the duties herein required of said bureau Any corporation firm or individual doing business within the Commonwealth who shall neglect or refuse for thirty days to answer questions by circular or upon personal application or who shall refuse to obey the subpoena and give testimony according to the provisions of this act shall be liable to a penalty of one hundred dollars to be collected by order of the Commissioner of Statistics in an action of debt in which the Commonwealth of Pennsylvania shall be plaintiff This Bureau shall also be required to collect compile and publish annually the productive statistics of agriculture mining manufacturing commercial and other business interests of the State

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section eleven by striking out the words "agriculture mining" in line thirty-nine thereof.

Amend section eleven by striking out the word "and" in line five thereof and substituting the word "who."

Amend section eleven by striking out the word "the" in line sixteen thereof and substituting the word "their."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twelfth section was read as follows:

Industrial Board

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry the inspectors of the fourth grade as hereinabove provided and two additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor and one a wage-earner one of the said additional members shall hold office until January first one thousand nine hundred and fourteen and the other of the said additional members shall hold office until January first one thousand nine hundred and sixteen Upon the expiration of each of the said terms the term of office of each associate member thereafter appointed shall be four years from the first of January The Commissioner of Labor and Industry shall be the chairman of the said Board Vacancies shall be filled by appointment for an unexpired term in the same manner as provided for the appointments of the previous holders of the office in which said vacancy occurs.

The members of said Board other than the two associate members as hereinabove provided shall receive no additional compensation for services as members of the said Board The two associate members shall each receive a compensation of ten dollars ($10.00) per day and expenses actually and necessarily incurred while engaged in the performance of their duties

The Board shall appoint and may remove a secretary who shall receive a salary to be fixed by the Board The Commissioner of Labor and Industry shall detail from time to time to the assistance of said Board such employees of the Department of Labor and Industry as the Board may require In aid of its work the said Board is empowered to employ experts for special and occasional services The counsel to the Department of Labor and Industry shall act as counsel to the Board without additional compensation

The Board shall hold stated meetings which shall be open to the public at least once a month during the year and shall hold other meetings at such times and places as may be necessary Such meetings shall be called by the chairman or majority of the Board The Board shall keep minutes of its proceedings showing the vote of each member upon every question and records of its examination and other official action

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section twelve by striking out the word "two" in line twenty-two and substituting the word "four."

Amend section twelve by striking out the word "servicse" in line twenty-two and substituting the word "services."

Amend section 12 by striking out the following, contained in lines 2 to 12 thereof:

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry the Inspectors of the fourth grade as hereinabove provided and two additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of Labor and one a wage-earner one of the said additional members shall hold office until January first one thousand nine hundred and fourteen and the other of the said additional members shall hold office until January first one thousand nine hundred and sixteen."

and substitute the following

"There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry and four additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor one a wage-earner and one a woman. The said additional members shall be designated by the Governor to serve until the first day of January in the years one thousand nine hundred and fifteen one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen respectively."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The amendment was read by the Clerk.

The thirteenth, fourteenth, fifteenth and sixteenth sections were then read and agreed to as follows:

Section 13 The Industrial Board shall have the power to make investigations concerning the report upon all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth the enforcement of which shall now and hereafter be imposed upon the Department of Labor and Industry and the rules and regulations made by the Industrial Board in connection therewith and to subpoena and require the attendance in this Commonwealth of all witnesses and the

production of books and papers pertinent to the said investigation and to examine them and such public records as it may require in relation to any matter which it has power to investigate Any witness who refuses to obey a subpoena of the said Board as hereinabove provided for or who refuses to be sworn or to testify or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination by the said Board or who is guilty of any contempt after being summoned to appear before the said Board as above provided may be punished as for contempt of court and for this purpose application may be made to any court within whose territorial jurisdiction the said contempt took place and for which purpose the courts of the Common Pleas of this Commonwealth are hereby given jurisdiction In the course of such investigation each member of said Board shall have power to administer oaths Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed

Section 14 All rooms buildings and places in this Commonwealth where labor is employed or shall hereafter be employed shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life health safety and morals of all persons employed therein For the carrying into effect of this provision and the provisions of all the laws of this Commonwealth the enforcement of which is now or shall hereafter be entrusted to or imposed upon the Commissioner or Department of Labor and Industry the Industrial Board shall have power to make alter amend and repeal general rules and regulations necessary for applying such provisions to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provisions

Section 15 The rules and regulations of the Industrial Board and the amendments and alterations thereof may embrace all matters and subjects to which power and authority of the Department of Labor and Industry extends and shall be distributed to all applicants Every rule or regulation adopted by the Board shall be promptly published in bulletins of the Department of Labor and Industry and in such daily newspapers as the Board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employee or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said Industrial Board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the Board shall be open to the public Upon receipt of such petition if the issues raised in such petition have theretofore been adequately considered the Industrial Board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the Industrial Board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the Industrial Board may find directly interested in such decision

Section 16 Every person who violates any of the provisions of this act or any of the rules or regulations of the Industrial Board or who resists or interfers with any officer or agent of the Department of Labor and Industry in the performance of his duties in accordance with the said rules and regulations shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment not exceeding one month or both at the discretion of the court

The seventeenth section was read as follows:

Section 17 There shall be created in the Department of Labor and Industry a Bureau of Meditation and Arbitration the head of which shall be the Third Deputy Commissioner of Labor and Industry who shall receive an annual salary of three thousand five hundred dollars ($3,500)

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section seventeen by striking out the words "the third Deputy Commissioner of Labor and Industry" and substitute therefor the words "a chief of bureau."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth sections were read and agreed to as follows:

Section 18 Whenever a difference arises between an employer and his employees which cannot be ready adjusted the Deputy Commissioner of the Bureau shall proceed promptly to the locality thereof and endeavor by mediation to effect an amicable settlement of the controversy If such settlement cannotb be effected the dispute may be arbitrated by a Board composed of the head of the Bureau who shall be chairman thereof and two representatives one selected by the employer and one by the employees A submission to the Board shall be made in writing and the parties thereto shall agree to abide by the determination of the Board Said Board shall render a written decision within ten days after the completion of the investigation one copy thereof to be filed in the Bureau and a copy to be furnished each party to the controversy The deputy commissioner shall make an annual report of his work containing such information as the Commissioner of Labor and Industry may request

Section 19 The Commissioner of Labor and Industry may assign to this Bureau from his department such clerical assistance as from time to time he may think necessary

Section 20 In addition to their respective salaries as hereinabove provided the Commissioners Inspectors and other officers of the Department of Labor and Industry shall receive the expenses actually and necessarily incurred in the performance of their official duties which expenses together with all other necessary expenses under the provisions of this act shall after the approval in writing by the Governor and the Commissioner of Labor and Industry be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 21 Upon requisition of the Commissioner of Labor and Industry the Board of Public Grounds and Buildings shall furnish suitable accommodations in the State Capitol Building for the use of this department

Section 22 Upon requisition of the Commissioner of Labor and Industry an order of the Superintendent of Public Printing and Binding the State Printer shall do the printing and binding necessary for the proper performance of the duties of this department

Section 23 All of the powers and duties now by law vested in and imposed upon the Department of Factory Inspection which is hereby abolished are now hereby vested in the Department of Labor and Industry

Section 24 This act shall take effect on and after the first day of June one thousand nine hundred and thirteen

Section 25 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read and agreed to as follows:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

PRINTER'S ERROR.

The SPEAKER. The Chair deems it proper to state to the House that a close investigation shows that the vote of the gentleman from Cambria, Mr. W. A. Blair, on the Compensation Bill, to which he referred in his statement is correct on the Clerk's sheet, and is correct in the House Journal, and the error is an error by the printer in printing the Legislative Journal. The Chair deems it due to the Clerk, and to the Journal Clerk, to make this statement.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1835 (Senate Bill No. 611), entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenace of psyschpathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1620, entitled:

An Act to provide that trees shrubs vines plants and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold and providing a legal method whereby the grower can obtain financial redress from the dealer or seller being "a legal indemnity plan for growers"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to provide for the assurance of buy-

ing or selling trees shrubs vines plants and seeds true to the variety named offered sold or ordered in Pennsylvania it shall be legal to proceed as follows

Any nurseryman or dealer may file a bond of two thousand dollars or more with the Secretary of Agriculture which bond shall be held for suit and indemnity in case any trees shrubs vines plants or seeds prove upon producing fruit or reclaiming maturity that they are not of the variety ordered and paid for by the grower with an indemnity of one dollar for each year or single part of a year that each falsely labeled tree shrubs vine or tenth of an acre or less single unit of plants or seeds shall have been grown by the purchaser

The second section was read as follows:

Section 2 Provided however that the purchaser shall have informed the seller before buying that he wishes to buy in accordance with this legal indemnity plan and upon ordering his trees shrubs vines plants or trees shall also inform the Secretary of Agriculture as to the number and kind of quantity respectively of each variety ordered and the name and address of the seller It shall then be the duty of the Secretary of Agriculture provided the seller has filed with him a bond as herein mentioned to furnish said seller as many indestructible tags as he needed to place one on each tree shrub vine or one-tenth of an acre or single fraction thereof plants or seeds purchased or sold The tags shall be provided and sent by mail for the actual cost of preparing and mailing which cost shall be paid by the purchaser These tags shall bear the name of the variety or varieties respectively ordered and shipped and also the names and addresses of the seller and purchaser and the date of buying The seller shall attach the proper tag to each respective tree shrub or vine to variety named on said tag and the same shall be kept on its proper tree shrub or vine until planted when it may be removed and attached by copper wire or other durable device to a stake or rod driven into the ground beside the tree shrub or vine to which it was originally affixed The planter shall within a week from the time of planting send to the Secretary of Agriculture and also to the seller or nurseryman a chart of that portion of his premises showing the exact location of each tree shrub or vine planted in accordance with the provisions of this act It shall be the duty of the Secretary of Agriculture within six months to send an inspector with the chart to compare the labeled planting and not any inaccuracies of labels or charts

On the question,
Will the House agree to the section?

Mr. HOBBS. Mr. Speaker, I desire to offer amendemnt to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 2, line 10. After "tags as" insert "may."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The third section was read as follows:

Section 3 When the labeled tree shrub or vine first produces fruit if the owner doubts the accuracy of the original labeling he shall notify the Secretary of Agriculture who shall causing the bearing tree shrub or vine to be examined and named at once The inspector shall notify the grower and Secretary of Agriculture of his determinations If the name of the variety given is not in accordance with that of the respective label the grower can legally bring suit in court against the bond of the seller for an amount equal to one dollar for each year or single fraction thereof that each tree shrub or vine wrongly labeled shall have been planted

On the question,
Will the House agree to the section?

Mr. HOBBS. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 3, line 4. Strike out "causing" insert "cause."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The fourth section was read and agreed to as follows:

Section 4 It shall be the duty of the Secretary of Agriculture to report to all inquirers and make special published mention at least once per year of all nurserymen and sellers of trees shrubs vines plants and seeds who shall take advantage of this opportunity to bond themselves in Pennsylvania to insure the accurate labeling of their wares Although such bonding shall be voluntary by the dealer no grower shall make claim for damages under this act who has not purchased his trees shrubs vines plants or seeds of a properly bonded and listed dealer as recorded by the Secretary of Agriculture of Pennsylvania and otherwise acted in accordance with the provisions of this act

The title was read as follows:

An Act to provide that trees shrubs vines plants and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold and providing a legal method whereby the grower can obtain financial redress from the dealer or seller being "a legal indemnity plan for growers

On the question,
Will the House agree to the section?

Mr. HOBBS. Mr. Speaker, I desire to offer an amendment to the title:

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title line 1. Strike out "Entitled an act."

On the question,
Will the House agree to the amendment?
It was agreed to.
The title as amended was then agreed to.

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 426, entitled:

An Act relating to actions for divorce

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of common pleas shall have jurisdiction in action in any divorce for any cause now or hereafter allowed by law notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth and that both parties were at the time of the occurrence of said cause domiciled without this Commonwealth and that the libellant has been served with the subpoena only by publication as required by law In such cases the libellant shall be a competent witness to prove his or her residence within this Commonwealth

On the question,
Will the House agree to the section?

Mr. KITTS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend House Bill No. 426, File Folio 3663.

Amend Section 1, line 10, strike out the word "Libellant" and insert in lieu thereof the word "respondent."

Amend House Bill No. 426, File Folio 3663. Amend Section 1, line 5, strike out the word "any" which is the third word of the said line and occurring after the word "in."

Amend House Bill No. 426, File Folio 3663. Amend Section 1, line 4, after the word "in," insert the word "any."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was agreed to.
The second section was read as follows:

Section 2 The said courts shall also entertain jurisdiction of all cases of divorce from the bonds of matrimony for the cause now or hereafter provided for by law when the libellant or applicant for such divorce shall at the time of filing the petition or libel in divorce have been a resident of this Commonwealth for one year previous to the filing of the petition or libel in divorce

On the question,
Will the House agree to the section?

Mr. KITTS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend Section 2, line two, strike out the word "the," being the eleventh word of said line and insert in lieu thereof the word "any."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was agreed to.

The title was read as follows:

An Act relating to actions for divorce

On the question,
Will the House agree to the title?

Mr. KITTS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend the title thereof by striking out the word "actions for" in said title.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1523, as follows:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

Whereas Section four of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four prescribes that no other election can be held on the same subject for one year from the date of the preceding election thus causing in certain years a special election or requiring the election to be postponed for another year therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever an election is held to increase municipal indebtedness and the increase is defeated by a majority vote another election for the same purposes or on the same subjects may be held after fifty-one weeks and that on the fourth day of November Anno Domini one thousand nine hundred and thirteen an election may be held to increase municipal indebtedness for the same purposes or on the same subjects as were defeated by a majority vote at the election held on the fifth day of November Anno Domini one thousand nine hundred and twelve

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1772, as follows:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth containing a popualtion of less than one hundred and fifty thousand inhabitants as shown by the last preceding United States census the county controller is authorized to designate and appoint one person who shall be learned in the law and admitted and qualified to practice in the courts of this Commonwealth to act as his solicitor

Section 2 The solicitor so appointed shall hold his office during the term for which the controller was elected and shall receive a salary not exceeding one thousand dollars ($1,000) per for the same purposes or on the same subjects may be held after fifty-one weeks and that on the fourth day of November Anno Domini one thousand nine hundred and thirteen an election may be held to increase municipal indebtedness for the same purposes or on the same subjects as were defeated by a majority vote at the election held on the fifth day of November Anno Domini one thousand nine hundred and twelve

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1038, entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of of the same That the Governor is hereby authorized to appoint a commission to be known as the "Agricultural Commission" consisting of seven citizens of this Commonwealth one of whom shall be connected with the Department of Agriculture of this Commonwealth one with the Pennsylvania State College and one with the Department of Education of this Commonwealth

It shall be the duty of this Commission to promote the agricultural industries of the State by investigation suggestion and by every other means within its power with a view of developing to the utmost the fertility of the soil and of bringing its products to the consumer with the greatest economy

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Amend section one, line 8, by cutting out the word "and."

Amend section one, line 9, by adding at the end of the line, "one with the Pennsylvania State Grange and one with the State Horticultural Society of Pennsylvania."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The second, third and fourth sections and the title were read as follows and agreed to:

Section 2 Within thirty days after its appointment the Commission shall organize by the election of a chairman and secretary The Governor may remove any commissioner for neglect of duty and may fill any vacancy in the Commission however caused

Section 3 Biennially or oftener the Commission shall present a written report of its findings to the Governor who shall lay such report with is recommendations before the General Assembly at its next regular session The commissioners shall serve without compensation but shall be allowed their actual travelling and other expenses necessarily and actually incurred in the performance of the duties herein prescribed The salaries and renumeration if any of any person employed or engaged by the Commission shall be fixed by it

Section 4 To carry out the purpose of this act the sum of ten thousand ($10,000.00) dollars or so much thereof as may be necessary is specifically appropriated Payments shall be made upon order of the chairman of the Commission on warrant of the Auditor General and shall be subject to such regulations as may be prescribed by the Auditor General

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1436, as follows:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any case in which a final judgment has been or may hereafter be recovered in any court of record in this Commonwealth upon which an execution has been issued and a return made by the sheriff of the proper county to the effect that property cannot be found sufficient to satisfy the said judgment and execution upon petition of the plaintiff under oath setting forth that he believes the defendant has property which should be applied towards the payment of such judgment the court shall enter an order to the same number and term requiring the judgment debtor to attend and be examined orally after being duly sworn or affirmed true answers to make concerning his property before the court at such time and place as the court may appoint. The attendance of the debtor for the purposes of such examination may be enforced by said court by subpoena and attachment as in the case of other witnesses

Section 2 The judgment debtor may be compelled in the same manner as other witnesses in judicial proceedings to answer all pertinent questions addressed to him at such examination concerning his property and he shall not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may testify or produce evidence documentary or otherwise before said court except for perjury in giving such testimony

Section 3 The examination shall be taken reduced to writing and filed among the records of the case All expenses of the examination shall be paid by the plaintiff in the first instance and shall be taxed as costs and collectible from the defendant in the same manner as other costs in the case if it be ascertained thereby that the defendant has property which can be made liable for said judgment

Section 4 All acts and parts of acts inconsistent with this act repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1762, as follows:

An Act to amend an act approved the twenty-sixth day of April one thousand eight hundred fifty entitled "An Act to provide for the establishment of true meridian lines and of standard measures for surveyors' chains and to regulate the practice of surveying in this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-sixth day of April one thousand eight hundred fifty entitled "An Act to provide for the establishment of true meridian lines and of standard measures for surveyors' chains and to regulate the practice of surveying in this Commonwealth" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties of this Commonwealth are hereby authorized and directed within two years from and after the passage of this act to cause to be marked and established on some inalienable property belonging to the county or on such property as the commissioners of the county may hereafter acquire for that purpose at or near the seat of justice of the several counties a true meridian line and a fixed standard measure of a two or four-pole chain agreeing with and made after the measure of the standard yard now in the office of the Secretary of the Commonwealth and the cost whereof to be paid out of the respective county treasuries" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties of this Commonwealth are hereby authorized and directed within two years from and after the passage of this act to cause to be marked and established on some inalienable property belonging to the county or on such property as the commissioners of the county may hereafter acquire for that purpose at or near the seat of justice of the several counties a true meridian line and a fixed standard measure of a two or four-pole chain agreeing with and made after the measure of the standard yard now in the office of the Secretary of the Commonwealth and to keep such meridian line so marked and established in proper order and condition and the cost whereof to be paid out of the respective county treasuries

Section 2 The third section of said act which reads as follows

"Section 3 Any surveyor after notice given as required by the provisions of this act who shall neglect or refuse to comply with the requirements of this act by making any survey with an unadjusted compass or chain he shall for every such neglect or refusal pay the sum of ten dollars on complaint made by any person interested in such survey before the justice of the peace nearest to the tract or lot of land so surveyed to be recovered as debts of a like amount are by law recoverable the one-half thereof to the person making the complaint and the other half to the treasurer of the school district in which such survey is made for the use of said district" is hereby amended to read as follows

Section 3 Any surveyor after notice given as required by the provisions of this act who shall neglect or refuse to comply with the requirements of this act by making any survey with an unadjusted compass or chain he shall for every such neglect or refusal pay the the sum of ten dollars on complaint made by any person interested or that may become interested in such survey before the justice of the peace nearest to the tract or lot of land so surveyed to be recoverable as debts of a like amount are by law recoverable the one-half thereof to the person making the complaint and the other half to the treasurer of the school district in which such survey is made for the use of said district

Section 3 The said act is further amended by adding thereto the following

Section 5 Every person engaging in the business of land surveying shall register in the office of the county commissioners of the proper county in a book kept for such purposes once in each year his name residence and postoffice address and shall pay to the said commissioners a fee of twenty-five cents for such registration

Section 6 Any person violating any of the provisions of this act for which a penalty is not herein specifically provided shall be guilty of a misdemeanor and on conviction before any magistrate alderman or justice of the peace of the proper county shall be sentenced to pay a fine of ten dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1003 (Senate Bill No. 23), entitled:

An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one three four five six seven and eight

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this bill and its approval by the Governor of the Commonwealth the Chief Executive shall appoint not less than five and not more than seven women residents of each county desiring to avail itself of the provisions of this act to act as trustees in whom shall be intrusted the carrying into effect the provisions of this act To provide monthly payment as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes such payment to be made direct to the recipient by the State Treasurer upon warrants drawn by the Auditor General and direct to the recipient by the County Treasurer Such payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

The second section was read as follows:

Section 2 The administration of this act shall lie solely in the hands of the trustees appointed by the Governor They shall serve without pay but shall be permitted to charge for traveling expenses in making investigations of cases before a final recommendation is made to the Auditor General and County Treasurer The trustees shall provide a headquarters and appoint an investigator and a stenographer (if necessary) also suitable furnishings stationery and postage but at no time shall the yearly expense be more than three thousand dollars for counties with cities of the first class twenty-four hundred dollars for counties with cities of the second class eighteen hundred dollars for counties with cities of the third class and twelve hundred dollars for counties other than the aforesaid classes with the exception of the first year when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars if necessary for furnishings In order to carry the provisions of this act into effect an appropriation of two hundred thousand dollars from moneys not otherwise appropriated is hereby proportioned to the counties of the Commonwealth according to their respective population in the Census of one thousand nine hundred and ten by the Auditor General and State Treasurer upon the passage and approval of this bill the State Treasurer shall place the proportionate amount of the entire appropriation to the various counties upon the books of the State treasury to the credit of the trustees one-half of which amount shall be available the first year after approval and the remainder the second year or until another appropriation may become available provided however that no county through their trustees or otherwise shall receive their allotment of the States appropriation unless an equal amount has been provided by the government of such county desiring the benefits under this act

On the question,

Will the House agree to the section?

Mr. STRAUSS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend section 2, line 2, by inserting the word "annually" after the word "appointed."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The third, fourth, fifth, sixth and seventh and eighth sections were read and agreed to as follows:

Section 3 The trustees shall in no case recommend payment to any widow or abandoned mother until they are thoroughly satisfied that the recipient is worthy in every way and that in order to keep her children in her own home a monthly payment is necessary but then only upon satisfactory reports from a teacher in the district school stating that the child or children of the recipient of this fund are attending school provided they are of proper age and physically able to do so The combined total maximum payment shall not exceed twelve dollars per month for one child twenty dollars per month for two children twenty-six dollars per month for three children and five dollars per month for each additional child. These payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 4 Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act the member of children their full names ages and places of residence shall be provided one copy to be on file in the office of the trustees as a public record one copy to be kept as a record in the juvenile court and in counties where no such court exists the records shall be kept on file in the Orphans Court and one copy to be forwarded with each application for a warrant to the Auditor General and one copy to the county Treasurer The copy to the Auditor General and the County Treasurer shall be sworn to by the Investigator and approved by at least a majority of the trustees

Section 5 No family shall be a beneficiary under this act unless the mother has been a continuous resident of the county in which she is applying for the benefits under this act for a period of three years

Section 6 Any person securing an allowance not entitled thereto shall be declared guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year or both as the court may decide

Section 7 A detailed report of the number of beneficiaries the amount expended the advantages and disadvantages of the system improvements and recommendations shall be made by the trustees to the members of the General Assembly at the beginning of the session of one thousand nine hundred and fifteen

Section 8 All laws or parts of laws inconsistent with the provision of this act are hereby repealed

The title was read as follows:

An Act entitled an act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one two three four five six seven and eight

On the question,

Will the House agree to the title?

Mr. STRAUSS. Mr. Speaker, I desire to offer the following amendment

The amendment was read by the Clerk.

Amend title by striking out "entitled an act" in the first line, and in line 7 and 8 strike out after the word "forth" "insections one, two, three, four, five, six, seven and eight."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirng bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1304. as follows:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An Act relating to executors and administrators."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tenth section of an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An Act relating to executors and administrators" which reads as follows

"Section 10 The appraisers of the estate of a decendent shall be respectively entitled to receive from the executors or administrators a sum not exceeding one dollar for their services in appraising the estate as aforesaid and if not completed in one day one dollar for every day diligently employed by them therein" is hereby amended to read as follows

Section 10 The appraisers of the estate of a decedent shall be respectively entitled to receive from the executors or administrators a sum not exceding two dollars and fifty cents for their services in appraising the estate as aforesaid and if not completed in one day two dollars and fifty cents for every day diligently employed by them therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 743, entitled:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls on such land

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any land shall be leased the rent of which shall be wholly or partly a share or portion of the crops and animals and fowls raised thereon including a share or portion of the products of such animals and fowls it shall be unlawful for any tenant to remove from such land the share of the lessor or landlord unless specific permission in writing from such lessor or landlord be given to such tenant so to do

On the question,

Will the House agree to the section?

Mr. MATT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend section one in line 8 after the word "Remove" (insert) "or appropriate to his or her own use."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The second section was read and agreed to as follows:

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or to undergo an imprisonment in the jail of the county for a period not exceeding six months or both

The title was read as follows:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls raised on such land

On the question,

Will the House agree to the title?

Mr. MATT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend title line 3. After "land" insert "and providing penalties."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirng bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bi l No. 1219, as follows:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled 'An Act amending section one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain re-districting of inspectors granting to the qualified electors of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector therefor until such time as an inspector should be duly elected" by providing for additional inspectors therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled 'An Act amending sections one two three and seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain redistricting of inspectors granting to the qualified electors of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector therefor until such time as an inspector should be duly elected" which reads as follows

"Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district six inspectors
Second inspection district five inspectors
Third inspection district one inspector
Fourth inspection district four inspectors
Fifth inspection district two inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eighth inspection district one inspector

Provided That the present mine inspectors in the several inspection districts shall continue in office until the expiration of the terms for which they have been appointed or elected and the number of inspectors to be elected at the coming election shall be reduced by the number of inspectors now regularly appointed or elected and residing and serving in said districts When the terms of the present inspectors shall expire their successors shall be elected in accordance with the provisions of this act until each inspection district shall have its full quota of elected inspectors under this act Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspec-

tor to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owning to the erection of a new district or for any other reason an inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a board of examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the board of examiners of said district showing that he has passed a successful examination before the said board and is qualified for the position of inspector" is hereby amended to read as follows

Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district nine inspectors
Second inspection district seven inspectors
Third inspection district one inspector
Fourth inspection district seven inspectors
Fifth inspection district four inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eight inspection district one inspector

Provided That the present mine inspectors in the several inspection districts shall continue in office until the expiration of the terms for which they have been appointed or elected and the number of inspectors to be elected at the coming election shall be reduced by the number of inspectors now regularly appointed or elected and residing and serving in said districts When the terms of the present inspectors shall expire their successors shall be elected in accordance with the provisions of this act until each inspection district shall have its full quota of elected inspectors under this act Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owning to the erection of a new district or for any other reason an inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a board of examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the board of examiners of said district showing that he has passed a successful examination before the said board and is qualified for the position of inspector or a person who is the holder of a properly issued mine foreman's certificate

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1319, entitled:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof

The amendments were read by the Clerk.

The first, second and third sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every city of the third class there shall be provided in the way hereinafter mentioned a house or houses of detention for the reception of all untried juvenile offenders and neglected and dependent children under the age of sixteen years of the county containing said house or houses of dentention who may be in the custody of an officer appointed or elected under any law of this Commonwealth and whose cases may be under judicial investigation under any laws of this Commonwealth pending such investigation and final determination of such case or cases

Section 2 House or houses of detention established under the provisions of this act shall be provided by a board of managers consisting of three members said board of managers to be appointed by the judges of the court of quarter sessions of the peace having jurisdiction in the said respective cities

Section 3 The board of managers provided for in this act shall serve without compensation and shall hold office for three years and until their successors are appointed subject to removal by the judge of said court

The fourth section was read as follows:

Section 4 The duties of said board of managers shall be to provide a house or houses and it shall when possible contract with any duly incorporated society having for one of its objects the protection of children to establish maintain and conduct said house or houses of detention such contracts for establishing maintaining and conducting such house or houses to be submitted to the judges of the court of quarter sessions for its approval If such contract can not be made then the board shall provide such house or houses by leasing the same or otherwise for the reception of children to be placed therein under the provisions of this act keep the same in repair and generally to fit and furnish said house of houses so that the same may be suitable for the care of the children intended to be received generally to supervise and oversee the management of said house or houses unless such contract as aforesaid has been made with an incorporated society as aforesaid in which case such society's board of managers or directors shall oversee and supervise said house or houses

On the question,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer the following amendments.

Amend House Bill No. 1319 file folio No. 3689.

Page 2 section 4, line 2 strike out the words "it shall" before the word "when" and insert in lieu thereof the word "may."

And on line 5 strike out the word "can" before the word "not" and insert in lieu thereof the word "is" and strike out the word "be" before the word "made."

And on line 14 strike out the word "ad" before the word "oversee" insert in lieu thereof the word "and"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fifth section was read and agreed to as follows:

Section 5 Expenses incurred in the performance of the said duties of the board of managers appointed by the court as aforesaid shall be itemized and presented with proper vouchers to the county commissioners of the county containing the city for which said board of managers were appointed who shall be required to pay the said expenses

The sixth section was read as follows:

Section 6 If a contract cannot be made with an incorporated society as aforesaid the board of managers as appointed by the court shall appoint a man and woman to take charge of the house and children committed to such house of detention which said appointees shall generally maintain order and discipline among the children so committed into their keeping Their salary or compensation to be paid to said caretakers or appointees shall be fixed by the board of managers and certified to the county commissioners as one of the expenses of maintaining such house or houses of detention as are established by this act

On the question,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend House Bill No. 1319 file folio No. 3689.

Page 3 section 6, line 1 strike out the words "cannot be" before the word "made" and insert in lieu thereof the words "is not."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The seventh and eighth sections were read and agreed to as follows:

Section 7 It shall not be essential to commit a delinquent dependent or neglected child to the house of detention established by this act if in the judgment of the probation officer now or hereafter to be appointed under any present existing law or laws of this Commonwealth it should be deemed expedient to otherwise dispose of said child

Section 8 The cost and expense of maintaining the houses of detention by this act established shall be provided by the respective counties containing the said house or houses of detention as the cost and expenses of maintaining county prisons are now provided

All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof

On the question,

Will the House agree to the section?

Mr. FREY. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend title, line 3. After "thereof" insert "and providing for the payment of the expense thereof by the proper county"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and conisderation of House Bill No. 416, as follows:

An Act to prevent occupational diseases and to provide for the health of employees exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every employer shall without cost to the employees provide reasonably effective devices means and methods to prevent the contraction by his employees of any illness or disease incident to the work or process in which such employees are engaged

Section 2 Every work or process in the manufacture of white lead red lead litharge sugar of lead arsenate of lead lead chromate lead sulphate lead nitarate or fluc-silicate or in the manufacture of a pottery titles or porcelain enameled sanitary ware is hereby declared to be especially dangerous to the health of the employees who while engaged in such work or process are exposed to lead dusts lead fumes or lead solutions

Section 3 Every employer shall without cost to the employees provide the following devices means and methods for the protection of his employees who while engaged in any work or process included in Section two are exposed to lead dusts lead fumes or lead solutions

(a) The employer shall provide and maintain work rooms adequately lighted and ventilated and so arranged that there is a continuous and sufficient change of air and all such rooms shall be fully separated by partition walls from all departments in which the work or process is of non-dusty character and all such rooms shall be provided with a floor permitting an easy removal of dust by wet methods or vacuum cleaning and all such floors shall be so cleaned daily

Every work or process referred to in Section two including the corroding or oxidizing of lead and the crushing mixing sifting grinding and packing of all lead salts or other compounds referred to in Section two shall be so conducted and such adequate devices provided and maintained by the employer as to protect the employee as far as possible from contact with lead dust or lead fumes Every kettle vessel receptacle or furnace in which lead in any form referred to in Section two is being melted or treated and any place where the contents of such kettles receptacles or furnaces are discharged shall be provided with a hood connected with an efficient air exhaust all vessels or containers in which dry lead in any chemical form or combination referred to in Section two is being conveyed from one place to another within the factory shall be equipped at the places where the same are filled or discharged with hoods having connection with an efficient air-exhaust and all hoppers chutes conveyors elevators separators vents from separators dumps pulverizers chasers dry-pans or other apparatus for drying pulp lead dry-pans dump and all barrel packers and cars or other receptacles into which corrosions are at the time being emptied shall be connected with an efficient dust-collecting system such system to be regulated by the discharge of air from a fan pump or other apparatus either through a cloth dust collector having an area of not less than one-half square foot of cloth to every cubic foot of air passing through it per minute the dust-collector to be placed in a separate room which no employee shall be required or allowed to enter except for essential repairs while the works are in operation or such other apparatus as will efficiently remove the lead dusts from the air before it is discharged into the outer air

(b) The employer shall provide a wash room or rooms which shall be seperate from the work rooms be kept clean and be equipped with

(1) Lavatory basins fitted with pipes and two spigots conveying hot and cold water or

(2) Basins placed in troughs fitted with waste pipes and two spigots conveying hot and cold yater or

(3) Troughs of enamel or similar smooth impervious material fitted with waste pipes and for every two feet of trough length two spigots conveying hot and cold water

Where basins are provided there shall be at least one basin for every five such employees and where troughs are provided at least two feet of trough length for every five such employees The employer shall also furnish nail brushes and soap and shall provide at least three clean towels per week for each such employee A time allowance of not less than ten minutes at the employer's expense shall be made to each such employee for the use of said wash room before the lunch hour and at the close of the day's work

The employer engaged in the manufacture of white lead red lead litharge sugar of lead arsenate of lead lead chromate lead sulphate lead nitrate or fluo silicate shall also provide at least one shower bath for every ten such employes The baths shall be approached by wooden hunways be provided with movable wooden floor gratings be supplied with controlled hot and cold water and be kept clean She employer shall furnish soap and shall provide at least two clean bath towels per week for each such employee An additional time allowance of not less than ten minutes at the employer's expense shall be made to each such employee for the use of said baths at least twice a week at the close of the day's work The employer shall keep a record of each time that such baths are used by each employee which record shall be open to inspection at all reasonable times by the State Department of Factory Inspection and also by the State Board of Health.

(c) The employer shall provide a dressing room or rooms which shall be separate from the work rooms be furnished with a double sanitary locker or two single sanitary lockers for each such employee and be kept clean

(d) The employer shall provide an eating room or eating rooms which shall be separate from the work rooms be furnished with a sufficient number of tables and seats and be kept clean No employee shall take or be allowed to take any food or drink of any kind into any work room nor shall any employe remain or be allowed to remain in any work room during the time allowed for his meals

(e) The employer shall provide and maintain a sufficient number of sanitary drinking fountains readily accessible for the use of employees

(f) The employer shall provide at least one pair of overalls and one pair jumpers for each such employe and repair or renew such clothing when necessary and wash the same weekly Such clothing shall be kept exclusively for the use of that employee

(g) The employer shall provide and renew when necessary at least one reasonably effective respirators for each employee who is engaged in any work or process which produces lead dusts

Section 4 Every employee who while engaged in any work or process included in Section two is exposed to lead dusts lead fumes or lead solutions shall

(a) Use the washing facilities provided by the employer in accord with Section three (b) and wash himself at least as often as a time allowance is therein granted for such use

(b) Use the eating room provided by the employer in accord with Section three (d) unless the employee goes off the premises for his meals

(c) Put on and wear at all times while engaged in such work or process a suit of the clothing provided by the employer in accord with Section three (f) and remove the same before leaving at the close of the day's work and keep his street clothes and his working clothes when not in use in separate lockers or separate parts of the locker provided by the employer in accord with Section three (c)

(d) Keep clean the respirators by the employer in accord with Section three (g) and use one at all times while he is engaged in any work or process which produces lead dusts

Section 5 The employer shall post in a conspicuous place in every work room where any work or process included in Section two is carried on room where washing facilities are provided dressing room and eating room a notice of the known dangers arising from such work or process and simple instructions for avoiding as far as possible such dangers The Chief Factory Inspector shall prepare a notice containing the provisions of this act and shall furnish free of cost a reasonable number of copies thereof to every employer included in Section two and the employer shall post copies thereof in the manner hereinbefore stated The notices required in this section shall be printed in plain type on cardboard and shall be in English and in such other languages as the circumstances may reasonable require The contents of such notices shall be explained to to every employee by the employer when the said employee enters employment in such work or process interpreters being provided by the employer when necessary to carry out the above requirements

Section 6 The employer shall cause every employee who while engaged in any work or process included in Section two is exposed to lead dusts lead fumes or lead solutions to be examined at least once a month for the purpose of ascertaining if symptoms of lead poisoning appear in any employe The employe shall submit himself to the monthly examination and to examination at such other times and places as he may reasonably be requested by the employer and he shall fully and truly answer all question bearing on lead poisoning asked him by the examining physician designated and paid by the employer and shall be made during the working hours a time allowance therefor at the employer's expense being made to each employee so examined

Section 7 Every physician making an examination under Section six and finding what he believes to be symptoms of lead poisoning shall enter in a book kept for that purpose in the office of the employer a record of such examination containing the name and address of the employes so examined the particular work or process in which he is engaged the date place and finding of such examination and the directions given in each case by the physician The

record shall be open to inspection at all reasonable times by the State Department of Factory Inspection and by the State Board of Health

Within forty-eight hours after such examination and finding the examining physician shall send a report thereof in duplicate one copy to the State Department of Factory Inspection and one to the State Board of Health The report shall be on or in conformity with blanks to be prepared and furnished by the State Board of Health free of cost to every employer included in Section two and shall state (a) name occupation and address of employee (b) name business and address of employer (c) nature and probable extent of disease and (d) such other information as may be reasonably required by the State Board of Health

The examining physician shall also within the said forty-eight hours report such examination and finding to the employer and after five days from such report the employer shall not continue the said employee in any work or process where he will be exposed to lead dusts lead fumes or lead solutions nor return the said employee to such work or process without a written permit from a licensed physician

Section 8 The State Department of Factory Inspection shall enforce this act and prosecute all violations of the same The officers or their agents of the said department shall be allowed at all reasonable times to inspect any place of employment included in this act

Every employer who either personally or through any agent violates or fails to comply with any provisions of Section one or Section three shall be guilty of a misdemeanor and on conviction for the first offense shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than two hundred ($200) dollars and on conviction for a second offense shall be sentenced to pay a fine of not less than two hundred ($200) dollars nor more than five hundred ($500) dollars and on conviction for each subsequent offense shall be sentenced to pay a fine of not less than three hundred ($300) dollars nor more than one thousand ($1,000) dollars and in each case he shall stand committed until such fine and the costs are paid or until he is otherwise discharged by due process of law

Every employee who violates or fails to comply with any provisions of Section four shall be guilty of a misdemeanor and on conviction for the first offense shall be sentenced to pay a fine of not less than ten ($10) dollars nor more than twenty ($20) dollars and on conviction for the second offense shall be sentenced to pay a fine of not less than twenty ($20) dollars nor more than fifty ($50) dollars and on conviction for eacr subsequent offense not less than thirty ($30) dollars nor more than one hundred ($100) dollars and in each case he shall stand committed until such fine and the costs are paid or until he is otherwise discharged by due process of law

Every employer who either personally or through any agent violates or fails to comply with any provision of Sections five six or seven relating to him and every employee who violates or fails to comply with the provisions of Section six relating to him shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than ten ($10) dollars nor more than one hundred ($100) dollars

Section 10 In this act unless the context otherwise requires "employer" includes persons firms partnerships limited partnerships and corporations

Section 11 For the purpose of determining the constitutionality of any provision of this act Section one hereof is declared to be independent of and separable from the remaining sections

Section 12 This act shall take effect on the first day of October one thousand nine hundred and thirteen except as to subdivisions (a) (b) (c) and (d) of Section three which subdivisions shall take effect as follows

Subdivisions (b) (c) and (d) of Section three on the first day of October one thousand nine hundred and fourteen

Subdivisions (a of Section three on the first day of October one thousand nine hundred and fifteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 405, as follows:

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same to inquire into the subject of fair compensation for those injured or killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen and making an appropriation for the expenses of said commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to appoint a commission of seven persons to be known as the Industrial Accidents Commission two of whom shall be employers of labor two of whom shall be employes in either mines or industrial establishments of this Commonwealth or duly accredited representatives thereof two of whom shall be learned in the law and one of whom shall be a person skilled and experienced in making investigations to inquire into the causes and results of industrial accidents in the mines mills factories stores and upon the railroads street railways ships wharves and in all industrial establishments and in all other places where men women and children are employed in manual labor in this Commonwealth to study the most advanced methods for safeguarding against these aecidents to inquire into the subject of fair compensation for those who are injured in these accidents and for the families of those who shall be killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen

Section 2 The chairman of said commission shall be designated by the Governor and the person named on said commission as a skilled and experienced investigator shall be the secretary of the commission The commission shall have power to employ such legal counsel and other officers and employes as it may deem necessary to properly perform its duties

Section 3 The secretary of said commission shall receive an annual salary of two thousand four hundred dollars ($2,400) and his actual necessary expenses and the other members of the commission shall receive no compensation for their services but shall be allowed their actual traveling and other necessary expenses The salaries of any other persons employed by the commission shall be fixed by it

Section 4 Said commission shall make a full report in writing of its findings together with such recommendations as it may deem proper to the next meeting of the General Assembly which will convene in January one thousand nine hundred and fifteen

Section 5 The sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary be and the same is hereby appropriated for the expenses of said commission. The said expenses shall be paid on warrant duly signed by the chairman of the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to regulate and improve the Civil Service of the Commonwealth of Pennsylvania and of the counties and of cities of the third class providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the Civil Service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violation thereof

The first section is read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to the Civil Service of the Commonwealth of Pennsylvania and to the Civil Service of each county having a population of two hundred and fifty thousand inhabitants or more according to a United States census and to the Civil Service of each county having a population of less than two hundred and fifty thousand inhabitants which has accepted its provisions in the manner hereinafter provided in section thirty-three and to the Civil Service of each city of the third class which has accepted its provisions in the manner hereinafter provided in section thirty-three This act shall be known and may be cited as "The Civil Service act"

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend Section 1 by striking out after the word "Pennsylvania," all that portion of the section down to and including the words "Section 33," line 13.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The second section was read as follows:

Section 2 The term "Civil Service of the Commonwealth" shall include all offices positions and employments in which the officers or employes are paid from the State Treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the Commonwealth either directly or through any commission board official or officials has the right to appoint or select the officials or employes or which are constituted agencies for the performance of a function of this Commonwealth Provided however That this act shall not apply to offices employments or positions in the military or naval service

The term "Civil Service of any county" shall include for each county to which this act and each county which has

accepted the provisions of this act in the manner provided in section thirty-three all offices positions and employments in which the officers or employes are paid from the county treasury and all offices positions or employments in or under institutions departments boards of commissions wherein the county either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The term "Civil Service of any city" shall include for each city which has accepted the provisions of this act in the manner provided in section thirty-three all offices positions and employments in which the officers or employes are paid from the city treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the city either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The terms "any county" and "any city" and "every county" and "every city" unless a contrary meaning appears from the context to be itended shall mean each and every county with a population of two hundred and fifty thousand inhabitants or more and each and every county or city which has accepted one provisions of this act in the manner provided in section thirty-three

The term "positions" shall include offices and employments unless a contrary meaning clearly appears from the context to be intended

The term "appoint" shall include employ and the term "appointment" shall include employment

The term "Commonwealth" shall mean the Commonwealth of Pennsylvania

The terms "he" and "his" shall include it its she her they and their unless a contrary meaning clearly appears from the context to be intended

The term "oath" shall include affirmation and "swear" shall include affirm

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend Section 2 by striking out all that portion of the section beginning with the words "The term" in line 12 and ending with the words "Section 33" in line 34.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The third section was read as follows:

Section 3 The Governor by and with the advice and consent of the Senate shall appoint a State Civil Service Commission consisting of three commissioners The persons appointed commissioners shall be men in full sy[illegible] with the purposes of this act Not more than two of the said commissioners shall at any one time be adherents of the same political party It shall be the duty of the Civil Service Commission to enforce the provisions of this act The commissioners shall be appointed as follows On the first day of April one thousand nine hundred and thirteen the Governor shall appoint three commissioners one to serve for a term of five years the second for a term of three years and the third for a term of one year The Governor shall designate one of the commissioners president of the commission At the expiration of each of the terms of the commissioners appointed as aforesaid the Governor shall appoint a commissioner to serve for the full term of five years Thereafter whenever the term of a commissioner expires his successor shall be appointed for a full term of five years The Governor may at any time remove a commissioner after furnishing him a written statement of the specific reasons for such action and giving him a reasonable opportunity to make written answer The statement of the Governor and the answer of the commissioner if any shall be made a part of the public records of the commission The Governor shall fill any vacancy which may occur in said commission by the appointment within two months from the occurrence of the vacancy of a sucessor to serve for the remainder of the unexpired term Whenever any vacancy shall exist in the office of the President of the Commission the Governor shall have the right to designate any one of the three members of the Commission as the President thereof and the person so designated shall serve as President until the expiration of his term The salaries of the commissioners and the expenses of conducting the examination system of keeping the records and of carrying out the provisions of this act shall be paid by the Commonwealth No commissioner shall hold any other office under the United States or under the Commonwealth of Pennsylvania or any county or city thereof (whether or not said county or city has accepted the provisions of this act) nor shall any commissioner take any active part in political affairs or in the management of any political campaign The president of the Civil Service Commission shall receive a salary of five thousand dollars per year and shall devote his entire time to the work of that office Each of the other commissioners shall be paid a salary of three thousand dollars per year The commissioners shall qualify by filing with the Governor an oath reciting that they are in full sympathy with the purposes of this act and that they will perform faithfully the duties of their office Two members shall constitute a quorum of the commission The principal office of the commission shall be in the city of Harrisburg where its general sessions shall be held but whenever the convenience of the public can be promoted or delay or expense thereby be prevented the Commission may hold special sessions in any part of the Commonwealth

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend Section 3 line 9 by striking out the word "April" and inserting the word "July."

and line 11 by striking out the word "five" and inserting the word "three."

and line 12 by striking out the word "three" and inserting the word "two."

and line 16 by striking out the word "five" and inserting the word "three."

and line 18 by striking out the word "five" and inserting the word "three."

and lines 37 and 38 b ystriking out the words contained in the parentheses.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The fourth section was read and agreed to as follows:

Section 4 The Civil Service Commission shall appoint a chief examiner who shall also act as its secretary and such other clerks examiners and employes as it may deem necessary or proper to carry out the purposes of this act The chief examiner shall receive a salary of three thousand dollars a year The clerks examiners and employes shall recive salaries to be fixed by Civil Service Commission All the expenses of the commission including all necessary expenses incurred by members of the commission or their employes under their orders in making any investigation or upon any official business shall be allowed and paid on the presentation of itemized vouchers therefor approved by a member of the commission The commission shall not expend or authorize the expenditure of moneys for any purpose in excess of the sums appropriated therefor by law The chief examiner and all of the clerks examiners and employes of the Civil Service Commission shall be included in the competitive class of the classified civil service of the Commonwealth

The fifth section was read as follows:

Section 5 No person board or commission having the power of appointment to positions in the civil service of the Commonwealth or of any county or city shall in the the case of the Commonwealth and counties with a population of two hundred and fifty thousand inhabitants or more after the thirtieth day of April one thousand nine hundred and thirteen and in the case of any county or city after sixty days from the date of the acceptance of this act by such county or city appoint any person or make any other change in the status of any person in any position in the classiffied civil service of the Commonwealth or of any such county or city except in accordance with the provisions of this act and the rules and regulations prescribed thereunder No person shall be appointed to any position in the classified civil service of the Commonwealth or of any county or city unless he has been selected in the manner hereinafter provided from the appropriate eligible list of those who have passed competitive examinations for such position or for one which in the judgment of the Civil Service Commission is substantially similar or unless he is shown to be exempted from such examination by the provisions of this act and the rules and regulations made pursuant therto Provided however that among those persons possessing equal qualifications and certified for appointment preference in appointment shall be given to honorably discharged soldiers and sailors who served in the army or navy of the United States during the War of the Rebellion Provided further however that if the preference hereby provided for be for any reason invalid all the other provisions of this act shall remain in force with like effect as if said preference had not been contained herein If in violation of this act or of the rules and regulations established thereunder any person appoints promotes or reinstates or attempts to appoint promote or reinstate any person in any position in the classified civil service of the Commonwealth or of any county or city the person making or attempting to make such appointment promotion or reinstatement shall from his individual resources pay the person illegally appointed promoted or reinstated or attempted to be appointed promoted or reinstated the same compensation for any services performed by him under such appointment promotion or reinstatement or attempted appointment promotion or reinstatement which he would have been entitled to receive from the Commonwealth or any county or city if his appointment promotion or reinstatement had been legal and shall further pay to such person any costs and other reasonable expenses incurred by him in enforcing this liability No person who has been forced to pay compensation to another person because of the foregoing provisions shall be reimbursed by the Commonwealth or by any county or city shall thereof for any sums so paid for any expenses occurred in connection therewith

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend Section 5, line 3, by striking out all after the word "Commonwealth" down to and including the word "more" in line 5.
and by striking out in line 5 the word "April" and inserting the word "July."
and striking out all after the word "thirteen" in line 6 down to and including the word "city" in line 8.
and by striking out in lines 10 and 11 the words "or of any such county or city."
and by striking out in line 14 the words "or of any county or city."
and by striking out in line 33 the words "or of any county or city."
and by striking out in line 41 the words "or any county or city."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was agreed to.
The sixth section was read as follows:

Section 6 It shall be the duty of the proper officials of the Commonwealth and of each county and city to cause suitable and convenient rooms and accommodations to be provided and to be furnished heated and lighted for carrying on the work and examinations of the Civil Service Commission The Civil Service Commission may order from the proper authorities of the Commonwealth the necessary stationery printing and other supplies for its official use It shall be the duty of the officers of the Commonwealth and of every county and city to aid the said Civil Service Commission in all proper ways in carrying out the provisions of this Act and to allow the use of public buildings and to heat and light the same for holding examinations and investigations and in all proper ways to facilitate the work of the commission

On the question,
Will the House agree to the section?
Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Amend Section 6 by striking out in line 2 the words "and of each county and city."
and in line 9 by striking out the words "and of every county and city."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was agreed to.
The seventh section was read and agreed to as follows:

The Civil Service Commission shall

Section 7 1 Prescribe amend and enforce such rules as may from time to time be necessary or desirable in its judgment for carrying into effect the provisions of this act The commission shall not adopt amend or rescind any rule except after a public hearing held in the manner provided in section twenty-eight of this act The commission may however without a public hearing adopt regulations with reference to the conduct of its office minor details connected with examinations and other matters of minor importance Immediately upon the adoption or amendment of any rule or regulation the commission shall post a copy thereof on a suitable bulletin board at its office and shall cause copies to be printed for public distribution

2 Keep minutes of its own proceedings and records of its examination and of all other official actions All minutes of the commission except as hereinafter specially provided as well as all recommendations and correspondence relating to applicants for office or employment received by the said commission or by any person having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the time and manner of examination be open to public inspection Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and not open to inspection by any person not employed by the commission

3 Make investigations either sitting as a body or through a single commissioner concerning all matters touching the operation and results of the provisions of this act and the rules and regulations prescribed thereunder and concerning the efficiency of all officers and employes and of all groups of officers and employes in the classified service and make reports to each officer board or other authority in charge of any institution office or department of the State government its findings and recommendations relative to increasing efficiency and economy therein In case the recommendations made by the commission are not carried into effect within a reasonable time or in case of a difference of opinion with reference to such findings or recommendations between the commissioner and the officers board or other authority in charge of an institution office or department concerned in any such finding or recommendation the report accompanied by a note of the relevant facts shall be transmitted to the Governor by the commission and each commissioner and the chief examiner shall have power to administer oaths and to take testimony in connection with any investigation or other business of the commission

4 Have power to require by subpoena the attendance from any place in the Commonwealth and to control testimony under oath of witnesses and the production of all books documents memoranda or other papers relating to any matter under investigation by the commission Any of the courts of common pleas of the Commonwealth within the jurisdiction of which such inquiry is carried on shall on complaint of the commission or of any party appearing before it in case of contumacy or refusal of any person to obey a subpoena of the commission issue an order requiring such person to appear before the commission and to produce books and papers if so ordered and to give evidence touching the matter in question Any failure to obey such order of the court may be punished by such court as a contempt thereof No person shall be excused from attending and testifying or from producing books and papers before the commission or in any court in any cause or proceeding criminal or otherwise based upon or growing out of any alleged violation of this act on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no person shall be prosecuted or liable to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been compelled to testify or produce evidence under oath documentary or otherwise before said commission or in any court in any such caus Provided That no person in so testifying shall be exempt from prosecution or for perjury in so testifying

The fees of witnesses for attendance and travel shall be the same as for witnesses before the Courts of Common Pleas and if the witnesses are subpoenaed on behalf of the Commission or if the Commission shall deem that justice requires it shall be paid from the appropriation to the Commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by said Commission without being entitled to receive any witness fees

5 Have power to recommend the impeachment or removal of officials or employes of the Commonwealth or of any county or city who shall be deemed guilty by a majority of the Commissioners after a full hearing of charges that they have coerced or attempted to coerce their subordinates in the performance or non-performance of a political or other service having no proper relation to the duties of a public employe or in the payment of a contribution for any political purpose

6 Make an annual report to the Governor showing its own actions the rules and regulations and all the exceptions thereto in force and any proposed legislation or other suggestions it may approve for the more effectual accomplishment of the purposes of this act At least one thousand copies of the annual report shall be printed for public distribution

The eighth section was read as follows:

Section 8 The Civil Service of the Commonwealth and of each county and city shall be divided into the unclassified service and the classified service
The unclassified service shall comprise
All officers elected by the people
All heads of departments or members of boards or commissions whose appointment is subject to confirmation by the Senate
All persons engaged directly in the service of either branch of the Legislature and appointed by any officer or committee thereof
All persons holding positions in the judicial service and receive a salary of more than one thousand dollars per year
All persons holding positions under any school district
Registrars of election
The classified service shall comprise all persons in the Civil Service of the Commonwealth and of every county and city not specifically included in the unclassified service by the foregoing provisions

On the question,
Will the House agree to the section?
Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Amend Section 8 by striking out in lines 1 and 2 the words "and of each county and city."
and by striking out in line 17 the words "and of every county and city."
and by striking out in lines 23 and 24 the words "and of every county and city."
and by striking out in lines 31 and 32 the words "or of any county or city."
and by striking out in line 45 all that portion of the sentence after the word "Commonwealth" and down to and including the word "city" in line 47.

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was agreed to.
The ninth, tenth, eleventh and twelfth sections were read and agreed to as follows:

Section 9 The Civil Service Commission shall make suitable rules and regulations providing for examinatons for all positions in the competitive non-competitive and labor classes of the classified service of the Commonwealth and of every county and city and for the manner of making appointments to and promotions and other changes in all positions in the entire classified service thereof and for such other matters as are necessary to carry out the purposes of this act

The Civil Service Commission shall supervise and control all examinations and may conduct its examinations through its regular subordinates or it may designate a suitable person or persons either in or not in the official service of the State or of any county or city to be the examiners in a particular examination and it shall be the duty of such examiners and if in the official service it shall be part of their official duty without extra compensation to conduct such examinations subject to the directions of the said Commission and to make return or report thereof to said commission and the said commission may at any time substitute any other person whether or not in such service in the place of any one so selected and the commissioners may themselves at any time act as such examiners and without appointing examiners Such examinations shall be held in such locality or localities as will most readily provide reasonable opportunity for participation therein for all citizens of the said Commonwealth with reference to positions in the service of the Commonwealth or to the citizens of any county or city with reference to positions in the service of the said county or city The commission shall have authority at its discretion to provide separate eligible lists for positions in the service of the Commonwealth in the various counties and cities

Section 10 All original appointments to the competitive and non-competitive classes of the classified service shall be for a probationary period of four months Provided however that at any time during the probationary period the appointee may be dismissed in the manner provided in section twenty If at the close of this probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive absolute appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his final appointmnt

Section 11 All examinations for positions in the classified service shall be practical in their character and relate to such matters and include such inquiries as will fairly and fully test the comparative capacity and fitness of the applicants to discharge the duties of the office or employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements stated in section twelve All applicants for any position in the classified service may subject to the regulations adopted by the Civil Service Commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least two weeks prior to such examinations except in the case of examinations held to permit emergency or provisional appointments as provided in section seventeen hereof in which case no public notice shall be necessary The said commission shall adopt reasonable regulations for permitting the presence of representatives of the press at all such examinations

Section 12 The Civil Service Commission shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the sad commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath

1—His full name residence and postoffice address

2—His citizenship age and the place and date of his birth

3—His health and his physical capacity for public service

4—His business and employments and residences for at least the three previous years

5—Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applicantions shall be furnished by the Commission without charge to all persons requesting the same The Commission may require in connection with such applications such certificates of citizens physicians or others having knowledge of the applicant as the good of the service may require The Commission may refuse to examine an applicant or after examination to certify an eligible who is found to lack any of the established preliminary requirements for the examination or position for which he applies or who is physically so disabled as to be rendered unfit for the performance of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been guilty of any crime or of infamous or notoriuosly disgraceful conduct or who has been dismissed from any public service for delinquency or misconduct or who has within one year twice failed to attain a passing mark in an examination for the same position or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in any application in any examination or in securing any appointment If any applicant feels himself aggrieved by the action of the Commission in so refusing to examine him or after an examination to certify him as an eligible as provided in this section the Commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant may appear by himself or by counsel or both and the Commission shall then revew ts refusal to make such examination or certification and testimony shall be taken The Commission shall subpoena at the expense of the applicant any competent witness requested by him After said review the Commission shall file the testimony taken in its records and shall again make a decision which shall be final When any position to be filled involves fiduciary responsibility the appointing officer may require the appointee to furnish a bond or other surety and shall notify the Commission of the amount and other details thereof Provided however That any surety company the bonds of which are accepted by a judge of any court of record within the county wherein the office is located shall be sufficient surety on any such bond

The thirteenth section was read as follows:

Section 13 The positions in the classified service of the Commonwealth and of every county and city shall be arranged by the Civil Service Commission according to the provisions of this act in four classes to be designated as the exempt class the competitive class the non-competitive class and the labor class The Commission shall have the power from time to time to make such reclassifications of the positions in the classified service as it may deem necessary

No position shall be classified in any other than the competitive class except after a public hearing by the said Commission held in the manner provided in section twenty-eight A list of all positions that it may classify in any other than the competitive class shall be publicly announced and shall be posted on a suitable bulletin board at its office All positions not classified by the said Commission in the exempt non-competitive or labor class shall be in the competitive class

Upon the petition of any appointing officer or of any ten citizens of the Commonwealth asking for a change in any classification and setting forth the reasons for such change the said Commission shall hold a public hearing in the manner provided in section twenty-eight and after a careful investigation shall determine whether or not such change shall be made The petition or a copy thereof shall be posted on a suitable bulletin board at the office of the Commission at least one week prior to the date of the public hearing thereon and the petition shall thereafter become part of the public records of the Commission

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend Section 13, line 2, by striking out the word "and of every county and city."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The fourteenth section was read as follows:

The exempt class shall include

Section 14 (1) One secretary and one confidential clerk to the Governor and one confidential clerk to the county commissioners to the register of wills and to the recorder of deeds of each county and to the mayor of each city and to the head of each department of the Commonwealth and of each city

(2) Such positions except laborers for the filling of which the Civil Service Commission shall have found competitive or non-competitive examinations to be impracticable No position shall be deemed to be in the exempt class unless and until the Civil Service Commission after a careful investigation and after a public hearing held in the manner provided in section twenty-eight has determined that it is unable to obtain by competitive or non-competitive examinations persons possessing the usual and requisite qualifications for filling such office or position and has classified such office or position in the exempt class and the reasons for every such exemption shall be stated separately and at length in the annual reports of the Commission Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically authorized by the said Commission The Commission may at is discretion limit the time during which any position shall remain in the exempt class Appointments in the exempt class may be made without examination

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend Section 14, line 3, by striking out all after the word "Governor" down to and including the word "city" in line 5. and by striking out in line 6 the words "and of each city."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 The competitive class shall include all positions now existing or hereafter created of whatever functions designations or compensation in each and every branch of the classified service of the Commonwealth (including those in the Civil Service Commission) and of every county and city except such positions as have been placed by the specific provisions of this act or by definite action of the Civil Service Commission in the exempt class the non-competitive class or the labor class No position shall be classified in any other than the competitive class unless the Commission has determined that persons possessing the requisite qualifications for filling that position cannot be obtained through competitive examinations Appoint-

ments shall be made to all positions in the competitive class that are not filled by promotion reinstatement transfer or reduction under the provisions of this act and the rules made in pursuance thereof by appointment from among those certified to the appointing officer in accordance with the provisions of Section sixteen The term validity of each eligible list shall be fixed by the Civil Service Commission at not less than one nor more than three years The Commission shall have the power to cancel any eligible list for fraud or for any other definite cause connected with the examination through which such list was procured Provided that the Commission has determined after a public hearing held in accordance with the provisions of Section twenty-eight of this act that such cancellation is necessary in order to promote the purposes of this act The Commission shall enter upon its public records the exact cause for the cancellation of any eligible list The names of those persons eligible for appointment shall always be listed and certified in the order of their gradings beginning with the highest Appointments shall be made from the eligible list most nearly appropriate to the duties of the position to be filled and a new and separate list shall be created only when there is no appropriate list existing from which appointments may be made No person shall be appointed under any title not appropriate to the duties to be performed No person in the Civil Service of the Commonwealth or of any county or city shall be assigned to or directed to perform any duties other than those properly pertaining to the position which he legally holds Provided however that if his main duties are those properly pertaining to his position he may with the written permission of the Civil Service Commission be assigned to the performance of other additional duties not higher in grade or salary than those of his own position

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 15, line 5, by striking out the words "and of every county and city."

and by striking out in lines 36 and 37 the words "or of any county or city."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The sixteenth, seventeenth, eighteenth, nineteenth, twentieth and twenty-first sections of the bill were read and agreed to as follows:

Section 16 Every position in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the Civil Service Commission of any vacancy in the service which he deems it necessary to fill and shall request the certification of eligibles The Commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at examinations held under the provisions of this act If no appropriate eligible list containing three or more eligible names exists the Commission shall proceed at once to hold an examination and to secure an eligible list as promptly as possible The appointing officer shall upon the receipt of the eligible list from the Commission and with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified Provided however that should he make objection to the Civil Service Commission as to one or more of these persons for any of the reasons stated in Section twelve of this act and should such objection be sustained by the Commission the Commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person stricken off

As each subsequent vacancy occurs in the same or a similar position precisely the same procedure shall be followed Provided however that after any name has been three times rejected by any one appointing officer for the same or a similar position in favor of other name or names on the eligible list the said name shall not again be certified to that appointing officer When there are a number of positions of the same kind to be filled at the same time each appointment must nevertheless be made separately and in accordance with the foregoing provisions

When an appointment is made under the provisions of this section it shall be in the first instance for the probationary period fixed by the rules as provided in Section 10

The provisions of this Section (16) shall not apply in making appointments to competitive positions which are specially excepted from competitive examinations under the authority conferred in Section 17

The Commission shall post in a public place in its office the eligible list containing the names and grades of those who have passed examinations for positions in the competitive class and shall promptly indicate thereon such appointments as may be made from said lists

Section 17 Positions in the competitive class may be filled without competition only as follows

1 Whenever there are urgent reasons for filling a vacancy in any position in the competitive class and there is no list of persons containing one or more names eligible for appointment after a competitive examination the appointing officer may nominate a person to the Civil Service Commission for non-competitive examination and if such nominee shall after appropriate non-competitive examination be certified by the said Civil Service Commission as qualified he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination If however there is an existing eligible list containing one or two names the appointing officer if he is unwilling to make a regular appointment and if he desires to make a provisional appointment must make such a provisional appointment from such list No provisional appointment shall continue for a longer period than four months and successive provisional appointments shall not be made to the same position nor shall the term of any provisional appointment be extended for any cause whatever A provisional appointee who has been appointed from among the three highest names on an existing eligible list may however be permanently appointed at any time within the four months unless a new eligible list has in the meantime been furnished the appointing officer When an eligible list has been furnished by the said Commission to the appointing officer any provisional appointment made as provided in this section must be terminated within two weeks from the date on which such list was furnished The occupancy of a provisional appointment shall not be referred to by any applicant in any competitive examination held while he is occupying his provisional appointment or within six months from the termination of his provisional appointment nor shall it be given a rating under experience or otherwise in any examination

2 When the services to be rendered are of a temporary character and will last for a limited period not to exceed six months the appointing officer may advise the Commission stating the duration of such period the rate of compensation and other conditions of employment and may thereupon select for such temporary employment one of the first three persons on the appropriate eligible list who has expressed a willingness to accept a temporary appointment Successive temporary appointments shall not be made under this clause nor shall any person be eligible to temporary appointment if he has served under either a temporary or a provisional appointment in the same office or department within the previous six months

The acceptance or refusal by an eligible of a provisional or temporary appointment shall not affect his standing on the register for permanent employment nor shall the period of temporary service be counted as a part of the probationary service in case of subsequent appointment from an eligible list The acceptance of a provisional or temporary appointment shall not confer upon the eligible any of the rights of promotion transfer or reinstatement

Section 18 Vacancies in a position in the competitive class shall be filled so far as practicable by promotion from among persons holding positions in a lower grade in the department office or institution in which the vacancy exists Promotions shall be based upon merit to be ascertained by competitive examination and upon the superior qualifications of the person promoted as shown by his previous service and experience From such tests eligible lists shall be prepared by the Commission from which appointments shall be made in the manner hereinbefore provided in the case of original appointments All positions so far as practicable shall be arranged by the Commission in grades based upon the compensation paid For the purposes of this section an increase in compensation of any person holding a position in the competitive class beyond the limit fixed for the grade in which such position is classified shall be deemed a promotion No promotion shall be made to a position in the competitive class from a position in another class except after such competitive examination and certification as is provided for original entrance to the competitive class No person except as above provided shall be promoted to a position for original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to the position held by such person

Section 19 No transfer shall be made from a position in one class to a position in another class unless the same be specifically authorized by the Civil Service Commission nor shall a person be transferred to a position for the original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to the position held by such person If any position in the non-competitive class or exempt classes is later classified as being in the competitive class the person holding such a position must pass an examination equivalent to that required for such or a similar position in the competitive class or if he fails to pass he must be removed from such position

Section 20 The non-competitive class shall include only those positions which are not in the exempt class or the labor class and for which the Civil Service Commission has determined after a careful investigation and a public hearing held in the manner provided in Section twenty-eight of this act that suitable persons possessing the requisite qualifications cannot be obtained by means of competitive examinations Appointments to positions in the non-competitive class shall be made after such non-competitive examination as is prescribed by the regulations of the Civil Service Commission and may be made from among those who have successfully passed the examination without reference to their relative standing The said Commission shall state in its annual report the number of persons in the Civil Service of the Commonwealth and in the service of each county and city who come within this class and the character of their services and the reasons for placing their positions in the said class

Section 21 The labor class shall include ordinary unskilled laborers Vacancies in the labor class shall be filled in the same general manner prescribed in Section sixteen by appointment from the highest three names on the eligible list of applicants in their respective localities established by the Civil Service Commission Priority in standing upon such lists shall be made to depend as far as practicable upon the relative capacity ability and fitness of the applicants and shall be determined in a manner be prescribed in the rules adopted by the Civil Service Commission The said Commission shall require an applicant for the labor service before he can be placed upon an eligible list to furnish such evidence or to pass such examinations as they deem proper with respect to his age residence physical condition capacity for labor sobriety industry and experience in the kind of work for which he applies The said Commission may establish separate labor lists for various localities institutions and departments Where the labor service of any institution or department extends to separate localities the said Commission may provide separate eligible lists for each district or locality.

The twenty-second section of the bill was read as follows:

Section 22 No officer clerk or employe in the competitive class or in the non-competitive class of the classified Civil Service of the Commonwealth of Pennsylvania or of any county or city who shall have been appointed under the provisions of this act except those appointed without competitive examination temporarily or provisionally in the manner provided in Section seventeen shall be removed discharged or reduced in pay or position except for a just cause Further no other officer clerk or employe shall be removed discharged or reduced except as provided in Section 10 of this act until he shall have been furnished with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and until he shall have been allowed a reasonable time in which to give the removing officer such written answer as the person sought to be removed or reduced may desire Upon the receipt and consideration of such answer the removing officer shall finally determine his action in the case and if he has followed the procedure required by this section no appeal to the Civil Service Commission shall lie from his decision unless it is alleged with an offer of proof supported by affidavit that the real reason for the removal was religious or political If such allegations are made the Commission may investigate the removal and if in its judgment the allegations are true it may order the reinstatement of the person removed No appeal to any Court shall lie from any decision of the said Commission in such cases In every case of removal or reduction a copy of the statement of reasons therefor and of the written answer thereto shall be furnished to the Civil Service Commission and entered upon its records Provided however that upon the written request of the person so removed or reduced the cause of such removal or reduction shall not be made public by the said Commission Nothing in this act shall limit the power of any officer to suspend a subordinate for a reasonable period not exceeding thirty days Provided however that successive suspensions shall not be allowed except in special cases where the permission of the Commission has first been obtained and for reasons of public policy which shall appear upon its records If any or all of the provisions of this section are for any reason invalid all the other provisions of this act shall nevertheless remain in full force and effect as if this section had not been inserted

On the question,
Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 22, lines 3 and 4, by striking out the words "or of any county or city."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The twenty-third section of the bill was read and agreed to as follows:

Section 23 Any person who has held a position by appointment under the Civil Service rules and who has been separated from the Service without any delinquency or misconduct on his part may with the express consent of the Civil Service Commission first had and obtained be reinstated within one year from the date of such separation to the same or similar position in the department Provided that for original entrance to the position to be filled by such reinstatement there is not required in the opinion of the Civil Service Commission an examination involving essential tsts or qualifications different from or higher than essential tests or qualifications different from or higher than the position formerly held by the person proposed to be reinstated

The twenty-fourth section of the bill was read as follows:

Section 24 It shall be the duty of each appointing officer upon appointing any person in the classified Civil Service of the Commonwealth or of any county or city therein to report to the Civil Service Commission forthwith the name of such appointee the title of his position the date of commencement of service by virtue thereof and the salary or compensation thereof and to further report the separation of a person from the service or other change therein and to furnish from time to time such other information as the Civil Service Commission may require The Civil Service Commission shall keep in its office or in a suitable office in the appropriate county or city official rosters of the classified Civil Service of the Commonwealth of Pennsylvania and of each county and city and shall enter thereon the name of each and every person who has been legally appointed promoted reduced or reinstated in any position These rosters shall be open to public inspection at all reasonable hours The rosters shall show in connection with each name the grading the date and manner of appointment promotion reduction or reinstatement the compensation of the position the title of the position and the date and cause of any termination of such appointment

On the question,

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 24, line 3, by striking out the words "or of any county or city therein."
and by striking out lines 10 and 11 the words "or in a suitable office in the appropriate county or city."
and by striking out in line 13 the words "and of each county and city."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The twenty-fifth section of the bill was read as follows:

Section 25 The Civil Service Commission shall also enter upon the aforesaid rosters full information with regard to every person who is at the date on which this act becomes effective in the employ of the Commonwealth or of any county or city and it shall be the duty of all public officials to aid the said Commission in preparing said rosters by furnishing such information as it may require All persons in the Civil Service of the Commonwealth or of any county or city who were legally holding the same position at least four months prior to the date at which this act becomes effective as to such position and who are legally holding such positions on the said date shall be construed to have been appointed under the provisions of this act and shall hold their positions in accordance therewith Provided such persons within six months of the date at which this act becomes effective as to the positions held by them pass such non-competitive examinations as the Commission may deem necessary to demonstrate their capacity to fill the positions occupied by them No other person shall be allowed to remain in his position more than six months from the date at which this act becomes effective as to such position unless within that time he is appointed in the usual manner from an eligible list established after competitive examination and his place shall be vacated at any time within the said period of four months when any other person has been regularly appointed thereto from such an eligible list unless he himself has been appointed meanwhile from such a list

On the question,
Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 25, line 4, by striking out the words "or of any county or city."
and line 8 by striking out the words "or of any county or city."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The twenty-sixth section of the bill was read as follows:

Section 26 It shall be unlawful for the auditor or other fiscal officer of the Commonwealth or of any county or of any city therein to draw sign or issue or to authorize the drawing signing or issuing of any warrant on the treasurer or other disbursing officer of the Commonwealth or of any county or of any city thereof for the payment of or for the treasurer or other disbursing officer of the Commonwealth or of any county or of any city therein to pay any salary or compensation in any form whatever to any person in the classified service of the Commonwealth or of any county or of any city thereof unless the pay-roll or account for such salary or compensation shall bear the certificate of the Civil Service Commission that the persons named in such pay-roll or account have been appointed promoted transferred to reinstated in or reduced to their several positions in accordance with this Act and the rules and regulations of the Civil Service Commission and that during the time their services were purported to have been rendered they were legally occupying their several positions and were performing the duties thereof Any person entitled to be certified by said Commission to the controller or other fiscal or disbursing officer and refused such certificate may maintain a proceeding by mandamus to compel the Commission to issue such certificate Any sums paid contrary to the provisions of this section may

be recovered from any person making such appointment in contravention of the provisions of law or of the rules in pursuance of law or from any person signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same or from the sureties on the official bond of any said persons in an action brought to the use of the Commonwealth or of the proper county or city in the Court of Common Pleas of any county within the State maintained by a citizen resident therein who is assessed for and liable to pay or within one year before the commencement of the action has paid a state county or city tax within the Commonwealth All moneys recovered in any action brought under this section must when collected be paid into the treasury of the Commonwealth or the proper county or city except that the plaintiff in any such action shall be entitled to receive for his own use the taable costs of such action including an attorney's fee of five per cent. of the amount recovered

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 26, lines 2 and 3, by striking out the word "or of any county or of any city therein."

and lines 5 and 6 by striking out the words " or of any county or of any city thereof."

and lines 7 and 8 by striking out the words "or of any county or of any city therein."

and line 10 by striking out the words "or of any county or of any city thereof."

and line 30 by striking out the words "or of the proper county or city."

and line 37 by striking out the words "or the proper county or city."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-seventh section of the bill was read as follows:

Section 27 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall any inquiry be made concerning such opinions or affiliations and all disclosures thereof shall be discountenanced No discrimination shall be exercised threatened or promised by any person in the Civil Service against or in favor of an applicant or an eligible or a person in the classified service of the Commonwealth or of any county or city because of his political or religious opinions or affiliations No persons shall appoint promote remove discharge reduce or in any manner discriminate against or in favor of any person in the classified Civil Service of the Commonwealth or of any county or city because he has made or given or refused or neglected to make or to give any contribution assessment or payment for or in connection with any political campaign or political party or organization

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 27, line 9, by striking out the words " or of any county or city."

and lines 13 and 14, by striking out the words "or of any county or city."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-eighth section of the bill was read as follows:

Section 28 At any public hearing or session of the Commission any citizen of the Commonwealth or of any county or city shall have the right to be present in person or by counsel and subject to reasonable regulations of the Commission to interrogate any witness and to produce evidence and arguments either in favor of or against any proposed classification rule or other action Public notice of every proposed public hearing shall be given at least one week in advance thereof and shall state clearly the purpose of the hearing and the matters to be there and then considered A copy of every such notice shall be posted on a suitable public bulletin board at the office of the Commission

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 28, line 2, by striking out the words "or of any county or city."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-ninth, thirtieth, thirty-first and thirty-second sections were then separately read and agreed to as follows:

Section 29 Whoever makes an appointment to any position contrary to the provisions of this act or of the rules made pursuant thereto or wilfully refuses or neglects to comply with or to conform to the provisions of this act or violates any of its provisions shall be deemed guilty of a misdeameanor

Section 30 Any person who shall willfully by himself or in co-operation with one or more persons defeat deceive or obstruct any person in respect of his or her right of examination appointment or employment according to this act or to any rules or regulations prescribed pursuant thereto or who shall wilfully or corruptly fasely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall willfully make any false representations concerning the same or concerning the person examined or who shal willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall furnish any false information about himself or about any other person in connection with any examination or registration or appointment or application or request to be examined or registered or appointed shall for each offense be deemed guilty of a misdeamanor.

Section 31 Misdemeanor under the provisions of this act shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or both by fine or imprisonment in the discretion of the court

Section 32 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding before the Commission or in any proceeding arising under this act shall be a perjury and punishable as such

The thirty-third section of the bill was read as follows:

Section 33 Any county having a population of less than two hundred and fifty thousand inhabitants according to a United States census or any city of the third class may accept this act in the following manner

Whenever a petition signed by five per cent. of the duly qualified voters of any such county or of any such city shall have at least two months prior to any election been presented to the County Commissioners of the county in which such qualified voters reside requesting that an election be held to determine whether or not this act shall be accepted by such county or city the said County Commissioners shall thereupon arrange for the submission of this question at the next succeeding election within the said county to the duly qualified voters of the said county if the petition shall relate to a county or at the next succeeding election within the said city to the duly qualified voters of the said city if the petition shall relate solely to a city The County Commissioners and the sheriffs of the county in which such petition is presented shall give such notice by publication or otherwise as may be required by the laws of the Commonwealth in the case of a general election that at the next succeeding election the question hereinafter set forth will be submitted to the duly qualified voters of the said county or of the said city as the case may be The County Commissioners of the said county shall further cause to be printed on the official ballot prepared for use at the next succeeding election within the county or the city in relation to which the said petition may have been presented in the form required by law for the submission of a constitutional amendment or other question required to be submitted to the vote of the people the question as to whether or not this act shall be accepted in the said locality in substantially the following form

Shall the Civil Service Act of (insert date of this act) be accepted by the county (or by the city) of (insert name of county or city as the case may be)

It shall be the duty of the proper officers of the said county or of the said city to submit this question to the duly qualified electors of the said county of the said city at such next succeeding election which shall be held at the places and by the officers provided by law for the holding of general elections It shall be the duty of the judges and inspectors of such elections to receive from the duly qualified electors ballots containing the aforesaid question and the vote of the electors thereon and to count the ballots and to make return thereof to the proper officials as required by law in the case of other ballots The return judges and other officers charged with the duty of certifying the result of the said election shall also certify to the County Commissioners and in the case of a city to the mayor whether or not the majority of the electors of the county or of the city as the case may be who voted on the said question at the said election did vote in favor of accepting this act If such majority did so vote County Commissioners or the Mayor shall make a public proclamation that the provisions of this act are effective in the county or in the city as the case may be Thereafter the provisions of this act shall be observed in the appointment promotion transfer reduction removal and reinstate-

ment of all officers clerks and employes in the Civil Service of such county or of such city and in all other matters provided for in this act

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend by striking out the whole of Section 33.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirty-fourth section was then read as follows:

Section 34 All acts and parts of acts of Assembly of this Commonwealth general special or local in relation to the Civil Service of the Commonwealth of Pennsylvania or of the counties and cities therein inconsistent with this act are hereby repealed Provided however that no existing acts shall be affected amended or repealed in so far as they apply to counties or cities which have not accepted this act and established the examination system herein provided for It is intended by this act to furnish a complete comprehensive and exclusive system for the appointment promotion reduction transfer removal and reinstatement of all officers clerks and employes in the Civil Service of the Commonwealth and the Civil Service of the counties with a population of more than two hundred and fifty thousand inhabitants and in the Civil Service of such counties and such cities as have accepted this act but is not intended in any manner or to any extent to affect any act or parts of acts relating to the Civil Service of counties with a population of less than two hundred and fifty thousand inhabitants which have not at any time accepted this act or of cities which have not at any time accepted this act

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 34. Amend by striking out the number "34" and inserting "33" and by striking out in lines 3 and 4 the words "or of the counties and cities therein"

and by striking out all of lines 5, 6, and 7 and down to and including the word "for" in line 8.

and by striking out all after the word "Commonwealth" in line 12.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania and of the counties and cities of the third class providing that the act shall take effect at once in so far as it relates to the civil service of the Commonwealth and of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the civil service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making an violation of its provisions a misdemeanor and providing penalties for any violations thereof

On the question,

Will the House agree to the bill on second reading?

Mr. RAMSEY. Mr. Speaker, I would like to have the sponsor of this bill at this time explain some of these amendments to the House before I am ready to accept the bill on second reading. The amendments seem to be so many and though I tried to follow them I think it is no more than fair to the members of the House that the sponsor explain what is in these amendments.

Mr. WILLIAMS. Mr. Speaker, in reply to the gentleman from Delaware I will say that this bill was introduced to apply not only to the state but to the cities and counties. These amendments are striking out the cities and counties and making it a straight State Civil Service Act.

BILL RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, I make the motion that this bill be recommitted to the Committee on Judiciary General.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1789, as follows:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any civil proceeding either at law in equity in divorce or otherwise howsoever which shall hereafter be styled a "proceeding at law" (or "in equity" or "in divorce" or as the case may be) hereafter brought in any court of record of this Commonwealth shall be subject to the provisions of this act except that the second section hereof shall apply only to the civil proceedings provided for therein

Section 2 Any civil proceeding may unless the relief or redress sought therein (such as in quo warranto mandamus scire facias or the like by replevin ejectment or otherwise) exclusively requires other process be begun by a writ of summons shall be in force for one year from its date of issuance and which shall be in the form following

"The Commonwealth of Pennsylvania to the sheriff of (naming it) County Greeting We command you that you summon (naming the defendant or defendants) so that he (she or they) cause an appearance in writing to be entered in our court of common pleas of (naming it) County (or whatever be the title of the court) within fifteen days after service hereof thereto answer (naming plaintiff or plaintiffs) in a certain proceeding at law (or "in equity" or "in divorce" or as the case may be) And make due return hereof Witness the Honorable (naming him) President (or as the case may be) Judge of our said court this (dating it and in this manner January first one thousand nine hundred and fourteen)

(Name)
Prothonotary (or as the case may be)"

Section 3 No pleading shall be required to be filed before or at the time of the issuance of the summons or to be served with it but the defendant may immediately after appearance enter and serve a rule on the plaintiff to file and serve his pleading as hereinafter provided within fifteen days after service of the rule and on the plaintiff failing to comply with the rule the defendant may unless the time be enlarged by the court enter as of course a judgment of nonpros or dismissal of the cause

Section 4 The summons and the appearance and all subsequent papers in the cause shall each be indorsed with and address within the county either of the party or his counsel where subsequent papers in the cause may be served and service there at unless personal service be required by law shall be effective for all purposes unless subsequent papers in the cause shall be indorsed with a new or different address within the county in which event service at such changed address shall with the exception aforesaid be adequate

Section 5 The pleadings in any civil proceeding shall consist of the following and no others the petition by the plaintiff an answer by the defendant and where a set-off or counterclaim is contained in the answer a reply thereto by the plaintiff

Section 6 Every pleading shall contain and contain only a statement in a concise and summary form of the material facts on which the party pleading relies for his case but not the evidence by which they are to be proved and shall be divided into paragraphs numbered consecutively each of which shall as nearly as may be convenient contain but one material allegation Dates sums and numbers shall be expressed in figures and not in words

Section 7 Whenever it is material to allege malice intent knowledge or other condition of the mind of any person it shall be sufficient to allege the same as a fact without setting out the circumstances from which the same is to be inferred

Section 8 Whenever it is material to allege notice to any person of any fact matter or thing it shall be sufficient unless the form or the precise terms of such notice or the circumstances from which such notice is to be inferred be material to allege such notice as a fact

Section 9 No party need in any pleading allege any fact or matter which the law presumes in his favor or as to which the burden of proof lies on the other side unless the same has been first specificaly negatived and then such fact or matter need be pleaded by such party of and only if in the course of the pleading as provided by this act a subsequent pleading by such party is required hereunder otherwise such fact or matter shall be deemed to be put in issue

Section 10 Any condition precendent the performance or occurrance of which is contested by any adverse pleading shall be distinctly specified by amendment to his pleading by the plaintiff or defendant as the case may be subject thereto an averment of the performance or occurrence of all conditions precedent necessary for the case of the plaintiff or defendant shall be implied in his pleadings and if the opposing party shall in his adverse pleading allege the non-performance or non-occurrence of any such condition precendent the performance or occurrence of such condition precedent shall in the particular and to the extent contested and no further be set forth by an amendment as of course to the original pleading to be filed and served within fifteen days after service of such amendment

Section 11 The plaintiff may unite in the same proceeding any causes for relief or redress at law or any causes for relief or redress in equity or any causes for divorce or any other causes in any proceeding of the same general nature but causes for relief or redress in one kind of proceeding as at law shall not be united with causes for relief or redress in another kind of proceeding as in equity or in divorce Whenever causes for relief or redress are improperly united the entire pleading shall on motion and after notice be stricken from the record and a new pleading ordered on such terms as to costs and otherwise as the court may deem just Whenever causes for relief or redress are properly united but the court shall on motion before the trial or hearing and after notice determine that the trial or hearing shall be confined to certain of the said causes as a matter of the convenient disposition thereof proper amendments shall be made accordingly for the exclusion of the remaining causes and for the disposition thereof as shall be convenient and just

Section 12 Every pleading and every motion under this act as signed by the party or his counsel shall be deemed a certificate by every person signing the same that he has read the pleading or motion that there is good ground in his opinion for the same that no scandalous matter is contained in the pleading or motion and that it is not interposed for delay

Section 13 The petiton by the plaintiff shall set forth the cause of the plaintiff in accordance with the requirements of this act It shall have attached to it copies of all notes contracts books entries or other writings on which the plaintiff's case is founded or a particular reference to the records of any court sitting in the county in which said cause is brought or to the record of any deed mortgage instrument of writing or other public record recorded registered or contained in the office of the recorder of deeds register of wills or other public official in said county if any on which the plaintiff's case is founded which said particular reference shall be sufficient in lieu of a copy thereof It shall conclude with prayers for the relief or redress to which the plaintiff claims to be entitled one of which prayers shall in cases be in substance "That the defendant make answer hereto within fifteen days after service hereof" It shall be signed by the plaintiff or his attorney and verified by affidavit as hereinafter provided

Section 14 No rule or notice to answer other than the prayer for an answer as provided in the thirteenth section hereof shall be required or permitted

Section 15 Pleas to the jurisdiction pleas in abatement and any other dilatory pleas are hereby abolished Every defense heretofore presentable by such pleas shall hereafter be made by motion as of course setting forth the reasons therefor and where any matter of fact is alleged therein such motion shall be verified by affidavit

Section 16 Demurrers are hereby abolished Every defense is the pleading of the plaintiff herein called a petition heretofore presentable by demurrer shall hereafter be made by motion either for the dismissal of such cause or for a more specific petition Such motion shall be of course and shall contain the reasons on which it is based

Section 17 The answer by the defendant shall set forth the case of the defendant in accordance with the requirements of this act The answer shall be filed within fifteen days after service of the petition otherwise judgment may on motion as of course verified by affidavit be entered against the defendant by the prothonotary or clerk of the court Service of a copy of the said answer shall be made within forty-eight hours after filing otherwise judgment may on motion verified by affidavit and after notice be granted by the court unless injustice would be done thereby The answer shall have attached to it copies of all documents or a particular reference to any public record on which the defendant relies as is required by this act for the petition It shall be verified by affidavit as hereinafter provided

Section 18 The answer shall contain a specific admission or denial or explanation of each allegation of the petition set out in numbered paragraphs corresponding with the numbered paragraphs of the petition except that if the defendant be without knowledge or without information sufficient to found a belief he shall so state and demand proof and such statement shall operate as a denial Allegations in the petition except as to damages if not denied shall be deemed to be admitted except as against a person under legal disability such as an infant lunatic or other person non compos mentis and not under the legal care of a guardian or committee party to such cause The answer in admitting any allegation of the petition need not repeat its words but may simply say "admitted"

Section 19 The answer may state as many defenses in the alternative regardless of consistency as the defendant deems essential to his defense

Section 20 When the answer or reply is made by an executor administrator guardian committee or other person acting in the cause in a representative capacity he need only state the facts he admits to be true and that he believes that there is a just and lawful defense to the remainder

Section 21 Unless a set-off or counter-claim be allegd in the answer in which case only shall a reply be required or permitted the cause shall be deemed at issue and any new or affirmative matter in the answer or in the reply shall be deemed to be denied by the adverse party without any further or other pleading No formal joinder of issue shall be required or permitted

Section 22 When a defendant relies on a set-off or counter-claim he must first answer the allegations of the petition and then set out his set-off or counter-claim under the heading "Set-off" or "Counter-claim" The set-off or counter-claim shall be set forth in accordance with the requirements of this act and shall continue the consecutive paragraphing of the answer It shall be no objection to a set-off or counter-claim that it sounds in unliquidated damages or that the proceeding is at law and the set-off or counter-claim arises in equity or vice versa The answer containing any set-off or counter-claim shall conclude with prayers for the relief or redress to which the defendant claims to be entitled one of which prayers shall in all such cases be in substance "That the plaintiff make reply to the set-off and counter-claim (for either of them as the case may be) contained in this answer within fifteen days after service thereof"

Section 23 A set-off or counter-claim shall have the same effect as a cross proceeding so as to enable the court to pronounce a final judgment in the cause both on the original and on the cross proceeding But the court may on motion by the plaintiff reasonably made before trial if in its opinion such set-off or counter-claim cannot be conveniently disposed of in the pending cause refuse permission to the defendant to avail himself therein and order such set-off or counter-claim to be treated as a separate pending cause with or without new pleadings If in any case in which the defendant sets up a counter-claim for which he might have a certificate in his favor the case of the plaintiff is stayed discontinued or dismissed the counter-claim may nevertheless be proceeded with

Section 24 Whenever a set-off or counter-claim is set forth in the answer the plaintiff shall file and serve his response thereto verified by affidavits as hereinafter provided which shall be called his "reply" and which shall be set forth in accordance with the requirements of this act The reply shall be filed within fifteen days after the service of the answer and shall be served within forty-eight hours thereafter The reply shall make response to each allegation of the set-off or counter-claim in paragraphs consecutively numbered to correspond to the pertinent paragraphs of the answer and shall be so far as the same are applicable governed by the requirements of this act relating to the answer

Section 25 Where in any proceeding a set-off or counter-claim is established against the case of the plaintiff the court shall grant such relief or redress either legal or equitable whether such legal proceeding be at law or in equity as shall be just

Section 26 No notice of special matter of defense shall be required or permitted all such matter shall be contained in the pleading of the party relying thereon

Section 27 The petition and the answer with the reply if any shall constitute the issues in the cause and neither party shall be permitted at the trial or hearing to present any claim or defense not in issue as aforesaid

Section 28 Judgment may be entered on motion before the prothonotary or clerk of the court as the case may be for the want of an answer or for the amount specifically admitted by the answer to be due The plaintiff may move for judgment for want of a sufficient answer to the whole or any part of his case When the answer contains a set-off or counter-claim the defendant may move for judgment for want of a reply or for the amount specifically admitted by the reply to be due or for want of a sufficient reply to the whole or any part of the set-off or counter-claim and the court may enter judgement in favor of the plaintiff or the defendant as justice may require with leave to proceed for the balance claimed Such motion for judgment shall all be as of course and shall contain the reasons on which they are based On any such judgment damages shall be assessed in the mode now provided by law

Section 29 Amendments shall be allowed to the petition to the answer or to the reply at any stage of the cause as justice may require in accordance with the present practice and on such terms as to costs and otherwise as the court shall determine Service of the amendment shall be made on the adverse party or his attorney within fifteen days after the allowance thereof unless a different time be fixed by the court To such amendment the adverse party shall respond if necessary by his answer or reply or by suitable amendment to such answer or reply as the case may be within fifteen days after the service of such amendment

Section 30 The petition the answer and the reply shall be signed by the party pleading the same or his attorneys and shall be verified by the affidavit of such party or if he be unable by absence illness or other adequate cause to make the same which inability and the reason therefor shall be set forth in the said affidavit then by some person having knowledge of the facts and duly authorized by such party to make such affidavit Where there is more than one plaintiff or one defendant as the case may be then such affidavit may be made by one of the plaintiffs or defendants only subject to the power of the court on motion and after notice to order that any or all the other plaintiffs or defendants verify the pleading by affidavit to be filed and served within such time as the court may order but if the prayer of the petition or of the answer require an answer or reply as the case may be from all the defendants or plaintiffs as the case may be then such answer or reply shall be verified by the affidavit or affidavits of them all

Section 31 No essential allegation now required by law in any statement of claim declaration petition application bill in equity libel in divorce affidavit of defense answer in equity answer in divorce plea or any other pleading or paper by whatsoever name known filed in any civil proceeding as defined by this act shall be deemed to be abrogated by this act but every such allegation not inconsistent with the requirements of this act shall still be required in the pleading of the plaintiff or defendant as the case may be as provided for in this act

Section 32 The time fixed for the filing or service of any pleading under this act may be enlarged by the court on motion and after notice for cause shown

Section 33 The true intent and meaning of this act is that it is designated to furnish a complete system of procedure within the limits of the subject matter hereof but the substantive rights of the parties are not in any way intended to be affected hereby

Section 34 The court may make such additional rules not inconsistent with this act as shall be deemed advisable

Section 35 This act may be cited as the "Practice Act one thousand nine hundred and thirteen"

Section 36 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. W. H. WILSON. Mr. Speaker, I move this bill be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1816 (Senate No. 518), entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. WATSON. Mr. Speaker, I wish to call up House Bill No. 1362, at the top of page 11, which was passed over a while ago.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1362, as follows:

An Act authorizing H W Brown and D E Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That H W Brown and D E Brown citizens of Cambria County doing business as the Woodman Lumber Company formerly H W Brown D E Brown and E L Winchell doing business as the Woodman Lumber Company are authorized to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said H W Brown and D E Brown doing business as the Woodman Lumber Company arising out of a contract for the erection of a State Sanitorium at Cresson Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I desire to call up House Bill 1589, on the top of page 11, which was passed over.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1589, entitled:

An Act fixing the compensation of the desk clerks of the Senate and House of Representatives

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the desk clerks of the Senate and the House of Representatives shall each receive one thousand five hundred dollars ($1,500) for each regular biennial session ten dollars ($10.00) per diem for each special or extraordinary session and five ($5.00) per diem during the interim between Legislative sessions The mileage and salary of the said desk clerks and return officers shall be as heretofore authorized by law

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I move that this bill be recommitted to the Committee of Judiciary General.

Mr. MELLOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 432, as follows:

An Act defining the duties of the State Police

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sole duties of the State Police Force as established by the act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" shall be

1 To patrol and maintain law and order in the rural districts

2 To act as firemen anywhere in the State when called upon so to act

3 To viligantly watch for prevent and extinguish forest fires

4 To do police duty in districts inundated by the overflow of any stream

5 Also to work under the direction of the Commission of Health for the prevention of disease or in times of epidemics

6 To have authority as game and fish wardens

7 Apprehend criminals

8 The State Police Force shall not under any circumstances be called on to act in case of any strike or lockout or in any dispute or trouble growing out of the relationship between employers of labor and their employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 741, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania To provide for the establishment of a State board of optometric examiners To define the powers and duties of said board of optometric examiners To provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

The first section of the bill was read and agreed to as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the practise of opotometry is hereby defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaption of lenses for the correction and aid thereof

The second section of the bill was read as follows:

Section 2 There shall be established a board of optometric examiners for the State of Pennsylvania The board shall consist of five members and each of said members shall serve for a term of three years from the first day of August next after his appointment or until his successors is appointed with the exception of those first appointed who shall serve as follows namely two for one year two for two years and one for three years from the first day of August Anno Domini one thousand nine hundred and thirteen Each member of said board shall possess sufficient knowledge of theoretical and practical optics to practice optometry and shall have been a resident of this State actually engaged in the practice of optometry for at least five years The appointment to membership on said board of examiners shall be made by the Governor within thirty days after the passage of this act

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 2, line 12, change "practise" to "practice."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third, fourth and fifth sections of the bill were separately read and agreed to as follows:

Section 3 The Governor shall appoint the members of said board of examiners from the full list of the members in good standing of the Pennsylvania Optical Society who are eligible for appointment upon said board of optometric examiners which list shall be transmitted to the Governor

under the seal and signed by the president and secretary of the said association In case of failure of said optometric association to submit said list as aforesaid the Governor shall appoint members in good standing of said optometric association without restriction provided however that said members shall be qualified as aforesaid

Section 4 The Governor shall in his first appointments designate the number of years for which each appointee shall serve in case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said board of optometric examiners shall receive a certificate of appointment from the Secretary of the Commonwealth Each and every member of said board shall within ten days after appointment on being apraised of the same take and subscribe an oath before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The board shall be and is hereby authorized to take testimony concerning all matters within its jurisdicton and the presiding officer for the time being of the said board or of any committees thereof may issue subpoenas and adminster oaths to witnesses The board of examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State or of the United States whereby to perform its duties and transact its business required under the provisions of this act

Section 5 The first meeting of the board of optometric examiners shall be held on the first Tuesday of August one thousand nine hundred and thirteen at Harrisburg and subsequent meetings for organization in August annually suitable notice in the usual form being given by the secretary of the board to each of the members thereof specifying the time and place of meeting The said board may hold other meetings at such other times and places as it may determine and a majority of the members of said board shall constitute a quorum

At the first meeting of the board and at each annual meeting in August an organization shall be effected by the election from its membership of a president a secretary and a treasurer who shall hold office for the period of ten years or until their successors are chosen

The sixth section of the bill was read as follows:

Section 6 For the purpose of examining applicants for license the board of optometric examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the board may determine At said meetings a majority of the members of the board shall constitute a quorum thereof but the examination may be conducted by a committee of one or more members of the board of examiners duly authorized by said board but no certificate to practice shall be granted on an affirmative vote of less than three Said examinations shall be conducted in writing in accordance with such rules and regulations as the State Board of Optometric Eaminers shall fix formulate and adopt for that purpose and may be supplemented by practical examinations After each such examination the committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of examiners stating the examination average of each candidate in each branch the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said State Board of Optometric Examiners Said reports shall embrace all the examination papers questions and answers thereto and such written reports as result from the practical tests as hereinbefore specified All such examination papers and reports shall be kept for reference and inspection for a period of not less than five years The board shall keep a record of its proceedings and a register of applicants for certificates giving the name and location of a duly registered optometrist under whom the applicant studied or the name and location of the institution granting the applicant the degrees of doctor of or diplomat in optometry the date of his or her diploma and also whether the applicant was rejected or granted a certificate and the number of the certificate granted The record and register shall be prima facie evidence of all matters recorded therein

On the question,

Will the House agree to the section?

Mr. RUNK. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 6, line 29, by striking out the last word "the" by striking out all of lines 30 and 31 and the first three words "jected or granted" of line 32; making lines 29 to 34 read as follows: "Name and location of the institution granting the applicant a certificate and the number of the certificate granted. The record and register shall be prima facie evidence of all matters recorded therein."

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, the provision of the bill and that which the gentleman seeks to amend by his proposed amendment is clearly out of harmony with the intention of the bill. The intention of the bill is simply that part, to keep a record as is defined in that section, to keep a record of these schools that may grant the titles or from which these people have graduated and the complete provision is covered by the bill. I very seriously object to the amendment as it takes away the principal purpose for which that section is provided.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh and eight sections of the bill were read and agreed to as follows:

Section 7 All fees provided for in this act shall be paid in advance to the treasurer of the board to be held by him as a fund for the use of the State Board of Optometric Eaxminers The compensation and expenses of the members and officers of said board and all expenses proper and necessary in the opinion of said board to discharge its duties under and to enforce the law shall be paid out of such fund upon warrant of the president and secretary of said board and no expenses shall be created to exceed the income of fees and fines as herein provided. The salaries shall be fixed by the board but shall not exceed ten dollars per day of actual service per member and railroad and hotel expenses An account of all moneys received and disbursed by said board pursuant to this act shall be included in an annual report to be made to the Governor which report shall be taken from a record to be kept by the secretary of all the proceedings of the said board and of its committees which shall be a part of the records of said board and the same shall at all times be open to public inspection and shall be prima facie evidence of all matters recorded therein

Section 8 Any person who is engaged in the practice of optometry in this State at the time of the approval of the act may deliver to the secretary of the board of opometric examiners on or before the first Monday of January one thousand nine hundred fourteen a written application for a certificate to practice optometry together with satisfactory proof that the applicant is not less than twenty-one years of age is of good moray character and that he or she has been engaged in the practice of optometry in this State for more than two years next prior to the passage of this act and upon the payment by the applicant of a fee of five dollars the secretary of the said board of optometric examiners shall issue to such applicant a certificate of exemption from such eamination which certificate shall be registered and entitled and authorize such applicant to practice optometry in this State and which certificate of exemption shall be subscribed by every member of the Board of Optometric Examiners Provided That any person entitled to apply for such certificate of exemption who fails to make such written application as herein set forth shall be deemed to have waived his or her right to such certificate

Every certificate to practice optometry issued under the provisions of this act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Optometric Examiners Before such certificate shall be issued it shall be numbered and recorded in a book to be kept by the secretary of the Board of Examiners and the number of such certificate and the number of the book and the page therein containing such recorded copy shall be noted upon the face of said certificate A photograph of the person registered under said certificate shall be filed with the record and a duplicate thereof affixed to the certificate In all legal proceedings the record the photograph so kept in custody of the Board of Examiners or certified copies thereof shall be prima facie evidence of the facts therein stated Said records shall under proper restrictions for their safe-keeping be open to public inspection

The ninth section of the bill was read as follows:

Section 9 From and after the approval of this act any person not therefore authorized to practice optometry in this State and desirous of entering upon such practice may deliver to the secretary of the State Board of Optometric Examiners upon the payment of a fee of twenty-five dollars a written application for certificate together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has a preliminary education equivalent to at least two years in a registered high school and has also studied at least three years in a registered optometrist's office or has graduated from a school of optometry maintaing a standard satisfactory to the said Board of Examiners Such proof shall be made if required on affidavit Upon the making of said payment and proof the State Board of Optometric Examiners if satisfied with the same shall admit said applicant to examination as to his other qualifications for the practice of optometry which examination shall be conducted in accordance with such rules and regulations as the said Board of Examiners shall fix formulate and adopt for that purpose On receiving from the committe of examiners delegated to conduct examinations as provided for in Section six of this act official report of the examination of any applicant for certificate the said State Board of Optometric Examiners shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified to practice optometry a certificate to practice optometry in the State of Pennsylvania as provided for in Section eleven of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege of a second examination Having

failed upon a second examination as herein provided application anew may be made upon conforming with the standard of qualification both as to character preliminary and optometric education in force at the time of said application and upon payment of a fee of twenty dollars

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the follow- amendment.

The amendment was read by the Clerk as follows:

Section 9, line 2, strike out "therefore" and insert "hereinbefore."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The tenth and eleventh sections were separately read and agreed to as follows:

Section 10 Applicants examined and holding certificates of the State Boards of Aptometric Examiners of other States on the payment of a fee of twenty dollars to the State Board of Optometric Examiners and filing in the office of the State Board of Optometric Examiners a copy of such certificate certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said Board of Examiners is substanially the same as is provided in Section nine of this act may without further examination receive a certificate conferring on the holder thereof of all the rights and privileges provided by Section eleven of this act

Section 11 The certificate of registration or exemption provided for in this act shall authorize the holder thereof to practice optometry as defined by Section one of this act

The twelfth section of the bill was read as follows:

Section 12 From and after the first Monday of January one thousand nine hundred and fourteen no person shall enter upon or continue the practice of optometry in the State of Pennsylvania unless he or she has complied with the provisions of this act and shall have exhibited to the prothonotary of the court of common pleas of the county in which he or she desires to practice optometry a certificate duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of fifty cents to be duly registered in the office of the prothonotary of the court of common pleas of the said county and every person holding such certificate and registered as aforesaid and practicing optometry shall display his or her certificate of registration or exemption in a conspicuous place in the principal office wherein he or she practiced optometry and whenever required shall exhibit such certificate to said Board of Examiners or its authorized representative And whenever practicing said profession of optometry outside of or away from his or her principal office or place of business he or she shall deliver to each customer or person so fitted with glasses a bill of purchase which shall contain his or her signature home postoffice address and the number of his or her certificate of registration or exemption together with a specification of the lenses furnished and the price charged therefor and any person who shall practice or attempt to practice optometry as defined by this act or who shall use any of the terms or letters—optometrist optometry doctor doctor of optometry diplomat in optometry or Opt. D. or any other title or letters under such circumstances as to induce belief that the person who uses such terms is engaged in the practice of optometry without having first obtained the certificate herein provided for or contrary to the provisions of this act or who shall under any other term or name practice or attempt to practice optometry as defined by this act or who shall falsely personate a registered optometrist of a like or different name or who shall buy or sell or fraudulently obtain a certificate of registration or exemption issued to another or who shall practice or attempt to practice or offer to practice optometry or make public representation of being qualified to practice optometry without having such certificate as hereinbefore provided for or who for the purpose of obtaining such certificate shall falsely represent himself or herself to be entitled thereto shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offence shall have been committed shall be sentenced to pay a fine of not exceeding one hundred dollars or to undergo an imprisonment in the county jail for not less than thirty days nor more than ninety days for each offence either or both at the discretion of the court Such fines when collected shall be paid to the common school fund of the county in which such conviction may be made Provided however That nothing contained in this act shall be construed as affecting the practice of medicine or the practice of osteopathy nor shall this act apply to person who neither practice no profess to practice optometry who sell spectacles eyeglasses or lenses either on prescription from such physisians or osteopaths or from such duly qualified optometrists or as merchandise from permanently located and established places of business

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 12, line 13, strike out "in."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section?

Mr. RUNK. Mr. Speaker, I desire to offer the following amendment.

The amendmeint was read by the Clerk as follows:

Amend section 12 by striking out after the word construed in line 51 the words "as affecting the practice of medicine" and insert in lieu thereof the words "To apply in any way to persons licensed to practice medicine in this Commonwealth." Further amend section 12 by striking out in line 56 after the word "Optometrist" the words, "or as merchandise from permanently located" and in line 57 the words "and established places of business" and insert in lieu thereof the words, "and it is further provided that nothing in this act shall be construed to prevent any person licensed to practice medicine in this Commonwealth from practicing what is defined as the practice of Optometry in Section 1 of this Act, nor to prevent said licensed practitioner of medicine from prescribing, dispensing, fitting or selling spectacles, eyeglasses or lenses.

On the question,
Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, I most strenously object to this provision, for the reason that it will take the life out of the section. The purpose of the section is fully explained and clearly stated from a reading of the entire section, and not by reading a single line. If this amendment is put in, it takes away the life of the section.

The question recurring,
Will the House agree to the amendment?

The SPEAKER. No member having voted in the affirmative, the amendment is not agreed to.

The section as amended was then agreed to.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. S. B. SCOTT. Mr. Speaker, I would like to know whether, on the adoption of the amendment there was a quorum voting.

The SPEAKER. There was. The Chair will state that when no one votes in the affirmative on an amendment, the amendment is lost, and the question of whether or not there is a quorum voting, does not arise. There is a quorum present, which is evident to the Chair.

The thirteenth section was read as follows:

Section 13 On and after the approval of this act the State Board of Optometric Examiners shall refuse to grant a certificate to an applicant to practice optometry in this State and is empowered to revoke any certificate of registration or exemption granted by it under this act conferring on a person the right to practice optometry upon the presentation to said State board of a court record showing the conviction in due course of law of said person of a crime involving moral turpitude The State Board of Optometrical Examiners upon such evidence and proof shall cause the name of such convicted person to be removed from the record in the office of the prothonotary in the State The State Board of Optometric Examiners may refuse revoke or suspend the right to practice optometry in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate the performance of professional duties or fraud or deceit in the practice of optometry Any person who holds a certificate under this act or who is an applicant for examination for a certificate to practice optometry in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of certificate or for causing the refusal of the right to be examined for a certificate shall be furnished by the State Board of Optometric Examiners with a copy of the complaint which charges or compalint may be preferred by any person or corporation or by the said board on its own initiative and filed with the secretary of said board The said Board of Examiners when charges are preferred shall designate three of their number as a committee to hear and determine such charges or complaint A time and place for the hearing of said charges or complaint shall be fixed by said committee as soon as convenient and a copy of the charges or complaint together with a notice of the time and place when they will be heard and determined shall be served upon the accused or his or her counsel at least ten days before the date actually fixed for said hearing Where personal service or service upon counsel cannot be effected and such fact is certified on oath by any person duly authorized to make legal service the board shall cause to be published for at least seven times for at least twenty days prior to the hearing in two daily papers in the county in which the accused was last known to reside or

practice a notice to the effect that at a definite time and place a hearing will be had for the purpose of hearing charges against the accused upon an application to revoke or suspend his or her certificate At said hearing the accused shall have the right to cross-examine the witnesses against him or her and to produce in his or her defence and to appear personally or by counsel The said committee shall make a written report of its findings and recommendations to be signed by all its members and the same shall be forthwith transmitted to the secretary of said board If the said committee shall unanimously find that said charges or any of them are sustained and shall unanimously recommend that the certificate of the accused be revoked or suspended or his registration be annulled or removed the Board of Examiners may thereupon in their descretion revoke or suspend said certificate or annul said registration or do both If the board shall annul such registration they shall forthwith transmit to the prothonotary of the court of common pleas of the county or counties in which the accused is registered as an optometrist a certificate under the seal of the said board certifying that such registration has been annulled and said prothonotary shall upon receipt of said certificate file the same and forthwith mark said registration "annulled" Any person who shall practice or attempt to practice optometry after his or her registration has been marked "annulled" shall be deemed to have practiced optometry without registration Where the certificate of any person has been revoked or his or her resignation has been annulled as herein provided the board may after the expiration of one year entertain an application for a new certificate in like manner as original applications for certificates are entertained and upon such new application they may in their discretion exempt the applicant from the necessity of undergoing an examination

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 13, line 12, the phrase "in the State" should be changed to read " of the proper county."

Section 13, line 70, strike out "resignation" and insert "registration."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourteenth section was read as follows:

Section 14 Nothing in this act shall be construed to give any person licensed under the provisions of this act the right to attach to his name as a prefix or suffix the title Doctor Oculist Ophtalmologist Doctor of Opthalmology or any word or abbreviation indicating that he is engaged in the treatment or the diagnosis of disease or injuries of the human eye or to use drugs or medicine in any form for the treatment or examination of the human eye or to use any therapeutic measures or agencies other than glasses for the correction of vision Nothing in this act shall be construed to apply to persons licensed to practice medicine or surgery in the State of Pennsylvania

Mr. RUNK. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 14. Nothing in this act shall be construed to give any person the right to attach to his or her name as a prefix or suffix the titled, M. D. Surgeon, Doctor, Doctress, Physician, Oculist, Opthalmologist, Eye Specialist Eye Sight Specialist, Eye Glass Specialist, Doctor of Ophthalomlogy, Doctor of Refraction, Doctor of Optometry, Doctor of Optics, Diplomat in Optometry, Opt., D., Ophth. D., Opt., O. D., or D. O., or any letter or letters or abbreviation or words or device before or after his or her name on a sign card or otherwise or anywhere or anything, indicating that he or she is engaged in the treatment or diagnosis of defects, diseases or injuries of the human eye or to use drugs or medicine in any form for the treatment or examination of the human eye or to use drugs or medicine in any form or any medical, surgical or therapeutic measures or agencies other than glasses for the treatment of the human eye or for the correction of vision, and it shall be unlawful for any person licensed under the provisions of this act to attach to his or her name as a prefix or suffix, the titled M. D., Surgeon, Doctor, Doctress, Physician, Oculist, Ophthalmologist, Eye Specialist, Eye Sight Specialist, Eye Glass Specialist, Doctor of Ophthalmology, Doctor of Refraction, Doctor of Optometry, Doctor of Optics, Diplomat in Optometry, Opt. D., Ophth. D., Opt., O. D., D. O., or any letter or letters or abbreviation or words or device before or after his or her name on a sign, card or otherwise, or anywhere or anything indicating that he or she is engaged in the treatment or diagnosis of defects, diseases or injuries of the human eye or to use drugs or medicine in any form for the treatment or examination of the human eye or to use drugs or medicine in any form or any medical, surgical or therapeutic measure or agencies other than lenses for the treatment of the human eye or for the correction of vision.

On the question,

Will the House agree to the amendment?

Mr. RUNK. Mr. Speaker, these amendments were prepared by a specialist, and were handed to me. This man is familiar with the bill, and I just want the House to know that these amendments were placed in my hands by a man thoroughly competent and one of the best eye specialists in the country. I think they ought to be considered. I do not know anything about the bill myself.

The question recurring,

Will the House agree to the amendment?

It was not agreed to.

The section was then agreed to.

The fifteenth section was read as follows:

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the section?

Mr. RUNK. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 15, Each and every person, firm or corporation that shall violate any of the provisions of Section 14 of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay for the first offense a fine of not more than one hundred ($100) dollars and for each subsequent offense pay a fine of not less than one hundred($100) dollars nor more than three hundred ($300) dollars. Each day's continued violation shall constitute a separate offense.

On the question,

Will the House agree to the amendment?

It was not agreed to.

This section was then agreed to.

Mr. RUNK. Mr. Speaker, I desire to offer an amendment to be known as Section 16.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 16. The Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of Sections 14 and 15 of this act. In case of violation of the provisions of Section 14 of this act, procedure shall be through either the office of the Attorney General of the State of Pennsylvania or special attorney or both at the discretion of the Bureau.

On the question,

Will the House agree to the amendment?

It was not agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State board of optometric examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

On the question,

Will the House agree to the title?

Mr. RUNK. Mr. Speaker, I desire to offer amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by adding the words "and providing that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of sections 14, 15 and 16 of this act.

On the question,

Will the House agree to the amendment?

It was not agreed to.

The title was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1085, entitled:

An Act to amend sections three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven which reads as follows

"Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition" is hereby amended to read as follows

"Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition and shall protect meats and meat food products from being handled by prospective purchasers or other unauthorized persons and from exposure to flies and other objectionable insects

Feeding offal blood other slaughter house refuse or the carcasses of dead animals to swine is forbidden Except for immediate slaughter swine shall not be kept within one hundred yards of any establishments or places mentioned in this section

On the question,

Will the House agree to the section?

Mr. MALIE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 18: Strike out "establishings" and insert in lieu thereof "establishments."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 Section four of said act which reads as follows "Section 4 The Governor is hereby authorized and empowered to appoint ten persons to serve as agents to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard for fitness for appointees to these offices shall be established and maintained by the State Livestock Sanitary Board" is hereby amended to read as follows

Section 4 Agents of the State Livestock Sanitary Board may be assigned to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard of fitness for such agents shall be established and maintained by the State Livestock Sanitary Board

On the question,

Will the House agree to the section?

Mr. MALIE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 3, line 30: Strike out "unhealthful" and insert in lieu thereof "unhealthful."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section was read as follows:

Section 3 Section six of said act which reads as follows "Section 6 It shall be the duty of agents of the State Livestock Sanitary Board as provided in this act to perform such services prescribed by this act as may be imposed by authority of the State Livestock Sanitary Board Such agents are authorized without let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 6 Agents of the State Livestock Sanitary Board are authorized without delay let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board

On the question,

Will the House agree to the section?

Mr. MALIE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 3, line 33: Strike out "cannt" and insert in lieu thereof "cannot."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth section was read as follows:

Section 4 Section seven of said act which reads as follows "Section 7 It shall be the duty of the agents of the State Livestock Sanitary Board as provided by this act to make examinations of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 7 It shall be the duty of the agents of the State Livestock Board to make examination of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the

meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board

On the question,

Will the House agree to the section?

Mr. MALIE. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 4, line 30: Strike out "to."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fifth section was read and agreed to as follows:

Section 5 Section five of said act is hereby repealed

The title was read and agreed to as follows:

An Act to amend section three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1465, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended

The first section was read as follows.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative of said exhibition and providing for the repayment to the county by the State of the sum so paid" which as heretofore amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated county agricultural association paying premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than on claimant in any one year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premiums on agriculture stock fruit and other exhibits exclusive of premiums on speed actually paid by each claimant at the last fair held by said claimant Provided Said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums provided furthere that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held and provided further that any county fair association receiving State aid as aforesaid shall issue a permit to any citizen of this Commonwealth applying for the same to maintain upon the grounds of said association during the progress of any fair a stand for the sale of merchandise for the conducting of an amusement enterpriise under and subject to the rules and regulations adopted by said association upon payment of the changes by it established which charges shall be uniform upon the same class of business or amusement" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars to each of the incorporated county agricultural associations being premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock raising grain poultry handiwork fruit dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or only receive under this act the sum they each and severally pay in premiums provided further that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held

On the question,

Will the House agree to the section?

Mr. BODY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 73: Add at the end thereof the following: "And provided further, That any County Fair Association, receiving State aid as aforesaid, shall issue a permit to any citizen of this Commonwealth, applying for the same, to maintain upon the grounds of said association, during the progress of any fair, a stand for the sale of merchandise or the conducting of an amusement enterprise, under the subject to the rules and regulations adopted by said association, upon payment of the charges by it established, which charges shall be uniform upon the same class of business or amusement."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 154, as follows:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees of constables of townships boroughs and cities of the third class for such monthly visits made by a constable shall be fifty (50) cents for each place visited in his jurisdiction and ten (10) cents for each and every mile actually traveled in making such visit or visits which number of monthly visits and places visited and miles actually traveled in making such visits shall be verified by oath by the constable and filed with the commissioners of the respective counties

On the question,

Will the House agree to the section?

Mr. MILLER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 6, by striking out "fifty (50)" and insert in lieu thereof twenty-five (25) and in line 7 strike out ten (10) and insert in lieu thereof six (6).

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read anod agreed to as follows:

Section 2 The fees and compensation provided for in section one of this act shall be paid by the treasurer of the respective county upon vouchers issued by the county commissioners

The preamble was read and agreed to as follows:

Whereas, The act of May thirteenth one thousand eight hundred and eighty-seven Pamphlet Laws one hundred nine to twelve provides as follows "It shall be the duty of each constable in the county to visit at least once in each month all the places within their respective jurisdiction where any of said liquors are sold or kept"

The title was read and agreed to as follows:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

And said bill having been read at length the second time agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1346 (Senate No. 386), entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1590, as follows:

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June one thousand eight hundred and seventy-nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to authorize cities of the first class to levy nad fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June one thousand eight hundred and seventy-nine which reads as follows "Section one That it shall be the duty of the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of September in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of said councils to levy and fix a tax rate on or before the first day of October in each and every year for the year next ensuing the amount of tax moneys collectible during the year for which such tax shall have been levied shall be ascertained by deducting from the gross amount yielded by said tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollected at the end of each of the said years and the tax moneys collectible during the current year shall with the average income from sources other than from current tax moneys exclusive of sinking fund receipts (such average of income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness other than that which may be outstanding at the passage of this act which the city controller may estimate to be outstanding upon the first of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payments of interest and for sinking fund) pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year of each department board commissioners or trusts connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been brought within the sum yielded by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the first day of October in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if the councils had themselves established such rate" be and is hereby amended to read as follows

Section 1 That it shall be the duty of the controllers of cities of the first class to furnish to the councils of said cities on or before the fifth day of November in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of said councils to levy and fix a tax rate on or before the thirtieth day of Decmeber and after the appropriations for the ensuing year shall have been passed as provided by law in each and every year for the year next ensuing in determining the tax rate the amount of tax moneys collectible during the ensuing year shall be estimated by deducting from the gross amount yielded by the proposed tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollectable at the end of each of said year and the tax moneys collectible during the ensuing year at the tax rate fixed shall with the average income from sources other than from current tax moneys exclusive of the sinking fund receipts (such average of income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness which the city controller may estimate to be outstanding upon the first of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payment of interest and for sinking fund) pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year of each department board commissions or trusts connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been fully provided for by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the thirtieth day of December in each and every year and in that case the controller shall compute a tax rate as aforesaid which together with the average income from other sources ascertained as aforesaid will yield revenues sufficient to seet the total of all appropriations all estimates and other obligations and such tax rate shall become effective as if councils had themselves established such

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth containing a population of not less than two hundred and fifty thousand nor more than eight hundred thousand as shown by the last preceding United States census the county controller shall be and is hereby authoried and empowered to designate and appoint one person learned in the law to act as his solicitor It shall be the duty of said solicitor to advise upon all legal matters that may be submitted to him and to conduct any litigation desired by said county controller The said solicitor shall hold office for the term for which the controller was elected and shall receive a salary of two thousand dollars per annum to be paid out of the county treasurer

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 5, strike out "fifty" and insert "sixty."
Section 1, line 9, strike out "soliictor" and insert "solicitor."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read and agreed to as follows:

An Act authoriing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 695, as follows:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

Whereas In making the appropriation to the State Highway Department the General Assembly in the session of one thousand nine hundred and eleven did not anticipate the great increase over the previous two years in the number of automobile licenses issued by the Automobile Division of said Department which said license entailed expenditures for additional license plates for delivery of such plates and for additional clerical help rendered necessary by such increase and thus made inadequate provision for the payment of the salaries and other necessary expenses of said Automobile Division during the two fiscal years beginning June first one thousand nine hundred and eleven whereby a deficiency has arisen therefore

Section 2 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Highway Department to cover a deficiency in the Automobile Division through inadequate appropriation at the last General Assembly

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1574, entitled:

An Act creating and empowering a commission to purchase or condemn property covered by natural lakes as a public pleasure resort conferring the management thereof upon the Board of Commissioners of Public Grounds and Buildings and making an appropriation therefor

The first, second, third, fourth, fifth, sixth and seventh sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth of Pennsylvania shall appoint three citizens of this Commonwealth who shall constitute a commission to be known as the Public Lake Commission which commission shall exist until the first day of June one thousand nine hundred fifteen unless their duties are sooner finished Any vacancy occurring in the membership of the said commission shall be filled by an appointment by the Governor for unexpired term The said commission is authoried and required to acquire title in the Commonwealth by purchase or condemnation of all property covered by natural lakes and ponds which in area consist of more than five acres The title to such property shall be approved by the Attorney General in every case before any payments shall be made thereon by the Commonwealth

Section 2 In case the said commission and the owner or owners of property to be acquired cannot agree upon the price to be paid therefor the said commission having viewed the said property shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and prepare a schedule thereof and shall give not less than ten days notice to all parties interested of the time and place where they will meet and exhibit said schedule and hear all objections thereto and evidence thereon The said notice shall be given by personal service upon all parties in interest or their attorneys of record residing in the county where the property is situated if such residence is known and to all others by publication by three insertions in one newspaper of general circulation published in the county where the property is situated after hearing the parties desiring to be heard in reference to said schedule at the time designated and making whatever changes shall be deemed necessary the said commission shall file the same in the court of common pleas of the proper county

Section 3 Upon the report of said commission being filed in said court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or any such party may within thirty days after final decree appeal to the Supreme or Superior Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the Commonwealth Any costs incurred in any proceeding in court shall be borne by the parties thereto as provided by law

Section 4 Upon the acquiring of such property the Board of Commissioners of Public Grounds and Buildings shall assume the control and management thereof as public pleasure ground and shall make such alterations and improvements thereon as it may deem suitable for that purpose

Section 5 Where any lake or pond acquired under the provisions of this act is so situated that there is no approach thereto by a public highway then for the purpose of ingress or egress to or from such waters any person shall have the right of passage over land bordering upon or surrounding such waters

Section 6 The owner or owners of any water right (which shall be construed to be the privilege of creating water power) in lakes or ponds so purchased or condemned shall not be deprived of his or their ownership of such privilege and may continue in the full use and enjoyment thereof

Section 7 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is specifically appropriated to carry out the purposes of this act

Section 8 All acts or parts of acts inconsistent with this act are repealed

The preamble was read as follows:

Whereas Many of the natural lakes and ponds situate in this Commonwealth as now owned by individuals and corporations and the public are thereby deprived of the privilege of frequenting these natural pleasure resorts and

Whereas The privilege of enjoying such resorts would seem to have been bestowed upon the people of this Commonwealth by divine will therefore

Preamble, line 2, strike out the word "as" and insert the word "are."

On the question,

Will the House agree to the preamble?

Mr. HOBBS. Mr. Speaker, I desire to offer an amendment to the preamble.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Preamble, line 2, strike out the word "as" and insert the word "are."

On the question,

Will the House agree to the amendment?

It was agreed to.

The preamble as amended was then agreed to.

The title was read and agreed to as follows:

An Act creating and empowering a commission to purchase or condemn property covered by natural lakes as a public pleasure resort conferring the management thereof upon the Board of Commissioners of Public Grounds and Buildings and making an appropriation therefor

On the question,

Will the House agree to the bill on second reading?

BILL RECOMMITTED.

Mr. HOBBS. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded with the second reading and consideration of House Bill No. 1660, as follows:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" which reads as follows

"Section 2 The salary of the district attorney in counties whose population does not exceed ten thousand shall be three hundred dollars per year the salary of the district Attorney in counties whose population is more than ten thousand and does not exceed twenty thousand shall be four hundred dolllars per year the salary of the district attorney in counties whose population is more than twenty thousand and does not exceed thirty thousand shall be five hundred dollars per year the salary of the district attorney in counties whose population is more than thirty thousand and does not exceed forty thousand shall be eight hundred dollars per year the salary of the district attorney in counties whose population is more than forty thousand and does not exceed fifty thousand shall be one thousand dollars per year the salary of the district attorney in counties whose population is more than fifty thousand and does not exceed sixty thousand shall be twelve hundred and fifty dollars per year the salary of the district attorney in counties whose population is more than sixty thousand and does not exceed seventy thousand shall be fifteen hundred dollars per year the salary of the district attorney in counties whose population is more than seventy thousand and does not exceed eighty thousand shall be two thousand dollars per year the salary of the district attorney in counties whose population is more than eighty thousand and does not exceed ninety thousand shall be two thousand five hundred dollars per year the salary of the district attorney in counties whose population is more than ninety thousand and does not exceed one hundred and fifty thousand shall be four thousand dollars per year Provided That in no case shall the amount of salary fixed by this act be more than one thousand dollars per annum in excess of the aggregate amount of fees received in the year Anno Domini one thousand nine hundred and four by the district attorney of any county to which the act applies the amount of such fees to be inquired into ascertained and fixed by the court of quarter sessions of the peace of any county affected by this proviso and the amount so fixed by order of court and one thousand dollars in addition thereto shall be the amount of salary payable under the terms of this act" is hereby further amended to read as follows

Section 2 The salary of the district attorney in counties whose population does not exceed ten thousand shall be four hundred dollars per year the salary of the district attorney in counties whose population is more than ten thousand and does not exceed twenty thousand shall be four hundred dollars per year the salary of the district attorney in counties whose population is more than twenty-thousand and does not exceed thirty thousand shall be five hundred dollars per year the salary of the district attorney in counties whose population is more than thirty thousand and does not exceed forty thousand shall be eight hundred dollars per year the salary of the district attorney in counties whose population is more than forty thousand and does not exceed fifty thousand shall be one thousand dollars per year the salary of the district attorney in counties whose population is more than fifty thousand and does not exceed sixty thousand shall be twelve hundred and fifty dollars per year the salary of the district attorney in counties whose population is more than sixty thousand and does not exceed seventy thousand shall be fifteen hundred dollars per day the salary of the district attorney in counties whose population is more than seventy thousand and does not exceed eighty thousand shall be two thousand dollars per year the salary of the district attorney in counties whose population is more than eighty thousand and does not exceed ninety thousand shall be two thousand five hundred dollars per year the salary of the district attorney in counties whose population is more than ninety thousand and does not exceed one hundred and fifty thousand shall be four thousand dollars per year Provided That in no case shall the amount of salary fixed by this act be more than one thousand dollars per annum in excess of the aggregate amount of fees received in the year Anno Domini one thousand nine hundred and four by the district attorney of any county to which the act applies the amount of such fees to be inquired into ascertained and fixed by the court of quarter sessions of the peace of any county affected by this proviso and the amount so fixed by order of court and one thousand dollars in addition thereto shall be the amount of salary payable under the terms of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded with the second reading and consideration of House Bill No. 1447, as follows:

An Act to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven to provide revenue for the enforcement of the act to which this is a supplement by imposing a tax upon the premiums of all fire insurance companies and associations doing business in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation or association whether domestic or foreign incorporated or authorized to transact business of fire insurance within the Commonwealth of Pennsylvania shall on or before the first day of July of each year in addition to the taxes now imposed upon it under the laws of this Commonwealth pay into the State Treasury for the use of the State Fire Marshal's Department a tax of one-fourth of one per centum of the premium receipts of such company on all business done in the Commonwealth of Pennsylvania during the year next preceding as said receipts are shown by the annual statements required by existing laws to be made by such company to the Insurance Commissioner or the Auditor General of the Commonwealth which Provided That in computing such gross premium receipts there shall be deducted therefrom the amount paid out for re-insurance and for return premiums on cancelled policies said taxes when paid into the State Treasury shall constitute a fund to be used in the enforcement of the act to which this is a supplement when duly appropriated for such purpose by proper legislative enactment

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. RONEY. Mr. Speaker, there are two companion bills on page 18 of to-day's calendar and I would ask the Speaker, if it were possible to call them up from page 18 and have them presented to this House at this time with this bill which has just been passed.

The SPEAKER. If there is no objection, the gentleman can call up House Bills 1446 and 1444 from page 18 of to-day's calendar.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1446, as follows:

A Supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of every fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshal with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshal and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every corporation or association whether domestic or foreign incorporated or authorized to transact the business of fire insurance within the Commonwealth of Pennsylvania to give immediate notice in writing to the State Fire Marshal of the occurrence of any and all fire losses on any property real or personal in this State insured in whole or in part by such fire insurance company or association Such notice shall be sent by registered mail to the State Fire Marshall at his office in the City of Harrisburg within ten days after notice of such loss shall have been received by such fire insurance company or association and shall contain a statement of the date of fire the amount of insurance written on such risk by said company the character and location of the property destroyed or damaged and the supposed cause of the fire It shall also be the duty of every such fire insurance company or association to report in writing by registered mail to the State Fire Marshal within thirty days after the payment by it of any loss upon any of its risks located in this State the amount actually paid by said company for on account of or by reason of such loss report in writing to the State Fire Marshal through the secretary or other officer of the corporation or association designated by the board of directors for that purpose of all fire losses on property within this State insured by such corporation or association giving the date and location of fire the amount of insurance written on such risk by said corporation or association the amount of probable loss the character of property destroyed or damaged and the supposed cause of the fire Such reports shall be in writing and sent by registered mail to the State Fire Marshal addressed to his office in the city of Harrisburg on or before the tenth day of

each month as to all fires of which notice was received during the preceding month and shall include either in the first or subsequent monthly report the amount of loss as adjusted and actually paid by said corporation or association for on account of or by reason of such loss Provided That in all cases where such corporation or association receives evidence or information indicating that any fire was of incendiary origin report of such fire and of such evidence or information shall be immediately mailed to the said State Fire Marshal as aforesaid Such notices and reports shall be in addition to any notice or report said companies may be required to make under the laws of this Commonwealth to the Insurance Commissioner or to any other State officer

Section 2 Every board association or bureau which now exists or hereafter may be formed for the purpose of suggesting establishing or maintaining rates of fire insurance on property located in this State shall apply to the State Fire Marshal on request or permit the State Fire Marshal to copy from its files reasonable data relating to the physical condition of insurable property in this State and relating to physical fire hazards in the various communities thereof

Section 3 Any fire insurance company or association wilfully violating any of the provisions of this act shall be liable to a penalty of two hundred and fifty dollars ($250) to be recovered at the suit of the State Fire Marshal as debts of like amount are now by law recoverable and any foreign fire insurance company or association licensed to do business in this Commonwealth wilfully violating any of the provisions of this act shall in addition to incurrng said penalty forfeit its right to continue the transaction of its business in this State

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded with the second reading and consideration of House Bill No . 1444, as follows:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of State Fire Marshal his deputies and assistants and providing penalties for violations of said act as amended and to repeal the fourteenth section of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of an act the second section of an act entitled "An Act establishing the office of State Fire Marshal defining the powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven which now reads as follows

"Section 2 The State Fire Marshal shall appoint a chief assistant fire marshal who shall receive an annual salary of four thousand (4,000) dollars and a first and second deputy fire marshal each of whom shall receive an annual salary of three thousand (3,000) dollars Each such assistant and deputy shall also be paid his actual and necessry expenses incurred in the performnce of the duties of his office The State Fire Marshal shall also appoint one or more stenographers at an annual salary not to exceed one thousand two hundred (1,200) dollars each and such other clerks and assistants as may be needed at a cost of not exceeding three (3) dollars per day each In case of the absence of the State Fire Marshal or his inability for any cause to discharge the duties of his office such duties shall devolve upon the chief assistant fire marshal In case of the absence or inability for any cause of both the State Fire Marshal and chief assistant fire marshal their duties and powers shall devolve upon the first deputy and failing him upon the second deputy" be and the same is hereby amended to read as follows

Section 2 The State Fire Marshal shall oppint a chief deputy fire marshal who shall receive an annual salary of four thousand (4,000) dollars and a first second third and fourth special deputy fire marshals who shall each receive an annual salary of three thousand (3,000) dollars He shall also subject to the written approval of the Governor appoint and fix the salaries of such assistant deputies as may be deemed necessary from time to time and said chief deputy special deputies and assistant deputies shall also be paid their actual and necessary expenses incurred in the performance of the duties of their offices The State Fire Marshal shall appoint a statistician at an annual salary of twenty-five hundred (2,500) dollars also a chief clerk at an annual salary of two thousand (2,000) dollars and he may also appoint one or more stenographers at an annual salary not to exceed twelve hundred (1,200) dollars each also a messenger and clerk at an annual salary of one thousand (1,000) dollars also such clerks as the work of the Department may require In case of the absence of the State Fire Marshal or his disability for any cause to discharge the duties of his office such duties shall devolve upon the chief deputy fire marshal In the case of the absence or disability for any cause of both the State Fire Marshal and chief deputy fire marshal their duties shall devolve upon the first special deputy and failing him upon the second special deputy and failing him the third special deputy and failing him the fourth special deputy fire marshal

Section 2 That the third section of said act which now reads as follows

"Section 3 The chief of the fire department in any county city borough township school district or other municipality or incorporated district where such fire department is established or where no such fire department exists the burgess of any borough or president or chairman of the board of supervisors of any township or other municipality or incorporated district shall be by virtue of such office held by them assistants to the State Fire Marshal and subject to the duties and obligations imposed by this act and subject to the directions of the State Fire Marshal in the execution of the provisions hereof The State Fire Marshal may also appoint individual citizens as assistants who shall be subject to the duties and obligations aforesaid and to directions of the State Fire Marshal Immediately upon taking office the State Fire Marshal shall prepare instructions to the assistant fire marshals and forms for their use in the reports required by this act and shall cause them to be printed and sent together with a copy of this law to each such officer in the Commonwealth" be and the same is hereby amended to read as follows

Section 3 The chief of the fire department of any county city borough township town or other municipality or incorporated district where such fire department is established or where no such fire department exists the burgess of any borough president chairman or secretary of the board of county commissioners or supervisors of any township or other municipality or incorporated district shall by virtue of such office held by them be assistants to the State Fire Marshal and subject to the duties and obligations imposed by this act and subject to the directions of the State Fire Marshal in the execution of the provisions thereof The State Fire Marshal may also appoint individual citizens as assistants who shall be subject to the duties and obligations aforesaid and to the directions of the State Fire Marshal The State Fire Marshal shall have power to prescribe reasonable rules and regulations governing the storage and keeping of gasoline naptha kerosene or other substance of like character blasting powder gunpowder dynamite and et cetera or any explosives or other inflammable or combustible chemical products or substances or materials whatsoever. He shall also prepare instructions for the special deputy fire marshals assistant deputy fire marshals and assistant fire marshals and shall prescribe the form and manner in which the reports required by this act shall be made and shall cause such instructions and forms of reports to be printed and sent together with a copy of this act and of the act which this act is an amendment to each officer and assistant having official duties to perform as herein provided

Section 3 That the fourth section of said act which now reads as follows

"Section 4 The assistants of the State Fire Marshal shall investigate the cause origin and circumstances of every fire occurring in this State by which life or property has been destroyed damaged or endangered and so far as possible shall determine whether the fire was the result of design or carelessness Such investigation shall be begun immediately upon the occurrence of the fire by the assistant in whose territory it has occurred and if it appears to the assistant making such investigation to be of suspicious origin the State Fire Marshal shall be immediately notified of such fact Every fire occurring in this State shall be reported in writing to the State Fire Marshal within ten days after its occurrence by the assistant in whose jurisdiction it occurred Such report shall be in the form prescribed by the State Fire Marshal and shall contain a statement of all facts relating to the cause and origin of such fire that can be ascertained the extent of damage thereof the insurance upon the property injured or destroyed and such other information as may be required Provided however That the duties to be performed by the assistant fire marshals or any of them may be limited by the State Fire Marshal so as to reasonably accord with their pre-existing public duties" be and the same is hereby amended to read as follows

Section 4 It shall be the duty of the aforesaid assistants to the State Fire Marshal and of each of them to investigate the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of their respective counties boroughs townships towns or other municipality or incorporated districts respectively and make every effort to determine whether such fires were of incendiary origin or the result of design or carelessness or accident Immediately upon the occurrence of any fire such assistant shall report the occurrence thereof to the State Fire Marshal and shall begin the investigation thereof and if it appears to the assistant making such investigation to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the State Fire Marshal to that effect and shall under the directions of the State Fire Marshal aid and assist the latter in the making of such thorough and exhaustive investigation The aforesaid reports of the occurrence of any fire shall be made in writing and in the manner and form prescribed by the State Fire Marshal on the blanks furnished by the latter to such assistants for that purpose Such reports shall in every case contain a statement of all the facts relating to the cause of such fire that can be ascertained the extent of the loss and damage to property as well as the loss of life and personal injuries caused thereby or resulting therefrom the amount of insurance upon the property destroyed or damaged and such other information as may be required by the State Fire Marshal Provided however That such assistants shall notify the State Fire Marshal at his office in Harrisburg immediately by telegraphic message of not more than ten words of the occurrence of any such fire And Provided further That the duties herein above prescribed to be performed by the said assistant fire marshals or any of them may be limited by the State Fire Marshal at his discretion when requested in writing so to do

Any of the aforesaid assistants of the State Fire Marshal who shall neglect or refuse to report to the State Fire Marshal or to make reports or investigations of fires as herein above prescribed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding ten days or both at the discretion of the court

Section 4 That the fifth section of said act which now reads as follows

"Section 5 The State Fire Marshal his deputies or assistants upon the complaint of any person or whenever he or they shall deem it necessary shall inspect the buildings and premises within their jurisdiction Whenever any of the said officers shall find any buildings or structure which for want of repairs or by reason of age or dilapidated condition or for any other cause is especially liable to fire and so situated as to endanger other property he or they shall order the same to be removed or remedied if the same is reasonably practicable thereby lessening the danger from fire Whenever such officer shall find in any building combustible or explosive matter or inflammable conditions which are in violation of any or law ordinance applicable

thereto or are dangerous to the safety of such buildings thereby endangering other property he or they shall order the same to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or building If such order is made by a deputy or assistant of the State Fire Marshal such owner or occupant may within five days appeal to the State Fire Marshal who shall within ten days review such order and file his decision thereon and unless by his authority the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant Provided however That any such owner or occupant who feels himself aggrieved by such order may within five days after the same has been affirmed by the State Fire Marshal file his petition with the court of common pleas of the proper county praying a review of such order and it shall be the duty of the court to hear the same at the first convient day and to make such order in the premises as right and justice may require

Any owner or occupant failing to comply with such order within ten days after said appeal shall have been determined or if no appeal is taken then within twenty days after the service of said order shall be liable to a penalty of twenty-five dollars for each day's neglect thereafter The service of any such order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a true copy of the said order or if such owner is absent from the jurisdiction of the officer making the order by mailing such copy to the owner's last known postoffice address The penalties herein provided may be recovered as debts are by law collectible in any courts having jurisdiction of the parties Such action shall be brought in the name of the Commonwealth under the direction of the State Fire Marshal or any of his deputies or assistants by the Attorney General or by any district attorney or legally constituted law officer of any county city borough township or other municipality who may be designated by the Attorney General at the option of the Attorney General he may designate any attorney to bring such action" be and the same is hereby amended to read as follows

Section 5 The State Fire Marshal on his own motion or upon complaint in writing shall inspect any buildings premises or property which in his judgment require inspection The said deputies or assistants shall likewise upon their own motion or upon complaint in writing inspect any building premises or property within their respective territories which in their judgment may require inspection and shall make inspection of any buildings premises or property whenever directed by the State Marshal so to do within their respective territories Whenever the State Fire Marshal or any of the said officers shall find any building premises or property which for want of repairs or by reason of age or dilapidated condition defective or poorly installed electric wiring or equipment defective chimneys defective gas connection defective heating apparatus or for any other cause or reason is especially liable to fire or shall find that any building premises or property is so situate as to endanger any other building premises or property said State Fire Marshal or said officer shall order such building or buildings premises or property to be repaired and all dangerous conditions remedied and that such buildings premises or property be placed in a reasonably safe condition within such reasonable time as may be specified in said order If said State Fire Marshal or any of said officers shall find in any building or upon any premises any material rubbish rags waste oils naphtha gasoline kerosene blasting powder gunpowder dynamite et cetera or any other explosive or highly inflammable combustible substance or shall find any condition whatsoever which endangers the safety as against fire or explosion in such building premises or property he shall order the same removed or the conditions remedied within such reasonable time as may be specified in said order so that the same shall be in a reasonably safe condition as against such danger

Whenever the State Fire Marshal or any of the said officers shall find any building or part thereof which for any cause or reason constitutes a fire menace which cannot be removed by repairs to said building or in any other way than by the destruction thereof said State Fire Marshal or said officer shall order said building or any part thereof to be demolished specifying in said order the reason or reasons therefor and specifying a reasonable time within which the work of tearing down and removing said building shall be commenced and prosecuted to completion

All such orders shall be in writing and shall be made and served upon the owner life tenant lessee or bailee of such building premises or property or upon the agent for any of the same either

(a) By handing a true copy thereof to such owner life tenant lessee bailee or agent or

(b) By posting a copy thereof in a conspicuous place on the said building premises or property and mailing a copy thereof to the said owner life tenant lessee bailee or agent whose address is known or can with reasonable diligence be ascertained by said State Fire Marshal or any of said officers making such order In case such address is not known or cannot be ascertained as aforesaid then in lieu of such mailing a copy of said order shall in addition to the above mentioned posting thereof be handed to the responsible occupant or person if any in charge of said building premises or property

Any owner life tenant lessee bailee or agent upon whom any such order may be made or served by any of the aforesaid officers other than the State Fire Marshal may within five days from the service of said initial order appeal to the State Fire Marshal petition in writing setting forth succinctly under oath or affirmation the facts and reasons upon which said appeal is based whereuopn the State Fire Marshal shall forthwith investigate the facts upon which such order was made and the grounds or reason for such appeal and make his final order in writing affirming revoking or modifying the original order appeal from which said final order of said State Fire Marshal and any initial orders made by him shall be filed in his office and shall be open to the inspection of the appellant or any person against whom the same may have been made

If the said initial order be affirmed upon each appeal the same shall be and remain in full force against and in all respects be complied with by such owner life tenant lessee bailee or agent named therein within the time therein specified and in the event that such initial order be modified the same shall remain in full force and be in all respects complied with as modified

Any owner life tenant lessee bailee or agent aggrieved by any initial or final order of the State Fire Marshal may appeal therefrom to the court of common pleas of the county in which the real or personal property in question is situate wtihin five days after the making filing of such orders of the State Fire Marshal provided that such owner life tenant lessee bailee or agent shall as a condition precedent to such right of appeal first give notice in writing to said State Fire Marshal of his intention to take such appeal to said court of common pleas Such notice intention to appeal shall be given by mailing the same by registered mail to the office of the State Fire Marshal in the city of Harrisburg

Said appeal to said court of common pleas shall be taken by presenting to and filing in said court by the appellant of a petition in writing vertified by the oath or affirmation of the appellant setting forth succinctly the facts and reasons upon which said appeal is based and there shall be filed with said appeal proof of service upon the State Fire Marshal in the monner aforesaid of the notice of intention to take such appeal A copy of such petition shall be mailed by registered mail to the State Fire Marshal at his office in the city of Harrisburg on the same day upon which said petition is presented and filed in said court of common pleas

Upon the presentation of such petition the court shall proceed summarily to hear and determine at a date to be fixed by the court as early as possible the reasonableness and lawfulness of the said final order of the State Fire Marshal appealed from Of the date so fixed for said hearing the said eppellant shall give immediate notice in writing by registered mail to the State Fire Marshal at his office in the city of Harrisburg Upon the presentation of said petition the court may in its discretion enter an order superseding the order of the Fire Marshal appealed from pending the final hearing and judgment of the court upon the appellant filing a bond with surety or sureties approved by said court in such amount not less than one hundred dollars as said court shall direct conditioned as the court may deem proper and direct under the circumstances of the case including however the condition that the appellant shall pay all the costs of such appeal in the event that the same be dismissed

For appellant at the time of the presentation of said petition shall have the right to demand by writing presented and filed with his appeal a trial by jury and if the order of the State Fire Marshal appealed from shall in effect be such a character that its enforcement would affect any rights of the petitioner concerning the determination of which trial by jury is secured by the constitution of the Commonwealth the court shall direct an issue to be framed to determine such matters as may be within such right of trial by jury and shall advance said case to the head of the next trial list of said court for final determination as speedily as possible Pending such trial by jury and the final judgment thereon the court may enter an order superseding the said order of the State Fire Marshal appealed from in the same manner as is herein provided in cases where no trial by jury is demanded and in the event that trial by jury is not demanded at the time and in the manner aforesaid the court shall proceed summarily to hear and determine said appeal at a date as early as possible

The judgment of said court of common pleas upon said appeal affirming modifying or revoking the order of the State Fire Marshal appealed from shall be final and in the event that said judgment is against the appellant or in the event that said appeal be dismissed for any cause judgment for costs shall be entered against the appeallant

Any owner life tenant lessee or bailee against and upon whom or against or upon whose agent any initial or final order of the State Fire Marshal or any order of the officers aforesaid shall have been made and served as aforesaid who shall neglect fail or refuse to comply with the terms of such order within thirty days after the service thereof or in the event that an appeal be taken as herein provided then within thirty days after the final order of the State Fire Marshal or the final judgment of the court of common pleas as the case may be shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than ten dollars nor more than fifty dollars for each day's neglect or to be imprisoned in the county jail of the proper county for a period not exceeding thirty days or both or either at the discretion of the court

In case any initial or final order shall direct the repair of any building or part thereof or the removal of any building or part thereof and the owner or owners shall fail neglect or refuse to comply with such order then the State Fire Marshal is authorized and empowered to cause such building to be repaired or demolished and the materials removed as the case may be at the expense of the owner or owners The intial ex-

pense of such repairs or removal shall be paid by the State Fire Marshal out of funds appropriated for such purposes and if the owner or owners shall thereafter fail neglect or refuse to pay the costs and expenses thus incurred into the State Treasury within thirty days from the receipt of notice of the amount thereof said State Fire Marshal shall forthwith certify said costs and expenses together with twenty-five per centum penalty thereon to the prothonotary of the county in which said real estate is situate for entry as lien against the property in question and such lien shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any other obligation judgment claim lien or estate with which said property may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made Said lien shall be revived and collected as municipal liens are now by law revived and collected and when the amount of said lien penalty and costs has been paid to the State Fire Marshal he shall cause such lien to be satisfied of record and proceeds paid into the treasury of this Commonwealth

Section 5 That the sixth section of said act which now reads as follows

"Section 6 The State Fire Marshal or his deputies in addition to the investigation made by any of the assistants may at any time investigate the origin or circumstances of any fire occurring in this Commonwealth The State Fire Marshal his deputies and assistants shall have the power to summon witnesses and compel them to attend before them or either of them to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation and may require the production of any books papers or documents deemed pertient or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them such examination may be public or private as the officers conducting the investigation may determine

No person shall be excused from attending before the said Fire Marshal or any of his deputies or assistants when summoned so to attend nor when ordered so to do shall he be excused from testifying or producing any books papers or documents before such officer upon any investigation proceeding or inquiry instituted under the provisions of this act upon the ground or for the reason that the testimony or the evidence documentary or otherwise required of him may tend to convict him of a crime or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been required so to testify or produce evidence documentary or otherwise and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding If after any such examination the State Fire Marshal or any of his deputies or assistants is of the opinion that the facts in relation to such fire indicate that a crime has been committed he shall present the testimony taken on such examination together with any other data in his possession to the district attorney of the proper county with the request that he institute such criminal proceedings as such testimony or data may warrant

The State Fire Marshal or his deputies or his assistants may at all reasonable hours enter any building or premises within his or their jurisdiction for the purpose of making an inspection which under the provisions of this act he or they may deem necessary to be made" be and the same is hereby amended to read as follows

Section 6 The State Fire Marshal or his deputies in addition to the investigation made by any of the assistants may at any time investigate the origin or circumstances of any fire occurring in this Commonwealth The State Fire Marshal his deputies and assistants shall have the power to summon witnesses and compel them to attend before them or either of them to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation and may require the production of any books papers or documents deemed pertient or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them such examination may be public or private as the officers conducting the investigation may determine

No person shall be excused from attending before the said Fire Marshal or any of his deputies or assistants when summoned so to attend nor when ordered so to do shall he be excused from testifying or producing any books papers or documents before such officer upon any investigation proceeding or inquiry instituted under the provisions of this act upon the ground or for the reason that the testimony or the evidence documentary or otherwise required of him may tend to convict him of a crime or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been required so to testify or produce evidence documentary or otherwise and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding If after any such examination the State Fire Marshal or any of his deputies or assistants is of the opinion that the facts in relation to such fire indicate that a crime has been committed he shall present the testimony taken on such examination together with any other data in his possession to the district attorney of the proper county with the request that he institute such criminal proceedings as such testimony or data may warrant

Each witness who shall appear at any such investigation in compliance with a notice to attend shall be entitled to receive from the Commonwealth though the said State Fire Marshal such fees and mileage as are now allowed by law to witnesses in courts of record of this Commonwealth

If after any examination the State Fire Marshal or any of his deputies shall be of the opinion that the facts in relation to such fire indicate that the same has been of incendiary origin the State Fire Marshal or any of his deputies shall be and are hereby authorized and empowered to arrest without warrant any person or persons whose guilt of arson may be indicated by the evidence in the possession of the State Fire Marshal or any of his deputies

In the event of such an arrest the person or persons so arrested shall be forthwith taken before a justice of the peace alderman or magistrate of the county in which said crime is alleged to have been committed and an information there made against said person or persons which information shall be proceded with according to law

The State Fire Marshal may in his discretion employ from time to time one or more competent attorneys to represent the Commonwealth in any investigation hearing or trial instituted or conducted at the instance of said State Fire Marshal his deputies or assistants He may also employ detectives when in his opinion it becomes necessary so to do Such attorneys and detectives shall receive such compensation as may be fixed by the State Fire Marshal to be paid out of the funds appropriated to the State Fire Marshal's Department for such purpose

The State Fire Marshal his deputies or assistants may at all reasonable hours enter any building or premises within his or their jurisdiction for the purpose of making any inspection he or they may deem necessary in order to carry into effect the provisions of this act and any owner life tenant or lessee of said premises or any agent or representative of any of the same in possession thereof who shall refuse permission for such inspection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

Section 6 That the seventh section of said act which now reads as follows

"Section 7 Any witness who refuses to obey a summons of the State Fire Marshal his deputies or assistants or who refuses to be sworn or to testify or who disobeys any lawful order of the State Fire Marshal his deputies or assistants in relation to any investigation instituted by him or them or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination or who is guilty of any contempt after being summoned to appear before him or either of them to give testimony in relation to any matter or subject under examination or investigation as aforesaid may be punished as for contempt of court For this purpose application may be made to any court within whose jurisdiction the contempt in question took place and for which purpose the courts of common pleas of this Commonwealth are hereby given jurisdiction be and the same is hereby amended to read as follows

Section 7 Any person who shall refuse to obey a summons or notice of the State Fire Marshal his deputies or assistants to appear and testify or who when duly notified shall refuse to be sworn or to testify in relation to any investigation instituted by him or them or who shall fail or refuse to produce any books papers or documents touching any matter under investigation or examination shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or to undergo an imprisonment in the county jail not exceeding three months either or both at the discretion of the court

Section 7 That the eighth section of said act which reads as follows

"Section 8 The State Fire Marshal shall keep in his office all records which may be sent him in accordance with the law relative to the physical condition of buildings whether the laws and ordinances have been complied with so far as the same relate to fire protection records of application for fire insurance upon any buildings or other information relating thereto which may be sent him in compliance with law and shall also keep a record of all fires occurring in this State and of all the facts concerning the same including statistics as to the extent of such fires and the damage caused thereby and whether such losses were covered by insurance and if so in what amount Such records shall be made daily from the reports made to him by his assistants under the provisions of this act All such records shall be public except that any testimony taken in investigations under the provisions of this act may be withheld from the public in the discretion of the State Fire Marshal

It shall be the duty of the State Fire Marshal to prepare blank forms for the furnishing of information by owners or occupants of buildings throughout the Commonwealth of the condition of such buildings with regard to fire protection The said blanks shall contain notice to such property owners or occupiers of proper rules and regulations to minimize the danger of fire and to suppress fire waste and shall contain certain questions requesting information of a definite character to show the conditions of the buildings as aforesaid These blank forms shall be furnished by the fire marshal to officers whose duty it is to receipt for taxes on real property in every part of the Commonwealth to be given by them to property owners together with their tax bills (two forms for each property) with the requirements that one properly filled out be forwarded to the State Fire Marshal at once for filing among the records of his office and that the other be so forwarded six months thereafter" be and the same is hereby amended to read as follows

Section 8 The State Fire Marshal shall keep and preserve in his office a record of all fires occurring in this Commonwealth and of all the facts concerning the same which to the State Fire Marshal shall seem pertinent and important including however in all cases statistics showing the extent of such fires and the damage caused thereby and whether such losses were covered by insurance and if so in what amount Such records shall be made daily from the reports made to him by his assistants under the provisions of this act All such records shall be public except that any testimony taken in investigations conducted by the State Fire Marshal or any of his

deputies or assistants under the provisions of this act may in the discretion of the State Fire Marshal be withheld from the public

Section 8 That the eleventh section of said act which now reads as follows

"Section 11 The State Fire Marshal shall make an annual report to the Governor of the Commonwealth on or before the first day of February of each year setting forth a full report of the work of his office during the preceding calendar year including such statistics as he may desire to include therein He shall also recommend in his report such legislation if any as in his judgment may be desirable to further carry out the purpose of this law for the prevention of fire waste Such recommendation shall include a draft of an act providing for the adoption of a standard municipal building code and a draft of an act providing for a standard fire insurance policy for the Commonwealth of Pennsylvania which drafts shall be reported on or before January first one thousand nine hundred and thirteen" be and the same is hereby amended to read as follows

Section 11 The State Fire Marshal shall make an annual report to the Governor of the Commonwealth on or before the first day of November of each year setting forth a full report of the work of his office during the preceding year including such statistics as he may desire to include therein He shall also recommend in his report such additional or other legislation if any as in his judgment may be desirable to more effectually accomplish the purpose of this act

Section 9 That the twelfth section of said act which now reads as follows

"Section 12 The assistants of the State Fire Marshal not receiving a salary for the performance of public duties shall receive upon the audit of the State Fire Marshal fifty cents for each report of each separate fire reported to the State Fire Marshal under this act and in addition thereto shall be paid the sum of fifteen cents for each mile traveled to the place of fire and in the discretion of the State Fire Marshal where an investigation has been made a sum not to exceed three (3) dollars for each day's service spent in such investigation" be and the same is hereby amended to read as follows

Section 12 The assistants of the State Fire Marshal shall receive quarterly upon the audit and certificate of the State Fire Marshal for each report of each separate fire made to the State Fire Marshal under the provisions of this act the following fees

In cities of the first class twenty-five (25) cents and in cities of second class forty (40) cents for each fire reported

In all other cities boroughs towns and townships fifty (50) cents for each fire reported

In addition to said fees each assistant located in a township shall receive the sum of fifteen (15) cents for each mile actually traveled to and from the place of the fire reported and at the discretion of the State Fire Marshal where an investigation has been made each assistant shall receive a sum not to exceed three dollars ($3.00) for each day during which he was necessarily employed in said investigation In no case shall a report of a fire or investigation be paid for unless the same shall be made out in the manner and form prescribed by the State Fire Marshal under the provisions of this act

Section 10 That the fourteenth section of said act which now reads as follows

"Section 14 This act shall not be construed to repeal an act of the General Asembly entitled "An Act to provide for the appointment of a fire marshal for Allegheny County" approved the eighteenth day of April Anno Domini one thousand eight hundred and sixty-four (Pamphlet Laws four hundred sixty-five) It is further hereby declared to be the true intention and meaning of this act that the same shall not apply or be operative in any city or a county of this Commonwealth where under existing laws whether special or general the position and duties of a fire marshal are provided for" be and the same is hereby repealed

Section 11 That the fifteenth section of this act which now reads as follows

"Section 15 All acts or parts of acts inconsistent herewith are hereby repealed" be and the same is hereby amended to read as follows

Section 15 All acts or parts of acts general local or special inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded with the second reading and consideration of House Bill No. 497, entitled:

An Act providing for the nomination of candidates for the office of United States Senator and requiring candidates for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth named in nomination papers to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at he general election next preceding the election of a United States Senator by the General Assembly

The first, second, third and fourth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That nominations of candidates for the office of United States Senator at any general election next preceding the election of a United States Senator by the General Assembly may be made by any group or body of electors not constituting a political party by nomination papers in the same manner and subject to the same requirements and regulations as nominations of candidates for the office of Representative in the Congress of the United States may be made by nomination papers and the names of all candidates for the office of United States Senator nominated under the provisions of this act or of any other act shall be transmitted by the Secretary of the Commonwealth included in the sheriffs' proclamation and printed on the official ballots for such election under the name of the office of United States Senator all in the same manner and order and subject to the same regulations as are or may be provided by law respecting the names of candidates for the office of such Representative in Congress

Section 2 The votes for all candidates for the office of United States Senator at any general election shall be counted and returned and the return computed returned and certified all as provided by law with respect to the votes for candidates for the office of Representative in the Congress of the United States and shall be publicly canvassed and tabulated by the Secretry of the Commonwealth beginning at noon on the second Tuesday of December and continuing each day thereafter until completed and shall as soon as the State Senate and House of Representatives shall have assembled and organized be returned and certified by the Secretary of the Commonwealth to the President pro tempore of the Senate and to the Speaker of the House of Representatives

Section 3 Each candidate for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth named in any nomination papers or certificate of nomination may if a United States Senator is to be elected by the General Assembly during the term of office for which such candidate seeks to be elected file with such nomination papers or certificate of nomination the statement hereinafter set forth but his failure to file such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination papers or certificate of nomination

Such statement if any be made shall be in substantially the following form

STATEMENT

I hereby declare to the people of Pennsylvania and to the people of .....(Senatorial or Representatve district) that during my term of office I will always vote without regard to my individual or party preference for that candidate for United States Senator who shall receive the highest number of votes cast in the State for that position at the election next preceding the election of such United States Senator

.....
Signature of candidate for nomination

On the ballot used at the election after or under the name of each candidate for State Senator or Member of the State House of Representatives whether nominated at a primary or by nomination papers or by certificate of nomination shall appear the words

"Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" or

"Refused to sign statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" according as the candidate filed or failed to file the above statement with his nomination petition for the primary or with his nomination papers as the case may be

On the back of each specimen ballot for the general election next preceding the election by the General Assembly of a United States Senator or for any any election at which a State Senator is to be nominated the County Commissioners shall print this section

Section 4 Nothing herein contained is intended to repeal or supersede any act of Assembly or part of act of Assembly requiring nominations for the office of United States Senator State Senator or Member of the State House of Representatives to be made at a primary held pursuant to law

The title was read as follows:

An Act providing for the nomination of candidates for the office of United States Senator and requiring candidates for the office of Senator or member of the House of Representatives of the General Assembly of this Commonwealth named in nomination paper to file an affidavit making pledge to vote for the candidate for the office of United States Senator who shall have received the largest number of votes at the general election next preding th election of a United States Senator by the General Assembly

On the question,

Will the House agree to the title?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Strike out all of title House Bill No. 497 and insert in lieu thereof the following:

An Act relating to the nomination of candidates for the office of United States Senator; providing for the expression by the electors, at the general election next preceding the election of a United States Senator by the General Assembly, of their choice of candidates for such office; providing for the counting, returning, tabulating for all candidates for the office of United States Senator; and certifying of the votes cast at said general election prescribing the manner in which candidates nominated by nomination papers or certificates of nomination for the General Assembly may declare their intention with respect to their voting in the General Assembly for the

choice of the electors for the office of United States Senator and providing for notations on the ballot respecting declarations made by candidates for the General Assembly, however, nominated."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1401 (Senate No. 406), entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1400 (Senate No. 405), entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1004 (Senate No. 120), as follows:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of judges inspectors and clerks at all elections to be held within this Commonwealth shall be five dollars each Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city co-extension with a county and shall not alter or effect in any manner the compensation of return judges as fixed by existing laws

Section 2 All acts or parts of acts inconsistent herewith except as recited in section one are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1062, as follows:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Montgomery borough in Lycoming county and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department is authorized and directed to construct a bridge in Lycoming county over the Susquehanna river from the termium of Second street in the borough of Montgomery to a public road in Muncy Creek township The cost of such bridge shall not exceed one hundred twenty thousand dollars ($120,000)

Section 2 To carry out the purpose of this act the sum of one hundred and twenty thousand ($120,000) or so much thereof as may be necessary is hereby specifically appropriated Payment of the moneys hereby appropriated and the preparation and execution of all contracts shall be subject to such conditions as may be imposed by the Auditor General No part of this appropriation shall be available until it be shown to the satisfaction of the Auditor General that sites for piers abutments and approaches to said bridge have been provided without expense to the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. ULMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. BARNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1063, as follows:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Duboistown borough and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department is authorized and directed to construct a bridge in Lycoming county over the Susquehanna river from a point where High street in Duboistown borough would reach said river to a point at or near the southern terminus of Arch street in the city of Williamsport The cost of such bridge shall not exceed one hundred thousand dollars ($100,000)

Section 2 To carry out the purpose of this act the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated Payment of the moneys hereby appropriated and the preparation and execution of all contracts shall be subject to such conditions as may be imposed by the Auditor General No part of this appropriation shall be available until it be shown to the satisfaction of the Auditor General that sites for piers abutments and approaches to said bridge have been provided without expense to the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. ULMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. BARNER. Mr.. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1437, entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the commissioners and poor directors in all counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants in which there is or shall hereafter be erected a county poor house or hospital for the insane to purchase all supplies for the maintenance of the inmates of such poor house or hospital by written contract said commissioners and directors of the poor shall by advertisement inserted in at least one newspaper of the county in which said institutions located for two weeks invite sealed proposals for the furnishing of such supplies and shall award all such contracts to the lowest responsible bidder and shall take from such bidder a bond with sufficient sureties conditioned for the faithful performance of his contract

The second section was read as follows:

Section 2 The provisions of this act shall not apply to counties having a population of twenty-five thousand inhabitants or less where the contract for such supplies involves an expenditure of less than one hundred dollars ($100) to counties having a population of more than fifty thousand and less than fifty thousand and less than seventy-five thousand inhabitants where such contract involves an expenditure of less than one hundred and fifty dollars ($150) to counties having a population of more than seventy-five thousand and less than one hundred thousand inhabitants where such contract involves an expenditure of less than two hundred ($200) dollars and to counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants where such contract involves an expenditure of less than three hundred dollars ($300)

On the question,

Will the House agree to the section?

Mr. HEMMINGER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 2, line 3. Strike out "or" insert "and."

Section, 2, line 3. After "less" insert "than fifty thousand."

Section 2, line 5. After "than" strike out "fifty thousand and less than."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was agreed to.
The third section was read as follows:

Section 3 Any county commissioner or director of the poor violating the provisions of this act shall be guilty of a misdemeanor and on conviction before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding six months

On the question,
Will the House agree to the section?
Mr. HEMMINGER. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 3, line 3. After "conviction" strike out "before any alderman magistrate or justice of the peace of the proper county" and insert "thereof"

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was agreed to.
The fourth section and the title were read and agreed to as follows:

Section 4 All acts or parts of acts inconsistent with this act are repealed
An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1454, as follows:

An Act for the better protection of Wild Turkeys in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful to shoot at or wound or kill at any time of the year any Wild Turkey in this Commonwealth for a period of two (2) years from the passage of this act Each and every person who shall violate the provisions of this act shall be liable to a penalty of twenty-five dollars for each Wild Turkey shot at or wounded or killed in violation of this act or to suffer an imprisonment of one day in the common jail of the proper county for each dollar of penalty imposed and unpaid

Section 2 Each and every magistrate alderman and justice of the peace in this Comomnwealth shall have the right and power of summary conviction regarding any violation of this act and all violators shall be prosecuted under the forms prescribed by section thirty-one of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" and all penalties shall be applied as herein provided

Section 3 All acts or parts of acts inconsistent with the provisions of this act are herewith repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1385, as follows:

An Act Creating a commission to provide for the construction of a nautical school ship prescribing its powers and duties and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is established a commission the purpose of which shall be to supervise and manage the construction of a nautical school ship to be called "State of Pennsylvania" The commission shall consist of five members to hold office for a term of five years four of whom shall be appointed by the Governor and one of whom shall be designated by the councils of the city of Philadelphia Each member of the commission shall take the oath prescribed by the Constitution for State officers and file the same with the Secretary of the Commonwealth No member shall receive compensation for his services but may be allowed actual necessary traveling expenses incurred in the performance of his duties

Section 2 The purpose of building the nautical school ship "State of Pennsylvania" is to afford a means for educating the citizens of this Commonwealth in the duties of seamanship and the science of navigation and to make more effective the provisions of an act of Assembly approved the seventeenth day of April one thousand eight hundred and eighty-nine entitled "An Act to establish a board of directors of nautical schools to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation"

Section 3 Said ship shall be constructed in conformity with the specifications set forth in Lloyd's Survey A 1 for twenty-five years Iron or Steel shall be used in the building thereof wherever possible The ship shall be built to carry not less than five thousand tons cargo with ample room provided for school purposes It shall be five masted four masts to be square rigged and one mast fore and aft rigging The equipment shall include a small internal combustion engine Other provisions relating to the building and equipment of said ship not herein provided for shall be made as the commission may deem suitable

Section 4 Said commission as soon as practicable after its organization shall by advertisement inserted in various newspapers and trades journals not exceeding fifteen for a period of two months invite sealed proposals for contracts to furnish the necessary materials according to certain specifications for the erection and construction of said ship "State of Pennsylvania" and for furnishing and equipping the same and for doing the actual work of shipbuilding Said proposals shall be delivered to the commission before twelve o'clock meridian on the tenth day after the insertion of the last advertisement at which time the commission shall open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder It shall be in the discretion of the commission to award a single contract for the entire work or several contracts for different portions thereof as they deem advisable

Section 5 No proposal for any contract shall be considered or accepted unless such proposal be accompanied by a bond in such form and amount as the commission shall direct with at least two sureties or one surety company approved by a judge of the court of common pleas of the county in which the person or persons making such proposal may reside conditioned for the faithful performance of the terms of the contract In the event the contractor or contractors fail to fulfil or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the commission shall direct the attorney general to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth in such re-letting

Section 6 The commission shall certify its approval of all moneys to be paid on contracts to the Auditor General and the State Treasurer shall pay the same on warrant of the Auditor General

Section 7 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby appropriated to carry out the provisions of this act No portion of said moneys shall be available until the city of Philadelphia has appropriated the sum of one hundred thousand dollars ($100,000) toward the construction and equipment of said ship

Section 8 When all the duties herein devolving upon the commission have been performed and the ship "State of Pennsylvania" has been completed and accepted by it and finally launched then the powers of the commission shall cease and the ship shall from henceforth be under the control of the board of directors of nautical school

Section 9 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WILTBANK. Mr. Speaker, I move that House Bill No. 1385, file folio 1497, be recommitted to the Committee on Appropriations.
Mr. GIBSON. Mr. Speaker, I second the motion.
The motion was agreed to.
Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that Senate Bill No. 68, file folio of the Senate 267, House Bill No. 1330. be recommitted to the Committee on Public Roads.
Mr. KITTS. Mr. Speaker, I second the motion.
On the question,
Will the House agree to the motion?
Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer an amendment to that bill and I hope the gentleman will not press the motion, at least until the amendment is offered.
Mr. JOHN R. K. SCOTT. Mr. Speaker, the gentleman can offer his amendment in committee.
Mr. R. J. BALDWIN. Mr. Speaker, the gentleman can offer his amendment in the House.
Mr. JOHN R. K. SCOTT. Mr. Speaker, I withdraw my motion.
Mr. KITTS. I consent.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded with the second reading and consideration of House Bill No. 1330 (Senate No. 68), entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million of dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion supress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding highways of the Commonwealth

Mr. R. J. BALDWIN. Mr. Speaker, I rise to a question of information. My understanding is that in the printing of this bill there was a mistake and the word "the" was left out. Now, if that be not true, I realize that it is an amendment to the bill and not simply a correction and it might affect the bill in its operation.

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 22 after the word rebuilding insert the word "the."

On the question,

Will the House agree to the amendment?

Mr. R. J. BALDWIN. Now, Mr. Speaker, my understanding is that in the original bill the word "the" was in the bill. If it was not in the bill as originally printed, this would be an amendment to the proposition and I would not desire to offer the amendment under those circumstances. It is of very vital importance to know whether or not this is a correction or whether or not it is considered an amendment. I consider that it is simply a correction of the language of the bill.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I now move that this bill be recommitted to the Comittee on Public Roads.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. R. J. BALDWIN. Mr. Speaker, this bill of course cannot be recommitted to the Committee with the idea of amending it, because every member of this House must know that if this bill be amended it will throw the proposition back two years. Certainly the House does not desire to do that and create an item of additional expense of publication amounting to $150,000 to $175,000. If you don't desire this bill to pass this House, when it comes up on its third reading, why, defeat it. There is no reason, whatever, of sending it back to the Committee for amendment. If you gentlemen want the bill defeated, defeat it now. There is nothing to be accomplished by sending it to the Committee, and I hope the House will not send the bill to the Committee. I hope the gentleman's motion will not prevail.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the gentleman does not quite understand the position of this bill with reference to having it sent back to the Committee. When the bill was referred by the Chair to the Committee on Public Roads, some of the members of this House desired to have further information, at the same time expressing thoughts of their own upon this question, and requested that a hearing be held. The bill was reported and there never was a hearing. I don't mean by that to criticise the gentleman who was Chairman, because I do not believe in the multiplicity of his duties that the request was impressed upon his memory. Now, we desire to have the bill sent back to the Committee in order that both sides may be fully heard, and have this matter discussed pro and con before the Committee, information given, information acquired that we can't possibly get on the floor of the House.

And then another reason: If this bill go back, the result of this constitutional amendment that is now offered can in no wise be affected if this is going to be the only legislation; can in no wise carry out the desires of those who have advocated a constitutional amendment, because there must be some character of legislation offered, if this constitutional amendment is going to be of any benefit to the present administration in carrying out their present idea as to the development of roads. Now, for us to attempt to rush this constitutional amendment through to third reading in the House, it being a Senate Bill, without knowing what legislation is to follow, what legislation is to be offered, is merely rushing a bill through of such vast importance as this bill without giving it due consideration.

Now, the gentleman from Delaware, Mr. Speaker, is in no way aiding his legislation by opposing this motion to have the bill recommitted back to the Committee on Public Roads. He cannot possibly help his legislation by opposing a full hearing. We cannot possibly have a full hearing upon the floor of the House. The oratory that we get here is very pregnant with information, but if we are in a committee where we can be met by the gentlemen of the various branches of the Highway Department, who can be questioned and who can give information, when we can have in the committee, without being restricted by parliamentary language or by parliamentary procedure, information, we can come here upon the floor of the House and we can intelligently vote.

Mr. Speaker, the members in their seats can of course oppose this motion now to recommitt this bill back to the Committee on Public Roads, but I can see no logical reason for opposing it. Surely, Mr. Speaker, there is no one in this House that doubts the integrity of that Committee or doubts the sincerity and the integrity of the gentleman who has so well presided as Chairman of that Committee. Session after session he has been honored by membership of that committee, and session after session has carried out his work most completely. Now, sending this bill back to the Committee will delay it, but not more than a week or ten days. We are liable to be her until July if some of the others in the Legislature don't see the proper light, but Mr. Speaker, if we refuse to send this bill back to the Committee, it then means that there is some unseen hand behind it. It means that there is some real haste that does not become apparent. It means that there is something behind this bill that ought to be brought to the surface. Now, I ask, Mr. Speaker, that the motion will prevail ,and that the apparent effort of the gentleman from Delaware who is friendly to this legislation to urge on without proper consideration this vast piece of legislation will not prevail. I therefore ask the members of the House to vote to recommit it.

Mr. R. J. BALDWIN. Mr. Speaker, it is a very common practice, I believe, to state your own position and then make an argument upon it. Does the gentleman from Philadelphia assume the correct position? That is the proposition. Here is a proposition that has been talked about all up and down this State. No one proposition that has been presented to this House is more fully understood, more fully apprehended by the people of this State than that resolution which has been before the people for two years. It does seem to me,—I do not like to be personal—but it does seem to me that the gentleman from Philadelphia is certainly begging the issue. He is certainly not presenting this case to the House as it should be presented. When he says that in opposing this motion to recommit that we have some sinister motive and that we are trying to rush this proposition pell-mell through the House, he says something that is absolutely and unqualifiedly not a true position. There is not a member in this House but what knows that that gentleman's argument on that proposition, from the standpoint that he took, is not a correct one. There is

not a member in the House but knows the proposition better than anything else we have voted upon. Now, we are not going to pass this bill to-day; it is only on second reading. The gentleman from Philadelphia infers that there might be a sinister motive back of those who are opposing the proposition to send this bill back to a committee. We might say that there might be a sinister motive back of those who are in favor of sending it to a committee. It cannot—

POINT OF ORDER.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I submit that as a member on the floor I am exempt from the insults and the insinuations of the gentleman from Delaware, and I call upon the Chair to prevent the gentleman from again referring to my motives as sinister.

The SPEAKER. The Chair did not understand the gentleman from Delaware to suggest that the motives of the gentleman from Philadelphia were sinister.

The gentleman from Delaware will proceed.

Mr. R. J. BALDWIN. Mr. Speaker, I want to call the attention of the House to the fact that the gentleman from Philadelphia first mentioned this as my legislation. I have no interest in it more than a public citizen, no other interest in the world, except that I believe it is right. Every member in this House knows that I am not connected with any State institution or organization of any character. I only appear here as a citizen. He calls this my legislation to start with. That is certainly a suggestion of sinister motives. Now, if that does not come a great deal nearer touching me, I will leave it to the House to decide. But I do hope the House will forget whether there is any feeling between the gentleman from Philadelphia and myself, for there is not. I want to tell you that there is not. But I do want to tell you members of this House that here is a proposition that there is absolutely no reason to send back to the Committee whatever. If there ever was a proposition submitted to this House that it was not necessary to return to a Committee, it certainly is this proposition that is presented to us now, because we all know about it.

Now, I am not going to take the time of the House. The situation is this: We know what this resolution means and the people know what it means. Now, are you going to postpone it or are you going to proceed here and pass it or defeat it? It is immaterial to me personally which you do, although I sincerely believe the resolution contains features that this Legislature should recognize. I hope you won't send this bill back to the committee.

Now, the gentleman makes the point that we will be here until next July. Whose motion leads to next July? My advice or that of the gentleman from Philadelphia? If it is to go back and out and then recommitted and recommitted, it looks to me as though it would be a July proposition.

Mr. JOHN R. K. SCOTT. The question, Mr. Speaker, upon this motion, is not alone whether or not we should have this bill recommitted back, for the purposes of a further investigation, not alone the question as to whether or not we should have the full merits of this bill developed; but the question and one of the principal elements of the question here is, whether or not a committee will report out a bill after request has been made for hearing and that request has inadvertently been denied. Now we ask that this bill should go back to the committee. We are on the last day of the week, and the bill can come out next week for the purpose of having a full discussion before that committee. I cannot see, Mr. Speaker, where any legislation is exempt from any such request as that and I therefore ask the gentleman to permit this bill to be recommitted.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I will.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to know whether the gentleman voted for this resolution in 1911?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I do not think that question is germane to the subject. If my friend wants to know for his own personal information, I will say I did, but I have very grave doubts about voting for it at this session.

Mr. SCHUCK. Mr. Speaker, as a member of this Committee on Public Roads, I wish to say that when this matter came before the Committee no one ever considered that it was a question of moment or it was a question of change. In other words, although an amendment to the Constitution which had been passed by the previous Legislature, it was a question of form, a question of position. Every man understood it. Now if the gentleman from Philadelphia is sincere in wishing to have this question properly understood, which has been discussed and printed and dwelt upon for two years, he should have moved to postpone for the present. This was a matter of form and the gentleman cannot stand before you and state that you cannot handle that when it comes to the Senate. Now this should be voted down. If he is sincere in wishing this question to be understood before it is passed upon, it should be placed on the postponed calendar instead of proceeding by this peculiar method, and I ask you to vote this down as a member of this committee.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the suggestion that this bill be placed upon the postponed calendar for the purpose of discussion upon the question, to my mind seems too extremely illogical. The postponed calendar would in no wise give us an opportunity to have this matter discussed. We are either going to have the question discussed or not and why shou'd there be a mere subterfuge to have it sent to the postponed calendar and have no power to bring before the committee or any body the matter for discussion.

The other proposition, offered by the gentleman from Westmoreland that this bill passed through the Committee on Public Roads as a mere matter of form surely was not a real expression of the action of that committee. Surely he, as a member of the Committee or the Chairman of the Committee nor the other members, will take any position that they passed a resolution which might lead on to the bonding of this State,—a State free from debt,—to the extent of fifty million dollars, as a mere matter of form. If I had no other argument at all to send this bill back to the committee, it would be, Mr. Speaker, the statement of the gentleman from Westmoreland as a member of that committee, that the committee passed this vast piece of legislation as a matter of form; and I therefore ask, Mr. Speaker, that this matter will be referred back to the committee.

Mr. BAYLE. Mr. Speaker and Gentlemen of the House, I preface the remarks I am going to make by the statement of two things: I am for the bond issue. I believe the State system of highways is working out nobly and magnificently; but, gentlemen, we have another fight to make. There are institutions in our State that are working against this bond issue. The people must vote upon it and while I have prefaced my remarks by this statement, I ask you to duly consider this matter, in order that the people cannot say that everybody did not have a chance to be heard. I care not whether you agree with the gentleman from Westmoreland (Mr. Schuck), or the gentleman from Philadelphia (Mr. John R. K. Scott), but I do ask this: That when you come to an important measure like this, let me, for one, go back to the Third Assembly District of Erie County and say there was no undue haste. I am again for the bond issue. I am a Republican and I am for this proposition and I therefore ask that it either be postponed, according to the suggestion of the gentleman from Westmoreland, or be recommitted, in order that I may go back to the people of the Third Assembly District of Erie County—and I again repeat it—and say that this Legislature, that we men here, considered these important things carefully and took plenty of time when we came to such great questions.

Thank you, Mr. Speaker and Gentlemen of the House, I am done.

Mr. R. J. BALDWIN. Mr. Speaker, I would just like to say to the House, that you fully appreciate, no doubt, that this is simply whether we will present this question to the people. That is all this resolution means. It simply means, will we allow the people to express themselves on the proposition. It don't mean anything else and there will be ample time from now on to give full opportunity to the people to decide whether or not they like it. The members of the Legislature certainly understand it. The people should have a chance. The only question is whether you are going

to send this to the people to pass their approval or disapproval on.

On the question recurring,

Will the House agree to the motion to recommit the bill?

The Speaker declared the Chair in doubt.

The yeas and nays were required by Mr. R. J. BALDWIN and Mr. HUMES.

Mr. S. B. SCOTT. Mr. Speaker, I ask that the roll be verified.

This was done as follows:

YEAS—69.

Baldwin, G. A.,	Dunn, H. B.,	Lenker,	Runk,
Barner,	Forster, I. G.,	Letzkus,	Savacool,
Bayle,	Geiser,	Light,	Scott, J. R. K.,
Benninger,	Glenn,	Lohr,	Scott, S. B.,
Benson,	Good,	Martin,	Shaffer, I. E.,
Bergey,	Grabe,	Mather,	Showalter,
Bittles,	Gramley,	Matt,	Smith, J. W.,
Blair, W. F.,	Hemminger,	McClintock,	Spangler,
Bleloch,	Hobbs,	McDermott,	Stone,
Body,	Humes,	McKay,	Strauss,
Burnett,	Isler,	Mellott,	Swift,
Cheeseman,	Jackson,	Metzenbacher,	Trach,
Claycomb,	Jones, J. R.,	Musser,	Walnut,
Collins,	Kitts,	Peachey,	Whitman,
Conniff,	Kuhns, E.G.M.,	Pennock,	Wilson, J. H.,
Davis,	Lanius,	Perry, H. L.,	Wilson, W. H.,
Donnally,	Latshaw,	Robinson,	Young, G. K.
			Zimmerman,

NAYS—54.

Alworth,	Dunn, J. A.,	Mechling,	Schuck,
Arthur,	Ehrhardt,	Miller,	Sherwood,
Baldwin, R. J.,	Ewing,	Mitchell,	Snyder,
Berntheizel,	Fahey,	Moore,	Swartz,
Blair, W. A.,	Flynn,	Morrow,	Ulman,
Brosius,	Haggerty,	Moses,	Walsh,
Campbell, C.M.,	Heyburn,	Newbaker,	Walton,
Carter,	Hibshman,	Ramsey,	Watson,
Cleary,	Hoffman,	Reeser,	Wildman,
Conner,	Howard, J.,	Rhoads,	Williams,
Conrade,	Irwin, G. C.,	Rockwell,	Wiltbank,
Cox,	Keeport,	Roney,	Young, J. H.,
Currier,	Lowers,	Schaeffer, A. C	Alter,
Curry,	McNichol,		Speaker.
Dickinson,			

So the question was determined in the affirmative and the motion was agreed to.

Mr. E. E. JONES. Mr. Speaker, as Chairman of this committee, I do not care to vote on this question.

Mr. JAMES A. DUNN. Mr. Speaker, I ask for the privilege of changing my vote from yea to no.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I object.

The SPEAKER. Any time before the vote is announced the gentleman may have the privilege of changing his vote.

Mr. GLENN. Mr. Speaker, I desire to be recorded as voting aye.

Mr. R. J. BALDWIN. Mr. Speaker. I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. R. J. BALDWIN. Mr. Speaker, I merely wanted to know if the gentleman was present when the roll was called.

The SPEAKER. The Chair wishes to announce to the House that the gentleman's name was missed in the roll call and he will be recorded as voting aye.

Mr. WILTBANK. The hour of one o'clock has arrived, and I now call for the orders of the day.

The SPEAKER. The call for the orders of the day must be made on the exact moment. It is now after one o'clock and the House has waived the orders of the day for the present. The Chair is of the opinion that by extending the session until one-thiry the House will be able to finish the second reading Calendar.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 1647, as follows:

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several municipalities in this Commonwealth shall have power to adopt separate and distinct grades for the sidewalks or foot ways and the road or cart way on the same street

Section 2 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1798, entitled:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the Orphans' Courts" providing that the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of the act of May fifth Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one hundred and eighty-two) which reads as follows namely

"Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000), in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars (6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying Commonwealth's civil cases" be and the same is hereby amended so as to read as follows

Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be ten thousand dollars ($10,000) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases

On the question,

Will the House agree to the section?

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. E. E. JONES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. E. E. JONES. Mr. Speaker, as Chairman of the Public Roads Committee, I would like to ask the consent of the House for the use of the hall of the House on next Wednesday evening in order that we might consider the $50,000.000 bond issue that has just been referred to the Public Roads Committee.

The SPEAKER. Would not the caucus room be large enough? It may be possible that the House will hold a session next Wednesday evening.

Mr. E. E. JONES. It is the desire of the Committee to have a room large enough to hold all the people who are interested in this proposition and who may appear before the Committee.

The SPEAKER. The meeting can be called, and if the House is not in session, the Hall of the House can be used, otherwise, the meeting can be held in the Senate Chamber or the Caucus Room.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1327, as follows:

An Act regulating the returns by constables of violations of the laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in lieu of the return now required by law the constables of the various wards boroughs and townships of this Commonwealth shall make return under oath of violation of the law in their respective baliwicks at such times and subject to such conditions as the court of quarter sessions of the particular county shall fix by rule or standing order

Section 2 All acts and parts of acts inconsistent with this act as repealed

And said bill having been read at length the second time time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1809 (Senate Bill No. 316), as follows:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act the Board of Game Commissioners of this Commonwealth shall have the power and authority to close for a term of years to the purposes of hunting elk and deer found in a wild state in any of the territory that may to the residents of that territory appear necessary to the protection of elk and deer placed or found thereon such territory in no instance to be less than one county in area and in no instance to exceed four contiguous counties in any one tract in this Commonwealth

Section 2 That whenever at least two hundred citizens of any county in this Commonwealth shall through written petition certify to the Board of Game Commissioners that in their opinion an absolutely closed season is necessary to insure the better protection and consequent increase of elk and deer found in a wild state in that county in which such citizens may reside and asking that such county be closed to hunting for a period the Board of Game Commissioners shall forward to said petitioners and others a blank form setting forth such questions as they may consider best suited to determine the quantity of game and game conditions in the county in question which said forms with replies to entitle such answers to consideration before said Board of Game Commissioners shall be returned to said board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county to be closed the statement that such petition has been filed with its purpose and the return day for information as fixed by the Board of Game Commissioners and shall file with said board duly certified copies of such notices as published in each newspaper on or before said return day If the written answers as returned shall fail to satisfy said Board of Game Commissioners that such closed season is necessary or those opposing such action shall demand a hearing before said board then a hearing shall be had upon such date and at such place within the county to be affected as may be decided upon by the said Board of Game Commissioners the expense of such hearing to be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board of Game Commissioners shall be satisfied such closed season is necessary to insure the better protection of elk and deer found in a wild state and its consequent increase they are herewith empowered and directed to declare a closed season not to exceed five years for elk and deer found in a wild state as the investigation may demonstrate is needy in that county or in those several counties not exceeding four in number and adjourning one another that through the separate action of its citizens has been in accord with the requirements of this act

The Board of Game Commissioners to make such closed season effective and binding shall be required to publish annually their decision and action regarding this matter in at least five newspapers if there be that many in each county affected thereby and to have notices of such ruling declaring such county closed to hunting printed upon cloth annually distributed in reasonable numbers throughout the affected territory

Each and every person violating the requirements of such ruling made by the Board of Game Commissions under the requirements of this act shall be liable to a penalty of two hundred dollars for each elk and one hundred dollars for each deer taken killed wounded or attempted to be taken killed or wounded upon said closed territory

Section 3 Each and every magistrate justice of the peace and alderman within this Comomnwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions this act except where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magristrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the general appropriation act or by separate apropriation for the payment of bounties Any defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provisions of this act may at his descretion either before or after the bringing of suit sign an acknowledgement of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1813 (Senate No. 430, entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That the tenth section of an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend section nine and ten of an act entitled 'An Act to regualte the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date of the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleg[illegible]ight to determine reciprocal relations between States" which as amended reads as follows

"Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examinations after the first day of January Anno Domini one thousand nine hundred and twelve shall be oblized to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recognized preliminary schools for any subjects included in the preliminary examination Provided however that nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register" is hereby further amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examinations after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degrees of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recognized preliminary schools for any subjects included in the preliminary examination Provided however that nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register And provided further that the provisions of this section relating to preliminary education shall not apply to students who matriculated during the year one thousand nine hundred and nine in any qualified osteopathic college

On the question,

Will the House agree to the section?

Mr. CLAYCOMB. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend section 1, line 4 by inserting before the word "tenth" the words "ninth and"

Amend section 1, line 4, by striking out the word "section" and inserting in lieu thereof the word "sections"

Amend section 1, line 28, by striking out the word "reads" and inserting in lieu thereof the word "read"

Amend section 1, by inserting after line 28 and before line 29 the following:

"Section 9. A school or college of osteopathy to be recognized as reputable under the provisions of this act must be legally incorporated, maintain a course of study consisting of the time element as provided for under the provisions of this act, and afford adequate instruction in all the branches of study in which examinations are required for licensure under the provisions of this act, subject to the approval and acceptance of a majority of the Board of Osteopathic Examiners of this Commonwealth: Provided, That any person who has been in the practice of osteopathy in this State for two continuous and consecutive years immediately prior to the nineteenth day of March, Anno Domini one thousand nine hundred and nine, and who is the holder of a diploma granted unto him or her, from a legally incorporated school or college of osteopathy, shall be allowed to continue in such practice; he or she shall have been registered prior to the date of the approval of this amendment by the prothonotary of the county or counties in which he or she practices, as originally provided for in the section as hereby amended; but, after the date of the approval of this amendment, no person shall be registered as a practitioner of osteopathy in this Commonwealth, except by exhibiting to the prothonotary of the county or counties in which he or she desires to practice a license duly granted to him or her by the Board of Osteopathic Examiners for the State of Pennsylvania.

Amend section 1, line 69 by striking out the word "is" and inserting in lieu thereof the word "are"

Amend section 1, after line 70 and before line 71 insert the following:

Section 9 A school or college of osteopathy to be recognized as reputable under the provisions of this act must be legally incorporated, maintain a course of study consisting of the time element as provided for under the provisions of this act, and afford adequate instruction in all the branches of study in which examinations are required for licensure under the provisions of this act, subject to the approval and acceptance of a majority of the Board of Osteopathic Examiners of this Commonwealth: Provided, That any person who has been in the practice of osteopathy in this State for two continuous and consecutive years immediately prior to the nineteenth day of March, Anno Domini one thousand nine hundred and nine, and who is the holder of a diploma granted unto him or her, from a legally incorporated school or college of osteopathy, shall be allowed to continue in such practice; Provided, He or she shall have been registered prior to the date of the approval of this amendment, by the prothonotary of the county or counties in which he or she practices, as originally provided for in the section hereby amended; Provided, however, that holder of a certificate of registration exhibiting said certificate to the Board of Osteopathic Examiners for the State of Pennsylvania or its secretary at any time within ninety days after the passage of this act, and upon the payment of a fee of ten dollars, shall have granted unto him or her a license as provided for in section seven of this act. After the date of the approval of this amendment no person shall be registered as a practitioner of osteopathy in this Commonwealth except by exhibiting to the prothonotary of the county or counties in which he or she desires to practice a license duly granted to him or her by the Board of Osteopathic Examiners for the State of Pennsylvania.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within

the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reptability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1335 (Senate Bill No. 77), entitled:

An Act to exempt from the payment of inheritances taxes bequests and devices to institutions of purely public charity

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bequests and devises to institutions of purely public charity shall be exempt from liability for inheritance taxes provided that this shall not apply to institutions incorporated under the laws of any other State or county

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend section 1, by striking out the word "county" in line seven and insert the word "country."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The title was read as follows:

An Act to exempt from the payment of inheritance taxes bequests and devices to institutions of purely public charity

On the question,

Will the House agree to the section?

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend title, by striking out the word "devices" and inserting in the same place the word "devises."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. LOWERS. Mr. Speaker, I desire to call up from page 20, just passed, House Bill No. 1371, file folio 4217.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 1371, as follows:

An Act empowering poor districts to establish and maintain an industrial home for the care and training of pauper children

Whereas, In the second section of an act approved the thirteenth day of June one thousand eight hundred eighty-three entitled "An Act to prohibit the receiving and detaining of children in alms houses and poor houses and to provide for the care and education of such children" it is provided inter alia as follows

Section 2 It shall be the duty of said overseers or other persons having charge of the poor to place all pauper children who are in charge and who are over two years of age (with the exception named in the first section of this act) in some respectable family in this State or in some educational institution or home for children and one of the said officers shall visit such children in person or by agent not less than once every six months and make all needful inquiries as to their treatment and welfare and shall report thereon to the board of overseers or other officers charged with the care of such children and

Whereas, In many poor districts of this Commonwealth there is no home for the care and training of such pauper children therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any poor district in this Commonwealth to establish and maintain an industrial home for the care and training of pauper children the conduct and management of which shall be under the supervision and direction of the officers of said poor district in which said home is maintained

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 1733, as follows:

An Act authorizing and regulating the construction of a bridge over the Susquehanna River at Middletown borough in Dauphin county and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one Highway Department is authorized and directed to construct a bridge in Dauphin county over the Susquehanna River from a point in or near the borough of Middletown opposite the river road in York county to the said river road in York county The cost of such bridge shall not exceed two hundred thousand dollars ($200,000)

Section 2 To carry out the purpose of this act the sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated Payment of the moneys hereby appropriated and the preparation and execution of all contracts shall be subject to such conditions as may be imposed by the Auditor General No part of this appropriation shall be available until it be shown to the satisfaction of the Auditor General that sites for piers abutments and approaches to said bridge have been provided without expense to the Commonwealth

And said bill having been read at length the second time time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MARTIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1704, as follows:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" which reads as follows

"Section 1 Be it enacted by the Senate and House of Reprseentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriffs of the several counties of this Commonwealth which do not exceed fifty thousand in population to whom are are committed the custody of prisoners confined in the county jail hereafter receive such allowances for boarding said prisoners as may be fixed by the county commissioners subject to the approval of the courts of Quarter Sessions of the respective counties said compensation not to exceed fifty cents per day for each prisoner" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriffs of the several counties of this Commonwealth which do not exceed one hundred fifty thousand in population to whom are committed the custody of prisoners confined in the county jail shall hereafter receive such allowances for boarding said prisoners as may be fixed by the county commissioners subject to the approval of the courts of Quarter Sessions of the respective counties said compensation not to exceed fifty cents per day for each prisoner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1550, as follows:

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned

from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

Section 1 Be it enacted by the Senate and House of Rep-Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the of the same That section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May Anno Domini one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven which reads as follows

"Section 2 The judges of said court shall be learned in the law shall be elected by the qualified electors of the county of Allegheny shall hold office for a period of ten years if they shall so long behave themselves well and shall receive a salary of five thousand dollars per annum payable monthly except the presiding judge whose salary shall be five thousand five hundred dollars per annum The term of office for the elected judges of the court shall begin on the first Monday of January following their election The first judge or judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the next municipal election at which his or their successor or successors shall be elected The first elected judges of the court shall be chosen at the municipal election next following such appointment Succeeding elections for the said office shall be held at the municipal election preceding the expiration of the term of any judge or at the following election in case of vacancy by death or otherwise where such vacancy occurs not less than two calendar months before such municipal election The vote for said judges shall be cast and counted according to law and return thereof shall be made without delay by the prothonotary of said county to the Secretary of the Commonwealth who shall ascertain and certify the result to the Governor who in turn shall issue a commission to the person or persons so elected Whenever a vacancy occurs by death or otherwise in the office of judge or when upon the taking of any new census the said county shall be entitled to an additional judge or judges the Governor shall appoint in the manner provided by law At the organization of the court the Governor shall designate one of the persons appointed by him as presiding judge of the court and shall designate the priorities of the expirations of the respective commissions of the other judges and upon other judges being elected to said court for the same term they shall draw lots for priority of expiration of commission the result of which they shall certify to the Governor and the judge holding the original commission first expiring shall at all times thereafter be commissioned as the presiding judge of said court" be and the same is hereby amended to read as follows

Section 2 The judges of said court shall be learned in the law shall be elected by the qualified electors of the county of Allegheny shall hold office for a period of ten years if they shall so long behave themselves well and shall receive a salary of five thousand dollars per annum payable monthly except the presiding judge whose salary shall be six thousand five hundred dollars per annum The term of office for the elected judges of the court shall begin on the first Monday of January following their election The first judge or judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate if then in session and shall hold office until the first Monday of January following the next municipal election at which his or their successor or successors shall be elected The first elected judges of the court shall be chosen at the municipal election next following such appointment Succeeding elections for the said office shall be held at the municipal election preceding the expiration of the term of any judge or at the following election in case of vacancy by death or otherwise where such vacancy occurs not less than two calendar months before such municipal election The vote for said judges shall be cast and counted according to law and return thereof shall be made without delay by the prothonotary of said county to the Secretary of the Commonwealth who shall ascertain and certify the result to the Governor who in turn shall issue a commission to the person or persons so elected Whenever a vacancy occurs by death or otherwise in the office of judge or when upon the taking of any new census the said county shall be entitled to an additional judge or judges the Governor shall appoint in the manner provided by law At the organization of the court the Governor shall designate one of the persons appointed by him as presiding judge of the court and shall designate the priorities of the expirations of the respective commissions of the other judges and upon other judges being elected to said court for the same term they shall draw lots for priority of expiration of commission the result of which they shall certify to the Governor and the judge holding the original commission first expiring shall at all times thereafter be commissioned as the presiding judge of said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1607, as follows:

An Act creating a Building Commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any grand jury shall have recommanded in counties from one hundred and fifty thousand to two hundred and fifty thousand population the construction of any public building and the construction thereof shall have been approved by the proper court and the commissioners of the said county shall have deemed it advisable to proceed with the construction of said building the court having jurisdiction thereof shall apoint from among the taxable free holders of said county a Building Commission of five persons who shall be designated as a Building Commission for the particular building then to be constructed

Section 2 The plans specifications and contracts in connection with the work projected and the ground purchased shall be submitted to the commission for its approval and they shall have the power to reject said plans specifications and contracts thus submitted and require new plans specifications and contracts to be submitted for their approval They shall supervise the work in court of construction and if the said work shall not be in accordance with the plans specifications and contracts they shall have the power to stop the work or make such other order or orders as they may deem proper so that the interests of the county shall be fully protected

Section 3 No money shall be paid unless certified by this commission or majority thereof and they shall have power to employ a competent inspector who shall perform such services as may be required so that the contract and specifications shall be fully complied with The compensation of said inspector to be fixed by the said commission and to be paid by the proper county from the county treasury upon an order signed by the president of the said commission

Section 4 This commission shall not be paid any compensation but shall be allowed their actual expenses incurred in the necessary discharge of their duties to be paid from the county treasury

Section 5 A majority of the commission shall have power in connection with the county commissioners to locate the site for the proposed building

Section 6 When the building shall have been completed said commission shall turn the same over to the proper authorities whose duty it shall be to maintain the said buildings as provided by law and nothing in this act shall impair the obligation of any contract now in existence made by the said authorities looking toward the proper maintenance of any institution

Section 7 This act shall be taken in connection with any act now in existence wherein any public buildings are subjected to certain laws pertaining to the State Board of Charities

Section 8 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1722, entitled:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1134, as follows:

An Act conferring jurisidction on the several Orphans' Courts of this Commonwealth over estates held by a feme covert to her sole and separate use and authorizing said courts upon cause shown to give her portions of the corpus of the estate in addition to the income thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several Orphans' Courts of this Commonwealth shall have jurisdiction over estates held by a feme covert to her sole and separate use and shall upon her petition setting forth that the petitioner or the petitioners and any

of her children are dependent upon the income of the said estate for subsistence and support and that the income thereof is insufficient for said purpose have the power if the judge or judges thereof deem such course advisable and warranted under the facts to give her in addition to the income thereof portions of the corpus of the estate to provide for her own maintenance and support and for any of her children who may be dependent upon her and for such other purposes as may be required under the special exigencies in any case

The court shall have power to hear all parties interested at such time and in such manner as it may order and to make all such orders in the matter as the circumstances of the case may require to carry out the purpose and intent of this act

Section 2 All acts or parts of acts conflicting herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1581, as follows:

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no bail bond or surety bond executed and filed in any case under the direction of an appellate court for the purpose of taking an appeal or making an appeal a supersedeas shall be conditioned or the conditions of such bail bond or surety bond, so construed as to provide for the payment by the surety in such bail bond or surety bond of the fine imposed by the sentence of any court from which such appeal was taken

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1631, as follows:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

Whereas, Prior to one thousand nine hundred three upon a broad construction of the word "districts" contained in the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements and amendments the Governor of the Commonwealth issued letters patent or charters incorporating a number of electric light companies for the purpose of supplying electricity for heat light and power in districts comprising contiguous municipalites or townships and

Whereas some of these companies so incorporated relying upon the validity of charters so issued have established light plants and pole lines and have entered upon the business of supplying electricity for light heat or power or any or all of them in municipalities or township named in their respective charters and

Whereas doubt has arisen concerning the validity of charters so issued now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any charter heretofore issued by the Governor of the Commonwealth to a corporation purports to authorize such corporation to manufacture distribute or sell electricity for heat light or power or any of them in a territory comprising two or more municipalities or townships or a municipality or municipalities and a township or townships and whenever such corporation having accepted said charter has heretofore established a plant for the manufacture or erected pole lines for the distribution of electricity in one or more of the municipalities or townships named in said charter such charter shall be and hereby is validated and confirmed as and for the municipalities or townships in which said plant or pole lines have been established and erected so that said charter shall have the same force and legal effect as if it had originally been lawfully granted for therespective municipalities or townships in which the corporation has heretofore actually operated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committe of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1250, as follows:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts and to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act relating to the competency of experts and to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same' approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where there is a question as to any simulated or altered document or writing the opinions of the following persons shall be deemed to be relevant

(a) The opinion of any person acquainted with the handwriting of the supposed writer

(b) The opinion of those who have had special experience with or who have pursued special studies relating to documents handwriting and alterations thereof who are herein called experts be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where there is a question as to any writing the opinions of the following persons shall be deemed to be relevant

(a) The opinion of any person acquainted with the handwriting of the supposed writer

(b) The opinion of those who have had special experience with or who have pursued special studies relating to documents handwriting and alterations thereof who are herein called experts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1053, entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

The first, second, third and fourth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every county of this Commonwealth having a population of not less than eight hundred thousand and not more than one million four hundred thousand is hereby authorized and empowered to purchase land to be used for park purposes or for the erection thereon of public comfort houses The land purchased for the purposes aforesaid shall lie within the limits of such county and shall be contiguous to or in the vicinity of a county road and shal lbe outside the corporate limits of any city or borough The county is authorized and empowered to erect and maintain on the land such buildings as are necessary to fulfill the purposes for which the land was acquired

Section 2 The county commissioners are authoriezd and empowered to adopt reasonable rules and regulations necessary for the preservation management and control of parks and public comfort houses so established and maintained and provide penalties for the breach thereof All rules adopted by the commissioners shall before becoming operative be published once a week for three consecutive weeks in three newspapers of general circulation in the county and shall be recorded in the office of the recorder of deeds in such county Any person violating any rules so adopted may be prosecuted by proceedings for summary conviction before any justice of the peace or magistrate having jurisdiction and powers of a justice of the peace and may be adjudged to pay a fine of not less than five dollars nor more than twenty-five dolars which shall be payable to the county treasurer who shall add the fine to the fund for the improvement of county roads From such judgment and summary conviction an appeal shall lie as provided by law

Section 3 After the county commissioners have duly resolved to secure land for any of the purposes aforesaid they shall agree with the owner or owners thereof upon a reasonable price to be paid therefor

Section 4 The amount that may be expended by the county commissioners of any county in any one year in the exercise of the powers herein conferred shall not exceed the sum of twenty-five thousand dollars and the amount that the commissioners may expend for securing the land for and improving any single park or for securing the land for and building any single comfort house shall not exceed the sum of five thousand dollars

The title was read as follows:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase or condemn land when adjacent or contiguous to country roads for park purposes or for public comfort stations providing for the improvement and manitenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof providing the method of taking land for such purposes and the manner of determining such damages and limiting the amount to be expended for the purposes aforesaid

On the question,

Will the House agree to the title?

Mr. LOWERS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Title—line 3. Strike out "or condemn."
Title—line 7. After "property" strike out "and."
Title—lines 8-9-10. Strike out "providing the method of taking land for such purposes and the manner of determining such damages."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was agreed to.

And said bill having been real at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1476, entitled:

An Act creating a rebuilding and insurance fund under the control of the board of comissioners of public grounds and buildings for the restoration and repairing of any structure building or equipment owned by the Commonwealth and accidentally destroyed or damaged and for the payment of premiums of insurance upon such property and making an appropriation to carry out the provisions of this act

The first, second, third and fourth sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby establish a Rebuilding and Insurance Fund which shall be used for the purpose of restoring and replacing any structure building or equipment owned by the Commonwealth of Pennsylvania which may be accidentally destroyed or damaged and for the payment af all premiums of insurance upon such structures buildings and equipment

Section 2 The Board of Commissioners of Public Grounds and Building is authorized to invest said fund in such securities as are authorized for the investment of the moneys in the Sinking Fund of this Commonwealth The Board shall make and publish annually in the month if January a report of the condition of said fund and the amount thereof expended during the preceding year

Section 3 The interest of said fund shall be used to restore and repair any structure building or equipment owned by the Commonwealth which shall be accidentally destroyed or damaged If at any time the interest of said fund shall not be sufficient for any such purpose the said board is authorided to use so much of theprincipal sum of said fund as may be necessary

Section 4 Payment of money from said fund shall be on requisition of the Board acrompanied by itemized and certified vouchers and on warrant of the Auditor General

The fifth section was read as follows:

Section 5 All rebuilding authorized by this act shall be done in accordance with the original plans and specifications unless the Board shall deem it to the best interests of the Commonwealth to deviate therefrom

On the question,

Will the House agree to the section?

Mr. KERN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend Section 5, lines 4 and 6 by striking out brackets

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The sixth, seventh and eighth sections and the title were separately read and agreed to as follows:

Section 6 After the passage of this act it shall be the duty of the Board of Commissioners of Public Grounds and Buildings to insure all structures buildings and equipment owned by the Commonwealth of Pennsylvania and to use so much of the interest derived from said fund as may be necessary for the payment of the premiums of such insurance Whenever said sum shall amount to the sum of five million dollars the said Board is authorized and empowered to cancel all insurance upon such structures buildings and equipment and any moneys that shall be added to and form part of the principal fund created by this act

Section 7 The sum of five hundred thousand dollars is hereby specifically appropriated to carry out the provisions of this act

Section 8 All acts or parts of acts inconsistent with this act are repealed

An Act creating a rebuilding and insurance fund under the control of the board of commissioners of public grounds and buildings for the restoration and repairing of any structure buildings or eqipment owned by the Comonwealth and accidentally destroyed or damaged and for the payment of premiums of insurance upon such property and making an appropriation to carry out the provisions of this act

And said bill having been real at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 754, entitled:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway at the State Arsenal Harrisburg Pennsylvania and making an appropriation therefor

The first section was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings are hereby authorized and directed to have prepared plans and specifications for the erection of the State Arsenal Harrisburg Pennsylvania of a garage main building and a subway to connect the manufacturing and storage building with the main building and after advertising for bids in not less than two daily newspapers for a period of three weeks shall proceed to let the contract for the building of the garage main building and subway herein provided for to the lowest and best bidder with the right to them to reject all bids submitted and readvertise in the manner aforesaid for bids and upon the acceptance of the lowest and best bidder to enter into a contract on behalf of the Commonwealth for the same with such bidder under the advice and direction of the Attorney General

The second section was read as follows:

Section 2 That the sum of one hundred two thousand five hundred dollars ($102,500) or so much thereof as may be necessary is hereby specifically appropriated to the Board of Commissioners of Public Grounds and Buildings for the erection of said buildings and subway as follows namely

For the construction of an automobile garage of fire-proof materials the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

For the construction of a new main building of fire-proof materials the sum of ninety-eight thousand dollars ($98,000) or so much thereof as may be necessary

For the construction of a subway to connect the proposed new fire-proof main building with the manufacturing and storage building the sum of two thousand five hundred dollars or so much thereof as may be necessary

On the question,

Will the House agree to the section?

Mr. WILDMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 2. After "hundred" insert "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway at the State Arsenal Harrisburg Pennsylvania and making an appropriation therefor

And said bill having been real at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 872, entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means

in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sixth section of an act aproved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" which section as amended by the act approved the first day of June Anno Domini one thousand nine hundred and eleven reads as follows

"Section 6 In the case of a delinquent child the court may continue the hearing from time to time and may commit the child to the care guardianship of a probation officer duly appointed by the court and may allow said child to remain in its own home subject to the visitation of the probation officer such child to report to the probation officer as often as may be required and subject to be returned to the court for further proceedings whenever such action may appear to be necessary or the court may commit the child to the care and guardianship of the probation officer to be placed in a suitable family home subject to the supervision of such probation officer or it may authorize the said probation officer to board out the said child in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of such child or may direct that the payment of the board of such child be made by the proper county until a suitable provision may be made for the child in a home without such payment or the court may commit the child to a suitable institution for the care of delinquent children or to any society duly incorporated having for its objects the protection of dependent or delinquent children" be and the same is hereby amended so as to read as follows

Section 6 In the case of a delinquent dependent neglected or incorrigible child the court may continue the hearing from time to time and may commit the child to the care and guardianship of a probation officer duly appointed by the court and may allow said child to remain in its own home subject to the visitation of the probation officer such child to report to the probation officer as often as may be required and subject to be returned to the court for further proceedings whenever such action may appear to be necessary or to commit the child to the care and guardianship of the probation officer to be placed in a suitable family home subject to the supervision of such probation officer or it may authorize the said probation officer to board out the said child in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of such child or may direct that the payment of the board of such child be made by the proper county until a suitable provision may be made for the child in a home without such payment or the court may commit the children to a suitable institution for the care of delinquent children or to any society duly incorporated having for one of its objects the protection of dependent or delinquent children

On the question,

Will the House agree to the section?

Mr. HEYBURN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 1, line 33. After "for" insert "one."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

On the question,

Will the House agree to the section?

Mr. GIBSON. Mr. Speaker, I also desire to offer the following amendments.

The amendments were read by the Clerk.

Amend Section 1, line 59, by adding after the word "dependent" the word "neglected."

Amend Section 1, line 59, by adding at the end thereof the words "and may direct that the payment of the board of such child shall be made by the proper county."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The title of the bill was read and agreed to as follows:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

And said bill having been real at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1303, as follows:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river between Herndon and Port Treverton and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department is authorized and directed to construct a bridge over the Susquehanna river from the village of Herndon Northumebrland county to the Post Village of Port Treverton Snyder county connecting with the State Highways on both sides of the river The cost of such bridge shall not exceed two hundred fifty thousand dollars

Section 2 That to carry out the purpose of this act the sum of two hundred fifty thousand dollars ($250,000) or so much thereof as may be necessary is hereby specifically appropriated Payment of the moneys hereby appropriated and the preparation and execution of all contracts shall be subject to such conditions as may be imposed by the Auditor General No part of this appropriation shall be available until it be shown to the satisfaction of the Auditor General that sites for piers abutments and approaches to said bridge have been provided without expense to the Commonwealth

And said bill having been real at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. IRWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

The first, second, third and fourth sections were read and angreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That it shall be unlawful to use night soil as a fertilizer or otherwise on any ground on which vegetables of a variety or varieties which are eaten uncooked for human food are being grown

Provided however that the term "night soil" for the purposes of this act shall be construed to exclude only human excrement and the contents of privy wells and that any such night soil which shall have been treated by any process approved by the Commisisoner of Health of the State Department of Health to remove its objectionable features shall not be within the prohibition of this act

Section 2 Any person firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars ($25.00) or more than one hundred dollars ($100.00) for each offense or imprisoned for not more than two months or both in the discretion of the court.

Section 3 This act shall take effect on the first day of September one thousand nine hundred and fourteen

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food or the planting of such vegetables in ground whereon night soil has been used within two years and providing penalties for the violation thereof

On the question,

Will the House agree to the title?

Mr. BLELOCH. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend title by striking out the words "or the planting of such vegetables in ground whereon night soil has been used within two years."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

The SPEAKER. If there is no objection, the Chair will receive reports from Standing Committees, but before taking up this order of business, the Chair desires to suggest—of course it is merely a suggestion, that when we come to Harrisburg at the beginning of next week, we try to arrange our affairs so as to be able to hold a session on Friday. A number of gentlemen stay here all the time and if the rest of us could arrange to be here on Friday, it would result in more work during the week.

REPORTS FROM COMMITTEES.

Mr. HERMAN, from the Committee on Public Roads, reported as committed, House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Mr. STEELE, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1048, entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property.

Mr. DICKINSON, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1162, entitled:

An Act requiring individual drinking cups to be furnished on passenger railway cars and providing a penalty for violation thereof.

Mr. CONNOR, from the Committee on Manufacturers, reported as committed, House Bill No. 1601, entitled:

An Act to promote and encourage manufacturing within the Commonwealth by exempting from State and local taxation all machinery actually and exclusively used within the Commonwealth in manufacturing or for manufacturing purposes

Mr. RONEY, from the Committe on Public Health and Sanitation, reported as amended, House Bill No. 1594, entitled:

An Act to amend section ten of an act approved the third day of June, one thousand nine hundred and eleven, entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith."

Mr. WALSH, from the Committee on Ways and Means, reported as committed, House Bill No. 1890 (Senate Bill No. 819), entitled:

A Supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a Board for the Assessment and Revision of Taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said Board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors.

Mr. WALSH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1541, entitled:

Supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March A. D. one thousand nine hundred and one, changing the fiscal year in cities of the second class, and providing that appropriations shall be made, and taxes and water rents shall be levied, for such fiscal year.

Mr. SPEISER, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1187, entitled:

An Act authorizing each city of the first class to establish a Municipal Pension Fund for employees of said city and regulating the payment of such pensions.

Mr. PEACHEY, from the Committee on Education, reported as amended, House Bill No. 1803, entitled:

An Act to equalize educational advantages throughout the Commonwealth of Pennsylvania by making an inspection and investigation of school districts now unable to provide minimum facilities, and providing special appropriation therefor

Mr. JAMES A. DUNN, from the Committee on Manufactures, reported as committed, House Bill No. 1426, entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton, woolen and silk goods," approved the twenty-third day of May, Anno Domini one thousand nine hundred and seven, by extending the provisions thereof to include dyers of cotton, wool or silk yarns

Mr. WHITMAN, from the Committee on Appropriations, reported as amended, House Bill No. 415, entitled:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and collected as a State License fee from it as proprietor of a Moving Picture place in the State of Pennsylvania.

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1300, entitled:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1562, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class" approved June 7th, 1895, by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro-rata share of the cost of said wall from adjoining owner. Preserving however all the rights given by statute to owners of part walls erected under said act.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1603, entitled:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordiances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits.

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1175, entitled:

An Act authorizing the purchase or procuring of work, labor, materials or commoditions to the value of one thousand dollars at any one time, by cities of the first class, without public advertisement for bids, and in certain cases, without entering into written contracts therefor.

Mr. HUMES, from the Committee on Elections, reported as committed, House Bill No. 984, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting, or attempting to vote, and for election officers permitting or conspiring to permit, them to vote at a primary by or on any other than their own proper party ticket.

Mr. HUMES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1343 (Senate Bill No. 366), entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof.

Mr. DONNALLY, from the Committee on Counties and Townships, reported as committed, House Bill No. 1872, entitled:

An Act to repeal an act approved the eighth day of April, one thousand eight hundred and sixty-seven, entitled "An Act for the protection of wild turkeys and squirrels and for other purposes, in the County of Huntingdon."

Mr. GANS, from the Committee on Appropriations, reported as committed, House Bill 1863. (Senate Bill No. 651), entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne County.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1621, entitled:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners, to grade, pave, curb, macadamize and otherwise improve public streets, or parts thereof; and assess a portion of the cost of the same on the owners or property abutting thereon; and providing for the collection of the same.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1748, entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provision for enforcing the limitations imposed by this act

Mr. TRACH, from the Committee on Education, reported as committed, House Bill No. 1370, entitled:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

Mr. ROCKWELL, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1790, entitled:

An Act to apportion the State into Representative Destricts

Mr. CONNER, from the Committee on Appropriations, re-reported as committed, House Bill No. 878, entitled:

An Act to amend an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to amend sections two and three of an act entitled 'An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force defining the powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employees of the Department of State Police also the salaries of the officers and men of the State Police"

Mr. WILTBANK, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1779, entitled:

A supplement to an act approved the twenty-fourth day of May one thousand eight hundred eighty-seven entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania"

Mr. WILTBANK, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 1499, entitled:

An Act providing that it shall not be lawful for any city borough township or other municipality or any officer thereof or for any officer of this Commonwealth or for any School Board or Board of Health or any other Board created or authorized by law or any officer thereof to pass any law ordinances or rule or issue any order or demand for the vaccination of any person under any circumstances whatever

QUESTION OF PERSONAL PRIVILEGE.

Mr. MARTIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state is question.

Mr. MARTIN. Mr. Speaker, on page 379, of the pink calendar, I am credited with introducing bill No. 1732, which I did not introduce and wish to be relieved from that grave responsibility. I did, however, introduce the next one, with which I am credited, bill No. 1733.

REASON FOR VOTE.

Mr. WATSON. Mr. Speaker, I desire to file my reasons for voting "nay" on bill No. 709, regulating licensing clubs.

Under existing laws the court has power to regulate and control the sale of liquor in clubs, if they are violating the provisions of the Brooks license law. Clubs in Indiana county who violated the law have been closed upon admonition of the court, hence it is within the power of the courts throughout the Commonwealth of Pennsylvania to disband disreputable clubs who are violating the Brooks license law. Further that law-abiding social clubs should not be placed upon the same class as retail liquor dealers

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 1:43 P. M.), the House adjourned until Monday, April 7th, at 8 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, APRIL 7, 1913. No. 44.

SENATE

MONDAY, April 7, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. FARLEY presented two petitions of citizens of Philadelphia County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. VARE presented six petitions of citizens of Philadelphia County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MARTIN presented seven petitions of citizens of Cumberland County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. THOMPSON presented four petitions of citizens of Beaver County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUNTER presented petition of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. JUDSON presented petition of Charleroi Council No. 1024. Jr. O. U. A. M., and three petitions of citizens of Washington County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. CROW presented petition of citizens of Fayette County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HERBST presented four petitions of citizens of Berks County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. JUDSON presented petition of Washington Camp No. 808, P. O. S. of A., petition of Washington Camp No. 807, P. O. S. of A., petition of Washington Camp No. 687, P. O. S. of A., petition of Washington Camp, No. 754, P. O. S. of A., petition of Washington Camp, No. 755, P. O. S. of A., petition of citizens of Greene County and two petitions of citizens of Washington County, favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. CROW presented petition of Washington Camp No. 830, P. O. S. of A., and six petitions of citizens of Fayette County favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. MARTIN presented three petitions of citizens of Cumberland County; petition of Washington Camp No. 413, P. O. S. of A.; petition of Washington Camp No. 551, P. O. S. of A.; petition of Washington Camp No 648, P. O. S. of A., and petition of Washington Camp No. 171, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. VARE presented petition of Washington Camp No. 83, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HERBST presented petition of citizens of Berks County favoring the passage of a bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. JUDSON presented petition of Washington Camp No. 808, P. O. S. of A., petition of Washington Camp No. 807, P. O. S. of A., petition of Washington Camp No. 755, P. O. S. of A., petition of Washington Camp No. 687, P. O. S. of A., petition of Washington Camp No. 809, P. O. S. of A., five petitions of citizens of Washington County, and petition of citizens of Greene County, favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

Mr. VARE presented petition of citizens of Philadelphia County favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

Mr. MARTIN presented two petitions of citizens of Cumberland County, petition of Washington Camp, No. 171, P. O. S. of A., petition of Washington Camp No. 648, P. O. S. of A., and petition of Washington Camp No. 83, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

Mr. CROW presented two petitions of Washington Camp No. 830, P. O. S. of A., and petition of citizens of Fayette County, favoring the passage of bill providing for the

erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING "RED LIGHT" INJUNCTION LAW.

Mr. CROW presented petition of citizens of Fayette County praying for the passage of "Red Light" Injunction Law, similar to that of the State of Iowa to suppress prostitution.

Which was referred to the Committee on Law and Order.

FAVORING PASSAGE OF CONCURRENT RESOLUTION FOR THE APPOINTMENT OF COMMISSION TO INVESTIGATE COLD STORAGE.

Mr. VARE presented petition of the Philadelphia Board of Trade favoring the passage of concurrent resolution for the appointment of a commission to investigate cold storage.

Which was referred to the Committee on Public Health and Sanitation.

LEAVES OF ABSENCE.

Mr. CLARK asked and obtained leave of absence for the Senator from Warren, Mr. Knapp, for the balance of the week on account of illness.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF CONCURRENT RESOLUTION URGING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR THE CONSTRUCTION OF BUILDINGS AT THE FRANKFORD ARSENAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, calling attention of the representatives in Congress from Pennsylvania to the need for the construction of a magazine and a high explosive shop at the Frankford Arsenal, Philadelphia, to replace inadequate, unsanitary and unsafe buildings now used for the purpose, and requesting said representatives to secure appropriate legislation at the forthcoming session of Congress for the construction of said buildings, as recommended by the Secretary of War.

JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION REQUESTING THE REPRESENTATIVES IN CONGRESS FROM PENNSYLVANIA TO SECURE APPROPRIATION FOR MRS. ELIZABETH GLANCY AND MRS. ANNIE M'COLGAN ON ACCOUNT OF THE DEATH OF THEIR HUSBANDS WHILE EMPLOYED AT THE FRANKFORD ARSENAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, requesting the representatives in Congress from Pennsylvania to secure appropriate legislation to reimburse Mrs. Elizabeth Glancy and Mrs. Anna McCalgan for the loss sustained by them through the death of their husbands while in the employ of the United States Government at the Frankford Arsenal at Philadelphila, Pennsylvania.

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 279.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 279, entitled "An Act authorizing the State Treasurer to endorse over to the Ladies' Memorial Association of the city of Petersburg, Virginia, all checks, drafts or warrants for interest accruing on a bond bought from the city of Petersburg, Virginia, by the Battlefield Commission of the Third Division, Ninth Corps, Army of the Potomac, said interest being by contract made on file in the Audtor General's Department due to said Ladies' Memorial Association."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 30.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 30, entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs."

JOHN K. TENER.

VETO OF SENATE BILL NO. 34.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I return herewith, without my approval, Senate Bill No. 34, entitled:

"An Act providing that when the judges of any judicial district are absent or incapacitated application may be made to a law judge in an adjoining district and the proper order made or rule or decree issued."

This bill, if it became a law, would enable any litigant, in the event of the judges of any judicial district being temporarily absent from a district, or incapacitated, to require the opposite party to travel outside the district in which he is resident and into an adjoining district, there to appear before the judge of such district locally, on twelve hours' notice, for the purpose of making his answer to any application, motion or petition made as against him there. I think this would be an unwise innovation and departure from the principles of jurisdiction and course of judicial procedure now established.

For these reasons the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. McNICHOL. I move that the question together with the further consideration of this bill be postponed for the present.

Mr. GERBERICH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

PRESENTING DISSENTING REPORTS OF MEMBERS OF THE PENNSYLVANIA STATE VACCINATION COMMISSION.

He also laid before the Senate comunication which was read as follows:

The Pennsylvania State Vaccination Commission.
Philadelphia, Pa., April 1, 1913.

Honorable John M. Reynolds,
Lieutenant Governor of Pennsylvania,
Harrisburg, Pa.

Mr. Dear Sir: I transmit to you herewith, for presentation to the Senate, two copies of my Dissenting Report as a member of the Pennsylvania State Vaccination Commission, which I have duly signed.

My Report is bound together with the Reports of the other dissenting Commissioners—Mr. Lippincott and Mr. Cope.

Respectfully yours,
JOHN PITCAIRN.

(For reports see Appendix.)

COMMUNICATION FROM COMMITTEE OF EMPLOYES TO ADVOCATE THE ADVANCEMENT OF THE PHILADELPHIA NAVY YARD.

He also laid before the Senate communication which was read as follows and referred to the Committee on Public Health and Sanitation.

COMMITTEE OF EMPLOYEES TO ADVOCATE THE ADVANCEMENT OF THE PHILADELPHIA NAVY YARD.

K|B

April 1, 1913.

Dear Sir:—

Our Committee represents six thousand men of the Philadelphia Navy Yard.

We urge that House Bill No. 952, introduced by John R. K. Scott, Esq., of Philadelphia, now in committee, be reported to the House for enactment. Your influence to accomplish this purpose is requested. The reasons for desiring the enactment of this bill are as follows:

(a) The health of the citizens of Philadelphia, visitors to the city, officers, sailors, and marines stationed at the Navy Yard is jeopardized by the continued use of night soil (human excrement) by the truck gardeners.

(b) The use of night soil (human excrement) provides a means for transmitting intestinal diseases by means of uncooked vegetables such as lettuce, salads, radishes, onions, cabbage, etc.

(c) It is estimated that there is about 1,000,000 cubic feet of night soil (human excrement) delivered annually to truck gardeners in Philadelphia and vicinity, and about one-half of this amount is delivered in South Philadelphia.

(d) The night soil (human excrement) contains germs of typhoid, dysentery and other intestinal diseases.

(e) Philadelphia is the only large city in the civilized world which to-day permits the use of night soil (human excrement) for the fertilization of vegetables. This practice is in vogue in the Chinese empire, where cholera and intestinal diseases are prevalent.

(f) Night soil (human excrement) is converted into fertilizer for sale to truck gardeners by the process of decomposition and drying which produces a powder. This powder is sometimes sold in bags. There are about 40 places in Philadelphia where Poudrette pits are maintained for the purpose of preparing this fertilizer. The most of these pits are located in South Philadelphia.

(g) In many cases the night soil (human excrement) when delivered to the truck farms is not properly covered and oftentimes pools of water are formed which provide breeding places for disease bearing flies and mosquitoes.

The practice outlined above of using night soil (human excrement) for the fertilization of vegetables is a menace to the health of the officers, sailors, marines and civilians of the Philadelphia Navy Yard.

(a) If this menace is not speedily removed a recommendation will be made to the Navy Department to withdraw the reserve fleet from the Philadelphia Navy Yard.

(b) Should the reserve fleet be removed from the Navy Yard it will affect the business interests of this city which have to do with the supplying of foodstuffs, clothing, amusements, etc., and will also reduce the number of civilians employed, due to the reduction in work.

In view of the above, the necessity for your co-operation for the enactment of House Bill No. 952 is clearly evident.

Very respectfully,

CLIFFORD T. MOORE,
Secretary.

COMMUNICATION FROM KERSEY GRANGE NO. 628 FAVORING THE PASSAGE OF SENATE BILL NO. 597.

He also laid before the Senate communication which was read as follows and referred to the Committee on Agriculture:

Hall of Kersey Grange, No. 628,
Secretary's P. O. Kersey, Pa.

March 29, 1913.

To the Honorable Members of the Senate and House, the Pennsylvania Legislature, Harrisburg, Pa.:

Your petitioners, members of the Order of Patrons of Husbandry, respectfully represent that they and other citizens continue to suffer injustice and hardship by reason of defects in the statute governing the traffic in oleomargarine.

Under existing conditions the great dairy interests of our Commonwealth continue to suffer from unjust competition from the oleomargarine business and the consuming public to be deceived and defrauded. Senate Bill No. 597, presented by the Honorable James W. Endsley, is intended to remedy these conditions, and your petitioners respectfully pray for the passage of this bill by the present Legislature.

Read and adopted at a regular meeting of Kersey Grange, No. 628, Patrons of Husbandry, on the 29th day of March, 1913.

C. E. GREEN,
Master.

Attest: Mrs. HARRY GREEN,
Secretary Grange No. 628, Kersey, Pa.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim which were read as follows and referred to the Committee on Judiciary General:

..EMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Colonel George C. Rickards, of Oil City, to be a member of the Armory Board of the State of Pennsylvania, vice Willis J. Hulings, resigned.

JOHN K. TENER.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be Justices of the Peace for the municipalities set opposite their names, respectively, to serve until the first Monday in January, 1914:

William Nicolas, Yatesville borough, Luzerne county, vice John F. Monk, deceased.

George F. Burnett, Galeton borough, Potter county.

H. C. Heffelfinger, Washington township, Northumberland county, vice J. O. Hetreck, deceased.

Chas. M. Fox, Mt. Morris borough, Greene county, vice W. G. Headlee, deceased.

JOHN K. TENER.

MEMBER OF THE BOARD OF TRUSTEES OF THE COTTAGE STATE HOSPITAL AT PHILIPSBURG.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Robert Summerville, of Winburne, to be a member of the Board of Trustees of the Cottage State Hospital at Philipsburg, vice James L. Summerville, deceased, to serve until lawfully determined or annulled.

JOHN K. TENER.

COMMISSIONERS OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen, to be Commissioners of Deeds for the Commonwealth of Pennsylvania, for the term of five years, to compute from the date of confirmation:

Nicholas Harris, Belvidere, N. J.

Edward H. Conover, Asbury Park, N. J.

Lucas D. Gray, Ballybay, Kingdom of Great Britain and Ireland.

J. Chauncey Van Horn, Trenton, N. J.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ADAMS COUNTY.

P. S. Orner, Arendtsville, May 10, 1913.

DELAWARE COUNTY.

Samuel Dyer Clyde, Chester, April 17, 1913.

ERIE COUNTY.

William O. Morrow, Union City, April 29, 1913.

LUZERNE COUNTY.

George J. Kulp, Wilkes-Barre, April 13, 1913.
John F. O'Neill, Wilkes-Barre, April 13, 1913.

PHILADELPHIA COUNTY.

George W. Wilgus, Philadephia, April 28, 1913.
William C. Scotney, Philadelphia, April 29, 1913.
Walter S. Dolman, Philadelphia, May 1, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

DELAWARE COUNTY.

Miss Martha H. Melick, Chester.

GREENE COUNTY.

Howard C. Anderson, Waynesburg.

LANCASTER COUNTY.

Miss Lillian Slaymaker Evans, Columbia.

M'KEAN COUNTY.

Matthew J. Burns, Bradford.

PHILADELPHIA COUNTY.

Edward H. Buckley, Philadelphia.
Amos D. Kennedy, 3rd, Philadelphia.
John F. Murphy, Philadelphia.
Wm. Parker Siegert, Philadelphia.
Mrs. B. M. Snover, Philadelphia.
W. C. Sowerby, Philadelphia.
J. Baker Steward, Philadelphia.

SCHUYLKILL COUNTY.

Robert L. Heiser, Mahanoy City.

VENANGO COUNTY.

Wayne W. Bleakley, Franklin.

WESTMORELAND COUNTY.

John W. Hunter, Mt. Pleasant.

FAYETTE COUNTY.

John Boyle, Uniontown.

JOHN K. TENER.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 12, entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined the prohibiting the use of such eggs in the prepartion of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

Senate Bill No. 57, entitled:

An Act to amend section ninth of the act entitlid "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of applicattion for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEE.

Mr. CLARK, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 759 (House Bill No. 926) entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

Mr. SALUS, from the Committee on Judiciary Special, reported as committed Senate Bill No. 828, entitled:

An Act to amend an act approved the first day of June, one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace.

Mr. HERBST, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 887 (House Bill No. 157) entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford county, is located and distribute the money received from such sale.

Mr. BUCKMAN, from the Committee on Public Roads and Highways, reported as amended Senate Bill No. 485, entitled:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act, providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated.

BILLS INTRODUCED.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 903, entitled:

An Act to amend section ten of an act entitled "An Act regulating railroad companies," approved February 19, 1849, broadening the powers of eminent domain of railroad companies.

Which was committed to the Committee on Railroads.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 904, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Waynesboro, Franklin County, thence by way of Quincy and Mont Alto to Black Gap on Route No. 43.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 905, entitled:

An Act to establish as a State Highway a certain section of a public road beginning on the boundary line of the City of York, York County, and running thence over Route No. 126 to Farmers, York County, thence by way of East Berlin, Heidlersburg, Biglerville, Arendtsville to Boyds Adams County, and by way of Cleversburg, Cumberland County, to Shippensburg, Cumberland County.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 906, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at the limits of the Gettysburg National Park on the road running from Gettysburg to Emmittsburg, Maryland, thence by way of Greenmount over said Emmittsburg road to the division line between the States of Maryland and Pennsylvania about one mile north of Emmittsburg.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 907, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at the limits of the borough of York Springs in Adams County thence westerly by way of Meales' Store, Gardner's School House to route from Carlisle to Gettysburg, known as Route No. 41 at Garner's in the County of Adams.

Which was committed to the Committee on Public Roads and Highways.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 908, entitled:

An Act to amend the first section of an act, entitled "An Act to provide efficient and practical means for the prevention, control and eradication of a disease affecting chestnut-trees commonly called the Chestnut-Tree Blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor," approved June 14, 1911, P. L. page 922.

Which was committed to the Committee on Forestry.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 909, entitled:

An Act to authorize the display of the State, county, city, borough or other municipal flags on public buildings in the Commonwealth.

Which was committed to the Committee on Judiciary Special.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 910, entitled:

An Act to amend an act approved May 31, 1911, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, Chief Engineer, Chief Draughtsman, superintendents of highways and a staff of assistants and empolyes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvements of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highway and State-aid Highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act, changing Route 232.

Which was committed to the Committee on Public Roads and Highways.

Mr. GYGER read in his place and presented to the Chair Senate Bill No. 911, entitled:

An Act to amend section four of an act approved the third day of June, A. D. 1911, entitled "A further supplement to an act, entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population, into two classes, and to prescribe the form of government for townships of each class,' approved the 28th day of April, A. D. 1899, as to townships of the first class; providing for certain duties of the seceretary of the Board of Commissioners; invalidating contracts, hireings, purchases, or orders not provided for by, or in excess of appropriations; providing for inspection of the records and documents by taxpayers and the method of making contracts.

Which was committed to the Committee on Judiciary Special.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 912, entitled:

An Act making an appropriation to the Corry Hospital of the City of Corry, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 913, entitled:

An Act entitled "An Act directing the Agricultural Department of State College and the Management of the National Farm School at Doylestown to each set apart ten acres of land as an experimental farm, to be planted with farm crops native to Pennsylvania and cultivated in accordance with the preamble as set forth in this act."

Which was committed to the Committee on Agriculture.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 914, entitled:

An Act to amend an act approved the 12th day of July, A. D. 1897, entitled "An Act to amend section one of an act approved the 3d day of June, A. D. 1885, entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings,'" approved the 11th day of June, A. D. 1879, by striking out therefrom the words "except buildings used in whole or in part for offices which are of fire proof construction."

Which was committed to the Committee on Municipal Affairs.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

MOTION TO RESUME CONSIDERATION OF BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. BEIDLEMAN. Mr. President, I move that the Senate resume consideration of Senate Bill No. 231 (House Bill No. 185) on third reading, postponed for the present, entitled:

A Joint Resolution proposing an amendment to Section one Article eight of the Constitution of Pennsylvania.

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. POWELL. Mr. President, and members of this Senate, I am opposed to the motion of the Senator from Dauphin, Mr. Beidleman. I stated my reasons, I think, reasonably clear last week. They are substantially the same, but I want to take this opportunity to again protest against the calling up of a bill under these circumstances. The single issue presented to this body by the motion is, whether or not, in violation of every rule of fair play, this bill shall be called from the Calendar by its enemies for the purpose of defeat when certain of the Senators of this body who are in favor of it are so sick that they cannot get from their beds. I claim the courtesy of the Senate because I have introduced a similar bill identical in terms and that bill is now in the committee. Certainly no one who favors woman suffrage or the question of equal rights for women can or will vote for this motion because the purpose is so apparent to everybody in the State of Pennsylvania, not alone to the Senators but to everybody in the

State of Pennsylvania, that no one who claims to be in favor of equal suffrage for men and women can vote to support the motion made by the Senator. It is absolutely certain in the mind of every person in this Senate that the Senator from Dauphin, Mr. Beidleman, is opposed to this question and calls up this bill for the purpose of procuring its defeat upon a snap judgment on Monday night when some Senators are absent and others are sick and when one of our members who favored it was last Saturday laid away. Now certainly no one who is in favor of equal suffrage for men and women can support the Senator's motion. But I shall not discuss the subject of equal suffrage for women. That is not the issue. It is the question of referendum of this question to the voters of this State, and certainly no one who is in favor of or who is pledged to a referendum of important legislative questions to the people of the State can vote in support of the Senator's motion. No one who has claimed in the past the courtesy of this Senate, and no Senator who in the future expects to claim the courtesy of this Senate, can vote to support the motion of the Senator from Dauphin, Mr. Beidleman. As I said, I am not going to discuss the question of equal suffrage, I will not even discuss the question of the referendum. I will say nothing about fair play. These are not absolutely germane to the motion that is made by the Senator, but I do claim the time of this Senate for a few minutes to discuss the question of party pledges. These are things that are before this body and before the people of this State just now.

Mr. HERBST. Mr. President, I rise to a point of order. I do not believe this is germane to this question. The question before us is simply this: Shall we proceed to the consideration of this bill, and then a discussion of this bill and the party pledges and the party platforms are before the Senate, and I want a decision on that point of order.

Mr. POWELL. Mr. President, I believe I have made perfectly apparent that the purpose of this motion at this time is inimical to the legislation desired, and I claim that I have the right to discuss the pledges of the members who sit upon my left and the members who sit upon my right as to what their attitude upon this question is.

Mr. BEIDLEMAN. Mr. President, I insist upon a ruling upon the order raised by the Senator from Berks, Mr. Herbst.

The PRESIDENT. The merits of the bill are clearly not a subject for discussion at this time. As I understand it the Senator disclaims any such purpose.

Mr. POWELL. Mr. President, I do, yes, sir.

The PRESIDENT. Some latitude must be allowed undoubtedly in the assignment of reasons against the motion of the Senator from Dauphin. The Chair would suggest, however, to the Senator from Allegheny that he confine himself as much as possible within the proper limits of the suggest I have already given.

Mr. POWELL. Mr. President, I will endeavor so to do, and I will agree to confine myself at least within five minutes. On May 1st, 1912, the Republican Convention of the State of Pennsylvania assembled at Harrisburg resolved "That we request the next Legislature to give this great question of woman suffrage careful consideration with the view of submitting the proposition to a referendum vote when a reasonable public sentiment demands it." On May 7th the Democratic party pledged itself to provide for an immediate referendum on the question of giving to women the right of suffrage. On July 5th the Keystone party: "We favor the submission to the voters of the State of a constitutional amendment extending the right of suffrage to the women of Pennsylvania." On August 7th: "The Progressive party pledges itself to the task of securing equal suffrage to men and women alike." On January 7, 1913, the Governor of this Commonwealth, elected by the voters of one of the greatest parties represented in this Senate today recommended in his message that appropriate legislation be enacted to the end that the voters may be given an opportunity to decide by the submission to them of the constitutional amendment whether or not women shall have the right of suffrage in Pennsylvania. I claim that any Senator who votes for this motion at this time and is a member of any of the four parties whose platforms I have read is aligning himself against his party, and that is the question I raise and not the question of the right or wrong of any of these matters.

Mr. HERBST. Mr. President, I again must insist upon my point of order. It is certainly not right that we should be put to the task of answering the arguments before the question is before the Senate. It is not the question whether woman suffrage shall pass here or that an amendment to the Constitution shall pass that is before the Senate. It is merely the calling up of this question and upon the merits of this question we are to argue and nothing else. We will be ready to meet the arguments when the time comes. He has no right to misjudge us.

The PRESIDENT. In the judgment of the Chair some latitude must be allowed in the discussion of the question and the Chair is inclined to think that the Senator from Allegheny, Mr. Powell, is within the limitation.

Mr. BEIDLEMAN. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, allow himself to be interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. BEIDLEMAN. Mr. President, I desire to ask the gentleman from Allegheny, Mr. Powell, what party he represents.

Mr. POWELL. Mr. President, I was nominated and elected after a very bitter fight at the regular Republican primaries of the Forty Fourth Senatorial District with every organization politician in that District against me. I was nominated and elected fairly and a fair count had of every vote in the District by the voters of that District—one of the best class districts in the State of Pennsylvania, and I came here as the nominee of and elected by Republican voters. I came here and found that I was not to be allowed to represent my district and one-half the time when I did not follow the desire of certain other Senators from certain other districts I was threatened to be read out of the Republican party. I am to-day a better Republican than many who claim that title. I was nominated and elected as I say upon a regular Republican platform. Again I was called upon in the State Convention of May first after a very bitter fight in the State of Pennsylvania to become the candidate and standard bearer of the Republican party in that State and was the unanimous nominee of that Convention for one of the great offices of the State. I attended the National Convention of that party and after the expression of about four million of voters of that party in one way I went to that Convention and public officers of this Commonwealth devoted their entire time to defeating the will of the voters of the Republican party, and the result of that was that when the tally was taken in Pennsylvania, the greatest Republican State in this United States on November 6th, the Republican party who had been accustomed to having a majority of 539,000 had a total of 273,000 votes. Out of seven men who claimed to be Republicans—

The PRESIDENT. The Chair is inclined to think that the Senator is more than answering the question.

Mr. VARE. Mr. President, I will not take up more than one moment of the Senate's time, but it seems to me that these women are entitled to at least a few day's grace, so that they can get here their strength in the Senate to vote on this question. Certainly no man sitting in this room wants to take undue advantage of them and while I am going to vote with them I have not taken any part in this matter, but I hate to see any word on the floor of this Senate except fair play, and I do not think while two or three of the Senators are away sick in bed and one just buried that they are getting fair play if this is forced to a vote. I talked with Senator Sproul today and he said that if he did not get back to vote on any other question he would like to be here to help the women and I agree with him.

Mr. BEIDLEMAN. Mr. President, we have since this question has been discussed had our attention directed a number of times to the fact that we are not standing up to party pledges, and for the information of the Senator from Allegheny as well as for the information of this Senate I have in my possession a certified copy of proceedings of the last Republican State Convention and on page 24 of that I find there was introduced by Mr. Drake who was elected from Philadelpjhia, I believe, this resolution:

"Resolved, that the Republican State Convention favor the submission to the voters of the State of a constitutional amendment extending the right of suffrage to the

women of Pennsylvania." And, Mr. President, that question was referred to the Committee on Resolutions and on page 37 I find this:

"By Mr. Flinn. Mr. Chairman, the Committee on Resolutions is ready to report. The Committee on Resolutions have instructed me to report the following resolutions: In deference to the ladies we will report the resolution that affects them first." The resolution was read by the Clerk as follows:

'Whereas, this Convention deems it expedient at this time to commit the Republican party of Pennsylvania to an endorsement of woman suffrage, yet me must recognize the growing general sentiment in its favor, therefore

'Be it Resolved, that we request the next Legislature to give this great question of woman suffrage careful consideration with a view of submitting the proposition to a referendum vote when a reasonable public sentiment demands it.'

Mr. Flinn. Mr. Chairman I ask the adoption of this resolution or do you take them all together?

The Chairman. All together.

Mr. Flinn. The Chairman has said that we will vote on the entire proposition as a whole. The Committee has instructed me to report with a negative recommendation this resolution. The resolution was read by the Secretary as follows :

'Resolved, that the Republican State Convention favors the submission to the voters of the State of a constitutional amendment extending the right of suffrage to the women of Pennsylvania." Further on down in the proceedings I find a member of this Senate, on page 58 of the proceedings:

Mr. SALUS. Mr. Chairman as a member of the Committee on Resolution and as a delegate to this Convention I say that we are here at this time to play fair with the people and let us play fair with the women. This resolution is nothing more nor less than a downright cheat. Let this Convention be either for or against the women. All I want Mr. President, where there is a commitment in the proceedings of the Republican State Convention where they negatived the resolution placing this question squarely before the people as a plank in the platform, when they say by the resolution which was adopted "we deem it inexpedient at this time to declare in favor of woman suffrage and call upon the members of the Legislature when reasonable sentiment demands it. Mr. President, there can be no contradiction but that the last Republican State Convention was absolutely dominated by Mr. Flinn and Mr. Van Valkenberg, one of the proprietors of the Philadelphia North American who now takes occasion to assail every member of the Senate—a man who conducts a newspaper. I respectfully submit, without any desire to be honest with the people of Pennsylvania, because to-day that paper is run under two corporations, one holding the property and machinery and the newspaper itself conducted by a corporation with nominal capital stock. And why, Because, I submit they may have suits for libel and recovery had before a jury, when they can rise up and say you cannot recover, we are not worth the money. They have no desire, Mr. President and members of this Senate, to be honest.

Mr. POWELL. Mr. President. I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Powell will state his point of order.

Mr. POWELL. Mr. President, my point of order is, not that the North American needs a guardian, but I don't think this is germane to the motion.

The PRESIDENT. The Chair thinks that the point of order is not well taken.

Mr. BEIDLEMAN. Mr. President, I respectfully submit that if Mr. Flinn and Mr. Van Valkenburg had been honest in endeavoring to submit this question to the people of Pennsylvania and not endeavoring to cheat them they would have put in the Republican platform a declaration in favor of woman suffrage, and when we as members of this Senate take the time and give it attention and ascertain what is the sentiment of the people of Pennsylvania and in our senatorial districts, whether it is for or against woman suffrage, and we find that that sentiment is against submitting the question to the people, then it becomes our duty as members of this Senate not to shift or shirk responsibility but to vote as the majority of our constituents want us to vote. And, Mr. President, in casting my vote on this question I wish to say that ninety-five per cent. of the people of my county are against this proposition, and I say it without any fear of successful contradiction. Mr. President, I submit that it is just as fair that we should ask this Senate to pass upon this subject now as it was fair for the Senator from Allegheny at the public hearing upon this question before the Committee on Judiciary General when he stood for some time in the way of postponing action in the committee for a period of one week upon the statement that it was his desire to be absent from the Senate and he wanted quick and hasty action on the resolution in order that he be in his seat to vote in favor of it. If the question of hasty action applied in the committee, why doesn't it apply now? If the Senator from Allegheny was so anxious to have this bill reported from committee then, why doesn't it apply now. If the Senator from Allegheny was so anxious to have this bill reported from committee immediately upon its hearing why was he here last Wednesday and why here tonight asking for postponement when the very reason it appeared upon the Calendar when it did was due to the desire for hasty action on the part of the Senator from Allegheny. I hope, Mr. President and members of this Senate, that this motion will prevail and that we will settle this question once and for all so far as this question goes tonight.

Mr. NULTY. Mr. Pesirdent, I just want to add a word here at this time in behalf of the Democratic convention that was held in the City of Harrisburg. I was one of the men that tried to inject in the platform of the Democratic party the right of suffrage to women. It is a very important question I think, and a question that belongs to the people of Pennsylvania, not to this body of men here, to settle this question. I think it is a question that belongs to the people and I cannot see for the life of me the fear of the entry of women into politics. I have heard arguments here on both sides of the question why women should vote, and I think they have good reason for us to support that right. I have had the arguments on the other side why they should not vote, but I do not think they are good reasons. Now I trust that my Democratic friends here on this side of the Senate will not lend their assistance to the Republican party in trying to prevent this important question from being brought before the people of the State of Pennsylvania.

Mr. VARE. Mr. President, it seems to be the impression, or was at the time of the State convention, of Senator Salus, sitting on my right, he seemed to think the women were not getting fair play. Senator Beidleman seems to think they are not getting fair play now. I hope the Senate will not act in any way whereby the public in the future will think that the Senate did not give them fair play.

Mr. POWELL. Mr. President, just one word. I would like to know whether the Senate believes that this action is careful consideration with a view to submitting the proposition to a referendum vote when reasonable sentiment demands it. If Mr. Flinn was wrong, I am against him. If Mr. Van Valkenburg was wrong. I am against him. If they were wrong I am against them and if the Senator from Dauphin, Mr. Beidleman, can substantiate what he says, then let us put Mr. Flinn and Mr. Van Valkenburg in the hole and show the people of the State that this Senate is more fair than they are.

Mr. McNICHOLS. Mr. President, I simply want to ask a question. I voted to postpone this resolution a week ago with the understanding that the matter would be threshed out either today or tomorrow. Now from the drift of the conversation here tonight I think this is going to be postponed indenitely, and if we are going to wait until all the seats of this Senate are filled, I am very much afraid we ought to vote for the motion, for otherwise to my mind it would be postponed indefinitely. They speak of one Senator who, I feel assured, will not be able to fill his seat during the balance of the session and I would like to have a definite time fixed when we are going to take this matter up.

Mr. HERBST. Mr. President, I think we are all ready to vote on this question, whether to postpone further action or not. The merits of the question are not before us and I think my point of order was well taken. But I agree perfectly with the Senator from Lackawanna. If you want to wait until every seat in the Senate is occupied you might as well postpone it indefinitely, for this session, because I do not believe we will have a more full Senate during

any other time at this session of the Legislature, and I therefore hope the question will carry and we will have the question brought up and decided.

Mr. HILTON. Mr. President, I don't see that it makes any difference to this body what the opinion of the Senator from Dauphin County is of Mr. Van Valkenburg or Mr. Flinn. It seems to me the main question before the Senate tonight is whether we are going to commit this important question to the people for their consideration. It is not a question at the present time whether we favor woman suffrage or not. The question is whether we are willing to pass this referendum bill for the popular consideration of the people. We can tonight support the referendum and later if we wish to with all freedom campaign against it when it comes up before the people for their consideration. Gentlemen, I wish to say that this was one of the important progressive issues before the people last fall. It was such a live issue that none of the parties had declared against it. The Democratic party, the Republican party and the Washington party all had it written in their platform in order to win favor with the people. Now Mr. President, this progressive issue I think we must take very seriously. It was more prominent two years ago than it was four years ago; it was more prominent last year than it was two years ago, and it is more prominent today than it ever was. The people have gotten to the place today that they don't care whether it is the Democratic party, whether it is the Republican party or whether it is the Washington party or what other party may be in power, but they do demand that the party of the future that they will support will be of the highest standard of usefulness in securing legislation in the interests of the people everywhere. Mr. President, this being the case every member of this Legislature of the session of 1913 who votes for progressive legislation is aiding his party to be the party of the future and raise its standard of usefulness. This being the case I hope that every man who favors progressive legislation will support this issue here tonight. We can't call ourselves progressives unless we back it up by standing by progressive leigslation. Our people at home will not consider us progressives or the people anywhere in the State. Gentlemen, I want to call your attention, if you will bear with me a minute to the Allentown Convention. We shall not forget that Allentown Convention and we never will. We had a protest against that convention to the extent of several hundred thousand votes for the Keystone party. We came along two years later and we all remember the National Convention held at Chicago. We had a protest before that Convention and the once strong Republican party went down to defeat for the betrayal of the people at that Convention to the extent of only carrying two or three states of the Union. It seems to me it is about time to seriously consider this and pass this progressive measure. I ought to repeat again that this measure is one of the main issues advocated in the last campaign. Let us turn it over to the people and let us follow it up by some more of the progressive measures first of the minimum wage scale, and the child labor bill, and by doing so we will help the people of Pennsylvania and not only that but we will put Pennsylvania among the progressive States of the Nation.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Powell and Mr. Heacock and were as follows, viz:

YEAS—22.

Beidleman,	Fisher,	Kline	Morgan,
Buckman,	Gerberich,	Kurtz,	Salus,
Catlin,	Hall,	McNichol,	Sones,
Cooper,	Herbst,	McNichols,	Thompson,
Crow,	Hunter,	Miller,	Washers,
DeWitt,	Jones,		

NAYS—22.

Alexander,	Heacock,	Magee,	Nulty,
Clark,	Hilton,	Martin,	Powell,
Endsley	Hoke,	McIlhenny,	Sensenich,
Farley,	Homsher,	Mills,	Sheatz,
Graff,	Huffman,	Moore,	Vare,
Gyger,	Judson,		

The PRESIDENT. On this motion the ayes are 22 and the nays are 22. The Senate being equally divided, under the provisions of Article IV, section 4 of the Constitution, the President is entitled to a vote. The Clerk will record the President as voting "No."

So the question was determined in the negative.

BILL RETURNED FROM HOUSE WITH AMENDMENTS.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty.

said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In Section 2, line 4, by striking out the word "majority" and inserting in lieu thereof the words "two-thirds."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—37.

Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Salus,
Clark,	Herbst,	Martin,	Sensenich,
Crow,	Homsher,	McNichol,	Sheatz,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jones,	Mills,	Vare,
Fisher,	Judson,	Moore,	Washers,
Gerberich,			

YEAS—0.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate bill No. 334 (House bill No. 236) as follows:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcements of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "mattress" as used in this act shall be construed to mean any quilted pad mattress mattress pad bunk quilt or cushion stuffed or filled with wool hair or other soft material except feathers to be used on a couch or other bed for sleeping or reclining purposes

(2) The term "person" as used in this act shall be construed to include all individuals and all firms or co-partnerships

(3) The term "corporation" as used in this act shall be construed to include all corporations companies associations and joint stock associations or companies

(4) Whenever the singular is used in this act it shall be construed to include the plural whenever the masculine gender is used in this act it shall include the feminine and neuter genders

Prohibitions Upon the Making and Sale of Mattresses

Section 2 1 No person or corporation by himself or by his agents servants or employes shall employ or use in the making remaking or renovating of any mattress

(a) Any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease or for or about any person having any infections or contagious disease

(b) Any material known as "shoddy" and made in whole or in part from old or worn clothing carpets or other fabric or material previously used or any other fabric or material from which shoddy is constructed

(c) Any material not otherwise prohibited by this act of which prior use has been made unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Health of this Commonwealth

2 No person or corporation by himself or by his agents servants or employes shall sell offer to sell deliver or consign or have in his possession with intent to sell deliver or consign any mattress made remade or renovated in violation of sub-section one of this section

Descriptive Statements Upon Mattresses

Section 3 No person or corporation by himself or his agents servants or employes shall directly or indirectly at wholesale or retail or otherwise sell offer for sale deliver or consign or have in his possession with intent to sell deliver or consign any mattress that shall not have plainly and indelibly written or printed thereon or upon a muslin or linen tag securely sewed to the covering thereof a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress and whether the same are in whole or in part new or old or second-hand and the name and address of the manufacturer or vendor thereof or both

When Description as Felt May Be made

Section 4 It shall be unlawful to use in the said statement concerning any mattress the word "Felt" or words of like import if there has been used in filing said mattress any materials which are not felted and filled in layers unless the said statement shall plainly set forth all the different materials so used

Misleading Description Prohibited

Section 5 It shall be unlawful to use in the description in the said statement any misleading term or designation or term or designation likely to mislead

Form of Statement

Section 6 The statement required under section three of this act shall be the following form

Materials Used in Filling

.....
.....
Made by .....
Address .....
Vendor .....
Address .....
This article is made in compliance with the act of Assembly of Pennsylvania approved the ..... day of ..... one thousand nine hundred and thirteen

Removal of Description

Section 7 Any person who shall remove deface alter or in any manner attempt the same or shall cause to be removed defaced or altered any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act

Separate Offenses

Section 8 The unit for a separate and distinct offense in violation of this act shall be each and every mattress made remade renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof

Penalties

Section 9 Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before a magistrate or justice of the peace shall be punished by a fine of not less than twenty-five dollars and not more than fifty dollars for each offense

Duties of Commissioner of Health

Section 10 Within sixty days after any process of sterlization and disinfection shall have been submitted to the Commissioner of Health of this Commonwealth under sub-section one (c) of section two of this act the said Commissioner shall approve or disapprove the same and if he disapproves shall state his reasons therefor

Duties of Chief Factory Inspector

Section 11 All places where mattresses are made remade or renovated or materials for mattresses prepared or where mattresses are offered for sale or are in the possession of any person or corporation with intent to sell deliver or consign them shall be subject to inspection by the Chief Factory Inspector whose duty it shall be in case he has reason to believe any person or corporation is violating this act to prosecute such person or corporation therefor

Information by Individuals Enforcement by Individuals

Section 12 Any individual who has reason to believe that this act has been or is being violated may present the relevant facts to the Chief Factory Inspector or any of his deputies in which case it shall be the duty of the Chief Factory Inspector to make an investigation of such facts as on his own initiative and if he is of opinion that the act has been or is being violated to prosecute the person or corporation guilty thereof

Any individual may institute proceedings to enforce this act and to punish violations of its provisions

Repeal

Section 13 All acts or parts of acts inconsistent herewith are hereby repealed

Time in Effect

Section 14 This act shall take effect the first day of January Anno Domini one thousand nine hundred and fourteen

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beidleman,	Gerberich,	Hunter,	Moore,
Buckman,	Graff,	Jones,	Nulty,
Catlin,	Gyger,	Kurtz,	Powell,
Clark,	Hall,	Magee,	Salus,
Cooper,	Heacock,	Martin,	Sensenich,
Crow,	Herbst,	McIlhenny,	Sones,
Endsley,	Hoke,	McNichol,	Thompson,
Farley,	Homsher,	McNichols,	Vare,
Fisher,			

NAYS—4.

Huffman,	Judson,	Mills,	Morgan,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 13, as follows::

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or borough or any two or more contiguous towns or boroughs situate within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall each separately vote at any general or municipal election in favor of the same and the council or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be on their own motion or upon petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general or municipal election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at the said general or municipal election in the borough or boroughs aforesaid in the following form "proposed city charter" and below shall be printed on two lines with a square at the right of each the words "for city charter" and "against city charter" and the electors shall designate with a cross mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said town or towns borough or boroughs to count the votes so cast for and against such city charter and make return thereof on blanks to be furnished by the corporate authorities of said town or towns borough or boroughs to the clerk of the court of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 2 Whenever by the returns of the election in any towns or boroughs aforesaid it shall appear that in each separately there is a majority against the city charter no further proceeding shall be had and it shall not be lawful to hold another election upon that question in such towns or boroughs for three years thereafter If it shall appear by the said returns that there is a majority in each in favor of the city charter the Governor shall issue letters patent under the great seal of the Commonwealth reciting the facts defining the boundaries of said city and constituting the same a body corporate and politic by the name of the city of and the corporate authorities of any such town or boroughs shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information in regard to the boundaries of said city

Section 3 All of the property and estates whatsoever real and personal of the towns or boroughs which shall have

thus become a city of the third class are hereby severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided that where two or more towns or boroughs shall under the provisions of this act be consolidated into a city the debt or debts of each of said towns or boroughs contracted prior to such consolidation shall be paid by such towns or boroughs respectively and for the liquidation of such debt the authorities of such city shall have power to adjust and provide for the same and to levy separate rates of taxation on all property subject to taxation within the boundaries of the said towns or boroughs respectively

ARTICLE II

Creation and Division of Wards

Section 1 Wards in cities of the third class may be divided or new wards created therein by the Court of Quarter Sessions of the proper county on application thereto for that purpose by the petition of at least one hundred qualified electors thereof or of the council of such city and upon such petition praying for the division of a ward or for the erection of a new ward out of parts of two or more wards the said court shall appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioners so appointed or any four of them to examine the premises and to make a draft of the ward to be divided showing the division thereof or of the new ward proposed to be created as the case may be and they shall make report to the said Court of Quarter Sessions at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable

Section 2 If the commissioners or a majority of them report favorably to such a division or creation the court shall order a vote of the qualified electors of the ward to be affected thereby to be taken on the question of division or creation thereof and shall appoint an election to be held on the day of municipal or general election when the election officers of the ward or wards proposed to be divided or affected thereby shall hold such election at the places and in the manner provided by law for the regulation of municipal elections It shall be the duty of the mayor of the said city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by hand bills posted in the most public places in said ward or wards that such an election will be held and of the time and place of holding the same The judge and inspectors of election of said ward or wards shall receive from the electors thereof written or printed tickets having on the outside the word (new ward) and on the inside the words (for new wards) or (against new ward) and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such new ward and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it appear that a majority of the votes so taken are for a new ward said court shall thereupon order and decree the creation of such new ward or wards agreeably to the lines marked out and returned by the commissioners and shall number the new wards and cause a certified copy of the whole proceeding to be placed on record among the minutes of council If a majority of votes shall be against the new ward no further action shall be had upon such proceeding nor shall any new application for such new ward be heard for two years from the date of such election Provided that no ward shall contain less than three hundred taxable inhabitants according to the last preceding enumeration and no city of the third class shall contain more than twenty-one wards

Section 3 That on the petition of at least twenty-five electors resident within the district to be stricken off or attached or of the council of any city of the third class to the Court of Quarter Sessions of the proper county praying for the detaching from one ward a part thereof and attaching the same to another ward the said court shall appoint five impartial men resident of the city but not of the ward to be effected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioner thereof or any four of them to examine the premises and to make a draft of the wards effected and showing the lines as the division will affect them and shall make a report to said court at the next term together with their opinion of the necessity of the same and at next term after that at which the report shall be made the court shall take such action thereon as to it shall appear just and reasonable

Section 4 If the commissioners or a majority of them report in favor of the petition the court shall order a vote of the qualified electors of the ward from which the territory is to be striken off to be taken on the question and shall appoint an election to be held on the day of the municipal or general election when the election officers of the ward shall hold such election at the place and in the manner provided by law for the regulation of municipal election It shall be the duty of the mayor of such city to give at least fifteen days' public notice by advertisement in at least three newspapers if so many be printed in said city or by handbills in the most public places in said ward that such an election will be held and of the time and place of holding the same The judges and the inspectors of the election in said ward shall receive from the electors thereof written or printed tickets having on the outside the word "Division" and on the inside the words "For division" or "Against division" and deposit the same in a box to be provided for that purpose The officers of such election shall count the said tickets in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such separation and shall deliver the same to the clerk of the Court of Quarter Sessions of the proper county within three days and the said clerk shall record said return and forthwith lay it before the court If it shall appear that a majority of the votes so taken are for the separation the said court shall thereupon order and decree the separation from the one ward and the attachment to the other ward agreeably to the lines marked out and returned by the commissioners and shall cause a certified copy of the whole proceedings to be placed of record among the minutes of council If a majority of votes shall be against such separation no further action shall be had upon such proceedings nor shall any new application for such separation and addition be heard for two years from the date of such election

ARTICLE III

Annexation of Territory

Section 1 Any borough or township or part of a township adjoining any city of the third class and being a part of the county in which the same is situated may be annexed to such adjoining city the following manner namely In case of a borough the town council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petition asking therefor in the case of a township or part of a township to three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said township whenever three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said petition in case a part only of a township desires to be admitted shall be accompanied by a plot of the same

Section 2 Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough or of the petition in the case of a township or of the petition and plot in the case of a part of a township said council may by ordinance annex such borough township or part of a township to the said city

Section 3 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom be taken within said ten days to the Court of Quarter Sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

Section 4 Upon the application by petition signed by a majority or more of the taxable citizens owners of any out lots or sections of land containing not more than one hundred acres lying adjacent to any city of the third class and being part of the county in which the same is situated to the Court of Quarter Sessions of the respective county stating that they desire the same to be annexed to said city the necessity therefor and describing the lots or land to be annnexed with a map or draft of the same which petition shall be sworn to by one or more of the petitioners and accompanied by a resolution of the council of said city approving of the annexation the said court shall thereupon appoint three viewers to inquire into and investigate the allegations and facts stated in the said petition and the said viewers or a majority of them shall make report to said court at its next sessions after their appointment if they report that they find the statements and facts of said petition to be true and recommend the annexation as prayed for the said court shall thereupon make an order or decree to carry the same into effect and the said out-lots or sections of land shall thereafter be a part of said city as fully as if the same had been originally a part thereof The costs of the proceedings in all cases shall be paid by the city If the report of said viewers shall be adverse to the prayer of the petitioners the petition shall be dismissed

Section 5 Whenever any borough township or part thereof out-lots or section of land shall be annexed to an adjoining or adjacent city as hertinbefore provided it shall be the duty of the court upon petition and proof to make such order or decree as will give to the people of the annexed territory representation in the government of the said city by including said territory within the limits of an adjacent ward or wards or by creating a new ward or wards thereof and said court shall in case of the creation of new wards or ward appoint the election officers and place for holding the first election of ward officers and for that purpose may order a special election if said court shall deem the same necessary to be conducted in the manner

provided by law for conducting municipal elections The officers elected at such special election shall hold their respective offices until their successors who are hereby required to be elected at the municipal election held on the Tuesday following immediately after the first Monday of November in the odd numbered year next succeeding the same shall be duly qualified

Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part to the said city or the said township as the case may be

ARTICLE IV

General Provisions

Section 1 The legislative power of every city of the third class shall be vested in a council composed of the mayor and four councilmen "said council shall have and possess all powers heretofore conferred upon or vested in the select or common council or both thereof as heretofore constituted unless otherwise provided in this act No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or any department thereof shall serve as a member of council during his contiuance in such office or employment except as hereinafter provided

Section 2 No ordinance shall be passed by council except by bill and no bill shall be so altered or amended on its passage through council as to change its original purpose No bills except general appropriation bills shall be passed containing more than one subject which shall be expressed in its title

Section 3 Every bill shall be read at length and no bill shall be passed finally upon the same day on which it is introduced or reported and at least three days shall intervene before it final passage

Section 4 The council shall prescribe by ordinance the number duties and compensation of the officers and employes of the city and no payment of such compensation shall be made from the city treasury or be in any way authorized to any person except an officer or employe elected or appointed in pursuance of law and no ordinance shall be passed giving any extra compensation to any officer servant employe or contractor nor providing for the payment of any claim against the city without previous authority of law and any officer drawing or countersigning any warrant or passing any voucher for the same or paying the same shall be guilty of a misdemeanor and on conviction thereof be punished by a fine not exceeding five thousand dollars and imprisonment not exceeding one year

Section 5 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnished and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways and sewers and other public improvements shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and all sales of personal property owned by the city shall be to the highest bidder under such regulations as shall be prescribed by ordinance or resolution Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not otherwise provided for in the general appropriations and such funds may be expended without advertising for bids

Section 6 No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof and no municipal department shall create any debt or make any contract except in pursuance of previous authority of law or ordinance

Section 7 Any member of council who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or person any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 8 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

Section 9 A member who has a personal or private interest in any measure or bill proposed or pending before the council shall disclose the fact to council and shall not vote thereon nor take any part in the discussion of the same If such interested person shall vote without disclosing his interest in such measure or bill and the same be carried by his vote he shall forfeit his office and the measure or bill shall be void

Section 10 No portion of the property of the city shall be used for private gain by any officer of the city councilman agent or employe of said city or any department thereof nor shall the same be wilfully used or injured or be sold or disposed of in any manner without the consent of the council by any officer councilman agent or employe Nor shall any officer councilman agent or employe of the said city or any department thereof be interested directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the city or any department thereof for the use purchase or sale lease occupation or enjoyment or any of the works material or property of said city Any violation of the provisions of this section shall be a mismisdemeanor and upon conviction thereof the person or persons so offending shall be punished by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or either at the discretion of the court trying the same and upon such conviction the party offending shall be forthwith removed from his office or employement and shall not thereafter be eligible to election or appointment to any place of profit or trust under said city or any department thereof

Section 11 No member of the council or any other city officer shall become surety in any bond or obligation given to the city by any officer or by any agent or contractor for the faithful performance of any trust agency or contract Any person becoming surety in violation of the provisions hereof shall forfeit his office and be deemed guilty of a misdemeanor punishable upon conviction by a fine not exceeding five hundred dollars

Section 12 No member of the council or other officer of the city shall either directly or indirectly be a party to or in any manner interested in any contract or agreement with such city for any matter cause or thing whatsoever by which any liability or indebtedness is in any way or manner created against such city and if any contract or agreement shall be made in violation of the foregoing provision the same shall be null and void and no action shall ever be maintained thereon against said city

Section 13 No member of the council or other officer of such city shall purchase any warrant order or claim for labor or supplies furnished to said city nor be interested directly or indirectly in the purchase of the same for any sum less than the amount specified therein and any such person purchasing a warrant order or claim in violation of the foregoing provision shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars

Section 14 All officers of the several cities of the third class whether elected or appointed shall before entering upon their respective duties take and subscribe the oath prescribed by Section one of Article seven of the Constitution of this Commonwealth Any person refusing to take such oath shall forfeit his right to the office and any person guilty of violation thereof shall be deemed guilty of misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment not exceeding one year or either at the discretion of the court

Section 15 The terms of the members of council and all other city and ward officers of said cities except aldermen elected at the regular municipal election in any year shall begin on the first Monday of January next ensuing thereto and shall continue for the period fixed by law for the duration thereof in each particular case and all elections for officers whose terms will expire on the first Monday of January of any year shall be held on the Tuesday following immediately after the first Monday of November next preceding thereto in the odd numbered years.

Section 16 The members of council of the several cities of the third class shall assemble in their place of meeting for the purpose of organizing at ten o'clock in the forenoon of the first Monday of January next succeeding the regular municipal election in the odd numbered years and the mayors of said cities shall be inaugurated and take the oath of office on the said day and hour of the first Monday of January following their election

Section 17 Whenever an election shall be held for city officers on the first Tuesday following the first Monday of November in any odd numbered year for regular terms of service it shall be the duty of the mayor to procure at the expense of the city from the Prothonotary of the Court of Common Pleas of the proper county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and lay the same before council on the date and time fixed by law for their organization and the said certificate shall be filed among the city archives and a copy thereof entered upon the journal In the case of special election for a member or members of council to fill a vacancy or vacancies the mayor shall procure from the Prothonotary as aforesaid a certificate of the vote for such member or members as returned to his office by the proper election officers and lay the same before the council at the next regular meeting succeeding such election which council shall enter the same among its proceedings The Court of Quarter Sessions shall appoint the places for holding the municipal and the general elections in all of the election districts of said cities

ARTICLE V

Corporate Powers

Section 1 The corporate powers and the number character powers and duties of the officers of cities of third class now in existence by virtue of the laws of the Commonwealth shall be and remain as now provided by law except where otherwise provided by this act

Section 2 Every city of the third class within this Commonwealth is hereby declared to be a body corporate and politic and shall have perpetual succession and shall have power

1 To sue and be sued

2 To purchase and hold real and personal property for the use of the city

3 To lease and to sell and to convey any real or personal property owned by the city and to make such order respecting the same as may be conducive to the interests of the city

4 To make all contracts and do all other acts in relation to the property and affairs of the city necessary to the exercise of its corporate or administrative powers

5 To have and use a corporate seal and alter the same at pleasure and every such seal shall have upon it the word "Pennsylvania" the name of the city and the year of its original incorporation

The powers hereby granted shall be exercised by the mayor and councilmen of such cities in the manner herein provided

Section 3 Every city of the third class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this and other acts

1 To levy and collect taxes for general revenue purposes not to exceed ten mills on the dollar in any one year on all persons real personal and mixed property within the limits of said city taxable according to the laws of the State of Pennsylvania for county purposes the valuation of such property to be assessed as hereinafter provided

2 To provide for the assessment and collection of taxes in addition to the above not exceeding one per centum on the dollar upon the assessed valuation in any one year on all persons real and personal property and all other matters and things within said city taxable for county purposes for the payment of interest on bonded indebtedness and for the payment of loans to support the government and to make necessary improvements in said city

3 To impose a poll tax for general revenue purposes not exceeding one dollar annually on all male inhabitants above the age of twenty-one years

4 To levy and collect a license tax not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers restaurants billiard parlors bowling alleys billiard tables pool and other gaming tables drays hacks carriages omnibuses automobiles cart wagons street railways cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance companies market house companies garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same

5 To borrow money on the credit of the city and to pledge the credit and revenue thereof for the payment of the same to amount not exceeding two per centum upon the assessed value of the taxable property in said city and with the consent of the people of the said city obtained at an election held under the provisions of the Constitution and the general laws of this Commonwealth to increase the indebtedness of such city to an amount not exceeding in the aggregate seven per centum upon the assessed valuation of the taxable property therein

6 To provide for the issuing of bonds and for the application of bonds already issued by cities heretofore incorporated for the purpose of funding any and all indebtedness now existing or hereafter created of the city now due or to become due Provided That said bonds shall be payable in not less than five years and not more than thirty years from the date of their issue and that the same shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value

7 To make provision for a sinking fund to pay at maturity the bonded indebtedness of the city and to levy and collect taxes on all the taxable property in the city in addition to all other taxes for the purpose of paying the same under and subject to the limitations and requirements of this act and of the Constitution and laws of this Commonwealth

8 To lay out open widen straighten alter extend improve establish or re-establish grades of and keep in order and repair and in safe passable condition any street avenue alley or lane or any part thereof within the city limits or to vacate and discontinue the same whenever deemed expedient for the public good and to make sidewalks and construct and maintain bridges and culverts and to provide for the cost thereof either in whole or in part from the general revenues of the city No ordinance for the opening widening straightening extending or vacating of any street avenue alley or lane or parts thereof shall be passed except in the manner provided in clause ten of this section

9 To construct and reconstruct sewers and to extend the same beyond the city limits in accordance with the provisions of existing laws and for the purpose of such construction or extension to take and occupy private lands and property making compensation therefor to the owners thereof as required by law

10 To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curbstone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to benefits as council shall by ordinance determine except in case of grading only the said cost and expense of which shall be assessed according to benefits when the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council must provide for an equitable reduction from the frontage of lots at all streets and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the Court of Common Pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamining grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be vertified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition Provided however that no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however that the requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest have petitioned therefor The cost and expenses of any improvement of streets and construction of sewers done and completed under an ordinance providing for the assessment of the cost and expense therefor under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the work which assessment according to benefits shall be made in like manner and in like effect as if the original ordinance providing for the improvement had provided for such assessment

11 To require owners of property abutting on any public street lane or alley to construct pave curb repave and recurb the sidewalks and keep the same in good repair along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply therewith upon notice to authorize the same to be done by the city and the expense thereof be levied and collected from such owners with costs which amount shall be a lien upon such premises from the time of the commencement of the work which date shall be fixed by certificates of the city engineer filed with the clerk and may be collected by action at law or such lien may be filed and proceeded in as herein provided in the case of municipal liens or the cost may be borne by the city in whole or in part if in part the rest to be collected from the owners in manner as above provided

12 To provide for the payment of the debts and expenses of the city and to appropriate money therefor

13 To create any office public board or department which they may deem necessary for the good government and interest of the city to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board of any department so created but no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any public board or department after his or their election or appointment Provided However That in case of the creation of any public board or department the members thereof shall except where otherwise provided by this act be elected or chosen by the council but no two persons from the same ward shall serve on the same board at the same time Provided That the provisions of this section as to the creation of any public board or department and prescribing the duties thereof shall not apply to the creation of any board of commissioners of water-works of any city wherein the title to the water works therein located is in the name of the commissioners of water-works

14 To require from all officers and agents of the city elected or appointed lawful bonds and security for the faithful performance of their duties and no officer or agent required by law or ordinance to give bond as aforesaid shall be sworn into office or enter upon the duties thereof until such bond shall have been duly approved by the proper authority

15 To provide for the removal of officers of the city whose offices are established by ordinance and whose removal is not otherwise herein provided for

16 To require the removal of all obstructions from the sidewalks curbstones gutters streets and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there and to regulate the planting and protection of

shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city

17 To make and establish such and so many uniform rules and regulations as to them may seem expedient for the better regulations of porches porticos benches doorsteps railings bulk bay or jut windows areas cellar doors and cellar windows signs and sign posts boards poles or frames awnings awning posts or other devices or things projecting over under into or otherwise occupying the sidewalks or other portion of any of the streets lanes alleys and in relation to boxes bales barrels hogsheads crates or articles of merchandise lumber coal wood ashes building materials or any other article or thing whatsoever placed in or upon any of the said sidewalks or other portion of said streets lanes or alleys and also to prevent and remove all encroachments thereon

18 To provide for and require the construction and maintenance of bridges or other crossings over or under railroad tracks and to enter into contracts with railroad companies for the construction and maintenance of the same to require the erection of safety gates and the placing of flagmen at the intersection of railroads with public streets to forbid the obstruction of the said crossings by locomotives or railroad cars and also to make regulations concerning the rate of speed at which locomotives cars or trains shall pass upon or across the streets within the built-up portions of the city

19 To establish and maintain night-watch and police and define the duties of the same

20 To regulate the police of the city and to impose fines forfeitures and penalties for the violation of any ordinance and provide for the recovery and collection of the same and in default of payment to provide for confinement in the city or county prison or to hard labor upon the streets or elsewhere for the benefit of the city

21 To provide for the erection or purchase of lockups or watchhouses in some convenient part of the city for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested can be taken before the proper magistrate for hearing and committed to prison or discharged but no person shall be detained therein for a longer time than twenty-four hours except upon the order of a magistrate legally authorized who may commit such person for further hearing

22 To erect or purchase establish and maintain hospitals prisons work-houses houses of correction for juvenile or other offenders and to prescribe regulations for the government thereof and also to erect all public buildings necessary for the use of the city or of any department thereof to purchase or take use and occupy private lands upon which to erect any of the said buildings to purchase take use and occupy within the limits of the respective city or within the county adjacent thereto private lands upon which to establish and maintain a hospital or hospitals for the treatment and separation of persons suffering with contagious and infectious diseases to purchase or take use and occupy within the limits of such city or within the county adjacent thereto private lands upon which to establish and maintain a poor-farm with all necessary and convenient buildings and appliances where the city may support and maintain such poor persons as such city is by law required to support and maintain and the damages accruing by reason of the acquisition of any private property for the purposes aforesaid shall be compensated in the manner now or which may hereafter be provided for by law for the ascertainment and payment of damages for private property taken for public uses

23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot ground and other places of public resort and for the arrest and commitment of professional thieves

24 To offer rewards for the arrest and conviction of persons guilty of capital or other high crimes within the city but no policeman shall be entitled to receive any share thereof

25 To license and collect a license tax from all skating-rinks operas theatres concerts shows circuses menageries and all kinds of public exhibitions for pay (except those for religious educational or charitable purposes) to regulate the same and to restrain all exhibitions of indecent or immoral character

26 To regulate the time and place of bathing in rivers and other public water in and adjoining the said city

27 To establish stands for coaches cabs omnibuses carriages wagons automobiles and other vehicles for hire and to enforce the observance and use thereor and to fix the rates and prices for transportation of persons and property from one part of the city to another

28 To restrain prohibit and suppress tippling shops houses of prostitution gambling houses gaming cock or dog fighting and other disorderly or unlawful establishments or practices desecration of the Sabbath day commonly called Sunday and all kinds of public indecencies

29 To prevent and restrain riots noises distrubances or disorderly assemblies in any street house or place in the city to regulate prevent and punish the discharge of firearms rockets powder fire-works or any other dangerous combustible material in the streets lots grounds alleys or in the vicinity of any building to prevent and punish the carrying of concealed deadly weapons to arrest fine or set at work on the streets or elsewhere all vagrants found in said city to prevent and punish horseracing fast driving or riding in the streets highways alleys bridges or places in the city and all games practices or amusements therein likely to result in danger or damage to any person or property and to prevent and punish the riding or driving of horses mules oxen cattle or other teams or the passage of any vehicle drawn thereby or self propelled over and across sidewalks and to regulate the passing of the same through the public streets

30 To purchase and own ground for and to erect and and establish market houses and market places for which latter purpose parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalks for temporary public market purposes

31 To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided for by law including the measuring of gas water and electric currents to provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood bark and fuel to be used in the city and to designate the place or places of inspecting and weighing the same and to regulate and prescribe the place or places for exposing for sale hay coal bark and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures and the regulation and inspection of gas water electric current meters and other meters

32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protection against floods and constructing and maintaining docks retaining walls dams or embankments and by removing obstructions from and deepening the channels of rivers and streams flowing through or adjacent to the city

33 To establish and change the channels beds and mouths of water courses through lands marshes or waters in or adjacent to the city to crib wall and cover them over and to prevent and remove obstructions therefrom at the expense of those causing the same to establish make and regulate public wells cisterns aqueducts and reservoirs of water and to provide for filling the same to establish the lines of banks of streams of water which pass through or along the boundary of such cities and by proceeding at law or equity to prevent and remove all such encroachments on the banks of streams and water courses as threaten to or do injure said city or the property therein

34 To purchase lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned and controlled by the city

35 To provide for the erection of all needful pens pounds and buildings within or without the city limits to appoint keepers thereof and to regulate or prohibit the running at large of cattle hogs horses mules sheep goats dogs or other animals also geese ducks chickens fowls et cetera and to cause such as may be running at large to be impounded and sold to discharge the costs and penalties provided for the violations of such prohibitions and the expenses of impounding and of keeping the same and of such sale to regulate and provide for taxing the owners and harborers of dogs to destroy dogs found at large contrary to any ordinance providing the owners cannot be found or who neglect to care for such dogs

36 To make regulations for the enforcement of the laws of the Commonwealth relating to the control of communicable contagious diseases and for the enforcement of the regulations and orders of the State Department of Health to make regulations to secure the general health of the inhabitants and to remove prevent and abate nuisances

37 To make all necessary orders and regulations to prevent the introduction of contagious or pestilential diseases into the city to make quarantine laws for that purpose and to enforce the same

38 To purchase fire engines hooks ladders trucks fire alarms and other apparatus for the extinction of fires to organize a fire department with or without pay to make the necessary appropriation for the maintenance of the same and to prescribe rules and regulations for the government of the officers and companies belonging thereto and if a paid department to provide by ordinance for the election or appointment of the officers and companies belonging thereto

39 To regulate the construction and inspection of fireplaces chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

40 To provide a system for the inspection of buildings to insure their structural or sanitary safety and incombustibility and for the appointment of one or more building inspectors to prescribe limits within which buildings shall not be constructed reconstructed enlarged or additions made thereto or into or within which they or any of them shall not be removed except the same be of incombustible materials with fire proof roof and any building erected reconstructed enlarged or having additions made thereto or removed into or within such limits contrary to the provisions of any ordinance forbidding the same shall be a public nuisance and abatable as such and may be restrained by injunction

41 To provide for and regulate the lighting of streets with gas or electric lights or light by other means and to require and regulate the numbering of houses

42 To have the exclusive right at all times to supply the city with gas or other light and such persons partnerships

and corporations therein as may desire the same at such prices as may be agreed upon and also to have at all times the unrestricted right to make erect and maintain the necessary buildings machinery and apparatus for manufacturing and distributing the same or in territory not supplied with light to make contracts with and to authorize any person company or association so to do and to give such person company or association the privilege of supplying gas or other light as aforesaid for any length of time not exceeding ten years

43 To have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right subject to the provisions of existing laws to make erect and maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyance and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Provided that the provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the Commissioners of Waterworks

44 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineer in order to set out the foundation and regulate the walls to be built between party and party as to the breadth and thickness thereof which foundation shall be laid equally upon the land of the persons between whom such party wall is to be made and the first builder shall be reimbursed one moiety of the charge of said wall or for so much thereof as the next builder shall have occasion to make use of before such next builder shall or may use or break into said wall

45 To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineers in order to regulate partition fences and when adjoining parties shall improve or enclose their lots such fences shall be made in the manner generally used and be kept in good repair at the equal expenses of the parties unless the owners or occupants between whom such fences are erected shall agree otherwise

46 To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expendient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government solely and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred dollars for any one offence recoverable with costs together with judgment or imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid

47 That the municipalities of the Commonwealth shall have power and authority to vacate in whole in or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation

48 In the exercising the power aforesaid all proceedings for the ascertaining of damages and the assessment of benefits incident thereto shall be as now provided by law in reference to payment of costs damages and expenses of public improvements within municipal corporations

ARTICLE VI

City Council

Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their term of service At the first regular municipal election held after the passage of this act a mayor and four members of council shall be elected who shall assume office on the first Monday of January following their election and said councilmen shall hold office until first Monday of January of the second year and the said mayor shall hold office until the first Monday in January of the fourth year following their election unless they shall sooner be removed by methods prescribed by law Provided however that in cities of the third class wherein mayors shall have been elected in the year one thousand nine hundred and eleven said mayor shall continue in office until the first Monday of January one thousand nine hundred and sixteen After the first election under the provisions of this act a mayor shall be elected at the regular municipal election held each fourth year thereafter and four members of council shall be elected at the regular municipal election held each two years thereafter said mayor and councilmen shall be elected by the electors at large of said city

Section 2 Each member of council including the mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto such acts as shall have been passed by the affirmative vote of a majority of the members elected to said council

Section 3 Whenever a vacancy shall occur in the office of mayor or councilmen the same shall be filled by special election by the electors at large of said city said special election to be called and conducted in the manner provided by law The persons elected to fill said vacancy shall serve during the unexpired term of his predecessor The date of such special election shall be fixed by council and notice thereof given by proclamation of the mayor for at least ten days prior thereto

Section 4 The members of council shall take the oath of office prescribed by law which oath may be administered by any person authorized to administer oaths Three members of council shall constitute a quorum but a smaller number may compel the attendance of absent members under penalties to be prescribed by ordinance The council may determine its own rules provided said rules are not inconsistent with the Constitution and laws of the State of Pennsylvania

Section 5 The council of each of said cities of the third class shall hold stated meetings at least once in each month and continue them so long as the transaction of the public business demands and at such other times as may be fixed by ordinance The said council may hold special meetings at such times as any two councilmen may deem proper to call the same upon twenty-four hours notice to each member which notice shall state whether such meeting is to be convened for special or general business All meetings of council whether regular or special shall be open to the public The council shall be a continuous body and it shall be lawful for any council to complete any unfinished business or legislation begun by the preceding council

Section 6 The said council in cities of the third class shall keep a journal of its proceedings which shall be at all times open to public inspection Upon every vote the yeas and nays shall be called and recorded and every motion resolution or ordinance shall be reduced to writing before the vote is taken thereon Except where they shall be personally or privately interested no member shall withhold his vote on any measure or question unless he shall state his reason therefor to the council which may excuse him and enter the reason upon the journal

Section 7 Every legislative act of the council shall be by resolution or ordinance and every ordinance or resolution which shall have passed said council shall be signed by the mayor and attested by the city clerk

Section 8 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein or by law shall take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 9 The fiscal year of each of said cities of the third class shall begin on the first Monday of January in each and every year The council shall at the end of each fiscal year cause to be published in not more than two newspapers printed and circulated in said city a summarized statement of the receipts and expenditures of the city during the preceding year its present funded and floating indebtedness and the date of the maturity of the funded debt and schedule of its assets and the character and value thereof and the amount of taxable property therein The council may at its discretion cause said summarized statement to be printed in pamphlet form instead of being published in newspapers aforesaid provided the said pamphlet be supplied for general distribution and notice published in at least two newspapers that the said pamphlets may be had upon request at the office of the city clerk

Section 10 The several departments of the city government shall before the commencement of the fiscal year present to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing year and council shall then proceed to make the annual appropriation thereto No appropriation shall be made for any purpose until the interest accruing on the funded debt of the city and the principal of such part of said debt as may be coming due the salaries of officers and the ordinary and necessary expenses of the city shall first be provided for When all estimates for the expenditures for the ensuing year shall be finally made council shall fix the tax rate at such figure as with all sources of revenue will fully meet and cover the aggregate amount of such estimate and no appropriation shall be made for any purpose in excess of the estimated receipts for the current fiscal year

Section 11 The councilmen in cities of the third class shall receive for their services during their term of services annual salaries to be fixed by ordinance payable in monthly installments Council may by ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings or council or councilmanic committees Council shall by ordinance fix the amount of salaries to be paid to councilmen for their services which salary shall not be less than two hundred fifty dollars per year nor more than three thousand dollars per year Provided however That for the first term of councilmen elected under the provisions of this act and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not to exceed fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities

having a population of over seventy thousand three thousand dollars per annum

The first council elected under the provisions of this act shall by ordinance determine the amount of salaries to be paid in said cities the compensation to be received by councilmen shall not be increased or diminished during the term for which he shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making such change

Section 12 The council shall have power to enforce the attendance of witnesses the production of books and papers and power to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates exercising criminal or civil jurisdiction under the statutes of Pennsylvania

Section 13 The terms of office of all members of council and of all other offices in cities of the third class who are in office at the time this act becomes effective shall cease and determine on the first Monday in January next succeeding the passage hereof except wherein otherwise provided in this act Provided however that city treasurers city solicitors city engineers and city clerks who are in office at the time of the passage hereof shall continue to exercise their offices for the remainder of the terms for which they were elected and at the expiration of their respective terms of office the persons elected to succeed said officers shall hold said offices until the first Monday in January immediately following the next regular election of councilmen And provided further that in cities of the third class wherein city controllers have been elected in the year one thousand nine hundred and eleven said controllers shall continue in office until the first Monday of January one thousand nine hundred and sixteen subject to the provisions of this act relating to the office of city controller except that the annual salary of said controllers shall remain as it now is up to said date of the first Monday of January one thousand nine hundred and sixteen

ARTICLE VII

Executive Department

Section 1 The executive administrative powers authority and duties in every city of the third class shall be distributed into and among five departments as follows

1 Department of Public Affairs
2 Department of Accounts and Finance
3 Department of Public Safety
4 Department of Streets and Public Improvements
5 Department of Parks and Public Property

The council shall determine the powers and duties to be performed by and assign them to the appropriate department shall prescribe the powers and duties of officers and employes may assign particular officers and employes to one or more of the departments may require an officer or employe to perform duties in two or more departments and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city

Section 2 The mayor shall be superintendent of the department of public affairs and the council shall at the first regular meeting after the election of its members designate by majority vote one councilman to be superintendent of the department of accounts and finances one to be superintendent of the department of public safety one to be superintendent of the department of streets and public improvements and one to be superintendent of the department of parks and public property but such designation shall be changed whenever it appears that the public service would be benefited thereby

Section 3 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots unlawful and tumultuous assemblies are hereby conferred upon him and he shall have authority upon occasions of threatened public disorder to require and enforce the closing up of bars or any establishments in which liquors are sold during the continuance thereof

Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of their duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any officials of the city or head of departments for any information as to the affairs under their control and management as he may require and he may call special meetings of council to consider any matter which he may think proper He shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conductive to the interests and welfare thereof

Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of Assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fine or penalty as may be fixed by ordinance with the cost of suit or arrest. He shall be empowered to take acknowledgments of any instrument in writing solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissable for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to the alderman of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath or affirmation before the superintendent of finance and filed with him

Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office provided that members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall be subject to the direction and control of the council and shall serve as such officers until their successors be duly designated and qualified

Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required the mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by council

Section 8 The council shall have the power of appointment and dismissal of all employes and subordinate officers of the city except as otherwise provided by this act The council shall cause the mayor to issue his proclamation to the qualified electors of the city at least ten days before the annual municipal election stating therein the officers to be voted for at such election

Section 9 If for any reason whatsoever a vacancy occurs in the city council whether as to the mayor or one or more of the other members of council the city council shall by its remaining members call a special city election to fill the vacancy or vacancies for the unexpired term or terms respectively and this shall be repeated from time to time as often as necessary except that if such vacancy or vacancies occur less than four months prior to the city election the vacancy shall remain unfilled and the work apportioned among the remaining councilmen without extra compensation until said city election

The member of council who shall be designated superintendent of finance shall be vice president of the city council and acting mayor of the city during the absence or inability of the mayor to act and during the interim until such vacancy in the office of mayor shall be filled by election he shall exercise all the rights and powers of the mayor

Section 10 All actions prosecutions complaints and proceedings for the violation of the ordinances of the city and for fines penalties and forfeitures imposed thereby shall be instituted in the corporate name of the city and be conducted in the manner prescribed by law Proceedings for the violation of the city ordinances may be commenced by warrant or summons at the discretion of the mayor or alderman before whom complaint is made but no warrant shall be issued except upon complaint upon oath or affirmation specifying the ordinance for the violation of which the same is issued and all process shall be directed to and served by any policeman or constable of the city who shall execute the same anywhere within the city or in the county of which it is part or elsewhere as may be provided by law Warrants shall be returnable forthwith and every summons shall be returnable in not less than five nor more than eight days from the date thereof and upon such return the like proceeding shall be had in all cases as are or may be directed by law in relation to summary conviction or proceeding for the recovery of penalties before justices of the peace with the same right of appeal from any final judgment entered therein All fines and penalties for the violation of the city ordinances received by any magistrate and all fees costs fines and penalties received by any alderman in cases heard before him while presiding in the mayor's police court shall be paid over by the magistrate before whom the same are recovered into the city treasury monthly according to a statement thereof certified by oath or affirmation before the superintendent of finance and filed with him Any alderman of the city may at the request of the mayor or acting mayor where either are for any reason unable or unwilling to act attend the mayor's police court and there perform all such duties and exercise all such powers as to which he has concurrent jurisdiction with the mayor and for such services shall be allowed his statutory fees provided the city shall not be liable therefor

Section 11 The superintendent of finance shall have charge and keep a record of accounts under appropriate titles to show separately and distinctly all of the assets and property whatsoever vested in the city and all trusts in care of the same debts

)wing by the city and all of the receipts and expenditures of the various departments He shall have the supervision and control of all of the departments and require from them at any time a statement in writing of all money or property of the city in their hands He shall countersign all warrants upon the city treasury the form whereof shall be prescribed by council and shall not suffer any appropriation made by the city council to be overdrawn but no warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purposes for which they were drawn

Section 12 Whenever a warrant on the treasurer shall be presented to the superintendent of finance to be countersigned the person presenting the same shall be by the superintendent of finance required to produce evidence

(1) That the amount expressed in the warrant is due to the person in whose favor it is drawn

(2) That the supplies or services for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 13 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the superintendent of finance on the contract before it shall take effect as a contract and the payments required by such contracts shall be made from the fund appropriated therefor If the superintendent of finance shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the superintendent of finance shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the superintendent of finance to certify contracts for the payment of which sufficient appropriations have been made

Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year

Section 15 The mayor of each city of the third class in Pennsylvania elected under the provision of this act shall receive for his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council in said cities shall by ordinance fix the amount of the salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of said salary in cities of the third class shall not be less than five hundred dollars nor more than three thousand five hundred dollars per year For the first term of any mayor elected under the provisions of this act and until thereafter changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per year in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance fix the salary to be paid to the mayor in said cities for succeeding terms and the amount of compensation for the mayor in any of said cities shall not be increased or diminished during the term of office for which he shall be elected. Succeeding councils may change the amount of such compensation

ARTICLE VIII

Section 1 The council of each city of the third class shall on the first Monday of January after its election elect a city treasurer who shall hold his office for the term of two years from said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance He shall before he enters upon his office take and subscribe an oath or affirmation before the mayor to support the constitution of the United States and of this Commonwealth and honestly to keep an account of all public moneys and property entrusted to his care and to discharge the duties of his office with fidelity

Section 2 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warants duly countersigned by the superintendent of finance His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor The treasurer shall keep the public funds in such banks or financial depositories as council may dircet under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council and upon any default therein he may be suspended from office and another treasurer appointed as council may determine

Section 3 The city treasurer and every other officer of the city receiving or having in his possession any money accounts property or effects belonging to the corporation shall upon the termination of his office deliver the same to the city or to his duly qualified successor Any vacancy in the office of city treasurer shall be filled by the vote of the members elected to council and the person so chosen to fill the same shall serve during the unexpired term of said officer

ARTICLE IX

Section 1 Qualified electors of each city of the third class shall elect at the regular municipal election at the same time that members of council shall be elected under this act a city controller who shall serve for the period of four years from the first Monday of January following his election and until his successor is duly elected and qualified unless he shall sooner be removed from office according to law He shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor

Section 2 The said city controller shall perform such other duties as may be prescribed by ordinance of council and shall receive such compensation as may be prescribed by council

Section 3 That the council of each city of the third class in this Commonwealth are hereby authorized and directed to elect a city clerk whose term of office and compensation shall be fixed by ordinance Provided however That the said term of office shall not exceed four years

Section 4 Any ordinance resolution motion or other proceeding of council when certified by him under the seal of the proper city may be read in evidence in any court in this Commonwealth He shall also have the power of a notary public to administer oaths in any matter pertaining to the business of said city or in any legal proceeding in which it is interested He shall also perform such other duties as shall be prescribed by ordinance or resolution of council

ARTICLE X

Section 1 The council of each of said cities of the third class shall on the first Monday of January following the election of members thereof or as soon thereafter as may be practicable by the vote of a majority of the members chosen elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of two years from the said first Monday of January and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law vacancies in said office shall be filled by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance

Section 2 The law matters of the city shall be under the superintendence direction and control of the city solicitor and no department of the city shall employ or retain any additional counsel in any matter or cause except with the previous assent of council He shall keep his office within the city and there shall be deposited and preserved therein all assurances of title and all contracts bonds books patents deeds leases mortgages and other evidence of debt belonging to the city unless the council shall otherwise provide or direct provided that the provisions of this article ten shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioner of water works

Section 3 The city solicitor shall prepare all bonds obligations contracts leases conveyances and assurances to which the city or any department thereof may be party as may be directed by resolution or ordinance shall commence and prosecute all and every suit or suits action or actions brought by the corporation for or on account of any of the estates rights trusts privileges claims or demands of the same as well as defend all actions or suits against the said corporation or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or acts of the corporation or any department thereof may be brought in question before any court in this Common-

wealth and shall do all and every professional act incident to the office which he may be lawfully authorized and required to do by the mayor or by any ordinance or resolutin of the said council He shall whenever required furnish the council the committees thereof the mayor or the heads of departments with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 4 There shall be kept in the office of the city solicitor a city lien-docket which shall be open to public inspection and in which he shall cause to be entered all claims for curbing paving or repaving sidewalks assessments of damages contributions for opening public streets lanes and alleys or parts thereof for grading paving and macadamizing the same for water and lighting frontage tax and water and lighting rates sewerage city taxes and other matters that may be the subject of claim on the part of the city which have or shall be returned to the solicitor as remaining due and unpaid after the period prescribed by law or ordinance for the payment of such claims and it shall be the duty of the head of each department wherein any such claim shall originate to furnish to the city solicitor within the period prescribed by law or ordinance a statement of all claims for curbing paving et cetera which remain due or unpaid a certified copy of which the said heads of departments shall at the same time furnish to the superintendent of finance Upon the payment of any lien or other debt of record due the city to any person authorized to receive the same it shall be the duty of the city solicitor forthwith to enter satisfaction upon the proper record thereof

Section 5 The city solicitor shall at least once in every month make a return to the superintendent of finance under oath or affirmation of each item of moneys received by or through him or his assistants by virtue of his office or on account of any matters connected therewith and immediately upon making such return he shall pay over the amount in his hands to the city treasurer He shall in like manner pay into the city treasurer all fees received by him in his official capacity but this provision shall not be taken to include the judgment fee or commission allowed him in his capacity of attorney under any act of Assembly of this Commonwealth He shall receive a fixed annual salary to be provided by ordinance

ARTICLE XI

Section 1 The council of any city of the third class of the State of Pennsylvania may by ordinance create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health

Section 2 In all cities of the third class where the council of said city shall not elect to create by ordinance a board of health as provided in Section one hereof the said council shall exercise all the rights duties and obligations imposed by existing legislation upon boards of health in cities of the third class

Section 3 The city clerk in cities of the third class shall be ex-officio secretary of the board of health in case the council of said city shall create a board of health under the provisions of this act

ARTICLE XII

Section 1 Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city in the following manner

Section 2 It shall be lawful for any such person to be proposed for any elective municipal office by the filing of a petition with the county commissioners at least three weeks before the date of the primary election for municipal offices said petition to be signed by at least twenty-five qualified registered voters of said city

Section 3 The petitions proposing the names of citizens for municipal elective offices shall set forth that the signers thereof are qualified and registered voters residing in said city and shall set forth the residence and occupation of the candidate proposed and of each person signing said petition but said petition shall have nothing thereon to designate any political party or any party affiliations of the persons proposed as a candidate or of the persons proposing the said name

Section 4 The county commissioners of the county in which any city of the third class shall be located shall cause to be printed for the use of voters at any primary election in said city of the third class where public elective municipal offices are to be nominated a non-partisian primary ballot which ballot shall be substantially in the following form

NAME OF OFFICE Vote for (stating number to be elected)	
Name of Candidate Address of Candidate	
Name of Candidate Address of Candidate	

The said municipal primary ballots shall be uniform and shall have nothing written printed stamped engraved or in any way marked thereon to indicate or designate any political party or the political affiliations of any candidate for office named thereon

Section 5 Upon the non-partisian primary ballot provided for in the preceding section of this article the county commissioners shall cause to be printed the names of the municipal offices to be filled at the next regular municipal election followed by the words mark one (or as case may be indicating the number to be elected) Below the words designating an office to be filled shall be printed the names of all persons who have been proposed for such office in accordance with the preceding sections of this article placing after each name an appropriate square for marking and no other names shall be placed on said ballot Space shall be provided however below the names printed on the said ballot wherein voters may write additional names if said voters shall desire to vote for a person for said office whose name has not been printed on said ballot

Section 6 Where more than one person shall be proposed for the same office the names of the persons proposed shall be placed on said ballot by the county commissioners in the order to be determined by drawing lots which said drawing shall be done publicly by the county commissioners and notice of the time and place of said drawing shall be given by the commissioners to each person whose name is entitled to be placed on said primary ballot at least three days before the time of said drawing and said persons shall be entitled to be present in person or by representative at said drawing

Section 7 The county commissioners shall prepare and furnish to the election officer in each precinct of each city of the third class as many official non-partisan primary ballots as are equal to one and one-half times the number of registered voters in such precinct Provided however That an additional number of ballots shall be provided by the commissioners for each precinct if more ballots shall be needed than the number above specified The said county commissioners shall also furnish one-half as many specimen ballots as the number of official ballots which said specimen ballots shall be an exact duplicate of the official ballot but printed on a paper of a different color

Section 8 At the primary election preceding each election where municipal officers are to be elected it shall be the duty of the election officers in each precinct of every city of the third class to deliver to each voter who has established his right to vote one non-partisan primary ballot having printed thereon the names of all persons proposed for municipal officers in accordance with the preceding sections of this article The election officers shall receive and place in the ballot box at each primary election preceding an election for city offices the ballots furnished to the voters in the manner specified in the preceding section of this article after said electors have had opportunity to mark the same as provided by law and no other ballots for nomination of municipal officers shall be received or placed in said ballot box

Section 9 At the close of polling at said primary election in each city of the third class the election officers shall in the manner prescribed by law tabulate and compute the votes cast for the various persons whose names may be written or printed on the non-partisan ballot and marked according to law and shall make return of said vote to the county commissioners whose duty it shall be to receive tabulate and compute primary election returns said returns to be made as prescribed by law Said election officers shall also cause the statements required by law of the number of votes cast for each candidate to be posted up at such place and in the manner prescribed by law If for any office to be filled at the ensuing general municipal election there shall be more persons proposed than the number to be elected to the said office the person receiving the highest number of votes up to double the number of persons to be elected to said office shall be the nominees for said office

Section 10 At each regular or special municipal primary or election for offices in cities of the third class the county commissioners of the county in which said city shall be located shall cause the names of the persons nominated in accordance with the foregoing sections of this article and no other persons to be printed on the official ballot to be used at said election Said official ballots shall have the names of the offices to be filled and said candidates printed on said ballot with appropriate squares after each name for voters to mark in the manner prescribed by law except that there shall not be printed engraved stamped or marked on any ballot any thing to indicate any political party or party affiliation of any candidate for municipal offices Following the names of said candidates space shall be provided on said ballot wherein any voter may write the name of any persons for whom he wishes to vote and whose name may not be printed on said ballot

Section 11 No other ballot than that prescribed in the foregoing section of this article shall be received or counted by the election officers of any regular municipal primary or election fo

the election of public officers in cities of the third class and the provisions of this article shall apply to every regular or special municipal election in said cities of the third class

Section 12 Upon each ballot for the use of electors in any municipal primary or election shall be printed the following words "The voter will mark an X in the square opposite the name of each person for whom he wishes to vote He may write in the blank space provided the names of candidates not nominated for whom he desires to vote Names so written in need not be marked with an X"

ARTICLE XIII

Sewerage.

Section 1 The council of any city of the third class shall have power subject to the provisions of existing laws without petition therefor to construct and reconstruct or cause to be constructed sewers of all kinds in its public streets lanes alleys highways and over and across public and private lands or property and to pay the cost and expense thereof out of the general revenues or special funds raised for said purpose or to assess the same in whole or in part upon abutting property as herein after mentioned and where the cost of constructing any sewer is paid for wholly from city funds the respective city shall have authority to charge a reasonable fee for tapping or connecting with said sewer in the case of the construction of main sewers or of any sewer which can be used in part for main sewerage purposes and in all cases where said sewer will also serve as a local sewer the said city is authorized to and may provide for assessing the abutting property with the local sewerage part thereof according to the foot front or the assessed valuation of the said property for city purposes or according to benefits The cost of all main sewers or of any sewers used in part for main sewerages purposes over and above the amount assessed for local sewerage as above provided shall be paid for from the city funds as aforesaid Council may also provide that the cost and expenses of local lateral branch and other sewers may be assessed against the abutting property according to the foot front or according to the assessed valuation thereof for city purposes or according to benefits And it shall be lawful for any such city to construct or cause to be constructed a sewerage system of sewers in streets lanes alleys and highways with extensions thereof and with lateral and branch sewers therefrom in other streets lanes alleys and highways and in public or private lands at the same time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as is herein provided

Section 2 Where council determine to construct local lateral and other sewers and to assess the cost and expenses thereof according to the foot front rule they shall provide for a reduction of one-half or other equitable part or portion from the frontage of the longest side of all corner lots and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal and if the owner of the abutting property is not satisfied with the allowance or reduction or refuses he shall have the right to have three viewers appointed by the Court of Common Pleas and the proceedings shall be the same as in cases where land is taken for the widening of a street or damage claimed for change of grade Where the council determine to construct main local lateral or branch sewers and to assess the cost and expense thereof according to benefits in addition to the remedies which now or may hereafter exist for the assessment of the said cost and expense by viewers appointed by court the said council may appoint three disinterested freeholder as viewers who or a majority of whom shall assess the costs and expense of said sewers upon the lands abounding or abutting thereon in proportion as nearly as may be to the benefits which may result to each lots or parcel of land Said viewers or a majority thereof shall report their assessment to the council in the manner set forth in the third section of this article and said council shall act thereon as in said article provided

Section 3 Said viewers or a majority of them shall make report in writing specifying the amount assessed by them upon each lot or parcel of land for main or local sewerage separately and file the same with the city clerk within such time as the council shall direct After the report is filed council shall cause not less than ten days' public notice to be given in two newspapers of the city if so many be published therein of the object of such assessments and that the same will come before them for confirmation at a time to be specified in said notice Objections to the assessment shall be in writing and be filed with the city clerk and may be heard before the city council at the time specified in the notice Council may after hearing objections modify set aside or confirm said assessments If council sets aside the first or any other assessment they may appoint other viewers of the same qualifications as hereinbefore provided and cause new assessments to be made and the proceedings shall be the same as herein directed in case of the first assessment

Section 4 After making assessments for sewerage of any kind council may direct that they be certified to the city treasurer or to such party as said assessments may be assigned to for collection and if such assessments be not paid within such time as council may by ordinance prescribe it shall be lawful to file liens therefor in the prothonotary's office of the proper county as provided by this act and said liens shall bear interest from the time the assessments were payable at the rate of six per centum per annum until paid

Section 5 The city council may provide by ordinance for the laying renewing and repairing of all gas water steam or other pipes in any street or highway before the paving repaving or repairing of the same and for making the necessary house connection with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers Provided That in no case except as a sanitary measure of which council shall judge shall they require such house connections to be extended further from such sewers or from such gas water steam or other pipes than to the inner line of the curbstone of such street or highway Council may after notice to all companies corporations persons and owners affected and in default of compliance therewith cause said pipes to be laid renewed or repaired and said connections made and collect the cost of paving and repairing all pipes and pipe connections from the companies corporations or persons owning or operating the said gas water steam and other pipes with interest and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made and a specification of lien shall be filed therefor and the lien and the proceedings thereon shall be as in the case of other municipal liens

ARTICLE XIV

Exercise of Right of Eminent Domain Assessment of Damages and Benefits

Section 1 Any city of the third class shall have power whenever it shall be deemed necessary either in the laying out opening widening extending or grading of street lanes or alleys or in the erection or construction of water gas or electric light works slopes embankments or sewers or in the changing of water courses or for any other purpose authorized by this act to take use occupy or injure private lands property toll briges or materials and in case the compensation for the damages done or the benefits accuring therefrom have not been agreed upon the Court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said city or by any person interested shall appoint three discreet and disinterested freeholders of the said city viewers to view and ascrtain the damages done and the benefits which have accrued by reason of the said taking use occupancy or injury and shall appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained or the property taken or on the line of said street or sewer improvement as the case may be of which time and place ten days' notice shall be given by the petitioners to the said viewers and to all parties interested by personal service upon the parties their agents attorneys or legal representatives by publication in one or more newspapers or by hand bills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of each case

Section 2 The said viewers or any two of them having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to injure in pursuance of the provision of this act and having viewed the premises or examined the property or materials shall estimate and determine the quantity quality and value of said land so taken occupied or injured or to be taken occupied or injured or the property and materials so used or taken away as the case may be and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owners of said land property or material in consequence of the making of the improvements aforesaid for which the property or materials are to be taken and having made a fair and just comparison of said advantages and disadvantages they shall estimate and determine their value and whether any and if any what amount of damages has been or may be sustained and to whom the same is payable and after having determined the damages sustained to all the properties affected by said improvement together with the benefits as hereinafter mentioned they shall make report thereof to the said court

Section 3 The council of said city shall have power to provide by ordinance for the payment of damages sustained by making the improvements aforesaid or by the vacation of any public highway either by the city or by assessment upon property benefited by such improvement and in the latter case the viewers appointed to assess damages shall also assess upon any property benefited by such improvements whether said property be immediately adjacent thereto or in the vicinity thereof such amount for the special advantages which may accrue to the said several properties from such improvements as they may deem proper and shall report the same to the said court Provided That assessments for benefits shall not exceed the damages awarded or agreed upon And provided further That parties assessed for benefits shall have the same right to file exceptions to said report or to appeal therefrom as herein provided for in the case of assessment of damages for property taken injured or destroyed

Section 4 If any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and if the amount thereof be not paid within thirty days after the entry of such judgment execution may then issue thereon as in other cases of debt for the sum so awarded but assessments for benefit shall be collected as hereinafter provided The costs and expenses incurred in the proceeding aforesaid shall be defrayed by the said city and each of the said viewers shall be entitled to five dollars per day for every day necessarily employed in performance of the duties herein prescribed

Section 5 In all cases where the parties have not agreed upon the amount of damages claimed or where by reason of the absence or legal incapacity of the owner or owners no such agreement can be made for lands property or materials to be taken occupied or injured the city shall tender sufficient security to the parties claiming or entitled to damages or to the attorney or agent of any person absent or to the agent or other officer of a corporation or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner pro-

vided by this act Provided That in the case the party or parties claiming damages refused or do not accept the security so tendered the said city then give the party his or their agent or attorney or other officer a written notice of the time when the same will be presented for filing in the court and thereafter the said city may present said security to the Court of Common Pleas of the county where the land or other property is situated and if approved the security shall be filed in said court for the benefit of those interested and recovery may be had thereon for the amount of damages assessed and if the same be not paid it may be collected by execution on the judgment in the issue formed to try the question

Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in Section One of Article Fourteen of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court any party may within thirty days thereafter file his or her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner prescribed in other cases The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or material and within thirty days after the filing of the report of viewers assessing damages and benefit the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceeding had thereon shall be paid to the said city

Section 8 In all cases where land or property have been heretofore taken used occupied or appropriated for any of the purposes aforesaid within five years last past or where any ordinance has been passed providing for such taking using or occupancy and the damages sustained thereby or the benefits accruing therefrom have not yet been legally determined it shall be lawful to proceed and determine said damages and benefits and collect the same under the provisions of this article with the same effect as if said improvement had been undertaken or proceeded in after the passage of this act whether there has been any actual physical taking or not

Section 9 Whenever it shall become necessary in the progress of the building improvement of any said cities to grade curb bridge culvert or pave any of the highways used as turnpikes or plank roads it shall be lawful for council to agree for the relinquishment of such parts thereof as may be so required from time to time and if the parties cannot agree to obtain a jury of view upon such parts to assess the damage the company owning the franchises may sustain by the city using the same for said purposes such jury to be appointed by the court of quarter sessions of the proper county six in number said viewers shall take into consideration whether such turnpike or plank road company shall have occupied a previous public highway or ground purchased by the company

ARTICLE XV

Taxation and Municipal Claims

Section 1 The council of each of said cities of the third class shall on the first Monday of January or as soon thereafter as may be conveniently done elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owners of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dollars as city assessor to serve from the date of his election until the first Monday of January of the succeeding year council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possesses all of the qualifications aforesaid and for this purpose council shall have power by a majority vote of all the members elected thereto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office and they may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies

Section 2 The said assessor shall before entering upon his duties take and subscribe the oath prescribed for municipal officers and file the same with the city clerk Any vacancy happening in said office shall be filled by appointment by council for the unexpired term

Section 3 The council may during each triennial year and in the intervening years appoint such assistant assessors to serve for such length of time as council may authorize direct or appoint by ordinance and such assistant assessors shall be removable at the pleasure of council The compensation or salary of the city assessor and of the assistant assessors if any shall be fixed by ordinance of council

Section 4 The asessor shall make or cause to be made during the year of the triennial assessment for county purposes a full just equal and impartial assessment of all property real personal and mixed and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same With his assessments he shall return such dimension description or quantity of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements In all cases they shall value the property at such sums as the same would in their judgment bring at a fair public sale thereof And it shall be the further duty of said assessor to return annually a list of all the male inhabitants over twenty-one years of age

Section 5 The said assessor may assess real estate in the name or names of the registered owner actual owner (legal or equitable) reputed owner owner of the life estate occupier vendor vendees or any person who has had or had any connection with the legal title thereof or an interest in the premises or has charge or control thereof in the name of the husband when lands are owned by the wife partnership property in the name of the partnership or in the name of the partners or any of them trust property in the name of the trustee or trustees or any of them or in the name of the cestui que trust property of a minor in the name of the minor or his guardian property of a lunatic in the name of the lunatic or his committee and property formerly belonging to a person since deceased may be assessed in the name of the decedent or in the name of the estate of said decedent or of his administrator or administrators executor or executors or his heirs generally or in the name of any administrator executor or heir and in assessing the same in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames and other property not herein provided for may be assessed in the manner the same is assessed for county taxation but this provision shall not prevent the collection under existing laws of any tax assessed against property by a sufficient designation or description where the same has been assessed in the name of any person or persons who are not the owners thereof and where lands of owners are part within and part without the city limits they shall be assessed in the same manner and within the same jurisdiction as if the same were being assessed for county purposes

Section 6 In the years succeeding the triennial assessment the said assessor shall perform the following duties with reference to the assessment of real estate namely (a) He shall assess any real estate in the manner aforesaid which has been omitted and correct any errors which may have been made in making the triennial assessment (b) add to the assessment any property which has ceased to be exempt (c) add to the value of any real estate the value of any new building or other new improvements (d) deduct from the value of any real estate any depreciation caused by destruction injury or otherwise howsoever (e) where tracts as assessed at the triennial assessment have been subdivided they shall equalize and apportion the assessment of the lands thus subdivided upon the basis of the value as fixed at the triennial assessments upon the whole lot or tract (f) where any borough township part of borough or township or any tract or tracts of land have been added to the city since the last triennial assessment to make a full just and impartial assessment of the property in the annexed district and return the same in a like manner as if it were a triennial assessment (g) when any property has been transferred to make the proper changes or transfers upon the proper assessment books and duplicates (h) to perform such other duties as may be prescribed by ordinance necessary to the making of proper assessments or valuations And to perform the following duties as to the assessment of the personal estate and other matters and subjects of taxation namely (a) To assess any personal property or subjects of taxation omitted at the triennial assessment and to add such additional personal estate and subjects at taxation as the person assessed may have acquired since the triennial assessment (b) to make deductions where such property has been disposed of (c) to reduce valuation when property has been depreciated lost or destroyed But when any real estate is assessed which had been omitted errors corrected or any increase is made in valuation or by additions for any cause after the triennial assessment or where valuations have been made upon subdivisions of any lot or tract such assessments shall not be considered final or conclusive without first giving to the person or party affected thereby at least five days' notice of a time and place where such person or party may be heard by the assessor

Section 7 When the said assessor ascertains that any property is omitted he shall assess the same for the omitted years but not back further than and including the last preceding year of the triennial assessment and the person or party owning said omitted real estate shall be liable for the tax against the said lands for the omitted year or years at the tax rate levied during the omitted year and the proper authorities shall make out the proper tax and place the amount thereof in the hands of the city treasurer for collection

Section 8 The said assessor shall have the right to procure such books maps et cetera as may be necessary to the performance of his duties and when authorized by council may employ clerks for the purpose of transcribing and making duplicates and assessment books He and each of them shall have power to administer oaths and to require under oath of every taxable or person in charge or control of any property an inventory of his taxable property with his estimation of the just full fair and impartial value thereof and which in his judgment the same would bring at a fair public sale thereof Such estimation shall not be conclusive but shall be subject to revision by increase decrease or equalization with other property

Section 9 Where any city has established a registry of real estate by law the said assessor shall have the right to obtain

from the official in charge of said registry such information as to the registered owners of real estate as said department is able to furnish and under such rules and regulations as shall be established by ordinance of council and it shall be a sufficient description of any real estate in any assessment books or duplicates to designate the same by such city lot number other number or such other designated as the same shall appear in the registry department

Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation therefrom and to rectify any and all errors and mistakes made therein

Section 11 When the time or times and place for the meeting or meetings of the board of revision and appeal shall have been fixed it shall be the duty of said assessor to give or cause to be given at least five days' printed or written notice to each and every taxable inhabitant of the city resident therein if he she or they can be found of the amount or sum for which he she or they stand rated in any triennial assessment and also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any intervening year by reason of any cause whatsoever together with the time and place of hearing appeals of said board of revision and appeal and any person dissatisfied or aggrieved by the assessment made by the assessor may appeal to the said board of revision and appeal and be heard at the time fixed in the notice to be served as aforesaid In case the property owner is not found the notice above provided for may be served upon any tenant or other occupant of the premises

Section 12 Any assessor may be removed from office by council and the vacancy thus occasioned may be filled in the manner hereinbefore provided and an assessor or assessors who shall wilfully omit neglect or refuse to assess any property liable to taxation shall be held responsible to the proper city for any loss or damage caused thereby

Section 13 The council of each of the said cities of the third class shall have authority to pass such ordinances as they may deem proper and necessary providing for and regulating the manner of making the aforesaid assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating proceedings before said board on any and all matters not specifically provided for in this act

Section 14 The mayor and council of each city of the third class shall constitute a board of revision of taxes and appeals the said council acting as a board of revision may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of May issue their precept to the city assessor requiring him to make out and return a full just and equal assessments of property within the city or such parts thereof as the said board of revision may deem advisible and they shall take and receive the triennial and yearly assessment as returned by the city assessor and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuation either in individual cases or by wards or parts of wards and to add to the assessment book and to the duplicate thereof in the hands of the city treasurer any property on the occupation of any person subject to taxation omitted therefrom and any real estate in such city which has been exempt from taxation and has ceased to be occupied and used for the purpose or purposes which entitled it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption and it shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the assessor and assistant assessors or any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessor at such time and place as they may prescribe at least five days' printed or written notice of which shall be given It shall be the further duty of said assessor to give five days' written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the city assessor together with the time and place of hearing appeals therefrom For the purposes of all hearings and for all other purposes necessary to the discharge of his duties the said assessor shall have authority to administer oaths and affirmations touching any matter relating thereto and any wilfully false statement under oath as to any material fact by the complainant or attorney shall be deemed perjury and be punishable as such The city clerk shall serve as clerk of said board The said board shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessor the necessary books for taking the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeal The said board shall complete their labors and the hearing and determination of all appeals on or before the first day of December in each year after which the assessment shall be copied by wards into duplicate for the use of the city and the assessment so corrected and copied shall be and remain a lawful assessment for the purpose of city taxation until altered as provided by this act The decision of the board shall be subject to an appeal to the Court of Common Pleas wherein such city is situated in accordance with the existing laws whose decision shall be final and if the appeal to the court shall be groundless the appellant shall pay the costs of the appeal

Section 15 The assessors now in office shall perform their duties until the first election under the provision of this act and until the persons elected hereunder shall duly qualify

ARTICLE XVI

Section 1 The council of each city of the third class shall on the first Monday of January succeeding their election or as soon thereafter as practicable elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of two years from the date of his election and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law

Section 2 The engineering matters of the city shall be under the superintendence direction and control of the city engineer and no department of the city shall employ or retain any additional engineer except with the previous assent of council and the city engineer shall appoint such number of assistants and employes as council shall authorize by ordinance Provided that the provisions of this article sixteen shall not apply to any Board of Commissioners of water works of any city wherein the title to the water works therein located is in the name of the Commissioners of water works

Section 3 The said city engineer shall be required to give bond for the faithful performance of his duties in such sum as may be prescribed by ordinance said bond to be approved by council The city engineer shall receive a fixed annual salary to be fixed by ordinance

Section 4 The city engineer shall perform such duties as council shall prescribe with reference to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates for all such work undertaken by such city and shall whenever required furnish council the committees thereof the mayor public boards or heads of departments with reports information or estimates on any city engineering work or questions submitted by either of them in their official capacity He shall immediately after the completion of any municipal improvement the cost and expense of which in whole or in part is to be paid by the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the city clerk who shall enter the same day or time of completion in a book to be by him kept for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed and the time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to said clerk a certificate showing the time on which any such particular improvement was commenced and such certificates shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said clerk in the books aforesaid The said engineer shall also have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such city and shall perform such other duties as council shall direct

Section 5 For the purpose of procuring accurate information in reference to the ownership of all real estate the council of each of said cities of the third class shall provide by ordinance for a registry thereof in accordance with this act

Section 6 The city engineer of any of said cities in which such registry shall be established as aforesaid under the direction of council shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be prepared as to show the city number and name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title and for such purpose the said engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor and may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of said books maps or plans The said books maps and plans shall be carefully preserved in the department of surveys of said cities and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the city limits with the successive transmissions of title from the date of the commencement of such plans but nothing therein or in this article shall invalidate any municipal or tax claim by reason that the same is not assessed or leived against the registered owner. Certified copies under the hand of the said engineer of any of the entries in said books or upon said maps of plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the city as may be fixed by ordinance

Section 7 It shall be the duty of all owners of unregistered real estate within the city limits within one month from the date of the approval of the ordinance establishing such registry and of every subsequent purchaser devises or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title to furnish to the said engineer at his office descriptions of their respective properties upon blanks to be furnished by the city and at the same time to present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public motive of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the city as penalties for the violation of city ordinances are recoverable

Section 8 The sheriffs of the respective counties in which such cities are situated shall present for registry the deeds of all properties within the city limits sold by them at judicial sales whether in partition or otherwise and the prothonotaries and recorders of deeds thereof shall not admit for record any

deed for any city property bearing date subsequent to the approval of the ordinance for the establishment of such registry unless the same shall first have been duly stamped as herein directed as proof of registry and any prothonotary or recorder who shall record any deed before the provisions of this section have first been complied with shall be liable to a penalty of five dollars for each deed recorded in violation hereof to be recovered with costs of suit in the manner hereinbefore provided

ARTICLE XVII

Topographical Survey

Section 1 Any city of the third class shall have power by ordinance to cause a topographical survey thereof to be made by their duly appointed city engineer or by such other civil engineer and assistants as they may employ for that purpose

Section 2 It shall be the duty of said engineer upon being duly authorized thereto to procure and keep in his office such necessary plot or other books as shall be necessary for the purpose of entering or recording thereon all the streets avenues and highways of the city already opened or to be hereafter opened and to survey and mark the lines of all the streets avenues and highways of the city already opened or intended to be opened for public use and to survey and lay out new streets avenues and highways as council may deem necessary for a regular and convenient city plan and if thereto specially directed he shall fix and report a grade for any proposed new streets and for the said purposes the said engineer and his assistants shall have full power and authority to enter upon the lands and premises of any person or persons within the said city When the survey shall be completed the said engineer shall make or cause to be made a draft or plan thereof with every provision and explanation for a full understanding of the same distinctly designating where the new streets avenues and highways shall thereafter be opened and shall return the same to the council and it shall remain in the office of the city clerk and open to inspection by those interested until finally approved as hereinafter provided

Section 3 It shall be the duty of the said council to give at least thirty days previous notice in at least two of the public newspapers published in said city (if so many be published therein) and by posting at least ten hand bills upon lands or territory contained in the map or plan returned for approval that on a certain day or days to be fixed by the said council the said council will hear any objection that may be made to said draft or plan by any freeholder or citizen of said city or interested person and the council at the time appointed or at any subsequent time within three months shall determine whether any and what alterations shall be made in the said plan or draft and when the same is finally approved whether as returned or as altered and changed said council may direct that the same be entered and recorded in the plot book of street plans in the office of the city engineer

Section 4 In case the city engineer is directed to report grades for said streets avenues or highways the same shall be noted on said draft or plan and be returned with his surveys and said grades shall be subject to alterations and changes by council in the manner aforesaid and when approved by the said council shall become part of the plans and be entered and be recorded as aforesaid Upon the recording of said plan or draft in the street plan book and the passage of an ordinance approving said street drafts or plans and grades (or of either as the case may be) therein designating the book and page or pages at or in which the said plan or plans are recorded thereafter all the streets avenues and highways as designated upon said approved plan and recorded as aforesaid shall be adjudged and taken to be laid out and located public highways and in case the council shall thereafter change or alter or should they by themselves or their officers deviate from the regulations of the streets avenues or highways so as aforesaid established and damages thereby accrue to the property of any person or persons in consequence thereof the said city shall be liable for the payment of such damages

Section 5 Sectional surveys or drafts may be returned to the said council by said engineer at any time and be confirmed as aforesaid and with like force and effect

Section 6 The said engineer may from time to time as he shall deem expedient and the said council shall direct make report of the surveys plans and regulations by him made in convenient sections without awaiting the completion of the entire survey and shall make duplicate drafts and plans of said section in the manner hereinbefore prescribed and the same proceedings shall be had for the final confirmation of such partial or sectional drafts and plans as is herein directed in relation to the confirmation of the entire survey and with like effect and force

Section 7 If any owner or owners of real estate or any other person shall erect or construct any house or other building within the line of any street avenue or highway as surveyed and marked on the draft or plan aforesaid or upon any section thereof after the final confirmation of the same such owner or person shall not be entitled to claim or recover any damages which may be caused by the removal of such house or buildings for the opening or widening of any street avenue or highway All proceeding for the opening widening grading or otherwise improving of the public streets avenues or highways so as aforesaid surveyed established and confirmed and the payment of damages or contributions therefor shall be regulated as provided by law

ARTICLE XVIII

Indebtedness

Section 1 For the purpose of creating a sinking fund for the gradual extinguishment of the bonds and funded debt of the respective cities of the third class the council of each thereof shall annually (until payment of bonds and funded debts be fully provided for) by special tax or otherwise levy and collect in addition to the other taxes of said corporations a tax of not less than one-fourth of one mill and not exceeding three mills upon the assessed value of the taxable property of each of the said cities to be called the sinking fund which shall be paid into the city treasury and shall be applied toward the extinguishment of said bonds and funded debt whose payment is not otherwise provided for and to no other purpose whatever and the said bonds when purchased shall be conspicuously stamped to show that they were purchased for the sinking fund of said city and the interest on said bonds shall be collected and used in a like manner with the taxes collected for said sinking fund

Section 2 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to affect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for four weeks before the final consideration and passage thereof by the said council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated and the said city shall at or before the time of authorizing the said loan provided for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years

Section 3 Any of the said cities of the third class may in the manner prescribed by law redeem its existing bonded indebtedness as fast as the same may become due and payable by the issue of new bonds therefor bearing interest at a rate not exceeding six per-centum per annum redeemable in not less than five years and payable at any time not exceeding thirty years from the date of issue thereof at the option of the said city said bonds shall be exempt from all taxation except for State purposes

Section 4 The mayor treasurer and superintendent of finance of each of the said cities shall constitute a board of commissioners of the sinking fund of the city The mayor shall be chairman and the superintendent of finance secretary and it shall be the duty of the board to keep the accounts of the sinking fund and to see to the proper application and superintend the investment of the same in accordance with law and the directions of the city council The said commissioners shall meet as often as may be necessary keep a record of the proceedings and shall annually in the month of January make a report to council of the condition and application of the fund together with such recommendations in relation thereto as they shall deem expedient Provided That council shall not direct the investment of any moneys to the credit of the sinking fund except in the loans of said cities respectively the loans of the United States or the loans of the State of Pennsylvania and the income derived from any of said investments shall be credited and applied to the said several sinking funds respectively

ARTICLE XIX

Section 1 Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania The signatures to the petition need not be appended to one paper but each signer shall add to his signature his place of residence giving the street and number One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be Within ten days from the date of filing such petition the city clerk shall examine and from the voters registered ascertain whether or not said petition is signed by voters equal to fifteen per centum of all votes cast for all candidates for mayor at the last preceding municipal election and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than fifteen per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than fifteen per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain fifteen per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to fifteen per centum of the votes cast for all candidates for mayor at the last preceding municipal election and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition or

(b) forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general municipal election is fixed within ninety days thereafter and at such special or general election if one is so fixed such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "for the ordinance" (stating the nature of proposed ordinance) and "against the ordinance" (stating the nature of proposed ordinance) If the majority of the qualified electors voting on the proposed

ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding general city election and should such proposition so submitted receive a majority of the votes thereon such election such ordinance shall thereby be repealed or amended accordingly Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in each of the daily newspapers published in the said city such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on

ARTICLE XX

Section I No ordinance passed by the council except when otherwise required by the general laws of the State or required or permitted by the provisions of this act and except ordinances for the immediate preservation of the public peace health or safety which contains a statement of their urgency shall go into effect before ten days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least ten per centum of the entire votes of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the council the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same it not entirely repealed the council shall submit the ordinance as is provided by sub-section (b) of section one of article nineteen of this act to the vote of the electors of the city either at the general election or at a special municipal election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Said petition shall be in all respects in accordance with the provision of said section one of article nineteen except as to the percentage of signers and be examined and certified to by the clerk in all respects as therein provided that the provisions of Article nineteen and Article twenty shall not apply to any tax levy and provided further that no franchise or consent to occupy the public streets highways or other places in any of said cities shall be given or granted to any person or persons railroad railway gas water electric light telegraph or telephone company or to any other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition is filed with the city clerk addressed to the council signed by electors of the city equal in number to at least fifteen percentum of the total number of registered voters as shown by the last preceding registration and showing the ward election precinct and residence of each petitioner verified by the oath or affirmation of a petitioner that he believes that each signature to the petition is genuine protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the City Clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and if necessary the council shall allow the said clerk extra help for said purpose When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the fifteen percentum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance

In case the petition or petitions provided for in the preceding section be signed by the fifteen percentum of the total number of registered voters shown by the last preceding registration the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which latter case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by the council or at the general or the municipal election occurring within ninety days the said ordinance shall be submitted without alteration

When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordinance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used at the said respective elections Where there is a special election the ballots shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special election shall be paid for by the city and said city may fix not only the day of election but for the time for opening and closing of the polls Any number of ordinances may be referred and voted on at the same election and there shall not be more than one special election every six months The ballots for each referendum shall be substantially in the following form

City Ordinance Referendum

If you are for the ordinance mark a X opposite the word for
If you are against the ordinance mark a X opposite the word against

Approval of the city ordinance (stating the purpose of said ordinance) For .....
Against.....

The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in the election of officers and the submission of other questions as now provided by law The said returns shall be filed with the prothonotary of the court of Common Pleas and the said court shall compute the returns and cause the result thereof to be filed in the said court and the said prothonotary shall certify the result to the council of the proper city In case of special elections the said prothonotary shall lay the returns of election before the said court at a meeting or session of the said court to be held on the Tuesday succeeding said election for computation as aforesaid If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been approved by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of the city clerk to publish or cause to be published a copy of the ordinance which is submitted to a vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the city then in two newspapers published in the county if there be such said publication to be not less than five nor more than twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court"

ARTICLE XXI

Definition and Repeal

Section 1 The term "cities of the third class" shall include only

First All cities of the proper population which have been incorporated under the provisons of an act of Assembly entitled "An act dividing cities of this State into three classes regulating the passage of ordinances providing ior contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of the cities of the third class" approved the twenty-third day of May one thousand eight hundred and seventy-four which may hereafter be incorporated under the provisions of this act

Second All cities of the proper population which have accepted the provisions of said act of the twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Third All other cities of the proper population or any city of less population than ten thousand inhabitants incorporated prior to May 23rd one thousand eight hundred and seventy-four by a special act of Assembly only from and after the date of their acceptance of the provisions of the said act of twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof and any city which has been incorporated under the provisions of the act of May twenty-third one thousand eight hundred and eighty-nine entitled "An Act providing for the incorporation and government of cities of the third class"

Section 2 No right or interest which has become vested under acts or parts of acts inconsistent herewith or supplied by the provisions hereof shall be destroyed or impaired by the operation of this act or by the exercise of any power granted therein All officers of each of said cities of the third class in office at the date of approval shall except where otherwise herein provided continue to hold their offices for the term for which they were respectively elected but all ordinances of any of said cities heretofore legally passed not inconsistent with such provisions are hereby made valid and shall be and remain in full force and virtue until altered or repealed

Section 3 It shall be the duty of the council of every city of the third class forthwith to pass such ordinances in accordance with the provisions of this act as may be necessary to carry into effect the requirements thereof

Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way effect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BEIDLEMAN. Mr. President, before the Senate disposes of this question finally I again desire to call the at-

tention of the members of the Senate to the provisions of this bill. Mr. President, in my opinion this bill is the most radical piece of legislation that has been presented to this body. I know of nowhere where you will find a corporation with a capital ranging anywhere from ten to seventy-five million dollars—fifty millions in the city in which I live—where the transaction of the entire business of that corporation if left to five men at salaries of $2,500 a year. I endeavored to procure amendments to this bill and in offering these amendments surely no one can urge that I had any selfish motives in presenting them. The amendments which I proposed to this bill would have carried over every mayor who is now in office for an additional year, and every city treasurer who is now in office for an additional year, and the men who occupy those positions in the city which I represent are now members of opposite political party faith from me. Mr. President, this bill provides that every third class city of this Commonwealth, and there are twenty-six or more of them in this State—shall do away with its present system of government and you shall wipe out the office of mayor and city treasurer and city assessor and instead you shall elect five men who shall represent each third class city at large and have in their power every piece of business that is suggested for the government of this municipality. It provides that each of these members shall be at the head of a department. It provides that these five men shall pass ordinances. That they shall administer the ordinances that they pass; that they shall elect their city treasurer and their city solicitor, their city assessors, and the members of council shall be the members of the Board of Revision of Taxes; so that you take five men in every third class city in this State and you have these five men passing ordinances, executing the ordinances, assessing the properties, collecting your taxes, and spending the money that they collect without anybody having any curb upon them. I want to ask as a simple, fair proposition to the members of this Senate where this Commonwealth would be if the Senate were not acting as a check on the House and the House as a check on the Senate and the Governor a check on all of us, and yet, Mr. President, by voting this bill into law you wipe out every one of these checks that now exist in the administration of city affairs. It has been suggested by men representing second class cities that it would be well to try the experiment. Mr. President, I respectfully submit if you want to try the experiment, why try it on twenty-six municipalities of the Commonwealth. I want to say that I know there are members of this Senate who have received messages from some trade bodies or civic bodies in their respective municipalities—I know there was offered in one of the bodies of my own city a resolution endorsing this bill, bill No. 13—when the members of that body had never seen the bill and never read a line of it and did not know its provisions. But I respectfully, submit, Mr. President, that if the members and the citizens of the respective municipalities of the third class will devote their time and attention to the provisions of this bill they can reach no other conclusion but that it is vicious legislation that strikes at the foundation of every third class city of the Commonwealth and puts the government of that city, whatever its population may be, whatever its assessed valuation of property may be, in the possession of five men who do not have salaries exceeding $3,000 in the larger third class cities of the State and $2,500 a year in the city which I represent. I do not believe, Mr. President, in the exercise of sound judgment that the members of this Senate will strike down the government of third class cities and put them into the possession of five men, and I respectfully submit that those who know the game of politics well know that when you have the government of a city in the hands of five men, the people who want legislation put through will not seek to interest the five men but they will find out three in favor of their proposition, so that when you read this bill into a law and apply it to the third class cities of Pennsylvania you practically put the government of the cities in the hands of three people and not five, because three are a majority to do business. According to the terms of the bill itself, four members of the five can pass any ordinance that is proposed; it requires no unanimity of action. I respectfully submit, Mr. President, that I vote against this proposition upon the conviction that it is absolutely wrong and if it is enacted into law I predict that the third class cities will be crying out for the repeal of this bill after it has gone too far and the present city governments are stricken down and destroyed. I ask, Mr. President, the earnest consideration of this Senate of this bill, and if they give it that I feel that they will never consent that it shall be written into the law.

Mr. CLARK. Mr. President, I do not know that it is necessary for me to indulge in any forced respiration in the way of explanation or argument on this bill. If the gentleman's statement is reliable that the board of trade of the City of Harrisburg adopted a resolution endorsing this bill and had never read this bill they ought to have some provision of law, a commission form of law or guardianship. This bill started like its predecessor, like the charter under which all the cities of the third class are now operating, which was passed in 1889, and come forth from investigation that was started in much the same way as the investigation which underlie this bill started. They were started by a number of people who were called to intermunicipal conventions and it emanated outside of the cities of Philadelphia and Pittsburgh and relates to cities of the third class. So this bill Mr. President, while the gentleman speaks so bitterly against the effects of this bill, this bill has been asked for by twenty out of twenty-three of the cities that form this group and I think, Mr. President that I have the documents here to prove what I say. Let us take the city of Allentown and read briefly this: "Our organization stands ready to support this measure in any way necessary and will even be willing to go to Harrisburg in a body when this bill comes up for action before the Legislature, should this action be thought necessary or advantageous by your committee." That is signed by the Secretary of the Chamber of Commerce. Civic bodies in our respective cities are the very heart of our business communities. Civic organizations in Erie and in Altoona and in other cities are composed of the very best citizenship. The City of Allentown, through its councils, passed a resolution endorsing this commission form of government and earnestly prays the coming legislature to enact it into law. The City of Bradford, through its mayor, has expressed itself strongly in favor of this movement not only once but many times. The City of Erie, through its Chamber of Commerce, has considered this proposition many times and it is composed of a membership of over 1400. The board of trade of the City of Erie is composed of a membership of a great many. The Businessmen's Exchange is composed of a membership of some six or seven hundred; our city treasurer, our city mayor and our city councils have expressed themselves in favor of this measure. I have here a letter received giving the opinion of the city council of Reading a few nights ago when they voted in joint session 15 to 6—15 to 5, as I remember it. I have the letter here, asking that the Legislature of Pennsylvania or that the Senate would pass this bill. McKeesport is on record through its various civic societies. I have a communication here from the City of New Castle, where a great deal of opposition to this bill came from and over 85 per cent of the citizenship of New Castle is in favor of this bill. Here is a telegram from the civic bodies of Meadville, Pa., that they are in favor of the bill. Here is a telegram from Wilkes-Barre, Pa., that their organizations there, all of them, are in favor of this particular bill. It is unnecessary for me to continue on this, but I think I am safe in saying that there are many other cities. The City of Chester, through its civic organization, has put itself on record. I want to say that this bill has not been drawn as the result of a day's deliberation. It has been drawn as the result of best thought, as the result of the investigation of this important question. Pennsylvania in her care and nurture of her school system has been a splendid pioneer, and Pennsylvania in her natural development and in her commercial prosperity stands at the head of the country, but in this matter of municipal government so far as the cities of the third class are concerned, she is behind the times. You talk about this bill being a bad bill. I am not pessimistic, I do not believe that if this bill should fall or pass that the pillars of government are going to topple on their faces in the ruins of a tattered constitution. I think that if this bill passes the people of this group of cities will get what they have asked for, not only this year, but have asked for it for many years, have asked for it as earnestly and intelligently as they know how. Mr. President, it is the

political instinct and the educational instinct of some nationalities to delberate, and it is the politcal and business instinct of the United States to act. Of course, there are states in the Union that differ in some degree in this matter. We of Pennsylvania have always prided ourselves on being conservative. There was a time when the propositions embodied in this bill were not looked upon favorably. They were considered the dreams of the visionary. They were considered wild and impracticable, but we have deliberated long enough. This plan that has been worked out by the Civic Association has been inactual enforcement in the United States for a period of fifteen years. We find this plan adopted in the State of Washington, we find it in the State of Maine, we find it in the State of Texas, we find it in the State of California, we find it in Massachusetts, Indiana, and Ohio, and we find it in 260 of cities of all kinds with a population of from twelve hundred up to nearly four hundred thousand, and not one city has gone back to the old cumbersome, archaic form of municipal government. And the results have been somewhat remarkable in favor of this form of municipal government. Its growth has been somewhat astounding but it is in the line of executive efficiency that it has been most successful. Taxes have been lowered, improvements have been created and the people have been satisfied. Mr. President, I am trying to echo and trying to express to this Senate what I beleive to be the sentiment of the men who are behind this movement. The gentleman spoke of concentration of power in the hands of five people. There would not be as much concentration of power in the hands of five people who might be elected to run our municipal affairs as there is concentration in the hands of this Senate. If you take the seven million people forming the population of Pennsylvania for which we have fifty members in this Senate making one for about 120,000 people and if you divide any city of the third class by five see what representation you get for one member of Council. It is much similar to the concentration of power and is not nearly as great. We have, Mr. President, about 711 members of Council doing business for these 23 cities not including Lancaster. That is a great number of solons doing business in municipalities and more than double the number that comprise the entire membership of the State Legislature. It is more than the membership of Congress including both the Senate and the House, and it does seem to me that we have thirty-nine members for instance in one municipality in this group and that municipality is Harrisburg and that it is altogether too cumbersome. The serious objection to this bill has come from Dauphin County, and yet Dauphin County is not opposed to it entirely. Members of the Council have informed me this very day that they are in favor of this bill. Some of the best citizenship in this city have acquainted me with the fact that they are in favor of this bill. One of the men who has served this city and served it splendidly and will serve it now I presume and who stands very high in this community, told me not long ago that the City of Harrisburg in 1901 was asleep and contented and dirty, and that it was owing to the awakening of a few people who got together and subscribed some ten thousand dollars and went out through the city on a campaign that was carried into the newspapers and was carried on the streets, workships and into the pulpit finally and the result was the appointment of a commission that has served ever since and in this report of the league of third class cities are statements made by the learned city solicitor who opposed this bill that the functions of the city government of the City of Harrisburg were nothing but legislative; that everything was done through commissions and that is precisely what we are seeking to do here and form a limited number in the way of a commission, where responsibility may be fixed, who can transact this business and when we want something done that we can go to it. Go down on Front Street and see how long they have been putting a pavement on Front Street. Talk with your citizens and find out. They have been doing it since last year and haven't got it done yet. It is not fair to take one city and argue from that city that the form of government is good or bad, but this we may be sure, that this form of government that these men are asking for is a form of government that has been tried and not found wanting. It is not necessary for me to go into the details of this bill. The same measure in large part has been before this Legislature and was presented two years ago and is here now. It has been discussed and has had great publicity and I hope the members of the Senate will feel that they can support this measure.

Mr. BEIDLEMAN. Mr. President, for the information of the Senator from Erie I desire to say that he is not entirely familiar with the government of the City of Harrisburg. When he speaks about Harrisburg being dead until 1901 when some public spirited citizens raised a fund of $10,000 for the purpose of getting Harrisburg going he does not know what transpired in the elections that followed. It was impossible, Mr. President, after eight o'clock in the morning in the City of Harrisburg at any poll to secure a ballot against the public improvements. The people were in favor of that and they stood in the way of the people and voiced their sentiments against the passage of that proposed loan. The people of Harrisburg are thankful for that proposition, and as I said to the members of this Senate last week, in discussing this proposition, that at the time that we were putting into effect the very proposition which the Senator from Erie proposes by his bill, the matter of referendum, to the people, Harrisburg today would be without any of its street paving. It was because council was obliged to force upon the people of this municipality the paving which we now have, so today councils find themselves unable to raise money fast enough to pay for the paving of intersections of streets that the people are asking to have paved. And when he talks about the paving of Front Street, he has not been properly informed. There has been a discussion as to whether or not the lines are correct and should be permitted to remain where they now are. Harrisburg is entirely satisfied and glad for the method of government which she has, and I simply desire to tell the members of this Senate that with our councils constituted as they are, the city treasurer, the mayor, and the controller, and the assessors elected by the people, and without a single aspersion against the administration of the law in this city in the expenditure of something in the neighborhood of $2,000,000 for public improvements, Harrisburg today is contented and satisfied and rests in the conviction that Senate Bill No. 13, as proposed by my friend from Erie, will strike down our government and put us to the test of something which our people do not desire.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—34.

Alexander,	Gyger,	Judson,	Morgan,
Catlin,	Hall,	Kline,	Nulty,
Clark,	Heacock,	McIlhenny,	Powell,
Cooper,	Herbst,	McNichol,	Sensenich,
Crow,	Hilton,	McNichols,	Sheatz,
DeWitt,	Hoke,	Miller,	Thompson,
Endsley,	Huffman,	Mills,	Vare,
Farley,	Hunter,	Moore,	Wasbers,
Graff,	Jones,		

NAYS—7.

Beidleman,	Homsher,	Martin,	Sones,
Buckman,	Magee,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. McNICHOL. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 212, on final passage postponed for the present, entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

Mr. POWELL. Mr. President, I second the motion.

The motion was agree dto.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—28.

Alexander,	DeWitt,	Hunter,	McNichols,
Beidleman,	Endsley,	Jones,	Moore,
Buckman,	Farley,	Kline,	Morgan,
Catlin,	Hall,	Kurtz,	Powell,
Clark,	Heacock,	Magee,	Sheatz,
Cooper,	Herbst,	McIlhenny,	Thompson,
Crow,	Homsher,	McNichol,	Vare,

NAYS—13.

Fisher,	Huffman,	Miller,	Sensenich,
Graff,	Judson,	Mills,	Sones,
Gyger,	Martin,	Nulty,	Wasbers,
Hilton,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 343 (House No. 69) entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—38.

Alexander,	Gyger,	Kurtz,	Morgan,
Buckman,	Heacock,	Magee,	Nulty,
Catlin,	Herbst,	Martin,	Powell,
Cooper,	Hilton,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Sheatz,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jones,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 344 (House No. 68) entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Salus,
Cooper,	Herbst,	Martin,	Sensenich,
Crow,	Hilton,	McIlhenny,	Sheatz,
DeWitt,	Hoke,	McNichol,	Sones,
Endsley,	Homsher,	McNichols,	Thompson,
Farley,	Huffman,	Miller,	Vare,
Fisher,	Hunter,	Moore,	Wasbers,
Gerberich,	Jones,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 408 (House Bill No. 39), entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—35.

Alexander,	Fisher,	Magee,	Powell,
Beidleman,	Graff,	Martin,	Salus,
Buckman,	Hilton,	McIlhenny,	Sensenich,
Catlin,	Homsher,	McNichols,	Sheatz,
Clark,	Hunter,	Miller,	Sones,
Cooper,	Jones,	Mills,	Thompson,
Crow,	Judson,	Moore,	Vare,
Endsley,	Kline,	Morgan,	Wasbers,
Farley,	Kurtz,	Nulty,	

NAYS—1.

Gyger,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 474, (House bill No. 356) entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Kurtz,	Nulty,
Beidleman,	Gyger,	Magee,	Powell,
Buckman,	Heacock,	Martin,	Salus,
Catlin,	Herbst,	McIlhenny,	Sensenich,
Cooper,	Hilton,	McNichol,	Sheatz,
Crow,	Homsher,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jones,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Fisher,	Kline	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 496 (House bill No. 547) entitled:

A joint resolution requiring the construction of an adequate fishway in the dam constructed across the Susquehanna river by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fishway shall be constructed and providing penalties for failure to comply with the terms of this resolution

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—29.

Alexander,	Graff,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Powell,
Buckman,	Herbst,	Martin,	Sensenich,
Catlin,	Hilton,	McNichol,	Sheatz,
Crow,	Homsher,	Miller,	Sones,
DeWitt,	Huffman,	Mills,	Thompson
Endsley,	Hunter,	Moore,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 507, entitled:

An Act to amend sections three and seven of an act entitled "A supplement to an Act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousanl nine hundred and one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and collector of delinquent taxes and repealing certain acts relating to certain matters herein provided for" approved May twelve one thousand nine hundred and eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—34.

Buckman,	Gyger,	Kline,	Moore,
Catlin,	Heacock,	Kurtz,	Morgan,
Cooper,	Herbst,	Magee,	Powell,
Crow,	Hilton,	Martin,	Sensenich,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Thompson,
Farley,	Hunter,	Miller,	Vare,
Fisher,	Jones,	Mills,	Wasbers,
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 532 (House No. 258) entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the Army, Navy or Marine Corps of the United States

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—38.

Alexander,	Graff,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Morgan,
Buckman,	Heacock,	Kurtz,	Powell,
Catlin,	Herbst,	Magee,	Salus,
Cooper,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McNichol,	Sheatz,
DeWitt,	Homsher,	McNichols,	Thompson,
Endsley,	Huffman,	Miller,	Vare,
Farley,	Hunter,	Mills,	Wasbers,
Gerberich,	Jones,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 549 (House No. 813) entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antisecptics and germicides and providing penalties for the violation of this act

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. JONES. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 678 (House Bill No. 510), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—28.

Alexander,	Endsley,	Hilton,	Magee,
Beidleman,	Farley,	Huffman,	Martin,
Buckman,	Fisher,	Hunter,	McNichol,
Catlin,	Graff,	Jones,	Morgan,
Cooper,	Gyger,	Judson,	Powell,
Crow,	Hall,	Kline,	Salus,
DeWitt,	Herbst,	Kurtz,	Wasbers,

NAYS—2.

Heacock, Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 695, on third reading, entitled:

An Act to amend section one of an act entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and ninety-nine authorizing the use of the title Certified Public Accountants by certain copartnerships and corporations

be recommitted to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 877, entitled:

An Act authorizing the countcil of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof.

Also, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 878, entitled:

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts; requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and records and to make reports in the form prescribed by said Department; providing for the inspection by said Department of the accounts of all such officers or offices, defining the offenses in relation thereto, and providing punishments for violations of the provisions thereof.

BILL RECOMMITTED.

Mr. McILHENNY. Mr. President, I move that Senate Bill No. 738, on third reading, entitled:

An Act authorizing certain corporations to issue one or more classes of stock with preference and with prohibitions and restrictions as to its voting powers and to increase and to decrease the same

be recommitted to the Committee on Corporations.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 748, on third reading, entitled:

An Act regulating the sale and delivery of malt and brewed liquors at wholesale and providing a penalty for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ. Mr. President, in the absence of Senator Knapp, I ask that Senate Bill No. 752, on third reading, entitled:

A supplement to an act entitled "An Act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or other successors to sell and convey in fee simple certain lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 771, on third reading, entitled:

An Act further regulating transfer of licenses to sell liquors at wholesale and retail.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 772, on third reading, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred and three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Farley,	Judson,	Moore,
Beidleman,	Fisher,	Kline,	Morgan,
Buckman,	Gerberich,	Kurtz,	Nulty,
Catlin,	Graff,	Magee,	Powell,
Clark,	Hall,	Martin,	Salus,
Cooper,	Heacock,	McIlhenny,	Sensenich,
Crow,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jones,	Miller,	Vare,
		Mills,	Wasbers,

NAYS—2.

Herbst, Sheatz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate for concurrence, bills of the House of Representatives as follows:

House Bill No. 203 (Senate Bill No. 915), entitled:

An Act requiring that all monies appropriated by the State to the State Highway Department for the improvement of State Highways shall be expended in each county of the State in proportion to the total mileage of unimproved State Highways therein.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 562 (Senate Bill No. 916), entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the County Treasurer or any county of this Commonwealth having a population of one million or over

Which was committed to the Committee on Judiciary Special.

House Bill No. 928 (Senate Bill No. 917), entitled:

An Act authorizing the commissioners of water works of any city of the third class wherein the title to the water works therein located is in the name of the commissioners of water works to extend their pipes and improvements beyond the city limits and supply water to persons corporations and municipalities within the county and regulating the supply of water.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 962 (Senate Bill No. 918), entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said Board or its duly authorized agent shall be prosecutor in action for infringements of said act and also including the practice of veterinary dentistry in the privisions for infringements of said act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1105 (Senate Bill No. 919), entitled:

An Act to amend the first section and the second section an an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" ap-

proved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories.

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1145 (Senate Bill No. 920), entitled:

An Act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefore and providing for the equipment maintenance and regulation of such poor home.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1201 (Senate Bill No. 921), entitled:

An Act to amend the third section of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled "An Act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" as amended

Which was committed to the Committee on Judiciary General.

House Bill No. 1234 (Senate Bill No. 922), entitled.

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 223 (Senate Bill No. 923), entitled:

An Act to amend an act approved the twenty-fourth day of June one thousand eight hundred and ninety-five entitled "An Act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth' as amended by an act approved the sixteenth day of April one thousand nine hundred and three entitled "An Act amending an act entitled 'An Act regulating the pay of election officers at all elections hereafter held within this Commonwealth' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers"

Which was committed to the Committee on Elections.

House Bill No. 607 Senate Bill No. 924), entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company.

Which was committed to the Committee on Appropriations.

House Bill No. 684 (Senate Bill No. 925), entitled:

An Act to repeal section two of an act of Assembly approved June tenth one thousand nine hundred and eleven entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distributions heretofore made"

Which was committed to the Committe on Judiciary Special.

House Bill No. 697 (Senate Bill No. 926), entitled:

An Act authorizing and regulating certain classes of indemnity reciprocal or inter-insurance contracts empowering corporations to make such contracts regulating process in suits on such contracts fixing certain fees and providing penalties for any violation of this act

Which was committed to the Committee on Insurance.

House Bill No. 1137 (Senate Bill No. 927), entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools.

Which was committed to the Committee on Judiciary Special.

HOUSE CONCURS IN SENATE BILL NO. 14.

He also laid before the Senate communication from the House of Representatives, returning to the Senate, Senate Bill No. 14, entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred and one entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

with the information that the House has passed the same without amendment.

SENATE BILL 157 RETURNED WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives, returning to the Senate, Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Ordered, That the bill be laid over one day under the rules.

BILL INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 928, entitled:

An Act to fix and determine the salary of the several court clerks of the courts of common pleas of the County of Philadelphia in accordance with Article five Section seven of the Constitution of this Commonwealth.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed Senate Bill No. 760 (House Bill No. 949), entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the council of said cities or by individuals as they have over public parks placed in their charge by law.

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 761 (House Bill No. 950), entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles.

BILLS INTRODUCED.

Mr. McILHENNY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT.. Is there objection? The Chair hears none.

Mr. McILHENNY, read in his place and presented to the Chair, Senate Bill No. 929, entitled:

An Act prohibiting the keeping of live pigs in cities of the first class without an annual license from the Bureau of Health in such cities, authorizing the Board of Health to make, alter and amend rules and regulations therefor, and granting the Board of Health power to revoke such licenses, fixing the fee for such licenses; prescribing penalties for violation of this act or of such rules and regulations; and repealing all acts and parts of acts inconsistent therewith.

Which was committed to the Committee on Municipal Affairs.

Mr. KURTZ. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 930, entitled:

Au Act to establish as a "State Highway" a certain section of public road beginning at the Homer City borough line on route 68 and extending eastwardly to Mechanicsburg borough, thence south to Armagh borough line on rouet 223, in Indiana County.

Which was committed to the Committee on Public Roads and Highways.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 808 (House Bill No. 810), entitled:

An Act providing for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 300, entitled:

An Act to compel the use of blowers upon metal polishing machinery.

And said bill having been read at length the first time,

Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 392. entitled:

An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between the municipal corporation and telegraph telephone or light or power companies

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 441, entitled:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. NICHOL. Mr. President, I move that Senate Bill No. 441, the bill just read, be recommitted to the Committee on Elections.

Mr. SHEATZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of counting the votes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President. I move that Senate Bill No. 444, the bill just read, be recommitted to the Committee on Elections.

Mr. SHEATZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act defining the method of determining the vote cast by any political party and prescribing the method of making the return of such vote

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 445, the bill just read, be recommitted to the Committee on Elections.

Mr. SHEATZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act amending an act approved May sixteenth one thousand eight hundred and ninety-five entitled "An Act to amend sections two and three of act entitled 'A further supplement to the Act regulating elections in this Commonwealth' approved the twenty-nine day of May one thousand eight hundred ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 447. the bill just read, be recommitted to the Committee on Elections.

Mr. SHEATZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act to amend an act approved May twenty-nine one thousand eight hundred and ninety-one amending an act approved January thirty one thousand eight hundred and seventy-four the former being entitled "An Act to amend sections one two and three of an act entitled 'A further supplement to the Act regulating elections in this Commonwealth' approved the 13th day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making registry of voters and the duties of registry assessors" by abolishing the December registry

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 448, the bill just read, be recommitted to the Committee on Elections.

Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 449, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 450, entitled:

An Act to amend the title and sections one and two of an act approved June twenty-five Anno Domini one thousand eight hundred and ninety-five entitled "An Act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 450, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors companies and for the regulation of home and foreign fire providing for their election every four years and changing the power of filling vacanies from the court of quarter sessions to the county commissioners

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 451, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act providing for the appointment of deputy tax collectors to sit at the polling places in cities of the first second and third class upon the days provided for the personal registration of electors in said cities and for the appointment of registars as such deputy tax collectors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 455, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreebaly to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates ofr the office of Judge of the Supreme and Superior courts when such office is to be filled at a municipal election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 457, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 458, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to amend an act entitled "An Act providing a uniform method of electing certain party officers delegates to State and National conventions and of making nominations for certain public offices providing for the payment of expenses of the same making certain violations thereof misdemeanors and prescribing for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing that the signed consent of the candidate delegate or alternate delegate to State and National conventions and public offices shall accompany every petition to place his name upon a primary ballot providing that no candidate delegate or alternate delegate to State and National conventions or public offices shall be printed upon the ballot of more than one party providing who shall be entitled to sign petitions for nominations at a primary and who shall be a candidate delegate or alternate delegate to State or National convention or public offices and further to provide for the withdrawal of candidates delegates or alternate delegates to State and National conventions and public offices and for the amendment of the uniform primaries act approved the seventeenth day of February Anno Domini one thousand nine hundred and six as amended by section two of the act approved the sixth day of April Anno Domini one thousand nine hundred and eleven by changing the date of the holding of the primary election each year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 459, the bill just read, be recommitted to the Committee on Elections.
Mr. SHEATZ. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act to amend the second and fifth sections of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second calss' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to report of the City Planning Commission on certain ordinances and bills and relating to dedications plans and plots submitted to said Plannning Commission for approval

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 550, entitled:

An Act regualting the use of motor boats and providing a penalty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

A Supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 593 (House Bill No. 657), entitled:

An Act to repeal an act entitled "A Supplement to the act entitled 'An Act for preventing clandestine marriages'" approved the fourteenth day of February Anno Domini one thousand seven hundred and thirty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 594 (House Bill No. 658), entitled:

An Act to repeal an act entitled "An Act to repeal an act entitled for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (One Smith's Laws twenty-one).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 656, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines in the Commonwealth of Pennsylvania and for the protection and preservation of property connected therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 663, entitled:

A bill entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first second and third classes within this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 668 (House Bill No. 72), entitled:

An Act defining investment companies providing for the regulation and supervision of such investment companies and providing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 668 (House Bill No. 72), the bill just read, be recommitted to the Committee on Corporations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred and seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or nonsuppor by husband' 'as amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in cases of desertion or nonsupport by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 764, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside of the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limts of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alter ation repair and removal of buildings and premises and ap pliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fire works and the transportation storage sale and use of nitroglycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such Department to investigate fires providing for the service of orders made by the said Department and for appeals from and reviewers of certain of its orders for ahe method of recovering money expended by the cities and remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 791, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideratio nof Senate Bill No. 806 (House Bill No. 711), entitled:

An Act relating to the management of penitentiaries jails prisons houses of correction work houses of refuge and reformatories

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 815, entitled:

An Act providing for the making valid of the charters of certain corporations heretofore incorported for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to consolidate the five courts of common pleas of Philadelphia county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 855, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 859, entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 860, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 862 (House Bill No. 218), entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 872, entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entialed "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senators and the filling of vacancies in the terms of such office whenever the Constitution of the United States shall be amended so as to provide for the election of United States Senator by a vote of the electors of several states

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 876, the bill just read, be recommitted to the Committee on Elections.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote at elections in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 883, the bill just read, be recommitted to the Committee on Elections.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 884, the bill just read, be recommitted to the Committee on Elections.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. McNICHOL. Mr. President, I move that the Senate do now adjourn until to-morrow morning at 11 o'clock.

Mr. CROW. Mr. President, I second the motion.

The Senate adjourned at 11.16 o'clock P. M. until 11 o'clock Tuesday morning, April 8, 1913.

HOUSE OF REPRESENTATIVES

MONDAY, April 7th, 1913.

The House met at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. John Elliot Wright, offered the following prayer:

O God, we thank Thee for this great Commonwealth, the praises of which have just been heralded by these children of the schools. We thank Thee that they are trained to regard and reverence the State of their birth or of their adoption. We pray that they may grow up loyal, patriotic, virtuous, order-loving men and women. We thank Thee for the material prosperity of this Commonwealth; for its populous cities and its prosperous towns, and its thriving villages; for its mountains and its rivers; for its mines and manufactories. We thank Thee for the teeming populations of people of every class and condition of life; for the industry and order and activity everywhere manifest. We thank Thee for the work which is done; for the intellectual and moral uplift and improvement of the people. We re-

joice in the privilege which is ours of representing them. We play that Thy blessing may be upon Thy servant, the Governor of the Commonwealth, and upon the judges who administer its laws, and upon the legislators who frame and shape the laws; upon Thy servant, the Speaker of this Assembly, and upon all upon whom in any way the ordering of affairs in connection with this work depends. Give to us Thy blessing at the opening of this legislative week, and preside in all its sessions, and Thy name shall have the praise of it, through Jesus Christ, our Lord. Amen.

The Clerk proceeded to read the Journal of Thursday's April 3rd, 1913, proceedings, when on motion of Mr. Mather the further reading of the Journal was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. CHARLES A. SHAFFER, from the Committee on Appropriations, reported as amended, House Bill No. 412, entitled:

An Act authorizing and directing the State Treasurer to refund to Fannie C. Spiers, the amount illegally demanded and collected as a State License fee from her as the proprietress of a moving picture place in the State of Pennsylvania.

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1803, entitled:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class, and providing a penalty for the violation thereof.

Mr. POST, from the Committee on Education, reported as committed, House Bill No. 1453, entitled:

An Act to amend article six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding a new section thereto.

Mr. WALSH, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1142, entitled:

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection creating a division of housing and sanitation providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith.

Mr. ELY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1521, entitled:

A Supplement to an act, entitled "An Act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations, in the State of Pennsylvania," approved May twenty-fourth, Anno Domini one thousand eight hundred and eighty-seven.

Mr. HUMES, from the Committee on Judiciary General, reported as amended, House Bill No. 1345, Senate Bill No. 372, entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another.

LEAVES OF ABSENCES.

Mr. MITCHELL asked and obtained leave of absence for Mr. Redfield until Wednesday morning.

Mr. GRAMLEY asked and obtained leave of absence for Mr. Showalter for the present session.

Mr. KAUFMAN asked and obtained leave of absence for Mr. Snavely for the week.

BILL INTRODUCED.

Mr. ULMAN. Mr. Speaker, Owing to the recent destructive floods in Pennsylvania, and in order that flood warnings may be communicated to residents of municipalities likely to suffer from flood damage in the future, I respectfully ask unanimous consent of this House, for the purpose of introducing a bill which will enable the establishment of gaging stations, and the telegraphing and telephoning of flood warnings for the protection of life and property.

The SPEAKER. The title of the bill will be read for the information of the House.

The title of the bill was then read by the Clerk.

The SPEAKER. Will the House give unanimous consent to the introduction of the bill? The Chair hears no objection and the clerk will receive the bill.

RECONSIDERATION OF VOTE.

Mr. DAVIS. Mr. Speaker, I offer the following motion:

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

I move that the vote by which Senate Bill No. 68, file folio 1793, entitled "A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth," was recommitted to the Committee on Public Roads be reconsidered.

Mr. ROBINSON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I rise to a point of information. I ask how did the gentlemen vote? the gentleman who made the motion and the gentleman who seconded it.

The SPEAKER. How did the gentlemen vote.

Mr. DAVIS. Mr. Speaker, I voted aye.

Mr. ROBINSON. Mr. Speaker, I voted aye.

The SPEAKER. The gentlemen both voted aye on the motion to recommit the bill.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this motion is to reconsider the vote by which the Senate bill for the constitutional amendment was referred to the Committee on Public Roads. This bill was referred to the Committee on Public Roads for the purpose of giving a hearing upon the merits of that legislation, and for the purpose of giving information on legislation that might accompany this constitutional amendment. This legislation is of very vast importance. It is legislation which has vast merit to it, because it is legislation for the purpose of establishing good roads in our Commonwealth. It is legislation which will carry with it, the expenditure of a great deal of money. It is legislation to place an indebtedness of fifty million dollars upon a State that tonight stands without a dollar of indebtedness against it. The motion that was successfully carried the other day, was not a motion for the purpose of stifling this legislation, it was rather, Mr. Speaker, a motion for the purpose of getting real light upon this very important bill. When it was referred back to the committee it was referred after the subject had been fully argued. It was referred back after the attention of the House had been called to the fact that the Chairman of the Committee on Public Roads had failed to give a public hearing; and after it had been referred back to the Committee that Chairman, for whom every member of the House has the highest respect, announced from the floor of the House that on next Wednesday night he would give a public hearing upon this legislation. And now, Mr. Speaker, we are met with a motion to reconsider the vote by which this bill was sent to a public hearing. I wonder whether this administration appreciates what this motion means! I wonder whether the great executive of this great Commonwealth appreciates what it means to him tonight to have members of his cabinet lobbying in this House, appealing to members on this floor to vote for this motion, I wonder whether he appreciates that this means a gag! Whether he appreciates that the vote tonight means that you and I, representing our constitutencies, are not entitled to a public hearing upon a bill which aims to give fifty million dollars to one of the Departments of this Commonwealth to expend!

Mr. Speaker, a great error is being made here to-night, not only an error for one who needs in his high office with more than a year's service the respect of the community, not alone an error by an administration drunk with power, but an error by many of the members sitting in their chairs ready to vote to carry this motion. I appreciate, Mr. Speaker, that this motion will more than likely prevail. I appreciate that to-night this House will likely recall this bill not alone from the Committee on Public Roads, but will recall the consideration of this bill from the consideration of the people. I appreciate that the carrying of this motion to-night will not only carry with it the success of the motion, not only carry with it the condemnation of many throughout the Commonwealth against those of us

on the floor who allow this character of procedure, but will bring against this legislation many of those who to-night want to support it. Mr. Speaker, this motion means that the bill now before the House, the bill sent to the Committee for consideration, the bill, which, if it becomes successful before this Legislature, and later successful before the people, will mean that fifty millions of dollars will be spent upon our roads. This will be to vote upon on second reading, and in a few more hours on third reading, without one whit of information. Now, what information would the public hearing bring about? This resolution, being a constitutional amendment, give this administration, of course, no power to expend fifty millions of dollars. When we pass the joint resolution in this legislature as did the last legislature, the question then goes before the people next November, and is voted upon either to success or defeat. When the bill is being pressed before this present House, a House that will be out of existence before next November, we haxe the right to know before we vote on the bill what is the purpose of the administration. Is it one of the three courses he has before him to take, to have a special election while this legislature sits, and then come back to this legislature successful before the people, and ask us to pass enabling acts, or is it the purpose of the executive, after this legislature has adjourned and after the people in November have ratified the joint resolution to call an extra session for the purpose of having legislation or is it the purpose that in this legislature, without a special election to have us vote upon legislation which will give this present administration the power to bond the State to the extent of fifty millions of dollars, and its expending during the term of the present administration. None of us know, none of us can tell, we have no information. Now, what did we ask, last Thursday by a successful vote of the House. We asked merely that this bill go back to the Committee on Public Roads, and that we be given the hearing we were promised there, and at that hearing that the chief of the Highway Department would appear before that Committee. We hoped the Attorney General's office would be represented and that we could ask these simple questions, so that those of us either for or against this very important piece of legislation, could come back into this House and vote on second and third reading on this joint resolution intelligently. Mr. Speaker and gentlemen of the House, there indeed must be something very grave behind this motion. There must be some real reason for the great haste, there must be some reason for the great disappointment that this vote on last Thursday caused and then there must be something most important that compels the administrative powers of this Commonwealth to have this House covered with its friends advocating the carrying of this motion. What is it? Why are we deprived of a simple hearing? Why are we deprived of a simple right to have the farmers, the mechanics, the merchants, the professional men of this Commonwealth come forward and oppose or advocate this great piece of legislation? Why are we stopped from having the few simple questions that we ask answered? Is it that the Highway Department fears to come before a public meeting? Is it that a man who has won his fame throughout all this land as a builder of roads is fearluf to come before the Public Roads Committee and disclose his plan as to legislation, or as to the expenditure of this money? Is it possible that the Attorney General's office fears to come before the Committee to be asked the simple question as to what legislation it offers and whether in its opinion legislation to this Legislature, before the amendment is passed upon by the people, can be constitutional. Is, Mr. Speaker, not the Executive of the State being betrayed by his friends? Are we not in the enthusiasm of our partizanship, in the soreness of our pique, going beyond all bounds, and simply sacrificing the Executive and his aids, are we not simply going headstrong against that which is right, and that which is logical? Why, Mr. Speaker, if the friends of this legislation were its worst enemies, they could take no better course to play into the hands of the other side than this motion to-night. If the gentleman and his second have a desire to kill this legislation, they could do it in no more effective manner. Mr. Speaker, it goes out broadcast at the next November election, with the great contest raging throughout the various counties of this Commonwealth, that the Legislature was gagged, that the Legislature was whipped into line, that the Legislature was not allowed the information that it asked, and was compelled to vote for this measure? Are the people of this great Commonwealth going to submit to that character of treatment? Are we not bringing upon our party, upon our friends a fitting rebuke if we carry out such a course? Mr. Speaker, this motion is ill-advised. This motion has been given birth from a source that is unworthy of us. This motion should not be carried merely because the motion of the other day happened to be successful. The press of many sections of the State, especially in the City from which I came, speaks about the vote of Thursday as being an attach upon the administration. Mr. Speaker, there is no truth in that. There is no one in this House who has more respect for the Governor than the gentleman who made the motion on last Thursday. In many things I do not agree with him, but there is one thing that I do beliece, that the Governor of Pennsylvania is a strong, big, manly, honest man, and I do not believe that he deserves the treatment that his friends are attempting to give him to-night. His worst enemy could not do more against him than is being done by those who advised him in the course this Legislature is taking. We are holding him up to the scorn of this whole Commonwealth if we refuse to have a public hearing forty-eight hours from now on a bill involving fifty millions of dollars of indebtedness upon free Commonwealth. Mr. Speaker, and members of the Huuse, I hope that this motion will not carry. I hope that mere narrow partizanship will not allow you men to go misguided upon this question. Vote down this motion. Let the Chairman of the Public Roads Committee carry out his announced intention of giving a public hearing. Let us hear those who advise fifty millions of dollars of indebtedness. Let us hear from the gentlemen who is Chairman of the Ways and Means Committee what is his course as to legislation on taxation announced by the Commission of which you, Mr. Speaker, were one of the leading members to this Legislature. Before we bond this great Commonwealth for fifty millions of dollars, let us determine that we need to. Let us then find out what is the intention of this adminisration in the way of legislation, or in the way of a special election, or in the way of an extra session. One of there three courses the administration must take if it intends to have a dollar of this money to spend during the incumbency of the president executive and his cabinet. What is the reason of all this haste, this clubbing into line, this gagging? What is the use of it? What is the necessity of it. Is it merely for the purpose of giving a defeat to those of the House who have been independent enough to express a voice that is not in accord with the voice of the executive, must the voice of the people be stiffled merely for the purpose of a victory for a great Commonwealth's executive department against a Legislature. Well then, Mr. Speaker, if that is the purpose, all I have to say is that the prevailing of this motion to-night simply adds one more step on the downard path of the Republican Party from her high position of being the leading Republican state of this Union down again to defeat.

Mr. SPEISER. Mr. Speaker, I am exceedingly sorry that I must take issue with my friend from Philadelphia. I have listened to his masterly address with a great deal of interest, as I suppose most of us have, but it does not have much logic in it and I find that there is a great deal more oratory than good sense in what he has said. I am going to say, and no doubt a great many of you will agree with me that the recommitment of this bill, as I understand it, was made on Thursday last, when there was only one hundred and twenty-seven members in this House. I was one of the missing. I had good reasons for being absent and I don't think that the vote that was taken then was a fair or even an average sign of what the majority wanted in reference to this bill. I believe it was an unfortunate time to present it to the House and to have this bill recommitted. The gentleman from Philadelphia has not advanced one single reason for objecting to the reconsideration of the vote on this bill. He has not, in fact, said anything against it, but has on the other hand said that it has merits and he gives reasons and in one breath he says he would like to know the intentions of the administration and he questions the adimnistration. You can know that this must be voted upon by the citizenship at large in Pennsylvania. We have not the last say, nor has the great Governor of Pennsylvania the last say. It is for the people of Pennsylvania to say whether or not we should vote on in this great Commonwealth for

fifty million dollars. I don't agree with the gentleman when he says it will stop legislation on this bill. It is admitted by him that there is considerable merit in it and for the purpose of questioning the Attorney General and the intention of the present administration, he now opposes action. I consider it nonsensical to state that there would be or might be a special session for the purpose of passing and enobling act. I don't think any friend from Philadelphia is justified in asking this House to question the Governor as to any unfair intent in reference to it. I don't believe that there is any member here who does not know that this same question has been considered by other assemblies and there has been discussions in the past and there has been considerable notoriety through newspapers and it has been in the Senate and passed there and we have had it before this House here and the Chairman of the Public Roads Committee reported it out and there has not been any oppositiion. Is it not rather singular that the gentleman himself does not tell what effect it would have if this is not brought before the people? In so far as the City of Allegheny and Philadelphia is concerned, we have no special interests in this measure. Little or any of that money is going to come to our large cities. It will not come into Philadelphia or Pittsburgh and you men who come from up State sections of Pennsylvania, why do you request this legislation? You go before your constituents and state that this State shall take its place as to good roads among all the States in the country and ask that we shall have a better road system. I am not going to discuss that phase of it. The resolution would never have passed the Assembly or the Senate if that was not the object back of it. There is not a county in the State of Pennsylvania that is not for it. There is not a newspaper in the State of Pennsylvania that is not for this resolution or there may be some that question portions of it for some local reasons but why I know not and care less. During the present administration or while our present Executive is the incumbent of the office we don't want any picayune reason presented to stop the course of this measure in this Legislature of Pennsylvania. It is going to give our farmers an opportunity to get their produce to market. It is going to give them the same power so far as their commercial and social interests are concerned, as have been given to other countries who have been favored with a good road system, by reason of the good roads which are contemplated. The vote of last Thursday would not have been taken according to my mind nor will not be taken to-night by some of the gentlemen who voted under a misapprehension. It might be that some of the men who voted against it might deny that the Governor has any whip on this House. If he has, it has not been lashed over my back or over my colleagues. I myself know that when I heard that the vote had been taken when I was up in Pottsville, that I thought it was an outrage and I certainly would raise my voice and vote against it and I made up my mind that I would help to do just as much as I could in the interests of this measure and had proposed to do the same thing as the gentleman who moved and seconded for the reconsideration of that vote. You men of the country districts understand that this is your fight, not ours from the city. I pledge you this, that if you men see fit to be in favor of this bill, to-night, to reconsider the vote, and have it come before the House, I will pledge you that the city men will stand for you and give you what Pennsylvania has been crying for, for a number of years, a good great big public road system. I will state and I will pledge you that you will have the vast majority of the votes of the Philadelphia delegation with you and I think that Allegheny will stand by you too.

Mr. DAVIS. Mr. Speaker, it is not my intention to make a speech but after listening to the oratory from the gentleman from Philadelphia, I wish to say that I was prompted to make this motion to reconsider, for the reason that I think it is the proper thing to do. The gentleman from Philadelphia, Mr. John R. K. Scott, has told this House that this is an important bill. I say it is a bill of very great importance and I want to inform you that the State of Pennsylvania is losing thousands of dollars this year by reason of her very poor roads. If that is the case, I think the gentlemen should all vote to reconsider the action of last Thursday morning.

Mr. McALEER. Mr. Speaker, I perhaps should be more in favor of this bill than any member of this House. I thought the bill which preceded it was not proper legislation. Unfortunately I think the bill passed in 1911, which carries over eight thousand miles of State roads, is a great mistake. When that bill came before this House, it had the approval of the State engineers and it carried something less than five thousand miles. By the pleasure of the Speaker of the last House, I was made a member of the Committee on Public Roads. The Chairman of that committee made me one of the three members of a sub-committee on roads, what was known as a sub-committee on roads—the Sproul Road Bill. We had before that sub-committee, perhaps, every country member of this House from time to time, demanding more roads within their districts. In our wisdom, after talking over the matter of the addition of these roads, we with the State Highway Engineer, refused the addition of these roads, because they were too expensive and unnecessary or for some other good reasons. But in spite of our protest, these roads were added, something like over three thousand miles were added. (Mr. R. J. Baldwin later corrected the speaker, calling his attention to the fact that he had said "roads" instead of "miles." He said three thousand miles instead of three thousand roads.) There are quite a number of miles to be added to-night. The bill will then stand with at least five thousand more mileage than it should be. There were originally five thousand miles, which should have been built to give you a good comprehensive road system, with the addition of those other three thousand miles, which had been allowed because the men who got these added miles are supposed to have sufficient pull to have their roads built and they would get five thousand miles put in good shape and built while the other would not be built at all and it would be left undone for a long time to come. That is what will take place, in my mind, and the men who expect these good roads will not live long enough to see them. This bill as it leaves this House will carry nearly ten thousand miles. The entire country has only fifty thousand miles of roads and just think of it, we want to build nearly one-fifth of the number of mileage that is necessary for nearly the entire United States. It is in your interest to get good roads quickly and promptly to get them of a good character and to do something that will get before the people some measure of this kind so the ideas of the people may be had on this measure to see that you can get and what you are after, and which will enable you to get good roads in a reasonable time, and if you will endeavor to get ten thousand miles of roads as this bill requires and at a cost of fifty million dollars, you will find out that it will not be fifty million dollars but nearly two hundred and ninety million dollars to get the kind of roads that are desired.

Mr. R. J. BALDWIN. Mr. Speaker, I think the gentleman from Philadelphia, Mr. McAleer, intended to say three thousand miles when he said three thousand roads.

Mr. McALEER. Mr. Speaker, yes, sir; of course, I meant three thousand miles.

Mr. R. J. BALDWIN. Mr. Speaker, I want to correct one statement made, that a hearing will be denied to this bill, if it is not acted upon now or if the reconsideration of this vote is carried. That is not it at all. There are now nearly two hundred and seventy-four bills that have to be passed, that are passed on second reading, and so this bill will have to come upon the second reading calendar, where there are now one hundred and seventy-four bills. I think that would make this bill one hundred and seventy-five, if it should be passed to second reading and it is merely a question of getting the bill back in the House. I cannot be certain just when it would be but probably it would be the last part of next week. There will be every opportunity for all the public hearings you want. You may have a dozen of them if you desire. All the members can come and be heard and then when it comes up on final passage they can say whether they desire to support the measure or not. I find that there is one word still left out of this resolution which it would be necessary to make an amendment. If we are going to leave this bill lie in committee and the House will take no action on it, there is a possibility that the bill will be entirely lost. There is a possibility, and I am surprised that the gentleman from Philadelphia, Mr. John R. K. Scott, should plead to this House that this bill will pass to third reading while he knows as well as any man in this House the rules of the House and he must know that there is

two hundred and seventy-four bills in the House that cannot be reached without a special order, as there is no human probability that any one will take up this bill on a special order and then it is absolutely important that this bill be again placed on the calendar. A vote to-night on this motion will indicate whether you are in favor of presenting this proposition to the people or whether you are going to deny that to them. It is merely a proposition whether it should be submitted to the people of the State of Pennsylvania. That has been considered for two years and you understand it.

It is merely a proposition to bring this legislation out of a committee where any amendment can be added or where any discussion may be had on the measure. Then, after whatever discussion may be made in the hall of the House, probably we would reach it week after next or as soon as we can reach it on third reading. The House should bring it back out of committee and put it on the calendar and add the amendment I have before me, which cannot take more than two weeks, which is the proper thing to do with this bill.

Mr. WATSON. Mr. Speaker, I voted against sending this bill back to the Committee on Public Roads, and I had not been instructed to the Governor how I shall vote to-night, but I want to say this: That the people throughout the country districts are exceedingly anxious that action be taken on this bill as soon possible. I cannot see any reason why there should have been offered a motion here to refer back. It has not been made clear to my mind that there was any real cause for doing so. There is a refrain from all over the State why are we not pasing progressive legislation that has been outlined by every platform of the three platforms that we represent to-night? We have been spending more time in dilatory motions of this character than we should, and I feel that it is the duty of this House to put this bill back on the calendar. And, if I am correct, if the gentleman from Philadelphia wants to make any amendments to this bill, he can make them on second reading. He can prepare whatever he thinks would be a proper way to control the expenditures of this money; but let us by all means act on this bill at once and gratify the people of this Commonwealth, whom it concerns. It does not concern the City of Philadelphia much, but it does the people of the rural districts, and I may say, in regard to the remarks of the other gentleman from Philadelphia, that it will take about 50,000 miles of road in this Commonwealth to accommodate the people. Five thousand might possibly accommodate a road from county-seat to county-seat for automobile purposes, but it will not accommodate the country people of this Commonwealth or enable them to send their crops to market, and I appeal to this House that this bill be put back upon the calendar, and then let it be amended if necessary and pass as soon as possible.

Mr. STONE. Mr. Speaker, it is true that this is one of the great public questions of the State of Pennsylvania. It is also true that the people throughout the country districts, as well as throughout the cities, are vitally interested. It is not true that all of he questions of interest concerning his bill are fully understood by the country people of the State of Pennsylvania. Within the past week there has been a bill introduced in this House as to the equal distribution between counties of the pro-rata shares of each county of the funds set apart for road building. Now, I don't believe, Mr. Speaker, that the Gentlemen of the House are fully determined upon this question here to-day. I do not believe that public discussion of this question will hurt anybody. I believe that a full, fair and broad discussion of all of the questions that bear upon the interests of the State in reference to this bill will give the members a better understanding after discussion than they have now. And if there is one thing above another that I desire as a member of this House, it is to vote to take back and debate the resolution which has been voted upon by the House. I am opposed to that sort of action. Now, I am not opposed to the bill and don't want to be understood by any member of this House that I am opposed to this bill. I am not opposed to the men that are at the head of it. I am not opposed to the administration. I am not opposed to the measures that have been introduced for an equitable division of the funds which will arise from the fifty millions, or any other funds which we now have that are available; but I do believed, as the gentleman from Philadelphia, Mr. Scott, has said, that we will make a mistake, if we vote to put this back upon the calendar to-night, rescinding the motion that was made last week, until we have had a full discussion. It will be forty-eight hours at best; it will simply post every man how he is to vote on this fifty-million dollar proposition. And just as sure as you thrust this motion upon this House to-night for reconsideration, I believe you will hurt the proposition. If I had voted against this proposition to refer it back, I would vote against this motion to-night for reconsideration. I think every membre of this House ought to do it. I believe we will be glad, after Wednesday night, that we have done so. The people from the country districts are not fully posted, and we should consider all the questions that are pertient, that they are interested in, concerning this proposition. So let us have this discussion and vote down this proposition for reconsideraton.

Mr. NORTH. Mr. Speaker, I only want to say to the Gentlemen of the House that I am glad to have this opportunity of voting in favor of good roads. We voted on this measure two years ago; everybdy was satisfied. The gentleman from Philadelphia was perfectly satisfied, and continued to discuss this measure, as we have been for some time. It seems to me that it is only intended to defeat the bill. I hope every member in the House that is in favor of good roads, wants good roads, will vote for this resolution.

Mr. CHEESEMAN. Mr. Speaker, in reply to a remark made by the gentleman from Delaware, Mr. Baldwin, I want to say that I do not so understand that a vote against this motion means a vote against the fifty-million bond issue, and I do not propose to be understood that way. I am in favor of submitting to the people the fifty-million bond issue, but am not in favor of recalling this motion to-night. I do not want to be misunderstood.

Mr. GANS. Mr. Speaker, I move the previous question.

The SPEAKER. The motion is not seconded.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the Chairman of the Public Roads Committee.

The SPEAKER. Will the gentleman from Schuylkill, Mr. E. E. Jones, permit himself to be interrogated?

Mr. E. E. JONES. I will, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not there has been any public hearing in relation to this bill.

Mr. E. E. JONES. There has not, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman, further, whether or not other bills that were in his committee received public hearings before they were brought out before this House.

Mr. E. E. JONES. Yes, sir, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not any of those bills would have carried with them fifty million dollars or anything like that sum.

Mr. E. E. JONES. No, sir, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I was not aware of those conditions and so I ask those questions at this time, and it does appear to me strange that the action just taken here to-night is taken at this time, and I fail to comprehend just what the action means. It has been suggested, and very truly, that any matter of any considerable merit that has been proposed in this House, from the very beginning of the session, has received a most open consideration. Public hearings of all kinds have been held, and, as is now stated, matters of much less importance to this great Commonwealth than the matter now before us. In addition to that, Mr. Speaker, as I understand the position of the present bill, there would be no harm, no harm could come from a few days' delay whereby a public hearing might be held. There is reposing in the hands of committees at this time some of the most important legislation that has been introduced into this House, and we as members of this House expect, before ths House adjourns, to pass those bills. Now, we have before us a bill that has already passed one branch of this Assembly. It has had its time there, its full time. It has passed third reading, has been messaged to this House, and all that bill has to do in this House is to pass two more readings, and yet there are bills, as I said a moment ago, reposing in committees, that are almost as important to the welfare of the State as this bill, and not one member on the floor of this House, notwithstanding the rule which upon the books that he can call out, after ten days delay, has made a motion at any time to call any one of those bills from committee. And yet, those bills must

pass, not only this House, but they must receive the consideration of the proper committees in the Senate and then pass that House on three readings before they reach the Governor. Now, why this undue haste, and we may well ask, why? I do not know. I only wish that some gentleman who has spoken in favor of this motion had told this House why. It has been suggested that no argument has been made that was good in relation to the action that this House took last Thursday. I come back and hurl this challenge. That no argument has been made this night that showed why this bill should not receive a public hearing before it comes out upon the floor of this House. There is not such great need for this thing; ah! more than that; more than that. When you want to raise suspicious and try to jam something for somebody through the public press, or by whispered words which are poured into the ears of the members here with a club behind them—if those words indicate nothing, why this undue haste? Then, perhaps, I might be one. I don't even say, Mr. Speaker, but that, when this original motion was made last Thursday, had I been on the floor of this House at that time, I might have voted against that motion then, but not now. No, because it seems to me that there is too much behind it. Is it right? Is it right, Mr. Speaker, that this House bow to the will of any Department of the State? Is it right that this House close eyes and ears to all that goes on? Is it right that I, as a member on the floor of this House, must listen to the whim or wish of any man of any Department or anybody?

I am here, Mr. Speaker, as a representative of the constituency away back home, and I proposed before I go blindly over the hurdles to-night, to know where I am going to light on the other side. Ah, Mr. Speaker, there must be something in the wood pile. It would look well for the members of this House, after the very Department that had first been called to the attention of the members of this House and to the public through the press of this great nation, if it was entrusted, and without one single word of hearing and the hearing to-night by orders denied, for this House to rush ruthlessly and headlong into the pitfall. Ah, it might mean favors cut off; but no favor, Mr. Speaker, no favor that might be extended, would justify any man upon the floor of this House in doing that which he ought not to do. There is no reason, Mr. Speaker, for this undue haste. There is none needed. This House, even at this moment, Mr. Speaker, as you well know, has refused to even set the date at which this House shall adjourn. There is nothing that stares any member of this House in the face that will justify him in saying that action on this bill might not be had on the glorious Fourth of July, for all we know; this or any other bill. Haste! Why this great haste? We have nothing to do but legislate; not a thing in the world; and we, Mr. Speaker, have been entrusted with that sacred duty, and it is a sacred duty. We are making laws for no individual. We are making laws for no department. We are making laws for no machine. We are making laws for the people of this great Commonwealth and we are here to protect their rights. There is no one here, Mr. Speaker, upon the floor of this House that is more willing than I that all the good roads that are possible should be built. But we want to build roads. There is no one here, Mr. Speaker, that is more willing than I that this State should shoulder a burden if it sees fit; but there are people here, and they come not from Allegheny County and they do not come from Philadelphia County, but they do come from the rural counties, that want to know whether the money is going to be spent on city boulevards or country roads. Ah, it is all right to bond this State fifty millions dollars, but I stand right along with my country friends. Our roads are good. I stand right along with these fellows that come from the rural districts and I say, where are you going to spend it and what are you going to do with it. Tell us that first and then we will give you the money. Give us some idea of where it is going. But until you do, until you do, let us at least have a voice and be open and frank in that voice. I believe, Mr. Speaker, that if this question were as the Chairman of the Road Committee suggested, when the bill was referred back, laid open and public hearings might be had, that perhaps there would be some legislation accompanying this bill out that would be more than satisfactory to the city element and more than satisfactory to the country element upon the floor of this House. I believe that when this question may finally be referred to the people, that there is no question as to what the people's action might be. Further than that, Mr. Speaker, at the proper time, and I am frank and open to say it, at the proper time, and with the proper safeguards thrown around, and I believe that all that we have before us at this time justifies us in asking for a few safeguards. I shall go right along with this bond issue; but until that time comes, until there is some satisfactory demonstration upon the part of those who have the handling of this money, upon the administration, if you please, something tangible, something that is at least a chart, something that point out the way, until that happy moment arrives, I shall adhere to the principles that the people of this Commonwealth have a right to appear and to express their wish in the matter, and I shall so stand and vote.

Mr. R. J. BALDWIN. Mr. Speaker, I really did not know that it was possible to have so much chaff with so few grains of wheat in it. Do you realize that the proposition presented to you only consists of thirty-four words. I have just counted them. Why, you might suppose by the speeches that were made against bringing this question back into the House, that it involved some proposition that would fill a volume or that nobody could understand without the greatest possible care. Why, I really do not think that the gentlemen mean what they say when they talk about jamming legislation through. I owe this House, under these circumstances, an explanation. While the remarks of the gentleman who oppose the calling of this bill from the Committee may not mean anything, it certainly has every appearance that some power has moved the gentleman from Delaware. It has been placed part of the time on friends of department of the State and sometimes in the hands of the Executive. As a matter of fact, let me say that the gentleman who introduced this bill in the Senate, was the Senator from my county, who is now confined to his bed and has been for the past five weeks, very, very seriously ill. He has sent me the titles of each and very bill that has been introduced in the Senate by him, asking me if I would not try and take care of the bills when they came over to the House and when necessary to be prepared to make the explanation, so that the bills might be thoroughly understood. No department head, no Executive approached me prior to last Thursday. When the bill came along I never dreamed there would be any opposition to it, the proposition was so simple, so plain; advertised for two years, passed two Legislatures, had laid upon the calendar since the twenty-eighth day of February; understood thoroughly by every member in this House, and when it came up for second reading to my utter surprise I found there was opposition to the bill. I did not think it was serious at all. I prevailed on them to allow me to make a small amendment, correcting the grammar; and the language is the very identical words contained in the legislation advertised and passed in the previous session. Why all this cry about the department and the executive coming over here and trying to use a lash upon the members of this House. To my mind it is absolutely an imaginary proposition without any true whatever in fact. I have been asked in a hundred letters to support the resolution. No Executive, no person in the State, no body in the State outside of my county could have prevailed upon me to support this bill. I think it is a proposition that every member in this House knows, that it is a resolution to amend the Constitution; that if you alter or amend, alter a word in it, the bill falls and is thrown back two years, and, as I told you before, this bill involves the waste of more than two hundred thousand dollars of the people's money spent in the previous advertising of the bill. Why, to tell this House that we are jambing the proposition through, that the House don't understand it, when almost any school child in the State understands the proposition? Why a school child that has three years in the public schools would know exactly what these thirty-four words stand for. Why, surely, surely, the intelligent members of this House are not going to allow the question to be befogged in that manner and to say that somebody has a whip jambing this legislation, that anybody understands the force and effect of. Why it becomes absolutely ridiculous. I do not know how men can lash themselves into a belief that this is a proposition that we do not understand. Why, of course we understand it. And why, because of some reason I do not know, it was sent back to the Committee where the gentleman with the legislative experience, who was in the moment, knows that you cannot change a line or one word or the bill is lost.

Every member of experience in this House knows this bill cannot be passed and could not come before this House on final passage before the last of the week without a special order and when it comes to getting the bill on special order. I will stand with the gentleman from Philadelphia, opposing special order for the bill, and let it take its course. In the meantime, don't undertake to tell this House that you cannot have a public meeting where the people can come to express their feelings on this bill. Do not get an idea in your mind that anybody is holding a whip on anybody. There is nobody holding a whip on me No department is holding a whip on me and no department asked me. The bill is one that the State understands and I really think two-thirds of the people want it. The only question involved is whether the people desire it and we will offer the opportunity to them to say whether or not they do. I do not see any use in befogging this question and bring politics into it. There is no politics involved. I will not take time to discuss the political question. It is not worthy. The statement that somebody has a whip on this House and is trying to place a gag on this House is absolutely without foundation and exists only in the minds of those who are not trying to find it. Nobody is going around this House, (if there is I have no knowledge of it). Yes, the heads of departments have expressed their opinions on it, and why shouldn't they? I would pay no more attention to the Governor of the State or the head of one of the departments than any other citizen who I recognize has the right to come and tell me about it, or talk to me on this measure, and I believe that the gentleman who talked on these lines goes repeatedly to the heads of the departments for advice and information; and I ask you place this bill upon the calendar.

Mr. WILTBANK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speaker, with pleasure.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman from Philadelphia how many Thursdays he has been in this House since we organized on the seventh of January?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I have been here every Thursday.

Mr. WILTBANK. Mr. Speaker, I am speaking of Thursdays.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I have been here every Thursday since the House was organized, and I intend to stay every Thursday as long as my friend from Philadelphia stays.

Mr. WILTBANK. Mr. Speaker, I would desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit further interrogation?

Mr. JOHN R. K. SCOTT. I will, Mr. Speaker.

Mr. WILTBANK. Did not I say to-day that if you should go away on Tuesday, you would get yourself into trouble in Philadelphia?

Mr. JOHN R. K. SCOTT. No. Mr. Speaker, I think what the gentleman said was, that if I kept on voting on these reform measure I would.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman who is the ringmaster that used the whip to keep us here last Thursday?

Will you state that?

Mr. JOHN R. K. SCOTT. Mr. Speaker, that language is foreign to us reformers.

Mr. WILTBANK. It is not foreign to our records of the members who were here on Thursdays and Fridays.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I have listened with a great deal of attention to the various gentlemen who have advocated this motion to recall the bill to the House, I have yet Mr Speaker, to find any answer to the request of those of us who want a hearing before the Roads Committee. The gentleman from Philadelphia, Mr. Speiser, has advanced practically no argument for his position. He states that the Philadelphia delegation and the Allegheny delegation will vote along with the gentlemen from the other sections of the State without giving this House any reason why this motion should prevail. He further states that there is no lash over him and that his vote is entirely free. Now surely, Mr. Speaker, there is no argument from that source that can sustain this motinon to-night. The gentleman from Indiana offers as his reason for voting for this motion that we may offer amendments to this Joint Resolution for a Constitutional Amendment upon second reading. Well, of course, Mr. Speaker, at the moment it slipped his attention that no amendment could possibly be offered to this resolution unless it was for the purpose of destroying the resolution itself, because the amendment would destroy it. So, therefore, from that source there is no reason for this motion to-night. But the attempted reason given by the gentleman from Delaware, to my mind, voices most strongly the reason why we should have a public hearing. He is on the floor of this House representing—as the floor leader of the administration—he is on the floor of this House voicing the thoughts of the Executive, but we have failed—

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated by the gentleman from Delaware?

Mr. JOHN R. K. SCOTT. I will.

Mr. SPEAKER. I would like to know whether the gentleman gets his authority to make that statement?

Mr. JOHN R. K. SCOTT. Mr. Speaker, upon one occasion the gentleman told me that the opportunity to become so was very great, and I see that he has grasped the opportunity.

Mr. R. J. BALDWIN. Mr. Speaker, I hope the gentleman will withdraw that remark because he certainly is mistaken. The gentleman is mistaken. He must withdraw that remark.

Mr. JOHN R. K. SCOTT. Mr. Speaker, may I proceed?

The SPEAKER. The gentleman from Philadelphia has the floor.

Mr. JOHN R. K. SCOTT. The gentleman from Delaware has advanced no reason for the prevailing of this motion, unless it is that his silence has advanced a real reason why the bill should have a public hearing. He has heard of the floor of this House last Thursday and to-night that we ask a hearing in order that we may interrogate without parliamentary restrictions the genlteman representing the Highway Department, and the gentleman representing other departments of the Executive, for the purpose of finding what is the real intent and course so far as this legislation, and the legislation relating to it is concerned. But, his silence on the floor of the House, after having occupied the time of two speakings, has failed to give us any real light as to what is the inteded course. He says it is simple. He says we all understand it. He said that a child three years of age could understand this amendment, that it only contains thirty-four words. Mr. Speaker, I do not believe that the gentleman from Delaware understands this legislation. If he does Mr. Speaker, he understands more than I do, because I want to say that I am entirely in the dark as to what this legislation means. Unless this administration has no thought of this constitutional amendment being used for the purpose of raising money to be expended by this administration, we are working in the dark. There must be one of three courses as I said before. Still we have heard the gentleman from Delaware stating that this is a simple proposition. That it is a simple question, that is is a question that the people must later pass upon and that everyone in the Commonwealth knows that it has been discussed time and time again. He fails to state on the floor of this House, in committee, or in the public press the intended course. He takes the further position. He says we can have a public hearing if we put this bill back on the calendar for second reading. That you can have that public hearing and have your people before you. Yes, that is so, Mr. Speaker, and those that will be before that public hearing will be simply those who are now in the dark, and we will have no one to ask. But let that bill stay in the Roads Committee and let the gentleman who holds the chairmanship of that Committee, demand as the chairman, the appearance of the head of the Highway Department, and let him ply the questions to him, that will be asked by those of us who are now in the dark, There are many of us, who want good roads, who are seeking here to advance good legislation, who wants to help the hands of the Executive. We do not stand here opposing the present administration. When the Workmen's Compensation bill recommended by the Executive, came to this House, it had almost the unanimous support of those of us who to-night stand here

and ask for light upon this very important piece of legislation, offered by the Executive of this Commonwealth. And further, Mr. Speaker, a vote to have a public hearing. does not mean a vote against the fifty million dollar resolution. It rather means a vote for it. We have seen in the public press the head of the Highway Department pilloried as one extravagent in the expenditure of public money. We have heard on the floor of this House the statement that over two hundred millions of dollars must be spent for the purpose of building the ten thousand miles of road that are contemplated in the Sproul Bill. We have the right to inquire upon that subject. That is due not only to this Legislature, but it is also due to the Executive. Now, what answer have we to that, Mr. Speaker? Has the light from Philadelphia or from Delaware or from Indiana blasted the darkness which surrounds this Legislation? Oh, no! Have not we the right to insinuate as was done by the eloquent gentleman from Allegheny that there is something in the woodpile? The vote for this motion to-night really retards this legislation, and a vote against this motion means this: that on Wednesday night a public meeting will be had. We will go out of that Committee for this legislation, or intelligently aganst it. What is to be gained by gagging us. What is to be gained by refusing us light and compelling us to go blindly into this vote? This motion has not been actuated by those who really think at heart that it is good legislation. The gentleman from Lackawanna says, that he offers this action because he believes in this being good legislation. I believe that when he so states it on the floor of the House, he states it as he believes, but in making his motion he really is doing harm to the legislation that he attempts to offer. Mr. Speaker, to deny that there is a lobby working here for this motion is absurd. We all know that there is a strong force working here. We all know that it has been working for this motion ever since Thursday. The gentleman from Delaware says there is no lash over his head. Of course, there is no lash over his head. Of course there is no restriction on his vote. No one has any thought of the gentleman from Delaware being instructed as to his thought or his vote. He has here advanced this motion as he thinks for the betterment of this legislation. But, Mr. Speaker, to say that the Executors is not using a force in this House is idle.

Mr. NORTH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Not at this timfie. I find here, Mr. Speaker, and the gentleman getting on his feet reminds me. I find there is no lash. Of course there is no visionable lash, of course, there is no visib e force. The force that comes here to this House is a subtle force. The outsider and many of us on the floor of the House do not see it, we feel it, and when we see the Chairman of the powerful Appropriation Committee, with the power in this Committee to make or unmake legislation, stand upon the floor of the House, and without any argument state that the votes for this motion for good roads, we know, Mr. Speaker, there is a force that is here to-night. We know that there is a power that is here to-night, and it is a power, Mr. Speaker, that might prevail to-night. I have stood on the floor of this House year after year, and helped that power through its force, and I have seen that same force and power like a flood come on us and crush us down to defeat, and power that is working to-night for this little simple motion is the same power that we will feel in the next few months upon us. Mr. Speaker, many of us are for good roads, and all of us are for good legislation, and I dare say that those who oppose this motion are to be a man with the Governor of Pennsylvania, with good legislation. We have stood by him where he has pledged himself for good legislation and we have aided him when those who are supposed to be his friends left him, and we are aiding him to-night by asking that this legislation be brought out into the light, clean of all suspicion. Mr. Speaker, I hope that the members of this House will not allow themselves to be so short-sighted as to vote for this motion, nor will stultify themselves for the whim of any branch of the Government by casting their vote for this motion. I hope that they will use their own individual power and character, and vote against this motion, even thought you to a man vote for the legislation that we now have under discussion.

Mr. RONEY. Mr. Speaker, I don't know much about the kind of roads that the Highway Department constructs, but the roads down our way are Belgian blocks streets and the city pays for every inch. The only big Highway I am interested in and ask the Legislature to interest itself in is the noble Delaware river which runs on its course to the sea and within a stone's throw of where I live. I think a little bit of deliberation on the proposition before us now will clear up the situation very nicely. I have listened with much admiration to the splendid address of the gentleman from Allegheny and also to the address delivered by the gentleman from Philadelphia and I think I would like to be in the Legislature of 1915 to listen to the arguments when this comes up then when they will be likely to vote for the bill. The question now is, shall the people vote upon the amendment authorizing the General Assembly after the ratification of this amendment giving to the General Assembly a right to issue bonds up to and not exceeding fifty millions of dollars for good roads? If this resolution goes to a Committee it may be final; there are evidently one of two purposes involved:—Sympathy or sentiment for the resolution or sentiment adverse to it. Now then this matter has been brought very forcibly to every intelligent member and it has been called to the attention of the people of Pennsylvania and they should instruct their members how to vote when this resolution comes up on third reading, and what is to be gained by sending it back to the Committee? As the gentleman from Philadelphia has very profitably said you cannot do an "I" or cross a "T" or do anything to this bill and the only thing to be done is to get this bill back from the Committee to enable the people to act upon this proposed amendment and that can be done very well by having the State arouse itself and express its sentiment or have the constituency have its wishes presented to its Representatives, so that we might voice their sentiments when we vote for the bill on third reading. Moreover on the question of the Highway Department, I desire to state, that is a matter which comes up in 1915. I don't care if the Highway Department would submit a report to the Good Road Committee, that would take until the Fourth of July to read. Would that bind the Legislature of 1915? Would the Highway Department or any department or would an advocate for or an opponent against this bill ask the Legislature to issue these bonds? Why, gentlemen of the House, you cannot argue that question. It is too simple for logical men to discuss and I say here we simply wish to present to the people the proposition whether or not the State shall bond itself to the amount of fifty millions for good roads then your Highway Department and then your governmental officers shall be considered by subsequent Legislators and the people can enact this in a part of our Constitution and then will come up the very splendid question and an opportunity for very able arguments of the gentleman of Allegheny and the gentleman of Philadelphia.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Roney.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Roney, permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, Yes, sir.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to ask the gentleman from Philadelphia, Mr. Roney, whether the gentleman from Philadelphia is Chairman of the Ways and Means Committee?

Mr. RONEY. Mr. Speaker, I am.

Mr. JOHN R. K. SCOTT. Mr. Speaker, has the gentleman from Philadelphia, Mr. Roney, in his Committee various bills that were referred and have those bills been reported out yet.

Mr. RONEY. Mr. Speaker, No, sir.

Mr. JOHN R. K. SCOTT. Mr. Speaker, if the legislation that is in your Committee and has been recommended by the Commission appointed by the legislation of a session ago, becomes a law later will there be any necessity for the raising of fifty million dollars?

Mr. RONEY. Mr. Speaker, we cannot actually estimate at this time how much income will be derived as far as the State Treasury is concerned from these acts suggested by the general Tax Commission. Unquestionably there will be a great deal of money come from these new bills. I think I may observe that I don't think that this is a pertinent question of the matter to submit to the people whether or not there shall be a bonded debt.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to ask the gentleman further, what amount of revenue will be raised to the Commonwealth of Pennsylvania if the bills recommended to this Legislature by the tax commission be enacted into law?

Mr. RONEY. Mr. Speaker, that cannot be actually estimated at this time. The counsel for the Committee who spoke here one night before a general session of the Senate and House said that it would be somewhere between six and seven millions.

Mr. NORTH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. John R. K. Scott.

The SPEAKER. Will the gentleman from Philadelphia, Mr. John R. K. Scott, permitt himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speak, Yes, sir.

Mr. NORTH. Mr. Speaker, I desire to have the gentleman tell us whether or not he voted on this question two years ago?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I voted on this question two years ago.

Mr. NORTH. Mr. Speaker, I would like to ask the gentleman how he voted.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I voted on the affirmative. This session, I have been in doubt as to how I will vote, but if I am kept continually in the dark for self protection, I will vote in the negative.

Mr. NORTH. Mr. Speaker, I desire to ask the gentleman if he accepted the measure two years ago when it passed the House?

Mr. JOHN R. K. SCOTT. Mr. Speaker, two years ago, it was brought into the House in connection with the Sproul Bill. It was not discussed or argued because we knew that it was the first Legislature that passed upon it and we knew another Legislature had to pass upon it before taking it before the people. We understood it as a Constitutional amendment coming before the first session of the Legislature and at that time, not having any discussion we understood it then as merely a constitutional amendment and voted for it the first time.

Mr. NORTH. Mr. Speaker, in reply to the statement of the gentleman from Philadelphia, re'ative to the Appropriation Committee of the House being used as a club to carry out legislation, I want to say to him and to every member of the House when he made that statement, he made it without due consideration. I want to say and I want it further understood that no club can be used to further or advance legislation or retard any legislation, by means of the House Appropriation Committee if the chairman has any knowledge of it.

Mr. SPEISER. Mr. Speaker, I would like to interrogate the gentleman from Susquehanna, Chairman of the Roads Committee.

The SPEAKER. Will the gentleman from Susquehanna, Mr. E. E. Jones, permit himself to be interrogated?

Mr. E. E. JONES. Mr. Speaker, Yes, sir.

Mr. SPEISER. Mr. Speaker, I would like to know whether there was a request for a public hearing to the Chairman of the Public Roads Committee prior to last Thursday by anybody?

Mr. E. E. JONES. Mr. Spaker, I would say that the Chairman of the Public Roads Committee didn't understand the gentleman Mr. John R. K. Scott or any one else had asked for a public hearing in this Committee but the gentleman from Philadelphia made an inquiry but it was not understood that he had asked for a public hearing. Had the gentleman been so understood or had he understood it any other way, the request would have been granted. I cannot deny but what the gentleman from Philadelphia, Mr. John R. K. Scott, in his understanding of the situation did make such a request. It was in an informal way and I didn't so understand it then. At the same time, it may be construed as a request for a hearing.

Mr. SPEISER. Mr. Speaker, I might say to the Chairman on Roads that he understood properly or rather interpreted it properly. Mr. Scott's request was made because I was present on that occasion. Mr. Scott did make a request of the Public Roads Committee with reference to this bill and I might say that was a long time ago, before this bill was on the Calendar. Every member and every man could have had a public hearing. It strikes me most pertinently that if a measure of this importance known by every citizen that can read any language because I think the constitutional amendment was printed in every language that is printed in any newspaper in Pennsylvania didn't see fit to ask the Chairman of this Committee or any of his associates on the Committee for a public hearing, that there was any public desire for such a hearing and if my friend from Philadelphia, Mr. Scott, did make this request, he surely put it in a most informal manner, so informal that even the Chairman of the Committee, himself, misunderstood it to be a desire for a public hearing but he really understood it correctly. Truly the explanations have been sufficient to show the members of the House that there is nothing at the bottom of the request to have it stay in Committee. We have no reason for that whatever. We have the negative side of this question. It is the duty of the affirmative side to tell you why it should be kept there. Mr. Roney has well said that you cannot change the bill in Committee. Is the intent of the gentleman from Philadelphia, Mr. Scott, after an informal request, to work up sentiment against the bill? If that is his object, are you members of the House going to help him do that? Truly you don't want to. I think the argument has been splendidly brought out on both sides. I think the gentleman from Delaware and the gentleman from Philadelphia, Mr. Roney, have practically verfied the situation. You are compromising the good roads measure of Pennsylvania in keeping it in Committee. Is it not worth anything to anybody to expect to have good roads in the county? You can keep it there ten days and at the end of ten days you can presevere and have it kept there for another ten days. In that way you can have this session extended until next Christmas, because the present administration cannot spend the money and cannot even get the money. Gentlemen, let us vote on it in a sensible and intelligent manner. This effects only the country districts. There is certain other important matters to be considered and when you go home at the end of the week, I think you can do it with a great deal of grace if you vote to reconsider the vote by which this bill was recommitted to this Committee.

Mr. E. G. M. KUHNS. Mr. Speaker, it seems to me absurd. I was on the floor of this House last Thursday after listening for the greater portion of one hour and I am here kept back for one hour and a half tonight. What have we done? Mr. Speaker, let me tell you there are reasons to have this joint resolution come back from the Committee of Roads of which I am a member and those of you who know me, know my stand two years ago on this concurrent resolution. Mr. Speaker, I want you all to take fair notice then and I warn you that I want to protect this resolution. I want it to go through. I don't want it chocked and throttled, and many other funny names that have been given to it, in the Committee. When this joint resolution came over from the Senate, and you must not forget to understand that there are some new members in that Committee and there was quite some little discussion in that Committee. They wanted to hold this resolution in that committee for further discussion, and I make the cause clear before the people of this Commonwealth and before the members of the House. I was one that wanted this resolution to come forward. This motion to recommit was made last Thursday night in regular order. It has been wisely said, there were only 127 members present last Thursday. Whose fault was that? Was it my fault? Was it the Speaker's fault, or was it the individual member's fault? That bill was reached on second reading on the Calendar in regular order. This motion was made to recommit to the Committee on Public Roads in regular order. It was discussed and it was recommitted to the Committee on Public Roads in regular order. I want to assure you gentlemen again that I want this resolution to go there. There is not a man in this Commonwealth more in favor of good roads than the little Dutchman. Mr. Speaker, I ask the members of the House to vote this motion down and save this resolution and not choke it by this motion. Let the work of the members who were present last Thursday prevail. Let the resolution go back to the committee. Let us instruct these new members so that they can go home and instruct their constituents how to vote properly next November.

Mr. MATT. Mr. Speaker, I have listened with attention, and especially to my friend, Mr. Speiser, from Philadelphia, when he said that the country districts were clamoring for the passage of this bill, to which we agree. I want to make it plain that there is not a member of

this House that is more in favor of the passage of this bill than Matt. I voted for this resolution two years ago. I take great pleasure in supporting it again, but when you hold a club over a man and tell him that the worst things you can do tonight is to vote against this measure; then I refuse, because I think that when you railroad this through, you are only sharpening the knife when it comes before the people, a thing which I am very sorry for.

I want to interrogate the gentleman from Philadelphia, Mr. Speiser.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SPEISER. Yes, Mr. Speaker.

Mr. MATT. Mr. Speaker, I would like to ask the gentleman from whence he received this information that the people of the country districts were clamoring to get this bill through this House.

Mr. SPEISER. If the Speaker pleases, I have been informed by a great many of my colleagues who represent that sort of constituency.

Mr. MATT. That is all, Mr. Speaker. I think, when the vote is taken upon this measure as to whether or not it should come from the committee, the various members will speak for their constituents.

Mr. CLAYCOMB. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Reuben Howard, Peters, Keegan, Sassaman, Strauss, Cochran, E. G. M. Kuhns, McKay, Hemminger, Charles A. Shaffer, Mather, Stone, Ely, McAllister, Spangler, Bass, Fahey, Heyburn, Martin, Lenker, Wildman, North, Brosius, Snyder, and others.

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. JOHN R. K. SCOTT and Mr. SAMUEL B. SCOTT.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—107.

Adams,	Ely,	Leslie,	Roney,
Alworth,	Ewing,	Letzkus,	Sassaman,
Ambler,	Fahey,	Lowers,	Schaeffer, A. C
Aron,	Flynn,	Mannion,	Schuck,
Arthur,	Forster, I. G.,	McAllister,	Semmens,
Baldwin, R. J.,	Frey,	McArdle,	Shaffer, C. A.,
Bass,	Gans,	McCaig,	Shern,
Becker,	Gibson,	McNichol,	Sherwood,
Berntheizel,	Gramley,	Mechling,	Snyder,
Blair, W. A.,	Gransback,	Meissimer,	Spangler,
Blair, W. F.,	Gray, Joseph,	Mitchell,	Speiser,
Brosius,	Hackett,	Moore,	Spillinger,
Brown,	Haggerty,	Morrow,	Steele,
Caldwell,	Herman,	Moses,	Strauss,
Campbell, C.M.,	Hess,	Neel,	Swartz,
Carter,	Heyburn,	Newbaker,	Thomas,
Cleary,	Hibshman,	North,	Ulerich,
Conner,	Hobbs,	O'Neill,	Ulman,
Cox,	Hoffman,	Perry, S. J.,	Walsh,
Currier,	Howard, J.,	Peters,	Watson,
Curry,	Irwin, G. C.,	Piper,	Whitaker,
Davis,	Jones, E. E.,	Price,	Whitman,
Dickinson,	Keegan,	Ramsey,	Wildman,
Down,	Kenna,	Reeser,	Wiltbank,
Dunn, J. A.,	Kennedy,	Rhoads,	Wilson, J. H.,
Ehrhardt,	Klepper,	Richards,	Alter,
Eichenberger,	Kuhn, H. P.,	Robinson,	Speaker.

NAYS—81.

Allen,	Geary,	Lohr,	Post,
Baldwin, G. A.,	Geiser,	Malie,	Rex,
Barner,	Glenn,	Martin,	Rothenberger,
Benninger,	Good,	Mather,	Runk,
Benson,	Goss,	Matt,	Savacool,
Bigger,	Grabe,	McAleer,	Scott, J. R. K.,
Bleloch,	Gray, Frank,	McClintock,	Scott, S. B.,
Body,	Hemminger,	McDermott,	Shaffer, I. E.,
Brownlee,	Howard, R.,	McKay,	Smith, J. W.,
Burnett,	Humes,	Mellott,	Smith, L.,
Carson,	Irwin, H. H.,	Metzenbacher,	Steedle,
Cheeseman,	Jones, J. R.,	Miller,	Stein,
Claycomb,	Kaiser,	Moulthrop,	Stone,
Cochran,	Kaufman,	Murphy,	Swift,
Collins,	Kern,	Musser,	Trach,
Conniff,	Kuhns, E.G.M.,	Neely,	Walnut,
DeFrees,	Lanius,	Newton,	Williams,
Donahoe,	Latshaw,	Peachey,	Wilson, J. H.,
Donnally,	Lenker,	Pennock,	Young, G. K.,
Dunn, H. B.,	Light,	Perry, H. L.,	Zimmerman,
Foster, J. D.,			

So the question was determined in the affirmative.

REASONS FOR VOTE.

Mr. HOBBS. The reason why I voted for the motion is because there is no change that can be made to the bill without destroying the purpose of the proposition.

Mr. GIBSON. Mr. Speaker, I desire to offer the following reasons for vote on the motion to reconsider vote recommitting Senate Bill No. 68 to Public Roads Committee:

I have become convinced that it was a mistake to recommend this bill last Thursday, largely because it has been interpreted as an action unfriendly to the bond issue, which I am sure many of those so voting did not intend. Inasmuch as this resolution merely puts it up to the voters to decide whether the General Assembly shall have the authority to issue bonds for road purposes, most of the points that have been raised against this bill should more properly be raised in connection with any enabling legislation that may come up for consideration. The demand for submitting this resolution to the voters is certainly sufficient that the Road Committee could do nothing else but re-report it to the House after the hearing. The action to reconsider need not interfere with any hearing that may be desired, and inasmuch as there will be plenty of time for members to investigate and consider before the resolution is reached on third reading, I have voted to reconsider.

Mr. ADAMS. Mr. Speaker, I desire to offer the following reasons for my vote.

My reasons for voting "aye" on this bill, Senate Bill No. 68, are: first, I favor a public hearing; second, my constitutents favor the bill.

Mr. ADAMS. I desire to offer the following reasons for my vote.

If I had voted on this bill last Thursday I would have voted "No," as I could see no reason to refer the Joint Resolution to Public Roads Committee, therefore at this time I would take the same position as last Thursday, had I voted then, and vote "aye" so the matter can stand before the House exactly as it did on Thursday last.

The SPEAKER. When this bill was last before the House the question was:

Will the House agree to the first section as amended?

Mr. R. J. BALDWIN. Mr. Speaker, I have a further amendment. I find there is an omission of the word "of."

The SPEAKER. The amendment will be read by the Clerk.

Mr. JOHN R. K. SCOTT. Mr. Speaker, are we now on second reading?

The SPEAKER. The bill has been brought up by virtue of the motion to reconsider, which has been carried and the bill is therefore before the House.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. JOHN R. K. SCOTT. Mr. Speaker, my point of order is that this business is now out of order. This bill is not on second reading and the motion which has been passed upon by the House is merely the placing of this bill back to its position on second reading on the Calendar. We are not now on second reading business.

The SPEAKER. The motion before the House was a motion to reconsider the vote by which the bill was recommitted. As the Chair understands the practice, the reconsideration of that vote brings the bill before the House as it was when the motion to recommit was adopted.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I insist upon my point of order.

The SPEAKER. The Chair will, in the absence of any other light, have to overrule the point of order.

Mr. JOHN R. K. SCOTT. Mr. Speaker, will the Chair allow me to speak upon my point of order?

The SPEAKER. The Chair will be glad to have any light upon the subject or knowledge the gentleman may have to impart upon the point of order.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I may not be able to enlighten the Chair, but my thought, without having a precedent before me, is that the logical view of this matter must be that the only question in order was the offering of the motion. The motion then to reconsider places the bill back on the Calendar in the position that the bill was. When we reach second reading, then the discussion as to the various sections of this bill will be properly in order.

Mr. R. J. BALDWIN. Mr. Speaker, I differ with the gentleman from Philadelphia. When this bill was under consideration on second reading, the action of the House was interrupted on second reading, with a motion to send the bill back to the committee. Without action upon the bill on second reading, the House decided to refer the bill to a committee. Now when the House changes its decision and brings the bill back into the House, it brings it into the House and places it in exactly the same position as it was when it left the House. When the bill left the House it was under a proposition to pass second reading. Therefore, in my judgment, the Chair is absolutely correct. The bill comes back to the House in exactly the form in which it left the House, which is under consideration for second reading and open for further amendment. I raise the point that the gentleman's motion comes too late. He permitted the bill to be amended, if I am not mistaken, and after amended he then raises the point. In my opinion, first, he is mistaken in his understanding, and secondly, his motion comes too late, as action has already been taken on the bill.

Mr. JOHN R. K. SCOTT. Mr. Speaker, if the gentleman is logical in his position, then the business that we concluded subsequent to passing this bill would be all out of order. We have gone beyond the calendar of this bill. In fact, last Thursday we finished all bills on second reading and then we adjourned. Now surely it cannot be held by the Chair that this motion to reconsider the vote by which the bill was sent to the committee brings back the whole calendar. If the gentleman from Delaware is correct then the motion would carry with it not only the placing of the bill back to position on the second reading calendar, but would bring the whole calendar up. When we reach our second reading bills then we take our position and proceed with our vote on this measure. It is exactly the same as though there had been a motion to place this bill on the postponed calendar adversely. Say an opponent of the bill had made a motion to postpone the consideration of the bill to a specific date and that motion was reconsidered and was carried, would it bring that bill back from its postponed position to the House on the acting of that bill out of order, or would it bring that bill for that postponed position and place it on the calendar on whatever reading that bill happened to be. I therefore ask that my point of order be sustained.

Mr. R. J. BALDWIN. Mr. Speaker, we certainly have been going along this whole session doing exactly what is proposed to be done. In other words, the Speaker has ruled to-night as he has repeatedly ruled in this House and no gentleman has ever made an objection, not even the gentleman from Philadelphia. The members of this House understand that if a bill be defeated and after reconsideration it means immediately the passage on that position, whatever that position is. I think the gentleman from Philadelphia is entirely mistaken, and he must know that it has been the practice of this House this session that the bill takes the same place in the House when it is brought back from committee that it had originally, and that it is on second reading now does not mean that it will be necessary to call it up on the second reading calendar when that order is reached, but means that action can be taken on it now.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a point of parliamentary information. I believe that the stand taken by the gentleman from Philadelphia is absolutely correct. It is very easy to see how the other idea has grown up. In this House almost all our motions for reconsideration have been motions to reconsider the vote by which bills have failed on final passage. These motions have always been made during the time when on third reading and final passage are in order, and therefore, when the motion to reconsider prevails the bill comes up at the time when it is naturally in order, and that has happened so often that the idea has originated and finally become deeply settled that the bill must be acted upon immediately after this motion to reconsider. But the logic of the situation is that the motion to reconsider merely undoes what was done. What we did was to send the bill to the Committee, and what we have undone is to send the bill back from the committee to the calendar of the House absolutely in the same place that it was before, namely, on second reading. Bills on second reading are not in order at this time, and if the members of this House stand by the Rules of the House, then this bill is not in order at the present time.

Mr. FLYNN. Mr. Speaker, I maintain that the Speaker is correct in his ruling. When the action of the House was taken on last Thursday, recommitting this bill to the committee, the House was then on the second reading calendar. The calendar for that day was disposed of, the second reading calendar was disposed of. Now then if this bill is not on second reading when it is brought out of the committee, if it is not before this House just as it was before it was recommitted, I would like to know in what position it is now. Is it postponed for the present, or is it on the second reading calendar, or where is it? I say that the bill is before the House and subject to the action of the House just the same as if it had not been recommitted. This has been the practice of the House in all of the time that I have been here as a member.

The SPEAKER. It appears clear to the Chair that the bill is properly before the House, and therefore, the point of order is not sustained.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I appeal from the decision of the Chair.

Mr. S. B. SCOTT. Mr. Speaker, I second the appeal.

The SPEAKER. An appeal from the decision of the Chair is called by the gentleman from Philadelphia, Mr. John R. K. Scott, and seconded by the gentleman from Philadelphia, Mr. S. B. Scott. The gentleman from Tioga, Mr. Williams, will take the Chair while this appeal is being disposed of.

(MR. WILLIAMS IN THE CHAIR.)

On the question,

Shall the ruling of the Chair stand as the decision of the House?

Mr. ALLEN. Mr. Speaker, I would like the privilege of saying a few words.

POINT OF ORDER.

Mr. FLYNN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FLYNN. Mr. Speaker, my point of order is that the question is not debatable.

The SPEAKER. The Chair rules that the point of order is well taken.

Mr. JOHN R. K. SCOTT. Mr. Speaker, in order that there might be no misunderstanding, I call the attention of the House to Rule No. 3.

Mr. FLYNN. Mr. Speaker, I insist upon my point of order. I insist upon my point of order that this motion is not debatable.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to read Rule 3, which says: "He shall decide all questions of order, and appeal from his decision shall be made by two members, or the Speaker may, in the first instance, submit the question to the House ....."

The SPEAKER. The Chair withdraws his decision, and recognizes the gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, the question of the appeal seems to me to be perfectly plain. As I understand the attitude of this House, on Thursday last, when this bill was reached in due process on the second reading calendar, by a motion duly made, it was referred to a committee, or recommitted to be exact. The session of Thursday closed in due time thereafter, and that session adjourned finally until Monday evening, this evening, at eight o'clock. The rules which govern this House, and which we adopted by the House at the very beginning of the session, provide in Rule 8: "Order of Business." "After the reading of the Journal each day, the order of business shall be as follows: First, Report by the Speaker of his reference to committees of bills, letters, petitions, memorials, remonstrances, and accompanying documents." The Journal has been read. Such documents as may have been submitted have been referred. "Second, Reports of standing committees and select committees may be made." The committees have made their reports to the House, and we then proceed to the third order of business. "Third, Leave of absence may be asked." It was done and they are closed.

"Fourth. Resolutions," and under the head a motion was introduced to lift this bill, if you please, from the committee to which it had been referred and place it again upon the calendar. When the bill left the calendar, Mr. Speaker, that bill was on second reading, and when by the action of the House it was just taken—by the action of this House that bill was again placed upon the calendar under the proper heading by resolution duly offered under the head of Resolutions, and when the House had done that, remember, Mr. Speaker, we are still under the head of Resoluitons, when the House had done that it had done that it could to this bill or any other bill on second reading this night without unanimous consent. And why? Because of the fact, Mr. Speaker, that the amendments were pascsed over the head of Resolutions, and it is provided under the rules of this House, which every member of this House has adopted as his rule of action. It is provided, "Fifth. After the foregoing orders have been finished, the following shall be the orders of the day:.....and it is finished when action is taken upon any resolution that is offered. "After the foregoing.....the following shall be the orders of the day: For Mondays—First—motions to recommit may be made. Second—unfinished business (other than bills) may be considered. Third—Bills on first reading," and there is the whole program for Mondays and nothing else. Now, Mr. Speaker, it is a question, a vital question, and it is no parley for time. Perhaps as I stand here some one may be so unkind as to say that it is a battle for time. Nothing of the sort; It is a battle for fairness. A majority of the House has spoken and I bow to that will in relation to this bill. They have said, we will again place the bill back where it was, but you will place it back on second reading, and you don't pass bills, Mr. Speaker, on first reading, on second reading or on third reading under the head of Resolutions in this House. Never! Never! You don't pass them there. You have laid down your program for the action of this House and this House is entitled to a decision made by this House as to whether or not that rule means what it says. If it means what it says, we are still under Resolutions, and I presume, perhaps, that a resolution made by any one to set aside this rule for the evening for the purpose of considering this bill, if it be of so great importance, and in such haste, upon second reading. But, we are under Resolutions, and we have acted upon that resolution and we have placed the bill back upon the calendar and we are ready to proceed with the regular order of business, and the point of order raised by the gentleman from Philadelphia should be sustained by this House, if there be any fairness in this House.

Mr. R. J. BALDWIN. I would like to state a proposition to the gentleman from Allegheny. Supposing a resolution was offered by unanimous consent to take up a bill for immediate action, and the bill is on final passage, and the House allows that resolution to go in on unanimous consent, and the resolution brings a bill up for final passage, although we are working under the order of bills on first reading. Then I want to know if it does bring it up for immediate action. This resolution does not say to place the bill on the calendar at all. The substance of the resolution was to bring the bill from committee for consideration. It brought the bill from committee for consideration. It is being passed under the resolution presented for that identical purpose just the same as a resolution by unanimous consent to take up a bill out of place on the calendar to be passed under that resolution. The bill takes the same position and the Chair is undoubtedly right and it has been the practice of this House.

Mr. JOHN R. K. SCOTT. Mr. Speaker, when the motion to reconsider the vote by which this bill was sent to the committee was being argued, the gentleman from Delaware stated to the House that this bill would be heard on second reading on Wednesday, and then we could have our public hearing at that time. There was no thought of this reconsideration bringing this bill up now for second reading. There is no order of business or second reading on a Monday. As has been well stated by the gentleman from Allegheny, this motion to reconsider the vote by which the bill was sent to the roads committee, merely undid what we did on Thursday, and it merely put this bill back in its line of bills where it was before.

If the Chair is correct in its ruling, then a bill that would be indefinitely postponed and the motion to reconsider that was brought about on a Friday when there is no third reading order of business, unless all other business be dispensed with. It would be possible for that bill to be postponed, if the Chair is right and proceed then with third reading. Why, it would be an absolute offset to the procedure of this House. We have our bills on certain days for first reading and certain days for second reading and certain days for third reading. It is at that time that this bill, when it reaches the proper day, should be considered. Mr. Speaker, if the Chair was right in this matter, you can see how easy it would be to bring out a bill that was on a postponed Calendar, because sending it out to a committee takes it out of its line and by placing it on postponed Calendar an enemy of the bill could call it up on third reading when there was no third reading on the Calendar and by a reconsideration of vote the bill would be postponed. I can say too, as far as that vote was reconsidered and brought in, when third reading was not in order, when the House was not full, would it not then be possible for the using of this parliamentary proceeding? This is the very precedent that the Chair intends to offer to kill legislation. Now there are no rules, Mr. Speaker, that are incorporated in the rules of the Legislative body, except rules that grow out of a logical conclusion. This point of order was raised here that this bill cannot be considered unless it reached the regular order of business. Why is not the judgment of the House right when these various bills are to be met upon their various readings? The reconsideration of this vote on Thursday surely does not bring this bill back to the House when there was second reading in order. I therefore, move that the point of order is well taken and that the Chair has not properly decided upon it and the appeal should be sustained.

Mr. ALWORTH. Mr. Speaker, it appears to me that when this was taken up on second reading, when by motion it was recommitted that it was taken from that order and placed in the Committee. Now then when this motion is made to reconsider bill action of this House is that the bill return to the same position it was in at the time the motion was made to recommit. I believe that the action of the Speaker in deciding this rule is practical and absolutely logical.

Mr. JOSEPH GRAY. Mr. Speaker, I think the Chair was right in his ruling on this point. I desire to read from the New Cushing's Manual of Parliamentary Practice, authorized revision by Charles Kelsey Ganies, from page 103 and the top of page 104, which is as follows:

"The effect of a reconsideration is not to reverse the vote reconsidered but simply to set it aside as if it had never been taken, being the question to which it related again before the Assembly to be disposed of in any way which would have been allowable before it was voted upon. The Assembly may then reaffirm its former vote, or reverse it, or take some other action. The only exception is the reconsideration of a vote ordering the Previous Question; for this, according to general usuage, in itself annuals the order and opens the pending question to debate."

Now, Mr. Speaker, the Chair had ruled properly on it and the House should sustain the Chair in their votes because it seemed to be in harmony with Parliamentary Practice.

Mr. HOWARD. Mr. Speaker, I think that the Speaker, was right in ruling that this bill is before the House because the bill had been read, and because the Committee of the whole had been dispensed with, and therefor the bill was before the House and must be dispensed with in one manner or another, either by motion to postpone or recommit. The bill has been read, the Committee as a whole has been dispensed with and the bill is now before the House.

The SPEAKER. The question is shall the ruling of the Chair stand as the decision of the House?

The Chair is sustained.

The SPEAKER (George E. Alter) in the Chair.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to offer the following amendment to the first section.

The SPEAKER. The gentleman from Delaware desires to offer an amendment.

The amendment was read by the Clerk as follows:

Amend section one line eighteen after the word "million" insert the word "or"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

On the question,

Will the House agree to the bill on second reading?

The yeas and nays were required by Mr. JOHN R. K. SCOTT and Mr. ALLEN were as follows:

YEAS—166.

Adams,	Flynn,	Lowers,	Rockwell,
Alworth,	Forster, I. G.,	Mannion,	Roney,
Ambler,	Foster, J. D.,	Martin,	Rothenberger,
Aron,	Frey,	Mather,	Runk,
Arthur,	Gans,	Matt,	Sassaman,
Baldwin, G. A.,	Geary,	McAleer,	Savacool,
Baldwin, R. J.,	Geiser,	McAllister,	Schaeffer, A. C
Bass,	Gibson,	McArdle,	Schuck,
Bayle,	Glenn,	McCaig,	Semmens,
Becker,	Goss,	McClintock,	Shaffer, C. A.,
Berntheizel,	Gramley,	McDermott,	Shaffer, I. E.,
Bigger,	Gransback,	McNichol,	Shern,
Blair, W. A.,	Gray, Joseph,	Mechling,	Sherwood,
Blair, W. F.,	Hackett,	Mellott,	Snyder,
Body,	Haggerty,	Miller,	Spangler,
Brosius,	Hemminger,	Missimer,	Speiser,
Brown,	Herman,	Mitchell,	Spillinger,
Brownlee,	Hess,	Moore,	Steedle,
Caldwell,	Heyburn,	Morrow,	Steele,
Campbell, C.M.,	Hibshman,	Moses,	Stein,
Carter,	Hobbs,	Moulthrop,	Stone,
Cheeseman,	Hoffman,	Murphy,	Strauss,
Claycomb,	Howard, J.,	Musser,	Swartz,
Cleary,	Howard, R.,	Neel,	Swift,
Cochran,	Isler,	Neely,	Thomas,
Collins,	Irwin, G. C.,	Newbaker,	Trach,
Conner,	Irwin H. H.,	Newton,	Ulerich,
Cox,	Jackson,	North,	Ulman,
Currier,	Jones, E. E.,	O'Neill,	Walnut,
Curry,	Jones, J. R.,	Pennock,	Walsh,
Davis,	Kaiser,	Perry, S. J.,	Watson,
DeFrees,	Keeport,	Peters,	Whitaker,
Dickinson,	Kenna,	Piper,	Whitman,
Donahoe,	Kennedy,	Price,	Wildman,
Donnally,	Kuhn, H. P.,	Ramsey,	Williams,
Down,	Lanius,	Reese,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Rex,	Wiltbank,
Ehrhardt,	Leslie,	Rhoads,	Young, J. H.,
Eichenberger,	Letzkus,	Richards,	Zimmerman,
Ely,	Lohr,	Robinson,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—18

Allen,	Burnett,	Kern,	Scott, J. R. K.,
Barner,	Carson,	Kuhns, E.G.M.,	Scott, S. B.,
Benninger,	Conniff,	Light,	Smith, J. W.,
Benson,	Good,	Malie,	Smith, L.,
Bleloch,	Gray, Frank,		

So the question was determined in the affirmative.

Ordered, That the bill be transcribed for third reading.

MOTION TO RECONSIDER VOTE.

Mr. CARTER. Mr. Speaker, I move that the vote by which the point of order on House Bill No. 648, entitled:

An Act to provide for the erection and organization of new counties out of parts of two adjoining counties and prescribing the manner in which the same may be done

was sustained, be reconsidered.

Mr. ISLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN ROBERT JONES. Mr. Speaker, for information I would like to know whether or not the maker and seconder of the motion voted "aye" on sustaining the point of order.

The SPEAKER. How did the gentleman from Allegheny, Mr. Carter, vote on sustaining the point or order?

Mr. CARTER. The constitutionality of the point of order.

The SPEAKER. Did the gentleman vote "aye" or "no"?

Mr. CARTER. I voted "no."

POINT OF ORDER.

Mr. JOHN ROBERT JONES. Mr. Speaker, I raise the point of order that he cannot make this motion.

The SPEAKER. The point of order is well taken. The maker and seconder of the motion must be members who voted in the majority.

Mr. ADAMS. Mr. Speaker, if I may correct the gentleman from Allegheny, Mr. Carter, he answered under a misapprehension, when he said he voted "no". I feel sure that he voted "aye." He voted the same as Mr. Isler. We had no yeas and nays on the roll. It was a standing vote, and I am positive that I am correct.

Mr. CARTER. I stand corrected; Mr. Adams is right.

The SPEAKER. Then the gentleman who makes the motion and the gentleman who seconds the motion both voted for sustaining the point of order.

On the question,

Will the House agree to the motion?

Mr. JOHN ROBERT JONES. Mr. Speaker, I would like to interrogate the maker of this motion.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. CARTER. Yes, sir, Mr. Speaker.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would ask the gentleman to explain to the House the reasons for reconsideration of this action.

Mr. CARTER. Mr. Speaker, my reason for making this motion to reconsider this vote is this: There was a very slim House present at that time, and I have myself seen bills fall here that were reconsidered afterwards, and I think that under those circumstances Mr. Adams should have that courtesy on the floor of this House, and give Mr. Adams, the sponsor of that bill, a chance. That is my reason.

Mr. JOHN ROBERT JONES. I submit, Mr. Speaker, that the reasons given by the maker of this motion are absolutely without any validity. When he says that he would desire to have this more fully discussed, I ask him whether or not this House did not debate at some length when the question was submitted to this House in order to secure the advice and argument of the legal members on the floor. The bill was called up by the gentleman from Luzerne, the sponsor of the bill, and was not caled up by anyone hostile to it. The question of whether or not there was a large House here was a question for that gentleman to decide. Now, Mr. Speaker, the Constitution of Pennsylvania has not changed since last Monday night; the Supreme Court of this State has not given any new determination or interpretation of the seventh section of the third article since last Monday night, to my knowledge. The bill was declared unconstutitional on the point which was admitted by the sponsor of the bill that it could affect but two counties of the State; and I cited the Supreme Court decision that when you determine the application of a bill to counties upon a geopraphical determination, it is not constutitional; and I cited the case. If this had not been so thoroughly discussed, I would cite again those decisions, it was plainly admitted by the sponsor of this bill that it could apply solely to two counties, Schuylkill and Luzerne. In order that I may clear up in the minds of some members of the House here the question as to whether or not they can create counties, I want to read to you the title of a bill which—

Mr. ADAMS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ADAMS. Mr. Speaker, this is not the proper time to discuss the validity of the bill. It is a question now as to whether or not this bill should be reconsidered. The gentleman, Mr. Carter, voted "aye", I feel sure, as a great many other members voted in the House. It was a case of reciprocity. I asked him, as I asked others, to vote for the bill, and he naturally would vote against a measure being unconstutitional.

The SPEAKER. The Chair will state to the gentleman that a motion to reconsider brings up the whole question. The point of order is not sustained.

Mr. JOHN ROBERT JONES. Mr. Speaker, I regret that it is necessary for me to go into this discussion. I apprehend that the House is tired of the discussion of these questions of reconsideration, but it is too important a question to be allowed to go, simply because, in the judgment of the sponsor of the bill which was defeated, it ought to be reconsidered. I want to raise again my point of order and discuss it. I will cite again to this House the decision in eighty-eight Pennsylvania and read in the case of the Commonwealth vs. Patton, from the syllabus of the case.

"There can be no proper classification of cities or counties except by population. Geographical distinctions cannot be resorted to without entering the domain of special legislation." Page 260, same case we read,

"The Act of 1874 classifies cities by their population. The Act of 18th April 1878, can hardly be said to be a classification by counties. It is true it speaks of all counties of more than sixty thousand inhabitants. But it goes on to say, "And in which there shall be any city incorporated at the time of the passage of this act with a population exceeding eight thousand inhabitants, situate at a distance from the county seat of more than twenty-seven miles by the usually travelled public road." This is classification run mad. Why not say all counties named Crawford, with a population of over eight thousand, and situated twenty-seven miles from the county seat? Or all counties with a population of over sixty thousand watered by a certain river or bounded by a certain mountain? There can be no proper classification of cities or counties except by population. The amount we resort to geographical distinctions we enter the domain of special legislation, for the reason that such classification operates upon certain cities or counties to the perpetual exclusion of all others.

Now, the sponsor of the bill has admitted that this bill can only apply to the counties of Schuylkill and Luzerne.

Mr. ADAMS. Mr. Speaker, I desire to interrogate the gentleman.

Mr. JOHN ROBERT JONES. Mr. Speaker, I would request that I be allowed to finish, when I would be willing to answer any questions that he may wish to ask

There can be no proper classification of cities or counties except by population. The moment we resort to geographical distinctions, we enter the domain of special legislation, for the reason that such classification operates upon certain cities or counties to the perpetual exclusion of all others. This question is affirmed in two hundred and twelve Pennsylvania and affirmed and cited in two hundred and seventeen Pennsylvania in passing upon the Pittsburgh and Allegheny cases. It has been cited in one hundred and twelve Pennsylvania, Morrison versus Bachert. In speaking of this subject of special legislation, Justice Paxson says in part, as follows:

"Prior to the adoption of the present Constitution there was hardly an approach to uniformity in the fees of public officers throughout the State. Local acts had been procured for many of the counties, in some instances through the influence of the officers themselves, fixing the fees more in harmony with their own greed than the interests of the people, who may fairly be presumed to have known nothing of it until they came to pay the fees. It was to cut this system up, root and branch, with other exils of like nature, that the clause in question was inserted in the Constitution. It was a wise provision, and will be sternly enforced. It is our purpose to adhere rigidly to that instrument, that the people may not be deprived of its benefits. It ought to be unnecessary for this court to make this judicial declaration, but it is proper to do so, in view of the amount of legislation which is periodically placed upon the statute book in entire disregard of the fundamental law. Much of this legislation may remain unchallenged for years, only to be overturned when it reaches this court. In the meantime, parties may have acted upon it, rights may have grown up, and the inconveniences and losses entailed thereby may not be inconsiderable. As we view it, this note of warning at this time is needed.

"That the Act in question is in direct conflict with the Constitution is too plain for argument. It is only necessary to read the title to this Act to see this. It excludes perpetually from its operation all counties having a population of over one hundred and fifty thousand inhabitants. This makes it a local law. If it can exclude Philadelphia and Pittsburgh it may exclude every other county in the State but the one county seeking such special or local legislation.

"Nor can this legislation be sustained upon any rational theory of classification. In point of fact, there is no attempt at classification; it was a mere exclusion of certain counties. In Com. v. Patton, supra, it was said, referring to the Act of April 18th, 1878, to provide for the holding of courts in certain cities of this Commonwealth: "Said Act makes no provision for the future, in which respect it differs from the Act of 1874, which, in express terms, provides for future cities and the expanding growth of those now in existence. That is not classification, which merely designates one county in the Commonwealth and contains no provision by which any other county may, by reason of its increase of population in the future come within the class.'"

Now, it is admitted by the sponsor that this bill excludes sixty-five counties of this State from its operation. Now, how can we say that a bill which excludes sixty-five counties of this State is not a special law?

Mr. ADAMS. Mr. Speaker, when the vote was taken on this floor, it was discovered afterwards that the majority of the legal profession, members of this House, had voted against the unconstitutionality of the bill, and I would like to know, therefore, why their judgment is not just as good as the decisions.

Mr. JOHN ROBERT JONES. Mr. Speaker, understand that I am yielding to the gentleman from Luzerne, but not being interrogated.

Mr. ADAMS. You can answer that interrogation. I would like to have that interrogation answered, Mr. Speaker.

Mr. JOHN ROBERT JONES. Mr. Speaker, the question may arise in the minds of the members as to the distinction between these acts. The fact is that the Act of April seventeen one thousand eight hundred and seventy-eight (Pamphlet Laws seventeen), applied to Luzerne county, whereby in one thousand eight hundred and seventy-nine the County of Lackawanna was created. Now mark the distinction between that act and this. That is a general act, entirely constitutional while the act for which the gentleman is sponsor is special and local, and therefore not constitutional. Here is the language of the first section of the act of one thousand eight hundred and seventy-eight, (Pamphlet Laws seventeen):

"That whenever any county of this Commonwealth shall attain to a population of one hundred and fifty thousand or more, or that has already reached the same, it may be divided, and a new county erected therefrom, upon consent of a majority of the qualified electors of the proposed new county district voting at an election to be called for such purpose."

This is general because it is based wholly upon population and does not exclude any counties from its operation.

The gentleman goes on further and shows to the members of the House that his bill can only apply to Luzerne and Schuylkill counties. Now if the House reverses its position taken on last Monday night, it will put us in an absurd postion. Upon a question of policy, it may be proper to reconsider the action of the House upon any measure, but I submit that nothing has happened between that time and this which should cause any change in the decision of the House upon this question. I therefore ask the House to vote "No" upon this motion.

Mr. MILLER. Mr. Speaker, I believe that this vote should be reconsidered, briefly for the reasons which I will give you. First of all, in looking over the record I find that rule three of the Rules of this House was not followed, namely, that the Constitutional question was put without being called for by five members and that

The SPEAKER. The Chair would state for the information of the gentleman that the rule provides that the Chair may submit the question to the House if it is a constitutional question, and must submit it on the request of five members. The Chair submitted it voluntarily because of a belief that it was a question which should be discussed and the rules of the House provide that no question can be taken up for discussion unless submitted by the Chair or called for by five members.

Mr. MILLER. Mr. Speaker, there are other reasons why I believe this bill should be reconsidered. First, that we are passing bills day after day where there are serious constitutional questions involved and the point has never been raised. Just on the next bill after the bill on which the constitutional question was raised last Tuesday, a few minutes later we passed a bill raising the identical point and not a voice was raised; when the Philadelphia five judge bill was before the House, I think and I submit to you there is a serious question of constitutionality there, not one single voice was raised to object to this on the grounds of constitutionality. Now is it right that a bill which is so vital to the interests of the particular section of this Commonwealth should be stifled and put off in this manner. As I said a week ago this evening, the Constitution itself contemplates that there shall be classification when it comes to passing enabling acts for the creation of counties. The Constitution true forbids that special and local legislation of seventeen varieties or seventeen different classes, but the Constitution in its terms also contemplates classification. There is a classification of counties for the sake of paying county officers a salary or fee, a classification of one hundred and fifty thousand; that is, those above are to receive a salary and those below fees.

Classification of cities has been by population by reason of the act of 1874. Classifications of counties and cities have made in various ways. It has been stated to us a number of times by the gentleman from Schuylkill that classification of counties or classification in general of cities can only be made by population. I submit to you that that is not true. That classification has been made in different ways; classification of townships, for instance, is not a classification strictly of population, but it is a classification of population and area mixed. The classification of two contiguous cities—Allegheny and Pittsburgh—under the Act of 1896, which was declared constitutional in 217th Pennsylvania, was not a classification of population, but a

geographical classification, a classifiation of two contiguous cities, and in that decision Justice Mitchell says that it is entirely within the provisions of the Legislature to classify, that the Constitution contemplates classification, and whether that classification is proper or not is for the courts to decide. The Constitution invites classification on the part of the Legislature.

Now, briefly I am going to say why this classification is reasonable and why I believe it should be upheld and would be upheld by the court. First, of all, when the Constitution of 1874 was drafter the framers of that instrument said, when new counties shall be created in this Commonwealth, they shall comply with three conditions. First of all the new county shall contain at least four hundred square miles; secondly, the parent county shall still contain at least four hundred square miles; thirdly, the old county, as well as the new county, shall not reduce below twenty thousand population; and in addition to that the county line shall not pass within ten miles of the county seat. There are thus three requirements for the classification pointed out to us in the Constitution. When the framers drafted the Constitution of 1874 they knew very well that there were a number of counties in Pennsylvania that contained less than eight hundred square miles and consequently those counties could not be divided and comply with this constitutional provision. My own county, Lehigh, is one of these, Philadelphia was one of these. There are eleven in number, if I care to mention them, which were excluded at the time the framers framed the Constitution, excluded from this provision for the creation of counties. Now if you say that the framers of the Constitution contemplated that only one county could be taken and substract a new county from it; in other words, that you cannot join contiguous counties, then the county must have at least eight hundred square miles and if you apply that test, there were at the time of the adoption of the Constitution twenty-four counties, and there are still that many, twenty-four counties having more than eight hundred square miles; but there is another provision cropping up and that is the boundary dare not pass within ten miles of the county seat and when you apply that test you will find that there are only ten counties remaining in Pennsylvania which can be divided because of that provision that there can be no division carryng the boundary line within ten miles of the county seat. Now I submit to you that when the framers inserted that into the Constitution they saw at once that it was impossible to have that apply equally to every county in the State of Pennsylvania and when the gentleman from Schuylkill cites from 88th Pennsylvania he cited a case which refers to mechanics lien, which obviously should apply to every county in the State. It has been decided that the matter of procedure, scire facias and mechanics liens and the like should of necessity apply to every county in the State and you must construe the language of the court in that case as applying to those particular facts when he says, When one county is excluded the act is unconstitutional.

I say to you that by the language of the Constitution every county cannot possibly be included in a classification of counties and this is a reasonable classification and whether it is a reasonable classfication is not so much a matter for the Legislature to decide. We know that it takes days and weeks for the highest courts in Pennsylvania to reach a determination upon this question and it seems to me that it is presumptious for us suddenly to take a stand on one side or another and say this question is constitutional or unconstitutional. I want to say that the act of 1878, under which Lackawanna county was cut off from Luzerne county, and which the gentleman from Schuylkill referred to, was at the time of the passage of that act, the provision of which was that counties having one hundred and fifty thousand population or more might be divided, at the time of the passage of that act there was only one county in Pennsylvania that could comply with it and that was Luzerne. Philadelphia and Allegheny were both too small in the matter of area to comply with the provisions of that act and after a bitter fight that act became a law and everybody knew at the time of its passage that it applied only to one county. Now the bill before you does not apply to only one county in Pennsylvania. It applies to a number of counties which lie continguous, Tioga, Bradford, Susquehanna, Potter, McKean, Crawford, Warren, Somerset, Fayette, York and Huntingdon, every one of them might come within the provisions of this act some time or other.

It may be that at the present time that the counties of Luzerne and Schuylkill are the only two counties which would come within this provision, that it would apply to them, but there are others which can grow into the class. Whether this classification is constitutional or not, I say as was said in 212th Pennsylvania, by Judge Mitchell, that it is a matter for the courts to decide upon the reasonableness of it and I submit to this House further, that the question of classification of townships has never been decided, the classification for the purpose of creatng new counties has never been decided by the Supreme Court. Each decision of this question of constitutionality has been upon its own fats and the decisions which have been cited here do not cover the bill in question. I submit to you that it is so important and it is such a mooted question, a question which is too weighty to stifle here and allow a section of Luzerne and Schuylkill county to go without demands that they are asking of you, and I submit that inasmuch as there is not a decision in the book covering the exact conditions in question, that it should be passed and that the court should pass upon it, because that is the place where the Constitution is interpreted.

Mr. ROCKWELL. Mr. Speaker, after sitting here for three hours and fifteen minutes, this evening, listening to the jangle back and fourth, I have been wondering where we are going to get at if we keep this up. One of the reasons that the gentleman gave for reconsidering this bill was that the bill should be fairly discussed. It seems to me that when this bill was up the other night that never in my legislative experience have I heard a bill so fairly and honestly discussed from a legal standpoint as this bill, and the arguments were so plain convincing to any one of legal training, but it seems to me that men of ordinary intelligence who listened to it would have no question in their minds but that the bill came entirely within the prohibition of the Constitution. It not only undertakes to classify by population, but it undertakes to classify by counties of two. It does not even say counties of two or more. Every county joins with another one along three or four different points. If the bill said two or more counties, it might be a little plainer. But it strictly limits it to two, and then goes on the limit it by square miles. The decisions read by the gentleman from Schuylkill of the highest courts of this State are so plain that there seems to be no question in anybody's mind that the bill comes within the prohibition article. I see no reason why the House reverse itself at this time.

Mr. DAVIS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. ROCKWELL. I will.

Mr. ADAMS. Mr. SPEAKER. I would like to ask the gentleman from Tioga that if this august body was made up of journeymen, mechanics, blacksmiths, and laboring men, and we had no attorneys to decide the technicalities contained in this questions, who would decide them?

Mr. ROCKWELL. The House would, if submitted to the House by the Speaker.

Mr. DAVIS. Well, Mr. Speaker, if that is the case here, why can not the question be submitted to the House.

Mr. ROCKWELL. Mr. Speaker, it was.

The question recurring?

Will the House agree to reconsider the vote by which the point of order was sustained?

The years and nays were required by Mr. CONNIFF and Mr. ADAMS were as follows:

YEAS—62.

Adams,	Ehrhardt,	Irwin, G. C.,	Rhoads.
Ambler,	Eichenberger,	Jackson,	Richards,
Aron,	Fahey,	Keegan,	Roney,
Arthur,	Forster, I. G.,	Kennedy,	Semmens,
Baldwin, R. J.,	Frey,	Kern,	Shaffer, I. E.,
Bass,	Geary,	Lanius,	Smith, J. W.,
Bigger,	Goss,	Letzkus,	Snyder,
Brosius,	Gransback,	Lowers,	Speiser,
Campbell, C.M.,	Gray, Joseph,	Miller,	Spillinger,
Carter,	Hackett,	Missimer,	Steele,
Conner,	Haggerty,	Morrow,	Trach,
Cox,	Heyburn,	North,	Watson,
Currier,	Hibshman,	O'Neill,	Whitaker,
Curry,	Hoffman,	Perry, H. L.,	Wilson, W. H.,
Davis,	Isler,	Piper,	Wiltbank,
		Ramsey,	Young, J. H.,

NAYS—85.

Baldwin, G. A.,	Geiser,	McAllister,	Runk,
Barner,	Gibson,	McClintock,	Sassaman,
Becker,	Good,	McDermott,	Shaeffer, A. C
Benninger,	Grabe,	McKay,	Schuck,
Benson,	Gramley,	Mellott,	Scott, S. B.,
Berntheizel,	Hemminger,	Metzenbacher,	Shaffer, C. A.,
Blair, W. A.,	Hess,	Moore,	Smith, L.,
Bleloch,	Hobbs,	Moulthrop,	Spangler,
Body,	Howard, J.,	Murphy,	Stein,
Brown,	Humes,	Musser,	Stone,
Brownlee,	Jones, E. E.,	Neel,	Strauss,
Caldwell,	Jones, J. R.,	Neely,	Swartz,
Cheeseman,	Kaiser,	Newton,	Swift,
Claycomb,	Kuhn, H. P.,	Peachey,	Thomas,
Cleary,	Latshaw,	Pennock,	Ulerich,
Collins,	Lenker,	Reese,	Walnut,
Conniff,	Light,	Reeser,	Walsh,
DeFrees,	Lohr,	Rex,	Williams,
Donahoe,	Martin,	Robinson,	Wilson, J. H.,
Ely,	Mather,	Rockwell,	Zimmerman,
Flynn,	Matt,	Rothenberger,	Alter,
Foster, J. D.,			Speaker.

So the question was determined in the negative and the motion was not agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GRAMLEY. Mr. Speaker, I raise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GRAMLEY. In the Legislative Journal of April first, I find that this book makes me say something which I did not say. This book says I said, "I read a letter written by a Superintendent residing in Centre County." What I did say was, "not residing in Centre County." The book omits the word "Not" and I desire to have the correction made.

The SPEAKER.The correction will be made upon the Journal.

Mr. WILTBANK. Mr. Speaker, I move that the House do now adjourn.

Mr. BROSIUS. Mr. Speaker, I second the motion.

The motion was not agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 200, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' court permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal' as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal' approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act relative to inns and hotels regulating certain rights and liabilities of hotel-keepers and innkeepers and providing penalties for fraud against innkeepers and hotel-keepers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1774, entitled:

An Act to provide for the collection and compilation of certain statistics throughout the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1573, entitled:

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the townships of Ohio in the county of Beaver" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-six in so far as the same applies to the borough of Midland

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1023, entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations to set aside from the net profits each year a reserve fund to pay contingent losses and providing how it may be invested and validating such funds heretofore accumulated to permit members to secure repayment of their loans by giving a straight bond and mortgage for a fixed period not to exceed one-half of the loan authorizing them to loan money to other like associations under certain conditions and repealing all other laws inconsistent with this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled "An Act to regulate the sale of intoxicating liquors" by increasing the penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1510, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act extending the jurisdiction of the courts in actions wherein a corporation is or shall be a party

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1625, entitled:

An Act relating to damages providing for full compensation in case of taking of property for use as a public wharf pier or bulkhead

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1576, entitled:

An Act to amend an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" approved July second one thousand nine hundred and one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 591, entitled:

An Act relative to mercantile appraisers' lists

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture in use as such to the value of three hundred dollars and providing a method for the appraisal of such household goods and furniture

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1182, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1685, entitled:

An Act to amend section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring wash houses to be erected within eight weeks after notice has been served on the owner operator or superintendent

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1693, entitled:

An Act prohibiting corporations co-partnerships or companies conducting a cemetery from excluding persons duly authorized by lot holders in said cemeteries to enter said cemeteries to do gardening work and decorations on lots therein and providing a penalty for violation of said act by officers managers agents or employees of said corporations co-partnerships or companies

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1439, entitled:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began December first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 939, entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estates from all claim or interest of such persons

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act defining public properties owned by cities boroughs towns and townships and providing for the submission of the question of the sale or lease thereof to the electors of such cities boroughs towns or townships

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1732, entitled:

An Act regulating the change of location of the place of business of corporations of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1497, entitled:

An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a board for the assessment and revision of taxes for State and county and city purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of city ward borough and township assessors in so far as respects the assessment of State and county and city taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1820, (Senate No. 590), entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1546, entitled:

An Act to amend section five of an act entitled An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1906) by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1291, entitled:

An Act defining milk and milk food products and regulating the production storage transportation and sale thereof providing for a milk hygiene serve under the direction of the State Livestock Sanitary Board providing for the examination of milk and milk food products and premises and equipment where and whereby milk and milk food products are produced prepared stored transportated or sold authorizing boards of health in cities boroughs towns and townships of the first class to appoint local milk hygiene agents and providing penalty for vioaltion of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1534, entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1458, entitled:

An Act regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1868, (Senate No. 465), entitled:

A joint resolution providing for a commission to arrange for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol Building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1214, entitled:

An Act prescribing the number of Directors of the Poor in counties which have provided for the erection of a home for the destitute and insane and fixing the term of services of such Directors at six years

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1119, entitled:

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1318, entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalties to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred and one (Pamphlet Laws five hundred and twenty-three) and supplements and amendments thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1080 (Senate No. 116), entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1132, entitled:

A suplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commisioners of the several counties shall issue their precepts to assessors to make the triennial assesments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase by stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality and to lease the same to corporations or individuals

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1278, entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1217, entitled:

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municipal corporation providing the method for ascertaining and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said lease.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1100, entitled:

An Act extending the police power of municipalities respecting billboards signs and other outdoor advertising and concerning the licensing regulation or suppression of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1236, entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the constructions or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1163, entitled:

An Act authorizing and empowering counties to construct and for this purpose procure locations therefor by purchase of condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities and to lease the same to corportions or individuals

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing

the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 938, entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinuous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1044, entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisments notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1712, entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or oganization representative of the denomination of which said church was a member as trustee for said church to hold and dispose of the title to the property owned by said church and defining the procedure thereon

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land corporations whose charters expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini nineteen hundred and nine

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1382, entitled:

An Act regulating the letting of certain contracts for the erection construction and aleration of public buildings

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1860 (Senate No. 644), entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fixe his compensation and prescribe the form and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1822 (Senate No. 50), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the education of certain blind children under eight years of age

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1238, entitled:

A supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of Ancillery Letters of Administration in this Commonwealth upon the estate of persons presumed to be dead by reason of long absence from their former domicile in any other state territory or foreign county and who have left personal estate within this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1666, entitled:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1348, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1857 (Senate No. 583), entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1186, entitled:

An Act to make the real estate of any pauper liable for the expense of his support maintenance and burial and providing a method for the collection of such claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1547, entitled:

An Act to amend section two of an act entitled An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their counties painted and the bolts of the same tightened as often as may be necessary approved the twenty first day of April Anno Domini one thousand nine hundred and three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1313, entitled:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1194, entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth having a population of fifteen thousand or over and prescribing the qualifications powers and duties therefor and abolishing the office of borough auditors in said boroughs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1681, entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled 'An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge' approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1491, entitled:

A joint resolution proposing a Constitutional amendment to the Constitution of Pennsylvania granting to the people the right of recall of public officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1695, entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1448, entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 347, entitled:

An Act providing for the return of statistics relating to marriages requiring the clerks of the orphans' courts to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1314, entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1580, entitled:

An Act repealing the act of June fifteenth one thousand eight hundred and seventy-one (Pamphlet Laws 391) entitled "An Act relating to the assessment of damages for the appropriation of land for public use

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained bill boards signs or other advertising devises the increased value of such land resulting from the use of such permises for advertising

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 536, entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefitted and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1714, entitled:

An Act regulating the practice before justices of the peace aldermen and magistrates in cases where children under sixteen years are charged with any offense against the criminal law of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1729, entitled:

An Act to amend an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizin or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the asessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1397 (Senate No. 274), entitled:

An Act amending the third section of an act approved the thirty-first day of May nineteen hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1433, entitled:

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1048, entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1162, entitled:

An Act requiring individual drinking cups to be furnished on passenger railway cars and providing a penalty for violation therefor

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1601, entitled:

An Act to promote and encourage manufacturing within the Commonwealth by exempting from State and local taxation all machinery actually and exclusively used within the Commonwealth in manufacturing or for manufacturing purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1594, entitled:

An Act to amend section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and method whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1890 (Senate No. 819), entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1541, entitled:

Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1187, entitled:

An Act authorizing each city of the first class to establish a municipal pension fund for employees of said city and regulating the payment of such pensions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1803, entitled:

An Act to equalize educational advantages throughout the Comomnwealth of Pennsylvania by making an inspection and investigation of school districts now unable to provide minimum facilities and providing special appropriation therefor

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1426, entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 415, entitled:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1562, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred and ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro-rata share of the cost of said wall from adjoining power Preserving however all the rights given by statute to owners of party walls erected under said act

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1300, entitled:

Authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1603, entitled:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1175, entitled:

An Act authorizing the purchase or procuring of work labor materials or commodities to the value of one thousand dollars at ony one time by cities of the first class without public advertisement for bids and in certain cases without entering into written contracts therefor

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 984, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1343 (Senate No. 366), entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1872, entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1863, (Senate No. 651), entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1621, entitled:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1748, entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provision for enforcing the limitations imposed by this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1370, entitled:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and considera tion of House Bill No. 1790, entitled:

An Act to apportion the State into representative districts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
The SPEAKER. The Chair would suggest to the mem bers of the House that it would be well not to make and engagements for any evening this wek prior to Friday.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.
The motion was agreed to and at 11:35 P. M. the Hous adjourned to meet tomorrow morning at ten o'clock.



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